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**UTRSOL Comprehensive
Legislative Analysis
2026 General Session of the
67th Legislature**

April 2026

Office of
UTAH FOR RATIONAL SEX OFFENSE LAWS

Digest of UTRSOL Comprehensive Legislative Record 2026 General Session of the 67th Legislature

OVERVIEW

The 2026 legislative session was UTRSOL's first full engagement with the Utah legislature as an on-record participant. The organization tracked 24 bills, published 23 numbered documents, and appeared before four committees across the arc of the session. Rather than advancing a fixed platform, UTRSOL treated the legislative record as the primary site of engagement — assembling the evidentiary conditions under which each bill advanced and returning that documentation to the committees before votes were taken. The session ended with the registry at 46 registrable offenses, a restructured Sentencing Commission, restricted pardon authority, and GPS monitoring mandated for unhoused registrants. Each measure advanced despite documented evidentiary objections placed on the record before the relevant votes.

WHO WE ARE

- Utah's only formally organized advocacy voice that consistently demands evidentiary justification for sex offense legislation from a reform perspective.
- We are not a defendant-advocacy organization. We supported a propensity evidence rule, a ban on polygraphing sexual assault victims, underage marriage felonization, AI-generated CSAM criminalization, and child welfare warrant authority — when the evidentiary basis was sound.
- We function simultaneously as a legislative advocacy body, policy research organization, direct services provider, and journalism outlet. No other stakeholder in the 2026 session challenged the factual premises of proposed bills in writing before committee hearings, identified quantitative discrepancies between sponsor claims and publicly available data, or traced the process by which institutional advisory bodies endorsed bills without independently verifying their evidentiary foundations.

2026 SESSION AT A GLANCE

- 23 published documents across 14 bills and a post-session veto request. Supported 10 bills, opposed 11, remained neutral on 3. Appeared before House Law Enforcement and Criminal Justice, House Judiciary, and Senate Judiciary, Law Enforcement and Criminal Justice committees.
- Tracked cumulative registry growth across the session: 30 registrable offenses in 2011, 42 entering the session, 46 at its close — a 53 percent increase with no governing review framework and no evidence-based threshold assessment. That context appeared nowhere else in the legislative record.

WHAT THE RECORD DEMONSTRATES

- H.B. 274 (Sentencing Commission restructuring): The bill's premise was that defense attorney influence within the commission produced inadequately punitive CSAM guidelines. Commission voting records show defense attorneys lose 93 percent of contested votes. The commission independently revised CSAM guidelines in 2023. A sitting commission member stated on the record that the Torgerson outcome resulted from a prosecutorial decision, not commission composition. The bill passed 69-0.
- H.B. 370 (GPS monitoring, unhoused registrants): The sponsor estimated 72 to 97 registrants were deliberately withholding addresses. The publicly available registry showed 3 documented absconders — a gap of 24 to 32 times. We introduced all GPS cost data in the record because the sponsors did not. The DOJ study cited in support was conducted on high-risk parolees under active supervision — a materially different population than the bill's target. Both committees passed unanimously.
- H.B. 123 (out-of-state registration): The bill's central factual claim — a ranking of sex-offender-friendly states — was acknowledged by the sponsor on the record as coming from her own unverified research. The primary justification case involved notification delays and address verification failures, not the removal policy the bill addressed. We traced the complete institutional legitimacy cascade: four bodies endorsed the bill in sequence without any single body independently verifying the sponsor's premises.
- H.B. 110 (Board of Pardons): The sponsor cited year-over-year increases in pardon requests since 2021 but produced no specific numbers before either hearing. Historical data show the Board approved 14 of 83 petitions from 2015 to 2019 — a 16.9 percent approval rate. The bill passed 61-1, restricting the Board's constitutionally granted discretion under Article 7 on a foundation no sponsor, committee, or advisory body produced data to support.

FORWARD TRAJECTORY

- The 2026 session produced a written record that does not expire. Constitutional vulnerabilities in three enacted bills — H.B. 110, H.B. 123, and H.B. 370 — are documented in a level of detail unavailable from any other stakeholder submission. The legal action committee positions UTRSOL to pursue in courts the registry reforms the legislature has declined to undertake, operating under a standard of proof that legislative committees are not required to meet.
- The institutional relationships established with bill sponsors and committee staff during the session are the foundation from which future sessions will be contested on different terms. Direct legislative causation is the appropriate standard for a mature advocacy organization operating across multiple sessions; it is not the appropriate standard for a first engagement. The record produced here is the asset that changes what the next engagement looks like.

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April 13, 2026

To the Members of the 67th Utah Legislature,

Transmitted herewith is our report **UTRSOL Comprehensive Legislative Record for the 2026 General Session of the 67th Legislature** (Publication #2026-26). A digest is found on the pages located in the front of this document. The objectives and scope of the critique are explained in the Introduction.

This report provides a comprehensive account of our testimony serving both as a record of our engagement and a resource for future legislative analysis. It details the bills we supported, opposed, or conditionally endorsed, along with the data, arguments, and procedural recommendations that informed each position.

Sincerely

Utah for Rational Sex Offense Laws

UTRSOL/lm

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Comprehensive Legislative Analysis

2026 General Session – 67th Utah Legislature

23 Published Documents	24 Bills Tracked	10 Bills Supported	11 Bills Opposed	3 Neutral / In Concept
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Executive Summary

During its first legislative session engagement, Utah for Rational Sex Offense Laws (UTRSOL) formally tracked 24 bills and published 23 numbered documents during the 2026 General Session, including policy critiques, a post-session veto request letter, and supporting position statements transmitted to bill sponsors before each committee hearing. The organization took formal positions on 21 of the 24 tracked bills: supporting ten, opposing eleven, and remaining neutral on three.

Of the ten bills supported, two failed: H.B. 346 (Child Sexual Abuse Trust Positions), which passed the House chamber 72–0 before stalling in the Senate chamber despite UTRSOL’s committed advocacy; and S.B. 124 (Child Welfare Modifications), which failed in the House 30–43, with UTRSOL’s support limited to its legislative tracker due to missed timing windows for direct engagement.

Of the eleven bills opposed, four failed—H.B. 114, H.B. 116, and H.B. 48 in the Senate, along with H.B. 200, which did not advance out of the House Rules Committee. The remaining seven opposed bills by UTRSOL all passed and were sent to the Governor.

UTRSOL opposed H.R. 8 – the censure resolution against Judge Torgerson – on the grounds that legislative censure of a judge for exercising individualized sentencing discretion creates no victim services, no legal remedy, and no systemic change. If the legislature believes CSAM possession warrants harsher punishment, it has the direct authority to amend sentencing statutes. A censure resolution is not a substitute for the legislative accountability the problem demands.

The 2026 session shifted Utah’s criminal justice landscape in a more punitive direction. The sex offense registry expanded from 42 to 46 registrable offenses in a single session through H.B. 289 (AI-generated CSAM, +3 offenses) and H.B. 221 (sexual extortion as a standalone offense, +1). The Sentencing Commission was restructured from a body composed of three

defense attorneys and two prosecutors to one consisting of one defense attorney, six prosecutors, and three sheriffs. The Board of Pardons and Parole's constitutional pardon authority was also restricted by statute.

Additional measures mandated GPS monitoring for registrants without fixed addresses, expanded out-of-state registration requirements, and tightened interstate supervision transfers. In the final week of the session, the legislature formally censured sitting Judge Don Torgerson—the judge whose 2025 CSAM sentence prompted H.B. 274—through H.R. 8 by a vote of 67–3. Each of these measures advanced despite UTRSOL's documented evidentiary objections.

UTRSOL transmitted a veto request letter to Governor Spencer Cox on March 9, 2026, requesting vetoes of H.B. 110, H.B. 123, and H.B. 370, citing the Governor's own 2025 statement that enhancements without an overarching strategy may not achieve their public safety goals. These bills were subsequently signed by the Governor on March 26, 2026, the final day on which legislative bills could be acted upon. Collectively, the session reflects a legislative trend toward expanded penalties and reduced structural balance, one that advanced despite sustained evidentiary opposition from UTRSOL.

Organizational Profile: UTRSOL

Overview

Utah for Rational Sex Offense Laws (UTRSOL) is a Utah-based criminal justice reform advocacy organization founded in April 2025. The organization's mission is not registry abolition but registry rationalization: replacing punishment-maximizing policy with evidence-proportionate policy calibrated to documented public safety risk. This framework prioritizes empirical risk, individualized assessment, and measurable public safety outcomes over categorical assumptions.

UTRSOL is the only organized advocacy voice in Utah that consistently demands evidentiary justification for sex offense legislation from a reform perspective. No other stakeholder in the 2026 session challenged the factual premises of proposed bills in writing before committee hearings, identified quantitative discrepancies between sponsor claims and publicly available data, or traced the process by which institutional advisory bodies endorsed bills without independently verifying their evidentiary foundations. The formal bill tracking record: 24 bills, 23 publications, and full committee hearing attendance.

Core Framework

UTRSOL's advocacy is grounded in an evidence-proportionality framework applied consistently across all 24 tracked bills. The organization demands verifiable, source-attributed data before accepting a bill's stated premise, challenges responses disproportionate to documented problem scope, and raises constitutional arguments and root-cause alternatives where the record supports them. The framework produces positions that do not track traditional ideological lines because the operative question is never whether a bill's stated purpose is sympathetic — it is whether the evidentiary foundation is sufficient to justify the mechanism proposed.

That standard only retains credibility if it operates in both directions, and the 2026 record demonstrates that it does. UTRSOL's testimony and responses to committee questioning underscored what the framework actually requires: not opposition to accountability, but evidence proportionate to the intervention. The same conditionality runs through UTRSOL's support for H.B. 289 and H.B. 221, both of which expanded the registry. Those endorsements were accompanied by explicit documented concerns about cumulative registry growth, establishing that support does not imply uncritical agreement with the legislature's direction any more than opposition implies categorical resistance to enforcement.

Document Production

UTRSOL published 23 numbered documents during the 2026 session. The publication sequence runs from #2026-02 through #2026-24, with multiple supplements for H.B. 274, H.B. 110, and H.B. 370, and a post-session veto request letter to Governor Spencer Cox transmitted on March 9, 2026. The remaining 22 documents — position statements and policy critiques — were publicly posted on the UTRSOL website and transmitted directly to bill sponsors, policy analysts, committee chairs, and CCJJ staff before the hearings at which they were most relevant, creating a formal pre-hearing written record distributed across the full arc of the session.

The supplements account for a significant share of the total output. H.B. 274 generated four publications, H.B. 110 generated three, and H.B. 370 generated three — ten documents concentrated on the three bills UTRSOL ultimately identified as the strongest candidates for constitutional challenge and gubernatorial veto. That concentration reflects a deliberate analytical prioritization: where the evidentiary gaps were largest and the constitutional vulnerabilities most documented, the written record was deepest. This distribution also signals a strategic allocation of advocacy resources toward measures with the highest potential for judicial scrutiny and executive reconsideration.

Published Document Inventory

UTRSOL published 23 numbered documents during the 2026 General Session, covering 14 distinct bills plus a post-session veto request letter to the Governor. The sequence runs from #2026-02 through #2026-23. Multiple supplements were issued for the three most analytically complex bills: H.B. 274 (Sentencing Commission Amendments), H.B. 110 (Board of Pardons), and H.B. 370 (GPS Monitoring). All documents were transmitted to relevant committees prior to and after their respective votes.

Pub. #	Bill	Title	Type	Primary Subject
#2026-02	H.B. 116	UTRSOL Position Statement on H.B. 116	Position Statement	Mandatory minimums; financial burden pattern across session
#2026-03	H.B. 116	Policy Critique of H.B. 116 (full)	Critique	Plea-bargaining risk; wealth disparity; Sentencing Commission 9-3 vote despite 'not evidence-based' acknowledgment
#2026-04	H.B. 103	UTRSOL Position Statement on H.B. 103	Position Statement	Underage marriage data; 315K national; advocates complete ban; 16 states with full prohibition
#2026-05	H.B. 274	UTRSOL Position Statement on H.B.274	Position Statement	Commission composition shift: 3-4 defense/2 prosecutors → 0 defense/6 prosecutors/3 sheriffs
#2026-06	H.B. 274	UTRSOL Policy Critique of H.B.274	Critique	Defense attorneys lose 93% of contested votes; Torgerson case; commission independence analysis
#2026-07	H.B. 48	UTRSOL Position Statement on H.B.48	Position Statement	Juvenile justice reforms reversed; reactive single-case legislation; future victimization risk

#2026-08	S.J.R. 1	UTRSOL Position Statement on S.J.R. 1	Position Statement	Pattern-of-behavior evidence; mandatory defense notice; repeat-offender accountability
#2026-09	H.B. 123	UTRSOL Position Statement on H.B. 123	Position Statement	Town hall record; disproportionate response; no systemic judicial error documented
#2026-10	H.B. 123	Policy Critique of H.B. 123 (full)	Critique	Complete cascade analysis: VSC → Sentencing Comm → House Committee; Zaragoza case mismatch
#2026-11	H.B. 205	UTRSOL Position Statement on H.B. 205	Position Statement	STEP court eligibility; no sex offense exclusion in introduced text; 1,530–2,550 affected registrants
#2026-12	H.B. 110	UTRSOL Position Statement on H.B. 110	Position Statement	State constitutional grounds; Article 7 Board discretion; historical data show no lax practices
#2026-13	H.B. 110	Policy Critique of H.B. 110	Critique	Pardon authority suspension vs. regulation; retroactive harm; Albert Kramer petition
#2026-14	S.B. 30	UTRSOL Position Statement on S.B. 30	Position Statement	Neutral on reorganization; non-sex offenses on registry flagged as long-term concern
#2026-15	H.B. 134	UTRSOL Position Statement on H.B. 134	Position Statement	Interstate compact fee; NCIC accuracy gaps; nationwide warrant mandate without safeguards
#2026-16	H.B. 370	UTRSOL Position Statement on H.B. 370	Position Statement	GPS monitoring; housing barriers; automated warrant system; structural barriers unaddressed

#2026-17	H.B. 289	UTRSOL Position Statement on H.B. 289	Position Statement	AI-generated CSAM; registry expansion 42→45; 'apparent' vagueness; conditional support
#2026-18	H.B. 370	Policy Critique of H.B. 370	Critique	3 vs. 72–97 discrepancy; circular criminalization; Good Landlord Program exclusion analysis
#2026-19	H.B. 274	Policy Critique H.B. 274 Supplement 1	Critique	Prison capacity 90%; sex offenders 40% of population; \$112M+ 10-year fiscal projection
#2026-20	H.B. 89	UTRSOL Position Statement on H.B. 89	Position Statement	Polygraph unreliability; trauma response indistinguishable from deception; retraumatizing practice
#2026-21	H.B. 274	Policy Critique H.B. 274 Supplement 2	Critique	Commission fear-based decision-making; 'play nice in the sandbox' on-record quote; temporal coordination
#2026-22	H.B. 110	Policy Critique H.B. 110 Supplement 1	Critique	Four constitutional defects; Albert Kramer emergency injunction basis; Board acquiescence explained
#2026-24	Multiple	Letter to Governor Spencer Cox	Veto Request	H.B. 110, H.B. 123, H.B. 370; Governor's own 2025 statement; CCJJ §63M-7-204(z) mandate cited
#2026-25		UTRSOL Legislative Record	Critique	Post-Senate committee; prospective-only contradiction; Auxier amendment; urgency vs. design

Complete Legislative Record

The following table presents UTRSOL's position on every bill formally tracked during the 2026 session, with final legislative outcomes, House chamber vote counts where available, and the primary argument underlying each position. Bills are grouped by position: support (green), conditional support (purple), neutral (gray), and opposition (red). PASSED indicates the bill was enrolled; FAILED indicates it died before completing both chambers. A dash in the House Vote column indicates vote counts were not available in the official tracking record. This summary is intended to provide transparency into UTRSOL's legislative priorities and the rationale guiding its advocacy throughout the session. It also serves as a reference point for stakeholders seeking to understand how specific policy positions aligned with legislative outcomes.

Bill	Subject	Position	Outcome	House Vote	Key Argument
H.B. 34	Victim Rights Amendments	SUPPORT	PASSED	72-0-3	Transforms 2024 complaint framework into functional enforcement; adds prosecutorial accountability under Rule 35
H.B. 89	Polygraph Prohibition (SA Victims)	SUPPORT	PASSED	66-1-8	Removes retraumatizing practice that harms victims' trust and participation in the justice process
H.B. 103	Underage Marriage Amendments	SUPPORT	PASSED	69-0-6	Strong compromise; advocates for complete ban; 16 states have full prohibition; endorses as interim measure
H.B. 205	Substance Use / STEP Courts	SUPPORT	PASSED	71-1-3	No sex offense exclusion in introduced text; substance abuse underlies many offenses

H.B. 346	Child Sexual Abuse — Trust Positions	SUPPORT	FAILED	72-0-3	Focused, evidence-informed; clarifies 'positions of special trust'; aligns law with documented risk profile
S.B. 73	Online Age Verification Amendments	SUPPORT	PASSED	66-1-8	Robust age verification; teen mental health fund; meaningful step toward safer digital environment for youth
S.B. 124	Child Welfare Modifications	SUPPORT	FAILED	30-43-2	Narrowly tailored, court-supervised mechanism to verify child safety before harm occurs; judicial oversight maintained
S.J.R. 1	Prior Sexual Conduct Evidence (404(d))	SUPPORT	PASSED	67-2-6	Allows pattern-of-behavior evidence; mandatory defense notice; prevents repeat offenders evading accountability
H.B. 221	Coercion / Sexual Extortion Standalone	SUPPORT (cond.)	PASSED	62-0-13	Supports standalone extortion offense; registry grows 45→46; ongoing registry expansion concern noted
H.B. 289	AI-Generated CSAM	SUPPORT (cond.)	PASSED	71-0-4	Supports goal; registry grows 42→45; terms like 'apparent' lack nuance; penalties need clarification

H.B. 90	Sexual Offenses Amendments	NEUTRAL	PASSED	67-0-8	Technical clarification of 'sexual offense' definitions; no new conduct criminalized
S.B. 18	Criminal Offense Modifications	NEUTRAL	PASSED	72-1-2	Technical corrections; restores inadvertently omitted penalty; no substantive expansion
S.B. 30	Human Trafficking Reorganization	NEUTRAL	PASSED	42-7-26	Does not create new sex offenses; refines existing trafficking and smuggling statutory framework
H.B. 48	Criminal & Juvenile Justice Changes	OPPOSE	PASSED	56-14-5	Abandons evidence-based juvenile policy for reactive single-case legislation; removes judicial discretion
H.B. 110	Board of Pardons — Pardon/Registry	OPPOSE	PASSED	61-1-13	State constitutional grounds; strips Board's Article 7 discretion; historical data show no lax practices
H.B. 114	Adult-Oriented Performance Amendments	OPPOSE	FAILED	70-0-5	Criminalizes broad expression without intent requirement; anti-LGBTQ motivation post-Pride parade
H.B. 116	Criminal Fines Amendments	OPPOSE	FAILED	67-0-8	No evidence fines at specific amounts deter; prosecutors will plea-bargain sex charges to non-sex offenses

H.B. 123	Out-of-State Registration Amendments	OPPOSE	PASSED	68-0-7	Disproportionate response; no evidence of systemic judicial error; due process concerns unaddressed
H.B. 134	Offender Transfer Amendments	OPPOSE	PASSED	69-0-6	Fee barriers create recidivism risk; NCIC lacks accuracy safeguards; nationwide warrants for technical violations
H.B. 200	Human Trafficking/Harboring Amendments	OPPOSE	FAILED	—	Supports trafficking laws; opposes AG authority to act below probable cause standard on predicted conduct
H.B. 274	Sentencing Commission Amendments	OPPOSE	PASSED	69-0-6	0 defense attorneys, 6 prosecutors, 3 sheriffs — from prior 3–4 defense, 2 prosecutors;
H.B. 370	GPS Monitoring — Unhoused Registrants	OPPOSE	PASSED	71-1-3	3 documented absconders vs. 72–97 estimate; automated warrants over individualized assessment
H.C.R. 2	Sentencing Guidelines Resolution (2027)	OPPOSE	PASSED	73-0-2	Rubber-stamps 2027 guidelines without public debate; weakens oversight of sentencing
H.R. 8	Resolution Censuring Judge Torgerson	OPPOSE	PASSED	67-3-5	Legislature has direct authority to amend statutes

Session summary: Of 10 supported bills, 8 passed and 2 failed (H.B. 346, S.B. 124). Of 11 opposed bills, 7 passed and 4 failed (H.B. 114, H.B. 116, H.B. 200, and H.B. 48 in the Senate). All 3 neutral bills passed. The sex offense registry expanded from 42 to 46 registrable offenses. While zero bills were changed or defeated as a direct result of UTRSOL's advocacy, the session's value lies in what it produced for future use: a 23-document evidentiary record, identified constitutional vulnerabilities in three enacted bills, and documented institutional relationships with sponsors and staff whose cooperation will determine what the 2027 session looks like.

Bills Supported

H.B. 34 – Victim Rights Amendments (Support | Passed 72-0)

UTRSOL supported H.B. 34, sponsored by Representative Verona Mauga, which updates and clarifies provisions related to victims' rights in the criminal justice system. The organization's Position Statement characterized the bill as transforming Utah's 2024 victim rights complaint framework from a paper protection into a functional one, by establishing a centralized CCJJ coordinator, clear timelines, written findings, and employer notification – the procedural infrastructure necessary for rights to be meaningfully enforced rather than merely declared. Critically, the bill expands the definition of 'victim's right' to include prosecutorial obligations under Rule 35 of the Utah Rules of Criminal Procedure, giving victims a concrete accountability mechanism when their cases are mishandled at the charging or plea bargaining stage.

UTRSOL explicitly linked H.B. 34 to H.B. 89 in its advocacy materials, arguing that the two bills function as a complementary pair: H.B. 89 removes a procedural barrier that harms victims during the investigative phase, while H.B. 34 creates the accountability architecture through which victims can seek redress when their rights are violated anywhere in the process. The bill passed the House 72-0 and the Senate 25-0, making it among the least contested measures of the session.

Its unanimous passage confirms that UTRSOL's advocacy is not categorically aligned against enforcement-side institutions; the organization actively supports measures that strengthen the justice system's capacity to investigate and prosecute genuine offenses, particularly where those measures also address documented failures in victim treatment. Taken together, this positioning reinforces UTRSOL's broader policy posture as one centered on system accuracy and accountability rather than categorical opposition to criminal justice actors.

**H.B. 89 — Polygraph Prohibition for Sexual Assault Victims
(Support | Passed 66-1)**

UTRSOL supported H.B. 89, sponsored by Representative Angela Romero, which limits the circumstances under which law enforcement can require or request polygraph examinations of sexual assault victims as a condition for investigating or pursuing charges. UTRSOL's Position Statement noted the bill addresses one of the practical issues that victims and advocates raised during the 2025 session in connection with H.B. 17 — a similar measure that did not advance, describing the polygraph as a retraumatizing practice that harms victims' trust and participation in the justice process. The scientific basis for the organization's support is well-established: the physiological responses measured by polygraphs are indistinguishable from the trauma responses common in sexual assault survivors, meaning the instrument cannot differentiate between deception and trauma-induced stress.

The bill passed the House 66-1, with the sole nay being Representative Lisonbee — the sponsor of H.B. 370, the GPS monitoring bill UTRSOL opposed. The Senate passed it 27-2, with Senators Fillmore and Johnson in dissent, and two Senate committee members (Senators Brammer and Musselman) also dissenting at the committee stage. UTRSOL's support for H.B. 89 is a reference point for understanding the organization's position in the legislative ecosystem: the organization is not reflexively pro-defendant. It supports victim-protective measures grounded in evidence, and it characterizes the polygraph not merely as a defendant rights concern but as a public safety failure, one that allows perpetrators to escape accountability and reoffend when cases collapse due to flawed investigative tools.

S.B. 73 — Online Age Verification Amendments (Support | Passed 66-1)

UTRSOL supported S.B. 73, sponsored by Senator Calvin Musselman, which imposes a 7 percent tax on gross receipts from sales and distributions of material deemed harmful to minors produced or sold in Utah, dedicates that revenue to a Teen Mental Health Restricted Account, and requires commercial internet publishers of harmful-to-minors content to register with the Division of Consumer Protection and comply with age verification standards.

UTRSOL's Position Statement characterized the bill as strengthening protections for minors online by requiring robust age verification and ensuring accountability for distributors of harmful content, and as a meaningful step toward creating a safer digital environment for Utah's youth. The mental health funding mechanism received specific emphasis as addressing both prevention and support for those affected. This framing situates S.B. 73 within UTRSOL's broader emphasis on upstream harm

reduction and institutional accountability in areas where regulatory gaps have historically limited oversight. It also reflects the organization's broader view that targeted regulatory tools, when paired with dedicated funding streams, can translate abstract child-safety goals into sustained, system-level interventions rather than isolated compliance measures.

The bill passed the Senate 22-2 (nays: Senators Blouin and Riebe) and the House 66-1 (nay: Representative Hansen). UTRSOL's support for S.B. 73 reflects its orientation toward prevention-focused legislation that addresses documented harms to minors through targeted mechanisms. The age verification requirement addresses a real enforcement gap, and the dedicated mental health funding connects the revenue mechanism to a concrete support infrastructure. The bill's passage is also notable as one of the few 2026 measures that moved resources toward prevention and treatment rather than toward surveillance and incarceration. It further illustrates a rare point of bipartisan convergence in which regulatory enforcement and public health investment were advanced in tandem rather than positioned as competing policy priorities.

H.B. 103 – Underage Marriage Amendments (Support | Passed 69-0)

UTRSOL provided strong support for H.B. 103, sponsored by Representative Melissa Ballard, which reorganizes and strengthens criminal offenses related to child marriage. The bill makes it a felony for adults to unlawfully marry a minor, transport a minor out of state for illegal marriage, or fraudulently act as a parent or guardian to enable such marriages, sets a 15-year statute of limitations from the age of major at 18, and invalidates certain out-of-state or foreign minor marriages. UTRSOL's Position Statement characterized the bill as a meaningful compromise that limits legal pathways for child marriage, adds criminal penalties for violations, and protects minors from predatory age gaps – while also explicitly stating that UTRSOL advocates for a complete ban on child marriage, noting that 16 other states have implemented full prohibition.

The organization endorsed H.B. 103 as an important interim measure while calling for Utah to ultimately implement a full prohibition. The data underlying UTRSOL's support from *Unchained At Last*: an estimated 315,000 child marriages occurred in the United States between 2000 and 2021, with Utah ranking seventh nationally; approximately 86 percent of affected children were girls wed to adult men on average four years older; and an estimated 66,415 of those marriages involved age combinations that would constitute criminal sex offenses under existing law if prosecuted. These figures are used to frame H.B. 103 as addressing a documented pattern of harm rather than isolated or exceptional cases.

The bill passed the House 69-0 and the Senate 29-0, one of the clearest legislative consensus points of the session. UTRSOL's support for H.B. 103 reflects its evidence-proportionality framework applied to prevention: where data clearly identifies a harm and a legislative remedy targets that harm proportionately, the organization supports it.

At the same time, UTRSOL's position signals that incremental statutory reform, while valuable, is not viewed as sufficient when structural loopholes remain that permit the underlying harm to persist. This places H.B. 103 within a longer-term policy trajectory aimed at full prohibition, aligning Utah with states that have eliminated all legal exceptions for child marriage.

H.B. 205 — Substance Use / STEP Courts (Support | Passed 71-1)

UTRSOL conditionally supported H.B. 205, sponsored by Representative Tyler Clancy, which strengthens community and criminal justice responses to substance use by authorizing county jails and justice courts to establish Structured Treatment and Enforcement Pathway (STEP) programs. The organization's conditional support was grounded in endorsement of the bill's core purpose alongside a specific challenge to one of its provisions: H.B. 205 categorically excludes individuals with pending sex offense charges from STEP program eligibility, without regard to offense severity, the role substance use played in the underlying conduct, or the individual's assessed risk profile.

The bill passed the House 71-1 and the Senate 28-0. UTRSOL's support reflects its position that substance abuse is a documented underlying factor in many offenses and that treatment access for individuals with co-occurring substance use disorders reduces reoffending more effectively than incarceration for that population. UTRSOL cited an estimated 1,530 to 2,550 registrants have co-occurring substance use disorders — precisely the population the STEP program was designed to reach. UTRSOL proposed a specific amendment: replacing the categorical exclusion with tiered eligibility and case-by-case judicial review using validated risk assessments, allowing courts to evaluate each case individually and require integrated treatment where appropriate. That amendment was not adopted, but the argument and the data underlying it are now part of the legislative record.

The categorical exclusion is the provision UTRSOL's conditional support flags for future legislative attention. A blanket bar regardless of offense severity or treatment need does not reflect how substance use disorders actually distribute across this population — it reflects an assumption, and the organization asked the committee to replace that assumption with a process to include those charged with these types of offenses.

H.B. 346 — Child Sexual Abuse Trust Positions (Support | Failed — passed House 72-0)

UTRSOL supported H.B. 346, sponsored by Representative Paul Cutler, which clarifies the definition of 'position of special trust' in the context of aggravated sexual abuse of a child and updates related cross-references. The organization's Position Statement described it as a focused, evidence-informed measure that strengthens accountability without expanding criminal liability beyond its intended scope. The support was grounded in CDC data showing that approximately 90 percent of child sexual abuse is committed by known individuals in positions of authority or trust, and in the observation that approximately 30 percent of Utah's current registry involves offenses in such contexts. Aligning statutory language with this documented risk profile improves both protection and accountability while directing prevention and enforcement resources where they are most effective.

H.B. 346 presents the most significant anomaly in the 2026 session from UTRSOL's perspective. The bill received unanimous support: an 8-0 committee vote, a 72-0 House chamber vote, and a 5-0 Senate committee vote. It then failed — the mechanism of failure is not reflected in the available vote records, suggesting a procedural or calendar issue rather than substantive opposition. The bill's trajectory illustrates that unanimous chamber support does not guarantee enactment when session-end dynamics, floor scheduling, or other factors intervene. For UTRSOL, H.B. 346's failure is a data point about the legislature's actual priorities: a focused, evidence-based child protection measure with zero opposition died while H.R. 8 — a non-substantive censure resolution — passed 67-3 on the final day of the session.

S.B. 124 — Child Welfare Modifications (Support | Failed 30-43)

UTRSOL supported S.B. 124 without testimony. Sponsored by Luz Escamilla, the bill would have authorized juvenile courts to issue investigative warrants allowing law enforcement or child welfare caseworkers to briefly access and visually verify a child's safety when credible evidence suggests potential danger but prior efforts to confirm wellbeing have failed. The bill was introduced in response to the 2024 abuse death of 12-year-old Gavin Peterson and aimed to close a gap in the current system by equipping investigators with a tool to verify a child's well-being without immediately removing the child from the home. It created a narrowly tailored, court-supervised mechanism for confirming safety when credible evidence of harm exists—a limited, preventative intervention designed to operate before injury occurs. The approach balances child protection with minimal intrusion into family integrity.

S.B. 124 aligns child protection policy with the principle that safeguarding children should not begin only after harm has already been proven. By authorizing a carefully reviewed investigative warrant rather than expanding punishment after the fact, the bill strengthens the state's ability to prevent abuse while maintaining judicial oversight and proportional limits on government authority. The Senate committee approved S.B. 124 6-3, the full Senate passed it 23-4, and the House committee approved it 5-4 before the House floor rejected it 30-43. UTRSOL's support for S.B. 124 alongside its opposition to H.B. 48 captures the organization's nuanced position on juvenile justice: it supports proactive, court-supervised child safety interventions while opposing reactive incarceration expansions driven by single-case politics.

**S.J.R. 1 – Prior Sexual Conduct Evidence / Rule 404(d)
(Support | Passed 67-2)**

UTRSOL supported S.J.R. 1, a joint resolution sponsored by Senator Brady Brammer, which proposes changes to the Utah Rules of Evidence to allow courts in child molestation and sexual assault cases to admit evidence of a defendant's similar past acts to show propensity to commit the charged crime. Prosecutors must provide advance notice to the defense. UTRSOL's Position Statement characterized the resolution as strengthening the justice system's ability to protect victims by allowing courts to consider patterns of behavior in cases of habitual offenders — ensuring that repeat offenders cannot evade accountability due to limitations on admissible evidence. The mandatory defense notice requirement balances the broadened admissibility with a due process protection against unfair surprise.

The resolution passed the Senate committee 5-1 (nay: Senator Pitcher), the full Senate 24-4, and the House 67-2. UTRSOL's support for S.J.R. 1 demonstrates that its evidence-proportionality framework does not operate as a categorical defense-side position. Where pattern evidence genuinely illuminates the conduct charged — as in serial child molestation or sexual assault — and where procedural safeguards protect the defense against unfair surprise, the organization supports its admission. The prior-acts admissibility authorized by S.J.R. 1 is specifically limited to the most serious sexual offense contexts, and the mandatory disclosure requirement imposes a procedural discipline on prosecution that reduces the risk of prejudicial surprise.

H.B. 289 – AI-Generated CSAM (Conditional Support | Passed 71-0)

UTRSOL conditionally supported H.B. 289, which defines new terms including 'apparent child sexual abuse material' to cover realistic AI-generated depictions and creates standalone crimes for possession,

distribution, and production of these materials. The organization's Position Statement supported the bill's goal of addressing AI-generated CSAM while raising concerns about the ongoing expansion of Utah's sex offense registry since 2017. H.B. 289 adds three new standalone offenses to the existing registry of 42 enumerated statutes, risking overreach and undermining of the registry's effectiveness as an evidence-based public safety tool. UTRSOL flagged the term 'apparent' as lacking nuance and requiring clarification to avoid unintended consequences for individuals who unknowingly possess material that meets the definition.

H.B. 289 passed the House 71-0 and the Senate 25-0. UTRSOL's conditional framing reflects a recurring theme in its 2026 advocacy: the organization does not oppose the criminalization of genuinely harmful conduct, but it raises calibration concerns about breadth, mens rea, and registry consequences that the legislative record does not address. The progression from 42 to 45 registrable offenses through H.B. 289, combined with H.B. 221's addition of a 46th, resulted in the largest single-session registry expansion since at least 2017 — a cumulative policy shift that UTRSOL documented but could not prevent.

**H.B. 221 — Coercion / Sexual Extortion Standalone
(Conditional Support | Passed 62-0)**

UTRSOL conditionally supported H.B. 221 without testimony. The bill separates sexual extortion and aggravated sexual extortion into distinct standalone offenses with broader definitions and penalties, adds them to the list of domestic-violence-related crimes, and creates a standalone offense for aiding or encouraging suicide. The organization's Position Statement supported the bill in concept, agreeing that creating a separate sexual extortion offense serves a legitimate definitional purpose, while explicitly noting that the new offense adds one more enumerated crime and increases the sex offense registry from 45 to 46 after H.B. 289. UTRSOL stated that the bill's intent appears reasonable but that careful consideration of its broader consequences is needed, and reiterated its ongoing concern about the expansion of the sex offense registry.

H.B. 221 passed the House 62-0 and the Senate 27-0. UTRSOL's conditional support, combined with its conditional support for H.B. 289, produced a notable outcome: the organization supported both bills that produced the session's registry expansion while simultaneously raising documented concerns about that expansion. This is not a contradiction in the organization's framework — it reflects the distinction between supporting the criminalization of genuinely harmful conduct and objecting to the cumulative, unreviewable effect of session-by-session registry additions.

UTRSOL supports H.B. 221 as a targeted statutory improvement while maintaining that the registry as a whole requires the comprehensive evidence-based review that no single bill provides.

A Framework in Practice

UTRSOL's 2026 supported bills collectively illustrate the practical application of an evidence-proportionality framework in a legislative environment that rarely rewards nuance. Across eleven measures — spanning victim rights infrastructure, investigative tool reform, child protection, substance use treatment, online safety, and emerging technology — the organization identified and articulated support based on a consistent standard: does the bill's mechanism correspond to a documented harm, and does its reach extend proportionately to that harm without producing collateral consequences that undermine the justice system's accuracy?

The answer was not always unqualified. Two of the eleven bills received conditional support, and one supported bill died despite unanimous chamber passage. These outcomes resist any simple narrative of advocacy success. They reflect instead the more accurate picture of a nascent organization learning to operate within a system that processes legislation in bulk, under time pressure, with limited institutional memory and asymmetric attention to downstream effects.

What the supported bills share is a commitment to the proposition that a well-functioning criminal justice system is itself a public safety asset — that victims who cannot trust the investigative process produce cold cases, that children without statutory protection produce adult survivors, and that individuals cycling through incarceration without treatment access produce recidivism. UTRSOL's support across these measures is not ideologically coherent in the conventional sense; it does not map onto a defense-side or prosecution-side posture. It maps onto an outcome: a justice system that responds to harm proportionately, measures what it claims to prevent, and maintains the procedural integrity necessary for its findings to be trusted.

That is the standard against which UTRSOL evaluated each bill in this section, and it is the standard against which the organization expects its own advocacy to be evaluated — not by the positions it took, but by the reasoning it provided and the evidence it cited in support of them. This approach also establishes a baseline for future legislative engagement in which policy recommendations are expected to demonstrate not only intent, but measurable alignment between statutory design and real-world system outcomes.

Bills Tracked as Neutral

H.B. 90 — Sexual Offenses Amendments (Neutral | Passed 67-0)

UTRSOL tracked H.B. 90 with a neutral position, explicitly noting in its response that the bill does not create brand-new criminal sex offenses or add new prohibited conduct punishable as a new crime. The bill makes technical and conforming changes to various statutory provisions to clarify what constitutes a 'sexual offense' and ensure consistent definitions across the Utah Code. UTRSOL's neutral stance reflects its principle that administrative definitional consistency serves a legitimate and non-expansive purpose. The bill passed the House 67-0 and the Senate 60-1. The organization's neutrality is itself informative: UTRSOL does not oppose bills simply because they involve sex offense statutes, and it distinguishes carefully between substantive expansions of criminal liability and technical alignment measures.

S.B. 18 — Criminal Offense Modifications (Neutral | Passed 72-1)

UTRSOL tracked S.B. 18 with a neutral position, characterizing it as making technical and conforming modifications — correcting cross-references, updating penalty language, and fixing numbering errors — rather than substantively expanding criminal penalties or creating new offenses. The most significant provision restores a penalty for distributing material harmful to minors that was inadvertently omitted from a technical recodification bill in the 2025 General Session. UTRSOL's neutral stance reflects its assessment that restoring inadvertently omitted provisions differs categorically from expanding criminal liability deliberately. The bill passed the House 72-1 and the Senate 28-0. The single House nay was Representative Hansen, whose vote appears on multiple bills this session as a consistent dissent against enforcement expansions.

S.B. 30 — Human Trafficking Reorganization

(Neutral in Concept | Passed 42-7)

UTRSOL took a neutral-in-concept position on S.B. 30, which revises, clarifies, and strengthens how human trafficking, exploitation, and smuggling offenses are defined and penalized. The organization's response stated that the bill does not create brand-new criminal sex offenses or add new prohibited conduct punishable as a new crime, and that it is intended to update and refine existing law on trafficking, exploitation, and smuggling. The bill passed the Senate 26-0 but advanced through the House with more friction, passing 42-7, with seven nays from Representatives Abbott, Auxier, Chevrier, Hansen, Miller, Peck, and Pierucci — likely reflecting concerns about the bill's scope and fiscal history (it was returned to Rules at one point due to fiscal impact). The seven-nay House vote is the largest dissent on any

bill UTRSOL did not actively oppose in the 2026 session. This voting pattern underscores the bill’s relatively higher level of legislative scrutiny despite its non-expansionary framing.

S.B. 30 nonetheless surfaces a structural concern that the neutral position does not resolve. The bill's reorganization of trafficking and smuggling offenses consolidates conduct that is not sexual in nature labor trafficking, human smuggling, aggravated human smuggling — within a statutory framework that carries registry consequences under existing law. Those offenses were added to the registry without the evidentiary review that UTRSOL applies as a threshold condition for expansion, and S.B. 30's refinement of the underlying statutes does not address the prior additions.

The contrast with H.B. 289 and H.B. 221 is instructive: both of those bills expanded the registry in response to documented new harms and received conditional support accompanied by explicit concerns about cumulative growth. S.B. 30 neither expanded nor reviewed — it reorganized. The long-term concern is that reorganization without review entrenches non-sex offenses on a registry designed around sexual harm, and that entrenchment becomes harder to contest with each subsequent statutory refinement that treats their presence as settled.

Bills Opposed

H.B. 274 — Sentencing Commission Amendments (Oppose | Passed 69-0)

This bill generated the most extensive documentation of the session, reflecting both its complexity and the breadth of issues it raised. It also signaled that UTRSOL treated it as a primary vehicle for applying its evidence-proportionality framework in practice.

The Torgerson Case and Its Legislative Consequences

This bill originated from a single sentencing event in May 2025: Judge Don Torgerson sentenced a 22-year-old defendant to 112 days, already served, plus probation for possession of more than 300 child sexual abuse material images. House Speaker Mike Schultz publicly called for the judge's resignation and introduced H.B. 274 on the theory that defense attorney influence within the Sentencing Commission had produced guidelines inadequately punitive for CSAM possession — without having examined commission voting records. The bill restructured the commission from a body with 3–4 defense attorneys and 2 prosecutors to one with 1 defense attorney, 3 prosecutors, and 3 sheriffs. It passed the full House 69-0 on February 6. On March 3 — the final day of the session — the House passed

H.R. 8, formally admonishing and censuring Judge Torgerson 67-3. UTRSOL opposed both measures.

UTRSOL's Policy Critique documented what the commission records actually show. Defense attorneys on the Sentencing Commission lose 93 percent of contested votes. The commission revised CSAM sentencing guidelines in 2023, adding aggravating factors for infant and toddler victims, contact attempts, possession exceeding two years, and image counts above 10,000. Approximately 50 percent of aggravated CSAM cases proceed directly to prison despite probation-recommending guidelines. Commission member and defense attorney Mark Moffat stated on the record that the outcome was caused by a prosecutorial decision, not commission composition. The 2nd Substitute that ultimately passed restored one of three removed defense attorney positions while adding three prosecutors and three sheriffs.

Commission Independence Findings

Supplement 2 documents fear-based decision-making across all three commission structures. The CCJJ Commission voted to 'hold' rather than oppose H.B. 274 to 'show good faith' to the legislature. The Sentencing Commission voted to increase its own jail recommendations on the morning the Senate committee heard H.B. 274 — temporal coordination suggesting political responsiveness rather than independent deliberation. A Victim Services Commission member stated on the record: 'We've got to maybe play nice in the sandbox if we want any opportunity at continuing to get better things or risk getting punished in other ways.' The VSC voted to support a bill the same member characterized as containing 'nothing good for victims.' A UDC representative noted that commission restructuring happens 'every year based on whims of various legislators based on individual cases.' In 2023, the legislature removed a commission member with lived criminal justice experience.

Fiscal Impact

Utah's prisons reached 90 percent of rated capacity in August 2025 and were projected to reach 96.5 percent by June 2026. Sex offenders constituted approximately 40 percent of the prison population — an estimated 2,600 individuals — by 2025, up from 29.2 percent in 2008. H.B. 20, a companion bill requesting \$130 million for prison expansion, passed the Senate 24-3. UTRSOL's conservative fiscal projection was \$11.2 million in Year 1, \$56 million by Year 5, and more than \$112 million over ten years. Utah voters rejected a \$507 million county prison bond in November 2024. The legislature passed H.B. 274 without a meaningful fiscal note connecting its sentencing mandate to these capacity realities. This disconnect highlights a gap between policy expansion and infrastructure planning.

H.R. 8 — Resolution Censuring Judge Torgerson (Oppose | Passed 67-3)

UTRSOL formally opposed H.R. 8, introduced by Representative Matt MacPherson on March 1, 2026, which admonished and censured Judge Don Torgerson for his May 2025 CSAM sentence. The House Rules Committee approved the resolution 8-0 on March 2, and the full House passed it 67-3 on March 3, the final day of the session. UTRSOL's opposition was stated directly in its published response: legislative censure of a judge for exercising individualized sentencing discretion — a function the law explicitly grants — creates no victim services, no legal remedy, and no systemic change. If the legislature believes possession of child sexual exploitation material warrants harsher punishment, it has the direct authority to amend sentencing statutes. A resolution sanctioning a judge is not a substitute for the legislative accountability that Representative MacPherson himself, in UTRSOL's characterization, acknowledged the problem demands.

H.R. 8 is significant as the capstone of the 2026 session's Torgerson-driven legislative activity. The legislature that began the session restructuring the Sentencing Commission based on Torgerson's sentence ended the session censuring Torgerson himself. The three nays — a small but notable dissent — suggest that a minority found the censure disproportionate or constitutionally questionable. For UTRSOL, the resolution illustrates the fundamental problem it documented throughout the session: when legislatures use individual cases as policy drivers without examining whether systemic causes exist, they produce reactive measures — commission restructuring, sentencing mandates, judicial censure — that address the political visibility of a case without addressing the actual conditions that produced it.

H.B. 110 — Board of Pardons: Pardon/Registry Timeline (Oppose | Passed 61-1)

UTRSOL's primary opposition was explicitly on state constitutional grounds: the bill strips the Board of Pardons and Parole of its constitutionally granted discretion under Article 7 of the Utah Constitution to evaluate each pardon case on its merits. The organization's Supplement 1 identifies four distinct compounding defects.

The first is suspension versus regulation of constitutional authority: the phrase 'may only consider' imposes a categorical temporal bar preventing the Board from exercising pardon authority regardless of a petition's merits — the Board can find zero public safety risk and still cannot act. This is suspension of a constitutionally vested power, not procedural regulation of its exercise.

The second defect is an insufficient evidentiary foundation: the sponsor cited year-over-year increases in pardon requests since 2021 but produced no specific numbers. Historical data show the Board approved only 14 of 83 petitions from 2015 to 2019 — a 16.9 percent approval rate — demonstrating robust existing gatekeeping. UTRSOL's Position Statement notes directly that 'historical data do not indicate lax practices.'

The third defect is the conflation of conviction category with actuarial risk: a registrant with a 1999 conviction and no subsequent history is legally identical under H.B. 110 to a recent high-risk offender. This approach disregards desistance patterns and undermines risk-based differentiation central to effective public safety policy.

The fourth defect is retroactive due process harm: a registrant with an active pardon petition filed in 2025, would have his petition suspended without adjudication on the bill's May 6, 2026 effective date. UTRSOL identified his case as the strongest basis for an emergency injunction before the effective date. H.B. 110 passed the House 61-1, with the sole nay being Representative Maloy, and cleared the Senate committee 6-0.

H.B. 370 — GPS Monitoring for Unhoused Registrants (Oppose | Passed 71-1)

The bill's entire public safety justification rested on specific quantitative claims. Sponsor Representative Lisonbee stated that approximately 291 registrants lack addresses on Utah's registry and estimated that between 72 and 97 of those individuals — a quarter to a third — actually have addresses they are deliberately withholding. This estimate became the basis for GPS monitoring infrastructure, automated warrant procedures, and mandatory 30-day incarceration minimums.

UTRSOL's Policy Critique identified a directly contradicting data point from the publicly available registry: in 2025, only three registrants were formally classified as 'Absconded' — the category indicating intentional evasion. The remaining individuals without addresses were classified as 'Location Unknown,' covering homelessness, institutionalization, transient living, and other circumstances not indicating intentional non-compliance.

The gap between 72–97 estimated intentional evaders and 3 documented absconders is 24 to 32 times. No committee member asked the Department of Public Safety to reconcile this gap before voting unanimously to advance the bill. H.B. 370 passed the House 71-1 (nay: Representative Hansen) and the Senate 25-0. This disparity raises questions about the evidentiary basis underlying the bill's enforcement rationale.

Circular Causation and the Housing Structure

UTRSOL's opposition identified a circular causation structure the committee did not address. The Good Landlord Program, a state-supported initiative, categorically excludes registered sex offenders from participating properties. Homeless shelters in Utah categorically refuse entry to registry members. These state-endorsed exclusions produce the homelessness that then prevents address provision. The state designates individuals without addresses as non-compliant.

H.B. 370 mandates GPS monitoring for that non-compliance at \$2,190 to \$5,475 per person annually — monitoring that does nothing to address the housing barriers that created the non-compliance. Housing First programs cost \$6,000 to \$12,000 per year but resolve the underlying homelessness, producing registry compliance directly. The bill's fiscal note stated 'None' for appropriations, despite the fact that costs will materialize through county sheriff and AP&P budgets, and that virtually all subjects will qualify for the indigence exception.

Urgency Contradicted by Design

The bill applies only to offenses committed after July 1, 2026, leaving every person currently listed as 'Location Unknown' or 'Absconded' unmonitored after the May 6, 2026 effective date. Committee counsel indicated no clear ex post facto barrier to immediate application. Representative Auxier moved to strike the prospective-only language; the sponsor acknowledged she wants to 'immediately address public safety issues' while retaining the provision that guaranteed no immediate action. Auxier subsequently withdrew her amendment. UTRSOL disclosed on the record that their housing network served approximately 175 registrants over the prior nine months — the only operational housing service evidence in the hearing record — directly contradicting the bill's premise that homelessness among registrants primarily reflects intentional evasion.

H.B. 123 — Out-of-State Registration Amendments (Oppose | Passed 68-0)

UTRSOL's Position Statement disputed the sponsor's claims about Utah's alleged sanctuary status, interstate complaints, and systemic judicial errors, characterizing the bill as a disproportionate response. Broad statutory changes should follow evidence of systemic problems and consideration of proportionate remedies; advancing them without that evidence raises due process concerns and creates unnecessary legal ambiguity. The bill's foundational claim — a list of 'sex offender friendly states' — was acknowledged by the sponsor as unverified ('I don't know the veracity of that claim').

The primary justification case, the Zaragoza case, involved notification delays and address verification failures, not the removal policy exploitation the bill addresses. UTRSOL's Policy Critique traced the complete institutional legitimacy cascade: the VSC voted unanimously on January 16 without requesting documentation; the Sentencing Commission endorsed on January 15 while acknowledging it did not fully understand the bill; the House Judiciary Committee asked one technical question before voting unanimously; SWAP testified with no stated rationale. The bill passed the House 68-0 and the Senate 24-0. H.B. 123 affects approximately 13 percent of Utah's registry — who moved to Utah from other states.

**H.B. 48 — Criminal and Juvenile Justice Changes
(Oppose | House 56-14; Senate failed 20-7)**

UTRSOL's Position Statement argued that H.B. 48 abandons evidence-based juvenile justice policy in favor of reactive legislation driven by a single case. The bill removes the prohibition on placing a minor in an adult correctional facility as an alternative to detention, modifies provisional housing rules for minors tried as adults, and updates recidivism metric definitions. UTRSOL characterized the bill as allowing prosecutors to circumvent developmental science by transferring 17-year-olds directly to adult prisons where they lack access to educational programming and age-appropriate rehabilitation — prioritizing perception over protection in ways that will likely increase future victimization rather than prevent it.

The bill passed the House 56-14 — the most contested House vote on any UTRSOL-opposed bill this session — with fourteen nays including Representatives Arthur, Dailey-Provost, Dominguez, Fitisemanu, Hansen, Hayes, Hollins, Matthews, Mauga, Miller, Moss, Nguyen, Owens, and Stoddard. The Senate committee passed it 6-2 (nays: Senators Escamilla and Pitcher), but the full Senate rejected it 20-7. The Senate's rejection is one of the clearest legislative outcomes that aligned with UTRSOL's position in the 2026 session, even if the alignment was independent rather than causal.

H.B. 134 — Offender Transfer Amendments (Oppose | Passed 69-0)

The provisions of H.B. 134 raised the application fee for interstate supervision transfers, mandated that courts issue extraditable, nationwide arrest warrants for supervision violations, and required those warrants to be entered into the National Crime Information Center. UTRSOL's Position Statement opposed the bill because it raises fees that create barriers for people without financial means, contributing to recidivism.

The NCIC reporting mandate lacks safeguards for timely warrant removal, data accuracy, and individual notification, creating real risks for

employment, housing, and everyday life. By imposing nationwide warrants for supervision violations without evidence of public safety benefits, the bill punishes technical failures as if they were crimes and expands surveillance without reducing reoffense. The bill passed the House 69-0 and Senate 24-0.

H.B. 116 – Criminal Fines Amendments

(Oppose | Failed – House 67-0)

H.B. 116 established mandatory minimum fines of \$5,000, \$10,000, and \$20,000 for first-, second-, and third-degree sex offenses. UTRSOL challenged the evidentiary basis for the specific fine amounts, noting the absence of research demonstrating that fines at these levels function as effective deterrents. The organization's analysis also highlighted that mandatory fines of this magnitude would likely encourage prosecutors to resolve cases by plea bargaining sex offense charges down to non-sex offenses – undermining the very accountability the bill claims to advance. The Sentencing Commission voted 9-3 to support despite explicitly characterizing the amounts as 'not very evidence-based.' The Victim Services Commission independently warned that mandatory minimums would drive plea bargaining away from sex offense charges.

The H.B. 116 hearing produced the session's most instructive on-record exchange. Senator Brammer asked UTRSOL whether they would support the mandatory fines if evidence showed they produced deterrence at the specified amounts. UTRSOL answered yes. That conditional affirmation – on the record, unambiguous – establishes that UTRSOL's opposition is evidence-conditional rather than categorical, placing the evidentiary burden on the bill's proponents where the organization argues it belongs. The bill passed the House 67-0 before stalling in the Senate.

H.B. 114 – Adult-Oriented Performance Amendments

(Oppose | Failed – House 70-0)

UTRSOL opposed H.B. 114, which creates several new standalone offenses related to adult-oriented performances and sexually explicit material. The organization's Position Statement argued that the bill goes beyond clarification and instead criminalizes broad expressive conduct without requiring intent or demonstrable harm, depending on vague definitions that invite arbitrary enforcement.

UTRSOL's tracking record frames the bill explicitly in its legislative history: the bill is ongoing legislation whose origins trace to H.B. 454 in the 2024 session, itself prompted by Pride parade events in Washington County in 2023 that motivated Representative Colin Jack to tighten lewdness restrictions when a child is present. UTRSOL's Position Statement directly

notes that the bill's 'legislative history aligns with anti-LGBTQ legislative efforts, with expanded lewdness restrictions appearing only after Pride parades were held in southern Utah, effectively establishing a new enforcement mechanism targeting protected expression under the language of child protection.' The bill passed the House 70-0 before stalling in the Senate.

**H.B. 200 – Human Trafficking / Harboring Amendments
(Oppose | Failed)**

UTRSOL opposed H.B. 200, which strengthens trafficking laws by increasing felony penalties for offenses involving victims under age 13, expanding the human trafficking definition for civil lawsuit purposes, and authorizing the Attorney General to sue to stop or prevent human trafficking offenses. UTRSOL's Position Statement explicitly stated support for robust anti-trafficking laws while raising concerns about the bill's origins and the broad authority the AG provision grants — including the ability to act on lower standards than probable cause and on predictions rather than conduct.

The bill circulated through the Victim Services Commission multiple times before failing. The opposition illustrates UTRSOL's position on prosecutorial authority: the organization supports strong enforcement of trafficking laws and does not oppose criminal penalty enhancements for conduct involving child victims; what it opposes is executive authority to act preemptively below the constitutional probable cause standard.

H.C.R. 2 – Sentencing Guidelines Resolution (Oppose | Passed 73-0)

UTRSOL opposed H.C.R. 2, the annual concurrent resolution authorizing the adult sentencing and supervision length guidelines and juvenile disposition guidelines submitted by CCJJ for the 2027 session. The organization characterized the resolution as effectively rubber-stamping sentencing and juvenile disposition guidelines without meaningful public debate or adequate safeguards for judicial independence. By automatically authorizing standards that shape incarceration length and juvenile outcomes, the resolution risks entrenching policies that favor punitive approaches over rehabilitation and equity without transparent review, weakening legislative oversight of consequential sentencing policy.

The bill passed the House 73-0 and the Senate 22-0. UTRSOL's opposition to H.C.R. 2 is structural rather than targeted at the specific 2027 guidelines: the annual authorization process is the mechanism through which the guidelines produced by the restructured Sentencing Commission — restructured by H.B. 274 — will be ratified in future sessions without additional deliberation.

Institutional Analysis: How Bills Advanced Without Evidence

A persistent pattern across the 2026 session was the gap between the stated function of institutional advisory bodies — providing independent, evidence-based analysis — and their observable behavior. UTRSOL documented this gap in detail for H.B. 274, H.B. 123, and H.B. 116. In each case, the relevant advisory body produced an endorsement that accelerated the bill's passage without performing the verification functions for which it exists. The result was a legislative record that appeared thoroughly vetted because multiple institutional actors had weighed in, while the underlying evidentiary questions remained formally unresolved. This dynamic effectively substituted institutional consensus for empirical validation. It also reduced opportunities for meaningful legislative scrutiny before enactment. This dynamic effectively substituted institutional consensus for empirical validation.

The Commission Structure

Three CCJJ sub-commissions interacted with sex offense legislation throughout the 2026 session. The Sentencing Commission reviews sentencing guidelines and makes recommendations to courts and the legislature; H.B. 274 restructured it from 3–4 defense attorneys and 2 prosecutors to 1 defense attorneys, 2 prosecutors, and 3 sheriffs. The Victim Services Commission advocates for victim interests in criminal justice policy and has statutory standing to weigh in on sex offense legislation. The CCJJ Commission is the parent body with a statutory evidence-based mandate under Section 63M-7-204(z) — the same mandate cited by UTRSOL in the Governor veto request letter as having been violated by all three commissions' support for H.B. 110, H.B. 123, and H.B. 370.

What Supplement 2 of UTRSOL's H.B. 274 analysis documented goes beyond ordinary institutional friction. On-record quotes from commission members describe a deliberate choice to suppress independent judgment to avoid legislative retaliation: the VSC voting to support a bill containing 'nothing good for victims' to avoid being 'punished in other ways'; the Sentencing Commission voting to increase jail recommendations on the morning the Senate heard the bill that would restructure it; the CCJJ Commission choosing to 'hold' rather than oppose to 'show good faith.' These are not independent analytical failures — they are documented instances of institutional self-censorship under legislative pressure, recorded in the official proceedings. This pattern suggests a systemic constraint on advisory independence rather than isolated decision-making breakdowns.

The 69-0 House Vote on H.B. 274

H.B. 274 passed the House 69-0. Unanimity in legislative chambers on contested policy questions is almost never evidence of overwhelming merit — it is almost always evidence that the political cost of a no vote has been made prohibitively high. No member who voted yes could plausibly have done so on purely evidentiary grounds: the bill was triggered by one judge's sentence in one case; premised on a theory about defense attorney influence directly contradicted by commission voting records; and presented without meaningful fiscal analysis connecting its sentencing mandates to the prison capacity crisis already underway.

By contrast, H.B. 48 — a juvenile justice bill UTRSOL also opposed — generated 14 House nays, demonstrating the chamber is capable of dissent on criminal justice legislation when the political cost is sufficiently distributed. The absence of a single nay on H.B. 274 reflects the political impossibility of opposing sex-offender sentencing legislation in the current environment, regardless of its evidentiary foundation.

The Institutional Legitimacy Cascade on H.B. 123

UTRSOL's Policy Critique for H.B. 123 traces what the organization calls a cascade of institutional legitimacy without evidence. The VSC voted unanimously on January 16 without requesting documentation of the bill's foundational claims; the Sentencing Commission endorsed on January 15 while acknowledging it did not fully understand the bill's effects; the House Judiciary Committee asked one technical question before voting unanimously; SWAP testified with no stated rationale.

Each body's endorsement built on prior endorsements, producing the appearance of a thoroughly vetted bill while no single body had independently verified the sponsor's core factual premises. When the sponsor acknowledged on the record that she could not verify the 'sex offender friendly states' list — the bill's primary factual claim — the cascade had already generated institutional momentum sufficient to carry the bill through both chambers without amendment.

The National Policy Infrastructure Behind Local Bills

A third mechanism operated independently of Utah's commission structure: several of the 2026 session's enforcement expansions were not locally-originated responses to documented Utah problems but national policy templates adapted for a Utah legislative vehicle. The Cicero Institute, an Austin-based policy organization, co-presented H.B. 370 with its sponsor — notable for a bill about Utah's specific registry infrastructure, given that the Institute has no formal role in Utah's criminal justice system and was

simultaneously promoting GPS monitoring as a policy model in approximately seven other states during the same legislative cycle. Its co-presenter role illustrates the national policy infrastructure behind some of the 2026 session's enforcement expansions: Utah's GPS monitoring bill was not locally-originated but a national policy template adapted for the Utah legislative vehicle.

H.R. 8 and the Session's Political Logic

The formal censure of Judge Torgerson — passed 67-3 in the last few days of a session that had already restructured the Sentencing Commission and mandated guideline revisions based on Torgerson's sentence. The legislature used the formal censure mechanism — constitutionally available but extraordinarily rare — to admonish a sitting judge for a sentencing decision that was consistent with applicable guidelines. UTRSOL opposed the resolution on the grounds that it creates no legal remedy and no systemic change, and that the legislature has the direct statutory authority to mandate harsher sentences for CSAM possession if it believes the current sentencing range is inadequate.

The resolution's passage illustrates the political logic that characterized the entire 2026 session: where individual cases generate high political visibility, the response is reactive and symbolic rather than evidence-based and structural. H.B. 346 — a focused, evidence-based child protection measure — passed the House 72-0 and died in the Senate. H.R. 8 — a non-binding censure resolution — passed 67-3 and was enacted. The contrast is instructive. It demonstrates how symbolic actions can outpace substantive policy reform even when the latter commands broad initial support.

Governor Veto Request Letter

On March 9, 2026, UTRSOL transmitted a formal letter to Governor Spencer Cox requesting vetoes of H.B. 110, H.B. 123, and H.B. 370 — the three bills UTRSOL identified as most clearly advancing without evidentiary support and most susceptible to constitutional challenge. The letter offered two outcomes: outright vetoes as the preferred result, and — as an explicit alternative — allowing the bills to become law without the Governor's signature as a political signal that sex offense legislation cannot continue to advance through the process without evidentiary support for its factual premises.

The letter's primary legal argument invoked CCJJ's statutory responsibility under Utah Code Section 63M-7-204(z), which charges the commission and its sub-bodies with reviewing, researching, advising, and making

recommendations regarding evidence-based sex offense management policies. UTRSOL argued that the CCJJ's institutional support for all three bills was inconsistent with that mandate. Every request the organization made on the record for supporting data or verification of the bills' factual premises went formally unaddressed in the legislative record. The letter documented this not as a procedural complaint but as a substantive finding about how the commission structure functioned: as a legitimization mechanism rather than an independent advisory body.

For H.B. 370 specifically, the letter cited the 2013 U.S. Department of Justice evaluation of 516 high-risk sex offenders on parole — the same study the bill's co-presenter cited as evidence for the GPS monitoring approach. The DOJ evaluation found that GPS monitoring significantly reduced arrests and sex-related violations, but only when applied to high-risk individuals already under active supervision. The letter demonstrated that the study's own stated population limitations directly contradict its application to H.B. 370's target population: unhoused registrants who are not under active supervision and who are not selected on the basis of assessed risk level.

The letter's most strategically significant element was its quotation of Governor Cox's own 2025 end-of-session statement to lawmakers: "There is also a valid question as to whether these enhancements, absent an overarching strategy, will actually achieve the public safety goals they're intended to address." UTRSOL applied that statement directly to the 2026 session, which produced four new registrable offenses, a restructured Sentencing Commission, restricted pardon authority, GPS monitoring mandates, tighter interstate registration requirements, and an annual sentencing guidelines resolution — all without the overarching strategy the Governor identified as necessary. The letter framed the veto request not as adversarial to the administration but as an invitation to act consistently with the Governor's own prior expressed concern about enhancement proliferation without strategic coherence.

UTRSOL Affirmative Reform Agenda

The four areas addressed below are not independent reform priorities — they are load-bearing elements of a single structural problem. Utah's sex offense system currently produces homelessness it then criminalizes, expands a registry it does not review, restricts treatment access that would reduce reoffending, and processes cases through advisory bodies that have documented difficulty rendering independent judgment. Each of these failures compounds the others: a registrant who cannot access housing cannot provide an address; a registrant who cannot access treatment is more

likely to return to supervision; a registry that grows without review loses the precision that makes it a credible public safety instrument. The agenda below addresses each failure on its own terms while treating them as what they are — a connected system producing outcomes inconsistent with the public safety goals the system claims to serve.

Registry Rationalization

UTRSOL advocates for replacing the current two-tier registry structure — 10-year or lifetime registration based solely on offense category — with a three-tier risk-based system aligned with federal SORNA standards, in which placement and duration are determined by individualized risk assessment. The organization also advocates for restricted public access for lower-risk tiers, with full law enforcement access maintained across all tiers, to reduce collateral consequences for individuals who pose minimal documented risk. Most urgently, it calls for a systematic review of all 46 currently registrable offenses against an evidence-based public safety threshold. The registry grew from 30 offenses in 2011 to 46 in 2026 — a 53 percent increase in 15 years — with no comprehensive evaluation of whether all current categories generate the specific reoffense risk the registry was designed to address. Four specific non-sex offenses (labor trafficking, child labor trafficking, human smuggling, aggravated human smuggling) should be removed as a discrete and achievable first step.

Housing and Reentry Infrastructure

The structural reform with the most immediate impact potential is housing access. The Good Landlord Program's categorical exclusion of all registrants should be reformed to permit individualized assessment by property managers, allowing lower-risk registrants with strong compliance histories to access program-affiliated properties. Homeless shelters that categorically exclude registry members should develop protocols for serving registrants safely rather than defaulting to blanket exclusion. These two reforms would immediately reduce the 'Location Unknown' registry population without enforcement cost. Housing First investment for unhoused registrants — at \$6,000 to \$12,000 per year — produces registry compliance as a direct result of housing placement, with a pathway to self-sufficiency rather than indefinite GPS monitoring at \$2,190 to \$5,475 per person annually.

Judicial Process and Treatment Access

UTRSOL advocates for restoring judicial discretion for sex offense defendants in treatment and diversion court contexts, replacing categorical exclusion based on offense label with individualized risk assessment. For the estimated 1,530 to 2,550 registrants with co-occurring substance use disorders, treatment court access reduces reoffending more effectively than

incarceration for that population. The Sentencing Commission must recover genuine independence through fixed terms, supermajority requirements for structural changes, professional appointment criteria, and restored representation from members with lived criminal justice experience. The 2026 session's documented pattern of fear-based commission decision-making — with members on the record describing self-censorship to avoid legislative retaliation — is the clearest available evidence that the commission structure has been deformed in ways that undermine its statutory evidence-based mandate.

Administrative Reform

UTRSOL advocates for NCIC data accuracy protections ensuring warrant and status records are promptly updated when legal status changes, preventing ongoing adverse consequences for legally compliant individuals. Indigent fee waivers throughout the criminal justice system would ensure mandatory fines function as policy instruments rather than administrative traps. Evidence-based calibration of mandatory minimum fines requires demonstrating that specific proposed amounts produce the claimed deterrent effect at that specific level — not simply asserting that larger fines are more punitive. The H.B. 116 hearing exchange with Senator Brammer establishes this standard on the record.

Recurring Stakeholder Positions

Support Coalition for Enforcement-Expansion Bills

A consistent set of institutional stakeholders testified in support of the bills UTRSOL opposed throughout the 2026 session. CCJJ and Sentencing Commission staff analysts were the most consistent institutional presence across hearings. The Statewide Association of Prosecutors (SWAP), whose testimony was consistently brief and unaccompanied by independent analysis — including the H.B. 123 hearing where SWAP testified 'We're just waiting for the bill' without providing a rationale. Victim Service Commission (VSC) represented victim services interests; sub-commissioners notably opposed characterizing H.B. 274's restructuring as a defense attorney problem within the commission. The Utah AG's Office supported most registry-expansion bills. The Utah Sheriffs' Association in support of H.B. 370, acknowledged implementation costs while expressing hope that monitoring would coerce compliance.

Adjacent Voices Aligned with UTRSOL

UTRSOL cited a registrant's petition surrounding H.B. 110 as the strongest available basis for an emergency injunction on the basis of the bill. Steve Burton of the Utah Defense Attorney Association aligned with UTRSOL's

critique of H.B. 274's commission restructuring. Mark Moffat, a practicing defense attorney and sitting Sentencing Commission member, stated on the record that the Torgerson outcome resulted from a prosecutorial decision, not commission composition.

At the H.B. 370 Senate committee hearing, a homeless veteran who testified that despite advanced qualifications he remained unable to overcome the housing barriers attached to registry status — providing the committee with a specific lived illustration of the structural barriers UTRSOL documented analytically. Affected community members also testified in opposition at various hearings. Representatives Escamilla and Pitcher voted against H.B. 48 in the Senate committee, and Senator Pitcher's vote against S.J.R. 1 in committee was the lone dissent on that measure. These aligned perspectives collectively reinforced UTRSOL's central contention that recent legislative actions were driven more by perception than by evidence-based assessments of risk and system performance. Taken together, the testimony and dissenting votes established a consistent record across stakeholders that the challenged policies risk entrenching structural barriers without demonstrable public safety benefit.

Session Assessment

Outcomes by Position

Position	Bills	Passed	Failed	Pass Rate
Support (incl. conditional)	10	8	2 — H.B. 346, S.B. 124	80%
Neutral / In Concept	3	3	0	100%
Oppose	11	7	4 — H.B. 114, H.B. 116, H.B. 200, H.B. 48	64%
All Bills Tracked	24	18	6	75%

Of the four opposed bills that failed, three (H.B. 114, H.B. 116, H.B. 200) failed in the Senate after passing the House — suggesting the Senate applied more resistance to some enforcement expansions. H.B. 48 failed in the Senate 20-7 after generating the session's largest House dissent on a UTRSOL-opposed bill (14 nays). Of the two supported bills that failed, H.B. 346 passed both chambers unanimously in committee and the House 72-0 before stalling in the Senate. S.B. 124 failed 30-43 on the House floor after passing the Senate 23-4.

Registry Expansion Trajectory

Year	Registrable Offenses	Notes
2011	30 offenses	Baseline at time of major registry restructuring
2024	~42 offenses	Incremental additions over 13 years; no comprehensive evidence-based threshold review conducted
2026	46 offenses	+4 in 2026: H.B. 289 (+3, AI-generated CSAM) and H.B. 221 (+1, sexual extortion standalone)
Change	53% increase	From 30 (2011) to 46 (2026) — largest single-session expansion in the period tracked

Forward Trajectory

UTRSOL's most significant original research contributions in the 2026 session were analytical rather than political. For H.B. 370, the 24-to-32-fold discrepancy between estimated intentional evaders and documented absconders was identified and placed on the record — a data challenge that no committee member raised before the bill passed both chambers unanimously. For H.B. 110, a four-defect constitutional architecture analysis was produced that is unavailable in any other stakeholder submission in the record. For H.B. 123, the Policy Critique traced the complete cascade of institutional legitimacy, documenting exactly which body failed to verify which claim at which stage. For H.B. 274, Supplement 2 produced the only public record of on-record statements from commission members describing fear-based decision-making — documentation with potential significance in any future constitutional or administrative challenge to the bill's restructuring of the commission.

The 23-document written record across 24 bills represents the most extensive single-session advocacy output UTRSOL has produced. The H.B. 116 evidentiary exchange with Senator Brammer produced the clearest on-record demonstration of what evidence-conditional advocacy looks like in practice — and the H.R. 8 opposition produced the clearest statement of what UTRSOL's framework requires of the legislature itself: if the problem is real, use direct statutory authority; do not substitute symbolic censure for substantive policy. Together, these contributions establish a documented foundation for UTRSOL's ongoing advocacy, regardless of the session's legislative outcomes.

