

**RESTITUTION AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jeremy A. Peterson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill makes changes to orders of restitution made in juvenile courts.

**Highlighted Provisions:**

This bill:

► provides for a juvenile court to retain jurisdiction to make and enforce orders related to restitution.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78A-6-120**, as renumbered and amended by Laws of Utah 2008, Chapter 3

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **78A-6-120** is amended to read:

**78A-6-120. Continuing jurisdiction of juvenile court -- Period of and termination of jurisdiction -- Notice of discharge from custody of local mental health authority or Utah State Developmental Center -- Transfer of continuing jurisdiction to other district.**

(1) Jurisdiction of a minor obtained by the court through adjudication under Section



28 78A-6-117 continues for purposes of this chapter until he becomes 21 years of age, unless  
29 terminated earlier. However, the court, subject to Section 78A-6-121, retains jurisdiction  
30 beyond the age of 21 of a person who has refused or failed to pay any fine or victim restitution  
31 ordered by the court, but only for the purpose of causing compliance with existing orders.

32 (2) (a) The continuing jurisdiction of the court terminates:

33 (i) upon order of the court;

34 (ii) upon commitment to a secure youth corrections facility; or

35 (iii) upon commencement of proceedings in adult cases under Section 78A-6-1001.

36 (b) The continuing jurisdiction of the court is not terminated by marriage.

37 (c) Notwithstanding Subsection (2)(a), the court retains jurisdiction to make and  
38 enforce orders related to restitution.

39 (3) When a minor has been committed by the court to the physical custody of a local  
40 mental health authority or its designee or to the Utah State Developmental Center, the local  
41 mental health authority or its designee or the superintendent of the Utah State Developmental  
42 Center shall give the court written notice of its intention to discharge, release, or parole the  
43 minor not fewer than five days prior to the discharge, release, or parole.

44 (4) Jurisdiction over a minor on probation or under protective supervision, or of a  
45 minor who is otherwise under the continuing jurisdiction of the court, may be transferred by the  
46 court to the court of another district, if the receiving court consents, or upon direction of the  
47 chair of the Board of Juvenile Court Judges. The receiving court has the same powers with  
48 respect to the minor that it would have if the proceedings originated in that court.

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**Legislative Review Note**  
**as of 1-8-14 5:07 PM**

**Office of Legislative Research and General Counsel**