



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

Ronald B. Gordon, Jr.
State Court Administrator

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Deputy Court Administrator

MEMORANDUM

To: SMOT Stakeholders
From: Michael C. Drechsel, Assistant State Court Administrator
Date: Wednesday, April 24, 2024
Re: Shared Master Offense Table (SMOT) Refinements from 2024 Legislative Session

2024 Legislative Session / Administrative Rule Updates

Among the 591 bills that passed during the 2024 legislative session, the legislature enacted 40 bills that result in changes to — or addition of — offenses listed in the Shared Master Offense Table. While most of these changes will be effective on Wednesday, May 1, 2024, several legislative items have delayed effective dates, as follows:

- July 1, 2024 — HB0382, HB0395, and SB0061
- September 1, 2024 — SB0079 and SB0095
- January 1, 2025 — HB0052, HB0469, SB0045, and SB0104.

Those bills with effective dates in July, September, and January are indicated in the “Comments” column of the “2024 Session Changes” tab in the spreadsheet that accompanies this memo. The spreadsheet indicates when the following actions for each affect SMOT entry:

- **ADD** — These are offenses that were not previously included in SMOT, but have become necessary due to legislative changes or were existing offenses that were discovered as bills were reviewed;
- **EDIT** — These were existing SMOT entries where the violation code, the description, or the level of offense were modified. For each “**EDIT**” entry the changed details are indicated in **bold underline**.
- **REMOVE** — These offense codes have been either completely eliminated from Utah Code or have been replaced with accompanying “**ADD**” or “**EDIT**” entries.
- **NO CHANGE** — These “**NO CHANGE**” entries could have been omitted from the spreadsheet, but were included so that users did not have to cross compare data sets to see the complete universe of SMOT offenses related to a particular statute.

**The mission of the Utah judiciary is to provide an open, fair, efficient,
and independent system for the advancement of justice under the law.**

The accompanying spreadsheet is organized into three tabs, as follows:

Tab 1: 2023 Session Changes [the BLUE tab]

Tab 1 of the spreadsheet details the **changes from 39 of the 40 SMOT-relevant bills** from the 2024 session. These bills each involve only a handful of changes. Therefore, all of the changes from these 39 bills are included on a single tab. The specific bill to which each change is attributable is indicated in Column A.

Tab 2: HB0015 – Recodification (Title 76, Chapter 8) [the RED tab]

Tab 2 includes the changes necessitated by the 172-page HB0015,¹ which is part three of the legislature’s multi-year effort to recodify Title 76 of the Utah Code.² HB0015 is a smaller legislative effort than previous years, but still involves **205 spreadsheet rows** of SMOT changes. We are very sensitive to the burden that implementing the changes in this list of recodified offenses will be for you.

Tab 3 – Outdoor Recreation & State Parks [the PURPLE tab]

Ultimately, Tab 3 became the biggest lift for SMOT changes in 2024. In 2021, the legislature divided the Division of Parks and Recreation into two separate entities: the Division of Outdoor Recreation and the Division of State Parks. Effective January 2024, the two entities sorted through the relevant existing Utah Administrative Code rules and divided those rules by specific statutory duties assigned to each division. As part of this administrative rule effort, the divisions also recommended to the Administrative Office of the Courts that many of these existing rule entries be renamed to standardize nomenclature and bring greater organizational consistency to these offenses. In addition, the divisions recommended a realignment of the SMOT “State of Utah” entries related to offenses in Title 41, Chapter 22 (off-highway vehicles) and Title 73, Chapter 18 (boating). All of this collectively results in a near-complete rewrite — **436 spreadsheet rows!** — of the SMOT entries that are currently listed under “Parks and Recreation.” Moving forward, the relevant administrative rule SMOT entries will have either “Outdoor Recreation” or “State Parks” indicated as the SMOT “Gov Code.” All of these changes have been incorporated into SMOT as indicated in Tab 3 of the accompanying spreadsheet.

We sincerely look forward to the day when the number of annual changes to SMOT returns to a reasonable number. We greatly dislike making so many changes that require your collective effort to fully incorporate. Thank you for your patience as we work to implement these legislative and administrative agency changes. If you have any questions or concerns about this memo or the anticipated changes scheduled to go into effect on May 1, 2024 (or a later effective date as indicated in these materials), please contact Michael Drechsel at michaelcd@utcourts.gov.



¹ <https://le.utah.gov/~2024/bills/static/HB0015.html>

² In 2022, the legislature began recodifying Title 76 by passing SB0123, which recodified the criminal offense against the person found in Title 76, Chapter 5. In 2023, the legislature continued that effort with HB0049, which recodified the criminal offenses against property found in Title 76, Chapter 6. For a detailed explanation of the reasons why the legislature is pursuing a recodification of Title 76, please see the SMOT Refinements memo from January 2023: <https://legacy.utcourts.gov/resources/docs/SMOT%20Refinements%20-%2020230103.pdf>