



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 5, 2026

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 289**, CHILD SEXUAL ABUSE MATERIAL AMENDMENTS, by Representative A. Defay, with the following amendments:

Amendment 1

1 Line 1168 through 1175:

1168 administrative units in the judicial branch;

1169 (iv) any state-funded institution of higher education or public education; or

1170 (v) any political subdivision of the state, but, if a political subdivision has adopted an

1171 ordinance or a policy relating to information practices ~~{f} pursuant to {j in accordance}~~

1172 ~~{with}~~ Section 63G-2-701, this chapter shall apply to the political subdivision to the

1173 extent specified in Section 63G-2-701 or as specified in any other section of this

1174 chapter that specifically refers to political subdivisions.

1175 (b) "Governmental entity" also means:

2 Line 1206 through 1217:

1206 charged in connection with the incident; or

1207 (vi) the identity of the public safety personnel, except undercover personnel, or

1208 prosecuting attorney involved in responding to the initial incident.

1209 (b) ~~{f}~~ **Initial contact reports do** ~~{j "Initial contact report" does}~~ not include follow-
up or

1210 investigative reports prepared after the initial contact report. However, if the

Bill Number
HB0289

Action Class
H

Action Code
HCRAMD

1211 information specified in Subsection (16)(a) appears in follow-up or investigative
1212 reports, it may only be treated confidentially if it is private, controlled, protected, or
1211 information specified in Subsection (16)(a) appears in follow-up or investigative
1212 reports, it may only be treated confidentially if it is private, controlled, protected, or
1213 exempt from disclosure under Subsection 63G-2-201(3)(b).

1214 (c) ~~{f}~~ **Initial contact reports do** ~~{}~~ "Initial contact report" does not include
accident reports, as

1215 that term is described in Title 41, Chapter 6a, Part 4, Accident Responsibilities.

1216 (17) "Legislative body" means the Legislature.

1217 (18) "Notice of compliance" means a statement confirming that a governmental entity has

3 *Line 1850 through 1857:*

1850 **76-5b-209** Unlawful activity regarding obscene material depicting the sexual
1851 abuse of a minor.

1852 (1) Terms defined in Sections 76-1-101.5 and 76-5b-103 apply to this section.

1853 (2) Under circumstances not amounting to an offense under Section 76-5b-201 or ~~{}~~

1854 ~~{76-5b-201.2}~~ **76-5b-201.1**, an actor commits unlawful activity regarding obscene material
depicting

1855 the sexual abuse of a minor if the actor intentionally or knowingly:

1856 (a) produces obscene child sexual abuse material;

1857 (b) distributes obscene child sexual abuse material;

Respectfully,

Ryan D. Wilcox
Chair

Voting: 9-0-2

HB0289.HC2.WPD 2/5/26 5:10 PM LJ3/ljohnson shadlaron/ljohnson