



Utah for Rational Sex Offense Laws

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This comment supplements UTRSOL's August 6 public comment and written submission to the full board regarding Item 10.2 — the proposed statutory amendment to Section §53-29-306. It identifies a specific statutory conflict the proposal creates that was not addressed in the Legislative Request Form.

THE STATUTORY CONFLICT: §53-29-306 vs. §53-29-307

The proposal's activity-based expansions covering school-sponsored activities off school grounds does not address its collision with Section §53-29-307, the statute governing a registrant's presence with a child. This statute contains an explicit **natural child exception**: a registrant may accompany their own child without prior written authorization. The Legislature included that exception deliberately. Under the proposal as drafted, a registrant parent attending their own child's school field trip, school play, or graduation, activities Section §53-29-307 currently permits, could be prohibited by the new activity-based expansion. Not because any statute or supervision condition requires it. Because the expansion was drafted without examining the statute it displaces.

WHY THIS IS NOT A REGISTRANT-ADVOCACY ARGUMENT

This is a **parental rights argument, a family stability argument, and a constitutional due process argument**. These arguments have traction in Utah's legislative culture in ways registrant-protection arguments alone do not. They name an actual conflict between two existing code sections. They also raise the fundamental question of whether a law intended to protect children can constitutionally and practically undermine the rights and stability of children within registrant families. The form's Safeguards section addresses this entire category of conflict with one line: "No unintended consequences for specific geographic areas or student populations." It says nothing about registrant parents and their own children. That is not a safeguard.

THE POPULATION THIS AFFECTS

Utah has approximately **7,250 registrants living in the community**, the population any community-facing restriction actually reaches. In 16 months, 27 of the 230 registrants who reached out to UTRSOL for housing assistance were families with children, households of 3 to 5 members. Extrapolated conservatively, that represents a lower-bound estimate of 850 registrant families with children currently living in Utah communities. Those children should not become collateral consequences because of one incident their parent had nothing to do with. These are not hypothetical people. They are parents with children in Utah public schools that this board serves.

THREE SPECIFIC CONFLICTS THE FORM DOES NOT ADDRESS

1. **Natural child exception collision.** A registrant parent may accompany their own child under Section §53-29-307. The activity-based expansion would prohibit that presence at school-sponsored activities without addressing this exception.
2. **Age threshold mismatch.** Section 53-29-307 applies to registrants whose offense involved a victim under 14, regulating contact with children under 14. The proposal covers the full K-12 population, ages 5 through 18, expanding the statute's practical reach without analysis.
3. **Initiation vs. presence.** Section §53-29-307 is triggered by a registrant who actively solicits or invites a child. The proposal's expansions are triggered by mere presence. A parent attending their child's school play is not soliciting anyone.

UTRSOL'S REQUEST

We ask this committee to return the request to staff for an explicit statutory coordination analysis addressing the parental rights conflict identified here before any transmission occurs. This would allow the committee to ensure that any future proposal is carefully evaluated for its impact on family stability and parental rights.