

2026 Legislative Recap: Child Welfare and Juvenile Justice

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Written by: Martín C. Muñoz



This legislative session introduced several key proposals impacting Utah's child welfare and juvenile justice systems, highlighting several important themes shaping policy.



2. Enhanced Ethical Standards: House Bill 51 represents a significant advancement in establishing higher ethical standards and protections within the adoption process, fostering a more trustworthy environment.

3. Emphasis on Family-Centered Care: Senate Bill 124 underscores a commitment to prevention and family-focused approaches within child welfare, reflecting a positive shift toward supporting families effectively. We hope to see this policy studied during interim and/or a similar bill brought forth in a future legislative session.

Collectively, these legislative efforts reflect both progress and ongoing challenges in shaping policy for children and families. These outcomes highlight the continued

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need for thoughtful approaches that balance accountability, protection, and support.

Legislative Priority Outcomes

Below are the following outcomes from legislation we were tracking this session.

POSITION: Oppose OUTCOME: Passed

Sponsors: Rep. Peck & Rep. Weiler

[HB188](#) focused on how youth, particularly those involved in substance-related offenses, are processed within the juvenile justice system.

Early versions of the bill [raised concerns](#) by proposing limits on expungement and restricting nonjudicial adjustments, which serve as a diversion tool to keep youth out of formal court involvement. These provisions were later removed following several meetings with juvenile justice policy experts and professionals.

However, the final substitute introduced a significant policy change, a mandatory “three-strikes” rule for drug possession on school property. After two prior alleged incidents, schools are required to refer youth directly to juvenile court, eliminating the option for continued school-based or alternative interventions.

This marks a broader shift:

- **From discretion to mandate-** Decisions that were once made case-by-case by school staff or justice professionals are now required by law, removing flexibility in how situations are handled.
- **From intervention to formal processing-** Instead of prioritizing supportive responses like counseling or diversion programs, youth are more likely to be formally processed through the juvenile justice system.
- **From school-based responses to court involvement-** Incidents that could previously be addressed within the school setting will now more often result in referrals to juvenile court, increasing legal involvement for youth.

HB188 passed and will become law and practice in Utah schools. Several

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community partners and advocates understand that the work will now shift to assisting school administrators, educators, and resource officers with the changes and the implementation of the policy.

The bill aims to increase consistency, but concerns remain that it may lead to greater system involvement for youth whose needs are better addressed through treatment and prevention services. Substance use should be understood and addressed as a health issue rather than a legal one. When working with students who are struggling with substance use, it's important to consider what underlying challenges or circumstances may be contributing to their behavior, and to recognize that deeper involvement in the justice system can worsen outcomes for many youth.

POSITION: Support OUTCOME: Passed

Sponsors: Rep. Hall & Sen. Wilson

[HB51](#), including its fourth substitute, introduces comprehensive reforms to Utah's adoption statutes, emphasizing transparency, ethical practices, and stronger protections for birth parents and children.

Key provisions include:

- Limits on financial practices in adoption:
 - Caps allowable expenses at \$8,000
 - Increases coverage for mental health therapy to \$800 (up from \$400)
- Expanded access to support for birth parents:
 - Guarantees the right to independent legal counsel of the birth parent's choice
 - Provides access to mental health therapy (three sessions before relinquishment and three after birth and relinquishment)
- Defined consent and revocation timelines:
 - Prohibits consent to adoption until at least 24 hours after the child's birth
 - Allows birth parents to revoke consent within 72 hours of signing, for any reason
- Agency requirements and oversight:

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- Requires private child-placing agencies to operate as nonprofit organizations by January 1, 2027
- Establishes the Utah Child-Placing Adoption Agency Consortium
- Protections against coercion and misleading practices:
 - Expands protections against coercive practices in the adoption process
 - Requires unlicensed individuals (e.g., attorneys, physicians) to clearly disclose they are not licensed by the Office of Licensing within the Utah Department of Health and Human Services to provide adoption services
- Safeguards for interstate adoption-related travel:
 - Prohibits agencies from arranging transportation for a birth mother who is under 18 or who is 36 weeks or more into her pregnancy.

The bill received unanimous support in committee, passed both chambers, retained its core provisions through various revisions, and is now awaiting the Governor's signature into law.

POSITION: Support OUTCOME: Failed

Sponsors: Rep. Escamilla & Rep. Watkins

[SB124](#), sponsored by Sen. Escamilla, updated procedures related to child welfare warrants and juvenile court authority. The bill would have created a clear distinction between protective custody warrants, which allow for removal of a child, and investigative warrants, which allow officials to assess a child's safety without removing them from the home.

The legislation would allow courts to issue investigative warrants when there is probable cause of a credible threat to a child's well-being, while maintaining that removal requires additional legal action. It also updated definitions of abuse and harm and requires training for caseworkers on constitutional rights.

Overall, the bill aimed to promote proportionate, court-supervised responses that prioritize child safety while preserving family integrity and due process.

SB 124 had strong support and passed the Senate with nearly 80% of senators voting yes, and the bill received a favorable recommendation from the House

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Judiciary Committee. Unfortunately, on the House floor the bill faced strong opposition and failed with a 30-yes vote to 43-no vote. The floor debate on SB124 saw a few representatives [express concern](#) about infringing on parental rights, and the legislature also expressed a lack of confidence in the Division of Children and Family Services.

Senator Escamilla worked in the final days of the session to revive SB124 after it had been voted down in the House. To [bring the bill back](#), a representative who had voted no would need to make a motion, and two-thirds of the House would have to approve it for reconsideration. Unfortunately despite [efforts](#) and [support](#) from several organizations and community members, the bill was not reconsidered in the final days of the session. We will continue working with partners and legislators to support bringing the bill back in a future session.

Weekly Updates

Here were the week by week updates we provided during the 2026 Legislative Session.

The HB51 Adoption Amendment, introduced by Rep. Hall, had its inaugural hearing on Friday, January 23, in the afternoon before the House Judiciary Committee. During this session, the committee members engaged in thorough discussions regarding the bill's provisions and implications. Ultimately, the bill gained unanimous support, passing out of the committee with an 11-0 vote. As of Monday, January 26, the bill has been placed on the House's calendar for its third reading. This upcoming stage involves a comprehensive debate among House members, where they will discuss the bill in detail and cast their votes. If it successfully passes this critical phase, the bill will move forward to the Senate for further consideration and potential enactment.

House Bill 188, Juvenile Justice Amendments, is currently in the introduction phase and sponsored by Rep. Peck. As of now, the bill has not been assigned to any House Committee for further review and discussion. This legislation aims to address various aspects of the juvenile justice system. Updates will be posted here as soon as the bill advances to the next stage and is scheduled for its initial hearing. Keep an

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eye out for important developments regarding this legislation.

HB188 has been assigned to the House Law Enforcement and Criminal Justice Committee. The Committee's scheduled hearing will take place this Thursday, February 5, at 3:40 pm. The agenda will be posted 24 hours before the meeting. Please check back tomorrow night to see if the bill will be included on Thursday's agenda.

HB188: Juvenile Justice Amendment is scheduled for discussion in the House Law Enforcement and Criminal Justice Committee on February 5th. A substitute bill for [HB188SO1: Juvenile Justice Amendments](#) was released. This substitute bill removes the provision that would have made it more difficult to obtain expungement. However, the concerns regarding Nonjudicial Adjustments that were raised earlier still remain in the substitute. This could lead to greater involvement of youth in the juvenile justice system and result in higher rates of formal processing and adjudication. This is particularly concerning when it comes to substance-related issues, as these problems are better addressed through treatment rather than punitive measures.

The outcome from the committee hearing is as follows: HB188SO1: Juvenile Justice Amendments was discussed today. Several committee members expressed concerns about the changes to Nonjudicial Adjustments. It is unclear if the bill will return for a second committee hearing, as mentioned. For now, all we can do is wait and see.

HB188SO1: Juvenile Justice Amendments will have a second chance in the House Law Enforcement and Criminal Justice Committee tomorrow afternoon, February 17th, at 4 pm. In the previous hearing, several Committee members raised critical concerns with the proposed bill.

Update on HB51: Adoption Amendments, sponsored by Rep. Hall, successfully passed the House on February 4, marking a significant step forward for the bill. It has now been forwarded to the Senate for further consideration. As of February 5, the bill is in the Senate Rules Committee, awaiting assignment to a specific committee for

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thorough review and discussion.

This week, the HB51S4 Adoption Amendments, sponsored by Rep. Hall, had its Senate Committee hearing and received a favorable recommendation to proceed to the full Senate. The bill is currently in its fourth substitute, but its core provisions remain intact, resulting in positive changes.

Additionally, HB188, the Juvenile Justice Amendments sponsored by Rep. Peck, had its second hearing on Tuesday. With input from several partners, HB188 has been amended twice, addressing two major concerns: the limitations on expungement and the restrictions on nonjudicial adjustments for repeated drug offenses have been removed from HB188S3. A significant change introduced by HB188S3 is the implementation of a mandatory “three-strikes” rule for drug possession offenses that occur on school property. After two prior alleged incidents, schools must refer the student directly to juvenile court, bypassing any continued alternative interventions. This represents a major policy shift, from discretion granted to educators to a legal mandate, from intervention strategies to formal legal processing, and from resolutions within the school environment to adjudication in the court system. While the long-term effects of the law will depend on its implementation, prosecutorial discretion, and the availability of treatment options within the juvenile court system, the bill's structure moves cases of repeated school-based drug possession away from an educational and behavioral framework and into a mandatory justice framework.

A new bill, SB124 Child Welfare Modifications, sponsored by Sen. Escamilla, was added to the Child Welfare priority bill tracker. SB124 represents a meaningful step toward a child welfare system grounded in protection, partnership, and equity. The bill has passed the Senate and is now on to the House for consideration. Currently, the bill is assigned to the [House Judiciary Committee](#) and is awaiting a hearing.

Positive news: The Adoption Amendments bill, HB51, sponsored by Rep. Hall, has passed the legislative session and is now waiting for enrollment and the Governor's signature.

There are growing concerns about SB124: Child Welfare Modification, sponsored by

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Sen. Escamilla. The bill has successfully passed through the Senate and was favorably recommended by the House Judiciary Committee on Thursday, February 26th. However, later that evening, it was returned to the House Rules Committee due to concerns about its fiscal impact. SB124 needs your support. Please contact your House of Representatives member and encourage them to bring SB124 to a full House vote to protect the children of Utah.

The final update concerns HB 188: Juvenile Justice Amendments, sponsored by Rep. Peck. Last week, the bill was reviewed by the assigned Senate Committee and, unfortunately, received a favorable recommendation. It now moves to the full Senate for debate. An important concern with HB188 is the missing question: "What is happening in these kids' lives that leads them to drug use?" Hopefully, some Senators find that a concern as well and raise it during floor debate.

In the News



- Committee gives support to 'adoption tourism' bill ahead of next legislative session ([Fox 13](#))
- Bill tightening Utah's loose adoption laws clears its first hurdle ([KUER](#))
- A Utah juvenile justice reform could open path for teens to land in adult prison ([KUER](#))
- Would new court-approved 'investigative warrants' help Utah head off child abuse? ([KUER](#))
- Utah bill would expand free school meals to more children ([KUTV](#))
- 'Your kid is gone': How Utah adoption laws can cost fathers their parental rights ([Salt Lake Trib](#))
- Lawmakers mull bill to address child abuse in response to West Haven boy's 2024 death ([KSL](#))
- Utah House rejects child welfare bill inspired by Gavin Peterson case ([KUTV](#))
- A Utah lawmaker says 2 cases show how adults isolate kids to hide abuse. Her effort to fix it failed ([Utah News Dispatch](#))
- Franke family members express disappointment on failure of child welfare bill ([Deseret News](#))

Other Policy Area Recap Updates

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- [K-12 Education & Child Care](#)
- [Tax and Budget](#)