

Date and Time: Wednesday, 27 August 2025 1:32am +08

Job Number: 261213916

Document (1)

1. [Utah Code Ann. § 76-5b-206](#)

Client/Matter: -None-

Search Terms: "18 U.S.C. § 2258A" OR "reporting requirements of providers" OR "child sexual abuse material" OR "NCMEC"

Search Type: Terms and Connectors

Narrowed by:

Content Type

US Statutes and Legislation

Narrowed by

All Jurisdictions: Florida,Utah,California,International

Utah Code Ann. § 76-5b-206

Current through the 2025 General Session.

Utah Code Annotated > *Title 76 Utah Criminal Code (Chs. 1 — 17)* >
Chapter 5b Sexual Exploitation Act (Pts. 1 — 3) > *Part 2 Sexual Exploitation (§§ 76-5b-201 — 76-5b-206)*

76-5b-206. Failure to report child sexual abuse material by a computer technician.

(1)

(a) As used in this section, “computer technician” means an individual who in the course and scope of the individual’s employment for compensation installs, maintains, troubleshoots, upgrades, or repairs computer hardware, software, personal computer networks, or peripheral equipment.

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

(2) An actor commits failure to report child sexual abuse material by a computer technician if:

(a) the actor is a computer technician;

(b) in the actor’s course of employment for compensation the actor views an image on a computer or other electronic device that:

(i) is child sexual abuse material;

(ii) appears to be child sexual abuse material; or

(iii) the actor reasonably believes is child sexual abuse material; and

(c) the actor willfully fails to immediately report the finding of the image to:

(i) a state or local law enforcement agency;

(ii) the Cyber Tip Line at the National Center for Missing and Exploited Children; or

(iii) an employee designated by the employer of the computer technician in accordance with Subsection (7).

(3) A violation of Subsection (2) a class B misdemeanor.

(4) The identity of the computer technician who reports an image that is or appears to be child sexual abuse material shall be confidential, except as necessary for the criminal investigation and the judicial process.

(5)

(a) If a computer technician makes or does not make a report under this section and is acting in good faith, the technician is immune from any criminal or civil liability related to reporting or not reporting the image.

(b) Good faith described in Subsection (5)(a) may be presumed from a computer technician’s previous course of conduct when the computer technician has made appropriate reports.

(6) It is a defense to prosecution under this section that the computer technician did not report the image because the computer technician reasonably believed the image did not depict an individual younger than 18 years old.

(7)

(a) An employer of a computer technician may implement a procedure that requires:

- (i) the computer technician report an image as is required under Subsection (2) to an employee designated by the employer to receive the report of the image; and
- (ii) the designated employee to immediately forward the report provided by the computer technician to an agency described in Subsection (2)(c)(i).

(b) Compliance by the computer technician and the designated employee with the reporting process under Subsection (7)(a) is compliance with the reporting requirement of Subsection (2)(c) and establishes immunity under Subsection (5)(a).

(8) This section does not apply to an Internet service provider or interactive computer service, as defined in [47 U.S.C. Sec. 230\(f\)\(2\)](#), a provider of an electronic communications service as defined in [18 U.S.C. Sec. 2510](#), a telecommunications service, information service, or mobile service as defined in [47 U.S.C. Sec. 153](#), including a commercial mobile service as defined in [47 U.S.C. Sec. 332\(d\)](#), or a cable operator as defined in [47 U.S.C. Sec. 522](#), if the provider reports the image in compliance with [18 U.S.C. 2258A](#) or a successor federal statute that requires reporting by a provider of an image of ***child sexual abuse material***.

History

[2016 ch. 313, § 1](#), effective May 10, 2016; [2023 ch. 231, § 10](#), effective May 3, 2023; renumbered from Utah Code Ann. § 76-10-1204.5 by 2025 ch. 173, § 169, effective May 7, 2025.

Annotations

Notes

Effective Dates

[Laws 2016, ch. 317](#) took effect on May 10, 2016.

Amendment Notes

The 2023 amendment, effective May 3, 2023, substituted “sexual abuse material” for “pornography” twice in (1)(c), in the introductory language of (2)(a) and in (4); substituted “***Child sexual abuse material***” for “Child pornography” in (1)(a); and substituted “younger than 18 years old” for “younger than 18 years of age” in (2)(e).

The 2025 amendment, effective May 7, 2025, renumbered this section, which formerly appeared as § 76-10-1204.5, and rewrote the section.

Research References & Practice Aids

Hierarchy Notes:

[Utah Code Ann. Title 76](#)

End of Document