

1 **YOUTH PAROLE AUTHORITY AMENDMENTS**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Joseph L. Hull**

5 AN ACT RELATING TO HUMAN SERVICES; EXPANDING THE MEMBERSHIP OF THE
6 YOUTH PAROLE AUTHORITY TO INCLUDE TEMPORARY MEMBERS; AND MAKING
7 TECHNICAL CORRECTIONS.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **62A-7-109**, as last amended by Chapter 243, Laws of Utah 1996

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **62A-7-109** is amended to read:

13 **62A-7-109. Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.**

14 (1) There is created within the division a Youth Parole Authority.

15 (2) The authority is composed of ten part-time members and five pro tempore members
16 who are residents of this state. No more than three pro tempore members may serve on the
17 authority at any one time. Throughout this section, the term "member" shall refer to both part-time
18 and pro tempore members of the Youth Parole Authority.

19 (3) (a) Except as required by Subsection (b), [the] members shall be appointed to four-year
20 terms by the governor with the advice and consent of the Senate.

21 (b) Notwithstanding the requirements of Subsection (a), the governor shall, at the time of
22 appointment or reappointment, adjust the length of terms to ensure that the terms of authority
23 members are staggered so that approximately half of the authority is appointed every two years.

24 (4) Each member shall have training or experience in social work, law, juvenile or criminal
25 justice, or related behavioral sciences.

26 (5) When a vacancy occurs in the membership for any reason, the replacement shall be
27 appointed for the unexpired term.

- 28 (6) During the tenure of his appointment, a member may not:
- 29 (a) be an employee of the department, other than in his capacity as a member of the
- 30 authority;
- 31 (b) hold any public office;
- 32 (c) hold any position in the state's juvenile justice system; or
- 33 (d) be an employee, officer, advisor, policy board member, or subcontractor of any juvenile
- 34 justice agency or its contractor.

35 (7) In extraordinary circumstances or when a regular board member is absent or otherwise
 36 unavailable, the chair may assign a pro tempore member to act in their place.

37 [~~7~~] (8) (a) Members shall receive no compensation or benefits for their services, but may
 38 receive per diem and expenses incurred in the performance of the member's official duties at the
 39 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

40 (b) Members may decline to receive per diem and expenses for their service.

41 [~~8~~] (9) The authority shall determine appropriate parole dates for youth offenders, based
 42 on guidelines established by the board. The board shall review and update policy guidelines
 43 annually.

44 [~~9~~] (10) Youth offenders may be paroled to their own homes, to a residential
 45 community-based program, to a nonresidential community-based treatment program, to an
 46 approved independent living setting, or to other appropriate residences, but shall remain on parole
 47 until parole is terminated by the authority.

48 [~~10~~] (11) The division's case management staff shall implement parole release plans and
 49 shall supervise youth offenders while on parole.

50 [~~11~~] (12) The division shall permit the authority to have reasonable access to youth
 51 offenders in secure facilities and shall furnish all pertinent data requested by the authority in
 52 matters of parole, revocation, and termination.

Legislative Review Note
as of 11-18-98 3:13 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel