

1 **VIDEOTAPE OF MINORS**

2 2004 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Wayne A. Harper**

5

LONG TITLE

6 **General Description:**

7 This bill sets specific requirements for interviewing children in child welfare cases.

8 **Highlighted Provisions:**

9 This bill:

- 10
- 11 ▶ requires that all interviews of children be videotaped or similarly recorded;
 - 12 ▶ requires that the child and interviewer be simultaneously recorded; and
 - 13 ▶ requires that the recording be continuous and display time and date.

14 **Monies Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 ENACTS:

20 **62A-4a-414**, Utah Code Annotated 1953

21

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

22 Section 1. Section **62A-4a-414** is enacted to read:

23 **62A-4a-414. Interviews of children -- Recording required.**

24 Interviews of children shall be conducted only under the following conditions:

25 (1) the interview shall be recorded visually and aurally on film, videotape, or by other
26 electronic means;
27



28 (2) both the interviewer and the child shall be simultaneously recorded and visible on
29 the final product;

30 (3) the time and date of the interview shall be continuously and clearly visible to any
31 subsequent viewer of the recording; and

32 (4) the recording equipment shall run continuously for the duration of the interview.

Legislative Review Note
as of 12-8-03 10:04 AM

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

Office of Legislative Research and General Counsel

State Impact

Total impact of this legislation is estimated at \$906,400 (\$808,000 General Funds) for FY 2005, and \$696,400 (\$625,000 General Funds). Of this amount, the Court System would be appropriated \$360,000 in FY05 and \$300,000 in FY06 (all General Fund). The rest would go to DCFS, which would draw down some federal Title IVE funds. The cost includes an estimated one-time expenditure of \$210,000 of video and computer equipment.. The balance is computed on estimated workload increases (additional staff) in the child welfare system and the court system.

	<u>FY 2005</u> <u>Approp.</u>	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2005</u> <u>Revenue</u>	<u>FY 2006</u> <u>Revenue</u>
General Fund	\$808,000	\$625,000	\$0	\$0
Federal Funds	\$98,400	\$71,400	\$0	\$0
TOTAL	\$906,400	\$696,400	\$0	\$0

Individual and Business Impact

No fiscal impact.
