



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 17, 2011

Madam Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 58, CRIME VICTIMS REPARATIONS REVISIONS**, by Senator J. S. Adams, with the following amendments:

1. *Page 2, Line 58 through Page 3, Line 59:*

58 ENACTS:

59 {~~63M-7-508.5, Utah Code Annotated 1953~~}

2. *Page 6, Line 168:*

168 (v) the Career Service Review {~~Board~~} Office ;

3. *Page 8, Line 232:*

232 [~~(2)~~] (3) "Board" means the Crime Victim Reparations and Assistance Board
created under Section

4. *Page 12, Line 362 through Page 13, Line 370:*

362 (3) If, due to reparation payments to a victim, the Utah Office for Victims of Crime
363 [~~Victim Reparations~~] is assigned under Section 63M-7-519 a claim for the victim's
judgment
364 for restitution or a portion of the restitution, the office may file with the sentencing court a
365 notice of the assignment. The notice of assignment shall be signed by the victim and a
366 reparations officer and shall {~~state the amount of the claim assigned~~} contain an
affidavit detailing the specific amounts of pecuniary damages paid on behalf of the
victim. A copy of the notice of assignment and affidavit shall be mailed by certified
mail to the defendant at his last known address 20 days prior to sentencing, entry of
any judgment or order of restitution, or modification of any existing judgment or
order of restitution. Any objection by the defendant to the imposition or amount of
restitution shall be made at the time of sentencing or in writing within 20 days of the

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receipt of notice, to be filed with the court and a copy mailed to the office. Upon the filing of the objection, the court shall allow the defendant a full hearing on the issue as provided by Subsection 77-38a-302(4) .

367 (4) ~~{Upon}~~ If no objection is made or filed by the defendant, then upon
conviction and sentencing [of the defendant], the court shall enter a [civil]
368 judgment for complete restitution [as provided in Section 77-38a-401] pursuant to the
369 provisions of Subsections 76-3-201(4)(c) and (d) and identify the office as the assignee of
the
370 assigned portion of the judgment and order of restitution.

5. Page 17, Line 518 through Page 18, Line 538:

518 ~~{Section 13. Section 63M-7-508.5 is enacted to read:~~
519 ~~63M-7-508.5. Assistance officers duties and functions:~~
520 ~~Assistance officers shall, in addition to assignments made by the director and~~
~~under the~~
521 ~~supervision of the victim services program coordinator:~~
522 ~~(1) apply for grant funds made available by the United States, the state,~~
~~foundations;~~
523 ~~corporations, and other businesses and agencies, or individuals;~~
524 ~~(2) monitor, account for, and prepare all reports required by statute or rule by~~
~~the grant~~
525 ~~funding entity;~~
526 ~~(3) advise and assist the program coordinator and board in developing policies~~
~~and~~
527 ~~procedures for screening, awarding contracts, and disbursing of grant funds to~~
~~subgrantees for~~
528 ~~the development and administration of victim service programs statewide;~~
529 ~~(4) render periodic reports as requested by the board concerning:~~
530 ~~(a) the status, development, and implementation of victim assistance programs~~
531 ~~statewide; and~~
532 ~~(b) quarterly financial reports as to grant fund balances and disbursements;~~
533 ~~(5) engage in periodic financial and programmatic site reviews and audits of~~
534 ~~subgrantee victim assistance programs;~~
535 ~~(6) provide, coordinate, and assist in the development of statewide training of~~

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victim
536 service providers and associated criminal justice agencies; and
537 — (7) assist the director and board in performing any other acts necessary for the
office or
538 board to successfully fulfill its statutory duties or objectives. }

6. Page 22, Lines 666 through 667:

666 (c) In addition to any other sentence the court may impose, the court, pursuant to the
667 provisions of Sections 63M-7-503 and { ~~77-38-a-401~~ } 77-38a-401 , shall enter:

7. Page 22, Lines 672 through 675:

672 (d) In determining whether to order that the restitution required under Subsection
(4)(c)
673 be reduced or that the defendant be exempted from the restitution, the court shall consider
the
674 criteria under Subsections 77-38a-302(5)(c)(i) through (iv) and provide { ~~written~~ }
findings of its
675 decision on the record.

Respectfully,

Curtis Oda
Committee Chair

Voting: 10-0-3

3 SB0058.HCI.WPD 2/17/11 8:27 am /SES ECM/JDH

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