

HB0041S01 compared with HB0041

~~{deleted text}~~ shows text that was in HB0041 but was deleted in HB0041S01.

inserted text shows text that was not in HB0041 but was inserted into HB0041S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Angela Romero proposes the following substitute bill:

MURDERED AND MISSING INDIGENOUS WOMEN AND GIRLS TASK FORCE

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: David P. Hinkins

LONG TITLE

~~{Committee Note:~~

~~———— The Native American Legislative Liaison Committee recommended this bill.~~

~~———— Legislative Vote: 10 voting for 0 voting against 1 absent~~

~~———— The Murdered and Missing Indigenous Women and Girls Task Force recommended this bill.~~

~~———— Membership: 2 legislators 7 non-legislators~~

~~———— Total Vote: 9 voting for 0 voting against 0 absent~~

~~———— Legislative Vote: 2 voting for 0 voting against 0 absent~~

~~———— The Law Enforcement and Criminal Justice Interim Committee recommended this bill.~~

~~———— Legislative Vote: 15 voting for 0 voting against 1 absent~~

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†General Description:

This bill creates the Murdered and Missing Indigenous Women and Girls Task Force (task force).

Highlighted Provisions:

This bill:

- ▶ creates the task force, addressing:
 - membership;
 - quorum requirements; and
 - compensation for task force members;
- ▶ requires the Office of Legislative Research and General Counsel to staff the task force; and
- ▶ specifies duties of the task force.

Money Appropriated in this Bill:

This bill appropriates†‡:

in fiscal year 2021:

- ▶ to the Legislature - Senate as a one-time appropriation:
 - from the General Fund, One-time, \$400;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
 - from the General Fund, One-time, \$400; and
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:
 - from the General Fund, One-time, \$300; and

in fiscal year 2022:

- ▶ to the Legislature - Senate as an ongoing appropriation:
 - from the General Fund, ~~†\$3~~ \$2, †200 800;
- ▶ to the Legislature - House of Representatives as an ongoing appropriation:
 - from the General Fund, ~~†\$3~~ \$2, †200 800; and
- ▶ to the Legislature - Office of Legislative Research and General Counsel as an ongoing appropriation:
 - from the General Fund, \$2, ~~†800~~ 500.

Other Special Clauses:

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This bill provides a special effective date.

~~{ This bill provides a repeal date.~~

~~{ Utah Code Sections Affected:~~

AMENDS:

631-2-236, as last amended by Laws of Utah 2019, Chapter 389

ENACTS:

36-29-107.5, Utah Code Annotated 1953

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

Section 1. Section **36-29-107.5** is enacted to read:

36-29-107.5. Murdered and Missing Indigenous Women and Girls Task Force -- Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties -- Interim report.

(1) As used in this section, "task force" means the Murdered and Missing Indigenous Women and Girls Task Force created in Subsection (2).

(2) There is created the Murdered and Missing Indigenous Women and Girls Task Force consisting of the following nine members:

(a) one member of the Senate appointed by the president of the Senate;

(b) one member of the House of Representatives appointed by the speaker of the House of Representatives;

(c) the following three members, appointed jointly by the president of the Senate and the speaker of the House of Representatives:

(i) a member of a nonprofit organization primarily serving Utah's Native American community;

(ii) a representative of a Utah Native American tribe; and

(iii) a representative of a victim advocate organization serving Utah's Native American population;

(d) the director of the Division of Indian Affairs, or the director's designee;

(e) the executive director of the Department of Human Services, or the executive director's designee;

(f) the attorney general, or the attorney general's designee; and

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(g) the commissioner of public safety for the Department of Public Safety, or the commissioner's designee.

(3) A vacancy in a position appointed under Subsection (2)(a), (b), or (c) shall be filled by appointing a replacement member in the same manner as the member creating the vacancy was appointed under Subsection (2)(a), (b), or (c).

(4) (a) The member of the Senate appointed under Subsection (2)(a) is a cochair of the task force.

(b) The member of the House of Representatives appointed under Subsection (2)(b) is a cochair of the task force.

(5) (a) A quorum consists of five members.

(b) The action of a majority of a quorum constitutes an action of the task force.

(6) (a) Salaries and expenses of the members of the task force who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

(b) A member of the task force who is not a legislator:

(i) may not receive compensation or benefits for the member's service associated with the task force; and

(ii) may receive per diem and travel expenses incurred as a member of the task force at the rates the Division of Finance establishes in accordance with:

(A) Sections 63A-3-106 and 63A-3-107; and

(B) rules the Division of Finance makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry out the provisions of Sections 63A-3-106 and 63A-3-107.

(7) The Office of Legislative Research and General Counsel shall provide staff support to the task force.

(8) The task force shall:

(a) conduct appropriate consultations with tribal governments on the scope and nature of the issues regarding murdered and missing indigenous women and girls;

(b) develop model protocols and procedures to apply to new and unsolved cases of murdered or missing indigenous women and girls, including the best practices for:

(i) improving the way law enforcement investigators and prosecutors respond to the

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high volume of the cases, and to the investigative challenges that might be presented in cases involving female victims;

(ii) collecting and sharing data among various jurisdictions and law enforcement agencies; and

(iii) better use of existing criminal databases;

(c) seek input from multi-disciplinary and multi-jurisdictional persons, including representatives from tribal law enforcement and federal agencies, about how to review cold cases involving murdered and missing indigenous women and girls; and

(d) address the need for greater clarity concerning roles, authorities, and jurisdiction throughout the lifecycle of cases involving murdered and missing indigenous women and girls by discussing:

(i) best practices in cases involving murdered and missing indigenous women and girls, including best practices related to communication with affected families from initiation of an investigation through case resolution or closure; and

(ii) education and outreach campaigns for communities that are most affected by crime resulting in murdered and missing indigenous women and girls to identify and reduce the crime.

(9) (a) On or before November 30, 2023, the task force shall provide a report to the Law Enforcement and Criminal Justice Interim Committee.

(b) The report described in Subsection (9)(a) shall include a summary of the task force's findings under Subsection (8) and recommendations for improvements in the criminal justice and social service systems for preventing and addressing crimes involving murdered and missing indigenous women and girls in the state.

Section 2. Section 63I-2-236 is amended to read:

63I-2-236. Repeal dates -- Title 36.

[Section 36-29-105 is repealed on December 31, 2020.]

Section 36-29-107.5 is repealed on November 30, 2023.

Section 3. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

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Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Legislature - Senate

From General Fund, One-time \$400

Schedule of Programs:

Administration \$400

ITEM 2

To Legislature - House of Representatives

From General Fund, One-time \$400

Schedule of Programs:

Administration \$400

ITEM 3

To Legislature - Office of Legislative Research and General Counsel

From General Fund, One-time \$300

Schedule of Programs:

Administration \$300

The following sums of money are appropriated for the fiscal year beginning July 1, 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Legislature - Senate

From General Fund ~~(\$3)~~\$2,120800

Schedule of Programs:

Administration ~~(\$3)~~\$2,120800

ITEM 2

To Legislature - House of Representatives

From General Fund ~~(\$3)~~\$2,120800

Schedule of Programs:

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Administration

~~(\$3)~~ \$2,120 ~~800~~

ITEM 3

To Legislature - Office of Legislative Research and General Counsel

From General Fund

\$2,180 ~~500~~

Schedule of Programs:

Administration

\$2,180 ~~500~~

The Legislature intends that an appropriation provided under ~~these items~~ this section be used for expenses relating to the Murdered and Missing Indigenous Women and Girls Task Force as described in Section 36-29-107.5.

Section ~~3~~ 4. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

~~{~~ Section 4. **Repeal date.**

~~_____~~ Section 36-29-107.5 is repealed on November 30, 2023.

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