

1 **MURDERED AND MISSING INDIGENOUS WOMEN, GIRLS, AND**

2 **LGBTQ+ TASK FORCE**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5

6 **LONG TITLE**

7 **General Description:**

8 This bill creates the Murdered and Missing Indigenous Women, Girls, and LGBTQ+

9 Task Force.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates the task force; and
- 13 ▶ specifies duties of the task force.

14 **Money Appropriated in this Bill:**

15 This bill appropriates in fiscal year 2021:

- 16 ▶ to the Legislature - Senate as a one-time appropriation:
- 17 • from the General Fund, \$20,000;
- 18 ▶ to the Legislature - House of Representatives as a one-time appropriation:
- 19 • from the General Fund, \$20,000.

20 **Other Special Clauses:**

21 This bill provides a repeal date.

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **36-29-107**, Utah Code Annotated 1953

25

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

27 Section 1. Section **36-29-107** is enacted to read:

28 **36-29-107. Murdered and Missing Indigenous Women, Girls, and LGBTQ+ Task**

29 **Force -- Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies --**

30 **Duties -- Interim Report.**

31 (1) As used in this section, "task force" means the Murdered and Missing Indigenous

32 Women, Girls, and LGBTQ+ Task Force created in Subsection (2).

33 (2) There is created a Murdered and Missing Indigenous Women, Girls, and LGBTQ+
34 Task Force consisting of the following 15 members:

35 (a) three members of the Senate appointed by the president of the Senate, no more than
36 two of whom may be from the same political party;

37 (b) three members of the House of Representatives appointed by the speaker of the
38 House of Representatives, no more than two of whom may be from the same political party;

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

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

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

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

46 (iv) A Utah Native American Tribal Judge;

47 (v) a Native American woman or Native American LGBTQ+ survivor of gender
48 violence;

49 (vi) a researcher from the University of Utah;

50 (vii) a sheriff of a county that:

51 (A) is not a county of the first or second class; and

52 (B) has, within its boundaries, a federally recognized Native American tribe; and

53 (viii) a representative of the Department of Public Safety; and

54 (d) a representative in Utah of a federal law enforcement agency invited to participate
55 by the president of the Senate and the speaker of the House of Representatives.

56 (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the
57 same manner as the member creating the vacancy was appointed or invited under Subsection
58 (2).

59 (b) Each member of the task force shall serve until a successor is appointed or invited
60 and qualified.

61 (4) (a) The president of the Senate shall designate a member of the Senate appointed
62 under Subsection (2)(a) as a cochair of the task force.

63 (b) The speaker of the House of Representatives shall designate a member of the House
64 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.

65 (5) (a) A quorum consists of:

66 (i) a majority of the legislator members from each chamber; and

67 (ii) a majority of the nonlegislator members.

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

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

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

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

75 (ii) may receive per diem and travel expenses incurred as a member of the task force at
76 the rates established by the Division of Finance in accordance with Sections 63A-3-106 and
77 63A-3-107 and rules made by the Division of Finance pursuant to Sections 63A-3-106 and
78 63A-3-107.

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

81 (8) The task force shall:

82 (a) identify the systemic causes behind violence that indigenous women, girls, and
83 LGBTQ+ experience, including patterns and underlying factors that explain why
84 disproportionately high levels of violence occur against indigenous women, girls, and
85 LGBTQ+, including underlying historical, social, economic, institutional, and cultural factors
86 which may contribute to the violence;

87 (b) identify gaps in local, state, and federal law enforcement agency data collection
88 related to missing and murdered indigenous women, girls, and LGBTQ+;

89 (c) study an effective mechanism for law enforcement in Utah to collect uniform data
90 improvements for law enforcement in addressing the murdered and missing indigenous
91 women, girls, and LGBTQ+ crisis in Utah; and

92 (d) based on review and analysis of the collected data, recommend improvements in
93 the criminal justice and social service systems for preventing and addressing the murdered and

94 missing indigenous women, girls, and LGBTQ+ crisis in Utah.

95 (9) (a) On or before November 30, 2020, the task force shall provide a report, including
 96 any proposed legislation, to the Law Enforcement and Criminal Justice Interim Committee.

97 (b) The report shall include:

98 (i) existing or proposed institutional policies and practices that are effective in reducing
 99 gender violence and increasing safety of indigenous women, girls, and LGBTQ+; and

100 (ii) recommendations for improvements in the criminal justice and social service
 101 systems for preventing and addressing the murdered and missing indigenous women, girls, and
 102 LGBTQ+ crisis in Utah.

103 **Section 2. Appropriation.**

104 The following sums of money are appropriated for the fiscal year beginning July 1,
 105 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
 106 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
 107 Act, the Legislature appropriates the following sums of money from the funds or accounts
 108 indicated for the use and support of the government of the state of Utah.

109 **ITEM 1**

110 To Legislature - Senate

111 From General Fund, One-time \$20,000

112 Schedule of Programs:

113 Administration \$20,000

114 **ITEM 2**

115 To Legislature - House of Representatives

116 From General Fund, One-time \$20,000

117 Schedule of Programs:

118 Administration \$20,000

119 The Legislature intends that an appropriation provided under these items be used for
 120 expenses relating to the Murdered and Missing Indigenous Women, Girls, and LGBTQ+ Task
 121 Force as described in Section 36-29-107.

122 **Section 3. Repeal date.**

123 Section 36-29-107 is repealed on November 30, 2020.