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	<u>36-29-107.</u> 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

2020FL-0473/013

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 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 enforeement agency invited to participate	32	Women, Girls, and LGBTQ+ Task Force created in Subsection (2).
ia) three members of the Senate appointed by the president of the Senate, no more that iwo of whom may be from the same political party; ib) three members of the House of Representatives appointed by the speaker of the House of Representatives, no more than two of whom may be from the same political party; ic) the following eight members, appointed jointly by the president of the Senate and the speaker of the House of Representatives; iii) a member of a nonprofit organization primarily serving Utah's Native American community; iii) a representative of a Utah Native American tribe; iii) a representative of a utain advocate organization serving Utah's Native American population; iii) a representative of a victim advocate organization serving Utah's Native American iv) A Utah Native American Tribal Judge; iv) a Native American woman or Native American LGBTQ+ survivor of gender violence; iii) a sheriff of a county that; iii) a representative of the Department of Public Safety; and id) a representative of the Department of Public Safety; and id) a vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited id) A vacancy shall be filled by appointing or inviting an applacement member in the same ma	33	(2) There is created a Murdered and Missing Indigenous Women, Girls, and LGBTQ+
it wo of whom may be from the same political party: it wo of whom may be from the same political party: it b) three members of the House of Representatives appointed by the speaker of the House of Representatives, no more than two of whom may be from the same political party; it c) the following eight members, appointed jointly by the president of the Senate and the speaker of the House of Representatives: ii) a member of a nonprofit organization primarily serving Utah's Native American community: iii) a representative of a Utah Native American tribe; iii) a representative of a victim advocate organization serving Utah's Native American population: iii) a representative of a victim advocate organization serving Utah's Native American ivolence: violence: violence: iii) a representative of the University of Utah; iii) a sheriff of a county that; iii) a representative of the Department of Public Safety; and iii) a representative of the Department of Public Safety; and iii) a representative of the Speaker of the House of Representatives. iii) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. iiiii) a in the senate and the speaker of the Ho	34	Task Force consisting of the following 15 members:
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 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 of the Senate and the speaker of the House of Representatives. 55 by the president of the Senate and the speaker of the House of Representatives. <td>35</td> <td>(a) three members of the Senate appointed by the president of the Senate, no more than</td>	35	(a) three members of the Senate appointed by the president of the Senate, no more than
House of Representatives, no more than two of whom may be from the same political party; (c) the following eight 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; (iii) a representative of a victim advocate organization serving Utah's Native American population; (iv) A Utah Native American Tribal Judge; (v) a Native American Woman or Native American LGBTO+ survivor of gender violence; (iv) a researcher from the University of Utah; (ivi) a sheriff of a county that; (A) is not a county of the first or second class; and (d) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives, (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2), (b) Each member of the task force shall serve until a successor is appointed or invited	36	two of whom may be from the same political party;
 (c) the following eight 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; (iii) a representative of a victim advocate organization serving Utah's Native American population; (iv) A Utah Native American Tribal Judge; (v) a Native American woman or Native American LGBTQ+ survivor of gender violence; (vi) a researcher from the University of Utah; (vii) a sheriff of a county that: (A) is not a county of the first or second class; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited and qualified. 	37	(b) three members of the House of Representatives appointed by the speaker of the
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 in Utah of a federal law enforcement agency invited to participate 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 (b) Each member of the task force shall serve until a successor is appointed or invited 58	38	House of Representatives, no more than two of whom may be from the same political party;
41(i) a member of a nonprofit organization primarily serving Utah's Native American42community;43(ii) a representative of a Utah Native American tribe;44(iii) a representative of a victim advocate organization serving Utah's Native American45population;46(iv) A Utah Native American Tribal Judge;47(v) a Native American Woman or Native American LGBTQ+ survivor of gender48violence;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; and52(B) has, within its boundaries, a federally recognized Native American tribe; and53(viii) a representative of the Department of Public Safety; and54(d) a representative in Utah of a federal law enforcement agency invited to participate55by 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 the57same manner as the member creating the vacancy was appointed or invited under Subsection58(2).59(b) Each member of the task force shall serve until a successor is appointed or invited60and qualified.	39	(c) the following eight members, appointed jointly by the president of the Senate and
 community; (ii) a representative of a Utah Native American tribe; (iii) a representative of a victim advocate organization serving Utah's Native American population; (iv) A Utah Native American Tribal Judge; (v) a Native American woman or Native American LGBTO+ survivor of gender violence; (vi) a researcher from the University of Utah; (vii) a sheriff of a county that: (A) is not a county of the first or second class; and (Niii) a representative of the Department of Public Safety; and (viii) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited and public and qualified. 	40	the speaker of the House of Representatives:
 (ii) a representative of a Utah Native American tribe; (iii) a representative of a victim advocate organization serving Utah's Native American population; (iv) A Utah Native American Tribal Judge; (v) a Native American woman or Native American LGBTQ+ survivor of gender violence; (vi) a researcher from the University of Utah; (vii) a sheriff of a county that; (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	41	(i) a member of a nonprofit organization primarily serving Utah's Native American
 44 (iii) a representative of a victim advocate organization serving Utah's Native American 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 	42	<u>community;</u>
 population; (iv) A Utah Native American Tribal Judge; (v) a Native American woman or Native American LGBTQ+ survivor of gender violence; (vi) a researcher from the University of Utah; (vii) a sheriff of a county that; (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	43	(ii) a representative of a Utah Native American tribe;
 (iv) A Utah Native American Tribal Judge; (v) a Native American woman or Native American LGBTQ+ survivor of gender violence; (vi) a researcher from the University of Utah; (vii) a sheriff of a county that: (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	44	(iii) a representative of a victim advocate organization serving Utah's Native American
 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 	45	population;
 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 	46	(iv) A Utah Native American Tribal Judge;
 (vi) a researcher from the University of Utah; (vii) a sheriff of a county that: (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	47	(v) a Native American woman or Native American LGBTQ+ survivor of gender
 (vii) a sheriff of a county that: (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	48	violence;
 (A) is not a county of the first or second class; and (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	49	(vi) a researcher from the University of Utah;
 (B) has, within its boundaries, a federally recognized Native American tribe; and (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	50	(vii) a sheriff of a county that:
 (viii) a representative of the Department of Public Safety; and (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited 	51	(A) is not a county of the first or second class; and
 (d) a representative in Utah of a federal law enforcement agency invited to participate by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited and qualified. 	52	(B) has, within its boundaries, a federally recognized Native American tribe; and
 by the president of the Senate and the speaker of the House of Representatives. (3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the same manner as the member creating the vacancy was appointed or invited under Subsection (2). (b) Each member of the task force shall serve until a successor is appointed or invited and qualified. 	53	(viii) a representative of the Department of Public Safety; and
 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. 	54	(d) a representative in Utah of a federal law enforcement agency invited to participate
 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. 	55	by the president of the Senate and the speaker of the House of Representatives.
 58 (2). 59 (b) Each member of the task force shall serve until a successor is appointed or invited 60 and qualified. 	56	(3) (a) A vacancy shall be filled by appointing or inviting a replacement member in the
 (b) Each member of the task force shall serve until a successor is appointed or invited and qualified. 	57	same manner as the member creating the vacancy was appointed or invited under Subsection
60 <u>and qualified.</u>	58	<u>(2).</u>
	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	61	(4) (a) The president of the Senate shall designate a member of the Senate appointed

62 <u>under Subsection (2)(a) as a cochair of the task force.</u>

12-09-19 DRAFT

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	<u>63A-3-107.</u>
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

2020FL-0473/013

12-09-19 DRAFT

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	<u>ITEM 2</u>
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.