

Todd Weiler proposes the following substitute bill:

Law Enforcement Quota Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor:

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LONG TITLE

General Description:

This bill concerns law enforcement quotas.

Highlighted Provisions:

This bill:

- requires the Peace Officer Standards and Training Council to develop model standards unrelated to law enforcement quotas to evaluate peace officer performance;
- restricts the State Commission on Criminal and Juvenile Justice from awarding a grant of state funds to an entity that violates the law enforcement quota prohibition;
- requires the attorney general to investigate potential law enforcement quota violations;
- prohibits a political subdivision or law enforcement agency from:
 - requiring or directing a peace officer to meet an arrest, citation, stop, or other quota; or
 - transferring, promoting, disciplining, or taking any other action against a peace officer for reasons relating to an arrest, citation, stop, or other quota; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-107, as last amended by Laws of Utah 2024, Chapter 163

63M-7-218, as last amended by Laws of Utah 2024, Chapter 345

67-5-1, as last amended by Laws of Utah 2024, Chapters 2, 74 and 348

77-7-27, as enacted by Laws of Utah 2018, Chapter 289

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

30 Section 1. Section **53-6-107** is amended to read:

31 **53-6-107 . General duties of council.**

32 (1) The council shall:

33 (a) advise the director regarding:

34 (i) the approval, certification, or revocation of certification of any certified academy
35 established in the state;

36 (ii) minimum courses of study, attendance requirements, and the equipment and
37 facilities to be required at a certified academy;

38 (iii) minimum qualifications for instructors at a certified academy;

39 (iv) the minimum basic training requirements that peace officers shall complete
40 before receiving certification;

41 (v) the minimum basic training requirements that dispatchers shall complete before
42 receiving certification; and

43 (vi) categories or classifications of advanced in-service training programs and
44 minimum courses of study and attendance requirements for the categories or
45 classifications;

46 (b) recommend that studies, surveys, or reports, or all of them be made by the director
47 concerning the implementation of the objectives and purposes of this chapter;

48 (c) make recommendations and reports to the commissioner and governor from time to
49 time;

50 (d) choose from the sanctions to be imposed against certified peace officers as provided
51 in Section 53-6-211, and dispatchers as provided in Section 53-6-309;

52 (e) establish and annually review:

53 (i) minimum use of force standards for all peace officers in the state;

54 (ii) minimum standards for officer intervention and the reporting of police
55 misconduct based on Section 53-6-210.5; and

56 (iii) the best practices for investigating sexual assaults;

57 (f) in consultation with the Utah Victim Services Commission's subcommittee on rape
58 and sexual assault created in Subsection 63M-7-903(5)(b), create and, if necessary,
59 annually update a model sexual assault investigation policy based on the best
60 practices established in Subsection (1)(e)(iii) that can be adopted and used by a law
61 enforcement agency;

62 (g) develop model standards regarding the evaluation of peace officer performance

63 based on objective criteria that do not rely on a law enforcement quota, as defined in
 64 Section 77-7-27; and

65 ~~[(g)]~~ (h) perform other acts as necessary to carry out the duties of the council in this
 66 chapter.

67 (2) The council may approve special function officers for membership in the Public Safety
 68 Retirement System in accordance with Sections 49-14-201 and 49-15-201.

69 Section 2. Section **63M-7-218** is amended to read:

70 **63M-7-218 . State grant requirements.**

71 (1) Except as provided in Subsection (2), the commission may not award a grant of state
 72 funds to an entity subject to, and not in compliance with, the reporting requirements in
 73 Subsection 63A-16-1002(4).

74 (2) The commission may award a grant to an entity under Section 63A-16-1003 even if the
 75 entity is not in compliance with the reporting requirements described in Subsection
 76 63A-16-1002(4).

77 (3) Beginning July 1, 2025, the commission may not award any grant of state funds to an
 78 entity:

79 (a) [-]subject to the requirements under Sections 53-21-102 and 53-21-104.3, if the
 80 commission has determined under Subsection 63M-7-204(1)(aa) that the entity is
 81 currently not eligible to receive state grant funds under this section[-] ; or

82 (b) subject to, and in violation of, Section 77-7-27, law enforcement quota prohibition,
 83 as reported to the commission by the attorney general under Sections 67-5-1 and
 84 77-7-27.

85 Section 3. Section **67-5-1** is amended to read:

86 **67-5-1 . General duties -- Restrictions.**

87 (1) The attorney general shall:

88 (a) perform all duties in a manner consistent with the attorney-client relationship under
 89 Section 67-5-17;

90 (b) except as provided in Sections 10-3-928 and 17-18a-403, attend the Supreme Court
 91 and the Court of Appeals of this state, and all courts of the United States, and
 92 prosecute or defend all causes to which the state or any officer, board, or commission
 93 of the state in an official capacity is a party, and take charge, as attorney, of all civil
 94 legal matters in which the state is interested;

95 (c) after judgment on any cause referred to in Subsection (1)(b), direct the issuance of
 96 process as necessary to execute the judgment;

- 97 (d) account for, and pay over to the proper officer, all money that comes into the
98 attorney general's possession that belongs to the state;
- 99 (e) keep a file of all cases in which the attorney general is required to appear, including
100 any documents and papers showing the court in which the cases have been instituted
101 and tried, and whether they are civil or criminal, and:
- 102 (i) if civil, the nature of the demand, the stage of proceedings, and, when prosecuted
103 to judgment, a memorandum of the judgment and of any process issued if
104 satisfied, and if not satisfied, documentation of the return of the sheriff;
- 105 (ii) if criminal, the nature of the crime, the mode of prosecution, the stage of
106 proceedings, and, when prosecuted to sentence, a memorandum of the sentence
107 and of the execution, if the sentence has been executed, and, if not executed, the
108 reason for the delay or prevention; and
- 109 (iii) deliver this information to the attorney general's successor in office;
- 110 (f) exercise supervisory powers over the district and county attorneys of the state in all
111 matters pertaining to the duties of the district and county attorneys' offices, including
112 the authority described in Subsection (2);
- 113 (g) give the attorney general's opinion in writing and without fee, when required, upon
114 any question of law relating to the office of the requester:
- 115 (i) in accordance with Section 67-5-1.1, to the Legislature or either house;
- 116 (ii) to any state officer, board, or commission; and
- 117 (iii) to any county attorney or district attorney;
- 118 (h) when required by the public service or directed by the governor, assist any county,
119 district, or city attorney in the discharge of county, district, or city attorney's duties;
- 120 (i) purchase in the name of the state, under the direction of the state Board of Examiners,
121 any property offered for sale under execution issued upon judgments in favor of or
122 for the use of the state, and enter satisfaction in whole or in part of the judgments as
123 the consideration of the purchases;
- 124 (j) when the property of a judgment debtor in any judgment mentioned in Subsection
125 (1)(i) has been sold under a prior judgment, or is subject to any judgment, lien, or
126 encumbrance taking precedence of the judgment in favor of the state, redeem the
127 property, under the direction of the state Board of Examiners, from the prior
128 judgment, lien, or encumbrance, and pay all money necessary for the redemption,
129 upon the order of the state Board of Examiners, out of any money appropriated for
130 these purposes;

- 131 (k) when in the attorney general's opinion it is necessary for the collection or
132 enforcement of any judgment, institute and prosecute on behalf of the state any action
133 or proceeding necessary to set aside and annul all conveyances fraudulently made by
134 the judgment debtors, and pay the cost necessary to the prosecution, when allowed by
135 the state Board of Examiners, out of any money not otherwise appropriated;
- 136 (l) discharge the duties of a member of all official boards of which the attorney general
137 is or may be made a member by the Utah Constitution or by the laws of the state, and
138 other duties prescribed by law;
- 139 (m) institute and prosecute proper proceedings in any court of the state or of the United
140 States to restrain and enjoin corporations organized under the laws of this or any
141 other state or territory from acting illegally or in excess of their corporate powers or
142 contrary to public policy, and in proper cases forfeit their corporate franchises,
143 dissolve the corporations, and wind up their affairs;
- 144 (n) institute investigations for the recovery of all real or personal property that may have
145 escheated or should escheat to the state, and for that purpose, subpoena any persons
146 before any of the district courts to answer inquiries and render accounts concerning
147 any property, examine all books and papers of any corporations, and when any real or
148 personal property is discovered that should escheat to the state, institute suit in the
149 district court of the county where the property is situated for its recovery, and escheat
150 that property to the state;
- 151 (o) administer the Children's Justice Center as a program to be implemented in various
152 counties pursuant to Sections 67-5b-101 through 67-5b-107;
- 153 (p) assist the Constitutional Defense Council as provided in Title 63C, Chapter 4a,
154 Constitutional and Federalism Defense Act;
- 155 (q) pursue any appropriate legal action to implement the state's public lands policy
156 established in Section 63C-4a-103;
- 157 (r) investigate and prosecute violations of all applicable state laws relating to fraud in
158 connection with the state Medicaid program and any other medical assistance
159 program administered by the state, including violations of Title 26B, Chapter 3, Part
160 11, Utah False Claims Act;
- 161 (s) investigate and prosecute complaints of abuse, neglect, or exploitation of patients:
162 (i) in health care facilities that receive payments under the state Medicaid program;
163 (ii) in board and care facilities, as defined in the federal Social Security Act, 42
164 U.S.C. Sec. 1396b(q)(4)(B), regardless of the source of payment to the board and

- 165 care facility; and
- 166 (iii) who are receiving medical assistance under the Medicaid program as defined in
- 167 Section 26B-3-101 in a noninstitutional or other setting;
- 168 (t)(i) report at least twice per year to the Legislative Management Committee on any
- 169 pending or anticipated lawsuits, other than eminent domain lawsuits, that might:
- 170 (A) cost the state more than \$500,000; or
- 171 (B) require the state to take legally binding action that would cost more than
- 172 \$500,000 to implement; and
- 173 (ii) if the meeting is closed, include an estimate of the state's potential financial or
- 174 other legal exposure in that report;
- 175 (u)(i) submit a written report to the committees described in Subsection (1)(u)(ii) that
- 176 summarizes any lawsuit or decision in which a court or the Office of the Attorney
- 177 General has determined that a state statute is unconstitutional or unenforceable
- 178 since the attorney general's last report under this Subsection (1)(u), including any:
- 179 (A) settlements reached;
- 180 (B) consent decrees entered;
- 181 (C) judgments issued;
- 182 (D) preliminary injunctions issued;
- 183 (E) temporary restraining orders issued; or
- 184 (F) formal or informal policies of the Office of the Attorney General to not
- 185 enforce a law; and
- 186 (ii) at least 30 days before the Legislature's May and November interim meetings,
- 187 submit the report described in Subsection (1)(u)(i) to:
- 188 (A) the Legislative Management Committee;
- 189 (B) the Judiciary Interim Committee; and
- 190 (C) the Law Enforcement and Criminal Justice Interim Committee;
- 191 (v) if the attorney general operates the Office of the Attorney General or any portion of
- 192 the Office of the Attorney General as an internal service fund agency in accordance
- 193 with Section 67-5-4, submit to the rate committee established in Section 67-5-34:
- 194 (i) a proposed rate and fee schedule in accordance with Subsection 67-5-34(4); and
- 195 (ii) any other information or analysis requested by the rate committee;
- 196 (w) before the end of each calendar year, create an annual performance report for the
- 197 Office of the Attorney General and post the report on the attorney general's website;
- 198 (x) ensure that any training required under this chapter complies with Title 63G, Chapter

- 199 22, State Training and Certification Requirements;
- 200 (y) notify the legislative general counsel in writing within three business days after the
- 201 day on which the attorney general is officially notified of a claim, regardless of
- 202 whether the claim is filed in state or federal court, that challenges:
- 203 (i) the constitutionality of a state statute;
- 204 (ii) the validity of legislation; or
- 205 (iii) any action of the Legislature;
- 206 (z)(i) notwithstanding Title 63G, Chapter 6a, Utah Procurement Code, provide a
- 207 special advisor to the Office of the Governor and the Office of the Attorney
- 208 General in matters relating to Native American and tribal issues to:
- 209 (A) establish outreach to the tribes and affected counties and communities; and
- 210 (B) foster better relations and a cooperative framework; and
- 211 (ii) annually report to the Executive Offices and Criminal Justice Appropriations
- 212 Subcommittee regarding:
- 213 (A) the status of the work of the special advisor described in Subsection (1)(z)(i);
- 214 and
- 215 (B) whether the need remains for the ongoing appropriation to fund the special
- 216 advisor described in Subsection (1)(z)(i); ~~and~~
- 217 (aa)(i) enforce compliance with Title 63G, Chapter 31, Distinctions on the Basis of
- 218 Sex, in accordance with Section 63G-31-401; and
- 219 (ii) report to the Legislative Management Committee, upon request, regarding the
- 220 attorney general's enforcement under this Subsection (1)(aa)[-] ;
- 221 (bb) ensure compliance with Title 53B, Chapter 27, Part 6, Student Legal
- 221a Representation,
- 222 by:
- 223 (i) establishing a process to track the number of complaints submitted by students;
- 224 (ii) pursuing civil action to enforce statutory protections; and
- 225 (iii) no later than November 1 each year, reporting to the Judiciary Interim
- 226 Committee regarding the attorney general's enforcement under this Subsection [
- 227 ~~(1)(aa)~~] (1)(bb); and
- 228 (cc) investigate complaints of a violation of Section 77-7-27, law enforcement quota
- 229 prohibition, and report a substantiated violation to the State Commission on Criminal
- 230 and Juvenile Justice under Section 63M-7-218.
- 231 (2)(a) The attorney general may require a district attorney or county attorney of the state

- 232 to, upon request, report on the status of public business entrusted to the district or
233 county attorney's charge.
- 234 (b) The attorney general may review investigation results de novo and file criminal
235 charges, if warranted, in any case involving a first degree felony, if:
- 236 (i) a law enforcement agency submits investigation results to the county attorney or
237 district attorney of the jurisdiction where the incident occurred and the county
238 attorney or district attorney:
- 239 (A) declines to file criminal charges; or
240 (B) fails to screen the case for criminal charges within six months after the law
241 enforcement agency's submission of the investigation results; and
- 242 (ii) after consultation with the county attorney or district attorney of the jurisdiction
243 where the incident occurred, the attorney general reasonably believes action by the
244 attorney general would not interfere with an ongoing investigation or prosecution
245 by the county attorney or district attorney of the jurisdiction where the incident
246 occurred.
- 247 (c) If the attorney general decides to conduct a review under Subsection (2)(b), the
248 district attorney, county attorney, and law enforcement agency shall, within 14 days
249 after the day on which the attorney general makes a request, provide the attorney
250 general with:
- 251 (i) all information relating to the investigation, including all reports, witness lists,
252 witness statements, and other documents created or collected in relation to the
253 investigation;
- 254 (ii) all recordings, photographs, and other physical or digital media created or
255 collected in relation to the investigation;
- 256 (iii) access to all evidence gathered or collected in relation to the investigation; and
257 (iv) the identification of, and access to, all officers or other persons who have
258 information relating to the investigation.
- 259 (d) If a district attorney, county attorney, or law enforcement agency fails to timely
260 comply with Subsection (2)(c), the attorney general may seek a court order
261 compelling compliance.
- 262 (e) If the attorney general seeks a court order under Subsection (2)(d), the court shall
263 grant the order unless the district attorney, county attorney, or law enforcement
264 agency shows good cause and a compelling interest for not complying with
265 Subsection (2)(c).

266 (3) The attorney general:

267 (a) is a full-time employee of the state; and

268 (b) may not engage in the private practice of law.

269 Section 4. Section **77-7-27** is amended to read:

270 **77-7-27 . Law enforcement quota prohibition.**

271 (1) As used in this section:

272 (a) "Law enforcement agency" means an entity of the state, or a political subdivision of
273 the state, that exists primarily to prevent and detect crime and enforce criminal laws,
274 statutes, or ordinances.

275 (b) "Law enforcement quota" means any requirement or ~~§~~ ~~→~~ ~~[~~ ~~]~~ ~~←~~ ~~§~~ **minimum standard** ~~§~~ ~~→~~ ~~[~~ ~~]~~
275a **measure** ~~←~~ ~~§~~

276 regarding the number or percentage of warnings, citations, stops, or arrests made by a
277 law enforcement officer.

278 (2) A political subdivision or law enforcement agency employing a peace officer may not:

279 (a) require or direct that a peace officer meet a law enforcement quota;

280 (b) evaluate, promote, compensate, reward, or discipline a peace officer on the basis of a
281 law enforcement quota; or

282 (c) transfer a peace officer from an employment assignment on the basis of a law
283 enforcement quota.

284 (3) Subsection (2) does not prohibit a political subdivision or law enforcement agency from
285 including a peace officer's engagement with the community or enforcement activity,
286 including a metric based on the peace officer's interactions with members of the
287 community, as part of an overall determination of the peace officer's performance.

288 (4) The attorney general shall investigate an alleged violation of this section in accordance
289 with Section 67-5-1.

290 Section 5. **Effective Date.**

291 This bill takes effect on May 7, 2025.