

HB0040S07 compared with HB0040S02

~~{Omitted text}~~ shows text that was in HB0040S02 but was omitted in HB0040S07
inserted text shows text that was not in HB0040S02 but was inserted into HB0040S07

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.

1

School Safety Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Ryan D. Wilcox
Senate Sponsor: Ann Millner



2

3 **LONG TITLE**

4 **General Description:**

5 This bill modifies school safety provisions.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ modifies communication device requirements for new construction to post-completion
determination;
- 11 ▶ ~~{amends building standards;}~~
- 12 ▶ revises screening and training requirements for school safety personnel;
- 13 ▶ adjusts school safety personnel provisions;
- 14 ▶ changes safety assessment deadlines and ~~{responsibilities}~~ frequency;
- 15 ▶ establishes a school safety foundation for certain purposes;
- 16 ▶ creates compliance supports;
- 17 ▶ modifies certain administrative structures within the school safety program; and
- 18 ▶ makes technical changes.

HB0040S02 compared with HB0040S07

18 **Money Appropriated in this Bill:**

- 19 ▸ **This bill appropriates \$25,000,000 in operating and capital budgets for fiscal year 2026,**
20 **all**
21 **of which is from the various sources as detailed in this bill.**
-

21 **Other Special Clauses:**

22 None

24 **AMENDS:**

- 25 **15A-5-203** , as last amended by Laws of Utah 2024, Chapters 21, 381 , as last amended by Laws of
Utah 2024, Chapters 21, 381
- 26 **53-22-102** , as last amended by Laws of Utah 2024, Chapter 21 , as last amended by Laws of Utah
2024, Chapter 21
- 27 **53-22-103** , as last amended by Laws of Utah 2024, Chapter 21 , as last amended by Laws of Utah
2024, Chapter 21
- 28 **53-22-104.1** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 29 **53-22-104.2** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 30 **53-22-105** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 31 **53-22-106** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 32 **53B-28-401** , as last amended by Laws of Utah 2024, Chapters 65, 378 , as last amended by Laws of
Utah 2024, Chapters 65, 378
- 33 **53B-28-403** , as enacted by Laws of Utah 2021, Chapter 332 , as enacted by Laws of Utah 2021,
Chapter 332
- 34 **53E-1-201** , as last amended by Laws of Utah 2024, Chapters 3, 460 and 525 , as last
amended by Laws of Utah 2024, Chapters 3, 460 and 525
-
- 35 **53G-5-202** , as last amended by Laws of Utah 2024, Chapter 63 , as last amended by Laws of
Utah 2024, Chapter 63
-
- 36 **53G-5-205** , as last amended by Laws of Utah 2024, Chapter 63 , as last amended by Laws of
Utah 2024, Chapter 63
-

HB0040S02 compared with HB0040S07

- 37 **53G-8-102** , as enacted by Laws of Utah 2018, Chapter 3 , as enacted by Laws of Utah 2018,
Chapter 3
- 38 **53G-8-701** , as last amended by Laws of Utah 2024, Chapter 21 , as last amended by Laws of Utah
2024, Chapter 21
- 39 **53G-8-701.5** , as repealed and reenacted by Laws of Utah 2024, Chapter 21 , as repealed and
reenacted by Laws of Utah 2024, Chapter 21
- 40 **53G-8-701.6** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 41 **53G-8-701.8** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 42 **53G-8-704** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 43 **53G-8-802** , as last amended by Laws of Utah 2024, Chapter 23 , as last amended by Laws of Utah
2024, Chapter 23
- 44 **53G-8-803** , as last amended by Laws of Utah 2024, Chapter 21 , as last amended by Laws of Utah
2024, Chapter 21
- 45 **53G-8-805** , as enacted by Laws of Utah 2024, Chapter 21 , as enacted by Laws of Utah 2024,
Chapter 21
- 46 **53G-9-207** , as last amended by Laws of Utah 2024, Chapter 520 , as last amended by Laws of Utah
2024, Chapter 520
- 47 **53G-9-703** , as last amended by Laws of Utah 2024, Chapter 20 , as last amended by Laws of Utah
2024, Chapter 20
- 45 ~~**53G-10-408** , as enacted by Laws of Utah 2022, Chapter 292 , as enacted by Laws of Utah
2022, Chapter 292~~
- 48 **63I-1-253** , as last amended by Laws of Utah 2024, Third Special Session, Chapter 5 , as last
amended by Laws of Utah 2024, Third Special Session, Chapter 5
- 49 ENACTS:
- 48 ~~**53-22-104.3** , Utah Code Annotated 1953 , Utah Code Annotated 1953~~
- 50 **53-22-108** , Utah Code Annotated 1953 , Utah Code Annotated 1953
- 51 **53-22-109** , Utah Code Annotated 1953 , Utah Code Annotated 1953
- 52 **53-25-601** , Utah Code Annotated 1953 , Utah Code Annotated 1953

HB0040S02 compared with HB0040S07

52 ~~{53B-28-404, Utah Code Annotated 1953, Utah Code Annotated 1953}~~

53 ~~{76-5-417, Utah Code Annotated 1953, Utah Code Annotated 1953}~~

53 REPEALS:

54 **53F-4-208**, as enacted by Laws of Utah 2023, Chapter 383, as enacted by Laws of Utah 2023,
Chapter 383

55

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

57 Section 1. Section **15A-5-203** is amended to read:

58 **15A-5-203. Amendments and additions to IFC related to fire safety, building, and site requirements.**

61 (1) For IFC, Chapter 5, Fire Service Features:

62 (a) In IFC, Chapter 5, a new Section 501.5, Access grade and fire flow, is added as follows: "An authority having jurisdiction over a structure built in accordance with the requirements of the International Residential Code as adopted in the State Construction Code, may require an automatic fire sprinkler system for the structure only by ordinance and only if any of the following conditions exist:

67 (i) the structure:

68 (A) is located in an urban-wildland interface area as provided in the Utah Wildland Urban Interface Code adopted as a construction code under the State Construction Code; and

71 (B) does not meet the requirements described in Utah Code, Subsection 65A-8-203(4)(a) and Utah Administrative Code, R652-122-1300, Minimum Standards for County Wildland Fire Ordinance;

74 (ii) the structure is in an area where a public water distribution system with fire hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main Design;

77 (iii) the only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;

79 (iv) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds 10,000 square feet; or

81 (v) the total floor area of all floor levels within the exterior walls of the dwelling unit is double the average of the total floor area of all floor levels of unsprinkled homes in the subdivision that are no larger than 10,000 square feet.

84 (vi) Exception: A single family dwelling does not require a fire sprinkler system if the dwelling:

86 (A) is located outside the wildland urban interface;

HB0040S02 compared with HB0040S07

- 87 (B) is built in a one-lot subdivision; and
- 88 (C) has 50 feet of defensible space on all sides that limits the propensity of fire spreading from the dwelling to another property."
- 90 (b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as follows: "Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official, after consultation with the building owner, may require a key box to be installed in an approved location. The key box shall contain keys to gain necessary access as required by the fire code official. For each fire jurisdiction that has at least one building with a required key box, the fire jurisdiction shall adopt an ordinance, resolution, or other operating rule or policy that creates a process to ensure that each key to each key box is properly accounted for and secure."
- 100 (c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings, is added as follows: "Fire flow may be reduced for an isolated one- and two-family dwelling when the authority having jurisdiction over the dwelling determines that the development of a full fire-flow requirement is impractical."
- 104 (d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as follows:
"507.1.2 Pre-existing subdivision lots.
The requirements for a pre-existing subdivision lot shall not exceed the requirements described in Section 501.5."
- 108 (e) In IFC, Chapter 5, Section 507.5.1, here required, a new exception is added: "3. One interior and one detached accessory dwelling unit on a single residential lot."
- 109 (f)
- 110 (i){~~(f)~~} IFC, Chapter 5, Section 510.1, Emergency responder communication coverage in new buildings, is amended by adding: "When required by the fire code official, unless the new building is a public school as that term is defined in Section 53G-9-205.1 or a private school, [then]if determined by the fire code official to be necessary after construction of the new building is completed, then the fire code official shall require," at the beginning of the first paragraph.
- 115 (ii) For public and private schools, an initial radio coverage test must be conducted by a qualified professional using appropriate testing equipment, and a report of the results must be submitted to the fire code official. Subsequent routine testing may be conducted by the fire code official using

HB0040S02 compared with HB0040S07

basic equipment. The fire code official may require additional professional testing if routine testing indicates potential issues with radio coverage.

- 116 (2) For IFC, Chapter 6, Building Services and Systems:
- 117 (a) IFC, Chapter 6, Section 604.6.1, Elevator key location, is deleted and rewritten as follows:
"Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key box or similar box with
corresponding key system that is adjacent to the elevator for immediate use by the fire department.
The key box shall contain one key for each elevator, one key for lobby control, and any other keys
necessary for emergency service. The elevator key box shall be accessed using a 6049 numbered
key."
- 123 (b) IFC, Chapter 6, Section 606.1, General, is amended as follows: On line three, after the word "Code",
add the words "and NFPA 96".
- 125 (c) IFC, Chapter 6, Section 607.2, a new exception 5 is added as follows: "5. A Type 1 hood is not
required for a cooking appliance in a microenterprise home kitchen, as that term is defined in Utah
Code, Section 26B-7-401, for which the operator obtains a permit in accordance with Section
26B-7-416."
- 129 (3) IFC, Chapter 7, Fire and Smoke Protection Features, Section 702.5, is deleted.
- 135 Section 2. Section **53-22-102** is amended to read:
- 136 **53-22-102. State security chief -- Creation -- Appointment.**
- 137 (1) There is created within the department a state security chief.
- 133 (2) The state security chief:
- 134 (a) is appointed by the commissioner with the approval of the governor;
- 135 (b) is subject to the supervision and control of the commissioner;
- 136 (c) may be removed at the will of the commissioner;
- 137 (d) shall be qualified by experience and education to:
- 138 (i) enforce the laws of this state relating to school safety;
- 139 (ii) perform duties prescribed by the commissioner; and
- 140 (iii) enforce rules made under this chapter.
- 141 (3) The state security chief shall:
- 142 (a) establish building and safety standards for all public and private schools, including:
- 143 (i) coordinating with the State Board of Education to establish the required minimum safety and
security standards for all public and private school facilities, including:

HB0040S02 compared with HB0040S07

- 145 (A) limited entry points, including, if applicable, secured entry points for specific student grades or
groups;
- 147 (B) ~~{internal}~~ video surveillance ~~{ of entrances when school is in session }~~ ;
- 148 (C) subject to Subsection (6), [ground level{} exterior windows, which are windows surrounding points
of entry, and interior]-] exterior windows surrounding only the immediate entryways and only
interior windows{, which are windows entering areas of instruction,} of a classroom entrance or
instructional area protected by security [film] glazing or ballistic windows;
- 151 (D) internal classroom door locks;
- 152 (E) bleed kits and first aid kits;
- 153 (F) exterior cameras on entrances, parking areas, and campus grounds; ~~{and}~~
- 154 (G) fencing around playgrounds or supervised parameters using existing and adequate staffing to
monitor in consultation with the county security chief;
- 161 (ii) ~~{and}~~
- 155 ~~{(H) {compliance with universal access key box requirements under Section 53G-8-305;}~~
- 157 ~~{(ii)}~~ establishing a schedule or timeline for existing buildings to come into compliance with this
section;
- 159 (iii) creating a process to examine plans and specifications for construction or remodeling of a school
building, in accordance with Section 53E-3-706;
- 161 (iv) recommending to the commissioner the denial or revocation a public or private school's occupancy
permit for a building if:
- 163 (A) the building does not meet the standards established in this section; and
- 164 (B) after consultation with the local governing board, the building remains non-compliant with the
standards established in this section;
- 166 (v) creating minimum standards for radio communication equipment in every school;
- 167 ~~{(vi)} establishing an incident response method or system that a school shall use; }~~and
- 168 ~~{(vi){}~~ ~~{(vii)-}~~ establishing a process to approve the safety and security criteria the state
superintendent of public instruction establishes for building inspectors described in Section
53E-3-706;
- 171 (b) oversee the implementation of the school safety personnel requirements described in Section
53G-8-701.5, including:
- 173

HB0040S02 compared with HB0040S07

- 176 (i) in consultation with a county security chief, overseeing the school guardian program described in Section 53-22-105, including approving and coordinating the relevant training programs;
- 178 (ii) establishing an application process for approved alternatives to the school safety personnel requirements described in Section 53G-8-701.5;
- 181 (iii) selecting training requirements for school safety and security specialists in consultation with the State Board of Education as described in Section 53G-8-701.6;
- 185 (iv) as required by Section 53G-8-701.8, tracking each school safety and security director for a local education agency and ensuring that the contact information for the school safety and security directors is readily available to the local law enforcement agency of relevant jurisdiction; and
- 187 (v) reviewing and approving the State Board of Education's school resource officer training program as described in Section 53G-8-702;
- 189 (c) oversee the creation of school safety trainings, protocols, and incident responses, including:
- 192 (i) in consultation with the State Board of Education, defining what constitutes an "active threat" and "developmentally appropriate" for purposes of the emergency response training described in Section 53G-8-803;
- 195 (ii) in consultation with the Office of Substance {~~Abuse~~} Use and Mental Health, establishing or selecting an adolescent mental health and de-escalation training for school safety personnel;
- 197 (iii) consulting with the School Safety Center to develop the model critical incident response that all schools and law enforcement will use during a threat, including:
- 201 (A) standardized response protocol terminology for use throughout the state, including what constitutes a threat;
- 203 (B) protocols for planning and safety drills, including drills required in a school before the school year begins;
- 205 (C) integration and appropriate use of a panic alert device described in Subsection 53G-8-805;
- 207 (D) the establishment of incident command for a threat or safety incident, including which entity and individual runs the incident command;
- 209 (E) the required components for a communication plan to be followed during an incident or threat;
- (F) reunification plan protocols, including the appropriate design and use of an incident command by others responding to or involved in an incident; and
- (G) recommendations for safety equipment for schools, including amounts and types of first aid supplies;

HB0040S02 compared with HB0040S07

- 211 (iv) reviewing and suggesting any changes to the response plans and training under Section 53G-8-803;
- 213 (v) creating the official standard response protocol described in Section 53G-8-803 for use by schools
and law enforcement for school safety incidents;
- 215 ~~{(vi) ensuring a school physically marks doorways and hallways consistent with the incident response
method required in Subsection (3)(a);}~~ and
- 217 ~~{(vi){}}~~ ~~{(vii)-}~~ establishing a manner for any security personnel described in Section 53G-8-701.5
to be quickly identified by law enforcement during an incident;
- 219 (d) ~~{in collaboration with the School Safety Center, create a needs assessment that a local education
agency shall use to ensure compliance with the needs assessment requirement described in Section
53G-8-701.5;}~~
- 222 ~~{(e) {in consultation with the School Safety Center, select a system to track relevant data, including the
tracking required in Sections 53-22-105, 53G-8-701.5, 53G-8-701.8, and 53G-8-704;}}~~
- 225 ~~{(f)}~~ in consultation with the School Safety Center established in Section 53G-8-802:
- 226 (i) create a process to receive and analyze the school safety needs assessments described in Section
53G-8-701.5; and
- 228 (ii) establish a required data reporting system for public schools to report serious and non-serious
threats and other data related to threat assessment that the state security chief determines to be
necessary;
- 231 ~~{(g) establish, in collaboration with the Utah Education and Telehealth Network created in
Section 53B-17-105 and the School Safety Center established in Section 53G-8-802, minimum
cybersecurity standards for local education agencies, including:}~~
- 234 ~~{(i) adoption of nationally recognized cybersecurity framework;}~~
- 235 ~~{(ii) requirements for regular cybersecurity assessments that may be part of the needs assessment
described in Section 53G-8-701.5;}~~
- 237 ~~{(iii) cybersecurity incident response protocols; and}~~
- 238 ~~{(iv) {additional data protection standards;}}~~
- 239 ~~{(h)} review, authorize, and oversee foundation activities under Section 53-22-108;}~~ and
- 240 ~~{(e){}}~~ ~~{(i)-}~~ fulfill any other duties and responsibilities determined by the commissioner.
- 241 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department,
in consultation with the state security chief, shall make rules to fulfill the duties described in this
section.

HB0040S02 compared with HB0040S07

244 (5) The state security chief may delegate duties under this section to a sworn department member with
the approval of the commissioner.

233 (6)

(a) A school building shall come into compliance with window protection requirements in Subsection
(3)(a) by:

235 (i) for schools located in a county of the first or second class, secure exterior windows surrounding
only the immediate entryways by July 1, 2035;

237 (ii) for schools located in a county of the third, fourth, fifth, or sixth class, secure exterior windows
surrounding only the immediate entryways by July 1, 2040; and

239 (iii) for all schools, secure only interior windows of a classroom entrance or instructional area from
the floor, by July 1, 2040.

241 (b) The state security chief may grant an extension to the timelines in this Subsection (6) if requested by
a local education agency.

243 Section 3. Section **53-22-103** is amended to read:

244 **53-22-103. County sheriff responsibilities -- Coordination.**

248 (1) Each county sheriff shall identify an individual as a county security chief within the sheriff's office
to coordinate security responsibilities, protocols, and required trainings between the state security
chief, the county sheriff's office, and the corresponding police chiefs whose jurisdiction includes a
public school within the county.

252 (2) The county security chief shall:

253 (a) in collaboration with the school safety and security specialist described in Section 53G-8-701.6
and a member of the local law enforcement agency of relevant jurisdiction as described in Section
53-25-601:

256 (i) [~~conduct, or coordinate~~] administer or coordinate with a designee from the local law enforcement
agency of relevant jurisdiction to [~~conduct~~] participate in, by any appropriate means the county
security chief determines, the school safety needs assessment described in Section 53G-8-701.5; and

260 (ii) [~~conduct a building safety evaluation at least annually using~~] review the results of the school
safety needs assessment to recommend and implement improvements to school facilities, policies,
procedures, protocols, rules, and regulations relating to school safety and security;

264 (b) collaborate and maintain effective communications regarding school safety with each:

266

HB0040S02 compared with HB0040S07

- (i) school safety and security specialist in the county security chief's county, as described in Section 53G-8-701.6;
- 268 (ii) school safety and security director in the county security chief's county, as described in Section 53G-8-701.8; and
- 270 (iii) local law enforcement agency within the county;
- 271 (c) administer with the corresponding police chiefs whose jurisdiction includes a public school, the trainings described in Sections 53-22-105 and 53G-8-704, including:
- 273 (i) assessing if an individual is capable of the duties and responsibilities that the trainings cover; and
- 275 (ii) denying an individual the ability to be a school safety personnel described in Section 53G-8-701.5 if the county security chief finds the individual is not capable of the duties and responsibilities that the trainings cover; and
- 278 (d) in conjunction with the state security chief, administer the school guardian program established in Section 53-22-105 at any school participating in the program in the county security chief's county.
- 278 Section 4. Section **53-22-104.1** is amended to read:
- 279 **53-22-104.1. School Security Task Force -- Membership -- Duties -- Per diem -- Report -- Expiration.**
- 284 (1) There is created a School Security Task Force composed of the following members:
- 285 (a) the House chair and vice chair of the House Law Enforcement and Criminal Justice Standing Committee during the 2024 General Session, with the House chair serving as the co-chair of the task force;
- 288 (b) two members from the Senate, whom the president of the Senate selects and one of whom the president of the Senate appoints as co-chair of the task force;
- 290 (c) the state security chief;
- 291 (d) one member of the State Board of Education, whom the chair of State Board of Education selects;
- 293 (e) a member of the School Safety Center or designee, whom the state security chief selects;
- 295 (f) the director of the Utah Division of Juvenile Justice Youth Services or the director's designee;
- 297 (g) a member of the Utah School Superintendents Association, whom the chairs select;
- 298 (h) the Commissioner of Higher Education or **the commissioner's** designee;
- 299 (i) a school security expert, whom the state security chief selects;
- 300 ~~{(j) {a cybersecurity expert, whom the state security chief selects in consultation with the director of the Utah Education Telehealth Network created in Section 53B-17-105;}}~~

HB0040S02 compared with HB0040S07

- 297 (j) the chief information security officer described in Section 63A-16-210 or the chief's designee;
302 (k) the director of a school safety foundation established under Section 53-22-108 or the director's
designee;
- 304 ~~[(h)]~~ (l) one member of the Chiefs of Police Association from a county of the first or second class;
306 ~~[(i)]~~ (m) one member of the Sheriff's Association from a county of the third, fourth, fifth, or sixth class,
whom the president of the association selects;
- 308 ~~[(j)]~~ (n) one county security chief, whom the state security chief selects;
309 ~~[(k)]~~ (o) a school safety and security director, whom the chairs select;
310 ~~[(l)]~~ (p) a school resource officer, whom the state security chief selects; and
311 ~~[(m)]~~ (q) a member of the SafeUT and School Safety Commission, whom the chairs select.
- 313 (2) The task force shall:
- 314 (a) review school safety updates;
- 312 (b) study possible recommendations for minimum cybersecurity standards for local education agencies;
315 ~~[(b)]~~ (c) consult with the Education Advisory Board created in Section 53-22-104.2; and
316 ~~[(e)]~~ (d) develop legislation recommendations as necessary.
- 317 (3)
- (a) A majority of the members of the task force constitutes a quorum.
- 318 (b) The action of a majority of a quorum constitutes an action of the task force.
- 319 (4) The Office of Legislative Research and General Counsel shall provide staff for the task force.
- 321 (5)
- (a) Salaries and expenses of the members of the task force who are legislators shall be paid in
accordance with:
- 323 (i) Section 36-2-2;
- 324 (ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation Expenses; and
326 (iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.
- 327 (b) A member of the task force who is not a legislator may not receive compensation for the member's
work associated with the task force but may receive per diem and reimbursement for travel expenses
incurred as a member of the task force at the rates established by the Division of Finance under:
- 331 (i) Sections 63A-3-106 and 63A-3-107; and
332 (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.
- 333 Section 5. Section **53-22-104.2** is amended to read:

HB0040S02 compared with HB0040S07

- 334 **53-22-104.2. The School Security Task Force -- Public Education Advisory Board.**
- 337 (1) There is created an advisory board to the task force called the Public Education Advisory Board.
- 339 (2) The advisory board shall consist of the following members:
- 340 (a) the state security chief, who acts as chair of the advisory board;
- 341 (b) the construction and facility specialist at the State Board of Education;
- 342 (c) ~~the {Director-}~~ director of ~~{School Safety and Student Services-}~~ school safety and student services
at the State Board of Education or the director's designee;
- 344 (d) a school nurse, whom the state security chief selects;
- 345 (e) a ~~{representative from the state-}~~ school district technology ~~{directors}~~ director, whom the
~~{Director-}~~ director of ~~{School Safety-}~~ school safety and ~~{Student Services-}~~ student services
selects;
- 347 ~~[(e)]~~ (f) a superintendent from a county of the fourth, fifth, or sixth class, whom the state security chief
selects;
- 349 ~~[(d)]~~ (g) a superintendent from a county of the first, second, or third class, whom the state security chief
selects;
- 351 ~~[(e)]~~ (h) a charter school director~~{-who is employed in}~~ ~~[from-]~~ who is employed in a county of the
fourth, fifth, or sixth class, whom the state security chief selects;
- 353 ~~[(f)]~~ (i) a charter school director from a county of the first, second, or third class, whom the state
security chief selects;
- 355 ~~[(g)]~~ (j) the president of the Utah School Boards Association or the president's designee;
- 356 ~~[(h)]~~ (k) a parent representative from a school community council or parent teacher organization, whom
the state security chief selects;
- 358 ~~[(i)]~~ (l) a facilities manager from an LEA in a county of the fourth, fifth, or sixth class, whom the state
security chief selects;
- 360 ~~[(j)]~~ (m) a facilities manager from an LEA in county of the first, second, or third class, whom the state
security chief selects;
- 362 ~~[(k)]~~ (n) a representative of private schools, whom the state security chief selects; and
- 363 ~~[(h)]~~ (o) a member of the Office of Substance Abuse and Mental Health, whom the state security chief
selects.
- 365 (3) The advisory board's purpose is to:
- 366 (a) review and provide input on official business of the task force;

HB0040S02 compared with HB0040S07

- 367 (b) provide recommendations and suggestions for the task force's consideration; and
368 (c) study and evaluate the policies, procedures, and programs implemented for school safety and
provide proactive information regarding the implementation.
- 370 (4)
- (a) A majority of the members of the advisory board constitutes a quorum.
- 371 (b) The action of a majority of a quorum constitutes an action of the advisory board.
- 372 (5)
- (a) The advisory board shall select two members to serve as co-chairs.
- 373 (b) The co-chairs are responsible for the call and conduct of meetings.
- 374 (6) The staff of the state security chief shall provide staff for the advisory board.
- 375 (7) A member of the advisory board who is not a legislator may not receive compensation for the
member's work associated with the task force but may receive per diem and reimbursement for
travel expenses incurred as a member of the task force at the rates established by the Division of
Finance under:
- 379 (a) Sections 63A-3-106 and 63A-3-107; and
380 (b) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.
- 382 Section 6. Section 6 is enacted to read:
- 383 **53-22-104.3. The School Security Task Force -- Higher Education Advisory Board.**
- 385 (1) There is created an advisory board to the task force called the Higher Education Advisory Board.
- 387 (2) The advisory board shall consist of the following members:
- 388 (a) the state security chief, who acts as chair of the advisory board;
- 389 (b) the Commissioner of Higher Education or the commissioner's designee;
- 390 (c) one representative from a Utah higher education institution, whom the state security chief and
commissioner jointly select from either:
- 392 (i) a degree-granting institution; or
- 393 (ii) a technical college;
- 394 (d) a facilities management director from a higher education institution, whom the state security chief
selects;
- 396 (e) a campus security director from a higher education institution, whom the state security chief selects;
- 398 (f) a Title IX coordinator from a higher education institution, whom the state security chief selects; and
- 400 (g) additional members as the state security chief and the commissioner determine necessary.

HB0040S02 compared with HB0040S07

- 402 (3) The advisory board's purpose is to:
- 403 (a) review and provide input on official business of the task force;
- 404 (b) provide recommendations and suggestions for the task force's consideration, including potential
higher education campus use of the standard response protocol described in Section 5G-8-803; and
- 407 (c) study and evaluate the policies, procedures, and programs implemented for campus safety and
provide proactive information regarding implementation.
- 409 (4)
- (a) A majority of the members of the advisory board constitutes a quorum.
- 410 (b) The action of a majority of a quorum constitutes an action of the advisory board.
- 411 (5) The chair is responsible for the call and conduct of meetings.
- 412 (6) The staff of the state security chief shall provide staff for the advisory board.
- 413 (7) A member of the advisory board who is not a legislator may not receive compensation for the
member's work associated with the task force but may receive per diem and reimbursement for
travel expenses incurred as a member of the task force at the rates established by the Division of
Finance under:
- 417 (a) Sections 63A-3-106 and 63A-3-107; and
- 418 (b) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.
- 381 Section 6. Section **53-22-105** is amended to read:
- 382 **53-22-105. School guardian program.**
- 422 (1) As used in this section:
- 423 (a) "Annual training" means an annual four-hour training that:
- 424 (i) a county security chief or a designee administers in coordination with personnel from local law
enforcement of relevant jurisdiction as described in Section 53-25-601(2)(b);
- 427 (ii) the state security chief approves;
- 428 (iii) can be tailored to local needs;
- 429 (iv) allows an individual to practice and demonstrate firearms proficiency at a firearms range using the
firearm the individual carries for self defense and defense of others;
- 432 (v) includes the following components:
- 433 (A) firearm safety, including safe storage of a firearm;
- 434 (B) de-escalation tactics;
- 435 (C) the role of mental health in incidents; and

HB0040S02 compared with HB0040S07

- 436 (D) disability awareness and interactions; and
437 (vi) contains other training needs as determined by the state security chief.
- 438 (b) "Biannual training" means a twice-yearly training that:
439 (i) is at least four hours, unless otherwise approved by the state security chief;
440 (ii) a county security chief or a designee administers in coordination with personnel from local law enforcement of relevant jurisdiction as described in Section 53-25-601(2)(b);
443 (iii) the state security chief approves;
444 (iv) can be tailored to local needs; and
445 (v) through which a school guardian at a school or simulated school environment:
446 (A) receives training on the specifics of the building or buildings of the school, including the location of emergency supplies and security infrastructure; and
448 (B) participates in a live-action practice plan with school administrators in responding to active threats at the school; and
450 (vi) shall be taken with at least three months in between the two trainings.
- 451 (c) "Firearm" means the same as that term is defined in Section 76-10-501.
- 452 (d) "Initial training" means an in-person training that:
453 (i) a county security chief or a designee administers in coordination with personnel from local law enforcement of relevant jurisdiction as described in Section 53-25-601(2)(b);
456 (ii) the state security chief approves;
457 (iii) can be tailored to local needs; and
458 (iv) provides:
459 (A) training on general familiarity with the types of firearms that can be concealed for self-defense and defense of others;
461 (B) training on the safe loading, unloading, storage, and carrying of firearms in a school setting;
463 (C) training at a firearms range with instruction regarding firearms fundamentals, marksmanship, the demonstration and explanation of the difference between sight picture, sight alignment, and trigger control, and a recognized pistol course;
467 (D) current laws dealing with the lawful use of a firearm by a private citizen, including laws on self-defense, defense of others, transportation of firearms, and concealment of firearms;
470 (E) coordination with law enforcement officers in the event of an active threat;
471 (F) basic trauma first aid;

HB0040S02 compared with HB0040S07

- 472 (G) the appropriate use of force, emphasizing the de-escalation of force and alternatives to using force;
474 (H) situational response evaluations, including:
475 (I) protecting and securing a crime or accident scene;
476 (II) notifying law enforcement;
477 (III) controlling information; and
478 (IV) other training that the county sheriff, designee, or department deems appropriate.
- 480 (e) "Program" means the school guardian program created in this section.
481 (f)
(i) "School employee" means an employee of a school whose duties and responsibilities require the
employee to be physically present at a school's campus while school is in session.
484 (ii) "School employee" does not include a principal, teacher, or individual whose primary
responsibilities require the employee to be primarily present in a classroom to teach, care for, or
interact with students, unless:
487 (A) the principal, teacher, or individual is employed at a school with [~~100~~] 350 or fewer students;
489 (B) the principal, teacher, or individual is employed at a school with adjacent campuses as determined
by the state security chief; or
491 (C) as provided in Subsection 53G-8-701.5(3).
- 492 (g) "School guardian" means a school employee who meets the requirements of Subsection (3).
494 (2)
(a)
(i) There is created within the department the school guardian program[;] .
495 (ii) [~~the~~] The state security chief shall oversee the school guardian program[;] .
496 (iii) [~~the~~] The applicable county security chief shall administer the school guardian program in each
county.
- 498 (b) The state security chief shall ensure that the school guardian program includes:
499 (i) initial training;
500 (ii) biannual training; and
501 (iii) annual training.
- 502 (c) A county sheriff may partner or contract with:
503 (i) another county sheriff to support the respective county security chiefs in jointly administering the
school guardian program in the relevant counties; and

HB0040S02 compared with HB0040S07

- 505 (ii) a local law enforcement agency of relevant jurisdiction to provide the:
506 (A) initial training;
507 (B) biannual training; and
508 (C) annual training.
509 (3)
- (a) A school employee that volunteers to participate is eligible to join the program as a school guardian if:
- 511 (i) the school administrator approves the volunteer school employee to be designated as a school guardian;
- 513 (ii) the school employee satisfactorily completes initial training within six months before the day on which the school employee joins the program;
- 515 (iii) the school employee holds a valid concealed carry permit issued under [Title 53, { }] Chapter 5, Part 7, Concealed Firearm Act;
- 517 (iv) the school employee certifies to the sheriff of the county where the school is located that the school employee has undergone the training in accordance with Subsection (3)(a)(ii) and intends to serve as a school guardian; and
- 520 (v) the school employee ~~successfully completes a mental health screening selected by the state security chief in collaboration with the Office of Substance Abuse and Mental Health established in Section 26B-5-102.] :~~
- 523 (A) completes an initial "fit to carry" assessment the Department of Health and Human Services approves and a provider administers; and
- 525 (B) maintains compliance with mental health screening requirements consistent with law enforcement standards.
- 527 (b) After joining the program a school guardian shall complete annual training and biannual training to retain the designation of a school guardian in the program.
- 529 (4) The state security chief shall:
- 530 (a) for each school that participates in the program, track each school guardian at the school by collecting the photograph and the name and contact information for each guardian;
- 533 (b) make the information described in Subsection (4)(a) readily available to each law enforcement agency in the state categorized by school; and
- 535 (c) provide each school guardian with a one-time stipend of \$500.

HB0040S02 compared with HB0040S07

- 536 (5) A school guardian:
- 537 (a) may store the school guardian's firearm on the grounds of a school only if:
- 538 (i) the firearm is stored in a biometric gun safe;
- 539 (ii) the biometric gun safe is located in the school guardian's office; and
- 540 (iii) the school guardian is physically present on the grounds of the school while the firearm is stored in
the safe;
- 542 (b) shall carry the school guardian's firearm in a concealed manner; and
- 543 (c) may not, unless during an active threat, display or open carry a firearm while on school grounds.
- 545 (6) Except as provided in Subsection (5)(c), this section does not prohibit an individual who has a
valid concealed carry permit but is not participating in the program from carrying a firearm on the
grounds of a public school or charter school under Subsection 76-10-505.5(4).
- 549 (7) A school guardian:
- 550 (a) does not have authority to act in a law enforcement capacity; and
- 551 (b) may, at the school where the school guardian is employed:
- 552 (i) take actions necessary to prevent or abate an active threat; and
- 553 (ii) temporarily detain an individual when the school guardian has reasonable cause to believe the
individual has committed or is about to commit a forcible felony, as that term is defined in Section
76-2-402.
- 556 (8) A school may designate a single volunteer or multiple volunteers to participate in the school
guardian program to satisfy the school safety personnel requirements of Section 53G-8-701.5.
- 559 (9) The department may adopt, according to Title 63G, Chapter 3, Utah Administrative Rulemaking
Act, rules to administer this section.
- 561 (10) A school guardian who has active status in the guardian program is not liable for any civil damages
or penalties if the school guardian:
- 563 (a) when carrying or storing a firearm:
- 564 (i) is acting in good faith; and
- 565 (ii) is not grossly negligent; or
- 566 (b) threatens, draws, or otherwise uses a firearm reasonably believing the action to be
567 necessary in compliance with Section 76-2-402.
- 568 (11) A school guardian shall file a report described in Subsection (12) if, during the performance of the
school guardian's duties, the school guardian points a firearm at an individual.

HB0040S02 compared with HB0040S07

- 571 (12)
- (a) A report described in Subsection (11) shall include:
- 572 (i) a description of the incident;
- 573 (ii) the identification of the individuals involved in the incident; and
- 574 (iii) any other information required by the state security chief.
- 575 (b) A school guardian shall submit a report required under Subsection (11) to the school administrator, school safety and security director, and the state security chief within 48 hours after the incident.
- 578 (c) The school administrator, school safety and security director, and the state security chief shall consult and review the report submitted under Subsection (12)(b).
- 580 (13) The requirements of Subsections (11) and (12) do not apply to a training exercise.
- 581 (14) A school guardian may have the designation of school guardian revoked at any time by the school principal, county sheriff, or state security chief.
- 583 (15)
- (a) Any information or record created detailing a school guardian's participation in the program is:
- 585 (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government Records Access and Management Act; and
- 587 (ii) available only to:
- 588 (A) the state security chief;
- 589 (B) administrators at the school guardian's school;
- 590 (C) if applicable, other school safety personnel described in Section 53G-8-701.5;
- 591 (D) a local law enforcement agency that would respond to the school in case of an emergency; and
- 593 (E) the individual designated by the county sheriff in accordance with Section 53-22-103 of the county of the school where the school guardian in the program is located.
- 596 (b) The information or record described in Subsection (15)(a) includes information related to the school guardian's identity and activity within the program as described in this section and any personal identifying information of a school guardian participating in the program collected or obtained during initial training, annual training, and biannual training.
- 601 (c) An individual who intentionally or knowingly provides the information described in Subsection (15)
- (a) to an individual or entity not listed in Subsection (15)(a)(ii) is guilty of a class B misdemeanor.
- 565 Section 7. Section **53-22-106** is amended to read:
- 566 **53-22-106. Substantial threats against a school reporting requirements -- Exceptions.**

HB0040S02 compared with HB0040S07

- 607 (1) As used in this section, "substantial threat" means a threat made with serious intent to cause harm.
- 609 (2) Except as provided in Subsection (3), if a state employee or person in a position of special trust as defined in Section 76-5-404.1, including an individual licensed under Title 58, Chapter 31b, Nurse Practice Act, or Title 58, Chapter 67, Utah Medical Practice Act, has reason to believe a substantial threat against a school, school employee, or student attending a school or is aware of circumstances that would reasonably result in a substantial threat against a school, school employee, or student attending a school, the state employee or person in a position of special trust shall immediately report the suspected substantial threat to:
- 617 [~~(a) the state security chief;~~]
- 618 [~~(b)~~] (a) the local education agency that the substantial threat would impact; [~~or~~]
- 619 [~~(c)~~] (b) to the nearest peace officer or law enforcement agency~~[-]~~; and
- 620 (c) the state security chief.
- 621 (3)
- (a)
- (i) If the state security chief, a peace officer, or law enforcement agency receives a report under Subsection (2), the state security chief, peace officer, or law enforcement agency shall immediately notify the local education agency that the substantial threat would impact.
- 625 (ii) If the local education agency that the substantial threat would impact receives a report under Subsection (2), the local education agency that the substantial threat would impact shall immediately notify the appropriate local law enforcement agency and the state security chief.
- 629 (b)
- (i) A local education agency that the substantial threat would impact shall coordinate with the law enforcement agency on the law enforcement agency's investigation of the report described in Subsection (1).
- 632 (ii) If a law enforcement agency undertakes an investigation of a report under Subsection (2), the law enforcement agency shall provide a final investigatory report to the local education agency that the substantial threat would impact upon request.
- 636 (4) Subject to Subsection (5), the reporting requirement described in Subsection (2) does not apply to:
- 638 (a) a member of the clergy with regard to any confession an individual makes to the member of the clergy while functioning in the ministerial capacity of the member of the clergy if:
- 641 (i) the individual made the confession directly to the member of the clergy;

HB0040S02 compared with HB0040S07

- 642 (ii) the member of the clergy is, under canon law or church doctrine or practice, bound to maintain the
confidentiality of the confession; and
- 644 (iii) the member of the clergy does not have the consent of the individual making the confession to
disclose the content of the confession; or
- 646 (b) an attorney, or an individual whom the attorney employs, if:
- 647 (i) the knowledge or belief of the substantial threat arises from the representation of a client; and
- 649 (ii) if disclosure of the substantial threat would not reveal the substantial threat to prevent reasonably
certain death or substantial bodily harm in accordance with Utah Rules of Professional Conduct,
Rule 1.6.
- 652 (5)
- (a) When a member of the clergy receives information about the substantial threat from any source
other than a confession, the member of the clergy shall report the information even if the member
of the clergy also received information about the substantial threat from the confession of the
perpetrator.
- 656 (b) Exemption of the reporting requirement for an individual described in Subsection (4) does not
exempt the individual from any other actions required by law to prevent further substantial threats or
actual harm related to the substantial threat.
- 659 (6) The physician-patient privilege does not:
- 660 (a) excuse an individual who is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title
58, Chapter 68, Utah Osteopathic Medical Practice Act, from reporting under this section; or
- 663 (b) constitute grounds for excluding evidence in a judicial or administrative proceeding resulting from a
report under this section.
- 626 Section 8. Section **8** is enacted to read:
- 627 **53-22-108. School safety foundation.**
- 667 (1) As used in this section:
- 668 (a) "Authorized foundation" means a nonprofit foundation that:
- 669 (i) meets the requirements of this section; and
- 670 (ii) the state security chief authorizes in consultation with the School Safety Center created in Section
53G-8-802.
- 672 (b) "School safety product" means equipment, technology, service, or material that enhances school
safety and security.

HB0040S02 compared with HB0040S07

- 674 (2) The state security chief may approve a nonprofit foundation to be an authorized foundation if the
675 foundation:
- 676 (a) maintains status as a nonprofit organization under 26 U.S.C. Sec. 501(c)(3);
677 (b) has operated continuously in the state for three or more years;
678 (c) maintains a primary mission focused on school safety;
679 (d) operates under a board of directors that includes:
680 (i) a law enforcement representative;
681 (ii) an educator or school administrator; and
682 (iii) an emergency management professional;
683 (e) demonstrates financial stability through:
684 (i) an annual independent audit;
685 (ii) maintained reserves; and
686 (iii) a clean financial record; and
687 (f) provides evidence of:
688 (i) successful project management;
689 (ii) an existing relationship with an educational institution; and
690 (iii) knowledge of school safety requirements described in federal and state law.
- 691 (3) A foundation seeking authorization shall submit to the state security chief:
- 692 (a) a written application that demonstrates compliance with Subsection (2);
693 (b) a financial record for the previous three years;
694 (c) a current board member qualification;
695 (d) a proposed school safety initiative; and
696 (e) an internal procurement policy for purchases not made from a state cooperative contract.
- 697 (4) The state security chief shall:
- 698 (a) review an application within 60 days;
700 (b) request additional information if needed;
701 (c) issue a written decision; and
702 (d) maintain a public record of an authorized foundation, including records related to the approval
703 process of an authorized foundation.
- 704 (5) An authorized foundation may:
- 705 (a) use a state cooperative contract in accordance with Section 63G-6a-2105;

HB0040S02 compared with HB0040S07

- 706 (b) make a bulk purchase of a school safety product; and
707 (c) in coordination with the state security chief and the School Safety Center:
708 (i) facilitate a donation of a school safety product; and
709 (ii) distribute a product to a school.
710 (6) An authorized foundation shall:
711 (a) follow Title 63G, Chapter 6a, Utah Procurement Code, when utilizing a state cooperative contract;
713 (b) maintain separate accounting for a school safety purchase;
714 (c) by August 1 of each year, submit an annual report to the state security chief that includes:
716 (i) any product procured through a state cooperative contract;
717 (ii) the annual independent audit required in Subsection (2)(e);
718 (iii) all schools served;
719 (iv) the total value of a donation facilitated; and
720 (v) a compliance certification; and
721 (d) renew authorization every three years.
722 (7) The state security chief:
723 (a) may revoke authorization if the authorized foundation:
724 (i) fails to maintain a requirement of this section;
725 (ii) engages in financial mismanagement; or
726 (iii) submits false information in a report required by this section; and
727 (b) shall, before revoking authorization:
728 (i) provide written notice to the foundation;
729 (ii) allow a 30-day period to remedy the violation;
730 (iii) provide an opportunity for a hearing; and
731 (iv) issue a final written decision.
732 (8) Authorization under this section does not:
733 (a) create state liability;
734 (b) imply state endorsement;
735 (c) override a local procurement requirement; and
736 (d) exempt the foundation from an applicable law.

698 Section 9. Section 9 is enacted to read:

699 **53-22-109. School safety -- Compliance.**

HB0040S02 compared with HB0040S07

- 739 (1) As used in this section:
- 740 (a) "Compliance issue" means a violation of a school safety requirement under:
- 741 (i) this chapter; or
- 742 (ii) rules established in accordance with this chapter.
- 743 (b) "Tiered system of support" means an escalating system of:
- 744 (i) technical assistance;
- 745 (ii) intervention; and
- 746 (iii) corrective action.
- 747 (2) The state security chief shall, in collaboration with the School Safety Center:
- 748 (a) establish a tiered system of support for a compliance issue;
- 749 (b) develop implementation procedures for the system; and
- 750 (c) define criteria for:
- 751 (i) evaluating a compliance issue;
- 752 (ii) assigning an appropriate tier; and
- 753 (iii) monitoring progress.
- 754 (3) In establishing the system under Subsection (2), the state security chief and School Safety Center
shall consider:
- 756 (a) severity of the compliance issue;
- 757 (b) risk to student and staff safety;
- 758 (c) available technical assistance resources;
- 759 (d) local education agency capacity; and
- 760 (e) required corrective action timelines.
- 722 Section 10. Section **10** is enacted to read:
- 724 **53-25-601. Requirements for school safety.**
6. Requirements for School Safety
- 764 (1) As used in this section:
- 765 (a) "Local law enforcement agency" means the law enforcement agency with primary jurisdiction over a
school's physical location.
- 767 (b) "School safety needs assessment" means the assessment required under Section 53G-8-701.5.
- 769 (c) "Security camera system" means the system described in Section 53G-8-805.
- 770 (2) Each local law enforcement agency shall:

HB0040S02 compared with HB0040S07

- 771 (a) as coordinated with the county security chief described in Section 53-22-103, allocate adequate
personnel to participate in the {annual-} school safety needs assessments with a school's school
safety and security specialist as required by Section 53G-8-701.5 for each school within the local
law enforcement's jurisdiction;
- 775 (b) if a school within the local law enforcement agency's jurisdiction elects to satisfy the requirements
described in Subsection 53G-8-701.5(2)(a)(ii) by employing school guardians, assign adequate
personnel time as the {the-} county security chief determines to assist the county security chief in
administering the trainings required under Section 53-22-105;
- 780 (c) ensure the school safety and security specialist for each school has all relevant information
collected by the county security chief or the local law enforcement agency to submit the completed
assessments to the School Safety Center created in Section 53G-8-802 by October 15 of each year;
- 784 (d) coordinate with each school within the local law enforcement's jurisdiction to obtain and maintain
access to school security camera systems as described in Section 53G-8-805; and
- 787 (e) coordinate with the relevant county security chiefs as specified in Sections 53-22-103 and
53-22-105.

750 Section 11. Section **53B-28-401** is amended to read:

751 **53B-28-401. Campus safety plans and training -- Institution duties -- Governing board**
duties.

792 (1) As used in this section:

793 (a) "Covered offense" means:

794 (i) sexual assault;

795 (ii) domestic violence;

796 (iii) dating violence; or

797 (iv) stalking.

798 (b) "Institution" means an institution of higher education described in Section 53B-1-102.

799 (c) "Student organization" means a club, group, sports team, fraternity or sorority, or other organization:

801 (i) of which the majority of members is composed of students enrolled in an institution; and

803 (ii)

(A) that is officially recognized by the institution; or

804 (B) seeks to be officially recognized by the institution.

805 (2) An institution shall develop a campus safety plan that addresses:

HB0040S02 compared with HB0040S07

- 806 (a) where an individual can locate the institution's policies and publications related to a covered offense;
- 808 (b) institution and community resources for a victim of a covered offense;
- 809 (c) the rights of a victim of a covered offense, including the measures the institution takes to ensure,
unless otherwise provided by law, victim confidentiality throughout all steps in the reporting and
response to a covered offense;
- 812 (d) how the institution informs the campus community of a crime that presents a threat to the campus
community;
- 814 (e) availability, locations, and methods for requesting assistance of security personnel on the
institution's campus;
- 816 (f) guidance on how a student may contact law enforcement for incidents that occur off campus;
- 818 (g) institution efforts related to increasing campus safety, including efforts related to the institution's
increased response in providing services to victims of a covered offense, that:
- 821 (i) the institution made in the preceding 18 months; and
- 822 (ii) the institution expects to make in the upcoming 24 months;
- 823 (h) coordination and communication between institution resources and organizations, including campus
law enforcement;
- 825 (i) institution coordination with local law enforcement or community resources, including coordination
related to a student's safety at an off-campus location; and
- 827 (j) how the institution requires a student organization to provide the campus safety training as described
in Subsection (5).
- 829 (3) An institution shall:
- 830 (a) prominently post the institution's campus safety plan on the institution's website and each of the
institution's campuses; and
- 832 (b) annually update the institution's campus safety plan.
- 833 (4) An institution shall develop a campus safety training curriculum that addresses:
- 834 (a) awareness and prevention of covered offenses, including information on institution and community
resources for a victim of a covered offense;
- 836 (b) bystander intervention; and
- 837 (c) sexual consent.
- 838

HB0040S02 compared with HB0040S07

(5) An institution shall require a student organization, in order for the student organization to receive or maintain official recognition by the institution, to annually provide campus safety training, using the curriculum described in Subsection (4), to the student organization's members.

842 ~~[(6) An institution shall report annually to the Education Interim Committee and the Law Enforcement~~
~~and Criminal Justice Interim Committee, at or before the committees' November meetings, on crime~~
~~statistics aggregated by housing facility as described in Subsection 53B-28-403(2).]~~

807 Section 12. Section **53B-28-403** is amended to read:

808 **53B-28-403. Student housing crime reporting.**

848 (1) As used in this section:

849 (a) "Campus law enforcement" means an institution's police department.

850 (b) "Crime statistics" means the number of each of the crimes in 34 C.F.R. Sec. 668.46(c)(1) that are
reported to a local police agency or campus law enforcement, listed by type of crime.

853 (c) "Institution" means an institution of higher education described in Section 53B-2-101.

854 (d)

(i) "Institution noncampus housing facility" means a building or property that:

855 (A) is used for housing students;

856 (B) is not part of the institution's campus; and

857 (C) the institution owns, manages, controls, or leases;

858 (ii) "Institution noncampus housing facility" includes real property that is adjacent to, and is used in
direct support of, the building or property described in Subsection (1)(d)(i).

861 (e) "Local law enforcement agency" means a state or local law enforcement agency other than campus
law enforcement.

863 (f)

(i) "On-campus housing facility" means a building or property that is:

864 (A) used for housing students; and

865 (B) part of the institution's campus.

866 (ii) "On-campus housing facility" includes real property that is:

867 (A) adjacent to the on-campus housing facility; and

868 (B) used in direct support of the on-campus housing facility.

869 (g) "Student housing" means:

870 (i) an institution noncampus housing facility;

HB0040S02 compared with HB0040S07

- 871 (ii) an on-campus housing facility; or
872 (iii) a student organization noncampus housing facility.
- 873 (h) "Student organization" means the same as that term is defined in Section 53B-28-401.
- 874 (i) "Student organization noncampus housing facility" means a building or property that:
875 (i) is used for housing students;
876 (ii) is not part of the institution's campus; and
877 (iii)
(A) a student organization owns, manages, controls, or leases; or
878 (B) is real property that is adjacent to the student organization noncampus housing facility and is used
in direct support of the noncampus housing facility.
- 880 (2) An institution with the types of housing facilities described in this Subsection (2) shall:
- 881 (a) create a report of crime statistics aggregated by:
882 (i) on-campus housing facility, identified and listed individually using the institution's system for
inventorying institution facilities;
884 (ii) institution noncampus housing facility, identified and listed individually using the institution's
system for inventorying institution facilities; and
886 (iii) student organization noncampus housing facilities, identified and listed individually using the
institution's system for identifying student organization noncampus housing facilities; and
889 (b) ~~[include the report described in Subsection (2)(a) in the report described in Subsection
53B-28-401(6).]~~ report annually to the Education Interim Committee and the Law Enforcement and
Criminal Justice Interim Committee, at or before the committee's November meetings, on crime
statistics aggregated by housing facility as described in Subsection(2)(a).
- 894 (3) An institution that does not have the types of housing described in Subsection (2) shall report the
crime statistics as required by 20 U.S.C. Section 1092(f), the Jeanne Clery Disclosure of Campus
Security Policy and Campus Crime Statistics Act, to the entities specified in Subsection (2).
- 898 (4) Upon request from an institution, a local law enforcement agency shall provide to the institution
crime statistics for each student housing facility over which the local law enforcement agency has
jurisdiction.
- 901 ~~[(4)]~~ (5) Except as provided in Section 53B-28-303, when campus law enforcement receives a
complaint or report of a crime that campus law enforcement reasonably determines occurred outside

HB0040S02 compared with HB0040S07

of campus law enforcement's jurisdiction, campus law enforcement shall share any record of the complaint or report with the local law enforcement agency with jurisdiction.

906 Section 14. Section 14 is enacted to read:

907 **53B-28-404. Higher Education Safety Needs Assessment.**

908 (1) As used in this section:

909 (a) "Institution" means an institution of higher education described in Section 53B-2-101.

910 (b) "Safety needs assessment" means a comprehensive evaluation of:

911 (i) campus security infrastructure;

912 (ii) emergency response protocols;

913 (iii) threat assessment capabilities;

914 (iv) mental health resources;

915 (v) cybersecurity measures;

916 (vi) communication systems; and

917 (vii) other safety-related elements as the state security chief determines.

918 (2) An institution shall:

919 (a) by June 15, 2025, provide to the state security chief described in Section 53-22-102:

920 (i) written notice of intent to conduct the initial safety needs assessment; and

921 (ii) an executive summary describing:

922 (A) the proposed timeline for conducting the assessment;

923 (B) key personnel responsible for overseeing the assessment; and

924 (C) the general methodology to be used in evaluating each element described under Subsection (1)(b);

926 (b) by October 15 of each year, complete an annual safety needs assessment that:

927 (i) evaluates the institution's current safety and security measures;

928 (ii) identifies potential vulnerabilities and risks;

929 (iii) assesses compliance with applicable safety regulations;

930 (iv) reviews emergency response plans; and

931 (v) examines the effectiveness of safety-related policies and procedures;

932 (c) submit the assessment results to:

933 (i) the state security chief;

934 (ii) the institution's board of trustees;

935 (iii) the Utah Board of Higher Education;

HB0040S02 compared with HB0040S07

- 936 (iv) the School Security Task Force established in Section 53-22-104.1; and
937 (v) local law enforcement agencies with jurisdiction over the institution's campus;
938 (d) develop and implement an action plan to address identified safety needs; and
939 (e) maintain records of completed assessments and improvement actions.
940 (3) The state security chief in collaboration with the Office of the Higher Education Commissioner,
shall:
942 (a) establish the elements of the safety needs assessment in accordance with this section; and
944 (b) review assessment results and action plans.
945 (4) The Utah Board of Higher Education shall:
946 (a) ensure institutions comply with this section;
947 (b) coordinate resources to assist institutions in implementing safety improvements;
948 (c) facilitate sharing of best practices among institutions; and
949 (d) establish policies for maintaining confidentiality of sensitive security information contained in the
assessments.

867 **Section 13. Section 53E-1-201 is amended to read:**

868 **53E-1-201. Reports to and action required of the Education Interim Committee.**

- 869 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are
due to the Education Interim Committee:
871 (a) the report described in Section 9-22-109 by the STEM Action Center Board, including the
information described in Section 9-22-113 on the status of the computer science initiative and
Section 9-22-114 on the Computing Partnerships Grants Program;
875 (b) the prioritized list of data research described in Section 53B-33-302 and the report on research and
activities described in Section 53B-33-304 by the Utah Data Research Center;
878 (c) the report described in Section 53B-1-402 by the Utah Board of Higher Education on career and
technical education issues and addressing workforce needs;
880 (d) the annual report of the Utah Board of Higher Education described in Section 53B-1-402;
882 (e) the reports described in Section [~~53B-28-401~~] 53B-28-403 by the Utah Board of Higher Education
regarding activities related to campus safety;
884 (f) the State Superintendent's Annual Report by the state board described in Section 53E-1-203;
886 (g) the annual report described in Section 53E-2-202 by the state board on the strategic plan to improve
student outcomes;

HB0040S02 compared with HB0040S07

- 888 (h) the report described in Section 53E-8-204 by the state board on the Utah Schools for the Deaf and
the Blind;
- 890 (i) the report described in Section 53E-10-703 by the Utah Leading through Effective, Actionable, and
Dynamic Education director on research and other activities;
- 892 (j) the report described in Section 53F-2-522 regarding mental health screening programs;
- 894 (k) the report described in Section 53F-4-203 by the state board and the independent evaluator on an
evaluation of early interactive reading software;
- 896 (l) the report described in Section 63N-20-107 by the Governor's Office of Economic Opportunity on
UPSTART;
- 898 (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board related to grants for
professional learning and grants for an elementary teacher preparation assessment;
- 901 (n) upon request, the report described in Section 53F-5-219 by the state board on the Local Innovations
Civics Education Pilot Program;
- 903 (o) the report described in Section 53F-5-405 by the state board regarding an evaluation of a partnership
that receives a grant to improve educational outcomes for students who are low income;
- 906 (p) the report described in Section 53B-35-202 regarding the Higher Education and Corrections
Council;
- 908 (q) the report described in Section 53G-7-221 by the state board regarding innovation plans;
- 910 (r) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship Program.
- 912 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional reports are
due to the Education Interim Committee:
- 914 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53B-1-116, 53B-1-117, and
53B-1-118;
- 916 (b) if required, the report described in Section 53E-4-309 by the state board explaining the reasons for
changing the grade level specification for the administration of specific assessments;
- 919 (c) if required, the report described in Section 53E-5-210 by the state board of an adjustment to the
minimum level that demonstrates proficiency for each statewide assessment;
- 922 (d) the report described in Section 53E-10-702 by Utah Leading through Effective, Actionable, and
Dynamic Education;
- 924 (e) if required, the report described in Section 53F-2-513 by the state board evaluating the effects of
salary bonuses on the recruitment and retention of effective teachers in high poverty schools;

HB0040S02 compared with HB0040S07

- 927 (f) upon request, a report described in Section 53G-7-222 by an LEA regarding expenditure of a
percentage of state restricted funds to support an innovative education program;
- 930 (g) the reports described in Section 53G-11-304 by the state board regarding proposed rules and results
related to educator exit surveys; and
- 932 (h) the report described in Section 26B-5-113 by the Office of Substance Use and Mental Health, the
state board, and the Department of Health and Human Services regarding recommendations related
to Medicaid reimbursement for school-based health services.

936 Section 14. Section 53G-5-202 is amended to read:

937 **53G-5-202. Status and powers of State Charter School Board.**

- 938 (1) The State Charter School Board may:
- 939 (a) enter into contracts;
- 940 (b) sue and be sued; and
- 941 (c)
- (i) at the discretion of the charter school, provide administrative services to, or perform other school
functions for, charter schools authorized by the State Charter School Board; and
- 944 (ii) charge fees for the provision of services or functions.
- 945 (2) The state board shall:
- 946 (a) approve the State Charter School Board's annual budget; and
- 947 (b) otherwise grant autonomy to the State Charter School Board to manage the State Charter School
Board's budget.
- 949 (3) The State Charter School Board shall assign an existing employee to be the charter liaison described
in Section 53G-8-802.
- 951 (4) The charter school liaison described in Section 53G-8-802 shall coordinate with a safety liaison
from each authorizer to provide required trainings, information, and other relevant school safety
needs as the School Safety Center determines.

954 Section 15. Section 53G-5-205 is amended to read:

955 **53G-5-205. Charter school authorizers -- Power and duties -- Charter application minimum
standard.**

- 957 (1) The following entities are eligible to authorize charter schools:
- 958 (a) the State Charter School Board;
- 959 (b) a local school board; or

HB0040S02 compared with HB0040S07

- 960 (c) an institution of higher education board of trustees, as that term is defined in Section 53G-5-102.
- 962 (2) A charter school authorizer shall:
- 963 (a) authorize and promote the establishment of charter schools;
- 964 (b) before an application for charter school authorization is submitted to a charter school authorizer, review and evaluate the proposal to support and strengthen the charter school authorization proposal;
- 967 (c) review and evaluate the performance of charter schools authorized by the authorizer and hold a charter school accountable for the performance measures established in the charter school's charter agreement;
- 970 (d) assist charter schools in understanding and carrying out the charter school's charter obligations; [and]
- 972 (e) provide technical support to charter schools and persons seeking to establish charter schools by:
- 974 (i) identifying and promoting successful charter school models;
- 975 (ii) facilitating the application and approval process for charter school authorization; or
- 977 (iii) directing charter schools and persons seeking to establish charter schools to sources of funding and support[-] ; and
- 979 (f) designate an existing employee to coordinate with the charter school liaison described in Section 53G-5-202.
- 981 (3) A charter school authorizer may:
- 982 (a) make recommendations to the Legislature on legislation pertaining to charter schools;
- 983 (b) make recommendations to the state board on charter school rules and charter school funding; or
- 985 (c) provide technical support, as requested, to another charter school authorizer relating to charter schools.
- 987 (4) Within 60 days after the day on which an authorizer approves an application for a new charter school, the state board may direct an authorizer to do the following if the authorizer or charter school applicant failed to follow statutory or state board rule requirements made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
- 992 (a) reconsider the authorizer's approval of an application for a new charter school; and
- 993 (b) correct deficiencies in the charter school application or authorizer's application process as described in statute or state board rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, before approving the new application.

HB0040S02 compared with HB0040S07

- 997 (5) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
Act, make rules establishing minimum standards that a charter school authorizer is required to apply
whenevaluating a charter school application.
- 1000 (6) The minimum standards described in Subsection (5) shall include:
- 1001 (a) reasonable consequences for an authorizer that fails to comply with statute or state board rule;
- 1003 (b) a process for an authorizer to review:
- 1004 (i) the skill and expertise of a proposed charter school's governing board; and
- 1005 (ii) the functioning operation of the charter school governing board of an authorized charter school;
- 1007 (c) a process for an authorizer to review the financial viability of a proposed charter school and of an
authorized charter school;
- 1009 (d) a process to evaluate:
- 1010 (i) how well an authorizer's authorized charter school complies with the charter school's charter
agreement;
- 1012 (ii) whether an authorizer's authorized charter school maintains reasonable academic and education
standards; and
- 1014 (iii) standards that an authorizer is required to meet to demonstrate the authorizer's capacity to oversee
and evaluate the charter schools the authorizer authorizes.

1016 Section 16. Section **53G-8-102** is amended to read:

1017 **53G-8-102. Definitions.**

[Reserved] As used in this chapter:

- 954 (1) "Climate" means the perceptions and experiences of students, staff, parents, and the community
regarding the school's environment and the resources that support the experiences.
- 957 (2) "Culture" means the beliefs, values, and practices that shape how a school functions and influences
student learning and well-being through policies, procedures, and safety protocols.
- 960 (3) "K-12 School Campus" means an LEA governed property or building where K-12 students gather
daily for instructional purposes {or} **and** has an assigned administrator.
- 962 (4) "Physical Space" means the way in which a building is designed and structured to promote safety
including the minimum safety and security standards as described in Section 53-22-102.
- 965 (5) "School safety means" the physical space, culture, and climate of a school.

1031 Section 17. Section **53G-8-701** is amended to read:

1032 **53G-8-701. Definitions.**

HB0040S02 compared with HB0040S07

As used in this part:

- 969 (1) "Armed school security guard" means the same as that term is defined in Section
[53G-8-804] 53G-8-704.
- 971 (2) "County security chief" means the same as that term is defined in Section 53-22-101.
- 972 (3) "Law enforcement agency" means the same as that term is defined in Section 53-1-102.
- 973 (4) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- 974 (5) "School guardian" means the same as that term is defined in Section 53-22-106.
- 975 (6) "School is in session" means the same as that term is defined in Section 53E-3-516.
- 976 (7) "School resource officer" means a law enforcement officer, as defined in Section 53-13-103, who
contracts with or whose law enforcement agency contracts with an LEA to provide law enforcement
services for the LEA.
- 979 (8) "School safety and security director" means an individual whom an LEA designates in accordance
with Section 53G-8-701.8.
- 981 (9) "School safety and security specialist" means a school employee designated under Section
53G-8-701.6 who is responsible for supporting school safety initiatives.
- 983 (10) "School [~~safety center~~] Safety Center" means the same as that term is defined in Section
53G-8-801.
- 985 (11) "State security chief" means the same as that term is defined in Section 53-22-101.
- 1051 Section 18. Section **53G-8-701.5** is amended to read:
- 1052 **53G-8-701.5. School safety needs assessment -- School safety personnel -- Alternative
requirements.**
- 989 (1)
- (a) In accordance with Subsections (1)(c) through (e), [No] no later than [~~December 31, 2024~~] October
15 of {each} an applicable year, an LEA shall:
- 990 (i) ensure a school safety needs assessment the state security chief selectsin collaboration with the
school safety center is conducted in accordance with Subsection (1)(b) for each school or K-12
campus within the LEA to determine the needs and deficiencies regarding:
- 993 (A) appropriate school safety personnel, including necessary supports, training, and policy creation for
the personnel;
- 995 (B) physical building security and safety, including required upgrades to facilities and safety
technology {~~, and a list of current deferred maintenance~~} ; ~~and~~ ;

HB0040S02 compared with HB0040S07

- 997 (C) a school's current threat and emergency response protocols, including any emergency response
agreements with local law enforcement;
- 999 ~~{(D) {cybersecurity preparedness and compliance with the cybersecurity standards established under
Section 53-22-102; } }~~
- 1001 ~~{(E)}~~ (D) cardiac emergency preparedness, including ~~{presence and accessibility}~~ an inventory
of whether automated external defibrillators are present and accessible, ~~{automated external
defibrillator}~~ maintenance status ~~{and replacement needs}~~, and current staff training ~~{levels for
using an automated external defibrillator, and integration with local emergency services;}~~ offerings;
and
- 1005 ~~{(F)}~~ (E) compliance with universal access key box requirements under Section ~~{53G-7-220}~~
53G-8-805; and
- 1007 (ii) report the results of the school safety needs assessment for each school within the LEA to the
state security chief and the School Safety Center.
- 1009 (b)
- (i) The school safety specialist described in Section 53G-8-701.6, in collaboration with the county
security chief ~~{;}~~ ~~[{-}{f} or designee described in Section 53-22-103]~~, and with the local law
enforcement of relevant jurisdiction over the school as described in Section 53-25-601, shall
conduct the school safety needs assessment for each school.
- 1014 (ii) A school safety and security director may fulfill the role of a school safety and security specialist in
conducting the school safety needs assessment.
- 1016 ~~[(e) In collaboration with the School Safety Center described in Section 53G-8-802, the state security
chief described in Section 53-22-102 shall create a school safety needs assessment that an LEA shall
use to ensure compliance with this Subsection (1).]~~
- 1083 (c) The school safety needs assessment required under Subsection (1)(a)(i) shall be conducted at least
once every three years for each school or K-12 campus.
- 1085 (d) An LEA may implement a rotating or staggered schedule for conducting school safety needs
assessments among the buildings within the LEA, provided that:
- 1087 (i) each school within a K-12 campus is assessed at least once every three years; and
- 1088 (ii) the LEA documents the rotating or staggered assessment schedule and shares this schedule with
the state security chief, the School Safety Center, the county security chief, and the local law
enforcement of relevant jurisdiction as described in Section 53-25-601.

HB0040S02 compared with HB0040S07

- 1092 (e) The LEA shall update the assessment schedule as necessary to ensure compliance with the three-
1093 year assessment requirement under Subsection (1)(c).
- 1019 ~~[(d)]~~ ~~{(e)}~~ (f) The state board shall use the results of the school safety needs assessment for each school
within an LEA to award a grant to an LEA in accordance with Section 53F-5-220.
- 1022 ~~[(e)]~~ ~~{(d)}~~ (g) Any information or record detailing a school's needs assessment results is:
- 1023 (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government Records Access
and Management Act; and
- 1025 (ii) available only to:
- 1026 (A) the state security chief;
- 1027 (B) the School Safety Center;
- 1028 (C) members of an LEA governing board;
- 1029 (D) administrators of the LEA and school the needs assessment concerns;
- 1030 (E) only to the extent necessary to award a grant under Section 53F-5-220, the state board;
- 1032 (F) the applicable school safety personnel described in Subsection (2);
- 1033 (G) a local law enforcement agency that would respond to the school in case of an emergency; and
- 1035 (H) the county security chief.
- 1036 ~~[(f)]~~ ~~{(e)}~~ (h) An individual who intentionally or knowingly provides the information described in
Subsection ~~[(1)(e)]~~ (1)(g) to an individual or entity not listed in Subsection ~~[(1)(e)(ii)]~~ (1)(g)(ii) is
guilty of a class B misdemeanor.
- 1039 (2)
- (a) An LEA shall ensure each school within the LEA has the following school safety personnel:
- 1041 (i) a school safety and security specialist described in Section 53G-8-701.6; and
- 1042 (ii) based on the results of the needs assessment described in Subsection (1), at least one of the
following:
- 1044 (A) a school resource officer;
- 1045 (B) a school guardian; or
- 1046 (C) an armed school security guard.
- 1047 (b) In addition to the school safety personnel described in Subsection (2)(a), an LEA shall designate a
school safety and security director described in Section 53G-8-701.8.
- 1049 (c) ~~[If a school has more than 350 students enrolled at the school, the]~~ The same individual may [not
]serve in more than one of the roles listed in Subsections (2)(a) and (b) if the school notifies the

HB0040S02 compared with HB0040S07

School Safety Center and the state security chief of the decision to have the same individual serve in multiple roles as described in this Subsection (2).

- 1054 (d) An LEA may implement the requirements of Subsection (2)(a)(ii) before the LEA has completed the
school safety needs assessment described in Subsection (1).
- 1056 (e) The state security chief in consultation with the School Safety Center shall establish a timeline for
an LEA to comply with the school safety personnel requirements of this Subsection (2).
- 1059 (3)
- (a) An LEA, school administrator, or private school may apply to the state security chief for an
approved alternative to the requirements described in:
- 1061 (i) Section 53-22-105;
- 1062 (ii) this section;
- 1063 (iii) Section 53G-8-701.6;
- 1064 (iv) Section 53G-8-701.8; and
- 1065 (v) Section 53G-8-704.
- 1066 (b) In approving or denying an application described in Subsection (3)(a), the state security chief may
consider factors that impact a school or LEA's ability to adhere to the requirements of this section,
including the school or LEA's:
- 1069 (i) population size;
- 1070 (ii) staffing needs or capacity;
- 1071 (iii) geographic location;
- 1072 (iv) available funding; or
- 1073 (v) general demonstration of need for an alternative to the requirements of this section.
- 1075 (4) A private school shall identify an individual at the private school to serve as the safety liaison with
the local law enforcement of relevant jurisdiction and the state security chief.

1152 Section 19. Section **53G-8-701.6** is amended to read:

1153 **53G-8-701.6. School safety and security specialist.**

- 1079 (1) As used in this section, "principal" means the chief administrator at a public school, including:
- 1081 (a) a school principal;
- 1082 (b) a charter school director; or
- 1083 (c) the superintendent of the Utah Schools for the Deaf and the Blind.
- 1084 (2)

HB0040S02 compared with HB0040S07

(a) Subject to Subsection (2)(b) and except as provided in Subsection 53G-8-701.5(3), every campus within an LEA shall designate a school safety and security specialist from the employees of the relevant campus.

1087 (b) The school safety and security specialist:

1088 (i) may not be a principal; and

1089 (ii) may be the school safety and security director at one campus within the LEA.

1090 (3) The school safety and security specialist shall:

1091 (a) report directly to the principal;

1092 (b) oversee school safety and security practices to ensure a safe and secure school environment for students and staff;

1094 (c) ensure adherence with all policies, procedures, protocols, rules, and regulations relating to school safety and security through collaborating and maintaining effective communications with the following as applicable:

1097 (i) the principal;

1098 (ii) school staff;

1099 (iii) the school resource officer;

1100 (iv) the armed school security guard;

1101 (v) the school guardian;

1102 (vi) local law enforcement;

1103 (vii) the county security chief;

1104 (viii) the school safety and security director;

1105 (ix) the LEA; and

1106 (x) school-based behavioral and mental health professionals;

1107 (d) in collaboration with the county security chief [~~or designee described in Section 53-22-103~~] and with the local law enforcement of relevant jurisdiction over the school as described in Section 53-25-601:

1110 (i) conduct the school safety needs assessment described in Section 53G-8-701.5;

1111 (ii) in accordance with Sections 53-25-601 and 53G-8-701.5, submit the completed assessments to the School Safety Center created in Section 53G-8-802 by October 15 of each year; and

1114

HB0040S02 compared with HB0040S07

- [~~(ii)~~] (iii) ~~[conduct a building safety evaluation at least annually using]~~ review the results of the school safety needs assessment to recommend and implement improvements to school facilities, policies, procedures, protocols, rules, and regulations relating to school safety and security;
- 1118 (e) ~~[if the specialist is also an employee of an LEA,]~~ participate on the multidisciplinary team that the ~~[LEA]~~ school establishes;
- 1120 (f) conduct a behavioral threat assessment when the school safety and security specialist deems necessary using an evidence-based tool the state security chief recommends in consultation with the school safety center and the Office of Substance ~~[Abuse]~~ Use and Mental Health;
- 1124 (g) regularly monitor and report to the principal, local law enforcement, and, if applicable, the LEA superintendent or designee, security risks for the school resulting from:
- 1127 (i) issues with school facilities; or
- 1128 (ii) the implementation of practices, policies, procedures, and protocols relating to school safety and security;
- 1130 (h) coordinate with local first responder agencies to implement and monitor safety and security drills in accordance with policy and applicable procedures and protocols;
- 1132 (i) ensure that school staff, and, when appropriate, students, receive training on and remain current on the school's safety and security procedures and protocols;
- 1134 (j) following an event where security of the school has been significantly compromised, organize a debriefing with the individuals listed in Subsection (3)(c) following the recommendations from the state security chief, in collaboration with the School Safety Center, regarding strengthening school safety and security practices, policies, procedures, and protocols;
- 1139 (k) abide by any LEA, school, or law enforcement agency policy outlining the chain of command;
- 1141 (l) during an emergency, coordinate with the following individuals as applicable, the:
- 1142 (i) school resource officer;
- 1143 (ii) school guardians;
- 1144 (iii) armed school security guards;
- 1145 (iv) school administrators; and
- 1146 (v) responding law enforcement officers;
- 1147 (m) follow any LEA, school, or law enforcement agency student privacy policies, including state and federal privacy laws;

1149

HB0040S02 compared with HB0040S07

(n) participate in an annual training the state security chief selects in consultation with the School Safety Center; and

1151 (o) remain current on:

1152 (i) a comprehensive school guideline the state security chief selects;

1153 (ii) the duties of a school safety and security specialist described in this Subsection (3); and

1155 (iii) the school's emergency response plan.

1156 (4) During an active emergency at the school, the school safety and security specialist is subordinate to any responding law enforcement officers.

1233 Section 20. Section **53G-8-701.8** is amended to read:

1234 **53G-8-701.8. School safety and security director.**

1160 (1) Except as provided in Subsection 53G-8-701.5(3), an LEA shall designate a school safety and security director as the LEA point of contact for the county security chief, local law enforcement, and the state security chief.

1163 (2) A school safety and security director shall:

1164 (a) participate in and satisfy the training requirements~~[, including the annual and biannual requirements, described in]~~ as follows:

1166 (i) only once, the training requirements described in Section 53-22-105 for school guardians;

1168 (ii) ~~[Section 53G-8-702 for]~~ the school resource [officers] officer and administrator training the state security chief approves in consultation with the School Safety Center; and

1171 ~~[(iii) Section 53G-8-704 for armed school security guards;]~~

1172 ~~[(b) have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act;]~~

1174 ~~[(e)]~~ (b) if serving as a backup school guardian, satisfy all requirements described in 53-22-105;

1176 (c) if the designee is an employee of an LEA, participate on the multidisciplinary team the LEA establishes;

1178 (d) coordinate security responses among, if applicable, the following individuals in the LEA that employs the school safety and security director:

1180 (i) school safety and security specialists;

1181 (ii) school resource officers;

1182 (iii) armed school security guards; and

1183 (iv) school guardians; and

HB0040S02 compared with HB0040S07

- 1184 (e) collaborate and maintain effective communications with local law enforcement, a county security
chief, the LEA, and school-based behavioral and mental health professionals to ensure adherence
with all policies, procedures, protocols, rules, and regulations relating to school safety and security.
- 1188 (3) A school safety and security director:
- 1189 (a) does not have authority to act in a law enforcement capacity; and
- 1190 (b) may, at the LEA that employs the director:
- 1191 (i) take actions necessary to prevent or abate an active threat; and
- 1192 (ii) temporarily detain an individual when the school safety and security director has reasonable cause
to believe the individual has committed or is about to commit a forcible felony, as that term is
defined in Section 76-2-402[;] .
- 1195 (4) Notwithstanding Subsection 76-10-505.5(4), if a school safety and security director is carrying a
firearm, the school safety and security director shall carry the school safety and security director's
firearm in a concealed manner and may not, unless during an active threat, display or open carry a
firearm while on school grounds.
- 1199 (5) A school may use the services of the school safety and security director on a temporary basis to
satisfy the school safety personnel requirement of Subsection 53G-8-701.5(2).
- 1201 (6) The state security chief shall:
- 1202 (a) for each school safety and security director, track each school safety and security director by
collecting the photograph and the name and contact information for each school safety and security
director; and
- 1205 (b) make the information described in Subsection (6)(a) readily available to each law enforcement
agency in the state categorized by LEA.
- 1282 Section 21. Section **53G-8-704** is amended to read:
- 1283 **53G-8-704. Contracts between an LEA and a contract security company for armed school
security guards.**
- 1210 (1) As used in this section:
- 1211 (a) "Armed private security officer" means the same as that term is defined in Section 58-63-102.
- 1213 (b) "Armed school security guard" means an armed private security officer who[~~is~~]:
- 1214 (i) is licensed as an armed private security officer under Title 58, Chapter 63, Security Personnel
Licensing Act; and
- 1216 (ii) has met the requirements described in Subsection (4)(a).

HB0040S02 compared with HB0040S07

- 1217 (c) "Contract security company" means the same as that term is defined in Section 58-63-102.
- 1219 (d) "State security chief" means the same as that term is defined in Section 53-22-102.
- 1220 (2)
- (a) An LEA may use an armed school security guard to satisfy the school safety personnel requirements of Section 53G-8-701.5.
- 1222 (b) An LEA that uses an armed school security guard under Subsection (2)(a) shall contract with a contract security company to provide armed school security guards at each school within the LEA.
- 1225 (3) The contract described in Subsection (2)(b) shall include a detailed description of:
- 1226 (a) the rights of a student under state and federal law with regard to:
- 1227 (i) searches;
- 1228 (ii) questioning;
- 1229 (iii) arrests; and
- 1230 (iv) information privacy;
- 1231 (b) job assignment and duties of an armed school security guard, including:
- 1232 (i) the school to which an armed school security guard will be assigned;
- 1233 (ii) the hours an armed school security guard is present at the school;
- 1234 (iii) the point of contact at the school that an armed school security guard will contact in case of an emergency;
- 1236 (iv) specific responsibilities for providing and receiving information;
- 1237 (v) types of records to be kept, and by whom; and
- 1238 (vi) training requirements; and
- 1239 (c) other expectations of the contract security company in relation to school security at the LEA.
- 1241 (4)
- (a) In addition to the requirements for licensure under Title 58, Chapter 63, Security Personnel Licensing Act, an armed private security officer may only serve as an armed school security guard under a contract described in Subsection (2)(b) if the armed private security officer:
- 1245 (i) has a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act; ~~and~~
- 1247 (ii) has undergone training from a county security chief or local law enforcement agency regarding:
- 1249 (A) the safe loading, unloading, storage, and carrying of firearms in a school setting;
- 1251 (B) the role of armed security guards in a school setting; and

HB0040S02 compared with HB0040S07

- 1252 (C) coordination with law enforcement and school officials during an active threat[-] ;
- 1253 (iii) completes an initial "fit to carry" assessment the Department of Health and Human Services
approves and a provider administers; and
- 1255 (iv) maintains compliance with mental health screening requirements consistent with law
enforcement standards.
- 1257 (b) An armed school security guard that meets the requirements of Subsection (4)(a) shall, in order to remain eligible to be assigned as an armed school security guard at any school under a contract described in Subsection (2)(b), participate in and satisfy the training requirements of the initial, annual, and biannual trainings as defined in Section 53-22-105.
- 1262 (5) An armed school security guard may conceal or openly carry a firearm at the school at which the armed school security guard is employed under the contract described in Subsection (2)(b).
- 1265 (6) An LEA that enters a contract under this section shall inform the state security chief and the relevant county security chief of the contract and provide the contact information of the contract security company employing the armed security guard for use during an emergency.
- 1269 (7) The state security chief shall:
- 1270 (a) for each LEA that contracts with a contract security company under this section, track each contract security company providing armed school security guards by name and the contact information for use in case of an emergency; and
- 1273 (b) make the information described in Subsection (7)(a) readily available to each law enforcement agency in the state by school.
- 1275 (8) An armed school security guard shall file a report described in Subsection (9) if, during the performance of the armed school security guard's duties, the armed school security guard:
- 1278 (a) points a firearm at an individual; or
- 1279 (b) aims a conductive energy device at an individual and displays the electrical current.
- 1280 (9)
- (a) A report described in Subsection (8) shall include:
- 1281 (i) a description of the incident;
- 1282 (ii) the identification of the individuals involved in the incident; and
- 1283 (iii) any other information required by the state security chief.
- 1284

HB0040S02 compared with HB0040S07

(b) An armed school security guard shall submit a report required under Subsection (8) to the school administrator, school safety and security director, and the state security chief within 48 hours after the incident.

1287 (c) The school administrator, school safety and security director, and the state security chief shall
consult and review the report submitted under Subsection (9)(b).

1364 Section 22. Section **53G-8-802** is amended to read:

1365 **53G-8-802. State Safety and Support Program -- State board duties -- LEA duties.**

1292 (1) There is created the School Safety Center.

1293 (2) The School Safety Center shall:

1294 (a) develop in conjunction with the Office of Substance Use and Mental Health and the state security
chief model student safety and support policies for an LEA, including:

1296 (i) requiring an evidence-based behavior threat assessment that includes[?]]

1297 [(A)] recommended interventions with an individual whose behavior poses a threat to school safety;
[and]

1299 [~~(B) establishes defined roles for a multidisciplinary team and school safety personnel described in Title
53G, Chapter 8, Part 7, School Safety Personnel, including:]~~

1302 (ii) procedures for referrals to law enforcement; and

1303 (iii) procedures for referrals to a community services entity, a family support organization, or a health
care provider for evaluation or treatment;

1305 (b) provide training in consultation with the state security chief:

1306 (i) in school safety;

1307 (ii) in evidence-based approaches to improve school climate and address and correct bullying behavior;

1309 (iii) in evidence-based approaches in identifying an individual who may pose a threat to the school
community;

1311 (iv) in evidence-based approaches in identifying an individual who may be showing signs or symptoms
of mental illness;

1313 (v) on permitted disclosures of student data to law enforcement and other support services under the
Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

1316 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections 53E-9-203 and
53E-9-305; and

1318 (vii) for administrators on rights and prohibited acts under:

HB0040S02 compared with HB0040S07

- 1319 (A) Chapter 9, Part 6, Bullying and Hazing;
- 1320 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 1321 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 1322 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 1323 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 1324 (c) conduct and disseminate evidence-based research on school safety concerns;
- 1325 (d) disseminate information on effective school safety initiatives;
- 1326 (e) encourage partnerships between public and private sectors to promote school safety;
- 1327 (f) provide technical assistance to an LEA in the development and implementation of school safety initiatives;
- 1329 (g) in conjunction with the state security chief, make available to an LEA the model critical incident response training program a school and law enforcement agency shall use during a threat;
- 1332 (h) provide space for the public safety liaison described in Section 53-1-106 and the school-based mental health specialist described in Section 26B-5-102;
- 1334 (i) collaborate with the state security chief to determine appropriate application of school safety requirements in Utah Code to an online school;
- 1336 (j) create a model school climate survey that may be used by an LEA to assess stakeholder perception of a school environment;
- 1338 (k) in accordance with Section 53G-5-202, establish a charter school liaison including defined responsibilities for charter school communication and coordination with the School Safety Center; and
- 1340 (l) assist a foundation described in Section 53-22-108 in distributing school safety products if a foundation seeks assistance;
- 1342 (m) ~~{ in collaboration with the state security chief established in Section 53-22-102 }~~ establishes defined roles for a multidisciplinary team and ~~{ the Utah Education and Telehealth Network created in Section 53B-17-105, conduct an initial gap analysis of LEA cybersecurity practices by December 31, 2025 }~~ school safety personnel described in Title 53G, Chapter 8, Part 7, School Safety Personnel;
- 1345 ~~{(n)} { submit findings from the gap analysis described in Subsection (2)(m) to: }~~
- 1346 ~~{(i)} { the state security chief established in Section 53-22-102; }~~
- 1347 ~~{(ii)} { the School Safety Task Force created in Section 53-22-104.1; and }~~

HB0040S02 compared with HB0040S07

- 1348 ~~{(iii)} {the state board;}~~
- 1349 ~~{(o)} {establishes defined roles for a multidisciplinary team and school safety personnel described in Title 53G, Chapter 8, Part 7, School Safety Personnel, including providing training and standards for cardiac emergency response that includes:}~~
- 1352 ~~{(i)} {CPR and automated external defibrillator operation certification from a nationally recognized organization;}~~
- 1354 ~~{(ii)} {automated external defibrillator placement, maintenance, and operation protocols;}~~
- 1355 ~~{(iii)} {emergency response procedures, including designation of a cardiac emergency response coordinator and response team; and}~~
- 1357 ~~{(iv)} coordination with local emergency medical services for emergency response integration;}~~ [and]
- 1420 [(k)] (n) assist LEAs in implementing and maintaining universal access key box requirements under Section 53G-8-805;
- 1422 (o) in consultation with the state security chief, select a system to track relevant data, including the tracking required in Sections 53-22-105, 53G-8-701.5, 53G-8-701.8, and 53G-8-704; and
- 1425 ~~(p) {assist LEAs in implementing and maintaining universal access key box requirements under Section 53G-8-805;}~~
- 1361 ~~{(q)} collect aggregate data and school climate survey results from an LEA that administers the model school climate survey described in Subsection [(2)(i)] (2)(j).~~
- 1363 (3) Nothing in this section requires:
- 1364 (a) an individual to respond to a school climate survey; or
- 1365 (b) an LEA to use the model school climate survey or any specified questions in the model school climate survey described in Subsection [(2)(i)] (2)(j).
- 1367 (4) The state board shall require an LEA to:
- 1368 (a)
- (i) if an LEA administers a school climate survey, review school climate data for each school within the LEA; and
- 1370 (ii) based on the review described in Subsection (4)(a)(i):
- 1371 (A) revise practices, policies, and training to eliminate harassment and discrimination in each school within the LEA;
- 1373 (B) adopt a plan for harassment- and discrimination-free learning; and
- 1374

HB0040S02 compared with HB0040S07

(C) host outreach events or assemblies to inform students and parents of the plan adopted under Subsection (4)(a)(ii)(B);

1376 (b) no later than September 1 of each school year, send a notice to each student, parent, and LEA staff member stating the LEA's commitment to maintaining a school climate that is free of harassment and discrimination; and

1379 (c) report to the state board annually on the LEA's implementation of the plan under Subsection (4)(a)(ii)(B) and progress.

1381 {~~(5) A charter school authorizer as that term is defined in Section 53G-5-102, shall pay a portion of the salary of the charter liaison described in Subsection (2)(k) in an amount proportionate to the number of charter schools the authorizer has authorized.~~}

1445 Section 23. Section **53G-8-803** is amended to read:

1446 **53G-8-803. Standard response protocol to active threats in schools.**

The state security chief described in Section 53-22-102, in consultation with the School Safety Center, shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

1389 (1) in accordance with the standard response protocol established by the state security chief, require an LEA or school to develop emergency preparedness plans and emergency response plans for use during an emergency that include developmentally appropriate training for students and adults regarding:

1393 (a) active threats;

1394 (b) emergency preparedness;

1395 (c) cardiac emergency preparedness;

1396 [~~(e)~~] (d) drills as required under Subsection 15A-5-202.5 and by the state security chief; and

1398 [~~(d)~~] (e) standard response protocols coordinated with community stakeholders; and

1399 (2) identify the necessary components of emergency preparedness and response plans, including underlying standard response protocols and emerging best practices for an emergency.

1463 Section 24. Section **53G-8-805** is amended to read:

1464 **53G-8-805. Panic alert device -- Security cameras-- Key box.**

1404 (1) As used in this section:

1405 (a) "Universal access key box" means a UL Standard 1037 compliant secure container designed to store and protect emergency access keys and devices.

HB0040S02 compared with HB0040S07

- 1407 (b) "Emergency responder" means law enforcement, fire service, or emergency medical personnel
1409 authorized by local authorities to respond to school emergencies.
- 1409 [(4)] (2) In accordance with the results of the school safety needs assessment described in Section
53G-8-701.5, an LEA shall provide [a staff person] the lead teacher in each classroom with
a wearable panic alert device that [allows for immediate contact with emergency services
or emergency services agencies, law enforcement agencies, health departments, and fire
departments] shall communicate directly with public safety answering points.
- 1415 [(2)] (3) An LEA shall ensure, before the school year begins, all school building personnel receive
training on the protocol and appropriate use of the panic alert device described in Subsection
[(4)] (2).
- 1418 [(3)] (4) An LEA shall:
- 1419 (a) ensure all security cameras within a school building are accessible by:
- 1420 (i) a local law enforcement agency; and
- 1421 (ii) public safety answering points;
- 1422 (b) coordinate with a local law enforcement agency to establish appropriate access protocols[-]; and
- 1424 (c) physically mark all hallways and doorways consistent with the incident response method or system
the state security chief creates {[pursuant to Section 53-22-102\(3\)](#)} .
- 1426 [(4)]
- 1427 (5) A school building shall include universal access key boxes that:
- 1428 (a) are installed at main entry points;
- 1429 (b) contain master keys and access devices providing complete access to all areas of the school;
- 1431 (c) are accessible only to authorized emergency responders;
- 1432 (d) are electronically monitored for tampering; and
- 1433 (e) are weather-resistant and vandal-resistant.
- 1434 (6) An LEA shall:
- 1435 (a) maintain universal access key boxes by:
- 1436 (i) conducting quarterly inspections;
- 1437 (ii) updating contents within 24 hours of any lock or access control changes;
- 1438 (iii) maintaining current key and access device inventories;
- 1439 (iv) documenting all inspections and updates; and
- 1440 (v) immediately replacing any damaged or malfunctioning boxes;

HB0040S02 compared with HB0040S07

- 1441 (b) coordinate with local emergency responders to:
- 1442 (i) determine optimal box placement;
- 1443 (ii) establish access protocols;
- 1444 (iii) maintain current emergency contact information; and
- 1445 (iv) conduct annual reviews of box usage and effectiveness;
- 1446 (c) include universal access key box locations and protocols in:
- 1447 (i) school emergency response plans;
- 1448 (ii) building schematic diagrams provided to emergency responders; and
- 1449 (iii) school safety and security training materials.
- 1450 (7) The state board shall:
- 1451 (a) establish standards for:
- 1452 (i) box installation and placement;
- 1453 (ii) access control and monitoring;
- 1454 (iii) maintenance schedules; and
- 1455 (iv) compliance verification;
- 1517 (b) in direct coordination with the state security chief, ensure new construction or major remodeling of a school building shall include the installation of automated external defibrillators in appropriate locations as the state board determines; and
- 1456 ~~{(b)}~~ (c) provide technical assistance to LEAs implementing this section.
- 1457 (8) Nothing in this section:
- 1458 (a) affects requirements for fire department key boxes under applicable building or fire codes; or
- 1460 (b) restricts additional security measures implemented by LEAs that exceed these requirements.
- 1462 (9) This section is not subject to the restrictions in Section 41-6a-2003.
- 1527 Section 25. Section **53G-9-207** is amended to read:
- 1528 **53G-9-207. Child sexual abuse prevention.**
- 1465 (1) As used in this section:
- 1466 (a)
- (i) "Age-appropriate instructional material" means materials that provide instruction on:
- 1468 (A) the responsibility of adults for the safety of children;
- 1469 (B) how to recognize uncomfortable inner feelings;
- 1470 (C) how to say no and leave an uncomfortable situation;

HB0040S02 compared with HB0040S07

- 1471 (D) how to set clear boundaries;
- 1472 (E) the risks of sharing intimate images or personal information through electronic means; and
- 1474 [~~E~~] (F) the importance of discussing uncomfortable situations with parents and other trusted adults.
- 1476 (ii) "Age-appropriate instructional material" does not include materials that:
- 1477 (A) invites a student to share personal experiences about abuse during instruction;
- 1478 (B) gives instruction regarding consent as described in Section 76-5-406; or
- 1479 (C) includes sexually explicit language or depictions.
- 1480 (b) "Alternative provider" means a provider other than the provider selected by the state board under Subsection (8) that provides the training and instruction described in Subsection (4) with instructional materials approved under Subsection (2).
- 1483 (c) "School personnel" means the same as that term is defined in Section 53G-9-203.
- 1484 (d) "Sexual extortion" means the criminal offense described in Section 76-5b-204.
- 1485 (2) The state board shall approve, in partnership with the Department of Health and Human Services, age-appropriate instructional materials for the training and instruction described in Subsections (3) (a) and (4).
- 1488 (3)
- (a) An LEA shall provide{f, once every three years,{ ~~}~~ ~~annual~~} training and instruction on child sexual abuse and human trafficking prevention and awareness to:
- 1490 (i) school personnel in elementary and secondary schools on:
- 1491 (A) responding to a disclosure of child sexual abuse in a supportive, appropriate manner;
- 1493 (B) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and
- 1495 (C) the mandatory reporting requirements described in Sections 53E-6-701 and 80-2-602;
- 1497 (D) appropriate responses to incidents of sexual extortion, including connecting victims with support services; and
- 1499 (ii) parents of elementary school students on:
- 1500 (A) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; [~~and~~]
- 1503 (B) effective, age-appropriate methods for discussing the topic of child sexual abuse with a child[-] ;
and

HB0040S02 compared with HB0040S07

- 1505 (C) resources available for victims of sexual extortion.
- 1506 (b) An LEA:
- 1507 (i) shall use the instructional materials approved by the state board under Subsection (2) to provide the
training and instruction under Subsections (3)(a) and (4); or
- 1509 (ii) may use instructional materials the LEA creates to provide the instruction and training described in
Subsections (3)(a) and (4), if the LEA's instructional materials are approved by the state board under
Subsection (2).
- 1512 (4)
- (a) In accordance with Subsections (4)(b) and (5), an LEA may provide instruction on child sexual
abuse and human trafficking prevention and awareness to elementary school students using age-
appropriate curriculum.
- 1515 (b) An LEA that provides the instruction described in Subsection (4)(a) shall use the instructional
materials approved by the state board under Subsection (2) to provide the instruction.
- 1518 (5)
- (a) An elementary school student may not be given the instruction described in Subsection (4) unless
the parent of the student is:
- 1520 (i) notified in advance of the:
- 1521 (A) instruction and the content of the instruction; and
- 1522 (B) parent's right to have the student excused from the instruction;
- 1523 (ii) given an opportunity to review the instructional materials before the instruction occurs; and
- 1525 (iii) allowed to be present when the instruction is delivered.
- 1526 (b) Upon the written request of the parent of an elementary school student, the student shall be excused
from the instruction described in Subsection (4).
- 1528 (c) Participation of a student requires compliance with Sections 53E-9-202 and 53E-9-203.
- 1530 (6) An LEA may determine the mode of delivery for the training and instruction described in
Subsections (3) and (4).
- 1532 (7) Upon request of the state board, an LEA shall provide evidence of compliance with this section.
- 1534 (8) The state board shall select a provider to provide the training and instruction described in Subsection
(4), including requiring the provider selected to:
- 1536 (a) engage in outreach efforts to support more schools to participate in the training and instruction;
- 1538 (b) provide materials for the instruction involving students in accordance with Subsection (4);

HB0040S02 compared with HB0040S07

- 1540 (c) provide an outline of how many LEAs, schools, and students the provider could service; and
1542 (d) submit a report to the state board that includes:
1543 (i) information on the LEAs the provider engaged with in the outreach efforts, including:
1545 (A) how many schools within an LEA increased instructional offerings for training and instruction; and
1547 (B) the reasons why an LEA chose to participate or not in the offered training or instruction;
1549 (ii) the number of schools and students that received the training and instruction;
1550 (iii) budgetary information regarding how the provider utilized any funds the state board allocated; and
1552 (iv) additional information the state board requests.
- 1553 (9) Subject to legislative appropriation, there is created a grant program to support an LEA that chooses
to use an alternative provider other than the provider selected by the state board under Subsection
(8) to provide the training and instruction described in Subsection (4).
- 1557 (10) The state board shall:
1558 (a) establish a process to select alternative providers for an LEA to use, including:
1559 (i) an application process for a provider to become an alternative provider;
1560 (ii) required criteria for a provider to become an alternative provider; and
1561 (iii) relevant timelines;
1562 (b) create a process for an LEA to receive a grant award described in Subsection (9), including:
1564 (i) an application process;
1565 (ii) relevant timelines; and
1566 (iii) a scoring rubric and corresponding formula for determining a grant amount; and
1567 (c) make grant awards on a first come first served basis until the state board distributes all appropriated
funds.
- 1569 (11) An LEA that receives a grant award described in Subsection (10)(b) shall:
1570 (a) use the grant award to cover the costs needed for implementation of the training or instruction
described in Subsection (4); and
1572 (b) upon request of the state board, provide an itemized list of the uses of the grant award.
- 1638 Section 26. Section **53G-9-703** is amended to read:
1639 **53G-9-703. Parent education -- Mental health -- Bullying -- Safety.**
1576 (1)
(a) Except as provided in Subsection (3), a school district shall offer a seminar for parents of students
who attend school in the school district that:

HB0040S02 compared with HB0040S07

- 1578 (i) is offered at no cost to parents;
- 1579 (ii)
- (A) if in person, begins at or after 6 p.m.;~~[-or]~~
- 1580 (B) if in person, takes place on a Saturday; or
- 1581 (C) may be conducted at anytime online and recorded if the recording is made available on the school
district's website, including the parent portal created in Section 53G-6-806.
- 1584 (iii)
- (A) is held in at least one school located in the school district; or
- 1585 (B) is provided through a virtual platform; and
- 1586 (iv) covers the topics described in Subsection (2).
- 1587 (b)
- (i) A school district shall annually offer one parent seminar for each 11,000 students enrolled in the school district.
- 1589 (ii) Notwithstanding Subsection (1)(b)(i), a school district may not be required to offer more than three seminars.
- 1591 (c) A school district may:
- 1592 (i) develop the district school's own curriculum for the seminar described in Subsection (1)(a); or
- 1594 (ii) use the curriculum developed by the state board under Subsection (2).
- 1595 (d) A school district shall notify each charter school located in the attendance boundaries of the school district of the date and time of a parent seminar, so the charter school may inform parents of the seminar.
- 1598 (2) The state board shall:
- 1599 (a) develop a curriculum for the parent seminar described in Subsection (1) that includes information on:
- 1601 (i) substance abuse, including illegal drugs and prescription drugs and prevention;
- 1602 (ii) bullying;
- 1603 (iii) mental health, depression, suicide awareness, and suicide prevention, including education on limiting access to fatal means;
- 1605 (iv) Internet safety, including pornography addiction;~~[-and]~~
- 1606 (v) the SafeUT Crisis Line established in Section 53B-17-1202; and
- 1607 (vi) resources related to the topics described in this Subsection (2); and

HB0040S02 compared with HB0040S07

- 1608 (b) provide the curriculum, including resources and training, to school districts upon request.
- 1610 (3)
- (a) A school district is not required to offer the parent seminar if the local school board determines that the topics described in Subsection (2) are not of significant interest or value to families in the school district.
- 1613 (b) If a local school board chooses not to offer the parent seminar, the local school board shall notify the state board and provide the reasons why the local school board chose not to offer the parent seminar.
- 1616 ~~{Section 26. Section 53G-10-408 is amended to read: }~~
- 1617 **53G-10-408. Cardiopulmonary resuscitation instruction -- Grant program.**
- 1618 (1) As used in this section:
- 1619 (a) "Board" means the State Board of Education.
- 1620 (b) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external chest compression applied to a person who is unresponsive and not breathing.
- 1622 (c) "Individualized education program" or "IEP" means the same as that term is defined in Section 53E-1-102.
- 1624 (d) "Local education agency" or "LEA" means a school district or charter school that serves students in grade 9, 10, 11, or 12.
- 1626 (e) "Psychomotor skills" means sequences of physical actions that are practiced in a manner that supports cognitive learning.
- 1628 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and the requirements of this section, the board shall make rules to develop and implement CPR training as part of the core curriculum standards for instruction in health.
- 1631 (3) The state board may consult with the American Heart Association, the American Red Cross, or other similar organizations to make the rules described in Subsection (2).
- 1633 (4) Rules made under Subsection (2) shall include:
- 1634 (a) a requirement that CPR training be based on current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation;
- 1636 (b) except for a participant who is enrolled in an online-only school, a requirement that CPR training include the use of psychomotor skills with appropriate CPR training equipment; ~~and~~
- 1639

HB0040S02 compared with HB0040S07

- (c) a requirement that a student complete CPR training at least once during the period that begins with the beginning of grade 9 and ends at the end of grade 12, except as provided in Subsection (7)[-] ;
and
- 1642 (d) a requirement that CPR training described in this section include, when possible, instruction on
automated external defibrillator use and operation.
- 1644 (5) Beginning with the 2022-23 school year, and in accordance with the rules made under Subsection
(2), an LEA shall offer CPR training for students.
- 1646 (6) Rules made under Subsection (2) may not allow an LEA to issue a CPR certification to a student,
but may allow a student to receive CPR certification from an individual who provides the
CPR training if the individual is authorized to issue a CPR certification by the American Heart
Association, American Red Cross, or other similar organization.
- 1650 (7) A student is exempt from completing CPR training if:
- 1651 (a) the student's parent or legal guardian requests that the student be exempt from CPR training;
- 1653 (b) the student provides documentation to the LEA showing that the student has previously received
CPR training or has a current CPR certification; or
- 1655 (c) the student has an IEP and the CPR training is inconsistent with the IEP.
- 1656 (8) An LEA may accept a donation of materials, equipment, or services related to CPR training if the
materials, equipment, or services are in compliance with rules made pursuant to Subsection (2).
- 1659 (9)
- (a) There is created the CPR Training Grant Program.
- 1660 (b) Subject to legislative appropriations, the board shall award grants to LEAs to provide the CPR
training described in this section, which may include engaging a qualified CPR instructor or
replacing materials and equipment used in CPR training.
- 1663 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board may
make rules to establish:
- 1665 (i) application and eligibility requirements for an LEA that seeks a grant under this section; or
- 1667 (ii) specific materials or equipment that may be purchased using a grant awarded under this section.
- 1680 Section 27. Section **63I-1-253** is amended to read:
- 1681 **63I-1-253. Repeal dates: Titles 53 through 53G.**
- 1671 (1) Section 53-1-122, Road Rage Awareness and Prevention Restricted Account, is repealed July 1,
2028.

HB0040S02 compared with HB0040S07

- 1673 (2) Section 53-2a-105, Emergency Management Administration Council created -- Function -- Composition -- Expenses, is repealed July 1, 2029.
- 1675 (3) Section 53-2a-1103, Search and Rescue Advisory Board -- Members -- Compensation, is repealed July 1, 2027.
- 1677 (4) Section 53-2a-1104, General duties of the Search and Rescue Advisory Board, is repealed July 1, 2027.
- 1679 (5) Title 53, Chapter 2a, Part 15, Grid Resilience Committee, is repealed July 1, 2027.
- 1680 (6) Section 53-2d-104, State Emergency Medical Services Committee -- Membership -- Expenses, is repealed July 1, 2029.
- 1682 (7) Section 53-2d-703, Volunteer Emergency Medical Service Personnel Health Insurance Program -- Creation -- Administration -- Eligibility -- Benefits -- Rulemaking -- Advisory board, is repealed July 1, 2027.
- 1685 (8) Section 53-5-703, Board -- Membership -- Compensation -- Terms -- Duties, is repealed July 1, 2029.
- 1687 (9) Section 53-11-104, Board, is repealed July 1, 2029.
- 1688 ~~[(10) Section 53-22-104.1, School Security Task Force -- Membership -- Duties -- Per diem -- Report -- Expiration, is repealed December 31, {f} 2025 {j} 2027].~~
- 1690 ~~[(11) Section 53-22-104.2, The School Security Task Force -- {Public} Education Advisory Board, is repealed December 31, {f} 2025 {j} 2027].~~
- 1692 ~~{(12) Section 53-22-104.3, The School Security Task Force -- Higher Education Advisory Board, is repealed December 31, 2027.}~~
- 1694 [(12)] ~~{(13)}~~ (10) Subsection 53B-1-301(1)(j), regarding the Higher Education and Corrections Council, is repealed July 1, 2027.
- 1696 [(13)] ~~{(14)}~~ (11) Section 53B-7-709, Five-year performance goals, is repealed July 1, 2027.
- 1697 [(14)] ~~{(15)}~~ (12) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed July 1, 2028.
- 1699 [(15)] ~~{(16)}~~ (13) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 1700 [(16)] ~~{(17)}~~ (14) Section 53B-17-1203, SafeUT and School Safety Commission established -- Members, is repealed January 1, 2030.
- 1702 [(17)] ~~{(18)}~~ (15) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 1703 [(18)] ~~{(19)}~~ (16) Title 53B, Chapter 18, Part 17, Food Security Council, is repealed July 1, 2027.

HB0040S02 compared with HB0040S07

- 1704 [(19)] ~~{(20)}~~ (17) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure Research Center, is repealed July 1, 2028.
- 1706 [(20)] ~~{(21)}~~ (18) Title 53B, Chapter 35, Higher Education and Corrections Council, is repealed July 1, 2027.
- 1708 [(21)] ~~{(22)}~~ (19) Subsection 53C-3-203(4)(b)(vii), regarding the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells and other hydrologic studies in the West Desert, is repealed July 1, 2030.
- 1711 [(22)] ~~{(23)}~~ (20) Subsection 53E-1-201(1)(q), regarding the Higher Education and Corrections Council, is repealed July 1, 2027.
- 1713 [(23)] ~~{(24)}~~ (21) Subsection 53E-2-304(6), regarding foreclosing a private right of action or waiver of governmental immunity, is repealed July 1, 2027.
- 1715 [(24)] ~~{(25)}~~ (22) Subsection 53E-3-503(5), regarding coordinating councils for youth in care, is repealed July 1, 2027.
- 1717 [(25)] ~~{(26)}~~ (23) Subsection 53E-3-503(6), regarding coordinating councils for youth in care, is repealed July 1, 2027.
- 1719 [(26)] ~~{(27)}~~ (24) Subsection 53E-4-202(8)(b), regarding a standards review committee, is repealed January 1, 2028.
- 1721 [(27)] ~~{(28)}~~ (25) Section 53E-4-203, Standards review committee, is repealed January 1, 2028.
- 1722 [(28)] ~~{(29)}~~ (26) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is repealed July 1, 2033.
- 1724 [(29)] ~~{(30)}~~ (27) Subsection 53E-7-207(7), regarding a private right of action or waiver of governmental immunity, is repealed July 1, 2027.
- 1726 [(30)] ~~{(31)}~~ (28) Section 53F-2-420, Intensive Services Special Education Pilot Program, is repealed July 1, 2024.
- 1728 [(31)] ~~{(32)}~~ (29) Section 53F-5-214, Grant for professional learning, is repealed July 1, 2025.
- 1729 [(32)] ~~{(33)}~~ (30) Section 53F-5-215, Elementary teacher preparation grant, is repealed July 1, 2025.
- 1731 [(33)] ~~{(34)}~~ (31) Section 53F-5-219, Local Innovations Civics Education Pilot Program, is repealed July 1, 2025.
- 1733 [(34)] ~~{(35)}~~ (32) Title 53F, Chapter 10, Part 2, Capital Projects Evaluation Panel, is repealed July 1, 2027.
- 1735

HB0040S02 compared with HB0040S07

[~~(35)~~] [~~(36)~~] (33) Subsection 53G-4-608(2)(b), regarding the Utah Seismic Safety Commission, is repealed January 1, 2025.

1737 [~~(36)~~] [~~(37)~~] (34) Subsection 53G-4-608(4)(b), regarding the Utah Seismic Safety Commission, is repealed January 1, 2025.

1739 [~~(37)~~] [~~(38)~~] (35) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.

1749 Section 28. **Repealer.**

This Bill Repeals:

1750 This bill repeals:

1751 Section **53F-4-208, State board procurement for school security software.**

1740 Section 28. Section **28** is enacted to read:

1741 **76-5-417. Sexual relations with an adult high school student.**

1742 (1) As used in this section:

1743 (a) "Actor" means an individual who is 21 years old or older.

1744 (b) "Adult high school student" means an individual who is 18 to 21 years old and enrolled at a high school.

1746 (c) "High school" means a district, charter, or private school that is comprised of grade 9, 10, 11, or 12.

1748 (d) "Position of special trust" means the following positions in a high school:

1749 (i) a teacher;

1750 (ii) an administrator;

1751 (iii) a coach;

1752 (iv) a counselor; or

1753 (v) an individual other than an individual listed in this Subsections (1)(d) who occupies a position of authority that enables the individual to exercise undue influence over an adult high school student.

1756 (e) "Sexual intercourse" means any penetration, however slight, of:

1757 (i) the genitals or anus of an individual by another individual using any body part, object, or substance;
or

1759 (ii) the mouth of an individual by another individual's genitals.

1760 (f) Terms defined in Section 76-1-101.5 apply to this section.

1761 (2) An actor commits sexual relations with an adult high school student if the actor:

1762 (a)

(i) has sexual intercourse with an adult high school student; or

HB0040S02 compared with HB0040S07

- 1763 (ii) with the intent to cause substantial emotional or bodily pain to any individual or with the intent to
arouse or gratify the sexual desire of any individual:
- 1765 (A) touches the anus, buttocks, pubic area, or any part of the genitals of an adult high school student;
- 1767 (B) touches the breast of a female adult high school student; or
- 1768 (C) otherwise takes indecent liberties with an adult high school student;
- 1769 (b) occupies a position of special trust in relation to the adult high school student described in
Subsection (2)(a); and
- 1771 (c) knows or should have known that the individual with which the actor committed the acts described
in Subsection (2)(a) was an adult high school student.
- 1773 (3) A violation of Subsection (2) is a third degree felony.
- 1774 (4) Any touching, even if accomplished through clothing, is sufficient to constitute the relevant element
of a violation of Subsection (2)(a)(ii).
- 1776 (5) Consent of an adult high school student to an act described in Subsection (2) is not a defense to
prosecution under this section.

1752 Section . **FY 2026 Appropriations.**

1753 The following sums of money are appropriated for the fiscal year beginning July 1,
1754 2025, and ending June 30, 2026. These are additions to amounts previously appropriated for
1755 fiscal year 2026.

1756 Subsection 29(a). **Operating and Capital Budgets**

1757 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
1758 Legislature appropriates the following sums of money from the funds or accounts indicated for
1759 the use and support of the government of the state of Utah.

1760 To State Board of Education - Contracted Initiatives and Grants

1761 25,000,000

1763 Schedule of Programs:

1764 25,000,000

1765 The Legislature intends \$25,000,000 for the
1766 School Safety and Support Grant Program in this item be
1767 used as follows, for:

1768 (1) supporting general grants to local education

1769 agencies prioritized by need as the school security task

HB0040S02 compared with HB0040S07

1770 force described in Section 53-22-104.1 determines in
1771 coordination with the state security chief and the school
1772 safety center;
1773 (2) research expenses supporting the work of the
1774 school security task force as the co-chairs of the task
1775 force authorize;
1776 (3) targeted grants to local education agencies
1777 for needs reported in the local education agencies' school
1778 safety needs assessments described in Section
1779 53G-8-701.5; and
1780 (4) the state board to use up to \$500,000 for the
1781 administration of the multi-tiered system of support for
1782 compliance issues as described in Section 53-22-109, if:
1783 (a) the state board determines the ongoing costs associated with
1784 the administration of the multi-tiered system of support
1785 for compliance issues; and
1786 (b) the state board reports the ongoing costs to the Education
1787 Interim Committee no later than September 1, 2026.

1788 Section 30. **Effective date.**

Effective Date.

This bill takes effect on {~~July 1,~~ May 7, 2025.

3-7-25 3:15 PM