

HB0137S01 compared with HB0137

~~{Omitted text}~~ shows text that was in HB0137 but was omitted in HB0137S01
inserted text shows text that was not in HB0137 but was inserted into HB0137S01

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LONG TITLE

General Description:

This bill creates a grant program to assist a law enforcement agency in solving violent crimes.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Violent Crime Clearance Rate Fund, which:
 - includes legislative appropriations, contributions from private sources, and any interest earned on the fund;
 - is administered by the State Commission on Criminal and Juvenile Justice; and
 - is nonlapsing;
- ▶ directs the State Commission on Criminal and Juvenile Justice to award grants from the Violent Crime Clearance Rate Fund to law enforcement agencies to assist with efforts in solving violent crimes;
- ▶ describes how the State Commission on Criminal and Juvenile Justice shall allocate funds; and
- ▶

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requires a law enforcement agency that receives a grant from the Violent Crime Clearance Rate Fund to use the money for purposes related to solving violent crimes.

22 **Money Appropriated in this Bill:**

23 ▶ **This bill appropriates \$250,000 in operating and capital budgets for fiscal year 2027, all**
24 **of which is from the various sources as detailed in this bill.**

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 **AMENDS:**

29 **63J-1-602.1** , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

30 **ENACTS:**

31 **63M-7-215.1** , Utah Code Annotated 1953

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

34 Section 1. Section **63J-1-602.1** is amended to read:

35 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

36 Appropriations made from the following accounts or funds are nonlapsing:

37 (1) The Native American Repatriation Restricted Account created in Section 9-9-407.

38 (2) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as provided under Title 9, Chapter 23, Pete Suazo Utah Athletic Commission Act.

39 (3) Funds collected for directing and administering the C-PACE district created in Section 11-42a-106.

40 (4) Money received by the Utah Inland Port Authority, as provided in Section 11-58-105.

41 (5) The Commerce Electronic Payment Fee Restricted Account created in Section 13-1-17.

42 (6) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in Section 19-2a-106.

43 (7) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in Section 19-5-126.

44 (8) State funds for matching federal funds in the Children's Health Insurance Program as provided in Section 26B-3-906.

45 (9) Funds collected from the program fund for local health department expenses incurred in responding to a local health emergency under Section 26B-7-111.

46 (10) The Technology Development Restricted Account created in Section 31A-3-104.

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52 (11) The Criminal Background Check Restricted Account created in Section 31A-3-105.

53 (12) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the extent that
Section 31A-3-304 makes the money received under that section free revenue.

55 (13) The Title Licensee Enforcement Restricted Account created in Section 31A-23a-415.

56 (14) The Health Insurance Actuarial Review Restricted Account created in Section 31A-30-115.

58 (15) The State Mandated Insurer Payments Restricted Account created in Section 31A-30-118.

60 (16) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.

61 (17) The Underage Drinking Prevention Media and Education Campaign Restricted Account created in
Section 32B-2-306.

63 (18) The School Readiness Restricted Account created in Section 35A-15-203.

64 (19) Money received by the Utah State Office of Rehabilitation for the sale of certain products or
services, as provided in Section 35A-13-202.

66 (20) The Property Loss Related to Homelessness Compensation Enterprise Fund created in Section
35A-16-212.

68 (21) The Homeless Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.

70 (22) The Oil and Gas Administrative Penalties Account created in Section 40-6-11.

71 (23) The Oil and Gas Conservation Account created in Section 40-6-14.5.

72 (24) The Division of Oil, Gas, and Mining Restricted account created in Section 40-6-23.

73 (25) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to the Motor
Vehicle Division.

75 (26) The License Plate Restricted Account created by Section 41-1a-122.

76 (27) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account created by
Section 41-3-110 to the State Tax Commission.

78 (28) The State Disaster Recovery Restricted Account to the Division of Emergency Management, as
provided in Section 53-2a-603.

80 (29) The Disaster Response, Recovery, and Mitigation Restricted Account created in Section
53-2a-1302.

82 (30) The Emergency Medical Services Critical Needs Account created in Section 53-2d-110.

83 (31) The Department of Public Safety Restricted Account to the Department of Public Safety, as
provided in Section 53-3-106.

85 (32) The Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.

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86 (33) The DNA Specimen Restricted Account created in Section 53-10-407.

87 (34) The Technical Colleges Capital Projects Fund created in Section 53H-9-605.

88 (35) The Higher Education Capital Projects Fund created in Section 53H-9-502.

89 (36) A certain portion of money collected for administrative costs under the School Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

91 (37) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5, subject to Subsection 54-5-1.5(4)(d).

93 (38) Funds collected from a surcharge fee to provide certain licensees with access to an electronic reference library, as provided in Section 58-3a-105.

95 (39) Certain fines collected by the Division of Professional Licensing for violation of unlawful or unprofessional conduct that are used for education and enforcement purposes, as provided in Section 58-17b-505.

98 (40) Funds collected from a surcharge fee to provide certain licensees with access to an electronic reference library, as provided in Section 58-22-104.

100 (41) Funds collected from a surcharge fee to provide certain licensees with access to an electronic reference library, as provided in Section 58-55-106.

102 (42) Funds collected from a surcharge fee to provide certain licensees with access to an electronic reference library, as provided in Section 58-56-3.5.

104 (43) Certain fines collected by the Division of Professional Licensing for use in education and enforcement of the Security Personnel Licensing Act, as provided in Section 58-63-103.

107 (44) The Relative Value Study Restricted Account created in Section 59-9-105.

108 (45) The Cigarette Tax Restricted Account created in Section 59-14-204.

109 (46) Funds paid to the Division of Real Estate for the cost of a criminal background check for a mortgage loan license, as provided in Section 61-2c-202.

111 (47) Funds paid to the Division of Real Estate for the cost of a criminal background check for principal broker, associate broker, and sales agent licenses, as provided in Section 61-2f-204.

114 (48) Certain funds donated to the Department of Health and Human Services, as provided in Section 26B-1-202.

116 (49) Certain funds donated to the Division of Child and Family Services, as provided in Section 80-2-404.

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(50) Funds collected by the Office of Administrative Rules for publishing, as provided in Section 63G-3-402.

120 (51) The Immigration Act Restricted Account created in Section 63G-12-103.

121 (52) Money received by the military installation development authority, as provided in Section 63H-1-504.

123 (53) The Unified Statewide 911 Emergency Service Account created in Section 63H-7a-304.

124 (54) The Utah Statewide Radio System Restricted Account created in Section 63H-7a-403.

125 (55) The Violent Crime Clearance Rate Fund created in Section 63M-7-215.1.

126 [~~55~~] (56) The Utah Capital Investment Restricted Account created in Section 63N-6-204.

127 [~~56~~] (57) The Motion Picture Incentive Account created in Section 63N-8-103.

128 [~~57~~] (58) Funds collected by the housing of state probationary inmates or state parole inmates, as provided in Subsection 64-13e-104(2).

130 [~~58~~] (59) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and State Lands, as provided in Section 65A-8-103.

132 [~~59~~] (60) The following funds or accounts created in Section 72-2-124:

133 (a) Transportation Investment Fund of 2005;

134 (b) Transit Transportation Investment Fund;

135 (c) Cottonwood Canyons Transportation Investment Fund;

136 (d) Active Transportation Investment Fund; and

137 (e) Commuter Rail Subaccount.

138 [~~60~~] (61) The Amusement Ride Safety Restricted Account, as provided in Section 72-16-204.

140 [~~61~~] (62) Certain funds received by the Office of the State Engineer for well drilling fines or bonds, as provided in Section 73-3-25.

142 [~~62~~] (63) The Water Resources Conservation and Development Fund, as provided in Section 73-23-2.

144 [~~63~~] (64) Award money under the State Asset Forfeiture Grant Program, as provided under Section 77-11b-403.

146 [~~64~~] (65) Funds donated or paid to a juvenile court by private sources, as provided in Subsection 78A-6-203(1)(c).

148 [~~65~~] (66) Fees for certificate of admission created under Section 78A-9-102.

149 [~~66~~] (67) Funds collected for adoption document access as provided in Sections 81-13-103, 81-13-504, and 81-13-505.

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151 [({67})] (68) Funds collected for indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah
152 Indigent Defense Commission.

153 [({68})] (69) The Utah Geological Survey Restricted Account created in Section 79-3-403.

154 [({69})] (70) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State Park, and
155 Green River State Park, as provided under Section 79-4-403.

156 [({70})] (71) Certain funds received by the Division of State Parks from the sale or disposal of buffalo, as
157 provided under Section 79-4-1001.

158 Section 2. Section 2 is enacted to read:

159 **63M-7-215.1. Violent Crime Clearance Rate Fund -- Funding -- Uses.**

160 (1) As used in this section:

161 (a) "Cleared by arrest" means that an individual reported in connection with a crime is:

162 (i) arrested by a law enforcement agency;

163 (ii) charged with a crime; and

164 (iii) turned over to a court for prosecution for the crime.

165 (b) "Cleared by exceptional means" means that a law enforcement agency:

166 (i) has identified an individual reported in connection with a crime;

167 (ii) has sufficient evidence to arrest the individual;

168 (iii) knows the individual's exact location; and

169 (iv) has encountered factors beyond the law enforcement agency's control that prevent the arrest, charging, and prosecution of the individual.

170 (c) "Fund" means the Violent Crime Clearance Rate Fund created in this section.

171 (d) "Law enforcement agency" means the same as that term is defined in Section 53-1-102.

172 (e) "Rural community" means the same as that term is defined in Section 63N-4-801.

173 (f) "Violent crime" means a violent felony, as that term is defined in Section 76-3-203.5.

174 (g) "Violent crime clearance rate" means the percentage obtained by dividing the total number of
175 violent crimes cleared by arrest and cleared by exceptional means by the total number of violent
176 crimes reported.

177 (2) There is created a special revenue fund known as the "Violent Crime Clearance Rate Fund."

178 (3) The fund includes:

179 {({4}) {money appropriated to the fund by the Legislature;})}

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(b)(a) private donations, grants, gifts, bequests, or money made available from any other source to implement this section; and

185 (c)(b) any interest earned on the fund.

186 (4) Upon appropriation by the Legislature, the commission shall administer the fund in accordance with this section.

188 (5) The commission shall award grants from the fund to law enforcement agencies to assist with efforts to increase violent crime clearance rates.

190 (6) The commission may retain up to 3% of the money deposited into the fund to pay for administrative costs incurred by the commission, including salary and benefits, equipment, supplies, or travel costs that are directly related to the administration of this section.

194 (7) With money in the fund that is not used to pay the costs described in Subsection (6), the commission shall:

196 (a) award 85% of the money to law enforcement agencies based on a competitive grant application process established by the commission under Subsection (8);

198 (b) randomly award 15% of the money to law enforcement agencies that:

199 (i) applied for a grant in accordance with the grant application process established by the commission under Subsection (8); and

201 (ii) did not receive an award under Subsection (7)(a); and

202 (c) award at least 10% of the amount described in Subsection (7)(a) to law enforcement agencies that serve only rural communities.

204 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall establish:

206 (a) a grant application and review process for the expenditure of money from the fund, including:

208 (i) eligibility criteria for a law enforcement agency to receive a grant;

209 (ii) the form and process of submitting an application;

210 (iii) procedures for evaluating a grant application; and

211 (iv) the method for determining a grant amount; and

212 (b) reporting requirements for a law enforcement agency that receives a grant.

213 (9) A law enforcement agency awarded a grant under this section may use grant money for:

214 (a) hiring, retaining, or training personnel to:

215 (i) investigate violent crimes;

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216 (ii) collect, process, and forensically test evidence; or
217 (iii) analyze violent crimes, including by monitoring temporal and geographic trends;
218 (b) developing policies, procedures, or training to increase violent crime clearance rates;
219 (c) acquiring, upgrading, or replacing technology or equipment related to evidence collection, evidence
220 processing, or forensic testing of evidence;
221 (d) supporting witnesses involved in violent crime investigations; or
222 (e) developing policies, procedures, or training designed to increase the law enforcement agency's
223 violent crime clearance rate.
224 (10) Money the fund receives from legislative appropriations is nonlapsing in accordance with Section
225 63J-1-602.1.

226 Section . **FY 2027 Appropriations.**

227 The following sums of money are appropriated for the fiscal year beginning July 1,
228 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
229 fiscal year 2027.

230 Subsection 3(a). **Operating and Capital Budgets**

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

234 To Governor's Office - Commission on Criminal and Juvenile Justice

250,000

236 Schedule of Programs:

250,000

238 Section 4. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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