

First Responder Mental Health Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor:

LONG TITLE**General Description:**

This bill amends requirements for providing mental health resources to first responders.

Highlighted Provisions:

This bill:

- requires the Department of Public Safety to annually submit a report on the first responder agency's compliance with requirements to provide mental health resources to first responders and first responders' spouses to the:
 - Law Enforcement and Criminal Justice Interim Committee; and
 - State Commission on Criminal and Juvenile Justice's public safety portal;
- creates the Mental Health Resources for First Responders Reserve Account (account) to provide funding for:
 - grants to first responder agencies that contribute to the account to fund plans to provide mental health resources to first responders; and
 - the Department of Public Safety to provide certain mental health resources to small first responder agencies;
- amends provisions related to grants to first responder agencies to provide mental health services to first responders;
- defines terms; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-21-102, as last amended by Laws of Utah 2024, Chapter 345

53-21-103, as last amended by Laws of Utah 2024, Chapter 345

53-21-104.1, as enacted by Laws of Utah 2024, Chapter 345
ENACTS:

53-21-105, Utah Code Annotated 1953

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

Section 1. Section 53-21-102 is amended to read:

53-21-102 . Mental health services -- Requirement to provide -- Eligibility -- Confidentiality -- Requests -- Reporting noncompliance -- Designation.

(1) As used in this section:

(a) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.

(b) "Public safety portal" means the data portal created in Section 63A-16-1002.

(2) Every first responder agency within the state shall provide or make available mental health resources to:

(a) all first responders;

(b) the spouse and children of first responders;

(c) surviving spouses of first responders whose death is classified as a line-of-duty death under Title 49, Utah State Retirement and Insurance Benefit Act;

(d) retired or separated first responders for at least three years from the date that the retired or separated first responder requests mental health resources, regardless of any subsequent employment as a non-first responder; and

(e) spouses of retired or separated first responders for at least three years from the date that the spouse of the retired or separated first responder requests mental health resources, regardless of any subsequent employment as a non-first responder.

[(2)] (3) All access by first responders and their families to mental health resources shall be kept confidential.

[(3)] (4) A first responder agency shall:

(a) annually provide information to all employed first responders regarding:

(i) the availability of mental health resources under this section, including:

(A) for individuals in addition to the first responders as described in Subsection [

(1)] (2); and

(B) subsequent to a separation or retirement;

(ii) how to access the mental health resources under this section; and

(iii) directions on how to appeal a denial of mental health resources under this section

- to the department, as provided under Section 53-21-104.3; and
- (b)(i) assign a designated mental health resources liaison;
 - (ii) inform the department of the identity of the designated mental health resources liaison; and
 - (iii) update the department as to the identity of the designated mental health resources liaison when a new individual is assigned.

(5)(a) The department shall annually submit a report to the Law Enforcement and Criminal Justice Interim Committee, on or before the date of the committee's November meeting, on first responder agencies' compliance with this section.

(b) The department shall submit a copy of the report described in Subsection (5)(a) to the commission's public safety portal as described in Section 63A-16-1002.

Section 2. Section **53-21-103** is amended to read:

53-21-103 . Grants to first responder agencies -- Rulemaking.

- (1) As used in this section, "eligible first responder agency" means a first responder agency that contributes funds to the Mental Health Resources for First Responders Reserve Account created in Section 53-21-105 in accordance with Section 53-21-105.
- (2) The department may award grants to eligible first responder agencies to provide mental health resources in response to a:
- (a) request for proposal;
 - (b) request for qualifications; or
 - (c) program description that meets the criteria in Subsection [(2)] (3).
- [(2)] (3) The request for proposal, request for qualifications, or program description received by the department shall require mental health providers contracted or employed by the first responder agency to have training and experience in working with first responders and provide mental health resources.
- [(3)] (4) An application from [a] an eligible first responder agency for a grant under this chapter shall provide the following details:
- (a) a proposed plan to provide mental health resources to first responders in the eligible first responder agency;
 - (b) the number of first responders to be served by the proposed plan;
 - (c) how the proposed plan will ensure timely and effective provision of mental health resources to first responders in the eligible first responder agency;
 - (d) the cost of the proposed plan; and
 - (e) the sustainability of the proposed plan.

99 [(4)] (5) In evaluating a project proposal for a grant under this section, the department shall
100 consider:

- 101 (a) the extent to which the first responders that will be served by the proposed plan are
102 likely to benefit from the proposed plan;
103 (b) the cost of the proposed plan; and
104 (c) the viability of the proposed plan.

105 [(5)] (6) ~~[A first responder agency may not apply for a grant to fund a program already in~~
106 ~~place. However, a]~~ A request for proposal to fund an expansion of an already existing
107 program shall, in addition to the requirements of Subsection [(4)] (5), provide:

- 108 (a) the scope and cost of the agency's current program;
109 (b) the number of additional first responders the expansion will serve; and
110 (c) whether the expansion will provide mental health resources that the current program
111 does not provide.

112 [(6)] (7) The department shall prioritize grant funding for small eligible first responder
113 agencies, and may also take into account whether the small eligible first responder
114 agency is participating or will participate in the department-provided services described
115 in Section 53-21-104.1.

116 [(7)] (8) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah
117 Administrative Rulemaking Act, to administer this chapter.

118 [(8)] (9) The department shall:

- 119 (a) notify entities that may be eligible for a grant under this section about the grant
120 program; and
121 (b) on or before October 1, 2024, and October 1, 2025, provide a report to the Law
122 Enforcement and Criminal Justice Interim Committee that describes:
123 (i) the number of entities that have been notified by the department about the grant
124 program under this section; and
125 (ii) the number of grant applications that the department has received.

126 [(9)] (10) The department may assist [a] an eligible first responder agency in drafting a grant
127 application under this section.

128 [(10)] (11) The department may use up to 25% of the remaining grant funds under this
129 section to provide the mental health resources described in Section 53-21-104.1.

130 Section 3. Section **53-21-104.1** is amended to read:

131 **53-21-104.1 . Department may provide certain mental health resources --**
132 **Requirements.**

- (1)(a) In accordance with [~~Subsection (4)~~] Subsections (4) and (5), the department may, at the department's discretion, provide certain mental health resources to a small first responder agency.
- (b) The mental health resources described in Subsection (1)(a) may include an assessment and availability to mental health services for personnel directly involved in a critical incident within 48 hours of the incident.
- (2) The department may use a contracted provider to provide the services described in Subsection (1).
- (3) If a small first responder agency elects to receive mental health services as provided under this section, the small first responder agency shall designate a representative of the small first responder agency who is responsible for providing a timely notification to the department or the department's designee if a critical incident occurs as described in Subsection (1)(b).
- (4) As provided in Subsection [~~53-21-103(10)~~] 53-21-103(11), the department may use up to 25% of the remaining grant funds for the mental health resources described in this section, and may discontinue the mental health resources once the available grant funding is depleted.
- (5) As provided in Subsection 53-21-105(8)(b), the department may use up to 25% of the funds in the Mental Health Resources for First Responders Reserve Account created in Section 53-21-105 for the mental health resources described in this section, and may discontinue the mental health resources if there are insufficient funds in the account.
- Section 4. Section **53-21-105** is enacted to read:
- 53-21-105 . Mental Health Resources for First Responders Reserve Account.**
- (1) As used in this section:
- (a) "Account" means the Mental Health Resources for First Responders Reserve Account created in this section.
- (b) "Contributing first responder agency" means a first responder agency that contributes funds to the account.
- (c)(i) "Employee" means an individual who is employed by a first responder agency.
- (ii) "Employee" includes an individual who is:
- (A) employed full time;
- (B) employed part time;
- (C) financially compensated; or
- (D) employed on a volunteer basis.

- 167 (2) There is created within the General Fund a special revenue fund known as the "Mental
168 Health Resources for First Responders Reserve Account."
- 169 (3) The account consists of:
- 170 (a) appropriations of the Legislature;
171 (b) amounts deposited into the account in accordance with this section;
172 (c) gifts, grants, donations, or any other conveyance of money that may be made to the
173 account from private sources; and
174 (d) interest earned on money in the account.
- 175 (4)(a) The account shall earn interest.
176 (b) Interest earned on the account shall be deposited into the account.
- 177 (5)(a) A first responder agency may contribute funds to the account.
178 (b) If a first responder agency contributes to the account, the first responder agency shall
179 contribute to the account as described in this section.
- 180 (6)(a) In a fiscal year that begins on or after July 1, 2026, a contributing first responder
181 agency shall annually contribute \$25 per employee, except as otherwise described in
182 this section.
- 183 (b) Beginning with the fiscal year following the first fiscal year in which the account
184 balance reaches \$3,000,000, in any fiscal year in which the account balance is less
185 than \$3,000,000 on the first day of the fiscal year, a contributing first responder
186 agency shall contribute to the account a prorated amount per employee in accordance
187 with Subsection (7).
- 188 (c) The department shall ensure that the total contribution from contributing first
189 responder agencies as described in Subsection (6)(b) equals the lesser of:
- 190 (i) in a fiscal year after the first fiscal year in which the account balance reaches
191 \$3,000,000, an amount sufficient to maintain an account balance of \$3,000,000;
192 and
193 (ii) \$25 per employee.
- 194 (7) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
195 Administrative Rulemaking Act, for:
- 196 (a) calculating the amounts described in Subsections (6)(b) and (c);
197 (b) a process for collecting contributing first responder agency contributions to the
198 account described in this section; and
199 (c) a process for depositing into the account contributing first responder agency
200 contributions described in this section.

201 (8)(a) The department may use money in the account only:
202 (i) to fund grants to first responder agencies described in Section 53-21-103; and
203 (ii) subject to Subsection (8)(b), to provide the mental health resources described in
204 Section 53-1-104.1.
205 (b) The department may use up to 25% of the money in the account for the use described
206 in Subsection (8)(a)(ii).
207 Section 5. **Effective Date.**
208 This bill takes effect on May 6, 2026.