

31 AMENDS:

32 **53H-1-203**, as renumbered and amended by Laws of Utah 2025, First Special Session,
33 Chapter 8

34 **63A-16-1002**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

35 ENACTS:

36 **53-10-1101**, Utah Code Annotated 1953

37 **53-10-1102**, Utah Code Annotated 1953

38 **53-10-1103**, Utah Code Annotated 1953

39 **76-3-203.21**, Utah Code Annotated 1953

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

42 Section 1. Section **53-10-1101** is enacted to read:

43 **Part 11. Transnational Repression Training and Awareness**

44 **53-10-1101 . Definitions.**

45 As used in this part:

46 (1) "Agent of a foreign government" means an individual who acts at the direction of, under
47 the control of, or as a proxy for, a foreign government.

48 (2) "Agent of a foreign terrorist organization" means an individual who acts at the direction
49 of, under the control of, or as a proxy for, a foreign terrorist organization designated by
50 the federal government in accordance with 8 U.S.C. Sec. 1189.

51 (3) "Transnational repression" means conduct by an agent of a foreign government or an
52 agent of a foreign terrorist organization that is:

53 (a) directed at an individual located within the United States, such as:

54 (i) harassment, intimidation, or censorship;

55 (ii) threats or use of physical force;

56 (iii) electronic or digital surveillance or targeting;

57 (iv) a threat of punishment, harassment, or retaliation against another individual

58 under the foreign government's or foreign terrorist organization's effective control;

59 (v) financial coercion, including a threat or use of confiscation, expropriation, or
60 denial of access to property or financial services;

61 (vi) abuse of administrative or immigration processes;

62 (vii) selective prosecution or enforcement of generally applicable laws; or

63 (viii) use or direction of social media, telecommunications, or similar entities to carry
64 out conduct described in Subsections (3)(a)(i) through (vii); and

65 (b) done with the purpose of extending a foreign government's or foreign terrorist
66 organization's ability to influence, control, or impose preferences on the individual's
67 behavior while the individual is outside the foreign government's or foreign terrorist
68 organization's area of control.

69 Section 2. Section **53-10-1102** is enacted to read:

70 **53-10-1102 . Transnational repression law enforcement training and awareness**
71 **campaign.**

72 (1) Subject to Subsection (2), the department shall create a transnational repression
73 recognition and response training offered to all certified law enforcement officers in the
74 state.

75 (2) The training described in Subsection (1):

76 (a) may be offered through an online course developed by the department; and

77 (b) shall include the following:

78 (i) how to identify different tactics and signs of transnational repression;

79 (ii) descriptions of the foreign governments and terrorist organizations that are
80 commonly known to employ transnational repression;

81 (iii) the tools foreign governments and terrorist organizations use to undertake
82 transnational repression;

83 (iv) best practices for local and state law enforcement prevention, reporting, and
84 response tactics to transnational repression;

85 (v) information about communities typically targeted by transnational repression; and

86 (vi) any other information or training the department determines is necessary.

87 (3) The department shall regularly update the training described in Subsection (1) to ensure
88 the training is up to date on emerging threats and the tactics used by foreign
89 governments and terrorist organizations when undertaking transnational repression.

90 Section 3. Section **53-10-1103** is enacted to read:

91 **53-10-1103 . Transnational repression public awareness campaign and reporting.**

92 (1) The department shall develop a public awareness campaign to provide information to
93 the public about:

94 (a) how to identify and report instances of transnational repression; and

95 (b) the tools and remedies that are available for victims of transnational repression.

96 (2)(a) The department shall create a readily accessible public website and hotline for
97 reporting instances of transnational repression.

98 (b) The department shall make the website and hotline described in Subsection (2)(a)

99 available in multiple languages, including in the languages of communities the
100 department determines are commonly victimized through transnational repression.

101 (3) The department shall report the number of complaints received, and the outcomes of the
102 complaints, to the State Commission on Criminal and Juvenile Justice created in Section
103 63M-7-201.

104 Section 4. Section **53H-1-203** is amended to read:

105 **53H-1-203 . Establishment of board -- Powers, duties, and authority -- Reports.**

106 (1)(a) There is established the Utah Board of Higher Education, which:

107 (i) is the governing board for the institutions of higher education; and

108 (ii) controls, oversees, and regulates the Utah System of Higher Education in a
109 manner consistent with the purpose of this title and the specific powers and
110 responsibilities granted to the board.

111 (b)(i) The University of Utah shall provide administrative support for the board.

112 (ii) Notwithstanding Subsection (1)(b)(i), the board shall maintain the board's
113 independence, including in relation to the powers and responsibilities granted to
114 the board.

115 (2) The board shall:

116 (a) establish and promote a state-level vision and goals for higher education that
117 emphasize data-driven retrospective and prospective system priorities, including:

118 (i) quality;

119 (ii) affordability;

120 (iii) access and equity;

121 (iv) completion;

122 (v) workforce alignment and preparation for high-quality jobs; and

123 (vi) economic growth;

124 (b) establish system policies and practices that advance the vision and goals;

125 (c) establish metrics to demonstrate and monitor:

126 (i) performance related to the goals; and

127 (ii) performance on measures of operational efficiency;

128 (d) collect and analyze data including economic data, demographic data, and data related
129 to the metrics;

130 (e) govern data quality and collection across institutions;

131 (f) establish, approve, and oversee each institution's mission and role in accordance with
132 Section 53H-3-602;

- 133 (g) assess an institution's performance in accomplishing the institution's mission and role;
- 134 (h) participate in the establishment and review of programs of instruction in accordance
135 with Section 53H-3-603;
- 136 (i) perform the following duties related to an institution of higher education president,
137 including:
- 138 (i) hiring an institution of higher education president in accordance with Section
139 53H-3-302;
- 140 (ii) through the commissioner and the board's executive committee:
- 141 (A) providing support and guidance to an institution of higher education president;
142 and
- 143 (B) evaluating an institution of higher education president based on institution
144 performance and progress toward systemwide priorities;
- 145 (iii) setting the terms of employment for an institution of higher education president,
146 including performance-based compensation, through an employment contract or
147 another method of establishing employment; and
- 148 (iv) establishing, through a confidential process, a statewide succession plan to
149 develop potential institution presidents from within the system;
- 150 (j) create and implement a strategic finance plan for higher education, including by:
- 151 (i) establishing comprehensive budget and finance priorities for academic education
152 and technical education;
- 153 (ii) allocating statewide resources to institutions;
- 154 (iii) setting tuition for each institution;
- 155 (iv) administering state financial aid programs;
- 156 (v) administering performance funding in accordance with Chapter 8, Part 3,
157 Performance Funding; and
- 158 (vi) developing a strategic capital facility plan and prioritization process in
159 accordance with Chapter 9, Part 5, General Capital Developments, and Sections
160 53H-9-604 and 53H-9-605;
- 161 (k) create and annually report to the Higher Education Appropriations Subcommittee on
162 a seamless articulated education system for Utah students that responds to changing
163 demographics and workforce, including by:
- 164 (i) providing for statewide prior learning assessment, in accordance with Section
165 53H-3-702;
- 166 (ii) establishing and maintaining clear pathways for articulation and transfer, in

- 167 accordance with Section 53H-3-604;
- 168 (iii) establishing degree program requirement guidelines, including credit hour limits;
- 169 (iv) aligning general education requirements across degree-granting institutions;
- 170 (v) coordinating and incentivizing collaboration and partnerships between institutions
- 171 in delivering programs;
- 172 (vi) coordinating distance delivery of programs;
- 173 (vii) coordinating work-based learning; and
- 174 (viii) emphasizing the system priorities and metrics described in Subsections (2)(a)
- 175 and (c);
- 176 (l) coordinate with the public education system:
- 177 (i) regarding public education programs that provide postsecondary credit or
- 178 certificates; and
- 179 (ii) to ensure that an institution of higher education providing technical education
- 180 serves secondary students in the public education system;
- 181 (m) delegate to an institution board of trustees certain duties related to institution
- 182 governance including:
- 183 (i) guidance and support for the institution president;
- 184 (ii) effective administration;
- 185 (iii) the institution's responsibility for contributing to progress toward achieving
- 186 systemwide goals; and
- 187 (iv) other responsibilities determined by the board;
- 188 (n) delegate to an institution of higher education president management of the institution
- 189 of higher education;
- 190 (o) consult with an institution of higher education board of trustees or institution of
- 191 higher education president before acting on matters pertaining to the institution of
- 192 higher education;
- 193 (p) maximize efficiency throughout the Utah System of Higher Education by identifying
- 194 and establishing shared administrative services, beginning with:
- 195 (i) commercialization;
- 196 (ii) services for compliance with Title IX of the Education Amendments of 1972, 20
- 197 U.S.C. Sec. 1681 et seq.;
- 198 (iii) information technology services; and
- 199 (iv) human resources, payroll, and benefits administration;
- 200 (q) develop strategies for providing higher education, including career and technical

- 201 education, in rural areas;
- 202 (r) manage and facilitate a process for initiating, prioritizing, and implementing
203 education reform initiatives, beginning with common applications and direct
204 admissions;
- 205 (s) provide ongoing quality review of programs;
- 206 (t) before each annual legislative general session, provide to the Higher Education
207 Appropriations Subcommittee a prioritization of all projects and proposals for which
208 the board or an institution of higher education seeks an appropriation;[-and]
- 209 (u) coordinate with the Department of Corrections to establish educational programs for
210 inmates as described in Section 64-13-6[-] ; and
- 211 (v) require that institutions provide information to international students regarding
212 transnational repression, as that term is defined in Section 53-10-1101, and how to
213 report instances of transnational repression to law enforcement as described in
214 Section 53-10-1103.
- 215 (3) The board shall submit an annual report of the board's activities and performance
216 against the board's goals and metrics to:
- 217 (a) the Education Interim Committee;
- 218 (b) the Higher Education Appropriations Subcommittee;
- 219 (c) the governor; and
- 220 (d) each institution of higher education.
- 221 (4) The board shall prepare and submit an annual report detailing the board's progress and
222 recommendations on workforce related issues, including career and technical education,
223 to the governor and to the Education Interim Committee by December 1 of each year,
224 including information detailing:
- 225 (a) how institutions of higher education are meeting the career and technical education
226 needs of secondary students;
- 227 (b) how the system emphasized high demand, high wage, and high skill jobs in business
228 and industry;
- 229 (c) performance outcomes, including:
- 230 (i) entered employment;
- 231 (ii) job retention; and
- 232 (iii) earnings;
- 233 (d) an analysis of workforce needs and efforts to meet workforce needs; and
- 234 (e) student tuition and fees.

- 235 (5) The board may modify the name of an institution of higher education to reflect the role
236 and general course of study of the institution.
- 237 (6) The board may not take action relating to merging a technical college with another
238 institution of higher education without legislative approval.
- 239 (7) This section does not affect the power and authority vested in the State Board of
240 Education to apply for, accept, and manage federal appropriations for the establishment
241 and maintenance of career and technical education.
- 242 (8) The board shall ensure that any training or certification that an employee of the higher
243 education system is required to complete under this title or by board rule complies with
244 Title 63G, Chapter 22, State Training and Certification Requirements.
- 245 (9) The board shall demonstrate compliance with Subsection (2)(p) by providing to the
246 Higher Education Appropriations Subcommittee:
- 247 (a) on or before October 1, 2024, evidence of implementation of at least one shared
248 administrative service;
- 249 (b) on or before October 1, 2025, evidence of implementation of at least two shared
250 administrative services; and
- 251 (c) on or before October 1, 2026, evidence of implementation of at least three shared
252 administrative services.
- 253 (10) If the Higher Education Appropriations Subcommittee finds the board to be out of
254 compliance with Subsection (9), the Legislature shall:
- 255 (a) deduct 10% of the appropriation described in Section 53H-8-302 for the following
256 fiscal year; and
- 257 (b) deduct an additional 10% of the appropriation described in Section 53H-8-302 for
258 each subsequent year of noncompliance up to a maximum deduction of 30%.
- 259 Section 5. Section **63A-16-1002** is amended to read:
- 260 **63A-16-1002 . Public safety portal.**
- 261 (1) The commission shall oversee the creation and management of a public safety portal for
262 information and data required to be reported to the commission and accessible to all
263 criminal justice agencies in the state.
- 264 (2) The division shall assist with the development and management of the public safety
265 portal.
- 266 (3) The division, in collaboration with the commission, shall create:
- 267 (a) master standards and formats for information submitted to the public safety portal;
- 268 (b) a gateway, bridge, website, or other method for reporting entities to provide the

- 269 information;
- 270 (c) a master data management index or system to assist in the retrieval of information
271 from the public safety portal;
- 272 (d) a protocol for accessing information in the public safety portal that complies with
273 state privacy regulations; and
- 274 (e) a protocol for real-time audit capability of all data accessed from the public safety
275 portal by participating data source, data use entities, and regulators.
- 276 (4) The public safety portal shall be the repository for the statutorily required data described
277 in:
- 278 (a) Section 13-53-111, Recidivism reporting requirements;
- 279 (b) Section 17-72-408, County jail reporting requirements;
- 280 (c) Section 17E-2-201, Criminal Justice Coordinating Councils reporting;
- 281 (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;
- 282 (e) Section 41-6a-511, Courts to collect and maintain data;
- 283 (f) Section 53-10-118, ~~[Regarding]~~ regarding driving under the influence data;
- 284 (g) Section 53-10-1103, regarding complaints of transnational repression;
- 285 ~~[(g)]~~ (h) Section 53-25-301, Reporting requirements for reverse-location warrants;
- 286 ~~[(h)]~~ (i) Section 53-25-202, Sexual assault offense reporting requirements for law
287 enforcement agencies;
- 288 ~~[(i)]~~ (j) Section 53E-3-516, School disciplinary and law enforcement action report;
- 289 ~~[(j)]~~ (k) Section 53-25-501, Reporting requirements for seized firearms;
- 290 ~~[(k)]~~ (l) Section 53-25-502, Law enforcement agency reporting requirements for certain
291 firearm data;
- 292 ~~[(l)]~~ (m) Section 63M-7-214, Law enforcement agency grant reporting;
- 293 ~~[(m)]~~ (n) Section 63M-7-216, Prosecutorial data collection;
- 294 ~~[(n)]~~ (o) Section 63M-7-216.1, Prosecutorial data collection regarding certain
295 prosecutions, dismissals, and declinations to prosecute;
- 296 ~~[(o)]~~ (p) Section 63M-7-220, Domestic violence data collection;
- 297 ~~[(p)]~~ (q) Section 64-14-204, Supervision of sentenced offenders placed in community;
- 298 ~~[(q)]~~ (r) Section 64-13-25, Standards for programs;
- 299 ~~[(r)]~~ (s) Section 64-13-45, Department reporting requirements;
- 300 ~~[(s)]~~ (t) Section 64-13e-104, County correctional facility reimbursement program for
301 state probationary inmates and state parole inmates;
- 302 ~~[(t)]~~ (u) Section 77-7-8.5, Use of tactical groups;

303 ~~[(t)]~~ (v) Section 77-11b-404, Forfeiture reporting requirements;
 304 ~~[(v)]~~ (w) Section 77-20-103, Release data requirements;
 305 ~~[(w)]~~ (x) Section 77-22-2.5, Court orders for criminal investigations;
 306 ~~[(x)]~~ (y) Section 78A-2-109.5, Court data collection on criminal cases;
 307 ~~[(y)]~~ (z) Section 80-6-104, Data collection on offenses committed by minors; and
 308 ~~[(z)]~~ (aa) any other statutes that require the collection of specific data and the reporting of
 309 that data to the commission.

310 (5) Before October 1, 2025, the commission shall report all data collected to the Law
 311 Enforcement and Criminal Justice Interim Committee.

312 (6) The commission may:

- 313 (a) enter into contracts with private or governmental entities to assist entities in
 314 complying with the data reporting requirements of Subsection (4); and
 315 (b) make, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
 316 Act, rules to administer this section, including establishing requirements and
 317 procedures for collecting the data described in Subsection (4).

318 Section 6. Section **76-3-203.21** is enacted to read:

319 **76-3-203.21 . Transnational repression enhancement.**

320 (1) As used in this section:

321 (a) "Agent of a foreign government" means the same at that term is defined in Section
 322 53-10-1101.

323 (b) "Agent of a foreign terrorist organization" means the same at that term is defined in
 324 Section 53-10-1101.

325 (2) An actor who commits any criminal offense is subject to an enhanced penalty for the
 326 offense as provided in Subsection (3) if the trier of fact finds beyond a reasonable doubt
 327 that the actor:

328 (a)(i) is an agent of a foreign government or an agent of a foreign terrorist
 329 organization; or

330 (ii) acted at the direction, request, command, or otherwise under the influence of, a
 331 foreign government or foreign terrorist organization; and

332 (b) committed the criminal offense with the intent to:

333 (i)(A) cause an individual to act on behalf of a foreign government or foreign
 334 terrorist organization;

335 (B) cause an individual to leave the United States or cause another individual to
 336 leave the United States; or

- 337 (C) compel the victim to do any other act against the victim's will; or
- 338 (ii) compel the victim to refrain from doing any act against the victim's will.
- 339 (3) For an offense described in Subsection (2), the actor may be charged as follows:
- 340 (a) for a class C misdemeanor, as a class B misdemeanor;
- 341 (b) for a class B misdemeanor, as a class A misdemeanor;
- 342 (c) for a class A misdemeanor, as a third degree felony;
- 343 (d) for a third degree felony, as a second degree felony; and
- 344 (e) for a second degree felony, as a first degree felony.

345 Section 7. **Effective Date.**

346 This bill takes effect on May 6, 2026.