

Evan J. Vickers proposes the following substitute bill:

Behavioral and Mental Health Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill addresses behavioral and mental health.

Highlighted Provisions:

This bill:

- changes the entity that administers and reports on the Governor's Suicide Prevention Fund from the governor to the Office of Substance Use and Mental Health (office);

- requires the Office of Licensing within the Department of Health and Human Services (department) to make rules related to a behavioral health receiving center's communication with prosecutors and law enforcement regarding a justice involved individual's participation in the behavioral health receiving center's treatment program;

- requires the department to provide a list of mental health and substance use disorder screening tools used in jails;

- requires the department to create a standard form for justice involved individuals to consent to disclosure of a mental health disorder or substance use disorder to certain persons, including health care providers, first responders, courts, local health authorities, county pretrial and parole services, and the Division of Adult Probation and Parole;

- permits first responders to provide an electronic list of local mental health services to certain individuals under certain circumstances;

- creates a community-based peer support specialist program;

- amends provisions related to involuntary commitment and court ordered assisted outpatient treatment for mental illness;

- requires the department to maintain a database of involuntary commitments;

- amends the duties of the Behavioral Health Commission (commission), including adding certain duties that were previously assigned to the Utah Substance Use and Mental Health Advisory Committee;

- 29 ▸ changes the name of the Utah Substance Use and Mental Health Advisory Committee to
30 the Utah Behavioral Health Policy Review Committee and amends the committee's
31 duties and other related provisions;
- 32 ▸ requires the commission's Legislative Policy Committee to form a working group to
33 investigate and make recommendations to the Legislature regarding a statewide central
34 authority for coordinating behavioral health initiatives;
- 35 ▸ creates a family outreach specialist within the department to:
- 36 • engage with the family of an individual who has recently died by suicide or overdose;
37 and
- 38 • assist the medical examiner with suicide intervention, prevention, and postvention;
- 39 ▸ makes changes to responsibilities related to the Underage Drinking Prevention Media and
40 Education Campaign Restricted Account;
- 41 ▸ amends the duties and membership of the Behavioral Health Crisis Response Committee;
- 42 ▸ defines terms; and
- 43 ▸ makes technical and conforming changes.

44 **Money Appropriated in this Bill:**

45 This bill appropriates \$750,000 in operating and capital budgets for fiscal year 2027, all of
46 which is from the General Fund.

47 **Other Special Clauses:**

48 None

49 **Utah Code Sections Affected:**

50 AMENDS:

- 51 **17-72-408 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
52 First Special Session, Chapter 13
- 53 **26B-1-325 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 33 and
54 renumbered and amended by Laws of Utah 2023, Chapter 305
- 55 **26B-1-425 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah
56 2024, Chapter 245
- 57 **26B-1-427 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 494
- 58 **26B-1-428 (Effective 05/06/26) (Repealed 07/01/30)**, as last amended by Laws of Utah
59 2025, Chapter 366
- 60 **26B-2-135 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 499
- 61 **26B-5-121 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
62 Session, Chapter 16

63 **26B-5-331 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 118,
64 277, 340, and 470

65 **26B-5-332 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 46, 118

66 **26B-5-351 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
67 Chapter 308

68 **26B-5-611 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
69 250

70 **26B-5-703 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
71 Chapter 245

72 **26B-5-704 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
73 Chapter 245

74 **26B-5-705 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
75 Chapter 245

76 **26B-5-801 (Effective 05/06/26) (Repealed 01/01/33)**, as last amended by Laws of Utah
77 2025, First Special Session, Chapter 9

78 **26B-5-802 (Effective 05/06/26) (Repealed 01/01/33)**, as renumbered and amended by
79 Laws of Utah 2024, Chapter 245

80 **26B-5-803 (Effective 05/06/26) (Repealed 01/01/33)**, as renumbered and amended by
81 Laws of Utah 2024, Chapter 245

82 **32B-2-306 (Effective 05/06/26) (Partially Repealed 01/01/33)**, as last amended by Laws
83 of Utah 2024, Chapters 245, 385

84 **32B-2-402 (Effective 05/06/26) (Partially Repealed 01/01/33)**, as last amended by Laws
85 of Utah 2025, First Special Session, Chapter 16

86 **32B-2-404 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
87 385

88 **32B-2-405 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
89 385

90 **32B-7-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 245

91 **63C-18-202 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
92 2024, Chapter 245

93 **63C-18-203 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
94 2025, Chapter 277

95 **63I-1-226 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 47, 277
96 and 366

97 **63I-1-232 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Third Special
 98 Session, Chapter 5

99 **63I-1-263 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 391,
 100 512

101 **64-13-45 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245, 341

102 ENACTS:

103 **26B-4-1103 (Effective 05/06/26)**, Utah Code Annotated 1953

104 **26B-4-1104 (Effective 05/06/26)**, Utah Code Annotated 1953

105 **26B-5-122 (Effective 05/06/26)**, Utah Code Annotated 1953

106 **26B-5-384 (Effective 05/06/26)**, Utah Code Annotated 1953

107 **26B-8-233 (Effective 05/06/26)**, Utah Code Annotated 1953

108

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

110 Section 1. Section **17-72-408** is amended to read:

111 **17-72-408 (Effective 05/06/26). County jail reporting requirements.**

112 (1) Each county jail shall submit a report to the commission before June 15 of each year
 113 that includes, for the preceding calendar year:

114 (a) the average daily prisoner population each month;

115 (b) the number of prisoners in the county jail on the last day of each month who identify
 116 as each race or ethnicity included in the Standards for Transmitting Race and
 117 Ethnicity published by the United States Federal Bureau of Investigation;

118 (c) the number of prisoners booked into the county jail;

119 (d) the number of prisoners held in the county jail each month on behalf of each of the
 120 following entities:

121 (i) the Bureau of Indian Affairs;

122 (ii) a state prison;

123 (iii) a federal prison;

124 (iv) the United States Immigration and Customs Enforcement; and

125 (v) any other entity with which a county jail has entered a contract to house inmates
 126 on the entity's behalf;

127 (e) the number of prisoners that are denied pretrial release and held in the custody of the
 128 county jail while the prisoner awaited final disposition of the prisoner's criminal
 129 charges;

130 (f) for each prisoner booked into the county jail:

- 131 (i) the name of the agency that arrested the prisoner;
- 132 (ii) the date and time the prisoner was booked into and released from the custody of
- 133 the county jail;
- 134 (iii) if the prisoner was released from the custody of the county jail, the reason the
- 135 inmate was released from the custody of the county jail;
- 136 (iv) if the prisoner was released from the custody of the county jail on a financial
- 137 condition, whether the financial condition was set by a county sheriff or a court;
- 138 (v) the number of days the prisoner was held in the custody of the county jail before
- 139 disposition of the prisoner's criminal charges;
- 140 (vi) whether the prisoner was released from the custody of the county jail before final
- 141 disposition of the prisoner's criminal charges; and
- 142 (vii) the prisoner's state identification number;
- 143 (g) the number of in-custody deaths that occurred at the county jail;
- 144 (h) for each in-custody death:
- 145 (i) the deceased's name, gender, race, ethnicity, age, and known or suspected medical
- 146 diagnosis or disability, if any;
- 147 (ii) the date, time, and location of death;
- 148 (iii) the law enforcement agency that detained, arrested, or was in the process of
- 149 arresting the deceased; and
- 150 (iv) a brief description of the circumstances surrounding the death;
- 151 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
- 152 each of the in-custody deaths described in Subsection (2)(g);
- 153 (j) the county jail's policy for notifying an inmate's next of kin after the prisoner's
- 154 in-custody death;
- 155 (k) the county jail policies, procedures, and protocols:
- 156 (i) for treatment of a prisoner experiencing withdrawal from alcohol or substance use,
- 157 including use of opiates;
- 158 (ii) that relate to the county jail's provision, or lack of provision, of medications used
- 159 to treat, mitigate, or address a prisoner's symptoms of withdrawal, including
- 160 methadone and all forms of buprenorphine and naltrexone; and
- 161 (iii) that relate to screening, assessment, and treatment of a prisoner for a substance
- 162 use or mental health disorder, including the policies, procedures, and protocols
- 163 that implement the requirements described in Section 17-72-501;
- 164 (l)(i) the number of prisoners whose screening described in Section 17-72-501

- 165 indicated the presence of a substance use disorder; and
- 166 (ii) of the prisoners whose screening indicated the presence of a substance use
- 167 disorder, the number of prisoners who received medication under a medication
- 168 assisted treatment plan; and
- 169 (m) any report the county jail provides or is required to provide under federal law or
- 170 regulation relating to prisoner deaths.
- 171 (2)(a) Subsection (1) does not apply to a county jail if the county jail:
- 172 (i) collects and stores the data described in Subsection (1); and
- 173 (ii) enters into a memorandum of understanding with the commission that allows the
- 174 commission to access the data described in Subsection (1).
- 175 (b) The memorandum of understanding described in Subsection (2)(a)(ii) shall include a
- 176 provision to protect any information related to an ongoing investigation and comply
- 177 with all applicable federal and state laws.
- 178 (c) If the commission accesses data from a county jail in accordance with Subsection
- 179 (2)(a), the commission may not release a report prepared from that data, unless:
- 180 (i) the commission provides the report for review to:
- 181 (A) the county jail; and
- 182 (B) any arresting agency that is named in the report; and
- 183 (ii)(A) the county jail approves the report for release;
- 184 (B) the county jail reviews the report and prepares a response to the report to be
- 185 published with the report; or
- 186 (C) the county jail fails to provide a response to the report within four weeks after
- 187 the day on which the commission provides the report to the county jail.
- 188 (3) The commission shall:
- 189 (a) compile the information from the reports described in Subsection (1);
- 190 (b) omit or redact any identifying information of an inmate in the compilation to the
- 191 extent omission or redaction is necessary to comply with state and federal law;
- 192 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
- 193 Committee and the [~~Utah Substance Use and Mental Health Advisory Committee~~]
- 194 Utah Behavioral Health Commission before November 1 of each year; and
- 195 (d) submit the compilation to the protection and advocacy agency designated by the
- 196 governor before November 1 of each year.
- 197 (4) The commission may not provide access to or use a county jail's policies, procedures, or
- 198 protocols submitted under this section in a manner or for a purpose not described in this

- 199 section.
- 200 (5) Upon request, a county jail shall make a report, including only the names and causes of
201 death of deceased inmates and the facility in which the deceased inmates were being
202 held in custody, available to the public.
- 203 Section 2. Section **26B-1-325** is amended to read:
- 204 **26B-1-325 (Effective 05/06/26). Governor's Suicide Prevention Fund.**
- 205 (1) There is created an expendable special revenue fund known as the Governor's Suicide
206 Prevention Fund.
- 207 (2) The fund shall consist of donations, gifts, grants, and bequests of real property or
208 personal property made to the fund.
- 209 (3) A donor to the fund may designate a specific purpose for the use of the donor's
210 donation, if the designated purpose is described in Subsection (4).
- 211 (4)(a) Subject to Subsection (3), money in the fund shall be used for the following
212 activities:
- 213 (i) efforts to directly improve mental health crisis response;
- 214 (ii) efforts that directly reduce risk factors associated with suicide; and
- 215 (iii) efforts that directly enhance known protective factors associated with suicide
216 reduction.
- 217 (b) Efforts described in Subsections (4)(a)(ii) and (iii) include the components of the
218 state suicide prevention program described in Subsection [~~26B-5-611(3)~~]
219 26B-5-611(4).
- 220 (5) The Office of Substance Use and Mental Health shall establish a grant application and
221 review process for the expenditure of money from the fund.
- 222 (6) The grant application and review process shall describe:
- 223 (a) requirements to complete a grant application;
- 224 (b) requirements to receive funding;
- 225 (c) criteria for the approval of a grant application;
- 226 (d) standards for evaluating the effectiveness of a project proposed in a grant
227 application; and
- 228 (e) support offered by the office to complete a grant application.
- 229 (7) The Office of Substance Use and Mental Health shall:
- 230 (a) review a grant application for completeness;
- 231 (b) make a recommendation to the governor or the governor's designee regarding a grant
232 application;

- 233 (c) send a grant application to the governor or the governor's designee for evaluation and
 234 approval or rejection;
- 235 (d) inform a grant applicant of the governor or the governor's designee's determination
 236 regarding the grant application; and
- 237 (e) direct the fund administrator to release funding for grant applications approved by
 238 the governor or the governor's designee.
- 239 (8) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State
 240 Money Management Act, except that all interest or other earnings derived from money
 241 in the fund shall be deposited into the fund.
- 242 (9) Money in the fund may not be used for the Office of the Governor's administrative
 243 expenses that are normally provided for by legislative appropriation.
- 244 (10) ~~The [governor or the governor's designee may authorize the expenditure of fund money]~~
 245 Office of Substance Use and Mental Health shall administer the fund in accordance with
 246 this section.
- 247 (11) ~~The [governor]~~ Office of Substance Use and Mental Health shall make an annual report
 248 to the Legislature regarding the status of the fund, including a report on the contributions
 249 received, expenditures made, and programs and services funded.

250 Section 3. Section **26B-1-425** is amended to read:

251 **26B-1-425 (Effective 05/06/26) (Repealed 07/01/27). Utah Health Workforce**
 252 **Advisory Council -- Creation and membership.**

- 253 (1) There is created within the department the Utah Health Workforce Advisory Council.
- 254 (2) The council shall be comprised of at least 14 but not more than 19 members.
- 255 (3) The following are members of the council:
- 256 (a) the executive director or that individual's designee;
- 257 (b) the executive director of the Department of Workforce Services or that individual's
 258 designee;
- 259 (c) the commissioner of higher education of the Utah System of Higher Education or
 260 that individual's designee;
- 261 (d) the state superintendent of the State Board of Education or that individual's designee;
- 262 (e) the executive director of the Department of Commerce or that individual's designee;
- 263 (f) the director of the Division of Multicultural Affairs or that individual's designee;
- 264 (g) the [director] chair of the [~~Utah Substance Use and Mental Health Advisory~~
 265 ~~Committee]~~ Utah Behavioral Health Commission or that individual's designee;
- 266 (h) the chair of the Utah Indian Health Advisory Board; and

- 267 (i) the chair of the Utah Medical Education Council created in Section 26B-4-706.
- 268 (4) The executive director shall appoint at least five but not more than ten additional
269 members that represent diverse perspectives regarding Utah's health workforce as
270 defined in Section 26B-4-705.
- 271 (5)(a) A member appointed by the executive director under Subsection (4) shall serve a
272 four-year term.
- 273 (b) Notwithstanding Subsection (5)(a) for the initial appointments of members described
274 in Subsection (4) the executive director shall appoint at least three but not more than
275 five members to a two-year appointment to ensure that approximately half of the
276 members appointed by the executive director rotate every two years.
- 277 (6) The executive director or the executive director's designee shall chair the council.
- 278 (7)(a) As used in this Subsection (7), "health workforce" means the same as that term is
279 defined in Section 26B-4-705.
- 280 (b) The council shall:
- 281 (i) meet at least once each quarter;
- 282 (ii) study and provide recommendations to an entity described in Subsection (8)
283 regarding:
- 284 (A) health workforce supply;
- 285 (B) health workforce employment trends and demand;
- 286 (C) options for training and educating the health workforce; and
- 287 (D) the implementation or improvement of strategies that entities in the state are
288 using or may use to address health workforce needs including shortages,
289 recruitment, retention, and other Utah health workforce priorities as determined
290 by the council;
- 291 (iii) provide guidance to an entity described in Subsection (8) regarding health
292 workforce related matters;
- 293 (iv) review and comment on legislation relevant to Utah's health workforce; and
- 294 (v) advise the Utah Board of Higher Education and the Legislature on the status and
295 needs of the health workforce who are in training.
- 296 (8) The council shall provide information described in Subsections (7)(b)(ii) and (iii) to:
- 297 (a) the Legislature;
- 298 (b) the department;
- 299 (c) the Department of Workforce Services;
- 300 (d) the Department of Commerce;

- 301 (e) the Utah Medical Education Council; and
- 302 (f) any other entity the council deems appropriate upon the entity's request.
- 303 (9)(a) The Utah Medical Education Council created in Section 26B-4-706 is a
- 304 subcommittee of the council.
- 305 (b) The council may establish subcommittees to support the work of the council.
- 306 (c) A member of the council shall chair a subcommittee created by the council.
- 307 (d) Except for the Utah Medical Education Council, the chair of the subcommittee may
- 308 appoint any individual to the subcommittee.
- 309 (10) For any report created by the council that pertains to any duty described in Subsection
- 310 (7), the council shall:
- 311 (a) provide the report to:
- 312 (i) the department; and
- 313 (ii) any appropriate legislative committee; and
- 314 (b) post the report on the council's website.
- 315 (11) The executive director shall:
- 316 (a) ensure the council has adequate staff to support the council and any subcommittee
- 317 created by the council; and
- 318 (b) provide any available information upon the council's request if:
- 319 (i) that information is necessary for the council to fulfill a duty described in
- 320 Subsection (7); and
- 321 (ii) the department has access to the information.
- 322 (12) A member of the council or a subcommittee created by the council may not receive
- 323 compensation or benefits for the member's service but may receive per diem and travel
- 324 expenses as allowed in:
- 325 (a) Section 63A-3-106;
- 326 (b) Section 63A-3-107; and
- 327 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
- 328 63A-3-107.
- 329 Section 4. Section **26B-1-427** is amended to read:
- 330 **26B-1-427 (Effective 05/06/26). Alcohol Abuse Tracking Committee --Tracking**
- 331 **effects of abuse of alcoholic products.**
- 332 (1) There is created a committee within the department known as the Alcohol Abuse
- 333 Tracking Committee that consists of:
- 334 (a) the executive director or the executive director's designee;

- 335 (b) the commissioner of the Department of Public Safety or the commissioner's designee;
- 336 (c) the director of the Department of Alcoholic Beverage Services or that director's
337 designee;
- 338 (d) the executive director of the Department of Workforce Services or that executive
339 director's designee;
- 340 (e) the chair of the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah
341 Behavioral Health Commission or the chair's designee;
- 342 (f) the state court administrator or the state court administrator's designee; and
- 343 (g) the director of the Division of Technology Services or that director's designee.
- 344 (2) The executive director or the executive director's designee shall chair the committee.
- 345 (3)(a) Four members of the committee constitute a quorum.
- 346 (b) A vote of the majority of the committee members present when a quorum is present
347 is an action of the committee.
- 348 (4) The committee shall meet at the call of the chair.
- 349 (5) The committee may adopt additional procedures or requirements for:
- 350 (a) voting, when there is a tie of the committee members;
- 351 (b) how meetings are to be called; and
- 352 (c) the frequency of meetings.
- 353 (6) The committee shall establish a process to collect for each calendar year the following
354 information:
- 355 (a) the number of individuals statewide who are convicted of, plead guilty to, plead no
356 contest to, plead guilty in a similar manner to, or resolve by diversion or its
357 equivalent to a violation related to underage drinking of alcohol;
- 358 (b) the number of individuals statewide who are convicted of, plead guilty to, plead no
359 contest to, plead guilty in a similar manner to, or resolve by diversion or its
360 equivalent to a violation related to driving under the influence of alcohol;
- 361 (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act,
362 related to over-serving or over-consumption of an alcoholic product;
- 363 (d) the cost of social services provided by the state related to abuse of alcohol, including
364 services provided by the Division of Child and Family Services;
- 365 (e) the location where the alcoholic products that result in the violations or costs
366 described in Subsections (6)(a) through (d) are obtained; and
- 367 (f) any information the committee determines can be collected and relates to the abuse of
368 alcoholic products.

369 Section 5. Section **26B-1-428** is amended to read:

370 **26B-1-428 (Effective 05/06/26) (Repealed 07/01/30). Youth Electronic Cigarette,**
371 **Marijuana, and Other Drug Prevention Committee and Program -- Creation --**
372 **Membership -- Duties.**

373 (1) As used in this section:

374 (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug
375 Prevention Committee created in Section 26B-1-204.

376 (b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug
377 Prevention Program created in this section.

378 (2)(a) There is created within the department the Youth Electronic Cigarette, Marijuana,
379 and Other Drug Prevention Program.

380 (b) In consultation with the committee, the department shall:

381 (i) establish guidelines for the use of funds appropriated to the program under
382 Subsection 59-14-807(3)(a)(vi);

383 (ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based
384 and appropriate for the population targeted by the program; and

385 (iii) subject to appropriations from the Legislature under Subsection
386 59-14-807(3)(a)(vi), fund statewide initiatives to prevent use of electronic
387 cigarettes, nicotine products, marijuana, and other drugs by youth.

388 (3)(a) The committee shall:

389 (i) advise the department on:

390 (A) preventing use of electronic cigarettes, marijuana, and other drugs by youth in
391 the state;

392 (B) developing the guidelines described in Subsection (2)(b)(i); and

393 (C) implementing the provisions of the program; and

394 (ii) meet quarterly or more frequently as determined necessary by the department's
395 designee under Subsection (3)(c)(ii).

396 (b) The executive director shall:

397 (i) appoint members of the committee; and

398 (ii) consult with the [~~Utah Substance Use and Mental Health Advisory Committee~~]
399 Utah Behavioral Health Commission created in Section [~~26B-5-801~~] 26B-5-702
400 when making the appointments under Subsection (3)(b)(i).

401 (c) The committee shall include, at a minimum:

402 (i) the executive director of a local health department as defined in Section 26A-1-102,

- 403 or the local health department executive director's designee;
- 404 (ii) one designee from the department;
- 405 (iii) one representative from the Department of Public Safety;
- 406 (iv) one representative from the behavioral health community; and
- 407 (v) one representative from the education community.
- 408 (d) A member of the committee may not receive compensation or benefits for the
- 409 member's service on the committee, but may receive per diem and travel expenses in
- 410 accordance with:
- 411 (i) Section 63A-3-106;
- 412 (ii) Section 63A-3-107; and
- 413 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 414 (e) The department shall provide staff support to the committee.
- 415 (4) On or before October 31 of each year, the department shall report to:
- 416 (a) the Health and Human Services Interim Committee regarding:
- 417 (i) the use of funds appropriated to the program;
- 418 (ii) the impact and results of the program, including the effectiveness of each
- 419 program funded under Subsection (2)(b)(iii), during the previous fiscal year;
- 420 (iii) a summary of the impacts and results on reducing youth use of electronic
- 421 cigarettes and nicotine products by entities represented by members of the
- 422 committee, including those entities who receive funding through the Electronic
- 423 Cigarette Substance and Nicotine Product Proceeds Restricted Account created in
- 424 Section 59-14-807; and
- 425 (iv) any recommendations for legislation; and
- 426 (b) the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah Behavioral
- 427 Health Commission created in Section [~~26B-5-801~~] 26B-5-702, regarding:
- 428 (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in
- 429 preventing youth use of electronic cigarettes, nicotine products, marijuana, and
- 430 other drugs; and
- 431 (ii) any collaborative efforts and partnerships established by the program with public
- 432 and private entities to prevent youth use of electronic cigarettes, marijuana, and
- 433 other drugs.

434 Section 6. Section **26B-2-135** is amended to read:

435 **26B-2-135 (Effective 05/06/26). Licensing behavioral health receiving centers.**

436 (1) As used in this section:

- 437 (a) "Diversion" means referral to a licensed center by a law enforcement agency, a law
 438 enforcement officer, or by court order:
 439 (i) under the terms of a diversion agreement described in Section 77-2-5;
 440 (ii) as a voluntary referral as described in Section 26B-5-121;
 441 (iii) as an alternative to penalties for a violation of probation or parole; or
 442 (iv) by any other court ordered or law enforcement facilitated alternative to criminal
 443 penalties.
- 444 (b) "Diversion contact" means the prosecuting attorney that is a party to a diversion
 445 agreement or the law enforcement agency or officer that facilitates the diversion.
- 446 (c) "Justice involved individual" means an individual who enters a treatment program
 447 through diversion.
- 448 (d) "Licensed center" means a behavioral health receiving center licensed under this part.
- 449 (e) "Local mental health authority" means a local mental health authority described in
 450 Section 17-77-301.
- 451 (f) "Responsible law enforcement agency" means the law enforcement agency that
 452 employs a law enforcement officer that facilitates an individual's connection with a
 453 licensed center as described in Section 26B-5-121.
- 454 (g) "Treatment program" means a licensed center's program for providing mental health
 455 services to an individual experiencing a mental health crisis.
- 456 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
 457 Section 63J-1-504, the office:
- 458 [(1)] (a) shall ~~adopt~~ make and enforce rules to establish the process for initial and
 459 renewal applications to operate a behavioral health receiving center;
- 460 [(2)] (b) may assess and collect application and renewal fees for behavioral health
 461 receiving center licenses; ~~and~~
- 462 [(3)] (c) shall deposit any fees collected under Subsection [(2)] (2)(b) into the General
 463 Fund as a dedicated credit to be used solely to pay for or offset the office's costs
 464 incurred in performing the duties under this section[-] ; and
- 465 (d) shall make rules that:
- 466 (i) identify circumstances under which a licensed center shall notify a responsible law
 467 enforcement agency or diversion contacts of a justice involved individual's status
 468 in a treatment program, including to provide notification:
 469 (A) of treatment recommendations for the justice involved individual;
 470 (B) if the justice involved individual is actively participating in the treatment

- 471 program;
- 472 (C) if the justice involved individual is resisting participation in the treatment
- 473 program;
- 474 (D) if applicable, if the justice involved individual violates the terms of a
- 475 diversion agreement related to the justice involved individual's participation in
- 476 the treatment program;
- 477 (E) within 24 hours after the justice involved individual leaves the treatment
- 478 program, if the justice involved individual leaves the treatment program against
- 479 the licensed center's advice; and
- 480 (F) if applicable, of the name of the health care provider to whom the licensed
- 481 center referred the justice involved individual for further treatment; and
- 482 (ii) require a licensed center to adopt a policy to implement the notification
- 483 requirements described in Subsection (2)(d)(i).

484 (3)(a) Rules the office makes in accordance with Subsection (2)(d) may not require the

485 licensed center to notify a responsible law enforcement agency or diversion contact

486 of the status of a justice involved individual after the licensed center has referred the

487 justice involved individual to another health care provider.

488 (b) The office shall make the rules described in this Subsection (2) in coordination with

489 licensed centers, local mental health authorities, law enforcement agencies, and

490 diversion contacts.

491 Section 7. Section **26B-4-1103** is enacted to read:

492 **26B-4-1103 (Effective 05/06/26). Mental health and substance use disorder**

493 **screening -- Study -- Recommendations -- Report.**

494 (1) As used in this section:

495 (a) "Commission" means the State Commission on Criminal and Juvenile Justice created

496 in Section 63M-7-201.

497 (b) "Screening tool" means the evidence-based screening tool to screen an inmate for

498 substance use disorders described in Subsection 17-72-501(2)(e).

499 (2)(a) In collaboration with the commission, the department shall provide a list of

500 screening tools.

501 (b) The department shall ensure that a recommended screening tool described in

502 Subsection (2)(a) is:

503 (i) evidence-based, standardized, and validated; and

504 (ii) able to screen for substance use and mental health disorders and risk of substance

505 use and mental health disorders.

506 Section 8. Section **26B-4-1104** is enacted to read:

507 **26B-4-1104 (Effective 05/06/26). Mental health and substance use disorder**
508 **disclosure -- Standard form -- Consent -- Sharing.**

509 (1) As used in this section:

510 (a) "Board of Pardons and Parole" means the Board of Pardons and Parole created in
511 Section 77-27-2.

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

514 (c) "County pretrial and probation services" means county-provided probation services
515 as described in Section 17-72-601.

516 (d) "Defendant" means an individual who has been charged with a criminal offense, or
517 been convicted of, or entered into a plea disposition for, criminal conduct.

518 (e) "Department of Corrections" means the Department of Corrections created in Section
519 64-13-2.

520 (f) "Division of Adult Probation and Parole" means the Division of Adult Probation and
521 Parole created in Section 64-14-202.

522 (g) "First responder" means the same as that term is defined in Section 26B-5-121.

523 (h) "Health care provider" means the same as that term is defined in Section 78B-3-403.

524 (i) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996,
525 Pub. L. No. 104-191, 110 Stat. 1936, as amended.

526 (j) "Parolee" means an individual on parole under the supervision of the Division of
527 Adult Probation and Parole.

528 (k) "Probationer" means an individual on probation under the supervision of the
529 Division of Adult Probation and Parole or county pretrial and probation services.

530 (2) Before December 31, 2026, the department shall create a standard form that:

531 (a) is compliant with HIPAA and 42 C.F.R. Part 2; and

532 (b) a defendant, an inmate, a parolee, or a probationer may use to consent to the
533 disclosure of the individual's mental health disorder or substance use disorder
534 diagnosis to:

535 (i) health care providers;

536 (ii) first responders;

537 (iii) the courts;

538 (iv) the Board of Pardons and Parole;

- 539 (v) the Department of Corrections;
 540 (vi) the Division of Adult Probation and Parole;
 541 (vii) county pretrial and probation services;
 542 (viii) local mental health authorities; or
 543 (ix) other persons the department, in consultation with the commission, identifies in
 544 rules made in accordance with Subsection (5).
- 545 (3) The form described in Subsection (2) shall:
- 546 (a) include fields for the inmate's name, date of birth, signature, and date of signature;
 547 (b) identify each person described in Subsection (2)(b) to whom the individual's
 548 diagnosis information will be disclosed;
 549 (c) describe the circumstances under which the individual's diagnosis information will
 550 be disclosed; and
 551 (d) identify the duration of time that the consent to disclosure is valid.
- 552 (4) The department shall make the form available for use by health care providers, first
 553 responders, courts, the Board of Pardons and Parole, the Department of Corrections, and
 554 the Division of Adult Probation and Parole.
- 555 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 556 department, in consultation with the commission, shall make rules to:
- 557 (a) develop and implement standards and processes that comply with applicable state
 558 and federal laws and regulations for creating a release waiver that allows an
 559 individual's records to be used and disclosed in civil, criminal, administrative, or
 560 legislative proceedings;
 561 (b) define and restrict a person's access to the information disclosed in the form, which
 562 shall be based on:
- 563 (i) the person's need to access the information to provide treatment or services to an
 564 individual;
 565 (ii) the person's contact with the individual;
 566 (iii) the individual's consent; and
 567 (iv) applicable law; and
 568 (c) identify additional persons for inclusion on the disclosure form as described in
 569 Subsection (2)(b)(ix).

570 Section 9. Section **26B-5-121** is amended to read:

571 **26B-5-121 (Effective 05/06/26). Voluntary referrals to substance use and mental**
 572 **health services by first responders -- Immunity from liability -- Reporting -- Rulemaking.**

- 573 (1) As used in this section:
- 574 (a) "First responder" means:
- 575 (i) a law enforcement officer, as that term is defined in Section 53-13-103;
- 576 (ii) emergency medical service personnel, as that term is defined in Section 53-2d-101;
- 577 (iii) an emergency medical technician, as that term is defined in Section 53-2e-101;
- 578 (iv) an advanced emergency medical technician, as that term is defined in Section
- 579 53-2e-101;
- 580 (v) a firefighter, as that term is defined in Section 53H-11-306; or
- 581 (vi) a dispatcher, as that term is defined in Section 53-6-102.
- 582 (b) "Local services list" means a comprehensive list of local substance use or mental
- 583 health services, as described in Subsections 17-77-201(5)(b)(iii) and 17-77-301(5)(c).
- 584 (2) As and when appropriate, a first responder is encouraged to offer a referral to substance
- 585 use or mental health services to an individual who experiences an intentional or
- 586 accidental overdose.
- 587 (3) If an individual expresses interest in substance use or mental health services, a first
- 588 responder may, as appropriate:
- 589 (a) facilitate a real-time connection with an appropriate local service provider;
- 590 (b) contact the statewide 988 crisis line for assistance; or
- 591 (c) if the individual does not wish to speak with a service provider at that time, provide
- 592 the individual with a physical copy or electronic copy of a local services list.
- 593 (4)(a) This section does not create a duty for a first responder to offer or provide a
- 594 referral to substance use or mental health services.
- 595 (b) A first responder and an employer of a first responder are not liable under this
- 596 section for a first responder's action or failure to act in regards to offering or
- 597 providing a referral to substance use or mental health services as described in this
- 598 section.
- 599 (c) This section does not affect any privilege or immunity from liability, exemption from
- 600 law, ordinance, or rule, or any other benefit that applies to a first responder or an
- 601 employer of a first responder.
- 602 (5)(a) If a first responder offers a referral to substance use or mental health services as
- 603 described in this section, the first responder's employer shall report annually to the
- 604 division the total number of individuals who accepted a referral from all first
- 605 responders employed by the employer.
- 606 (b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah

607 Administrative Rulemaking Act, specifying how the reports required by Subsection
608 (5)(a) shall be submitted.

609 Section 10. Section **26B-5-122** is enacted to read:

610 **26B-5-122 (Effective 05/06/26). Community-based peer support services grant**
611 **program.**

612 (1) As used in this section:

613 (a) "Commission" means the Utah Behavioral Health Commission created in Section
614 26B-5-702.

615 (b) "Peer support services" means non-clinical, low-barrier, community-based support to
616 individuals recovering from mental health or substance use disorders, delivered by
617 individuals with similar lived experiences.

618 (c) "Recovery support organization" means a community-based organization that
619 provides peer support services.

620 (2) Subject to appropriations from the Legislature for this purpose, in consultation with the
621 commission and in accordance with the requirements of this section, the division shall
622 award grants to recovery support organizations to provide peer support services.

623 (3) The division shall prioritize the award of a grant described in Subsection (2) based on
624 the extent to which providing the grant to the applicant will increase the provision of
625 peer support services in areas with frequent mental health or behavioral health provider
626 shortages.

627 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
628 division, in consultation with the commission, shall make rules for the application and
629 award of a grant described in Subsection (2).

630 Section 11. Section **26B-5-331** is amended to read:

631 **26B-5-331 (Effective 05/06/26). Temporary commitment -- Requirements and**
632 **procedures -- Rights.**

633 (1) An adult shall be temporarily, involuntarily committed to a local mental health authority
634 upon:

635 (a) a written application that:

636 (i) is completed by a responsible individual who has reason to know, stating a belief
637 that the adult, due to mental illness, is likely to pose substantial danger to self or
638 others if not restrained and stating the personal knowledge of the adult's condition
639 or circumstances that lead to the individual's belief; and

640 (ii) includes a certification by a licensed physician, licensed physician assistant,

- 641 licensed nurse practitioner, or designated examiner stating that the physician,
642 physician assistant, nurse practitioner, or designated examiner has examined the
643 adult within a three-day period immediately preceding the certification, and that
644 the physician, physician assistant, nurse practitioner, or designated examiner is of
645 the opinion that, due to mental illness, the adult poses a substantial danger to self
646 or others; or
- 647 (b) a peace officer or a mental health officer:
- 648 (i) observing an adult's conduct that gives the peace officer or mental health officer
649 probable cause to believe that:
- 650 (A) the adult has a mental illness; and
651 (B) because of the adult's mental illness and conduct, the adult poses a substantial
652 danger to self or others; and
- 653 (ii) completing a temporary commitment application that:
- 654 (A) is on a form prescribed by the division;
655 (B) states the peace officer's or mental health officer's belief that the adult poses a
656 substantial danger to self or others;
657 (C) states the specific nature of the danger;
658 (D) provides a summary of the observations upon which the statement of danger is
659 based; and
660 (E) provides a statement of the facts that called the adult to the peace officer's or
661 mental health officer's attention.
- 662 (2) If at any time a patient committed under this section no longer meets the commitment
663 criteria described in Subsection (1), the local mental health authority's designee shall:
- 664 (a) document the change and release the patient; and
665 (b) if the patient was admitted under Subsection (1)(b), notify the local mental health
666 authority of the patient's release if deemed appropriate by a licensed health care
667 provider or if the patient consents to the information being shared.
- 668 (3) A patient committed under this section may be held for a maximum of 72 hours after
669 commitment, excluding Saturdays, Sundays, and state holidays, unless:
- 670 (a) as described in Section 26B-5-332, an application for involuntary commitment is
671 commenced, which may be accompanied by an order of detention described in
672 Subsection 26B-5-332(4); or
673 (b) the patient makes a voluntary application for admission.
- 674 (4) Upon a written application described in Subsection (1)(a) or the observation and belief

- 675 described in Subsection (1)(b)(i), the adult shall be:
- 676 (a) taken into a peace officer's protective custody, by reasonable means, if necessary for
677 public safety; and
- 678 (b) transported for temporary commitment to a facility designated by the local mental
679 health authority, by means of:
- 680 (i) an ambulance, if the adult meets any of the criteria described in Section 53-2d-405;
- 681 (ii) an ambulance, if a peace officer is not necessary for public safety, and
682 transportation arrangements are made by a physician, physician assistant, nurse
683 practitioner, designated examiner, or mental health officer;
- 684 (iii) the city, town, or municipal law enforcement authority with jurisdiction over the
685 location where the adult is present, if the adult is not transported by ambulance;
- 686 (iv) the county sheriff, if the designated facility is outside of the jurisdiction of the
687 law enforcement authority described in Subsection (4)(b)(iii) and the adult is not
688 transported by ambulance; or
- 689 (v) nonemergency secured behavioral health transport as that term is defined in
690 Section 53-2d-101.
- 691 (5) Notwithstanding Subsection (4):
- 692 (a) an individual shall be transported by ambulance to an appropriate medical facility for
693 treatment if the individual requires physical medical attention;
- 694 (b) if an officer has probable cause to believe, based on the officer's experience and
695 de-escalation training that taking an individual into protective custody or transporting
696 an individual for temporary commitment would increase the risk of substantial
697 danger to the individual or others, a peace officer may exercise discretion to not take
698 the individual into custody or transport the individual, as permitted by policies and
699 procedures established by the officer's law enforcement agency and any applicable
700 federal or state statute, or case law; and
- 701 (c) if an officer exercises discretion under Subsection (4)(b) to not take an individual
702 into protective custody or transport an individual, the officer shall document in the
703 officer's report the details and circumstances that led to the officer's decision.
- 704 (6)(a) The local mental health authority or the local mental health authority's designee
705 shall inform an adult patient committed under this section of the reason for
706 commitment.
- 707 (b) An adult patient committed under this section has the right to:
- 708 (i) within three hours after arrival at the local mental health authority, make a

709 telephone call, at the expense of the local mental health authority, to an individual
710 of the patient's choice; and

711 (ii) see and communicate with an attorney.

712 (7)(a) Title 63G, Chapter 7, Governmental Immunity Act of Utah, applies to this section.

713 (b) This section does not create a special duty of care.

714 (8)(a) A local mental health authority or the local mental health authority's designee
715 shall provide discharge instructions to each individual committed under this section
716 at or before the time the individual is discharged from the local mental health
717 authority's custody, regardless of whether the individual is discharged by being
718 released, taken into a peace officer's protective custody, transported to a medical
719 facility or other facility, or other circumstances.

720 (b) Discharge instructions provided under Subsection (8)(a) shall include:

721 (i) a safety plan for the individual based on the individual's mental illness or mental
722 or emotional state, if applicable;

723 (ii) notification to the individual's primary care provider, if applicable;

724 (iii) if the individual is discharged without food, housing, or economic security, a
725 referral to appropriate services, if such services exist in the individual's
726 community;

727 (iv) the phone number to call or text for a crisis services hotline, and information
728 about the availability of peer support services;

729 (v) a copy of any psychiatric advance directive, if applicable;

730 (vi) information about how to establish a psychiatric advance directive if one has not
731 been completed;

732 (vii) as applicable, information about medications that were changed or discontinued
733 during the commitment;

734 (viii) information about how to contact the local mental health authority if needed;
735 and

736 (ix) information about how to request a copy of the individual's medical record and
737 how to access the electronic patient portal for the individual's medical record.

738 (c) If an individual's medications were changed, or if an individual was prescribed new
739 medications while committed under this section, discharge instructions provided
740 under Subsection (8)(a) shall include a clinically appropriate supply of medications,
741 as determined by a licensed health care provider, to allow the individual time to
742 access another health care provider or follow-up appointment.

- 743 (d) Discharge instructions shall be provided in paper or electronic format based on the
744 individual's preference.
- 745 (e) If an individual refuses to accept discharge instructions, the local mental health
746 authority or the local mental health authority's designee shall document the refusal in
747 the individual's medical record.
- 748 (f) If an individual's discharge instructions include referrals to services under Subsection
749 (8)(b)(iii), the local mental health authority or the local mental health authority's
750 designee shall document those referrals in the individual's medical record.
- 751 (g) The local mental health authority shall attempt to follow up with a discharged
752 individual at least 48 hours after discharge, when appropriate, and may use peer
753 support professionals when performing follow-up care or developing a continuing
754 care plan.

755 Section 12. Section **26B-5-332** is amended to read:

756 **26B-5-332 (Effective 05/06/26). Involuntary commitment under court order --**
757 **Examination -- Hearing -- Power of court -- Findings required -- Costs.**

- 758 (1) A responsible individual who has credible knowledge of an adult's mental illness and
759 the condition or circumstances that have led to the adult's need to be involuntarily
760 committed may initiate an involuntary commitment court proceeding by filing, in the
761 court in the county where the proposed patient resides or is found, a written application
762 that includes:
- 763 (a) unless the court finds that the information is not reasonably available, the proposed
764 patient's:
- 765 (i) name;
- 766 (ii) date of birth; and
- 767 (iii) social security number;
- 768 (b)(i) a certificate of a licensed physician or a designated examiner stating that within
769 the seven-day period immediately preceding the certification, the physician or
770 designated examiner examined the proposed patient and is of the opinion that the
771 proposed patient has a mental illness and should be involuntarily committed; or
- 772 (ii) a written statement by the applicant that:
- 773 (A) the proposed patient has been requested to, but has refused to, submit to an
774 examination of mental condition by a licensed physician or designated
775 examiner;
- 776 (B) is sworn to under oath; and

- 777 (C) states the facts upon which the application is based; and
- 778 (c) a statement whether the proposed patient has previously been under an assisted
779 outpatient treatment order, if known by the applicant.
- 780 (2) Before issuing a judicial order, the court:
- 781 (a) shall require the applicant to consult with the appropriate local mental health
782 authority at or before the hearing; and
- 783 (b) may direct a mental health professional from the local mental health authority to
784 interview the applicant and the proposed patient to determine the existing facts and
785 report the existing facts to the court.
- 786 (3) The court may issue an order, directed to a mental health officer or peace officer, to
787 immediately place a proposed patient in the custody of a local mental health authority or
788 in a temporary emergency facility, as described in Section 26B-5-334, to be detained for
789 the purpose of examination if:
- 790 (a) the court finds from the application, any other statements under oath, or any reports
791 from a mental health professional that there is a reasonable basis to believe that the
792 proposed patient has a mental illness that poses a danger to self or others and requires
793 involuntary commitment pending examination and hearing; or
- 794 (b) the proposed patient refuses to submit to an interview with a mental health
795 professional as directed by the court or to go to a treatment facility voluntarily.
- 796 (4)(a) The court shall provide notice of commencement of proceedings for involuntary
797 commitment, setting forth the allegations of the application and any reported facts,
798 together with a copy of any official order of detention, to a proposed patient before,
799 or upon, placement of the proposed patient in the custody of a local mental health
800 authority or, with respect to any proposed patient presently in the custody of a local
801 mental health authority whose status is being changed from voluntary to involuntary,
802 upon the filing of an application for that purpose with the court.
- 803 (b) The place of detention shall maintain a copy of the order of detention.
- 804 (5)(a) The court shall provide notice of commencement of proceedings for involuntary
805 commitment as soon as practicable to the applicant, any legal guardian, any
806 immediate adult family members, legal counsel for the parties involved, the local
807 mental health authority or the local mental health authority's designee, and any other
808 persons whom the proposed patient or the court designates.
- 809 (b) Except as provided in Subsection (5)(c), the notice under Subsection (5)(a) shall
810 advise the persons that a hearing may be held within the time provided by law.

- 811 (c) If the proposed patient refuses to permit release of information necessary for
812 provisions of notice under this subsection, the court shall determine the extent of
813 notice.
- 814 (6) Proceedings for commitment of an individual under 18 years old to a local mental health
815 authority may be commenced in accordance with Part 4, Commitment of Persons Under
816 Age 18.
- 817 (7)(a) The court may, in the court's discretion, transfer the case to any other district court
818 within this state, if the transfer will not be adverse to the interest of the proposed
819 patient.
- 820 (b) If a case is transferred under Subsection (7)(a), the parties to the case may be
821 transferred and the local mental health authority may be substituted in accordance
822 with Utah Rules of Civil Procedure, Rule 25.
- 823 (8) Within 24 hours, excluding Saturdays, Sundays, and legal holidays, of the issuance of a
824 judicial order, or after commitment of a proposed patient to a local mental health
825 authority or the local mental health authority's designee under court order for detention
826 or examination, the court shall appoint two designated examiners:
- 827 (a) who did not sign the civil commitment application nor the civil commitment
828 certification under Subsection (1);
- 829 (b) one of whom is:
- 830 (i) a licensed physician; or
- 831 (ii) a psychiatric mental health nurse practitioner or a psychiatric mental health
832 clinical nurse specialist who:
- 833 (A) is nationally certified;
- 834 (B) is doctorally trained; and
- 835 (C) has at least two years of inpatient mental health experience, regardless of the
836 license the individual held at the time of that experience; and
- 837 (c) one of whom may be designated by the proposed patient or the proposed patient's
838 counsel, if that designated examiner is reasonably available.
- 839 (9) The court shall schedule a hearing to be held within 10 calendar days after the day on
840 which the designated examiners are appointed.
- 841 (10)(a) The designated examiners shall conduct the examinations separately.
- 842 (b) The designated examiners shall conduct the examinations:
- 843 (i) through telehealth unless the designated examiner determines that:
- 844 (A) a telehealth examination would not be sufficient to properly assess the

- 845 proposed patient;
- 846 (B) a telehealth examination would have a harmful effect on the proposed patient's
- 847 health; or
- 848 (C) an in-person examination can be conducted as effectively, conveniently, and
- 849 timely as an examination through telehealth; and
- 850 (ii) if the designated examiner determines, [~~pursuant to~~] in accordance with
- 851 Subsection (10)(b)(i), that the examination should be conducted in person, at the
- 852 home of the proposed patient, at a hospital or other medical facility, or at any
- 853 other suitable place that is not likely to have a harmful effect on the proposed
- 854 patient's health.
- 855 (c) The designated examiners shall inform the proposed patient, if not represented by an
- 856 attorney:
- 857 (i) that the proposed patient does not have to say anything;
- 858 (ii) of the nature and reasons for the examination;
- 859 (iii) that the examination was ordered by the court;
- 860 (iv) that any information volunteered could form part of the basis for the proposed
- 861 patient's involuntary commitment;
- 862 (v) that findings resulting from the examination will be made available to the court;
- 863 and
- 864 (vi) that the designated examiner may, under court order, obtain the proposed
- 865 patient's mental health records.
- 866 (d) Within 24 hours of examining the proposed patient, a designated examiner shall
- 867 report to the court, orally or in writing, whether the proposed patient is mentally ill,
- 868 has agreed to voluntary commitment, as described in Section 26B-5-360, or has
- 869 acceptable programs available to the proposed patient without court proceedings.
- 870 (e) If a designated examiner reports orally under Subsection (10)(d), the designated
- 871 examiner shall immediately send a written report to the clerk of the court.
- 872 (11) If a designated examiner is unable to complete an examination on the first attempt
- 873 because the proposed patient refuses to submit to the examination, the court shall fix a
- 874 reasonable compensation to be paid to the examiner.
- 875 (12) If the local mental health authority, the local mental health authority's designee, or a
- 876 medical examiner determines before the court hearing that the conditions justifying the
- 877 findings leading to a commitment hearing no longer exist, the local mental health
- 878 authority, the local mental health authority's designee, or the medical examiner shall

- 879 immediately report the determination to the court.
- 880 (13)(a) The court shall terminate the proceedings and dismiss the application before the
881 hearing if both designated examiners inform the court that the proposed patient does
882 not meet the criteria in Subsection (16).
- 883 (b) The court may terminate the proceedings and dismiss the application at any time,
884 including before the hearing, if the designated examiners or the local mental health
885 authority or the local mental health authority's designee informs the court that the
886 proposed patient:
- 887 (i) has agreed to voluntary commitment, as described in Section 26B-5-360;
888 (ii) has acceptable options for treatment programs that are available without court
889 proceedings; or
890 (iii) meets the criteria for assisted outpatient treatment described in Section
891 26B-5-351.
- 892 (14)(a) Before the hearing, the court shall provide the proposed patient an opportunity to
893 be represented by counsel, and if neither the proposed patient nor others provide
894 counsel, the court shall appoint counsel and allow counsel sufficient time to consult
895 with the proposed patient before the hearing.
- 896 (b) In the case of an indigent proposed patient, the county in which the proposed patient
897 resides or is found shall make payment of reasonable attorney fees for counsel, as
898 determined by the court.
- 899 (15)(a)(i) The court shall afford the proposed patient, the applicant, and any other
900 person to whom notice is required to be given an opportunity to appear at the
901 hearing, to testify, and to present and cross-examine witnesses.
- 902 (ii) The court may, in the court's discretion, receive the testimony of any other person.
903 (iii) The court may allow a waiver of the proposed patient's right to appear for good
904 cause, which cause shall be set forth in the record, or an informed waiver by the
905 patient, which shall be included in the record.
- 906 (b) The court is authorized to exclude any person not necessary for the conduct of the
907 proceedings and may, upon motion of counsel, require the testimony of each
908 designated examiner to be given out of the presence of any other designated
909 examiners.
- 910 (c) The court shall:
- 911 (i) conduct the hearing in as informal a manner as may be consistent with orderly
912 procedure; and

- 913 (ii) while preserving the due process rights of the proposed patient:
- 914 (A) conduct the hearing remotely, in accordance with Utah Rules of Civil
915 Procedure, Rule 87, unless the court finds good cause under Rule 87 not to
916 conduct the hearing remotely; or
- 917 (B) if the court finds good cause under Rule 87 not to conduct the hearing
918 remotely, conduct the hearing in a physical setting that is not likely to have a
919 harmful effect on the mental health of the proposed patient.
- 920 (d) The court shall consider any relevant historical and material information that is
921 offered, subject to the rules of evidence, including reliable hearsay under Utah Rules
922 of Evidence, Rule 1102.
- 923 (e)(i) A local mental health authority or the local mental health authority's designee
924 or the physician in charge of the proposed patient's care shall, at the time of the
925 hearing, provide the court with the following information:
- 926 (A) the detention order;
- 927 (B) admission notes;
- 928 (C) the diagnosis;
- 929 (D) any doctors' orders;
- 930 (E) progress notes;
- 931 (F) nursing notes;
- 932 (G) medication records pertaining to the current commitment; and
- 933 (H) whether the proposed patient has previously been civilly committed or under
934 an order for assisted outpatient treatment.
- 935 (ii) The local mental health authority or the local mental health authority's designee
936 or the physician in charge of the proposed patient's care shall also supply the
937 information described in Subsection (15)(e)(i) to the proposed patient's counsel at
938 the time of the hearing, and at any time prior to the hearing upon request by the
939 proposed patient's counsel.
- 940 (16)(a) The court shall order commitment of an adult proposed patient to a local mental
941 health authority if, upon completion of the hearing and consideration of the
942 information presented, the court finds by clear and convincing evidence that:
- 943 (i)(A) the proposed patient has a mental illness;
- 944 (B) because of the proposed patient's mental illness the proposed patient poses a
945 substantial danger to self or others;
- 946 (C) the proposed patient lacks the ability to engage in a rational decision-making

- 947 process regarding the acceptance of mental treatment as demonstrated by
948 evidence of inability to weigh the possible risks of accepting or rejecting
949 treatment;
- 950 (D) there is no appropriate less-restrictive alternative to a court order of
951 commitment; and
- 952 (E) the local mental health authority can provide the proposed patient with
953 treatment that is adequate and appropriate to the proposed patient's conditions
954 and needs; or
- 955 (ii)(A) the proposed patient has been charged with a criminal offense;
- 956 (B) with respect to the charged offense, the proposed patient is found incompetent
957 to proceed as a result of a mental illness;
- 958 (C) the proposed patient has a mental illness;
- 959 (D) the proposed patient has a persistent unawareness of their mental illness and
960 the negative consequences of that illness, or within the preceding six months
961 has been requested or ordered to undergo mental health treatment but has
962 unreasonably refused to undergo that treatment;
- 963 (E) there is no appropriate less-restrictive alternative to a court order of
964 commitment; and
- 965 (F) the local mental health authority can provide the proposed patient with
966 treatment that is adequate and appropriate to the proposed patient's conditions
967 and needs.
- 968 (b)(i) If, at the hearing, the court determines that the proposed patient has a mental
969 illness but does not meet the other criteria described in Subsection (16)(a), the
970 court may consider whether the proposed patient meets the criteria for assisted
971 outpatient treatment under Section 26B-5-351.
- 972 (ii) The court may order the proposed patient to receive assisted outpatient treatment
973 in accordance with Section 26B-5-351 if, at the hearing, the court finds the
974 proposed patient meets the criteria for assisted outpatient treatment under Section
975 26B-5-351.
- 976 (iii) If the court determines that neither the criteria for commitment under Subsection
977 (16)(a) nor the criteria for assisted outpatient treatment under Section 26B-5-351
978 are met, the court shall dismiss the proceedings after the hearing.
- 979 (17)(a)(i) The court shall notify the appropriate mental health authority and the
980 division no later than two business days after the day on which the court enters an

981 order of commitment, including an order to extend the patient's treatment period.

982 [~~(i)~~] (ii) The order of commitment shall designate the period for which the patient
983 shall be treated.

984 [~~(ii)~~] (iii) If the patient is not under an order of commitment at the time of the hearing,
985 the patient's treatment period may not exceed six months without a review hearing.

986 [~~(iii)~~] (iv) Upon a review hearing, to be commenced before the expiration of the
987 previous order of commitment, an order for commitment may be for an
988 indeterminate period, if the court finds by clear and convincing evidence that the
989 criteria described in Subsection (16) will last for an indeterminate period.

990 (b)(i) The court shall maintain a current list of all patients under the court's order of
991 commitment and review the list to determine those patients who have been under
992 an order of commitment for the court designated period.

993 (ii) At least two weeks before the expiration of the designated period of any order of
994 commitment still in effect, the court that entered the original order of commitment
995 shall inform the appropriate local mental health authority or the local mental
996 health authority's designee of the expiration.

997 (iii) Upon receipt of the information described in Subsection (17)(b)(ii), the local
998 mental health authority or the local mental health authority's designee shall
999 immediately reexamine the reasons upon which the order of commitment was
1000 based.

1001 (iv) If, after reexamination under Subsection (17)(b)(iii), the local mental health
1002 authority or the local mental health authority's designee determines that the
1003 conditions justifying commitment no longer exist, the local mental health
1004 authority or the local mental health authority's designee shall discharge the patient
1005 from involuntary commitment and immediately report the discharge to the court
1006 and the division.

1007 (v) If, after reexamination under Subsection (17)(b)(iii), the local mental health
1008 authority or the local mental health authority's designee determines that the
1009 conditions justifying commitment continue to exist, the court shall immediately
1010 appoint two designated examiners and proceed under Subsections (8) through (14).

1011 (c)(i) The local mental health authority or the local mental health authority's designee
1012 responsible for the care of a patient under an order of commitment for an
1013 indeterminate period shall, at six-month intervals, reexamine the reasons upon
1014 which the order of indeterminate commitment was based.

- 1015 (ii) If the local mental health authority or the local mental health authority's designee
1016 determines that the conditions justifying commitment no longer exist, the local
1017 mental health authority or the local mental health authority's designee shall
1018 discharge the patient from the local mental health authority's or the local mental
1019 health authority designee's custody and immediately report the discharge to the
1020 court and the division.
- 1021 (iii) If the local mental health authority or the local mental health authority's designee
1022 determines that the conditions justifying commitment continue to exist, the local
1023 mental health authority or the local mental health authority's designee shall send a
1024 written report of the findings to the court.
- 1025 (iv) The local mental health authority or the local mental health authority's designee
1026 shall notify the patient and the patient's counsel of record in writing that the
1027 involuntary commitment will be continued under Subsection (17)(c)(iii), the
1028 reasons for the decision to continue, and that the patient has the right to a review
1029 hearing by making a request to the court.
- 1030 (v) Upon receiving a request under Subsection (17)(c)(iv), the court shall
1031 immediately appoint two designated examiners and proceed under Subsections (8)
1032 through (14).
- 1033 (18)(a) Any patient committed as a result of an original hearing or a patient's legally
1034 designated representative who is aggrieved by the findings, conclusions, and order of
1035 the court entered in the original hearing has the right to a new hearing upon filing a
1036 petition with the court within 30 days after the day on which the court entered the
1037 order.
- 1038 (b) The petition shall allege error or mistake in the findings, in which case the court shall
1039 appoint three impartial designated examiners previously unrelated to the case to
1040 conduct an additional examination of the patient.
- 1041 (c) Except as provided in Subsection (18)(b), the court shall, in all other respects,
1042 conduct the new hearing in the manner otherwise permitted.
- 1043 (19) The county in which the proposed patient resides or is found shall pay the costs of all
1044 proceedings under this section.
- 1045 (20)(a) A local mental health authority or the local mental health authority's designee
1046 shall provide discharge instructions to each individual committed under this section
1047 at or before the time the individual is discharged from the local mental health
1048 authority's custody, regardless of the circumstances under which the individual is

- 1049 discharged.
- 1050 (b) Discharge instructions provided under Subsection (20)(a) shall include:
- 1051 (i) a safety plan for the individual based on the individual's mental illness or mental
- 1052 or emotional state, if applicable;
- 1053 (ii) notification to the individual's primary care provider, if applicable;
- 1054 (iii) if the individual is discharged without food, housing, or economic security, a
- 1055 referral to appropriate services, if such services exist in the individual's
- 1056 community;
- 1057 (iv) the phone number to call or text for a crisis services hotline, and information
- 1058 about the availability of peer support services;
- 1059 (v) a copy of any psychiatric advance directive, if applicable;
- 1060 (vi) information about how to establish a psychiatric advance directive if one has not
- 1061 been completed;
- 1062 (vii) as applicable, information about medications that were changed or discontinued
- 1063 during the commitment;
- 1064 (viii) information about how to contact the local mental health authority or
- 1065 established provider as appropriate; and
- 1066 (ix) information about how to request a copy of the individual's medical record and
- 1067 how to access the electronic patient portal for the individual's medical record.
- 1068 (c) If an individual's medications were changed, or if an individual was prescribed new
- 1069 medications while committed under this section, discharge instructions provided
- 1070 under Subsection (20)(a) shall include a clinically appropriate supply of medications,
- 1071 as determined by a licensed health care provider, to allow the individual time to
- 1072 access another health care provider or follow-up appointment.
- 1073 (d) Discharge instructions shall be provided in paper or electronic format based on the
- 1074 individual's preference.
- 1075 (e) If an individual refuses to accept discharge instructions, the local mental health
- 1076 authority shall document the refusal in the individual's medical record.
- 1077 (f) If an individual's discharge instructions include referrals to services under Subsection
- 1078 (20)(b)(iii), the local mental health authority shall document those referrals in the
- 1079 individual's medical record.
- 1080 (g) The local mental health authority shall attempt to follow up with a discharged
- 1081 individual at least 48 hours after discharge, when appropriate, and may use peer
- 1082 support professionals when performing follow-up care or developing a continuing

1083 care plan.

1084 (21) If any provision of Subsection (16)(a)(ii) or the application of any provision of
1085 Subsection (16)(a)(ii) to any person or circumstance is held invalid by a court with
1086 jurisdiction, the remainder of Subsection (16)(a)(ii) shall be given effect without the
1087 invalid provision or application. The provisions of Subsection (16)(a)(ii) are severable.

1088 Section 13. Section **26B-5-351** is amended to read:

1089 **26B-5-351 (Effective 05/06/26). Assisted outpatient treatment proceedings.**

1090 (1) A responsible individual who has credible knowledge of an adult's mental illness and
1091 the condition or circumstances that have led to the adult's need for assisted outpatient
1092 treatment may file, in the court in the county where the proposed patient resides or is
1093 found, a written application that includes:

1094 (a) unless the court finds that the information is not reasonably available, the proposed
1095 patient's:

1096 (i) name;

1097 (ii) date of birth; and

1098 (iii) social security number; and

1099 (b)(i) a certificate of a licensed physician or a designated examiner stating that within
1100 the seven-day period immediately preceding the certification, the physician or
1101 designated examiner examined the proposed patient and is of the opinion that the
1102 proposed patient has a mental illness and should be involuntarily committed; or

1103 (ii) a written statement by the applicant that:

1104 (A) the proposed patient has been requested to, but has refused to, submit to an
1105 examination of mental condition by a licensed physician or designated
1106 examiner;

1107 (B) is sworn to under oath; and

1108 (C) states the facts upon which the application is based.

1109 (2)(a) Subject to Subsection (2)(b), before issuing a judicial order, the court may require
1110 the applicant to consult with the appropriate local mental health authority, and the
1111 court may direct a mental health professional from that local mental health authority
1112 to interview the applicant and the proposed patient to determine the existing facts and
1113 report them to the court.

1114 (b) The consultation described in Subsection (2)(a):

1115 (i) may take place at or before the hearing; and

1116 (ii) is required if the local mental health authority appears at the hearing.

- 1117 (3) If the proposed patient refuses to submit to an interview described in Subsection (2)(a)
1118 or an examination described in Subsection (8), the court may issue an order, directed to
1119 a mental health officer or peace officer, to immediately place the proposed patient into
1120 the custody of a local mental health authority or in a temporary emergency facility, as
1121 provided in Section 26B-5-334, to be detained for the purpose of examination.
- 1122 (4) Notice of commencement of proceedings for assisted outpatient treatment, setting forth
1123 the allegations of the application and any reported facts, together with a copy of any
1124 official order of detention, shall:
- 1125 (a) be provided by the court to a proposed patient before, or upon, placement into the
1126 custody of a local mental health authority or, with respect to any proposed patient
1127 presently in the custody of a local mental health authority;
- 1128 (b) be maintained at the proposed patient's place of detention, if any;
- 1129 (c) be provided by the court as soon as practicable to the applicant, any legal guardian,
1130 any immediate adult family members, legal counsel for the parties involved, the local
1131 mental health authority or its designee, and any other person whom the proposed
1132 patient or the court shall designate; and
- 1133 (d) advise that a hearing may be held within the time provided by law.
- 1134 (5) The court may, in its discretion, transfer the case to any other court within this state,
1135 provided that the transfer will not be adverse to the interest of the proposed patient.
- 1136 (6) Within 24 hours, excluding Saturdays, Sundays, and legal holidays, of the issuance of a
1137 judicial order, or after commitment of a proposed patient to a local mental health
1138 authority or its designee under court order for detention in order to complete an
1139 examination, the court shall appoint two designated examiners:
- 1140 (a) who did not sign the assisted outpatient treatment application nor the certification
1141 described in Subsection (1);
- 1142 (b) one of whom is a licensed physician; and
- 1143 (c) one of whom may be designated by the proposed patient or the proposed patient's
1144 counsel, if that designated examiner is reasonably available.
- 1145 (7) The court shall schedule a hearing to be held within 10 calendar days of the day on
1146 which the designated examiners are appointed.
- 1147 (8)(a) The designated examiners shall:
- 1148 ~~[(a)]~~ (i) conduct their examinations separately;
- 1149 ~~[(b)]~~ (ii) conduct the examinations at the home of the proposed patient, at a hospital or
1150 other medical facility, or at any other suitable place that is not likely to have a

- 1151 harmful effect on the proposed patient's health;
- 1152 [~~(e)~~] (iii) inform the proposed patient, if not represented by an attorney:
- 1153 [(i)] (A) that the proposed patient does not have to say anything;
- 1154 [(ii)] (B) of the nature and reasons for the examination;
- 1155 [(iii)] (C) that the examination was ordered by the court;
- 1156 [(iv)] (D) that any information volunteered could form part of the basis for the
- 1157 proposed patient to be ordered to receive assisted outpatient treatment; and
- 1158 [~~(v)~~] (E) that findings resulting from the examination will be made available to the
- 1159 court; and
- 1160 [~~(d)~~] (iv) within 24 hours of examining the proposed patient, report to the court, orally
- 1161 or in writing, whether the proposed patient is mentally ill.
- 1162 (b) If the designated examiner reports orally under Subsection (8)(a)(iv), the designated
- 1163 examiner shall immediately send a written report to the clerk of the court.
- 1164 (9) If a designated examiner is unable to complete an examination on the first attempt
- 1165 because the proposed patient refuses to submit to the examination, the court shall fix a
- 1166 reasonable compensation to be paid to the examiner.
- 1167 (10) If the local mental health authority, its designee, or a medical examiner determines
- 1168 before the court hearing that the conditions justifying the findings leading to an assisted
- 1169 outpatient treatment hearing no longer exist, the local mental health authority, its
- 1170 designee, or the medical examiner shall immediately report that determination to the
- 1171 court.
- 1172 (11) The court may terminate the proceedings and dismiss the application at any time,
- 1173 including prior to the hearing, if the designated examiners or the local mental health
- 1174 authority or its designee informs the court that the proposed patient does not meet the
- 1175 criteria in Subsection (14).
- 1176 (12) Before the hearing, an opportunity to be represented by counsel shall be afforded to the
- 1177 proposed patient, and if neither the proposed patient nor others provide counsel, the
- 1178 court shall appoint counsel and allow counsel sufficient time to consult with the
- 1179 proposed patient before the hearing. In the case of an indigent proposed patient, the
- 1180 payment of reasonable attorney fees for counsel, as determined by the court, shall be
- 1181 made by the county in which the proposed patient resides or is found.
- 1182 (13)(a) All persons to whom notice is required to be given shall be afforded an
- 1183 opportunity to appear at the hearing, to testify, and to present and cross-examine
- 1184 witnesses. The court may, in its discretion, receive the testimony of any other

- 1185 individual. The court may allow a waiver of the proposed patient's right to appear for
1186 good cause, which cause shall be set forth in the record, or an informed waiver by the
1187 patient, which shall be included in the record.
- 1188 (b) The court is authorized to exclude all individuals not necessary for the conduct of the
1189 proceedings and may, upon motion of counsel, require the testimony of each
1190 examiner to be given out of the presence of any other examiners.
- 1191 (c) The hearing shall be conducted in as informal a manner as may be consistent with
1192 orderly procedure, and in a physical setting that is not likely to have a harmful effect
1193 on the mental health of the proposed patient.
- 1194 (d) The court shall consider all relevant historical and material information that is
1195 offered, subject to the rules of evidence, including reliable hearsay under Rule 1102,
1196 Utah Rules of Evidence.
- 1197 (e)(i) A local mental health authority or its designee, or the physician in charge of the
1198 proposed patient's care shall, at the time of the hearing, provide the court with the
1199 following information:
- 1200 (A) the detention order, if any;
- 1201 (B) admission notes, if any;
- 1202 (C) the diagnosis, if any;
- 1203 (D) doctor's orders, if any;
- 1204 (E) progress notes, if any;
- 1205 (F) nursing notes, if any; and
- 1206 (G) medication records, if any.
- 1207 (ii) The information described in Subsection (13)(e)(i) shall also be provided to the
1208 proposed patient's counsel:
- 1209 (A) at the time of the hearing; and
- 1210 (B) at any time prior to the hearing, upon request.
- 1211 (14) The court shall order a proposed patient to assisted outpatient treatment if, upon
1212 completion of the hearing and consideration of the information presented, the court finds
1213 by clear and convincing evidence that:
- 1214 (a) the proposed patient has a mental illness;
- 1215 (b) there is no appropriate less-restrictive alternative to a court order for assisted
1216 outpatient treatment; and
- 1217 (c)(i) the proposed patient lacks the ability to engage in a rational decision-making
1218 process regarding the acceptance of mental health treatment, as demonstrated by

- 1219 evidence of inability to weigh the possible risks of accepting or rejecting
1220 treatment; or
- 1221 (ii) the proposed patient needs assisted outpatient treatment in order to prevent
1222 relapse or deterioration that is likely to result in the proposed patient posing a
1223 substantial danger to self or others.
- 1224 (15) The court may order the applicant or a close relative of the patient to be the patient's
1225 personal representative, as described in 45 C.F.R. Sec. 164.502(g), for purposes of the
1226 patient's mental health treatment.
- 1227 (16) In the absence of the findings described in Subsection (14), the court, after the hearing,
1228 shall dismiss the proceedings.
- 1229 (17)(a) The court shall notify the appropriate mental health authority and the division no
1230 later than two business days after the day on which the court enters an assisted
1231 outpatient treatment order, including an order extending the duration of an assisted
1232 outpatient treatment order.
- 1233 [(a)] (b) The assisted outpatient treatment order shall designate the period for which the
1234 patient shall be treated, which may not exceed 12 months without a review hearing.
- 1235 [(b)] (c) At a review hearing, the court may extend the duration of an assisted outpatient
1236 treatment order by up to 12 months, if:
- 1237 (i) the court finds by clear and convincing evidence that the patient meets the
1238 conditions described in Subsection (14); or
- 1239 (ii)(A) the patient does not appear at the review hearing;
1240 (B) notice of the review hearing was provided to the patient's last known address
1241 by the applicant described in Subsection (1) or by a local mental health
1242 authority; and
1243 (C) the patient has appeared in court or signed an informed waiver within the
1244 previous 18 months.
- 1245 [(e)] (d) The court shall maintain a current list of all patients under its order of assisted
1246 outpatient treatment.
- 1247 [(d)] (e) At least two weeks prior to the expiration of the designated period of any
1248 assisted outpatient treatment order still in effect, the court that entered the original
1249 order shall inform the appropriate local mental health authority or its designee.
- 1250 (18) Costs of all proceedings under this section shall be paid by the county in which the
1251 proposed patient resides or is found.
- 1252 (19) A court may not hold an individual in contempt for failure to comply with an assisted

1253 outpatient treatment order.

1254 (20) As provided in Section 31A-22-651, a health insurance provider may not deny an
1255 insured the benefits of the insured's policy solely because the health care that the insured
1256 receives is provided under a court order for assisted outpatient treatment.

1257 Section 14. Section **26B-5-384** is enacted to read:

1258 **26B-5-384** (Effective 05/06/26). **Statewide commitment database -- Restricted use**
1259 **and access.**

1260 (1) As used in this section:

1261 (a) "Committed individual" means an individual who has been committed under Section
1262 26B-5-331, 26B-5-332, or 26B-5-351.

1263 (b) "Committee" means the Health and Human Services Interim Committee.

1264 (2) The department shall establish by December 31, 2026, and shall maintain, a database of
1265 individuals committed under Sections 26B-5-331, 26B-5-332, and 26B-5-351.

1266 (3) The database shall include:

1267 (a) the name and identifying information of a committed individual;

1268 (b) the type of commitment and statute authorizing the commitment;

1269 (c) the status of the committed individual; and

1270 (d) any other information the department deems necessary to carry out the requirements
1271 of this section.

1272 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
1273 Administrative Rulemaking Act, to:

1274 (a) implement this section;

1275 (b) ensure the privacy of committed individuals, including by:

1276 (i) establishing and restricting the permissible uses of the information in the database;

1277 (ii) defining and restricting access to the database, including by identifying persons
1278 who may have access to the database; and

1279 (iii) ensuring the system contains tools for:

1280 (A) logging;

1281 (B) data loss prevention;

1282 (C) identity management; and

1283 (D) access management, including role-based access; and

1284 (c) permit local mental health authorities to access civil commitments within the local
1285 mental health authority's authority area.

1286 (5) At or before the committee's November 2026 meeting, the department shall report to the

1287 committee on the department's rules made in accordance with Subsection (4)(b) to
 1288 ensure the privacy of committed individuals.

1289 Section 15. Section **26B-5-611** is amended to read:

1290 **26B-5-611 (Effective 05/06/26). Suicide prevention -- Reporting requirements.**

1291 (1) As used in this section:

- 1292 (a) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201
 1293 within the Department of Public Safety.
- 1294 (b) "Coalition" means the Statewide Suicide Prevention [~~Coalition~~] Committee created
 1295 under Subsection (3).
- 1296 (c) "Commission" means the Utah Behavioral Health Commission created in Section
 1297 26B-5-702.
- 1298 (d) "Coordinator" means the state suicide prevention coordinator appointed under
 1299 Subsection (2).
- 1300 (e) "Fund" means the Governor's Suicide Prevention Fund created in Section 26B-1-325.
- 1301 (f) "Intervention" means an effort to prevent a person from attempting suicide.
- 1302 (g) "Legal intervention" means an incident in which an individual is shot by another
 1303 individual who has legal authority to use deadly force.
- 1304 (h) "Postvention" means intervention after a suicide attempt or a suicide death to reduce
 1305 risk and promote healing.
- 1306 (i) "Shooter" means an individual who uses a gun in an act that results in the death of the
 1307 actor or another individual, whether the act was a suicide, homicide, legal
 1308 intervention, act of self-defense, or accident.

1309 (2) The [~~division~~] office shall appoint a state suicide prevention coordinator to[~~under the~~
 1310 ~~direction of the commission,~~] administer a state suicide prevention program composed
 1311 of suicide prevention, intervention, and postvention programs, services, and efforts.

1312 (3) The coordinator shall:

- 1313 (a) establish a Statewide Suicide Prevention Committee with membership from public
 1314 and private organizations and Utah citizens; and
- 1315 (b) appoint a chair and co-chair from among the membership of the coalition to lead the
 1316 coalition.

1317 (4) The state suicide prevention program may include the following components:

- 1318 (a) delivery of resources, tools, and training to community-based coalitions;
- 1319 (b) evidence-based suicide risk assessment tools and training;
- 1320 (c) town hall meetings for building community-based suicide prevention strategies;

- 1321 (d) suicide prevention gatekeeper training;
- 1322 (e) training to identify warning signs and to manage an at-risk individual's crisis;
- 1323 (f) evidence-based intervention training;
- 1324 (g) intervention skills training;
- 1325 (h) postvention training; or
- 1326 (i) a public education campaign to improve public awareness about warning signs of
- 1327 suicide and suicide prevention resources.
- 1328 (5) The coordinator shall coordinate with the following to gather statistics, among other
- 1329 duties:
- 1330 (a) local mental health and substance abuse authorities;
- 1331 (b) the State Board of Education, including the public education suicide prevention
- 1332 coordinator described in Section 53G-9-702;
- 1333 (c) applicable divisions and offices within the department;
- 1334 (d) health care providers, including emergency rooms;
- 1335 (e) federal agencies, including the Federal Bureau of Investigation;
- 1336 (f) other unbiased sources; and
- 1337 (g) other public health suicide prevention efforts.
- 1338 (6) The coordinator shall, in consultation with the bureau, implement and manage the
- 1339 operation of the firearm safety program described in Subsection 26B-5-102(3).
- 1340 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 1341 division shall make rules:
- 1342 (a) governing the implementation of the state suicide prevention program, consistent
- 1343 with this section; and
- 1344 (b) in conjunction with the bureau, defining the criteria for employers to apply for grants
- 1345 under the Suicide Prevention Education Program described in Section 26B-5-110,
- 1346 which shall include:
- 1347 (i) attendance at the suicide prevention education course described in Subsection
- 1348 26B-5-102(3); and
- 1349 (ii) distribution of the firearm safety brochures or packets created in Subsection
- 1350 26B-5-102(3), but does not require the distribution of a cable-style gun lock with a
- 1351 firearm if the firearm already has a trigger lock or comparable safety mechanism.
- 1352 (8) As funding by the Legislature allows, the coordinator shall award grants, not to exceed a
- 1353 total of \$100,000 per fiscal year, to suicide prevention programs that focus on the needs
- 1354 of children who have been served by the Division of Juvenile Justice and Youth Services.

1355 Section 16. Section **26B-5-703** is amended to read:

1356 **26B-5-703 (Effective 05/06/26) (Repealed 07/01/29). Purpose -- Duties --**

1357 **Reporting.**

1358 (1) The purpose of the commission is to be the central authority for coordinating behavioral
1359 health initiatives between state and local governments, health systems, and other
1360 interested persons, to ensure that Utah's behavioral health systems are comprehensive,
1361 aligned, effective, and efficient.

1362 (2) To fulfill the commission's purpose, the commission shall:

1363 (a) establish a shared vision across public and private sectors for improving Utah's
1364 behavioral health systems;

1365 (b) make recommendations, including policy recommendations, and advise the
1366 governor, executive branch agencies, and the Legislature on matters pertaining to
1367 behavioral health;

1368 (c) provide feedback on proposed bills, rules, policies, and budgets relating to behavioral
1369 health;

1370 (d) encourage participation in the commission's work by individuals and populations
1371 directly impacted by behavioral health issues, including family members of
1372 individuals with behavioral health issues;

1373 (e) engage private sector payers, providers, and business and employer groups in the
1374 commission's work;

1375 (f) continually review and revise the master plan as appropriate;

1376 (g) identify priorities and lead efforts to implement and advance those priorities by
1377 coordinating and collaborating closely with public and private persons throughout the
1378 state;

1379 (h) identify areas where innovation is necessary to improve behavioral health access and
1380 care;

1381 (i) cooperate with the Utah System of Higher Education, the State Board of Education,
1382 the Division of Professional Licensing, the Utah Health Workforce Advisory
1383 Council, and the department to oversee the creation and implementation of
1384 behavioral health workforce initiatives for the state;

1385 (j) collaborate with the Utah State Hospital, the Department of Corrections, county jails,
1386 and the department;

1387 (k) regarding the interaction between an individual with a mental illness or an
1388 intellectual disability and the civil commitment system, criminal justice system, or

- 1389 juvenile justice system:
- 1390 (i) promote communication between and coordination among all agencies interacting
- 1391 with the individual;
- 1392 (ii) study, evaluate, and recommend changes to laws and procedures;
- 1393 (iii) identify and promote the implementation of specific policies and programs to
- 1394 deal fairly and efficiently with the individual; and
- 1395 (iv) promote judicial education;
- 1396 (l) study the long-term need for adult patient staffed beds at the state hospital, including:
- 1397 (i) the total number of staffed beds currently in use at the state hospital;
- 1398 (ii) the current staffed bed capacity at the state hospital;
- 1399 (iii) the projected total number of staffed beds needed in the adult general psychiatric
- 1400 unit of the state hospital over the next three, five, and 10 years based on:
- 1401 (A) the state's current and projected population growth;
- 1402 (B) current access to mental health resources in the community; and
- 1403 (C) any other factors the committee finds relevant to projecting the total number
- 1404 of staffed beds; and
- 1405 (iv) the cost associated with the projected total number of staffed beds described in Su
- 1406 bsection (2)(l)(iii);
- 1407 ~~[(k)]~~ (m) oversee coordination for the funding, implementation, and evaluation of suicide
- 1408 prevention efforts described in Section 26B-5-611;
- 1409 ~~[(t)]~~ (n) develop methods or models for implementing and coherently communicating
- 1410 cross-sector strategies;
- 1411 ~~[(m)]~~ (o) hold the state's behavioral health systems accountable for clear, measurable
- 1412 outcomes; and
- 1413 ~~[(n)]~~ (p) maintain independence from the department and the governor such that the
- 1414 commission and its committees are able to provide independent advice and
- 1415 recommendations, especially regarding proposed bills and policy considerations.
- 1416 (3) The commission may delegate responsibilities to the commission's committees and
- 1417 subcommittees as the commission deems appropriate.
- 1418 ~~[(3)]~~ (4)(a) The commission shall meet at least quarterly, but may meet at other times as
- 1419 scheduled by the chair.
- 1420 (b) The chair of the commission shall set the agenda for each commission meeting with
- 1421 input from commission members and staff.
- 1422 (c) Notice of the time and place of a commission meeting shall be given to each member

1423 and to the public in compliance with Title 52, Chapter 4, Open and Public Meetings
1424 Act.

1425 (d) A commission meeting is open to the public unless the meeting or a portion of a
1426 meeting is closed by the commission pursuant to Section 52-4-204 or Section
1427 52-4-205.

1428 [(4)] (5) On or before December 31, 2024, the commission shall provide a report to the
1429 Legislature that includes:

1430 (a) recommendations for behavioral health measures and targets to be included in the
1431 next update to the master plan;

1432 (b) recommendations for consolidating into the commission other commissions,
1433 committees, subcommittees, task forces, working groups, or other bodies pertaining
1434 to behavioral health;

1435 (c) recommendations on the next steps for reviewing and potentially redefining state law
1436 and program options regarding county-based behavioral health services; and

1437 (d) recommendations on key budget priorities and key legislative policies for the 2025
1438 General Session and thereafter.

1439 [(5)] (6)(a) Beginning in 2025, by no later than September 30 of each year, the
1440 commission shall provide a report to the Health and Human Services Interim
1441 Committee that describes the commission's work during the preceding year and
1442 includes, in accordance with Section 26B-5-705, any legislative recommendations
1443 from the commission.

1444 (b) Before the commission submits a legislative recommendation to the Health and
1445 Human Services Interim Committee or the Legislature, the Legislative Policy
1446 Committee created in Section 26B-5-705 shall review the recommendation.

1447 [(6)] (7) Neither the commission nor a committee of the commission may obtain any
1448 individual's health or medical information, whether identifiable or deidentified, without
1449 first obtaining the consent of the individual or the individual's legal representative.

1450 Section 17. Section **26B-5-704** is amended to read:

1451 **26B-5-704 (Effective 05/06/26) (Repealed 07/01/29). Committees -- Creation --**
1452 **Duties.**

1453 (1) Each committee created under this part or formed by the commission in accordance
1454 with this section serves under the direction of the commission.

1455 (2) In addition to the committees created under this part or formed by the commission, the
1456 following are committees of the commission and shall serve under the direction of the

- 1457 commission to assist the commission in performing the commission's duties:
- 1458 (a) the Behavioral Health Crisis Response Committee created in Section 63C-18-202;
- 1459 (b) the Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health Policy
- 1460 Review Committee created in Section 26B-5-801; and
- 1461 (c) the Statewide Suicide Prevention Committee created under Section 26B-5-611.
- 1462 (3)(a) In addition to the committees described in Subsection (2) or created under this
- 1463 part, the commission may form committees to support the commission in fulfilling
- 1464 the commission's duties.
- 1465 (b) When forming a committee, the commission shall, except as provided in Subsection
- 1466 (4):
- 1467 (i) appoint members to the committee who represent a range of views and expertise;
- 1468 and
- 1469 (ii) adopt procedures and directives for the committee.
- 1470 (c) Unless otherwise provided for in statute, a member of a committee may not receive
- 1471 compensation or benefits for the member's service on the committee, but may receive
- 1472 per diem and travel expenses in accordance with:
- 1473 (i) Section 63A-3-106;
- 1474 (ii) Section 63A-3-107; and
- 1475 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 1476 (d) Compensation and expenses of a committee member who is a legislator are governed
- 1477 by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
- 1478 Expenses.
- 1479 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 1480 department may make rules, in consultation with the commission, to establish the
- 1481 membership, procedures, and directives of a committee the commission forms.
- 1482 Section 18. Section **26B-5-705** is amended to read:
- 1483 **26B-5-705 (Effective 05/06/26) (Repealed 07/01/29). Legislative Policy**
- 1484 **Committee -- Creation -- Duties -- Staff.**
- 1485 (1) As used in this section, "committee" means the Legislative Policy Committee created in
- 1486 Subsection (2).
- 1487 (2) Under the commission, there is created the Legislative Policy Committee.
- 1488 (3)(a) The committee is composed of five legislators, appointed as follows:
- 1489 (i) the speaker of the House of Representatives shall appoint one member of the
- 1490 House of Representatives;

- 1491 (ii) the minority leader of the House of Representatives shall appoint one member of
1492 the House of Representatives;
- 1493 (iii) the president of the Senate shall appoint one member of the Senate;
- 1494 (iv) the minority leader of the Senate shall appoint one member of the Senate; and
- 1495 (v) the speaker of the House of Representatives and the president of the Senate shall
1496 jointly appoint one legislator.
- 1497 (b) The speaker, president, and minority leaders:
- 1498 (i) shall make the appointments described in Subsection (3)(a) after consulting with
1499 the chairs of the Health and Human Services Interim Committee and the chairs of
1500 the Social Services Appropriations Subcommittee; and
- 1501 (ii) are encouraged but not required to appoint to the committee legislators who are
1502 members of one or more of the following:
- 1503 (A) the Health and Human Services Interim Committee; or
- 1504 (B) the Social Services Appropriations Subcommittee.
- 1505 (4) The speaker of the House of Representatives and the president of the Senate shall each
1506 designate one of their appointees as a co-chair of the committee.
- 1507 (5) The individual who appoints a member of the committee may change the appointment
1508 at any time.
- 1509 (6) The committee shall:
- 1510 (a) assist the commission and any of the commission's other committees with developing
1511 policy and legislative recommendations; and
- 1512 (b) review any legislative recommendation proposed by the commission before the
1513 legislative recommendation is provided to the Health and Human Services Interim
1514 Committee or the Legislature.
- 1515 (7)(a) As used in this Subsection (7), "working group" means the working group the
1516 committee convenes as described in Subsection (7)(b).
- 1517 (b) The committee shall convene a working group to investigate, study, and make
1518 recommendations to the Legislature regarding the entity in the best position to serve
1519 as the central authority for coordinating behavioral health initiatives between state
1520 and local governments, health systems, and other interested persons to ensure that
1521 Utah's behavioral health systems are comprehensive, aligned, effective, and efficient.
- 1522 (c) In carrying out the duties described in Subsection (7)(b), the working group shall
1523 consider:
- 1524 (i) an entity's ability to gather and analyze data; and

1525 (ii) the most effective duties and governance structure for the central authority.
 1526 (d) The working group shall make the recommendations described in Subsection (7)(b)
 1527 to the Health and Human Services Interim Committee on or before the date of the
 1528 committee's November 2026 interim meeting.

1529 [(7)] (8) The committee may:

1530 (a) submit its own proposed legislation to the commission for consideration; and
 1531 (b) provide other services as requested by the commission.

1532 [(8)] (9)(a) A majority of the members of the committee constitutes a quorum.

1533 (b) The action of a majority of a quorum constitutes the action of the committee.

1534 [(9)] (10) The Office of Legislative Research and General Counsel shall provide staff
 1535 support to the committee.

1536 Section 19. Section **26B-5-801** is amended to read:

1537 **Part 8. Utah Behavioral Health Policy Review Committee**

1538 **26B-5-801 (Effective 05/06/26) (Repealed 01/01/33). Definitions -- Creation of**
 1539 **committee -- Membership -- Terms.**

1540 (1)(a) As used in this part, "committee" means the Utah [~~Substance Use and Mental~~
 1541 ~~Health Advisory]~~ Behavioral Health Policy Review Committee created in this section.

1542 (b) There is created within the department the Utah [~~Substance Use and Mental Health~~
 1543 ~~Advisory]~~ Behavioral Health Policy Review Committee, which serves under the
 1544 direction of the Utah Behavioral Health Commission created in Section 26B-5-702.

1545 [(2) The committee shall be comprised of the following voting members:]

1546 [(a) the attorney general or the attorney general's designee;]

1547 [(b) one elected county official appointed by the Utah Association of Counties;]

1548 [(c) the commissioner of public safety or the commissioner's designee;]

1549 [(d) the director of the Division of Integrated Healthcare or the director's designee;]

1550 [(e) the state superintendent of public instruction or the superintendent's designee;]

1551 [(f) the executive director of the Department of Health and Human Services or the
 1552 executive director's designee;]

1553 [(g) the executive director of the State Commission on Criminal and Juvenile Justice or
 1554 the executive director's designee;]

1555 [(h) the executive director of the Department of Corrections or the executive director's
 1556 designee;]

1557 [(i) the director of the Division of Juvenile Justice and Youth Services or the director's
 1558 designee;]

- 1559 [~~(j) the director of the Division of Child and Family Services or the director's designee;~~]
- 1560 [~~(k) the chair of the Board of Pardons and Parole or the chair's designee;~~]
- 1561 [~~(l) the director of the Office of Multicultural Affairs or the director's designee;~~]
- 1562 [~~(m) the director of the Division of Indian Affairs or the director's designee;~~]
- 1563 [~~(n) the state court administrator or the state court administrator's designee;~~]
- 1564 [~~(o) one district court judge who presides over a drug court and who is appointed by the~~
1565 ~~chief justice of the Utah Supreme Court;~~]
- 1566 [~~(p) one district court judge who presides over a mental health court and who is~~
1567 ~~appointed by the chief justice of the Utah Supreme Court;~~]
- 1568 [~~(q) one juvenile court judge who presides over a drug court and who is appointed by the~~
1569 ~~chief justice of the Utah Supreme Court;~~]
- 1570 [~~(r) one prosecutor appointed by the Statewide Association of Prosecutors;~~]
- 1571 [~~(s) the chair or co-chair of each subcommittee established by the committee;~~]
- 1572 [~~(t) the chair or co-chair of the Statewide Suicide Prevention Committee created under~~
1573 ~~Subsection 26B-5-611(3);~~]
- 1574 [~~(u) one representative appointed by the Utah League of Cities and Towns to serve a~~
1575 ~~four-year term;~~]
- 1576 [~~(v) the chair of the Utah Victim Services Commission or the chair's designee;~~]
- 1577 [~~(w) the superintendent of the Utah State Hospital or the superintendent's designee;~~]
- 1578 [~~(x) the following members appointed by the governor to serve four-year terms:~~]
- 1579 [~~(i) one resident of the state who has been personally affected by a substance use or~~
1580 ~~mental health disorder; and]~~
- 1581 [~~(ii) one citizen representative; and]~~
- 1582 [~~(y) in addition to the voting members described in Subsections (2)(a) through (x), the~~
1583 ~~following voting members appointed by a majority of the members described in~~
1584 ~~Subsections (2)(a) through (x) to serve four-year terms:~~]
- 1585 [~~(i) one resident of the state who represents a statewide advocacy organization for~~
1586 ~~recovery from substance use disorders;~~]
- 1587 [~~(ii) one resident of the state who represents a statewide advocacy organization for~~
1588 ~~recovery from mental illness;~~]
- 1589 [~~(iii) one resident of the state who represents a statewide advocacy organization for~~
1590 ~~protection of rights of individuals with a disability;~~]
- 1591 [~~(iv) one resident of the state who represents prevention professionals;~~]
- 1592 [~~(v) one resident of the state who represents treatment professionals;~~]

- 1593 [~~(vi) one resident of the state who represents the physical health care field;~~]
 1594 [~~(vii) one resident of the state who is a criminal defense attorney;~~]
 1595 [~~(viii) one resident of the state who is a military servicemember or military veteran~~
 1596 ~~under Section 53H-11-202;~~]
 1597 [~~(ix) one resident of the state who represents local law enforcement agencies;~~]
 1598 [~~(x) one representative of private service providers that serve youth with substance~~
 1599 ~~use disorders or mental health disorders; and]~~
 1600 [~~(xi) one resident of the state who is certified by the Division of Integrated~~
 1601 ~~Healthcare as a peer support specialist as described in Subsection~~
 1602 ~~26B-5-102(2)(gg).]~~

1603 [~~(3) An individual other than an individual described in Subsection (2) may not be~~
 1604 ~~appointed as a voting member of the committee.]~~

1605 (2) The department, in consultation with the Behavioral Health Commission, shall make
 1606 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
 1607 establish the members of the committee.

1608 Section 20. Section **26B-5-802** is amended to read:

1609 **26B-5-802 (Effective 05/06/26) (Repealed 01/01/33). Chair -- Vacancies --**
 1610 **Quorum -- Expenses.**

1611 (1) The Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health Policy Review
 1612 Committee shall annually select one of [its] the committee's members to serve as chair
 1613 and [one of its] two of the committee's members to serve as [vice chair] vice chairs.

1614 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
 1615 appointed for the unexpired term in the same manner as the position was originally filled.

1616 (3) A majority of the members of the committee constitutes a quorum.

1617 (4) A member may not receive compensation or benefits for the member's service, but may
 1618 receive per diem and travel expenses as allowed in:

1619 (a) Section 63A-3-106;

1620 (b) Section 63A-3-107; and

1621 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
 1622 63A-3-107.

1623 (5) The committee may establish subcommittees as needed to assist in accomplishing [its]
 1624 the committee's duties under Section 26B-5-803.

1625 Section 21. Section **26B-5-803** is amended to read:

1626 **26B-5-803 (Effective 05/06/26) (Repealed 01/01/33). Duties of committee.**

- 1627 (1) Under the direction of the Utah Behavioral Health Commission created in Section
 1628 26B-5-702, the Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health
 1629 Policy Review Committee shall:
- 1630 [(a) ~~provide leadership and generate unity for Utah's ongoing efforts to reduce and~~
 1631 ~~eliminate the impact of substance use and mental health disorders in Utah through a~~
 1632 ~~comprehensive and evidence-based prevention, treatment, and justice strategy;~~]
 1633 [(b) ~~recommend and coordinate the creation, dissemination, and implementation of~~
 1634 ~~statewide policies to address substance use and mental health disorders;~~]
 1635 [(e) ~~facilitate planning for a balanced continuum of substance use and mental health~~
 1636 ~~disorder prevention, treatment, and justice services;~~]
 1637 [(d) ~~promote collaboration and mutually beneficial public and private partnerships;~~
 1638 [(e)] (a) coordinate recommendations made by any subcommittee created under Section
 1639 26B-5-802;
 1640 [(f)] (b) analyze and provide an objective assessment of all proposed legislation
 1641 concerning substance use, mental health, forensic mental health, and related issues;
 1642 and
 1643 (c) advise the commission on behavioral health policy, proposed legislation, and
 1644 procedures.
 1645 [(g) ~~comply with Section 32B-2-306;~~]
 1646 [(h) ~~advise the Department of Health and Human Services regarding the state hospital~~
 1647 ~~admissions policy for individuals in the custody of the Department of Corrections;~~]
 1648 [(i) ~~regarding the interaction between an individual with a mental illness or an~~
 1649 ~~intellectual disability and the civil commitment system, criminal justice system, or~~
 1650 ~~juvenile justice system;~~]
 1651 [(i) ~~promote communication between and coordination among all agencies interacting~~
 1652 ~~with the individual;~~]
 1653 [(ii) ~~study, evaluate, and recommend changes to laws and procedures;~~]
 1654 [(iii) ~~identify and promote the implementation of specific policies and programs to~~
 1655 ~~deal fairly and efficiently with the individual; and]~~
 1656 [(iv) ~~promote judicial education;~~]
 1657 [(j) ~~study the long-term need for adult patient staffed beds at the state hospital, including:~~]
 1658 [(i) ~~the total number of staffed beds currently in use at the state hospital;~~]
 1659 [(ii) ~~the current staffed bed capacity at the state hospital;~~]
 1660 [(iii) ~~the projected total number of staffed beds needed in the adult general~~

1661 psychiatric unit of the state hospital over the next three, five, and 10 years based
 1662 on:]
 1663 [~~(A) the state's current and projected population growth;~~]
 1664 [~~(B) current access to mental health resources in the community; and]~~
 1665 [~~(C) any other factors the committee finds relevant to projecting the total number~~
 1666 ~~of staffed beds; and]~~
 1667 [(iv) the cost associated with the projected total number of staffed beds described in
 1668 Subsection (1)(j)(iii); and]
 1669 [(k) each year report on whether the pay of the state hospital's employees is adequate
 1670 based on market conditions.]

1671 (2) The committee shall meet quarterly or more frequently as determined necessary by the
 1672 chair.

1673 (3) The committee shall report~~[:]~~ any recommendations annually to the commission, the
 1674 governor, and the Legislature.

1675 [(a) with the assistance and staff support from the state hospital, regarding the items
 1676 described in Subsections (1)(j) and (k), including any recommendations, to the Utah
 1677 Behavioral Health Commission on or before July 31 of each year; and]

1678 [(b) any other recommendations annually to the commission, the governor, the
 1679 Legislature, and the Judicial Council.]

1680 Section 22. Section **26B-8-233** is enacted to read:

1681 **26B-8-233 (Effective 05/06/26). Family outreach specialist.**

1682 (1) With funds appropriated by the Legislature for this purpose, the department shall
 1683 provide compensation, at a standard rate determined by the department, to a family
 1684 outreach specialist.

1685 (2) The family outreach specialist shall:

1686 (a) engage with relatives or the legal guardian of an individual who has recently died by
 1687 suicide or overdose to better understand the circumstances that precede a suicide or
 1688 drug-related death, including by:

1689 (i) contacting next of kin;

1690 (ii) collecting information in an interview;

1691 (iii) assessing next of kin; and

1692 (iv) providing targeted bereavement care; and

1693 (b) assist the medical examiner with suicide intervention, prevention, and postvention,
 1694 including:

- 1695 (i) mortality surveillance;
 1696 (ii) research coordination;
 1697 (iii) data management and analysis; and
 1698 (iv) epidemiological surveillance.

1699 Section 23. Section **32B-2-306** is amended to read:

1700 **32B-2-306 (Effective 05/06/26) (Partially Repealed 01/01/33). Underage drinking**
 1701 **prevention media and education campaign.**

1702 (1) As used in this section~~[:]~~, "restricted account" means the Underage Drinking Prevention
 1703 Media and Education Campaign Restricted Account created in this section.

1704 [~~(a) "Advisory committee" means the Utah Substance Use and Mental Health Advisory~~
 1705 ~~Committee created in Section 26B-5-801.]~~

1706 [~~(b) "Restricted account" means the Underage Drinking Prevention Media and~~
 1707 ~~Education Campaign Restricted Account created in this section.]~~

1708 (2)(a) There is created a restricted account within the General Fund known as the
 1709 "Underage Drinking Prevention Media and Education Campaign Restricted Account."

1710 (b) The restricted account consists of:
 1711 (i) deposits made under Subsection (3); and
 1712 (ii) interest earned on the restricted account.

1713 (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor with
 1714 the state treasurer, as determined by the total gross revenue collected for the fiscal year
 1715 two years preceding the fiscal year for which the deposit is made, to be credited to the
 1716 restricted account and to be used by the department as provided in Subsection (5).

1717 (4)[~~(a) Before January 1, 2033, the advisory committee shall:]~~

1718 [~~(i) provide ongoing oversight of a media and education campaign funded under this~~
 1719 ~~section;]~~

1720 [~~(ii) create an underage drinking prevention workgroup consistent with guidelines~~
 1721 ~~proposed by the advisory committee related to the membership and duties of the~~
 1722 ~~underage drinking prevention workgroup;]~~

1723 [~~(iii) create guidelines for how money appropriated for a media and education~~
 1724 ~~campaign can be used;]~~

1725 [~~(iv) include in the guidelines established pursuant to this Subsection (4) that a media~~
 1726 ~~and education campaign funded under this section is carefully researched and~~
 1727 ~~developed, and appropriate for target groups; and]~~

1728 [~~(v) approve plans submitted by the department in accordance with Subsection (5).]~~

- 1729 ~~[(b) On or after January 1, 2033, the]~~ The department shall:
- 1730 ~~[(i)]~~ (a) provide ongoing oversight of a media and education campaign funded under this
- 1731 section;
- 1732 ~~[(ii)]~~ (b) create guidelines for how money appropriated for a media and education
- 1733 campaign can be used; and
- 1734 ~~[(iii)]~~ (c) include in the guidelines ~~[established pursuant to this Subsection (4)]~~ that a
- 1735 media and education campaign funded under this section is carefully researched and
- 1736 developed, and appropriate for target groups.
- 1737 (5)(a) Subject to appropriation from the Legislature, the department shall expend money
- 1738 from the restricted account to direct and fund one or more media and education
- 1739 campaigns designed to reduce underage drinking~~[in cooperation with the advisory~~
- 1740 ~~committee, subject to the advisory committee being in effect under Section 63I-1-232].~~
- 1741 ~~(b)[(i) Before January 1, 2033, the department shall:]~~
- 1742 ~~[(A) in cooperation with the underage drinking prevention workgroup created~~
- 1743 ~~under Subsection (4), prepare and submit a plan to the advisory committee~~
- 1744 ~~detailing the intended use of the money appropriated under this section;]~~
- 1745 ~~[(B) upon approval of the plan by the advisory committee, conduct the media and~~
- 1746 ~~education campaign in accordance with the guidelines made by the advisory~~
- 1747 ~~committee; and]~~
- 1748 ~~[(C) submit to the advisory committee annually by no later than October 1, a~~
- 1749 ~~written report detailing the use of the money for the media and education~~
- 1750 ~~campaigns conducted under this Subsection (5) and the impact and results of~~
- 1751 ~~the use of the money during the prior fiscal year ending June 30.]~~
- 1752 ~~[(ii) On or after January 1, 2033, the]~~ The department shall:
- 1753 ~~[(A)]~~ (i) prepare a plan detailing the intended use of the money appropriated under
- 1754 this section; ~~[and]~~
- 1755 ~~[(B)]~~ (ii) conduct the media and education campaign in accordance with the
- 1756 guidelines created by the department under Subsection (4)(b)~~[-]~~ ; and
- 1757 (iii) coordinate and maintain ongoing communications and collaboration with public
- 1758 entities and private organizations to reduce underage drinking.
- 1759 (c) The department shall annually, no later than October 1 for the fiscal year ending on
- 1760 June 30 of that calendar year, report to the Utah Behavioral Health Commission on:
- 1761 (i) the media and education campaign, including the campaign's impact; and
- 1762 (ii) the results of the efforts to reduce underage drinking.

1763 Section 24. Section **32B-2-402** is amended to read:

1764 **32B-2-402 (Effective 05/06/26) (Partially Repealed 01/01/33). Definitions --**

1765 **Calculations.**

1766 (1) As used in this part:

1767 (a) "Account" means the Alcoholic Beverage and Substance Abuse Enforcement and
1768 Treatment Restricted Account created in Section 32B-2-403.

1769 ~~[(b) "Advisory committee" means the Utah Substance Use and Mental Health Advisory
1770 Committee created in Section 26B-5-801.]~~

1771 ~~[(e)]~~ (b) "Alcohol-related offense" means:

1772 (i) a violation of:

1773 (A) Section 41-6a-502; or

1774 (B) an ordinance that complies with the requirements of:

1775 (I) Subsection 41-6a-510(1); or

1776 (II) Section 76-5-207; or

1777 (ii) an offense involving the illegal:

1778 (A) sale of an alcoholic product;

1779 (B) consumption of an alcoholic product;

1780 (C) distribution of an alcoholic product;

1781 (D) transportation of an alcoholic product; or

1782 (E) possession of an alcoholic product.

1783 ~~[(d)]~~ (c) "Annual conviction time period" means the time period that:

1784 (i) begins on July 1 and ends on June 30; and

1785 (ii) immediately precedes the fiscal year for which an appropriation under this part is
1786 made.

1787 (d) "Behavioral Health Commission" means the Utah Behavioral Health Commission
1788 created in Section 26B-5-702.

1789 (e) "Municipality" means a city or town.

1790 (f)(i) "Prevention" is as defined by rule, in accordance with Title 63G, Chapter 3,
1791 Utah Administrative Rulemaking Act, by the Division of Integrated Healthcare
1792 within the Department of Health and Human Services.

1793 (ii) In defining the term "prevention," the Division of Substance Abuse and Mental
1794 Health shall:

1795 (A) include only evidence-based or evidence-informed programs; and

1796 (B) provide for coordination with local substance abuse authorities designated to

- 1797 provide substance abuse services in accordance with Section 17-77-201.
- 1798 (2) For purposes of Subsection 32B-2-404(1)(b)(iii), the number of premises located within
1799 the limits of a municipality or county:
- 1800 (a) is the number determined by the department to be so located;
- 1801 (b) includes the aggregate number of premises of the following:
- 1802 (i) a state store;
- 1803 (ii) a package agency; and
- 1804 (iii) a retail licensee; and
- 1805 (c) for a county, consists only of the number located within an unincorporated area of
1806 the county.
- 1807 (3) The department shall determine:
- 1808 (a) a population figure according to the most current population estimate prepared by the
1809 Utah Population Committee;
- 1810 (b) a county's population for the 25% distribution to municipalities and counties under
1811 Subsection 32B-2-404(1)(b)(i) only with reference to the population in the
1812 unincorporated areas of the county; and
- 1813 (c) a county's population for the 25% distribution to counties under Subsection
1814 32B-2-404(1)(b)(iv) only with reference to the total population in the county,
1815 including that of a municipality.
- 1816 (4)(a) A conviction occurs in the municipality or county that actually prosecutes the
1817 offense to judgment.
- 1818 (b) If a conviction is based upon a guilty plea, the conviction is considered to occur in
1819 the municipality or county that, except for the guilty plea, would have prosecuted the
1820 offense.
- 1821 Section 25. Section **32B-2-404** is amended to read:
- 1822 **32B-2-404 (Effective 05/06/26). Alcoholic Beverage and Substance Abuse**
1823 **Enforcement and Treatment Restricted Account distribution.**
- 1824 (1)(a) The money deposited into the account under Section 32B-2-403 shall be
1825 distributed to municipalities and counties:
- 1826 (i) to the extent appropriated by the Legislature, except that the Legislature shall
1827 appropriate each fiscal year an amount equal to at least the amount deposited in
1828 the account in accordance with Section 59-15-109; and
- 1829 (ii) as provided in this Subsection (1).
- 1830 (b) The amount appropriated from the account shall be distributed as follows:

- 1831 (i) 25% to municipalities and counties on the basis of the percentage of the state
 1832 population residing in each municipality and county;
- 1833 (ii) 30% to municipalities and counties on the basis of each municipality's and
 1834 county's percentage of the statewide convictions for all alcohol-related offenses;
- 1835 (iii) 20% to municipalities and counties on the basis of the percentage of the
 1836 following in the state that are located in each municipality and county:
- 1837 (A) state stores;
- 1838 (B) package agencies;
- 1839 (C) retail licensees; and
- 1840 (D) off-premise beer retailers; and
- 1841 (iv) 25% to the counties for confinement and treatment purposes authorized by this
 1842 part on the basis of the percentage of the state population located in each county.
- 1843 (c)(i) Except as provided in Subsection (1)(c)(ii), if a municipality does not have a
 1844 law enforcement agency:
- 1845 (A) the municipality may not receive money under this part; and
- 1846 (B) the State Tax Commission:
- 1847 (I) may not distribute the money the municipality would receive but for the
 1848 municipality not having a law enforcement agency to that municipality; and
- 1849 (II) shall distribute the money that the municipality would have received but
 1850 for it not having a law enforcement agency to the county in which the
 1851 municipality is located for use by the county in accordance with this part.
- 1852 (ii) If the [~~advisory committee, before January 1, 2033~~] Behavioral Health
 1853 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1854 July 1, 2029, finds that a municipality described in Subsection (1)(c)(i)
 1855 demonstrates that the municipality can use the money that the municipality is
 1856 otherwise eligible to receive in accordance with this part, the [~~advisory committee,~~
 1857 ~~before January 1, 2033~~] Behavioral Health Commission, before July 1, 2029, or
 1858 the department, on or after [~~January 1, 2033~~] July 1, 2029, may direct the State Tax
 1859 Commission to distribute the money to the municipality.
- 1860 (2) To determine the distribution required by Subsection (1)(b)(ii), the State Tax
 1861 Commission shall annually:
- 1862 (a) for an annual conviction time period:
- 1863 (i) multiply by two the total number of convictions in the state obtained during the
 1864 annual conviction time period for violation of:

- 1865 (A) Section 41-6a-502; or
1866 (B) an ordinance that complies with the requirements of Subsection 41-6a-510(1)
1867 or Section 76-5-207; and
1868 (ii) add to the number calculated under Subsection (2)(a)(i) the number of
1869 convictions obtained during the annual conviction time period for the
1870 alcohol-related offenses other than the alcohol-related offenses described in
1871 Subsection (2)(a)(i);
1872 (b) divide an amount equal to 30% of the appropriation for that fiscal year by the sum
1873 obtained in Subsection (2)(a); and
1874 (c) multiply the amount calculated under Subsection (2)(b), by the number of
1875 convictions obtained in each municipality and county during the annual conviction
1876 time period for alcohol-related offenses.
- 1877 (3) By not later than September 1 each year:
1878 (a) the state court administrator shall certify to the State Tax Commission the number of
1879 convictions obtained for alcohol-related offenses in each municipality or county in
1880 the state during the annual conviction time period; and
1881 (b) the ~~[advisory committee, before January 1, 2033]~~ Behavioral Health Commission,
1882 before July 1, 2029, or the department, on or after ~~[January 1, 2033]~~ July 1, 2029,
1883 shall notify the State Tax Commission of any municipality that does not have a law
1884 enforcement agency.
- 1885 (4) By not later than December 1 of each year, the ~~[advisory committee, before January 1,~~
1886 ~~2033]~~ Behavioral Health Commission, before July 1, 2029, or the department, on or after [
1887 ~~January 1, 2033]~~ July 1, 2029, shall notify the State Tax Commission for the fiscal year
1888 of appropriation of:
1889 (a) a municipality that may receive a distribution under Subsection (1)(c)(ii);
1890 (b) a county that may receive a distribution allocated to a municipality described in
1891 Subsection (1)(c)(i);
1892 (c) a municipality or county that may not receive a distribution because the ~~[advisory~~
1893 ~~committee, before January 1, 2033]~~ Behavioral Health Commission, before July 1,
1894 2029, or the department, on or after ~~[January 1, 2033]~~ July 1, 2029, has suspended the
1895 payment under Subsection 32B-2-405(2)(a); and
1896 (d) a municipality or county that receives a distribution because the suspension of
1897 payment has been cancelled under Subsection 32B-2-405(2).
- 1898 (5)(a) By not later than January 1 of the fiscal year of appropriation, the State Tax

1899 Commission shall annually distribute to each municipality and county the portion of
 1900 the appropriation that the municipality or county is eligible to receive under this part,
 1901 except for any municipality or county that the [~~advisory committee, before January 1,~~
 1902 ~~2033~~] Behavioral Health Commission, before July 1, 2029, or the department, on or
 1903 after [~~January 1, 2033~~] July 1, 2029, notifies the State Tax Commission in accordance
 1904 with Subsection (4) may not receive a distribution in that fiscal year.

1905 (b)(i) The [~~advisory committee, before January 1, 2033~~] Behavioral Health
 1906 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1907 July 1, 2029, shall prepare forms for use by a municipality or county in applying
 1908 for a distribution under this part.

1909 (ii) A form described in this Subsection (5) may require the submission of
 1910 information the [~~advisory committee, before January 1, 2033~~] Behavioral Health
 1911 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1912 July 1, 2029, considers necessary to enable the State Tax Commission to comply
 1913 with this part.

1914 Section 26. Section **32B-2-405** is amended to read:

1915 **32B-2-405 (Effective 05/06/26). Reporting by municipalities and counties --**
 1916 **Grants.**

1917 (1) A municipality or county that receives money under this part during a fiscal year shall
 1918 by no later than October 1 following the fiscal year:

1919 (a) report to the [~~advisory committee, before January 1, 2033~~] Behavioral Health
 1920 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1921 July 1, 2029:

1922 (i) the programs or projects of the municipality or county that receive money under
 1923 this part;

1924 (ii) if the money for programs or projects were exclusively used as required by
 1925 Subsection 32B-2-403(2);

1926 (iii) indicators of whether the programs or projects that receive money under this part
 1927 are effective; and

1928 (iv) if money received under this part was not expended by the municipality or
 1929 county; and

1930 (b) provide the [~~advisory committee, before January 1, 2033~~] Behavioral Health
 1931 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1932 July 1, 2029, a statement signed by the chief executive officer of the county or

1933 municipality attesting that the money received under this part was used in addition to
 1934 money appropriated or otherwise available for the county's or municipality's law
 1935 enforcement and was not used to supplant that money.

1936 (2) The [~~advisory committee, before January 1, 2033~~] Behavioral Health Commission,
 1937 before July 1, 2029, may, by a majority vote, or the department, on or after [~~January 1,~~
 1938 ~~2033~~] July 1, 2029, may:

1939 (a) suspend future payments under Subsection 32B-2-404(4) to a municipality or county
 1940 that:

1941 (i) does not file a report that meets the requirements of Subsection (1); or

1942 (ii) the [~~advisory committee, before January 1, 2033~~] Behavioral Health Commission,
 1943 before July 1, 2029, or the department, on or after [~~January 1, 2033~~] July 1, 2029,
 1944 finds does not use the money as required by Subsection 32B-2-403(2) on the basis
 1945 of the report filed by the municipality or county under Subsection (1); and

1946 (b) cancel a suspension under Subsection (2)(a).

1947 (3) The State Tax Commission shall notify the [~~advisory committee, before January 1, 2033~~]
 1948 Behavioral Health Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
 1949 July 1, 2029, of the balance of any undistributed money after the annual
 1950 distribution under Subsection 32B-2-404(5).

1951 (4)(a) Subject to the requirements of this Subsection (4), the [~~advisory committee, before~~
 1952 ~~January 1, 2033~~] Behavioral Health Commission, before July 1, 2029, or the
 1953 department, on or after [~~January 1, 2033~~] July 1, 2029, shall award the balance of
 1954 undistributed money under Subsection (3):

1955 (i) as prioritized by majority vote of the [~~advisory committee, before January 1, 2033~~]
 1956 Behavioral Health Commission, before July 1, 2029, or by the department, on or
 1957 after [~~January 1, 2033~~] July 1, 2029; and

1958 (ii) as grants to:

1959 (A) a county;

1960 (B) a municipality;

1961 (C) the department;

1962 (D) the Department of Health and Human Services;

1963 (E) the Department of Public Safety; or

1964 (F) the State Board of Education.

1965 (b) By not later than May 30 of the fiscal year of the appropriation, the [~~advisory~~
 1966 ~~committee, before January 1, 2033~~] Behavioral Health Commission, before July 1,

1967 2029, or the department, on or after [~~January 1, 2033~~] July 1, 2029, shall notify the
 1968 State Tax Commission of grants awarded under this Subsection (4).

1969 (c) The State Tax Commission shall make payments of a grant:

1970 (i) upon receiving notice as provided under Subsection (4)(b); and

1971 (ii) by not later than June 30 of the fiscal year of the appropriation.

1972 (d) An entity that receives a grant under this Subsection (4) shall use the grant money
 1973 exclusively for programs or projects described in Subsection 32B-2-403(2).

1974 Section 27. Section **32B-7-305** is amended to read:

1975 **32B-7-305 (Effective 05/06/26). Tracking of enforcement actions -- Costs of**
 1976 **enforcement actions.**

1977 (1) The Department of Public Safety shall administer a program to reimburse a municipal
 1978 or county law enforcement agency:

1979 (a) for the actual costs of an alcohol-related compliance check investigation conducted [
 1980 ~~pursuant to~~] in accordance with Section 77-39-101 on the premises of an off-premise
 1981 beer retailer;

1982 (b) for administrative costs associated with reporting the compliance check investigation
 1983 described in Subsection (1)(a);

1984 (c) if the municipal or county law enforcement agency completes and submits to the
 1985 Department of Public Safety a report within 90 days after the day on which the
 1986 compliance check investigation described in Subsection (1)(a) occurs in a format
 1987 required by the Department of Public Safety; and

1988 (d) in the order that the municipal or county law enforcement agency submits the report
 1989 required by Subsection (1)(c) until the amount allocated by the Department of Public
 1990 Safety to reimburse a municipal or county law enforcement agency is spent.

1991 (2) By no later than October 1 of each year, the Department of Public Safety shall report to
 1992 the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah Behavioral
 1993 Health Commission on the compliance check investigations:

1994 (a) funded during the previous fiscal year; and

1995 (b) reimbursed under Subsection (1).

1996 Section 28. Section **63C-18-202** is amended to read:

1997 **63C-18-202 (Effective 05/06/26) (Repealed 12/31/26). Committee established --**
 1998 **Members.**

1999 (1) As used in this section, "department" means the Department of Health and Human
 2000 Services created in Section 26B-1-201.

2001 ~~[(1)]~~ (2) Under the Utah Behavioral Health Commission created in Section 26B-5-702, there
2002 is created the Behavioral Health Crisis Response Committee~~[- composed of the~~
2003 ~~following members:]~~ .

2004 ~~[(a) the executive director of the Huntsman Mental Health Institute;]~~
2005 ~~[(b) the governor or the governor's designee;]~~
2006 ~~[(c) the director of the Office of Substance Use and Mental Health;]~~
2007 ~~[(d) one representative of the Office of the Attorney General, appointed by the attorney~~
2008 ~~general;]~~
2009 ~~[(e) the executive director of the Department of Health and Human Services or the~~
2010 ~~executive director's designee;]~~
2011 ~~[(f) one member of the public, appointed by the chair of the committee and approved by~~
2012 ~~the committee;]~~
2013 ~~[(g) two individuals who are mental or behavioral health clinicians licensed to practice~~
2014 ~~in the state, appointed by the chair of the committee and approved by the committee,~~
2015 ~~at least one of whom is an individual who:]~~
2016 ~~[(i) is licensed as a physician under:]~~

2017 ~~[(A) Title 58, Chapter 67, Utah Medical Practice Act;]~~
2018 ~~[(B) Title 58, Chapter 67b, Interstate Medical Licensure Compact; or]~~
2019 ~~[(C) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and]~~

2020 ~~[(ii) is board eligible for a psychiatry specialization recognized by the American~~
2021 ~~Board of Medical Specialists or the American Osteopathic Association's Bureau of~~
2022 ~~Osteopathic Specialists;]~~

2023 ~~[(h) one individual who represents a county of the first or second class, appointed by the~~
2024 ~~Utah Association of Counties;]~~

2025 ~~[(i) one individual who represents a county of the third, fourth, or fifth class, appointed~~
2026 ~~by the Utah Association of Counties;]~~

2027 ~~[(j) one individual who represents the Utah Hospital Association, appointed by the chair~~
2028 ~~of the committee;]~~

2029 ~~[(k) one individual who represents law enforcement, appointed by the chair of the~~
2030 ~~committee;]~~

2031 ~~[(l) one individual who has lived with a mental health disorder, appointed by the chair of~~
2032 ~~the committee;]~~

2033 ~~[(m) one individual who represents an integrated health care system that:]~~
2034 ~~[(i) is not affiliated with the chair of the committee; and]~~

- 2035 (ii) provides inpatient behavioral health services and emergency room services to
2036 individuals in the state;]
- 2037 ~~[(n) one individual who represents a Medicaid accountable care organization, as defined
2038 in Section 26B-3-219, with a statewide membership base;]~~
- 2039 ~~[(o) one individual who represents 911 call centers and public safety answering points,
2040 appointed by the chair of the committee;]~~
- 2041 ~~[(p) one individual who represents Emergency Medical Services, appointed by the chair
2042 of the committee;]~~
- 2043 ~~[(q) one individual who represents the mobile wireless service provider industry,
2044 appointed by the chair of the committee;]~~
- 2045 ~~[(r) one individual who represents rural telecommunications providers, appointed by the
2046 chair of the committee;]~~
- 2047 ~~[(s) one individual who represents voice over internet protocol and land line providers,
2048 appointed by the chair of the committee; and]~~
- 2049 ~~[(t) one individual who represents the Utah League of Cities and Towns, appointed by
2050 the Utah League of Cities and Towns.]~~
- 2051 (3) The department, in consultation with the Utah Behavioral Health Commission, shall
2052 make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
2053 Act, to establish the membership of the committee.
- 2054 ~~[(2)]~~ (4)(a) ~~[Except as provided in Subsection (2)(d), the executive director of the~~
2055 Huntsman Mental Health Institute is the chair of the committee.] The committee shall
2056 annually select one of the committee's members to serve as chair and two of the
2057 committee's members to serve as vice chairs.
- 2058 ~~[(b) The chair of the committee shall appoint a member of the committee to serve as the~~
2059 vice chair of the committee, with the approval of the committee.]
- 2060 ~~[(e)]~~ (b) The chair of the committee shall set the agenda for each committee meeting.
- 2061 ~~[(d) If the executive director of the Huntsman Mental Health Institute is not available to~~
2062 serve as the chair of the committee, the committee shall elect a chair from among the
2063 committee's members.]
- 2064 ~~[(3)]~~ (5)(a) A majority of the members of the committee constitutes a quorum.
- 2065 (b) The action of a majority of a quorum constitutes the action of the committee.
- 2066 ~~[(4)]~~ (6) A member may not receive compensation, benefits, per diem, or travel expenses for
2067 the member's service on the committee.
- 2068 ~~[(5)]~~ (7) The [Office of the Attorney General] Office of Substance Use and Mental Health

2069 shall provide staff support to the committee.

2070 Section 29. Section **63C-18-203** is amended to read:

2071 **63C-18-203 (Effective 05/06/26) (Repealed 12/31/26). Committee duties.**

2072 [(1) Under the direction of the Utah Behavioral Health Commission created in Section
2073 26B-5-702, the committee shall:]

2074 [(a) identify a method to integrate existing local mental health crisis lines to ensure each
2075 individual who accesses a local mental health crisis line is connected to a qualified
2076 mental or behavioral health professional, regardless of the time, date, or number of
2077 individuals trying to simultaneously access the local mental health crisis line;]

2078 [(b) study how to establish and implement a statewide mental health crisis line and a
2079 statewide warm line, including identifying:]

2080 [(i) a statewide phone number or other means for an individual to easily access the
2081 statewide mental health crisis line, including a short code for text messaging and a
2082 three-digit number for calls;]

2083 [(ii) a statewide phone number or other means for an individual to easily access the
2084 statewide warm line, including a short code for text messaging and a three-digit
2085 number for calls;]

2086 [(iii) a supply of:]

2087 [(A) qualified mental or behavioral health professionals to staff the statewide
2088 mental health crisis line; and]

2089 [(B) qualified mental or behavioral health professionals or certified peer support
2090 specialists to staff the statewide warm line; and]

2091 [(iv) a funding mechanism to operate and maintain the statewide mental health crisis
2092 line and the statewide warm line;]

2093 [(e) coordinate with local mental health authorities in fulfilling the committee's duties
2094 described in Subsections (1)(a) and (b);]

2095 [(d) recommend standards for the certifications described in Section 26B-5-610; and]

2096 [(e) coordinate services provided by local mental health crisis lines and mobile crisis
2097 outreach teams, as defined in Section 62A-15-1401.]

2098 [(2)] (1) The committee shall study and make recommendations regarding:

2099 [(a) crisis line practices and needs, including:]

2100 [(i) quality and timeliness of service;]

2101 [(ii) service volume projections;]

2102 [(iii) a statewide assessment of crisis line staffing needs, including required

2103 certifications; and]

2104 [~~(iv)~~ a statewide assessment of technology needs;]

2105 [~~(b)~~ primary duties performed by crisis line workers;]

2106 [~~(e)~~ coordination or redistribution of secondary duties performed by crisis line workers,

2107 including responding to non-emergency calls;]

2108 [~~(d)~~ (a) operating the statewide 988 hotline:

2109 (i) in accordance with federal law;

2110 (ii) to ensure the efficient and effective routing of calls to an appropriate crisis center;

2111 and

2112 (iii) to directly respond to calls with trained personnel and the provision of acute

2113 mental health, crisis outreach, and stabilization services;

2114 [~~(e)~~ (b) opportunities to increase operational and technological efficiencies and

2115 effectiveness between 988 and 911, utilizing current technology;

2116 [~~(f)~~ (c) needs for interoperability partnerships and policies related to 911 call transfers

2117 and public safety responses;

2118 [~~(g)~~ (d) standards for statewide mobile crisis outreach teams, including:

2119 (i) current models and projected needs;

2120 (ii) quality and timeliness of service;

2121 (iii) hospital and jail diversions; and

2122 (iv) staffing and certification;

2123 [~~(h)~~ (e) resource centers, including:

2124 (i) current models and projected needs; and

2125 (ii) quality and timeliness of service;

2126 [~~(i)~~ (f) policy considerations related to whether the state should:

2127 (i) manage, operate, and pay for a complete behavioral health system; or

2128 (ii) create partnerships with private industry; and

2129 [~~(j)~~ (g) sustainable funding source alternatives, including:

2130 (i) charging a 988 fee, including a recommendation on the fee amount;

2131 (ii) General Fund appropriations;

2132 (iii) other government funding options;

2133 (iv) private funding sources;

2134 (v) grants;

2135 (vi) insurance partnerships, including coverage for support and treatment after initial

2136 call and triage; and

2137 (vii) other funding resources.

2138 (2) The committee shall monitor the effectiveness, quality, volume, and efficiency of the
2139 statewide 988 crisis line.

2140 (3) The committee shall monitor crisis services throughout the state and make
2141 recommendations for strategies for the expansion and continuous improvement of
2142 quality standards for crisis services.

2143 [~~3~~] (4) The committee may conduct other business related to the committee's duties
2144 described in this section.

2145 [~~4~~] (5) The committee shall consult with the Office of Substance Use and Mental Health
2146 and make recommendations to the Utah Behavioral Health Commission regarding:

2147 (a) the standards and operation of the statewide mental health crisis line and the
2148 statewide warm line, in accordance with Section 26B-5-610; and

2149 (b) the incorporation of the statewide mental health crisis line and the statewide warm
2150 line into behavioral health systems throughout the state.

2151 Section 30. Section **63I-1-226** is amended to read:

2152 **63I-1-226 (Effective 05/06/26). Repeal dates: Titles 26 through 26B.**

2153 (1) Subsection 26B-1-204(2)(g), regarding the Youth Electronic Cigarette, Marijuana, and
2154 Other Drug Prevention Committee, is repealed July 1, 2030.

2155 (2) Subsection 26B-1-204(2)(h), regarding the Primary Care Grant Committee, is repealed
2156 July 1, 2035.

2157 (3) Section 26B-1-315, Medicaid ACA Fund, is repealed July 1, 2034.

2158 (4) Section 26B-1-318, Brain and Spinal Cord Injury Fund, is repealed July 1, 2029.

2159 (5) Section 26B-1-402, Rare Disease Advisory Council Grant Program -- Creation --
2160 Reporting, is repealed July 1, 2026.

2161 (6) Section 26B-1-409, Utah Digital Health Service Commission -- Creation -- Membership
2162 -- Duties, is repealed July 1, 2025.

2163 (7) Section 26B-1-410, Primary Care Grant Committee, is repealed July 1, 2035.

2164 (8) Section 26B-1-417, Brain and Spinal Cord Injury Advisory Committee -- Membership
2165 -- Duties, is repealed July 1, 2029.

2166 (9) Section 26B-1-422, Early Childhood Utah Advisory Council -- Creation --
2167 Compensation -- Duties, is repealed July 1, 2029.

2168 (10) Section 26B-1-425, Utah Health Workforce Advisory Council -- Creation and
2169 membership, is repealed July 1, 2027.

2170 (11) Section 26B-1-428, Youth Electronic Cigarette, Marijuana, and Other Drug Prevention

- 2171 Committee and Program -- Creation -- Membership -- Duties, is repealed July 1, 2030.
- 2172 (12) Section 26B-1-430, Coordinating Council for Persons with Disabilities -- Policy
2173 regarding services to individuals with disabilities -- Creation -- Membership --
2174 Expenses, is repealed July 1, 2027.
- 2175 (13) Section 26B-1-432, Newborn Hearing Screening Committee, is repealed July 1, 2026.
- 2176 (14) Section 26B-2-407, Drinking water quality in child care centers, is repealed July 1,
2177 2027.
- 2178 (15) Subsection 26B-3-107(9), regarding reimbursement for dental hygienists, is repealed
2179 July 1, 2028.
- 2180 (16) Section 26B-3-136, Children's Health Care Coverage Program, is repealed July 1, 2025.
- 2181 (17) Section 26B-3-137, Reimbursement for diabetes prevention program, is repealed June
2182 30, 2027.
- 2183 (18) Subsection 26B-3-213(2)(b), regarding consultation with the Behavioral Health Crisis
2184 Response Committee, is repealed December 31, 2026.
- 2185 (19) Section 26B-3-302, DUR Board -- Creation and membership -- Expenses, is repealed
2186 July 1, 2027.
- 2187 (20) Section 26B-3-303, DUR Board -- Responsibilities, is repealed July 1, 2027.
- 2188 (21) Section 26B-3-304, Confidentiality of records, is repealed July 1, 2027.
- 2189 (22) Section 26B-3-305, Drug prior approval program, is repealed July 1, 2027.
- 2190 (23) Section 26B-3-306, Advisory committees, is repealed July 1, 2027.
- 2191 (24) Section 26B-3-307, Retrospective and prospective DUR, is repealed July 1, 2027.
- 2192 (25) Section 26B-3-308, Penalties, is repealed July 1, 2027.
- 2193 (26) Section 26B-3-309, Immunity, is repealed July 1, 2027.
- 2194 (27) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2034.
- 2195 (28) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed
2196 July 1, 2034.
- 2197 (29) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 2198 (30) Section 26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility
2199 Expendable Revenue Fund, is repealed July 1, 2028.
- 2200 (31) Section 26B-4-710, Rural residency training program, is repealed July 1, 2025.
- 2201 (32) Subsection 26B-5-112(1)(b), regarding consultation with the Behavioral Health Crisis
2202 Response Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2203 (33) Subsection 26B-5-112(5)(b), regarding consultation with the Behavioral Health Crisis
2204 Response Committee, is repealed [~~December 31, 2026~~] July 1, 2029.

- 2205 (34) Section 26B-5-112.5, Mobile Crisis Outreach Team Grant Program, is repealed
 2206 December 31, 2026.
- 2207 (35) Section 26B-5-114, Behavioral Health Receiving Center Grant Program, is repealed [
 2208 ~~December 31, 2026~~] July 1, 2029.
- 2209 (36) Section 26B-5-118, Collaborative care grant program, is repealed December 31, 2024.
- 2210 (37) Section 26B-5-120, Virtual crisis outreach team grant program, is repealed December
 2211 31, 2026.
- 2212 (38) Subsection 26B-5-609(1)(a), regarding the Behavioral Health Crisis Response
 2213 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2214 (39) Subsection 26B-5-609(3)(b), regarding the Behavioral Health Crisis Response
 2215 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2216 (40) Subsection 26B-5-610(1)(b), regarding the Behavioral Health Crisis Response
 2217 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2218 (41) Subsection 26B-5-610(2)(b)(ii), regarding the Behavioral Health Crisis Response
 2219 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2220 (42) Section 26B-5-612, Integrated behavioral health care grant programs, is repealed
 2221 December 31, 2025.
- 2222 (43) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed July 1,
 2223 2029.
- 2224 (44) Subsection 26B-5-704(2)(a), regarding the Behavioral Health Crisis Response
 2225 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2226 (45) Title 26B, Chapter 5, Part 8, Utah [~~Substance Use and Mental Health Advisory~~]
 2227 Behavioral Health Policy Review Committee, is repealed [~~January 1, 2033~~] July 1, 2029.
- 2228 (46) Section 26B-7-119, Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 2229 (47) Section 26B-7-122, Communication Habits to reduce Adolescent Threats Pilot
 2230 Program, is repealed July 1, 2029.
- 2231 (48) Section 26B-7-123, Report on CHAT campaign, is repealed July 1, 2029.
- 2232 (49) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, 2026.
 2233 Section 31. Section **63I-1-232** is amended to read:
 2234 **63I-1-232 (Effective 05/06/26). Repeal dates: Title 32B.**
- 2235 [(1) Subsection 32B-2-306(1)(a), regarding the Utah Substance Use and Mental Health
 2236 Advisory Committee, is repealed January 1, 2033.]
- 2237 [(2) Subsection 32B-2-306(4)(a), regarding a duty of the Utah Substance Use and Mental
 2238 Health Advisory Committee, is repealed January 1, 2033.]

- 2239 [~~(3) Subsection 32B-2-306(5)(b), regarding a submission to the Utah Substance Use and~~
 2240 ~~Mental Health Advisory Committee, is repealed January 1, 2033.~~]
- 2241 [~~(4) Subsection 32B-2-402(1)(b), regarding the Utah Substance Use and Mental Health~~
 2242 ~~Advisory Committee, is repealed January 1, 2033.~~] Reserved.
- 2243 Section 32. Section **63I-1-263** is amended to read:
- 2244 **63I-1-263 (Effective 05/06/26). Repeal dates: Titles 63A to 63O.**
- 2245 (1) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,
 2246 2028.
- 2247 (2) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed [
 2248 ~~December 31, 2026~~] July 1, 2029.
- 2249 (3) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.
- 2250 (4) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 2251 (5) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 2252 (6) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed July
 2253 1, 2028.
- 2254 (7) Section 63G-6a-805, Purchase from community rehabilitation programs, is repealed
 2255 July 1, 2026.
- 2256 (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2028.
- 2257 (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2029.
- 2258 (10) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce
 2259 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.
- 2260 (11) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is
 2261 repealed January 1, 2025.
- 2262 (12) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2027.
- 2263 (13) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
 2264 repealed July 1, 2027.
- 2265 (14) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is
 2266 repealed July 1, 2027.
- 2267 (15) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses, is
 2268 repealed July 1, 2029.
- 2269 (16) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 2270 (17) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 2271 (18) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is
 2272 repealed July 1, 2030.

- 2273 (19) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.
- 2274 (20) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July
2275 1, 2027.
- 2276 (21) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
2277 repealed July 1, 2028.
- 2278 (22) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed July
2279 1, 2028.
- 2280 (23) Section 63N-4-804, Rural Opportunity Advisory Committee, is repealed July 1, 2027.
- 2281 (24) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion Program, is
2282 repealed July 1, 2028.
- 2283 (25) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is repealed
2284 July 1, 2030.
- 2285 (26) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of Tourism
2286 to receive approval from the Board of Tourism Development, is repealed July 1, 2030.
- 2287 (27) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1, 2030.
2288 Section 33. Section **64-13-45** is amended to read:
- 2289 **64-13-45 (Effective 05/06/26). Department reporting requirements.**
- 2290 (1) As used in this section:
- 2291 (a) "Biological sex at birth" means the same as that term is defined in Section 26B-8-101.
- 2292 (b)(i) "In-custody death" means an inmate death that occurs while the inmate is in the
2293 custody of the department.
- 2294 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:
- 2295 (A) being transported for medical care; or
- 2296 (B) receiving medical care outside of a correctional facility, other than a county
2297 jail.
- 2298 (c) "Inmate" means an individual who is processed or booked into custody or housed in
2299 the department or a correctional facility other than a county jail.
- 2300 (d) "Opiate" means the same as that term is defined in Section 58-37-2.
- 2301 (e) "Transgender inmate" means the same as that term is defined in Section 64-13-7.
- 2302 (2) The department shall submit a report to the Commission on Criminal and Juvenile
2303 Justice created in Section 63M-7-201 before June 15 of each year that includes:
- 2304 (a) the number of in-custody deaths that occurred during the preceding calendar year,
2305 including:
- 2306 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors

- 2307 of each of the in-custody deaths described in this Subsection (2)(a); and
- 2308 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
- 2309 in-custody death;
- 2310 (b) the department policies, procedures, and protocols:
- 2311 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
- 2312 including use of opiates;
- 2313 (ii) that relate to the department's provision, or lack of provision, of medications used
- 2314 to treat, mitigate, or address an inmate's symptoms of withdrawal, including
- 2315 methadone and all forms of buprenorphine and naltrexone; and
- 2316 (iii) that relate to screening, assessment, and treatment of an inmate for a substance
- 2317 use disorder or mental health disorder;
- 2318 (c) the number of inmates who gave birth and were restrained in accordance with
- 2319 Section 64-13-46, including:
- 2320 (i) the types of restraints used; and
- 2321 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
- 2322 inmate, medical or corrections staff, or the public;
- 2323 (d) the number of transgender inmates that are assigned to a living area with inmates
- 2324 whose biological sex at birth do not correspond with the transgender inmate's
- 2325 biological sex at birth in accordance with Section 64-13-7, including:
- 2326 (i) the results of the individualized security analysis conducted for each transgender
- 2327 inmate in accordance with Subsection 64-13-7(5)(a); and
- 2328 (ii) a detailed explanation regarding how the security conditions described in
- 2329 Subsection 64-13-7(5)(b) are met for each transgender inmate;
- 2330 (e) the number of transgender inmates that were:
- 2331 (i) assigned to a living area with inmates whose biological sex at birth do not
- 2332 correspond with the transgender inmate's biological sex at birth; and
- 2333 (ii) removed and assigned to a living area with inmates whose biological sex at birth
- 2334 corresponds with the transgender inmate's biological sex at birth in accordance
- 2335 with Subsection 64-13-7(6); and
- 2336 (f) any report the department provides or is required to provide under federal law or
- 2337 regulation relating to inmate deaths.
- 2338 (3) The Commission on Criminal and Juvenile Justice shall:
- 2339 (a) compile the information from the reports described in Subsection (2);
- 2340 (b) omit or redact any identifying information of an inmate in the compilation to the

2341 extent omission or redaction is necessary to comply with state and federal law[-]; and
 2342 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
 2343 Committee and the [~~Utah Substance Use and Mental Health Advisory Committee~~]
 2344 Utah Behavioral Health Commission before November 1 of each year.

2345 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use the
 2346 department's policies, procedures, or protocols submitted under this section in a manner
 2347 or for a purpose not described in this section.

2348 **Section 34. FY 2027 Appropriations.**

2349 The following sums of money are appropriated for the fiscal year beginning July 1,
 2350 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
 2351 fiscal year 2027.

2352 **Subsection 34(a). Operating and Capital Budgets**

2353 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 2354 Legislature appropriates the following sums of money from the funds or accounts indicated for
 2355 the use and support of the government of the state of Utah.

2356 ITEM 1 To Department of Health and Human Services - Clinical Services

2357 From General Fund 300,000

2358 Schedule of Programs:

2359 Medical Examiner 300,000

2360 The Legislature intends that the Department of
 2361 Health and Human Services use the appropriation in this
 2362 item to fund a family outreach specialist at the Office of
 2363 the Medical Examiner.

2364 ITEM 2 To Department of Health and Human Services - Integrated Health Care Services

2365 From General Fund 450,000

2366 Schedule of Programs:

2367 Non-Medicaid Behavioral Health Treatment and
 2368 Crisis Response 450,000

2369 The Legislature intends that the Department of
 2370 Health and Human Services use:

2371 (1) \$200,000 ongoing appropriation for the
 2372 Behavioral Health Receiving Center Grant Program
 2373 described in Section 26B-5-114.

2374 (2) \$100,000 ongoing appropriation for the

2375 community-based peer support services grant program
2376 created in Section 26B-5-122.
2377 (3) \$50,000 ongoing appropriation for suicide
2378 prevention training under Section 26B-5-611.
2379 (4) \$100,000 ongoing appropriation to increase
2380 Medicaid rates for collaborative care codes.

2381 Section 35. **Effective Date.**

2382 This bill takes effect on May 6, 2026.