

1 **MURDERED AND MISSING INDIGENOUS WOMEN AND GIRLS**

2 **TASK FORCE**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5
6 **LONG TITLE**

7 **General Description:**

8 This bill creates the Murdered and Missing Indigenous Women and Girls Task Force
9 (task force).

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates the task force, addressing:
 - 13 • membership;
 - 14 • quorum requirements; and
 - 15 • compensation for task force members;
- 16 ▶ requires the Office of Legislative Research and General Counsel to staff the task
17 force; and
- 18 ▶ specifies duties of the task force.

19 **Money Appropriated in this Bill:**

20 This bill appropriates in fiscal year 2022:

- 21 ▶ to the Legislature - Senate as an appropriation:
 - 22 • from the General Fund, \$3,200;
- 23 ▶ to the Legislature - House of Representatives as an appropriation:
 - 24 • from the General Fund, \$3,200;
- 25 ▶ to the Legislature - Office of Legislative Research and General Counsel as an
26 appropriation:
 - 27 • from the General Fund, \$2,800.

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 This bill provides a repeal date.

31 **Utah Code Sections Affected:**

32 ENACTS:

33 **36-29-107.5**, Utah Code Annotated 1953

34

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

36 Section 1. Section **36-29-107.5** is enacted to read:

37 **36-29-107.5. Murdered and Missing Indigenous Women and Girls Task Force --**
38 **Creation -- Membership --Quorum -- Compensation -- Staff -- Vacancies -- Duties --**
39 **Interim report.**

40 (1) As used in this section, "task force" means the Murdered and Missing Indigenous
41 Women and Girls Task Force created in Subsection (2).

42 (2) There is created the Murdered and Missing Indigenous Women and Girls Task
43 Force consisting of the following nine members:

44 (a) one member of the Senate appointed by the president of the Senate;

45 (b) one member of the House of Representatives appointed by the speaker of the House
46 of Representatives;

47 (c) the following three members, appointed jointly by the president of the Senate and
48 the speaker of the House of Representatives:

49 (i) a member of a nonprofit organization primarily serving Utah's Native American
50 community;

51 (ii) a representative of a Utah Native American tribe; and

52 (iii) a representative of a victim advocate organization serving Utah's Native American
53 population;

54 (d) the director of the Division of Indian Affairs, or the director's designee;

55 (e) the executive director of the Department of Human Services, or the executive
56 director's designee;

57 (f) the attorney general, or the attorney general's designee; and

58 (g) the commissioner of public safety for the Department of Public Safety, or the
59 commissioner's designee.

60 (3) A vacancy in a position appointed under Subsection (2)(a), (b), or (c) shall be filled
61 by appointing a replacement member in the same manner as the member creating the vacancy
62 was appointed under Subsection (2)(a), (b), or (c).

63 (4) (a) The member of the Senate appointed under Subsection (2)(a) is a cochair of the
64 task force.

65 (b) The member of the House of Representatives appointed under Subsection (2)(b) is
66 a cochair of the task force.

67 (5) (a) A quorum consists of five members.

68 (b) The action of a majority of a quorum constitutes an action of the task force.

69 (6) (a) Salaries and expenses of the members of the task force who are legislators shall
70 be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3,
71 Legislator Compensation.

72 (b) A member of the task force who is not a legislator:

73 (i) may not receive compensation or benefits for the member's service associated with
74 the task force; and

75 (ii) may receive per diem and travel expenses incurred as a member of the task force at
76 the rates the Division of Finance establishes in accordance with:

77 (A) Sections 63A-3-106 and 63A-3-107; and

78 (B) rules the Division of Finance makes in accordance with Title 63G, Chapter 3, Utah
79 Administrative Rulemaking Act, to carry out the provisions of Sections 63A-3-106 and
80 63A-3-107.

81 (7) The Office of Legislative Research and General Counsel shall provide staff support
82 to the task force.

83 (8) The task force shall:

84 (a) conduct appropriate consultations with tribal governments on the scope and nature
85 of the issues regarding murdered and missing indigenous women and girls;

86 (b) develop model protocols and procedures to apply to new and unsolved cases of
87 murdered or missing indigenous women and girls, including the best practices for:

88 (i) improving the way law enforcement investigators and prosecutors respond to the
89 high volume of the cases, and to the investigative challenges that might be presented in cases
90 involving female victims;

91 (ii) collecting and sharing data among various jurisdictions and law enforcement
92 agencies; and

93 (iii) better use of existing criminal databases;

94 (c) seek input from multi-disciplinary and multi-jurisdictional persons, including
95 representatives from tribal law enforcement and federal agencies, about how to review cold
96 cases involving murdered and missing indigenous women and girls; and

97 (d) address the need for greater clarity concerning roles, authorities, and jurisdiction
98 throughout the lifecycle of cases involving murdered and missing indigenous women and girls
99 by discussing:

100 (i) best practices in cases involving murdered and missing indigenous women and girls,
101 including best practices related to communication with affected families from initiation of an
102 investigation through case resolution or closure; and

103 (ii) education and outreach campaigns for communities that are most affected by crime
104 resulting in murdered and missing indigenous women and girls to identify and reduce the
105 crime.

106 (9) (a) On or before November 30, 2023, the task force shall provide a report to the
107 Law Enforcement and Criminal Justice Interim Committee.

108 (b) The report described in Subsection (9)(a) shall include a summary of the task
109 force's findings under Subsection (8) and recommendations for improvements in the criminal
110 justice and social service systems for preventing and addressing crimes involving murdered and
111 missing indigenous women and girls in the state.

112 Section 2. **Appropriation.**

113 The following sums of money are appropriated for the fiscal year beginning July 1,
114 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for
115 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
116 Act, the Legislature appropriates the following sums of money from the funds or accounts
117 indicated for the use and support of the government of the state of Utah.

118 ITEM 1

119 To Legislature - Senate

120 From General Fund \$3,200

121 Schedule of Programs:

122 Administration \$3,200

123 ITEM 2

124 To Legislature - House of Representatives

125	<u>From General Fund</u>	<u>\$3,200</u>
126	<u>Schedule of Programs:</u>	
127	<u>Administration</u>	<u>\$3,200</u>

128 ITEM 3

129	<u>To Legislature - Office of Legislative Research and General Counsel</u>	
130	<u>From General Fund</u>	<u>\$2,800</u>
131	<u>Schedule of Programs:</u>	
132	<u>Administration</u>	<u>\$2,800</u>

133 The Legislature intends that an appropriation provided under these items be used for
 134 expenses relating to the Murdered and Missing Indigenous Women and Girls Task Force as
 135 described in Section 36-29-107.5.

136 Section 3. **Effective date.**

137 If approved by two-thirds of all the members elected to each house, this bill takes effect
 138 upon approval by the governor, or the day following the constitutional time limit of Utah
 139 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
 140 the date of veto override.

141 Section 4. **Repeal date.**

142 Section 36-29-107.5 is repealed on November 30, 2023.