

Draft Comparison

{deleted text} shows text that was in the 11-13-23 draft but deleted in the 11-30-23 draft

inserted text shows text that was not in the 11-13-23 draft but was inserted into the 11-30-23 draft

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the comparison program; bad input data; or other causes.

School Safety Amendments

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Sponsor:

LONG TITLE

General Description:

This bill establishes a system for school safety incidents.

Highlighted Provisions:

This bill:

- requires key boxes for buildings with restricted access to have secure accountability procedures for keys;
- amends the International Fire Code;
- requires certain state buildings and schools to have emergency communication systems;
- requires school resource officer training to be developed by the state security chief;
- establishes duties of the state security chief and a county security chief in relation to school safety initiatives;
- establishes a school guardian program;
- requires threat reporting by state employees and others if they become aware of threats to schools;
- establishes some reporting from the SafeUT Crisis Line to the state's intelligence databases;

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24 ▸ requires certain school safety data to be included in the annual school disciplinary report;
25 ▸ expands requirements for school resource officer contracts and policies;
26 ▸ requires designation of certain school safety personnel;
27 ▸ requires panic alert devices and video camera access for schools and classrooms;
28 ▸ requires coordination of emergency call information with the state's intelligence system;
29 ▸ amends process for secure firearm storage under certain circumstances to include school
guardians; and

31 ▸ makes technical changes.

32 None

34 Other Special Clauses:

35 None

37 AMENDS:

38 **15A-5-203**, , as last amended by Laws of Utah 2023, Chapters 95, 327

39 **15A-5-205.5**, , as last amended by Laws of Utah 2023, Chapter 95

40 **17-22-2**, , as last amended by Laws of Utah 2023, Chapter 15

41 **53-10-302**, , as last amended by Laws of Utah 2016, Chapter 302

42 **53-22-101**, , as enacted by Laws of Utah 2023, Chapter 383

43 **53-22-102**, , as enacted by Laws of Utah 2023, Chapter 383

44 **53-22-103**, , as enacted by Laws of Utah 2023, Chapter 383

45 **53B-17-1202**, , as renumbered and amended by Laws of Utah 2019, Chapter 446

46 **53B-17-1204**, , as last amended by Laws of Utah 2020, Chapter 365

47 **53E-3-516**, , as last amended by Laws of Utah 2023, Chapters 115, 161

48 **53E-3-518**, , as last amended by Laws of Utah 2023, Chapter 70

49 **53E-3-702**, , as last amended by Laws of Utah 2019, Chapter 186

50 **53E-3-706**, , as last amended by Laws of Utah 2022, Chapter 421

51 **53F-4-207**, , as last amended by Laws of Utah 2022, Chapter 208

52 **53G-6-806**, , as enacted by Laws of Utah 2023, Chapter 70

53 **53G-8-213**, , as enacted by Laws of Utah 2023, Chapter 161

54 **53G-8-701**, , as last amended by Laws of Utah 2023, Chapter 383

55 **53G-8-701.5**, , as enacted by Laws of Utah 2023, Chapter 383

56 **53G-8-702**, , as last amended by Laws of Utah 2023, Chapter 383

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57 **53G-8-703**, , as last amended by Laws of Utah 2023, Chapter 383
58 **53G-8-703.2**, , as enacted by Laws of Utah 2023, Chapter 383
59 **53G-8-801**, , as enacted by Laws of Utah 2019, Chapter 441
60 **53G-8-802**, , as last amended by Laws of Utah 2023, Chapters 328, 383
61 **53G-8-803**, , as enacted by Laws of Utah 2023, Chapter 390
62 **63H-7a-103**, , as last amended by Laws of Utah 2020, Chapter 368
63 **63H-7a-208**, , as last amended by Laws of Utah 2020, Chapter 368
64 **76-10-505.5**, , as last amended by Laws of Utah 2021, Chapter 141

65 ENACTS:

66 **53-22-105**, , as Utah Code Annotated 1953
67 **53-22-106**, , as Utah Code Annotated 1953
68 **53G-8-701.6**, , as Utah Code Annotated 1953
69 **53G-8-701.7**, , as Utah Code Annotated 1953
70 **53G-8-701.8**, , as Utah Code Annotated 1953
71 **53G-8-704**, , as Utah Code Annotated 1953
72 **53G-8-805**, , as Utah Code Annotated 1953

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

75 Section 1. Section **15A-5-203** is amended to read:

76 **15A-5-203. Amendments and additions to IFC related to fire safety, building, and site requirements.**

78 (1) For IFC, Chapter 5, Fire Service Features:

79 (a) In IFC, Chapter 5, a new Section 501.5, Access grade and fire flow, is added as follows: "An authority having jurisdiction over a structure built in accordance with the requirements of the International Residential Code as adopted in the State Construction Code, may require an automatic fire sprinkler system for the structure only by ordinance and only if any of the following conditions exist:

84 (i) the structure:

85 (A) is located in an urban-wildland interface area as provided in the Utah Wildland Urban Interface Code adopted as a construction code under the State Construction Code; and

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(B) does not meet the requirements described in Utah Code, Subsection 65A-8-203(4)(a) and Utah Administrative Code, R652-122-1300, Minimum Standards for County Wildland Fire Ordinance;

- 91 (ii) the structure is in an area where a public water distribution system with fire ydrants does not
exist as required in Utah Administrative Code, R309-550-5, Water Main Design;
- 94 (iii) the only fire apparatus access road has a grade greater than 10% for more than 500 continual
feet;
- 96 (iv) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds
10,000 square feet; or
- 98 (v) the total floor area of all floor levels within the exterior walls of the dwelling unit is double the
average of the total floor area of all floor levels of unsprinkled homes in the subdivision that are
no larger than 10,000 square feet.
- 101 (vi) Exception: A single family dwelling does not require a fire sprinkler system if the dwelling:
103 (A) is located outside the wildland urban interface;
104 (B) is built in a one-lot subdivision; and
105 (C) has 50 feet of defensible space on all sides that limits the propensity of fire spreading from
the dwelling to another property."
- 107 (b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as ollows: "Where
access to or within a structure or an area is restricted because of secured openings or where
immediate access is necessary for life-saving or fire-fighting purposes, the fire code official,
after consultation with the building owner, may require a key box to be installed in an approved
location. The key box shall contain keys to gain necessary access as required by the fire code
official. For each fire jurisdiction that has at least one building with a required key box, the fire
jurisdiction shall adopt an ordinance, resolution, or other operating rule or policy that creates a
process to ensure that each key to each key box is properly accounted for and secure."
- 117 (c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings, is added
as follows: "Fire flow may be reduced for an isolated one- and two-family dwelling when the
authority having jurisdiction over the dwelling determines that the development of a full fire-flow
requirement is impractical."
- 121 (d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as follows:
122 "507.1.2 Pre-existing subdivision lots.

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- 123 The requirements for a pre-existing subdivision lot shall not exceed the requirements
described in Section 501.5."
- 125 (e) In IFC, Chapter 5, Section 507.5.1, here required, a new exception is added: "3. One interior and
one detached accessory dwelling unit on a single residential lot."
- 127 (f) IFC, Chapter 5, Section 510.1, Emergency responder communication coverage in new buildings, is
amended by adding: "When required by the fire code official, unless the new building is a public
school as the term is defined in Section 53G-9-205.1 or a private school, then the fire code official
shall require," at the beginning of the first paragraph.
- 131 (2) For IFC, Chapter 6, Building Services and Systems:
- 132 (a) IFC, Chapter 6, Section 604.6.1, Elevator key location, is deleted and rewritten as follows:
"Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key box or similar box
with corresponding key system that is adjacent to the elevator for immediate use by the fire
department. The key box shall contain one key for each elevator, one key for lobby control, and
any other keys necessary for emergency service. The elevator key box shall be accessed using a
6049 numbered key."
- 138 (b) IFC, Chapter 6, Section 606.1, General, is amended as follows: On line three, after the word
"Code", add the words "and NFPA 96".
- 140 (c) IFC, Chapter 6, Section 607.2, a new exception 5 is added as follows: "5. A Type 1 hood is not
required for a cooking appliance in a microenterprise home kitchen, as that term is defined in Utah
Code, Section 26B-7-401, for which the operator obtains a permit in accordance with Utah Code,
Title 26, Chapter 15c, Microenterprise Home Kitchen Act."
- 145 (3) For IFC, Chapter 7, Fire and Smoke Protection Features, IFC, Chapter 7, Section 705.2, is amended
to add the following: "Exception: In Group E Occupancies, where the corridor serves an occupant
load greater than 30 and the building does not have an automatic fire sprinkler system installed, the
door closers may be of the friction hold-open type on classrooms' doors with a rating of 20 minutes
or less only."
- 151 Section 2. Section **15A-5-205.5** is amended to read:
- 152 **15A-5-205.5. Amendments to Chapters 11 and 12 of IFC.**
- 152 (1) For IFC, Chapter 11, Construction Requirements for Existing Buildings:
- 153 (a) IFC, Chapter 11, Section 1103.2, Emergency Responder Communication Coverage in Existing
Buildings, is amended as follows: On line two after the title, the following is added: "When

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required by the fire code official, unless the existing building is a public school as the term is defined in Section 53G-9-205.1 or a private school, then the fire code official shall require,".

(b) IFC, Chapter 11, Section 1103.5.1, Group A-2, is deleted and replaced with the following:

"1103.5.1 Group A-2. An automatic fire sprinkler system shall be provided throughout existing Group A-2 occupancies where indoor pyrotechnics are used."

(c) IFC, Chapter 11, Section 1103.6, Standpipes, is deleted.

(d) IFC, Chapter 11, 1103.7, Fire Alarm Systems, is deleted and rewritten as follows: "1103.7, Fire Alarm Systems. The following shall have an approved fire alarm system installed in accordance with Utah Administrative Code, R710-4, Buildings Under the Jurisdiction of the Utah Fire Prevention Board:

1. a building with an occupant load of 300 or more persons that is owned or operated by the state;

2. a building with an occupant load of 300 or more persons that is owned or operated by an institution of higher education; and

3. a building with an occupant load of 50 or more persons that is owned or operated by a school district, private school, or charter school.

Exception: the requirements of this section do not apply to a building designated as an Institutional Group I (as defined in IFC 202) occupancy."

(e) IFC, Chapter 11, 1103.7.1 Group E, 1103.7.2 Group I-1, 1103.7.3 Group I-2, 1103.7.4 Group I-3, 1103.7.5 Group R-1, 1103.7.5.1 Group R-1 hotel and motel manual fire alarm system, 1103.7.5.1.1 Group R-1 hotel and motel automatic smoke detection system, 1103.7.5.2 Group R-1 boarding and rooming houses manual fire alarm system, 1103.7.5.2.1 Group R-1 boarding and rooming houses automatic smoke detection system, 1103.7.6 Group R-2 are deleted.

(f) IFC, Chapter 11, Section 1103.5.4, High-rise buildings, is amended as follows: On line two, delete "not been adopted" and replace with "been adopted."

(g) IFC, Chapter 11, Section 1103.9, Carbon monoxide alarms, is deleted and rewritten as follows:

"1103.9 Carbon Monoxide Detection.

Existing Groups E, I-1, I-2, I-4, and R occupancies shall be equipped with carbon monoxide detection in accordance with Section 915."

(2) For IFC, Chapter 12, Energy Systems:

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- (a) Delete the section title "1205.2.1 Solar photovoltaic systems for Group R-3 uildings" and replace with the section title "1205.2.1 Solar photovoltaic systems for Group R-3 and buildings constructed in accordance with IRC."
- 190 (b) Section 1205.2.1, Solar photovoltaic systems for Group R-3 buildings, Exception 1 is deleted, Exception 2 is renumbered to 1 and a second exception is added as follows: "2. Reduction in pathways and clear access width are permitted where a rational approach has been used and the reduction is warranted and approved by the Fire Code Official."
- 195 (c) Section 1205.3.1 Perimeter pathways, and 1205.3.2 Interior pathways, are deleted and rewritten as follows: "1204.3.1 Perimeter pathways. There shall be a minimum three foot wide (914 mm) clear perimeter around the edges of the roof. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:
- 199 1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.
- 201 2. The centerline axis pathways shall be provided in both axes of the roof. Centerline axis pathways shall run where the roof structure is capable of supporting the live load of fire fighters accessing the roof.
- 204 3. Smoke and heat vents required by Section 910.2.1 or 910.2.2 shall be provided with a clear pathway width of not less than three feet (914 mm) to the vents.
- 206 4. Access to roof area required by Section 504.3 or 1011.12 shall be provided with a clear pathway width of not less than three feet (914 mm) around access opening and at least three feet (914 mm) clear pathway to parapet or roof edge."
- 209 (d) Section 1205.3.3, Smoke ventilation, is deleted and rewritten as follows: "1205.3.2, Smoke ventilation. The solar installation shall be designed to meet the following requirements:
- 211 1. Arrays shall be no greater than 150 feet (45720 mm) by 150 feet (45720 mm) in distance in either axis in order to create opportunities for fire department smoke ventilation operations.
- 213 2. Smoke ventilation options between array sections shall be one of the following:
- 214 2.1 A pathway six feet (1829 mm) or greater in width.
- 215 2.2 A pathway three feet (914 mm) or greater in width and bordering roof skylights or smoke and heat vents when required by Section 910.2.1 or Section 910.2.2.
- 217 2.3 Smoke and heat vents designed for remote operation using devices that can be connected to the vent by mechanical, electrical, or any other suitable means, protected as

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necessary to remain operable for the design period. Controls for remote operation shall be located in a control panel, clearly identified and located in an approved location.

3. Where gravity-operated dropout smoke and heat vents occur, a pathway three feet (914 mm) or greater in width on not fewer than one side."

Section 3. Section **17-22-2** is amended to read:

17-22-2. Sheriff -- General duties.

(1) The sheriff shall:

- (a) preserve the peace;
- (b) make all lawful arrests;
- (c) attend in person or by deputy the Supreme Court and the Court of Appeals when required or when the court is held within his county, all courts of record, and court commissioner and referee sessions held within his county, obey their lawful orders and directions, and comply with the court security rule, Rule 3-414, of the Utah Code of Judicial Administration;
- (d) upon request of the juvenile court, aid the court in maintaining order during hearings and transport a minor to and from youth corrections facilities, other institutions, or other designated places;
- (e) attend county justice courts if the judge finds that the matter before the court requires the sheriff's attendance for security, transportation, and escort of jail prisoners in his custody, or for the custody of jurors;
- (f) command the aid of as many inhabitants of [his] the sheriff's county as [he] the sheriff considers necessary in the execution of these duties;
- (g) take charge of and keep the county jail and the jail prisoners;
- (h) receive and safely keep all persons committed to [his] the sheriff's custody, file and preserve the commitments of those persons in custody, and record the name, age, place of birth, and description of each person committed;
- (i) release on the record all attachments of real property when the attachment [he] the sheriff receives has been released or discharged;
- (j) endorse on all process and notices the year, month, day, hour, and minute of reception, and, upon payment of fees, issue a certificate to the person delivering process or notice showing the names of the parties, title of paper, and the time of receipt;
- (k) serve all process and notices as prescribed by law;

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- (l) if ~~[he]~~ the sheriff makes service of process or notice, certify on the process or notices the manner, time, and place of service, or, if ~~[he]~~ the sheriff fails to make service, certify the reason upon the process or notice, and return them without delay;
- 255 (m) extinguish fires occurring in the undergrowth, trees, or wooded areas on the public land within his county;
- 257 (n) perform as required by any contracts between the county and private contractors for anagement, maintenance, operation, and construction of county jails entered into under the authority of Section 17-53-311;
- 260 (o) for the sheriff of a county of the second through sixth class that enters into an interlocal agreement for law enforcement service under Title 11, Chapter 13, Interlocal Cooperation Act, provide law enforcement service as provided in the interlocal agreement;
- 264 (p) manage search and rescue services in his county;
- 265 (q) obtain saliva DNA specimens as required under Section 53-10-404;
- 266 (r) on or before January 1, 2003, adopt a written policy that prohibits the stopping, etention, or search of any person when the action is solely motivated by considerations of race, color, ethnicity, age, or gender;
- 269 (s) as applicable, select a representative of law enforcement to serve as a member of a child protection team, as defined in Section 80-1-102;
- 271 (t) appoint a county security chief in accordance with Section 53-22-103 and ensure the county security chief fulfills the county security chief's duties; and
- 273 ~~[(t)]~~ (u) perform any other duties that are required by law.
- 274 (2) Violation of Subsection (1)(j) is a class C misdemeanor. Violation of any other subsection under Subsection (1) is a class A misdemeanor.
- 276 (3)
- (a) As used in this Subsection (3):
- 277 (i) "Police interlocal entity" has the same meaning as defined in Sections 17-30-3 and 17-30a-102.
- 279 (ii) "Police special district" means the same as that term is defined in Section 17-30-3.
- 280 (b) Except as provided in Subsections (3)(c) and 11-13-202(4), a sheriff in a county hich includes within its boundary a police special district or police interlocal entity, or both:
- 283

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- (i) serves as the chief executive officer of each police special district and police nterlocal entity within the county with respect to the provision of law enforcement service within the boundary of the police special district or police interlocal entity, respectively; and
- 287 (ii) is subject to the direction of the police special district board of trustees or police nterlocal entity governing body, as the case may be, as and to the extent provided by agreement between the police special district or police interlocal entity, respectively, and the sheriff.
- 291 (c) Notwithstanding Subsection (3)(b), and except as provided in Subsection 11-13-202(4), if a police interlocal entity or police special district enters an interlocal agreement with a public agency, as defined in Section 11-13-103, for the provision of law enforcement service, the sheriff:
 - 295 (i) does not serve as the chief executive officer of any interlocal entity created under hat interlocal agreement, unless the agreement provides for the sheriff to serve as the chief executive officer; and
 - 298 (ii) shall provide law enforcement service under that interlocal agreement as provided in the agreement.

302 Section 4. Section **53-10-302** is amended to read:

303 **53-10-302. Bureau duties.**

The bureau shall:

- 303 (1) provide assistance and investigative resources to divisions within the Department of Public Safety;
- 305 (2) upon request, provide assistance and specialized law enforcement services to local law enforcement agencies;
- 307 (3) conduct financial investigations regarding suspicious cash transactions, fraud, and money laundering;
- 309 (4) investigate criminal activity of organized crime networks, gangs, extremist groups, and others promoting violence;
- 311 (5) investigate criminal activity of terrorist groups;
- 312 (6) enforce the Utah Criminal Code;
- 313 (7) cooperate and exchange information with other state agencies and with other law nforcement agencies of government, both within and outside of this state, through a statewide information and intelligence center to obtain information that may achieve more effective results in the prevention, detection, and control of crime and apprehension of criminals including systems described in Subsections 53E-3-518, 53B-17-1202, and 63H-7a-103(14);

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- 319 (8) create and maintain a statewide criminal intelligence system;
- 320 (9) provide specialized case support and investigate illegal drug production, cultivation, and sales;
- 322 (10) investigate, follow-up, and assist in highway drug interdiction cases;
- 323 (11) make rules to implement this chapter;
- 324 (12) perform the functions specified in Part 2, Bureau of Criminal Identification;
- 325 (13) provide a state cybercrime unit to investigate computer and network intrusion matters involving
state-owned computer equipment and computer networks as reported under Section 76-6-705;
- 328 (14) investigate violations of Section 76-6-703 and other computer related crimes including:
- 329 (a) computer network intrusions;
- 330 (b) denial of services attacks;
- 331 (c) computer related theft or fraud;
- 332 (d) intellectual property violations; and
- 333 (e) electronic threats; and
- 334 (15) upon request, investigate the following offenses when alleged to have been committed by
an individual who is currently or has been previously elected, appointed, or employed by a
governmental entity:
- 337 (a) criminal offenses; and
- 338 (b) matters of public corruption.
- 339 (16)
- (a) The bureau is not prohibited from investigating crimes not specifically referred to in this section;
and
- 341 (b) other agencies are not prohibited from investigating crimes referred to in this section.
- 344 Section 5. Section **53-22-101** is amended to read:
- 345 **53-22-101. School Security Act -- Definitions.**
- As used in this chapter:
- 345 (1) "County security chief" means the individual whom a county sheriff appoints in accordance with
Section 53-22-103 to oversee school safety.
- 347 (2) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- 348 (3) "School" means an elementary school or a secondary school that:
- 349 (a) is a public or private school; and
- 350 (b) provides instruction for one or more of the grades of kindergarten through grade 12.

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- 351 (4) "School is in session" means the same as the term is defined in Section 53E-3-516.
- 352 [(2)] (5) "School resource officer" [or "SRO"] means [a law enforcement officer hired by a public
school in accordance with Section 53G-8-703] the same as that term is defined in Section
53G-8-701.
- 355 [(3)] (6) "State security chief" means an individual appointed by the commissioner under Section
53-22-102.
- 357 (7) "Local education agency" means the same as that term is defined in Section 53E-1-102.
- 360 Section 6. Section **53-22-102** is amended to read:
- 361 **53-22-102. State security chief -- Creation -- Appointment.**
- 360 (1) There is created within the department a state security chief.
- 361 (2) The state security chief:
- 362 (a) is appointed by the commissioner with the approval of the governor;
- 363 (b) is subject to the supervision and control of the commissioner;
- 364 (c) may be removed at the will of the commissioner;
- 365 (d) shall be qualified by experience and education to:
- 366 (i) enforce the laws of this state relating to school safety;
- 367 (ii) perform duties prescribed by the commissioner; and
- 368 (iii) enforce rules made under this chapter.
- 369 [~~(3) The duties and responsibilities of the state security chief shall be determined by the Commissioner~~
~~of Public Safety in conjunction with the School Security Task Force created in Section 53-22-104.]~~
- 372 (3) The state security chief shall:
- 373 (a) oversee the school guardian program described in Section 53-22-105, including approving and
coordinating the relevant training programs;
- 375 (b) examine plans and specifications for school buildings, in accordance with Section 53E-3-706;
- 377 (c) coordinate with the State Board of Education to establish the required minimum safety and
security standards for all public and private school facilities including:
- 379 (i) single entry point;
- 380 (ii) video surveillance of entrances when school is in session;
- 381 (iii) ground level windows protected by security film or ballistic windows;
- 382 (iv) internal classroom door locks;
- 383 (v) bleed kits and first aid kits;

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- 384 (vi) exterior cameras on entrances, parking areas, and campus grounds; and
385 (vii) fencing around playgrounds;
386 (d) ensure that each school complies with the ~~threat assessment~~ building safety evaluation and safety
 personnel requirements of Section 53G-8-701.5;
388 (e) determine the mental health crisis intervention training as described in Section 53G-8-701.7;
390 (f) select training requirements for school safety and security specialists in consultation with the state
 board of education as described in Section 53G-8-701.6;
392 (g) as required by Section 53G-8-701.8, track each school safety and security director or a local
 education agency or private school and ensure that the contact information for the school safety
 and security directors is readily available to law enforcement;
395 (h) review and approve the State Board of Education's school resource officer training program as
 described in Section 53G-8-702;
397 (i) as required by Section 53G-8-704, track schools that contract with contract security ompanies to
 provide armed school security guards at the school and ensure that the contact information for
 those companies is readily available to law enforcement;
400 (j) approve safety and security criteria the state superintendent of public instruction establishes for
 building inspectors;
402 (k) consult with the State Board of Education to develop or establish the model critical ncident
 response that all schools and law enforcement will use during a threat including:
405 (i) protocols for conducting a building ~~threat assessment~~ safety evaluation including building
 security during an incident, as required in Section 53G-8-701.5;
407 (ii) standardized response protocol terminology for use throughout the state, including what
 constitutes a threat;
409 (iii) protocols for planning and safety drills;
410 (iv) integration and appropriate use of a panic alert device described in Subsection 53G-8-805;
412 (v) the establishment of an incident command for a threat or safety incident;
413 (vi) the required components for a communication plan to be followed during an incident or threat;
415 (vii) reunification plan protocols including the appropriate design and use of an incident command;
 and
417 (viii) recommendations for safety equipment for schools including amounts and types of first aid
 supplies;

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- 419 (l) review and suggest any changes to the response plans and training under Section 53G-8-803;
421 (m) create minimum standards for radio communication equipment in every school;
422 (n) create the official standard response protocol described in Section 53G-8-803 for use by schools
and law enforcement for school safety incidents;
424 (o) establish a manner for any security personnel described in Section 53G-8-701.5 by law
enforcement; and
426 (p) fulfill any other duties and responsibilities determined by the commissioner.
427 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act the eparment in
consultation with the state security chief shall make rules to fulfill the duties described in Subsection
(3).
- 432 Section 7. Section **53-22-103** is amended to read:
433 **53-22-103. County sheriff responsibilities -- Coordination.**
- 432 (1) Each county sheriff shall identify an individual as a county security chief within the sheriff's office.
434 (2) The county security chief shall:
435 (a) [tø] coordinate security responsibilities between the state security chief, the county sheriff's
office, and the corresponding police chiefs whose jurisdiction includes a public school within the
county[-] ;
438 (b) assist in the creation of the ~~threat assessment~~ building safety evaluation described in Section
53G-8-701.5;
439 (c) collaborate and maintain effective communications regarding school safety with each:
440 (i) school safety and security specialist in the county security chief's county, as described in Section
53G-8-701.6; and
442 (ii) school safety and security director in the county security chief's county, as described in Section
53G-8-701.8;and
444 ~~(d)(iii) administer the trainings described in Sections 53-22-105, 53G-8-701.7, and 53G-8-704; local~~
law enforcement agency within the county.
- 446 ~~(e)(d) ensure school safety standards as administer the trainings described in Section 53E-3-706;~~
Sections 53-22-105, 53G-8-701.7, and 53G-8-704;
447 ~~(f)(e) in conjunction with the state security chief, administer the ensure school guardian program~~
established safety standards as described in Section 53-22-105 at any school participating in the
program in the county security chief's county. 53E-3-706; and

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(f) in conjunction with the state security chief, administer the school guardian program established in Section 53-22-105 at any school participating in the program in the county security chief's county.

Section 8 is enacted to read:

53-22-105. School Guardian Program.

As used in this section:

"Annual training" means and annual four-hour training that:

a county security chief administers;

the state security chief approves; and

allows an individual to practice and demonstrate firearms proficiency at a firearms range using the firearm the individual carries for self defense and defense of others.

"Biannual training" means a twice-yearly four-hour training that:

a county security chief administers;

he ~~the~~ state security chief approves; and

through which a school guardian at the school guardian's school of employment:

receives training on the specifics of the building or buildings of the school, including the location of emergency supplies and security infrastructure; and

participates in a live-action practice plan with school administrators in responding to active threats at the school.

"Initial training" means an in-person training that:

a county security chief administers;

the state security chief approves; and

provides:

training on general familiarity with the types of firearms that can be concealed for self-defense and defense of others;

training on the safe loading, unloading, storage, and carrying of firearms in a school setting;

six ~~hours~~ ~~training~~ at a firearms range with instruction regarding firearms fundamentals,

arksmanship, the demonstration and explanation of the difference between sight picture, sight alignment, and trigger control, and a recognized pistol course;

current laws dealing with the lawful use of a firearm by a private citizen, including laws on self-defense, defense of others, transportation of firearms, and concealment of firearms;

coordination with law enforcement officers in the event of an active threat;

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483 basic trauma first aid;
484 the appropriate use of force, emphasizing the de-escalation of force and alternatives to using
485 force;
486 situational response evaluations, including:
487 protecting and securing a crime or accident scene;
488 notifying law enforcement; and
489 controlling information; and
490 any additional training that the county sheriff or department deems appropriate.
491 "Program" means the school guardian program created in this section.
492 (e)
493 "School employee" means an employee of a school whose duties and responsibilities require the
494 employee to be physically present at a school's campus while school is in session.
495 "School employee" does not include a principal, teacher, or individual whose primary
496 responsibilities require the employee to be primarily present in a classroom to teach, care for, or
497 interact with students.
498 "School guardian" means an individual who meets the requirements of Subsection (3).
499 (2)
500 (a) There is created within the department the school guardian program;
501 the state security chief shall oversee the school guardian program ;
502 the applicable county security chief shall administer the school guardian program in each county.
503 The state security chief shall ensure that the school guardian program includes:
504 initial training;
505 biannual training; and
506 annual training.
507 A county sheriff may partner or contract with another county sheriff to support the respective county
508 security chiefs in joint administering the school guardian program in the relevant counties.
509 (3)
510 A school employee is eligible to join the program as a school guardian if:
511 the school that employs the employee to be a school guardian;
512 the school employee satisfactorily completes initial training within six months before the day on
513 which the school employee joins the program;

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514 the school employee holds a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,
516 Concealed Firearm Act; and
516 the school employee certifies to the sheriff of the county where school employee is employed that
516 the school employee has undergone the training in accordance with Subsection (3)(a)(ii) and
516 intends to serve as a school guardian; and
523 completes a mental health screening selected by the state security chief in collaboration with the
523 Office of Substance Abuse and Mental Health.
519 After joining the program a school guardian shall complete annual training and biannual training to
519 retain the school guardian's active status in the program.
521 The state security chief shall:
522 for each school that participates in the program, track each school guardian at the school by collecting
522 the photograph and the name and contact information for each guardian;
525 make the information described in Subsection (4)(a) readily available to each law enforcement
525 agency in the state categorized by school; and
527 provide each school guardian with a one time stipend of \$500.
528 A school guardian:
529 may store the school guardian's firearm on the grounds of a school only if:
530 the firearm is stored in a biometric gun-safe;
531 the biometric gun-safe is located in the school guardian's office; and
532 the school guardian is physically present on the grounds of the school while the firearm is stored in
532 the safe;
534 shall carry the school guardian's firearm in a concealed manner; and
535) may not, unless during an active threat, display or open carry a firearm while on school grounds.
537 Except as provided in Subsection (5)(c), this section does not prohibit an individual who has a valid
537 concealed carry permit but is not participating in the program from carrying a firearm on the
537 grounds of a public school or charter school under Subsection 76-10-505.5(4).
541 A school guardian:
542 does not have authority to act in a law enforcement capacity; and
543 may, at the school where the school guardian is employed:
544 take actions necessary to prevent or abate an active threat; and
545

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temporarily detain an individual when the school guardian has reasonable cause to believe the individual has committed or is about to commit a forcible felony, as that term is defined in Section 76-2-402.

548 A school may designate a single employee or multiple employees to participate in the school guardian program to satisfy the requirements of Section 53G-8-701.5.

550 The department may adopt, according to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, rules to administer this section.

558 Section 9 is enacted to read:

559 **53-22-106. Threats against a school reporting requirements -- Exceptions.**

554 Except as provided in Subsection (3), if a state employee or person in a position of special trust as defined in Section 76-5-404.1, including an individual licensed under Title 58, Chapter 31b, Nurse Practice Act, or Title 58, Chapter 67, Utah Medical Practice Act, has reason to believe that a threat against a school, school employee, or student attending a school or is aware of circumstances that would reasonably result in a threat against a school, school employee, or student attending a school, the state employee or person in a position of special trust shall immediately report the suspected threat to:

562 the state security chief ;

563 the local education agency that the threat would impact; or

564 to the nearest peace officer or law enforcement agency.

565 (2)

(a) If a peace officer or law enforcement agency receives a report under Subsection (1), the peace officer or law enforcement agency shall immediately notify the local education agency that the threat would impact.

568 If the local education agency that the threat would impact receives a report under Subsection (1), the local education agency that the threat would impact shall immediately notify the appropriate local law enforcement agency and the state security chief.

572 (b)

A local education agency that the threat would impact shall coordinate with the law enforcement agency on the law enforcement agency's investigation of the report described in Subsection (1).

575

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If a law enforcement agency undertakes an investigation of a report under Subsection (1), the law enforcement agency shall provide a final investigatory report to the local education agency that the threat would impact upon request.

Subject to Subsection (4), the reporting requirement described in Subsection (1) does not apply to:
a member of the clergy with regard to any confession an individual makes to the member of the clergy while functioning in the ministerial capacity of the member of the clergy if:
the individual made the confession directly to the member of the clergy; and
the member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of the confession; and
the member of the clergy does not have the consent of the individual making the confession to disclose the content of the confession; or
an attorney, or an individual whom the attorney employs, if:
the knowledge or belief of the threat arises from the representation of a client; and
if disclosure of the threat would not reveal the threat to prevent reasonably certain death or substantial bodily harm in accordance with Utah Rules of Professional Conduct, Rule 1.6.

(4)
When a member of the clergy receives information about the threat from any source other than confession a confession, the member of the clergy shall report the information even if the member of the clergy also received information about the threat from the confession of the perpetrator.

Exemption of the reporting requirement for an individual described in Subsection (3) does not exempt the individual from any other actions required by law to prevent further threats or actual harm related to the threat.

The physician-patient privilege does not:
excuse an individual who is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, from reporting under this section; or
constitute grounds for excluding evidence in a judicial or administrative proceeding resulting from a report under this section.

Section 10. Section **53B-17-1202** is amended to read:

53B-17-1202. SafeUT Crisis Line established.

The University Neuropsychiatric Institute shall:

(1) establish a SafeUT Crisis Line to provide:

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(a) a means for an individual to anonymously report:

(i) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school;

(ii) incidents of bullying, cyber-bullying, harassment, or hazing; and

(iii) incidents of physical or sexual abuse committed by a school employee or school volunteer; and

(b) crisis intervention, including suicide prevention, to individuals experiencing emotional distress or psychiatric crisis;

(2) provide the services described in Subsection (1) 24 hours a day, seven days a week; [~~and~~]

(3) when necessary, or as required by law, promptly forward a report received under Subsection (1)(a) to appropriate:

(a) school officials; and

(b) law enforcement officials[~~;~~] ;

(4) in accordance with Subsection (5), report the services described in Subsection (1) to the state bureau of investigation's systems described in Subsections 53-10-302(7) and (8); and

(5) coordinate with the state security chief to determine the appropriate circumstances necessitating a report described in Subsection (4).

Section 11. Section **53B-17-1204** is amended to read:

53B-17-1204. SafeUT and School Safety Commission duties -- LEA governing board duties -- Fees.

(1) As used in this section:

(a) "LEA governing board" means:

(i) for a school district, the local school board;

(ii) for a charter school, the charter school governing board; or

(iii) for the Utah Schools for the Deaf and the Blind, the State Board of Education.

(b) "Local education agency" or "LEA" means:

(i) a school district;

(ii) a charter school; or

(iii) the Utah Schools for the Deaf and the Blind.

(2) The commission shall coordinate:

(a) statewide efforts related to the SafeUT Crisis Line; [~~and~~]

(b) with the State Board of Education and the board to promote awareness of the services available through the SafeUT Crisis Line[~~;~~] ; and

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- 644 (c) with the state security chief appointed under Section 53-22-102 to ensure appropriate reporting
645 described in Subsections 53B-17-1202(4) and (5).
- 646 (3) An LEA governing board shall inform students, parents, and school personnel about the SafeUT
647 Crisis Line.
- 648 (4)
- (a) Except as provided in Subsection (4)(b), the University Neuropsychiatric Institute may charge a fee
to an institution of higher education or other entity for the use of the SafeUT Crisis Line in accordance
with the method described in Subsection (4)(c).
- 651 (b) The University Neuropsychiatric Institute may not charge a fee to the State Board of Education or
a local education agency for the use of the SafeUT Crisis Line.
- 653 (c) The commission shall establish a standard method for charging a fee described in Subsection (4)
(a).
- 661 Section 12. Section **53E-3-516** is amended to read:
- 662 **53E-3-516. School disciplinary and law enforcement action report -- Rulemaking authority.**
- 663 (1) As used in this section:
- 664 (a) "Dangerous weapon" means the same as that term is defined in Section 53G-8-510.
- 665 (b) "Disciplinary action" means an action by a public school meant to formally discipline a student of
that public school that includes a suspension or expulsion.
- 666 (c) "Law enforcement agency" means the same as that term is defined in Section 77-7a-103.
- 667 (d) "Minor" means the same as that term is defined in Section 80-1-102.
- 668 (e) "Other law enforcement activity" means a significant law enforcement interaction with a minor
that does not result in an arrest, including:
- 669 (i) a search and seizure by ~~[an SRO]~~ a school resource officer;
- 670 (ii) issuance of a criminal citation;
- 671 (iii) issuance of a ticket or summons;
- 672 (iv) filing a delinquency petition; or
- 673 (v) referral to a probation officer.
- 674 (f) "School is in session" means the hours of a day during which a public school conducts instruction
for which student attendance is counted toward calculating average daily membership.
- 675 (g)

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(i) "School-sponsored activity" means an activity, fundraising event, club, camp, linic, or other event or activity that is authorized by a specific public school, according to LEA governing board policy, and satisfies at least one of the following conditions:

- 678 (A) the activity is managed or supervised by a school district, public school, or public school
employee;
- 680 (B) the activity uses the school district or public school facilities, equipment, or other school
resources; or
- 682 (C) the activity is supported or subsidized, more than inconsequentially, by public unds, including
the public school's activity funds or Minimum School Program dollars.
- 685 (ii) "School-sponsored activity" includes preparation for and involvement in a public performance,
contest, athletic competition, demonstration, display, or club activity.
- 687 (h) " School resource officer" [~~or~~ "SRO"] means the same as that term is defined in Section
53G-8-701.
- 689 (2) Beginning on July 1, 2023, the state board shall develop an annual report regarding the following
incidents that occur on school grounds while school is in session or during a school-sponsored
activity:
- 692 (a) arrests of a minor;
- 693 (b) other law enforcement activities;
- 694 (c) disciplinary actions; and
- 695 (d) minors found in possession of a dangerous weapon.
- 696 (3) Pursuant to state and federal law, law enforcement agencies shall collaborate with the state board
and LEAs to provide and validate data and information necessary to complete the report described
in Subsection (2), as requested by an LEA or the state board.
- 700 (4) The report described in Subsection (2) shall include the following information listed separately for
each LEA:
- 702 (a) the number of arrests of a minor, including the reason why the minor was arrested;
- 703 (b) the number of other law enforcement activities, including the following information for each
incident:
- 705 (i) the reason for the other law enforcement activity; and
- 706 (ii) the type of other law enforcement activity used;
- 707 (c) the number of disciplinary actions imposed, including:

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- 708 (i) the reason for the disciplinary action; and
709 (ii) the type of disciplinary action;
710 (d) the number of [~~SROs~~] school resource officers employed;
711 (e) if applicable, the demographics of an individual who is subject to, as the following are defined in
Section 53G-9-601, bullying, hazing, cyber-bullying, or retaliation; and
713 (f) the number of minors found in possession of a dangerous weapon on school grounds while school
is in session or during a school-sponsored activity.
- 715 (5) The report described in Subsection (2) shall include the following information, in aggregate, for
each element described in Subsections (4)(a) through (c):
- 717 (a) age;
718 (b) grade level;
719 (c) race;
720 (d) sex; and
721 (e) disability status.
- 722 (6) Information included in the annual report described in Subsection (2) shall comply with:
- 723 (a) Chapter 9, Part 3, Student Data Protection;
724 (b) Chapter 9, Part 2, Student Privacy; and
725 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
- 726 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
make rules to compile the report described in Subsection (2).
- 728 (8) The state board shall provide the report described in Subsection (2):
- 729 (a) in accordance with Section 53E-1-203 for incidents that occurred during the previous school year;
and
731 (b) to the State Commission on Criminal and Juvenile Justice before July 1 of each year for incidents
that occurred during the previous school year.
- 739 Section 13. Section **53E-3-518** is amended to read:
- 740 **53E-3-518. Utah school information management system -- Local education agency
requirements.**
- 736 (1) As used in this section:
- 737 (a) "LEA data system" or "LEA's data system" means a data system that:
- 738 (i) is developed, selected, or relied upon by an LEA; and

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(ii) the LEA uses to collect data or submit data to the state board related to:

(A) student information;

(B) educator information;

(C) financial information; or

(D) other information requested by the state board.

(b) "LEA financial information system" or "LEA's financial information system" means an LEA data system used for financial information.

(c) "Parent" means the same as that term is defined in Section 53G-6-201.

(d) "Utah school information management system" or "information management system" means the state board's data collection and reporting system described in this section.

(e) "User" means an individual who has authorized access to the information management system.

(2) On or before July 1, 2024, the state board shall have in place an information management system that meets the requirements described in this section.

(3) The state board shall ensure that the information management system:

(a) interfaces with:

(i) an LEA's data systems that meet the requirements described in Subsection (6);

(ii) where appropriate, the systems described in Subsections 53-10-302(7) and (8); and

(iii) the public safety portal described in Section 63A-16-2002; and

(b) serves as the mechanism for the state board to collect and report on all data that LEAs submit to the state board related to:

(i) student information;

(ii) educator information;

(iii) financial information; and

(iv) other information requested by the state board;

(c) includes a web-based user interface through which a user may:

(i) enter data;

(ii) view data; and

(iii) generate customizable reports;

(d) includes a data warehouse and other hardware or software necessary to store or process data submitted by an LEA;

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(e) provides for data privacy, including by complying with Title 53E, Chapter 9, Student Privacy and Data Protection;

(f) restricts user access based on each user's role; and

(g) meets requirements related to a student achievement backpack described in Section 53E-3-511.

(4) The state board shall establish the restrictions on user access described in Subsection (3)(f).

(5)

(a) The state board shall make rules that establish the required capabilities for an LEA financial information system.

(b) In establishing the required capabilities for an LEA financial information system, the state board shall consider metrics and capabilities requested by the state treasurer or state auditor.

(6)

(a) On or before July 1, 2024, an LEA shall ensure that:

(i) all of the LEA's data systems:

(A) meet the data standards established by the state board in accordance with Section 53E-3-501;

(B) are fully compatible with the state board's information management system; and

(C) meet specification standards determined by the state board; and

(ii) the LEA's financial information system meets the requirements described in Subsection (5).

(b) An LEA shall ensure that an LEA data system purchased or developed on or after May 14, 2019, will be compatible with the information management system when the information management system is fully operational.

(7)

(a) Subject to appropriations and Subsection (7)(b), the state board may use an appropriation under this section to help an LEA meet the requirements in the rules described in Subsection (5) by:

(i) providing to the LEA funding for implementation and sustainment of the LEA financial information system, either through:

(A) awarding a grant to the LEA; or

(B) providing a reimbursement to the LEA; or

(ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a financial information system on behalf of an LEA for the LEA to use as the LEA's financial information system.

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(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules describing:

- (i) how an LEA may apply to the state board for the assistance described in Subsection (7)(a); and
- (ii) criteria for the state board to provide the assistance to an LEA.

(8)

(a) Beginning July 1, 2024, the state board may take action against an LEA that is out of compliance with a requirement described in Subsection (6) until the LEA complies with the requirement.

(b) An action described in Subsection (8)(a) may include the state board withholding funds from the LEA.

(9)

(a) For purposes of this Subsection (9), "education record" means the same as that term is defined in 20 U.S.C. Sec. 1232g.

(b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish a procedure under which:

- (i) a parent may submit information as part of the education records for the parent's student;
- (ii) the information submitted by the parent is maintained as part of the education records for the parent's student;
- (iii) information submitted by the parent and maintained as part of the education records for the parent's student may be removed at the request of the parent; and
- (iv) a parent has access only to the education records of the parent's student in accordance with Subsection (9)(d).

(c) The rules made under this Subsection (9) shall allow a parent to submit or remove information submitted by the parent under this Subsection (9) at least annually, including at the time of:

- (i) registering a student in a school; or
- (ii) changing the school in which a student attends.

(d) Subject to the federal Family Education Rights and Privacy Act, 20 U.S.C. Sec. 232g, and related regulations, the state board shall provide a parent access to an education record concerning the parent's student.

(e) The state board shall create in the information management system a record tracking interoperability of education records described in this Subsection (9) when a student is transitioning between schools or between LEAs.

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Section 14. Section **53E-3-702** is amended to read:

53E-3-702. State board to adopt public school construction guidelines.

- (1) As used in this section, "public school construction" means construction work on a new public school.
- (2)
- (a) The state board shall:
- (i) adopt guidelines for public school construction; and
- (ii) consult with the Division of Facilities Construction and Management Administration and the state security chief appointed under Section 53-22-102 on proposed guidelines before adoption.
- (b) The state board shall ensure that guidelines adopted under Subsection (2)(a)(i) maximize funds used for public school construction and reflect efficient and economic use of those funds, including adopting guidelines that address a school's safety and a school's essential needs rather than encouraging or endorsing excessive costs per square foot of construction or nonessential facilities, design, or furnishings.
- (3) Before a school district or charter school may begin public school construction, the school district or charter school shall:
- (a) review the guidelines adopted by the state board under this section; and
- (b) take into consideration the guidelines when planning the public school construction.
- (4) In adopting the guidelines for public school construction, the state board shall consider the following and adopt alternative guidelines as needed:
- (a) location factors, including whether the school is in a rural or urban setting, and climate factors;
- (b) variations in guidelines for significant or minimal projected student population growth;
- (c) guidelines specific to schools that serve various populations and grades, including high schools, junior high schools, middle schools, elementary schools, alternative schools, and schools for people with disabilities; and
- (d) year-round use.
- (5) The guidelines shall address the following:
- (a) square footage per student;
- (b) minimum and maximum required real property for a public school;
- (c) athletic facilities and fields, playgrounds, and hard surface play areas;

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(d) necessary specifications to meet the safety standards created by the state security chief in Section 53E-3-706;

- 873 ~~[(d)]~~ (e) cost per square foot;
874 ~~[(e)]~~ (f) minimum and maximum qualities and costs for building materials;
875 ~~[(f)]~~ (g) design efficiency;
876 ~~[(g)]~~ (h) parking;
877 ~~[(h)]~~ (i) furnishing;
878 ~~[(i)]~~ (j) proof of compliance with applicable building codes; and
879 ~~[(j)]~~ (k) safety.

886 Section 15. Section **53E-3-706** is amended to read:

887 **53E-3-706. Enforcement of part by state superintendent -- Employment of personnel --**
School districts and charter schools -- Certificate of inspection verification.

883 (1) Notwithstanding Subsection (4), (5) and (6), [The] the state superintendent shall enforce this part.

885 (2) The state superintendent may employ architects or other qualified personnel, or contract with the
Division of Facilities Construction and Management, the state fire marshal, the state security chief
appointed under Section 53-22-102, or a local governmental entity to:

- 888 (a) examine the plans and specifications of any school building or alteration submitted under this part;
890 (b) verify the inspection of any school building during or following construction; and
891 (c) perform other functions necessary to ensure compliance with this part.

892 (3)

(a) ~~[(i)]~~ If a local school board uses the school district's building inspector under Subsection 10-9a-305(6)(a)(ii) or 17-27a-305(6)(a)(ii) and issues its own certificate authorizing permanent occupancy of the school building, the local school board shall file a certificate of inspection verification with the local governmental entity's building official and the state board, advising those entities that the school district has complied with the inspection provisions of this part.

898 ~~[(ii)]~~ (b) If a charter school uses a school district building inspector under Subsection 10-9a-305(6)(a)(ii) or 17-27a-305(6)(a)(ii) and the school district issues to the charter school a certificate authorizing permanent occupancy of the school building, the charter school shall file with the state board a certificate of inspection verification.

902 ~~[(iii)]~~ (c) If a local school board or charter school uses a local governmental entity's building inspector under Subsection 10-9a-305(6)(a)(i) or 17-27a-305(6)(a)(i) and the local governmental entity

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issues the local school board or charter school a certificate authorizing permanent occupancy of the school building, the local school board or charter school shall file with the state board a certificate of inspection verification.

907 ~~[(iv)]~~ (d)

~~[(A)]~~ (i) If a local school board or charter school uses an independent, certified building inspector under Subsection 10-9a-305(6)(a)(iii) or 17-27a-305(6)(a)(iii), the local school board or charter school shall, upon completion of all required inspections of the school building, file with the state board a certificate of inspection verification and a request for the issuance of a certificate authorizing permanent occupancy of the school building.

913 ~~[(B)]~~ (ii) Upon the local school board's or charter school's filing of the certificate and request as provided in Subsection ~~[(3)(a)(iv)(A)]~~ (3)(d)(i), the school district or charter school shall be entitled to temporary occupancy of the school building that is the subject of the request for a period of 90 days, beginning the date the request is filed, if the school district or charter school has complied with all applicable fire and life safety code requirements.

919 ~~[(C)]~~ (iii) Within 30 days after the local school board or charter school files a request under Subsection ~~[(3)(a)(iv)(A)]~~ (3)(d)(i) for a certificate authorizing permanent occupancy of the school building, the state superintendent shall:

922 ~~[(H)]~~ (A)

~~[(Aa)]~~ issue to the local school board or charter school a certificate authorizing permanent occupancy of the school building; or

924 ~~[(Bb)]~~

925 (B) deliver to the local school board or charter school a written notice indicating efficiencies in the school district's or charter school's compliance with the inspection provisions of this part; and

928 ~~[(H)]~~ (C) mail a copy of the certificate authorizing permanent occupancy or the notice of deficiency to the building official of the local governmental entity in which the school building is located.

931 ~~[(D)]~~ (iv) Upon the local school board or charter school remedying the deficiencies indicated in the notice under Subsection ~~[(3)(a)(iv)(C)(H)(Bb)]~~ (3)(d)(iii)(B) and notifying the state superintendent that the deficiencies have been remedied, the state superintendent shall issue a certificate authorizing permanent occupancy of the school building and mail a copy of the

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certificate to the building official of the local governmental entity in which the school building is located.

937 ~~[(E)]~~ (v)

~~[(H)]~~ (A) The state superintendent may charge the school district or charter school a fee for an inspection that the state superintendent considers necessary to enable the state superintendent to issue a certificate authorizing permanent occupancy of the school building.

941 ~~[(H)]~~ (B) A fee under Subsection ~~[(3)(a)(iv)(E)(F)]~~ (3)(d)(v)(A) may not exceed the actual cost of performing the inspection.

943 ~~[(b)]~~ (e) For purposes of this Subsection (3):

944 (i) "local governmental entity" means either a municipality, for a school building located within a municipality, or a county, for a school building located within an unincorporated area in the county; and

947 (ii) "certificate of inspection verification" means a standard inspection form developed by the state superintendent in consultation with local school boards and charter schools to verify that inspections by qualified inspectors have occurred.

950 (4) The state security chief appointed under Section 53-22-102 shall establish minimum safety and security standards for school construction and design projects.

952 (5) The county security chief appointed under Section 53-22-103 shall ensure a local school district or charter school shall adhere to all safety and security standards for a school construction or design project the state security chief creates.

955 (6) A building inspector described in this part shall coordinate with the relevant county security chief to ensure compliance described in Subsection (5) before issuing a issuance of a certificate authorizing permanent occupancy for a school.

964 Section 16. Section **53F-4-207** is amended to read:

965 **53F-4-207. Student intervention early warning program.**

960 (1) As used in this section:

961 (a) "Digital program" means a program that provides information for student early intervention as described in this section.

963 (b) "Online data reporting tool" means a system described in Section 53E-4-311.

964 ~~[(c) "Participating LEA" means an LEA that receives access to a digital program under Subsection (5).]~~

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- 966 (2)
- (a) The state board shall, subject to legislative appropriations:
- 967 (i) subject to Subsection (2)(c), enhance the online data reporting tool and provide additional
formative actionable data on student outcomes; and
- 969 (ii) select through a competitive contract process a provider to provide to an LEA a digital program
as described in this section.
- 971 (b) Information collected or used by the state board for purposes of enhancing the online data
reporting tool in accordance with this section may not identify a student individually.
- 974 (c) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act, to define the primary exceptionalities described in Subsection (3)(e)(ii).
- 977 (3) The enhancement to the online data reporting tool and the digital program shall:
- 978 (a) be designed with a user-appropriate interface for use by teachers, school administrators, and
parents;
- 980 (b) provide reports on a student's results at the student level on:
- 981 (i) a national assessment;
- 982 (ii) a local assessment; and
- 983 (iii) a standards assessment described in Section 53E-4-303;
- 984 (c) have the ability to provide data from aggregate student reports based on a student's:
- 985 (i) teacher;
- 986 (ii) school;
- 987 (iii) school district, if applicable; or
- 988 (iv) ethnicity;
- 989 (d) provide a viewer with the ability to view the data described in Subsection (2)(c) on a single
computer screen;
- 991 (e) have the ability to compare the performance of students, for each teacher, based on a student's:
- 993 (i) gender;
- 994 (ii) special needs, including primary exceptionality as defined by state board rule;
- 995 (iii) English proficiency;
- 996 (iv) economic status;
- 997 (v) migrant status;
- 998 (vi) ethnicity;

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- 999 (vii) response to tiered intervention;
- 1000 (viii) response to tiered intervention enrollment date;
- 1001 (ix) absence rate;
- 1002 (x) feeder school;
- 1003 (xi) type of school, including primary or secondary, public or private, Title I, or other general school-type category;
- 1005 (xii) course failures; and
- 1006 (xiii) other criteria, as determined by the state board; and
- 1007 (f) have the ability to load data from a local, national, or other assessment in the data's original format within a reasonable time.
- 1009 (4) Subject to legislative appropriations, the online data reporting tool and digital program shall:
- 1011 (a) integrate criteria for early warning indicators, including the following criteria:
- 1012 (i) discipline including school safety violations;
- 1013 (ii) attendance;
- 1014 (iii) behavior;
- 1015 (iv) course failures; and
- 1016 (v) other criteria as determined by a local school board or charter school governing board;
- 1018 (b) provide a teacher or administrator the ability to view the early warning indicators described in Subsection (4)(a) with a student's assessment results described in Subsection (3)(b);
- 1021 (c) provide data on response to intervention using existing assessments or measures that are manually added, including assessment and nonacademic measures;
- 1023 (d) provide a user the ability to share interventions within a reporting environment and add comments to inform other teachers, administrators, and parents;
- 1025 (e) save and share reports among different teachers and school administrators, subject to the student population information a teacher or administrator has the rights to access;
- 1027 (f) automatically flag a student profile when early warning thresholds, that the state board defines, are met so that a teacher can easily identify a student who may be in need of intervention;
- 1030 (g) incorporate a variety of algorithms to support student learning outcomes and provide student growth reporting by teacher;
- 1032 (h) integrate response to intervention tiers and activities as filters for the reporting of individual student data and aggregated data, including by ethnicity, school, or teacher;

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- 1034 (i) have the ability to generate parent communication to alert the parent of [academic] plans or
interventions; and
- 1036 (j) configure alerts based upon student academic results, including a student's performance on the
previous year's standards assessment described in Section 53E-4-303 or results to appropriate
behavior interventions.
- 1039 (5)
(a) ~~[The state board shall, subject to legislative appropriations, select an LEA to receive]~~ The state
board shall ensure that each LEA receives access to a digital program through a provider described in
Subsection (2)(a)(ii).
- 1042 (b) An LEA ~~[that receives access to a digital program]~~ shall:
- 1043 (i) pay for 50% of the cost of providing access to the digital program to the LEA; and
- 1044 (ii) no later than one school year after accessing a digital program, report to the state board in a
format required by the state board on:
- 1046 (A) the effectiveness of the digital program;
- 1047 (B) positive and negative attributes of the digital program;
- 1048 (C) recommendations for improving the online data reporting tool; and
- 1049 (D) any other information regarding a digital program requested by the state board.
- 1050 (c) The state board shall consider recommendations from an LEA for changes to the online data
reporting tool.
- 1052 (6) ~~[Information]~~ A person shall provide or use information described in this section ~~[shall be used]~~ in
accordance with ~~[and provided subject to]~~:
- 1054 (a) Title 53E, Chapter 9, Student Privacy and Data Protection;
- 1055 (b) Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and
- 1056 (c) the parental consent requirements in Section 53E-9-203.
- 1057 (7)
(a) A parent or guardian may opt the parent's or guardian's student out of participating in a survey
prepared by ~~[a participating]~~ an LEA's online data reporting tool described in this section.
- 1060 (b) An LEA shall provide notice to a parent of:
- 1061 (i) the administration of a survey described in Subsection (7)(a);
- 1062 (ii) if applicable, that the survey may request information from students that is non- academic in
nature;

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- 1064 (iii) where the parent may access the survey described in Subsection (7)(a) to be administered; and
1066 (iv) the opportunity to opt a student out of participating in a survey as described in Subsection (7)
(a).
- 1068 (c) [~~A participating~~] An LEA shall annually provide notice to parents and guardians on how the
[participating] LEA uses student data through the online data reporting tool to provide instruction
and intervention to students.
- 1071 (8) An LEA may use a different platform from the platform described in Subsection (2)(a)(ii) if the
different platform accomplishes the requirements of this section.
- 1079 Section 17. Section **53G-6-806** is amended to read:
1080 **53G-6-806. Parent portal.**
- 1075 (1) As used in this section:
- 1076 (a) "Parent portal" means the posting the state board is required to provide under this section.
1078 (b) "School" means a public elementary or secondary school, including a charter school.
- 1079 (2)
- (a) The state board shall post information that allows a parent of a student enrolled in a school to:
- 1081 (i) access an LEA's policies required by Sections 53G-9-203 and 53G-9-605;
1082 (ii) be informed of resources and steps to follow when a student has been the subject, perpetrator, or
bystander of bullying, cyber-bullying, hazing, retaliation, or abusive conduct such as:
- 1085 (A) resources for the student, including short-term mental health services;
1086 (B) options for the student to make changes to the student's educational environment;
1088 (C) options for alternative school enrollment;
1089 (D) options for differentiated start or stop times;
1090 (E) options for differentiated exit and entrance locations; and
1091 (F) the designated employee for an LEA who addresses incidents of bullying, cyber-bullying,
hazing, retaliation, and abusive conduct;
- 1093 (iii) be informed of the steps and resources for filing a grievance with a school or LEA regarding
bullying, cyber-bullying, hazing, or retaliation;
- 1095 (iv) be informed of the steps and resources for seeking accommodations under the Americans with
Disabilities Act of 1990, 42 U.S.C. 12101 et seq;
- 1097 (v) be informed of the steps and resources for seeking accommodations under state or federal law
regarding religious accommodations;

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- 1099 (vi) be informed of the steps and resources for filing a grievance for an alleged violation of state or
federal law, including:
- 1101 (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;
- 1102 (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;
- 1103 (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and
- 1104 (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131-12165;
- 1106 (vii) receive information about constitutional rights and freedoms afforded to families in public
education;
- 1108 (viii) be informed of how to access an internal audit hotline if established by the state board; and
- 1110 (ix) be informed of services for military families.
- 1111 (b) In addition to the information required under Subsection (2)(a), the state board:
- 1112 (i) shall include in the parent portal:
- 1113 (A) the comparison tool created under Section 53G-6-805; [~~and~~]
- 1114 (B) school level safety data including data points described in Section 53E-3-516; and
- 1116 (C) a link to the public safety portal described in Section 63A-16-1002; and
- 1117 (ii) may include in the parent portal other information that the state board determines is helpful to
parents.
- 1119 (3)
- (a) The state board shall post the parent portal at a location that is easily located by a parent.
- 1121 (b) The state board shall update the parent portal at least annually.
- 1122 (c) In accordance with state and federal law, the state board may collaborate with a third-party to
provide safety data visualization in comparison to other states' data.
- 1124 (4) An LEA shall annually notify each of the following of how to access the parent portal:
- 1125 (a) a parent of a student; and
- 1126 (b) a teacher, principal, or other professional staff within the LEA.
- 1133 Section 18. Section **53G-8-213** is amended to read:
- 1134 **53G-8-213. Reintegration plan for student alleged to have committed violent felony or
weapon offense.**
- 1130 (1) As used in this section:
- 1131 (a) "Multidisciplinary team" means:
- 1132 (i) the local education agency,

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- 1133 (ii) the juvenile court[;] ;
1134 (iii) the Division of Juvenile Justice Services[;] ;
1135 (iv) a school safety and security specialist designated under Section 53G-8-701.6;
1136 (v) school safety and security director designated under Section 53G-8-701.8;
1137 (vi) a school resource officer if applicable[;] ; and
1138 (vii) any other relevant party that should be involved in a reintegration plan.
1139 (b) "Violent felony" means the same as that term is defined in Section 76-3-203.5.
1140 (2) If a school district receives a notification from the juvenile court or a law enforcement agency that a student was arrested for, charged with, or adjudicated in the juvenile court for a violent felony or an offense in violation of Title 76, Chapter 10, Part 5, Weapons, he school shall develop a reintegration plan for the student with a multidisciplinary team, the student, and the student's parent or guardian, within five days after the day on which the school receives a notification.
1146 (3) The school may deny admission to the student until the school completes the reintegration plan under Subsection (2).
1148 (4) The reintegration plan under Subsection (2) shall address:
1149 (a) a behavioral intervention for the student;
1150 (b) a short-term mental health or counseling service for the student; and
1151 (c) an academic intervention for the student.
1158 Section 19. Section **53G-8-701** is amended to read:

PART PART 7. School Safety Personnel

1160 **53G-8-701. Definitions.**

As used in this part:

- 1156 (1) "Armed school security guard" means the same as that term is defined in Section 53G-8-804.
1158 (2) "County security chief" means the same as that term is defined in Section 53-22-101.
1159 [(4)] (3) "Law enforcement agency" means the same as that term is defined in Section 53-1-102.
1161 [(2)] (4) "Public school" means the same as that term is defined in Section 53G-9-205.1.
1162 (5) "School guardian" means the same as that term is defined in Section 53-22-106.
1163 (6) "School is in session" means the same as that term is defined in Section 53E-3-516.
1164 (7) "School safety and security director" means an individual whom an LEA or private school designates in accordance with Section 53G-8-701.8.

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(8) "School safety and security officer" means a law enforcement officer whom an LEA or private school hires in accordance with Section 53G-8-701.7.

1168 [(3)] (9) "School resource officer" [~~or "SRO"~~] means a law enforcement officer, as defined in Section 53-13-103, who contracts with or whose law enforcement agency contracts with an LEA to provide law enforcement services for the LEA.

1171 [(4)] (10) "School safety and security specialist" means a school employee designated under Subsection 53G-8-701.6 who is responsible for supporting school safety initiatives including the threat assessment described in Subsection 53G-8-802(2)(g)(i).

1174 (11) "State security chief" means the same as that term is defined in Section 53-22-101.

1181 Section 20. Section **53G-8-701.5** is amended to read:

1182 **53G-8-701.5. ~~Threat assessment~~ Building safely evaluation and required safety personnel.**

1177 (1) [~~Every public primary and secondary school~~] Subject to Subsection (2), at each school and private school shall:

1179 [(1)] (a) conduct a [~~threat assessment~~]building safely evaluation for each school as described in Subsection 53-22-102(3)(k); and [~~53G-8-802(2)(g)(i); and~~]

1181 [(2)] (b) designate a school safety and security director at LEA level;

1182 (c) have a school safety and security specialist as described in Section 53G-8-701.6 at each school;
and

1184 (d) have one of the following individuals on the grounds of each school when the school is in session:

1186 (i) a school resource officer;

1187 (ii) a school safety and security officer;

1188 (iii) a school guardian; or

1189 (iv) an armed school security guard.

1190 (2) If a school has more than 350 students enrolled at the school the same individual may not serve in more than one of the roles listed in Subsection (1)(b) through (1)(d).

1192 (3) A school under this section may implement any combination of the options described in Subsection (1)(d) to satisfy the requirements of Subsection (1)(d).

1200 Section **21** is enacted to read:

1201 **53G-8-701.6. School safety and security specialist.**

1196 As used in this section, "principal" means the chief administrator at a private or public school, including:

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1198 a school principal;
1199 a charter school director; or
1200 the superintendent of the Utah Schools for the Deaf and the Blind.
1201 (2)
Subject to Subsection (2)(b), every private and public school shall designate a school safety and security specialist from the employee of the relevant public or private school.
1204 The school safety and security specialist may not be a principal.
1205 The school safety and security specialist shall:
1206 report directly to the principal;
1207 oversee school safety and security practices to ensure a safe and secure school environment for students and staff;
1209 collaborate and maintain effective communications with, if applicable, the principal, school staff, school resource officer, armed school security guard, school guardian, school safety and security officer, local law enforcement, county security chief, school safety and security director, LEA, and school-based behavioral and mental health professionals to ensure adherence with all policies, procedures, protocols, rules, and regulations relating to school safety and security;
1215 conduct a building safety assessment at least annually and use the results of the assessment to recommend improvements to school facilities, policies, procedures, protocols, rules, and regulations relating to school safety and security;
1218 if an employee of an LEA, participate on the multi-disciplinary team that the LEA establishes;
1220 conduct behavioral threat assessment when the school safety and security specialist deems necessary using an evidence-based tool the state security chief recommends in consultation with the state board;
1223 regularly monitor and report to the principal, local law enforcement, and, if applicable, the LEA superintendent or designee, security risks for the school resulting from:
1226 issues with school facilities; or
1227 the implementation of practices, policies, procedures, and protocols relating to school safety and security;
1229 coordinate with local first responder agencies to implement and monitor safety and security drills in accordance with policy and applicable procedures and protocols;
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ensure that school staff, and when appropriate students, receive training on and remain current on the schools safety and security procedures and protocols;

1233 following an event where security of the school has been significantly compromised, organize a
debriefing with, if applicable, school administrators, school guardians, school safety and security
officers, armed school security guards, or school resource officers regarding strengthening school
safety and security practices, policies, procedures, and protocols;

1238 abide by any LEA, school, or law enforcement agency policy outlining the chain of command;

1240 during an emergency, coordinate with, if applicable, the school resource officer, any school guardians,
any school safety and security officers, any armed school security guards, school administrators,
and responding law enforcement officers;

1243 follow any LEA, school, or law enforcement agency student privacy policies including state and
federal laws on privacy;

1245 participate in an annual training the state security chief selects in consultation with the state board;
and

1247 remain current on:

1248 a comprehensive school threat assessment guideline the state security chief selects;

1249 the duties of a school safety and security specialist describe in Subsection (3);and

1250 the school's emergency response plan.

1251 During an active emergency at the school, the school safety and security specialist is subordinate to any
responding law enforcement officers.

1259 Section 22 is enacted to read:

1260 **53G-8-701.7. School safety and security officer.**

1255 As used in this section:

1256 "Biannual training" means a the same as the term is defined in Section 53-22-105.

1257 "Law enforcement officer" means a sworn and certified peace officer under Title 53, Chapter 6,
Peace Officer Standards and Training Act.

1259 A public or private school may hire a **former** law enforcement officer who meets the requirements of
Subsection (3) to be a school safety and security officer.

1261 **Subject** **A former law enforcement officer is eligible** to **Subsection (9), a law enforcement** **be hired as a**
school safety and security officer if the **former** officer:

1262 has completed school resource officer training described in Section 53G-8-701.8; **and**

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1263 has completed mental health crisis intervention training using a curriculum that:
1264 a national organization with expertise in mental health crisis intervention develops; and the state
security chief selects; and
1266 would not simultaneously be an employee of a law enforcement agency;
1274 has no history of disciplinary issues while serving as a law enforcement office including an issue
resulting in a resignation or termination;
1276 is certified by POST, as defined in Section 53-6-102, or another comparable certifying agency if the
officer is currently employed, or has previously been employed, by a law enforcement agency in a
different state; and
1279 completes a background check that contains the information in Subsection 53-14-103(3).
1267 A school safety and security officer has the power to make arrests under Section 77-7-2 on the school
grounds that employs the school safety and security officer.
1269 A school safety and security officer:
1270 shall participate in bi-annual training; and
1271 may conceal or openly carry a firearm at the school where the school safety and security officer is
employed.
1273 A public or private school that hires a school safety and security officer under this section shall inform
the state security chief and the county security chief of the county of the employment and provide
the contact information of the school safety and security officer for use during an emergency.
1277 The state security chief shall:
1278 for each public or private school that hires a school safety and security officer under his section,
track, by collecting the photograph and the name and contact information for each school safety
and security officer for use in case of an emergency; and
1282 make the information described in Subsection (7)(a) readily available to each law enforcement
agency in the state by school.
1284 A school safety and security officer hired under this section shall:
1285 abide by all applicable requirements described in Title 53, Chapter 6, Peace Officer Standards and
Training Act and Title 53, Chapter 13, Peace Officer Classifications; and
1288 report directly to the school safety and security director that oversees the school that employs the
school safety and security officer.
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A public or private school may not employ a law enforcement officer who is currently working, or has previously worked, for another law enforcement agency unless the public or private school:

1293 confirms that the law enforcement officer is certified by POST, as defined in Section 53-6-102, or
another comparable certifying agency if the officer is currently employed, or has previously been
employed, by a law enforcement agency in a different state; and
1297 completes a background check that contains the information in Subsection 53-14-103(3).

1299 A public or private school may hire a single school safety and security officer or multiple school safety
and security officers to satisfy the requirements of Section 53G-8-701.5

1307 Section **23** is enacted to read:

1308 **53G-8-701.8. School safety and security director.**

1304 Each LEA and private school shall designate a school safety and security director as the point of
contact for the county security chief, local law enforcement, and the state security chief.

1307 A school safety and security director shall:

1308 participate in and satisfy the training requirements, including the annual and bi-annual requirements,
described in:

1310 Section 53-22-105 for school guardians;

1311 Section 53G-8-702 for school resource officers; and

1312 Section 53G-8-704 for armed school security guards;

1313 have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act;

1315 if the designee is an employee of an LEA, participate on the multi-disciplinary team the LEA
establishes;

1317 coordinate security responses among, if applicable, the following individuals in the LEA or private
school that employs the school safety and security director:

1319 school safety and security specialists;

1320 school resource officers;

1321 armed school security guards;

1322 school guardians; and

1323 school safety and security officers; and

1324 collaborate and maintain effective communications with local law enforcement, county security
chief, school safety and security director, LEA, and school-based behavioral and mental health

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professionals to ensure adherence with all policies, procedures, protocols, rules, and regulations relating to school safety and security.

1328 A school safety and security director:

1329 does not have authority to act in a law enforcement capacity; and

1330 may, at the LEA or private school that employs the school guardian:

1331 take actions necessary to prevent or abate an active threat; and

1332 temporarily detain an individual when the school safety and security director has easonable cause to believe the individual has committed or is about to commit a forcible felony, as that term is defined in Section 76-2-402.

1335 Notwithstanding Subsection 76-10-505.5(4), a school safety and security director shall carry the school safety and security director's firearm in a concealed manner and may not, unless during an active threat, display or open carry a firearm while on school grounds.

1339 A school may use the services of the school safety and security director on a temporary basis to satisfy the requirement of Subsection 53G-8-701.5(d).

1341 The state security chief shall:

1342 for each school safety and security director, track each school safety and security irector by collecting the photograph and the name and contact information for each school safety and security director; and

1345 make the information described in Subsection (6)(a) readily available to each law enforcement agency in the state by LEA or private school.

1352 Section 24. Section **53G-8-702** is amended to read:

1353 **53G-8-702. School resource officer training -- Curriculum.**

1349 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board, in consultation with the state security chief appointed under Section 53-22-102, shall make rules that prepare and make available [a training] an annual program for school principals, school personnel, and school resource officers to attend.

1353 (2) To create the curriculum and materials for the training program described in Subsection (1), the state board shall:

1355 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201;

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- (b) solicit input from local school boards, charter school governing boards, and the Utah Schools for the Deaf and the Blind;
- 1359 (c) consult with a nationally recognized organization that provides resources and training for school resource officers;
- 1361 (d) solicit input from local law enforcement and other interested community stakeholders; and
- 1363 (e) consider the current United States Department of Education recommendations on school discipline and the role of a school resource officer.
- 1365 (3) The training program described in Subsection (1) may include training on the following:
- 1366 (a) childhood and adolescent development;
- 1367 (b) responding age-appropriately to students;
- 1368 (c) working with disabled students;
- 1369 (d) techniques to de-escalate and resolve conflict;
- 1370 (e) cultural awareness;
- 1371 (f) restorative justice practices;
- 1372 (g) identifying a student exposed to violence or trauma and referring the student to appropriate resources;
- 1374 (h) student privacy rights;
- 1375 (i) negative consequences associated with youth involvement in the juvenile and criminal justice systems;
- 1377 (j) strategies to reduce juvenile justice involvement;
- 1378 (k) roles of and distinctions between a school resource officer and other school staff who help keep a school secure;
- 1380 (l) developing and supporting successful relationships with students; and
- 1381 (m) legal parameters of searching and questioning students on school property.
- 1382 (4) The state board shall work together with the Department of Public Safety, the State ommission on Criminal and Juvenile Justice, and state and local law enforcement to establish policies, procedures, and training requirements for school resource officers.
- 1390 Section 25. Section **53G-8-703** is amended to read:
- 1391 **53G-8-703. Contracts between an LEA or private school and law enforcement for school resource officer services -- Requirements.**
- 1388 (1)

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(a) An LEA or private school may use a school resource officer to satisfy the requirements of Section 53G-8-701.5

1390 (b) An LEA [may] or private school that uses a school resource officer under Subsection (1)(a) shall
contract with a local law enforcement agency to provide school resource officer services [~~at the~~
~~LEA~~].

1393 (2) An LEA contract with a law enforcement agency to provide [~~SRØ~~] school resource officer services
at the LEA shall require in the contract:

1395 (a) an acknowledgment by the law enforcement agency that [~~an SRØ~~] a school resource officer hired
under the contract shall:

1397 (i) provide for and maintain a safe, healthy, and productive learning environment in a school;

1399 (ii) act as a positive role model to students;

1400 (iii) work to create a cooperative, proactive, and problem-solving partnership between law
enforcement and the LEA;

1402 (iv) emphasize the use of restorative approaches to address negative behavior; and

1403 (v) at the request of the LEA, teach a vocational law enforcement class;

1404 (b) a description of the shared understanding of the LEA and the law enforcement agency regarding
the roles and responsibilities of law enforcement and the LEA to:

1406 (i) maintain safe schools;

1407 (ii) improve school climate; and

1408 (iii) support educational opportunities for students;

1409 (c) a designation of student offenses that, in accordance with Section 53G-8-211, the [~~SRØ~~] school
resource officer:

1411 (i) may refer to the juvenile court;

1412 (ii) shall confer with the LEA to resolve; and

1413 (iii) shall refer to a school administrator for resolution as an administrative issue with the
understanding that the [~~SRØ~~] school resource officer will be informed of the outcome of the
administrative issue;

1416 (d) a detailed description of the rights of a student under state and federal law with regard to:

1418 (i) searches;

1419 (ii) questioning;

1420 (iii) arrests; and

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- 1421 (iv) information privacy;
- 1422 (e) a detailed description of:
- 1423 (i) job assignment and duties, including:
- 1424 (A) the school to which the [SRØ] school resource officer will be assigned;
- 1425 (B) the hours the [SRØ] school resource officer is expected to be present at the school;
- 1427 (C) the point of contact at the school;
- 1428 (D) specific responsibilities for providing and receiving information; and
- 1429 (E) types of records to be kept, and by whom;
- 1430 (ii) training requirements; and
- 1431 (iii) other expectations of the [SRØ] school resource officer and school administration in relation to law enforcement at the LEA;
- 1433 (f) that ~~[an-SRØ]~~ a school resource officer who is hired under the contract and the principal at the school where ~~[an-SRØ]~~ a school resource officers will be working, or the principal's designee, will jointly complete the [SRØ] school resource officer training described in Section 53G-8-702;
- 1437 (g) that both parties agree to jointly discuss [SRØ] school resource officer applicants; ~~[and]~~
- 1439 (h) that the law enforcement agency will, at least annually, seek out and accept feedback from an LEA about ~~[an-SRØ's]~~ a school resource officer's performance[-] ; and
- 1441 (i) a designation of the school resource officer and the officer's law enforcement agency as "school officials" for purposes of the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.
- 1444 (3) An LEA may not require or prohibit mandatory rotations of school resource officers as part of the contract described in Subsection (2).
- 1451 Section 26. Section **53G-8-703.2** is amended to read:
- 1452 **53G-8-703.2. LEA establishment of a school resource officer policy -- Public comment.**
- 1448 (1) An LEA shall establish ~~[an-SRØ]~~ a school resource officer policy.
- 1449 (2) The [SRØ] school resource officer policy described in Subsection (1) shall include:
- 1450 (a) the contract described in Section 53G-8-703; and
- 1451 (b) all other procedures and requirements governing the relationship between the LEA and ~~[an-SRØ]~~ a school resource officer.
- 1453 (3) Before implementing the [SRØ] school resource officer policy described in Subsection (1), the LEA shall present the [SRØ] school resource officer policy at a public meeting and receive public comment on the [SRØ] school resource officer policy.

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1461 Section 27 is enacted to read:

1462 **53G-8-704. Contracts between an LEA or private school and a contract security company**
for armed school security guards.

1459 As used in this section

1460 "Armed private security officer" means the same as that term is defined in Section 58-63-102.

1462 "Armed school security guard" means an armed private security officer who is:

1463 licensed as an armed private security officer under Title 58, Chapter 63, Security Personnel
Licensing Act; and

1465 has met the requirements described in Subsection (4)(a).

1466 "Biannual training" means the same as the term is defined in Section 53-22-105.

1467 "Contract security company" means the same as that term is defined in Section 58-63-102.

1469 "State security chief" means the same as the term is defined in Section 53-22-102.

1470 (2)

An LEA or private school may use an armed school security guard to satisfy the requirements of
Section 53G-8-701.5.

1472 An LEA or private school that uses an armed school security guard under Subsection (2)(a) shall
contract with a contract security company to provide armed school security guards at the private
school or at each school within the LEA.

1475 The contract described in Subsection (2)(b) shall include a detailed description of:

1476 the rights of a student under state and federal law with regard to:

1477 searches;

1478 questioning;

1479 arrests; and

1480 information privacy;

1481 job assignment and duties of an armed school security guard, including:

1482 the school to which an armed school security guard will be assigned;

1483 the hours an armed school security guard is present at the school;

1484 the point of contact at the school that an armed school security guard will contact in case of an
emergency;

1486 specific responsibilities for providing and receiving information; and

1487 types of records to be kept, and by whom;

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1488 training requirements; and
1489 other expectations of the contract security company in relation to school security at the private school
or LEA.

1491 (4)

In addition to the requirements for licensure under Title 58, Chapter 63, Security Personnel Licensing Act an armed private security officer may only serve as an armed school security guard under a contract described in Subsection (2)(b) if the armed private security officer:

1495 has a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act;
and

1497 has undergone training from a county security chief regarding:

1498 the safe loading, unloading, storage, and carrying of firearms in a school setting;

1499 the role of armed security guards in a school setting; and

1500 coordination with law enforcement and school officials during an active threat.

1501 An armed school security guard that meets the requirements of Subsection (4)(a) shall, in order remain eligible to be assigned as an armed school security guard at any school under a contract described in Subsection (2)(b), participate in bi-annual training.

1505 An armed school security guard may conceal or openly carry a firearm at the school at which the armed school security guard is employed under the contract described in Subsection (2)(b).

1508 A private school or LEA that enters a contract under this section shall inform the state security chief and the relevant county security chief of the contract and provide the contact information of the contract security company employing the armed security guard for use during an emergency.

1512 The state security chief shall:

1513 for each private school or LEA that contracts with a contract security company under this section, track each contract security company providing armed school security guards by name and the contact information for use in case of an emergency; and

1516 make the information described in Subsection (7)(a) readily available to each law enforcement agency in the state by school.

1523 Section 28. Section **53G-8-801** is amended to read:

1524 **53G-8-801. Definitions.**

As used in this section:

1521 (1) "Bullying" means the same as that term is defined in Section 53G-9-601.

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1522 (2) "Law enforcement officer" means the same as that term is defined in Section 53-13-103.

1523 (3) "Program" means the State Safety and Support Program established in Section 53G-8-802.

1525 (4) "State security chief" means the same as the term is defined in Section 53-22-101.

1531 Section 29. Section **53G-8-802** is amended to read:

1532 **53G-8-802. ~~State~~ School Safety and Support Program -- ~~State board duties~~ Center -- LEA**
duties.

1528 (1) There is created the [State Safety and Support Program] School Safety Center.

1529 (2) The [state board] School Safety Center shall:

1530 (a) develop in conjunction with the Office of Substance Use and Mental Health and the state security
chief model student safety and support policies for an LEA, including:

1532 (i) requiring an evidence-based [procedures for the] a behavior threat assessment [of and
intervention] that includes:

1534 (A) recommended interventions with an individual whose behavior poses a threat to school
safety; and

1536 (B) establishes defined roles for a multidisciplinary team and school safety personnel described in
Title 53G, Chapter 8, Part 7 School Safety Personnel including .

1538 (ii) procedures for referrals to law enforcement; and

1539 (iii) procedures for referrals to a community services entity, a family support organization, or a
health care provider for evaluation or treatment;

1541 (b) provide training in consultation with the state security chief:

1542 (i) in school safety;

1543 (ii) in evidence-based approaches to improve school climate and address and correct bullying
behavior;

1545 (iii) in evidence-based approaches in identifying an individual who may pose a threat to the school
community;

1547 (iv) in evidence-based approaches in identifying an individual who may be showing signs or
symptoms of mental illness;

1549 (v) on permitted disclosures of student data to law enforcement and other support services under the
Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

1552 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections 53E-9-203 and
53E-9-305; and

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- 1554 (vii) for administrators on rights and prohibited acts under:
- 1555 (A) Chapter 9, Part 6, Bullying and Hazing;
- 1556 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 1557 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 1558 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 1559 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 1560 (c) conduct and disseminate evidence-based research on school safety concerns;
- 1561 (d) disseminate information on effective school safety initiatives;
- 1562 (e) encourage partnerships between public and private sectors to promote school safety;
- 1563 (f) provide technical assistance to an LEA in the development and implementation of school safety initiatives;
- 1565 (g) in conjunction with the ~~[Department of Public Safety, develop and]~~ state security chief, make available to an LEA [a] the model critical incident response training program [that includes:] described in Section 53-22-102 a school and law enforcement shall use during a threat;
- 1569 ~~[(i) protocols for conducting a threat assessment, and ensuring building security during an incident, as required in Section 53G-8-701.5;]~~
- 1571 ~~[(ii) standardized response protocol terminology for use throughout the state;]~~
- 1572 ~~[(iii) protocols for planning and safety drills; and]~~
- 1573 ~~[(iv) recommendations for safety equipment for schools including amounts and types of first aid supplies;]~~
- 1575 (h) provide space for the public safety liaison described in Section 53-1-106 and the school-based mental health specialist described in Section 26B-5-211;
- 1583 (i) collaborate with the state security chief to determine appropriate application of school safety requirements in Utah code to an online school;
- 1577 ~~(i)~~ ~~[(i)]~~ (i) create a model school climate survey that may be used by an LEA to assess stakeholder perception of a school environment and, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules:
- 1580 (i) requiring an LEA to:
- 1581 (A) create or adopt and disseminate a school climate survey; and
- 1582 (B) disseminate the school climate survey;
- 1583 (ii) recommending the distribution method, survey frequency, and sample size of the survey; and

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- 1585 (iii) specifying the areas of content for the school climate survey; and
- 1586 ~~(j)~~~~(i)~~ (k) collect aggregate data and school climate survey results from each LEA.
- 1587 (3) Nothing in this section requires an individual to respond to a school climate survey.
- 1588 (4) The state board shall require an LEA to:
- 1589 (a)
- (i) review data from the state board-facilitated surveys containing school climate data for each school within the LEA; and
- 1591 (ii) based on the review described in Subsection (4)(a)(i):
- 1592 (A) revise practices, policies, and training to eliminate harassment and discrimination in each school within the LEA;
- 1594 (B) adopt a plan for harassment- and discrimination-free learning; and
- 1595 (C) host outreach events or assemblies to inform students and parents of the plan adopted under Subsection (4)(a)(ii)(B);
- 1597 (b) no later than September 1 of each school year, send a notice to each student, parent, nd LEA staff member stating the LEA's commitment to maintaining a school climate that is free of harassment and discrimination; and
- 1600 (c) report to the state board:
- 1601 (i) no later than August 1, 2023, on the LEA's plan adopted under Subsection (4)(a)(ii)(B); and
- 1603 (ii) after August 1, 2023, annually on the LEA's implementation of the plan and progress.
- 1613 Section 30. Section **53G-8-803** is amended to read:
- 1614 **53G-8-803. Standard response protocol to active threats in schools.**
- The state board in consultation with the state security chief shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
- 1609 (1) in accordance with the standard response protocol the state security chief establishes, require an LEA or school to develop emergency preparedness plans and emergency response plans for use during an emergency that include developmentally appropriate training for students and adults regarding:
- 1613 (a) active threats;
- 1614 (b) emergency preparedness;
- 1615 (c) drills as required under Subsection 15A-5-202.5; and
- 1616 (d) standard response protocols coordinated with community stakeholders;

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- 1617 (2) identify the necessary components of emergency preparedness and response plans, including
underlying standard response protocols and emerging best practices for an emergency; and
- 1620 (3) define what constitutes an "active threat" and "developmentally appropriate" for purposes of the
emergency response training described in this section.
- 1630 Section **31** is enacted to read:
- 1631 **53G-8-805. Panic alert device -- Security cameras.**
- 1624 An LEA shall provide each classroom with a panic alert device that allows for mmediate contact with
emergency services or emergency services agencies, law enforcement agencies, health departments,
and fire departments.
- 1627 An LEA shall ensure all school building personnel receive training on the protocol and appropriate use
of the panic alert device described in Subsection (1).
- 1629 An LEA shall:
- 1630 ensure all security cameras within a school building are accessible by a local law enforcement
agency; and
- 1632 coordinate with a local law enforcement agency to establish appropriate access protocols.
- 1642 Section 32. Section **63H-7a-103** is amended to read:
- 1643 **63H-7a-103. Definitions.**
- As used in this chapter:
- 1637 (1) "911 account" means the Unified Statewide 911 Emergency Service Account, created in Subsection
63H-7a-304(1).
- 1639 (2) "911 call transfer" means the redirection of a 911 call from the person who initially receives the call
to another person within the state.
- 1641 (3) "Association of governments" means an association of political subdivisions of the state, established
pursuant to an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act.
- 1644 (4) "Authority" means the Utah Communications Authority created in Section 63H-7a-201.
- 1645 (5) "Backhaul network" means the portion of a public safety communications network that consists
primarily of microwave paths, fiber lines, or ethernet circuits.
- 1647 (6) "Board" means the Utah Communications Authority Board created in Section 63H-7a-203.
- 1649 (7) "CAD" means a computer-based system that aids PSAP dispatchers by automating selected
dispatching and record-keeping activities.
- 1651

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- (8) "CAD-to-CAD" means standardized connectivity between PSAPs or between a PSAP and a dispatch center for the transmission of data between CADs.
- 1653 (9) "Dispatch center" means an entity that receives and responds to an emergency or onemergency communication transferred to the entity from a public safety answering point.
- 1656 (10) "FirstNet" means the federal First Responder Network Authority established in 47 U.S.C. Sec. 1424.
- 1658 (11) "Lease" means any lease, lease purchase, sublease, operating, management, or similar agreement.
- 1660 (12) "Public agency" means any political subdivision of the state dispatched by a public safety answering point.
- 1662 (13) "Public safety agency" means the same as that term defined in Section 69-2-102.
- 1663 (14) "Public safety answering point" or "PSAP" means an entity in this state that:
- 1664 (a) receives, as a first point of contact, direct 911 emergency communications from the 911 emergency service network requesting a public safety service;
- 1666 (b) has a facility with the equipment and staff necessary to receive the communication;
- 1667 (c) assesses, classifies, and prioritizes the communication; [and]
- 1668 (d) dispatches the communication to the proper responding agency[-] ; and
- 1669 (e) submit information as described in Section 63H-7a-208.
- 1670 (15) "Public safety communications network" means:
- 1671 (a) a regional or statewide public safety governmental communications network and elated facilities, including real property, improvements, and equipment necessary for the acquisition, construction, and operation of the services and facilities; and
- 1674 (b) 911 emergency services, including radio communications, connectivity, and 911 call processing equipment.
- 1684 Section 33. Section **63H-7a-208** is amended to read:
- 1685 **63H-7a-208. PSAP advisory committee.**
- 1678 (1) There is established a PSAP advisory committee composed of nine members appointed by the board as follows:
- 1680 (a) one representative from a PSAP managed by a city;
- 1681 (b) one representative from a PSAP managed by a county;
- 1682 (c) one representative from a PSAP managed by a special service district;
- 1683 (d) one representative from a PSAP managed by the Department of Public Safety;

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- 1684 (e) one representative from a PSAP from a county of the first class;
1685 (f) one representative from a PSAP from a county of the second class;
1686 (g) one representative from a PSAP from a county of the third or fourth class;
1687 (h) one representative from a PSAP from a county of the fifth or sixth class; and
1688 (i) one member from the telecommunications industry.
- 1689 (2)
- (a) Except as provided in Subsection (2)(b), each member shall be appointed to a four-year term beginning July 1, 2019.
- 1691 (b) Notwithstanding Subsection (2)(a), the board shall:
- 1692 (i) at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that the terms of approximately half of the committee end every two years; and
- 1695 (ii) not reappoint a member for more than two consecutive terms.
- 1696 (3) If a vacancy occurs in the membership for any reason, the replacement shall be appointed by the board for the unexpired term.
- 1698 (4)
- (a) Each January, the committee shall organize and select one of its members as chair and one member as vice chair.
- 1700 (b) The committee may organize standing or ad hoc subcommittees, which shall operate in accordance with guidelines established by the committee.
- 1702 (5)
- (a) The chair shall convene a minimum of four meetings per year.
- 1703 (b) The chair may call special meetings.
- 1704 (c) The chair shall call a meeting upon request of five or more members of the committee.
- 1706 (6) Five members of the committee constitute a quorum for the transaction of business, and the action of a majority of the members present is the action of the committee.
- 1708 (7) A member may not receive compensation or benefits for the member's service.
- 1709 (8) The PSAP advisory committee shall, on behalf of stakeholders, make recommendations to the director and the board regarding:
- 1711 (a) the authority operations and policies;
- 1712 (b) the 911 division and interoperability division strategic plans;

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- 1713 (c) the operation, maintenance, and capital development of the public safety communications
network;
- 1715 (d) the authority's administrative rules relative to the 911 division and the interoperability division;
and
- 1717 (e) the development of minimum standards and best practices as described in Subsection
63H-7a-302(1)(a).
- 1719 (9) No later than September 30, 2020, the PSAP advisory committee shall propose to the board a
statewide CAD-to-CAD call handling and 911 call transfer protocol.
- 1721 (10) The chair of the PSAP advisory committee is a nonvoting member of the board.
- 1722 (11)
- (a) The committee is not subject to Title 52, Chapter 4, Open and Public Meetings Act.
- 1724 (b) The committee shall:
- 1725 (i) at least 24 hours before a committee meeting, post a notice of the meeting, with a meeting
agenda, on the authority's website;
- 1727 (ii) within 10 days after a committee meeting, post to the authority's website the audio and draft
minutes of the meeting; and
- 1729 (iii) within three days after the committee approves minutes of a committee meeting, post the
approved minutes to the authority's website.
- 1731 (c) The committee's vice chair is responsible for preparing minutes of committee meetings.
- 1733 (12) On or before December 31, 2024, the PSAP advisory committee shall coordinate with the State
Bureau of Investigation to use the intelligence system described in Subsections 53-10-302(7) and (8)
to:
- 1736 (a) establish the information a PSAP is required to submit to the intelligence system; and
- 1737 (b) a format for submitting information.
- 1746 Section 34. Section **76-10-505.5** is amended to read:
- 1747 **76-10-505.5. Possession of a dangerous weapon, firearm, or short barreled shotgun on or
about school premises -- Penalties.**
- 1741 (1) As used in this section, "on or about school premises" means:
- 1742 (a)
- (i) in a public or private elementary or secondary school; or
- 1743 (ii) on the grounds of any of those schools;

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- 1744 (b)
- 1745 (i) in a public or private institution of higher education; or
- 1746 (ii) on the grounds of a public or private institution of higher education; and
- 1746 (iii)
- (A) inside the building where a preschool or child care is being held, if the entire building is being used for the operation of the preschool or child care; or
- 1748 (B) if only a portion of a building is being used to operate a preschool or child care, in that room or rooms where the preschool or child care operation is being held.
- 1751 (2) A person may not possess any dangerous weapon, firearm, or short barreled shotgun, as those terms are defined in Section 76-10-501, at a place that the person knows, or has reasonable cause to believe, is on or about school premises as defined in this section.
- 1754 (3)
- (a) Possession of a dangerous weapon on or about school premises is a class B misdemeanor.
- 1756 (b) Possession of a firearm or short barreled shotgun on or about school premises is a class A misdemeanor.
- 1758 (4) This section does not apply if:
- 1759 (a) the person is authorized to possess a firearm as ~~[provided under]~~ described in Section 53-5-704, 53-5-705, 76-10-511, or 76-10-523, or as otherwise authorized by law;
- 1761 (b) the person is authorized to possess a firearm as ~~[provided under]~~ described in Section 53-5-704.5, unless the person is in a location where the person is prohibited from carrying a firearm under Subsection 53-5-710(2);
- 1764 (c) the possession is approved by the responsible school administrator;
- 1765 (d) the item is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use;
- 1768 (e) the person is as an armed school security guard as described in Section 53G-8-704; or
- 1769 ~~[(e)]~~ (f) the possession is:
- 1770 (i) at the person's place of residence or on the person's property; or
- 1771 (ii) in any vehicle lawfully under the person's control, other than a vehicle owned by the school or used by the school to transport students.
- 1773 (5) This section does not;
- 1774

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(a) prohibit prosecution of a more serious weapons offense that may occur on or about school premises; or

1776 (b) prevent a person from securely storing a firearm on the grounds of a school if the person
participates in the school guardian program created in Section 53-22-105 and complies with the
requirements for securely storing the firearm described in Subsection 53-22-105(5)(a).

1788 Section 35. **Effective date.**

This bill takes effect on July 1, 2024.

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