

School Safety Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

LONG TITLE**General Description:**

This bill modifies school safety provisions.

Highlighted Provisions:

This bill:

- modifies communication device requirements for new construction to post-completion determination;

- amends building standards;

- revises screening and training requirements for school safety personnel;

- adjusts school safety personnel provisions;

- changes safety assessment deadlines and responsibilities;

- establishes a school safety foundation for certain purposes;

- creates compliance supports;

- modifies certain administrative structures within the school safety program;

- amends the procurement code to allow a school safety foundation to use state cooperative contracts; and

- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:**AMENDS:**

15A-5-203 (Effective 07/01/25), as last amended by Laws of Utah 2024, Chapters 21, 381

53-22-102 (Effective 07/01/25), as last amended by Laws of Utah 2024, Chapter 21

53-22-103 (Effective 07/01/25), as last amended by Laws of Utah 2024, Chapter 21

53-22-104.2 (Effective 07/01/25), as enacted by Laws of Utah 2024, Chapter 21

53-22-105 (Effective 07/01/25), as enacted by Laws of Utah 2024, Chapter 21

32 **53G-8-701 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 21
 33 **53G-8-701.5 (Effective 07/01/25)**, as repealed and reenacted by Laws of Utah 2024,
 34 Chapter 21
 35 **53G-8-701.6 (Effective 07/01/25)**, as enacted by Laws of Utah 2024, Chapter 21
 36 **53G-8-701.8 (Effective 07/01/25)**, as enacted by Laws of Utah 2024, Chapter 21
 37 **53G-8-704 (Effective 07/01/25)**, as enacted by Laws of Utah 2024, Chapter 21
 38 **53G-8-802 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 23
 39 **53G-8-805 (Effective 07/01/25)**, as enacted by Laws of Utah 2024, Chapter 21
 40 **53G-9-703 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapter 20
 41 **63G-6a-103 (Effective 07/01/25)**, as last amended by Laws of Utah 2024, Chapters 291,
 42 408 and 438
 43 **63G-6a-2105 (Effective 07/01/25)**, as last amended by Laws of Utah 2016, Chapters
 44 348, 355

45 ENACTS:

46 **53-22-108 (Effective 07/01/25)**, Utah Code Annotated 1953
 47 **53-22-109 (Effective 07/01/25)**, Utah Code Annotated 1953
 48 **53-25-601 (Effective 07/01/25)**, Utah Code Annotated 1953
 49 **76-5-417 (Effective 07/01/25)**, Utah Code Annotated 1953

50 REPEALS:

51 **53F-4-208**, as enacted by Laws of Utah 2023, Chapter 383

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

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

55 **15A-5-203 (Effective 07/01/25). Amendments and additions to IFC related to**
 56 **fire safety, building, and site requirements.**

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

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

63 (i) the structure:

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

- 66 Construction Code; and
- 67 (B) does not meet the requirements described in Utah Code, Subsection 65A-8-203
- 68 (4)(a) and Utah Administrative Code, R652-122-1300, Minimum Standards for
- 69 County Wildland Fire Ordinance;
- 70 (ii) the structure is in an area where a public water distribution system with fire
- 71 hydrants does not exist as required in Utah Administrative Code, R309-550-5,
- 72 Water Main Design;
- 73 (iii) the only fire apparatus access road has a grade greater than 10% for more than
- 74 500 continual feet;
- 75 (iv) the total floor area of all floor levels within the exterior walls of the dwelling unit
- 76 exceeds 10,000 square feet; or
- 77 (v) the total floor area of all floor levels within the exterior walls of the dwelling unit
- 78 is double the average of the total floor area of all floor levels of unsprinkled
- 79 homes in the subdivision that are no larger than 10,000 square feet.
- 80 (vi) Exception: A single family dwelling does not require a fire sprinkler system if
- 81 the dwelling:
- 82 (A) is located outside the wildland urban interface;
- 83 (B) is built in a one-lot subdivision; and
- 84 (C) has 50 feet of defensible space on all sides that limits the propensity of fire
- 85 spreading from the dwelling to another property."
- 86 (b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as
- 87 follows: "Where access to or within a structure or an area is restricted because of
- 88 secured openings or where immediate access is necessary for life-saving or
- 89 fire-fighting purposes, the fire code official, after consultation with the building
- 90 owner, may require a key box to be installed in an approved location. The key box
- 91 shall contain keys to gain necessary access as required by the fire code official. For
- 92 each fire jurisdiction that has at least one building with a required key box, the fire
- 93 jurisdiction shall adopt an ordinance, resolution, or other operating rule or policy that
- 94 creates a process to ensure that each key to each key box is properly accounted for
- 95 and secure."
- 96 (c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings, is
- 97 added as follows: "Fire flow may be reduced for an isolated one- and two-family
- 98 dwelling when the authority having jurisdiction over the dwelling determines that the
- 99 development of a full fire-flow requirement is impractical."

- 100 (d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as follows:
101 "507.1.2 Pre-existing subdivision lots.
102 The requirements for a pre-existing subdivision lot shall not exceed the requirements
103 described in Section 501.5."
- 104 (e) In IFC, Chapter 5, Section 507.5.1, here required, a new exception is added: "3. One
105 interior and one detached accessory dwelling unit on a single residential lot."
- 106 (f) IFC, Chapter 5, Section 510.1, Emergency responder communication coverage in
107 new buildings, is amended by adding: "When required by the fire code official,
108 unless the new building is a public school as that term is defined in Section
109 53G-9-205.1 or a private school, [~~then~~] if determined by the fire code official to be
110 necessary after construction of the new building is completed, then the fire code
111 official shall require," at the beginning of the first paragraph.
- 112 (2) For IFC, Chapter 6, Building Services and Systems:
- 113 (a) IFC, Chapter 6, Section 604.6.1, Elevator key location, is deleted and rewritten as
114 follows: "Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key
115 box or similar box with corresponding key system that is adjacent to the elevator for
116 immediate use by the fire department. The key box shall contain one key for each
117 elevator, one key for lobby control, and any other keys necessary for emergency
118 service. The elevator key box shall be accessed using a 6049 numbered key."
- 119 (b) IFC, Chapter 6, Section 606.1, General, is amended as follows: On line three, after
120 the word "Code", add the words "and NFPA 96".
- 121 (c) IFC, Chapter 6, Section 607.2, a new exception 5 is added as follows: "5. A Type 1
122 hood is not required for a cooking appliance in a microenterprise home kitchen, as
123 that term is defined in Utah Code, Section 26B-7-401, for which the operator obtains
124 a permit in accordance with Section 26B-7-416."
- 125 (3) IFC, Chapter 7, Fire and Smoke Protection Features, Section 702.5, is deleted.
126 Section 2. Section **53-22-102** is amended to read:
127 **53-22-102 (Effective 07/01/25). State security chief -- Creation -- Appointment.**
- 128 (1) There is created within the department a state security chief.
129 (2) The state security chief:
130 (a) is appointed by the commissioner with the approval of the governor;
131 (b) is subject to the supervision and control of the commissioner;
132 (c) may be removed at the will of the commissioner;
133 (d) shall be qualified by experience and education to:

- 134 (i) enforce the laws of this state relating to school safety;
- 135 (ii) perform duties prescribed by the commissioner; and
- 136 (iii) enforce rules made under this chapter.
- 137 (3) The state security chief shall:
- 138 (a) establish building and safety standards for all public and private schools, including:
- 139 (i) coordinating with the State Board of Education to establish the required minimum
- 140 safety and security standards for all public and private school facilities, including:
- 141 (A) limited entry points, including, if applicable, secured entry points for specific
- 142 student grades or groups;
- 143 (B) video surveillance of entrances when school is in session;
- 144 (C) [~~ground level~~] exterior and interior windows protected by security film or
- 145 ballistic windows;
- 146 (D) internal classroom door locks;
- 147 (E) bleed kits and first aid kits;
- 148 (F) exterior cameras on entrances, parking areas, and campus grounds; and
- 149 (G) fencing around playgrounds;
- 150 (ii) establishing a schedule or timeline for existing buildings to come into compliance
- 151 with this section;
- 152 (iii) creating a process to examine plans and specifications for construction or
- 153 remodeling of a school building, in accordance with Section 53E-3-706;
- 154 (iv) recommending to the commissioner the denial or revocation a public or private
- 155 school's occupancy permit for a building if:
- 156 (A) the building does not meet the standards established in this section; and
- 157 (B) after consultation with the local governing board, the building remains
- 158 non-compliant with the standards established in this section;
- 159 (v) creating minimum standards for radio communication equipment in every school;
- 160 and
- 161 (vi) establishing a process to approve the safety and security criteria the state
- 162 superintendent of public instruction establishes for building inspectors described
- 163 in Section 53E-3-706;
- 164 (b) oversee the implementation of the school safety personnel requirements described in
- 165 Section 53G-8-701.5, including:
- 166 (i) in consultation with a county security chief, overseeing the school guardian
- 167 program described in Section 53-22-105, including approving and coordinating

- 168 the relevant training programs;
- 169 (ii) establishing an application process for approved alternatives to the school safety
170 personnel requirements described in Section 53G-8-701.5;
- 171 (iii) selecting training requirements for school safety and security specialists in
172 consultation with the State Board of Education as described in Section
173 53G-8-701.6;
- 174 (iv) as required by Section 53G-8-701.8, tracking each school safety and security
175 director for a local education agency and ensuring that the contact information for
176 the school safety and security directors is readily available to the local law
177 enforcement agency of relevant jurisdiction; and
- 178 (v) reviewing and approving the State Board of Education's school resource officer
179 training program as described in Section 53G-8-702;
- 180 (c) oversee the creation of school safety trainings, protocols, and incident responses,
181 including:
- 182 (i) in consultation with the State Board of Education, defining what constitutes an
183 "active threat" and "developmentally appropriate" for purposes of the emergency
184 response training described in Section 53G-8-803;
- 185 (ii) in consultation with the Office of Substance [~~Abuse~~] Use and Mental Health,
186 establishing or selecting an adolescent mental health and de-escalation training for
187 school safety personnel;
- 188 (iii) consulting with the School Safety Center to develop the model critical incident
189 response that all schools and law enforcement will use during a threat, including:
- 190 (A) standardized response protocol terminology for use throughout the state,
191 including what constitutes a threat;
- 192 (B) protocols for planning and safety drills, including drills required in a school
193 before the school year begins;
- 194 (C) integration and appropriate use of a panic alert device described in Subsection
195 53G-8-805;
- 196 (D) the establishment of incident command for a threat or safety incident,
197 including which entity and individual runs the incident command;
- 198 (E) the required components for a communication plan to be followed during an
199 incident or threat;
- 200 (F) reunification plan protocols, including the appropriate design and use of an
201 incident command by others responding to or involved in an incident; and

- 202 (G) recommendations for safety equipment for schools, including amounts and
 203 types of first aid supplies;
- 204 (iv) reviewing and suggesting any changes to the response plans and training under
 205 Section 53G-8-803;
- 206 (v) creating the official standard response protocol described in Section 53G-8-803
 207 for use by schools and law enforcement for school safety incidents; and
- 208 (vi) establishing a manner for any security personnel described in Section
 209 53G-8-701.5 to be quickly identified by law enforcement during an incident;
- 210 (d) in consultation with the School Safety Center established in Section 53G-8-802:
- 211 (i) create a process to receive and analyze the school safety needs assessments
 212 described in Section 53G-8-701.5; and
- 213 (ii) establish a required data reporting system for public schools to report serious and
 214 non-serious threats and other data related to threat assessment that the state
 215 security chief determines to be necessary;
- 216 (e) review, authorize, and oversee foundation activities under Section 53-22-108; and
 217 ~~[(e)]~~ (f) fulfill any other duties and responsibilities determined by the commissioner.
- 218 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 219 department, in consultation with the state security chief, shall make rules to fulfill the
 220 duties described in this section.
- 221 (5) The state security chief may delegate duties under this section to a sworn department
 222 member with the approval of the commissioner.

223 Section 3. Section **53-22-103** is amended to read:

224 **53-22-103 (Effective 07/01/25). County sheriff responsibilities -- Coordination.**

- 225 (1) Each county sheriff shall identify an individual as a county security chief within the
 226 sheriff's office to coordinate security responsibilities, protocols, and required trainings
 227 between the state security chief, the county sheriff's office, and the corresponding police
 228 chiefs whose jurisdiction includes a public school within the county.
- 229 (2) The county security chief shall:
- 230 (a) ~~[in collaboration with]~~ ensure the school safety and security specialist described in
 231 Section 53G-8-701.6 and the local law enforcement agency of relevant jurisdiction:
- 232 (i) ~~conduct[, or coordinate with a designee from the local law enforcement agency~~
 233 ~~of relevant jurisdiction to conduct]~~ the school safety needs assessment described
 234 in Section 53G-8-701.5; and
- 235 (ii) conduct a building safety evaluation at least annually using the results of the

- 236 school safety needs assessment to recommend and implement improvements to
 237 school facilities, policies, procedures, protocols, rules, and regulations relating to
 238 school safety and security;
- 239 (b) collaborate and maintain effective communications regarding school safety with
 240 each:
- 241 (i) school safety and security specialist in the county security chief's county, as
 242 described in Section 53G-8-701.6;
- 243 (ii) school safety and security director in the county security chief's county, as
 244 described in Section 53G-8-701.8; and
- 245 (iii) local law enforcement agency within the county;
- 246 (c) administer with the corresponding police chiefs whose jurisdiction includes a public
 247 school, the trainings described in Sections 53-22-105 and 53G-8-704, including:
- 248 (i) assessing if an individual is capable of the duties and responsibilities that the
 249 trainings cover; and
- 250 (ii) denying an individual the ability to be a school safety personnel described in
 251 Section 53G-8-701.5 if the county security chief finds the individual is not
 252 capable of the duties and responsibilities that the trainings cover; and
- 253 (d) in conjunction with the state security chief, administer the school guardian program
 254 established in Section 53-22-105 at any school participating in the program in the
 255 county security chief's county.

256 Section 4. Section **53-22-104.2** is amended to read:

257 **53-22-104.2 (Effective 07/01/25). The School Security Task Force -- Education**

258 **Advisory Board.**

- 259 (1) There is created an advisory board to the task force called the Education Advisory
 260 Board.
- 261 (2) The advisory board shall consist of the following members:
- 262 (a) the state security chief, who acts as chair of the advisory board;
- 263 (b) the construction and facility specialist at the State Board of Education;
- 264 (c) a superintendent from a county of the fourth, fifth, or sixth class, whom the state
 265 security chief selects;
- 266 (d) a superintendent from a county of the first, second, or third class, whom the state
 267 security chief selects;
- 268 (e) a charter school director from a county of the fourth, fifth, or sixth class, who
 269 maintains administrative operations within the same county and whom the state

- 270 security chief selects;
- 271 (f) a charter school director from a county of the first, second, or third class, whom the
272 state security chief selects;
- 273 (g) the president of the Utah School Boards Association or the president's designee;
- 274 (h) a parent representative from a school community council or parent teacher
275 organization, whom the state security chief selects;
- 276 (i) a facilities manager from an LEA in a county of the fourth, fifth, or sixth class, whom
277 the state security chief selects;
- 278 (j) a facilities manager from an LEA in county of the first, second, or third class, whom
279 the state security chief selects;
- 280 (k) a representative of private schools, whom the state security chief selects; and
- 281 (l) a member of the Office of Substance Abuse and Mental Health, whom the state
282 security chief selects.
- 283 (3) The advisory board's purpose is to:
- 284 (a) review and provide input on official business of the task force;
- 285 (b) provide recommendations and suggestions for the task force's consideration; and
- 286 (c) study and evaluate the policies, procedures, and programs implemented for school
287 safety and provide proactive information regarding the implementation.
- 288 (4)(a) A majority of the members of the advisory board constitutes a quorum.
- 289 (b) The action of a majority of a quorum constitutes an action of the advisory board.
- 290 (5)(a) The advisory board shall select two members to serve as co-chairs.
- 291 (b) The co-chairs are responsible for the call and conduct of meetings.
- 292 (6) The staff of the state security chief shall provide staff for the advisory board.
- 293 (7) A member of the advisory board who is not a legislator may not receive compensation
294 for the member's work associated with the task force but may receive per diem and
295 reimbursement for travel expenses incurred as a member of the task force at the rates
296 established by the Division of Finance under:
- 297 (a) Sections 63A-3-106 and 63A-3-107; and
- 298 (b) rules made by the Division of Finance in accordance with Sections 63A-3-106 and
299 63A-3-107.
- 300 Section 5. Section **53-22-105** is amended to read:
- 301 **53-22-105 (Effective 07/01/25). School guardian program.**
- 302 (1) As used in this section:
- 303 (a) "Annual training" means an annual four-hour training that:

- 304 (i) a county security chief or a designee administers;
- 305 (ii) the state security chief approves;
- 306 (iii) can be tailored to local needs;
- 307 (iv) allows an individual to practice and demonstrate firearms proficiency at a
- 308 firearms range using the firearm the individual carries for self defense and defense
- 309 of others;
- 310 (v) includes the following components:
- 311 (A) firearm safety, including safe storage of a firearm;
- 312 (B) de-escalation tactics;
- 313 (C) the role of mental health in incidents; and
- 314 (D) disability awareness and interactions; and
- 315 (vi) contains other training needs as determined by the state security chief.
- 316 (b) "Biannual training" means a twice-yearly training that:
- 317 (i) is at least four hours, unless otherwise approved by the state security chief;
- 318 (ii) a county security chief or a designee administers;
- 319 (iii) the state security chief approves;
- 320 (iv) can be tailored to local needs; and
- 321 (v) through which a school guardian at a school or simulated school environment:
- 322 (A) receives training on the specifics of the building or buildings of the school,
- 323 including the location of emergency supplies and security infrastructure; and
- 324 (B) participates in a live-action practice plan with school administrators in
- 325 responding to active threats at the school; and
- 326 (vi) shall be taken with at least three months in between the two trainings.
- 327 (c) "Firearm" means the same as that term is defined in Section 76-10-501.
- 328 (d) "Initial training" means an in-person training that:
- 329 (i) a county security chief or a designee administers;
- 330 (ii) the state security chief approves;
- 331 (iii) can be tailored to local needs; and
- 332 (iv) provides:
- 333 (A) training on general familiarity with the types of firearms that can be concealed
- 334 for self-defense and defense of others;
- 335 (B) training on the safe loading, unloading, storage, and carrying of firearms in a
- 336 school setting;
- 337 (C) training at a firearms range with instruction regarding firearms fundamentals,

338 marksmanship, the demonstration and explanation of the difference between
339 sight picture, sight alignment, and trigger control, and a recognized pistol
340 course;

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

344 (E) coordination with law enforcement officers in the event of an active threat;

345 (F) basic trauma first aid;

346 (G) the appropriate use of force, emphasizing the de-escalation of force and
347 alternatives to using force;

348 (H) situational response evaluations, including:

349 (I) protecting and securing a crime or accident scene;

350 (II) notifying law enforcement;

351 (III) controlling information; and

352 (IV) other training that the county sheriff, designee, or department deems
353 appropriate.

354 (e) "Program" means the school guardian program created in this section.

355 (f)(i) "School employee" means an employee of a school whose duties and
356 responsibilities require the employee to be physically present at a school's campus
357 while school is in session.

358 (ii) "School employee" does not include a principal, teacher, or individual whose
359 primary responsibilities require the employee to be primarily present in a
360 classroom to teach, care for, or interact with students, unless:

361 (A) the principal, teacher, or individual is employed at a school with 100 or fewer
362 students;

363 (B) the principal, teacher, or individual is employed at a school with adjacent
364 campuses as determined by the state security chief; or

365 (C) as provided in Subsection 53G-8-701.5(3).

366 (g) "School guardian" means a school employee who meets the requirements of
367 Subsection (3).

368 (2)(a)(i) There is created within the department the school guardian program[;] .

369 (ii) ~~the~~ The state security chief shall oversee the school guardian program[;] .

370 (iii) ~~the~~ The applicable county security chief shall administer the school guardian
371 program in each county.

- 372 (b) The state security chief shall ensure that the school guardian program includes:
- 373 (i) initial training;
- 374 (ii) biannual training; and
- 375 (iii) annual training.
- 376 (c) A county sheriff may partner or contract with:
- 377 (i) another county sheriff to support the respective county security chiefs in jointly
- 378 administering the school guardian program in the relevant counties; and
- 379 (ii) a local law enforcement agency of relevant jurisdiction to provide the:
- 380 (A) initial training;
- 381 (B) biannual training; and
- 382 (C) annual training.
- 383 (3)(a) A school employee that volunteers to participate is eligible to join the program as
- 384 a school guardian if:
- 385 (i) the school administrator approves the volunteer school employee to be designated
- 386 as a school guardian;
- 387 (ii) the school employee satisfactorily completes initial training within six months
- 388 before the day on which the school employee joins the program;
- 389 (iii) the school employee holds a valid concealed carry permit issued under [Title 53],
- 390 Chapter 5, Part 7, Concealed Firearm Act;
- 391 (iv) the school employee certifies to the sheriff of the county where the school is
- 392 located that the school employee has undergone the training in accordance with
- 393 Subsection (3)(a)(ii) and intends to serve as a school guardian; and
- 394 (v) the school employee: [~~successfully completes a mental health screening selected~~
- 395 ~~by the state security chief in collaboration with the Office of Substance Abuse and~~
- 396 ~~Mental Health established in Section 26B-5-102.]~~
- 397 (A) completes an initial "fit to carry" assessment the Department of Health and
- 398 Human Services approves and a provider administers;
- 399 (B) completes one mental health screening per calendar year thereafter that the
- 400 state security chief selects in collaboration with the Office of Substance Use
- 401 and Mental Health established in Section 26B-5-102; and
- 402 (C) maintains compliance with mental health screening requirements consistent
- 403 with law enforcement standards.
- 404 (b) After joining the program a school guardian shall complete annual training and
- 405 biannual training to retain the designation of a school guardian in the program.

- 406 (4) The state security chief shall:
- 407 (a) for each school that participates in the program, track each school guardian at the
- 408 school by collecting the photograph and the name and contact information for each
- 409 guardian;
- 410 (b) make the information described in Subsection (4)(a) readily available to each law
- 411 enforcement agency in the state categorized by school; and
- 412 (c) provide each school guardian with a one-time stipend of \$500.
- 413 (5) A school guardian:
- 414 (a) may store the school guardian's firearm on the grounds of a school only if:
- 415 (i) the firearm is stored in a biometric gun safe;
- 416 (ii) the biometric gun safe is located in the school guardian's office; and
- 417 (iii) the school guardian is physically present on the grounds of the school while the
- 418 firearm is stored in the safe;
- 419 (b) shall carry the school guardian's firearm in a concealed manner; and
- 420 (c) may not, unless during an active threat, display or open carry a firearm while on
- 421 school grounds.
- 422 (6) Except as provided in Subsection (5)(c), this section does not prohibit an individual who
- 423 has a valid concealed carry permit but is not participating in the program from carrying a
- 424 firearm on the grounds of a public school or charter school under Subsection 76-10-505.5
- 425 (4).
- 426 (7) A school guardian:
- 427 (a) does not have authority to act in a law enforcement capacity; and
- 428 (b) may, at the school where the school guardian is employed:
- 429 (i) take actions necessary to prevent or abate an active threat; and
- 430 (ii) temporarily detain an individual when the school guardian has reasonable cause
- 431 to believe the individual has committed or is about to commit a forcible felony, as
- 432 that term is defined in Section 76-2-402.
- 433 (8) A school may designate a single volunteer or multiple volunteers to participate in the
- 434 school guardian program to satisfy the school safety personnel requirements of Section
- 435 53G-8-701.5.
- 436 (9) The department may adopt, according to Title 63G, Chapter 3, Utah Administrative
- 437 Rulemaking Act, rules to administer this section.
- 438 (10) A school guardian who has active status in the guardian program is not liable for any
- 439 civil damages or penalties if the school guardian:

- 440 (a) when carrying or storing a firearm:
- 441 (i) is acting in good faith; and
- 442 (ii) is not grossly negligent; or
- 443 (b) threatens, draws, or otherwise uses a firearm reasonably believing the action to be
- 444 necessary in compliance with Section 76-2-402.
- 445 (11) A school guardian shall file a report described in Subsection (12) if, during the
- 446 performance of the school guardian's duties, the school guardian points a firearm at an
- 447 individual.
- 448 (12)(a) A report described in Subsection (11) shall include:
- 449 (i) a description of the incident;
- 450 (ii) the identification of the individuals involved in the incident; and
- 451 (iii) any other information required by the state security chief.
- 452 (b) A school guardian shall submit a report required under Subsection (11) to the school
- 453 administrator, school safety and security director, and the state security chief within
- 454 48 hours after the incident.
- 455 (c) The school administrator, school safety and security director, and the state security
- 456 chief shall consult and review the report submitted under Subsection (12)(b).
- 457 (13) The requirements of Subsections (11) and (12) do not apply to a training exercise.
- 458 (14) A school guardian may have the designation of school guardian revoked at any time by
- 459 the school principal, county sheriff, or state security chief.
- 460 (15)(a) Any information or record created detailing a school guardian's participation in
- 461 the program is:
- 462 (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government
- 463 Records Access and Management Act; and
- 464 (ii) available only to:
- 465 (A) the state security chief;
- 466 (B) administrators at the school guardian's school;
- 467 (C) if applicable, other school safety personnel described in Section 53G-8-701.5;
- 468 (D) a local law enforcement agency that would respond to the school in case of an
- 469 emergency; and
- 470 (E) the individual designated by the county sheriff in accordance with Section
- 471 53-22-103 of the county of the school where the school guardian in the
- 472 program is located.
- 473 (b) The information or record described in Subsection (15)(a) includes information

474 related to the school guardian's identity and activity within the program as described
475 in this section and any personal identifying information of a school guardian
476 participating in the program collected or obtained during initial training, annual
477 training, and biannual training.

478 (c) An individual who intentionally or knowingly provides the information described in
479 Subsection (15)(a) to an individual or entity not listed in Subsection (15)(a)(ii) is
480 guilty of a class B misdemeanor.

481 Section 6. Section **53-22-108** is enacted to read:

482 **53-22-108** (Effective 07/01/25). **School safety foundation.**

483 (1) As used in this section:

484 (a) "Authorized foundation" means a nonprofit foundation that:

485 (i) meets the requirements of this section; and

486 (ii) the state security chief authorizes.

487 (b) "School safety product" means equipment, technology, service, or material that

488 enhances school safety and security.

489 (2) The state security chief may approve a nonprofit foundation to be an authorized
490 foundation if the foundation:

491 (a) maintains status as a nonprofit organization under 26 U.S.C. Sec. 501(c)(3);

492 (b) has operated continuously in the state for three or more years;

493 (c) maintains a primary mission focused on school safety;

494 (d) operates under a board of directors that includes:

495 (i) a law enforcement representative;

496 (ii) an educator or school administrator; and

497 (iii) an emergency management professional;

498 (e) demonstrates financial stability through:

499 (i) an annual independent audit;

500 (ii) maintained reserves; and

501 (iii) a clean financial record; and

502 (f) provides evidence of:

503 (i) successful project management;

504 (ii) an existing relationship with an educational institution; and

505 (iii) knowledge of school safety requirements described in federal and state law.

506 (3) A foundation seeking authorization shall submit to the state security chief:

507 (a) a written application that demonstrates compliance with Subsection (2);

- 508 (b) a financial record for the previous three years;
509 (c) a current board member qualification;
510 (d) a proposed school safety initiative; and
511 (e) an internal procurement policy.
- 512 (4) The state security chief shall:
513 (a) review an application within 60 days;
514 (b) request additional information if needed;
515 (c) issue a written decision; and
516 (d) maintain a public record of an authorized foundation.
- 517 (5) An authorized foundation may:
518 (a) participate in a state cooperative contract in accordance with Section 63G-6a-2105;
519 (b) make a bulk purchase of a school safety product; and
520 (c) in coordination with the state security chief and the School Safety Center:
521 (i) facilitate a donation of a school safety product; and
522 (ii) distribute a product to a qualifying school.
- 523 (6) An authorized foundation shall:
524 (a) follow Title 63G, Chapter 6a, Utah Procurement Code, when utilizing a state
525 contract;
526 (b) maintain separate accounting for a school safety purchase;
527 (c) by August 1 of each year, submit an annual report to the state security chief that
528 includes:
529 (i) a product procured through a state contract;
530 (ii) all schools served;
531 (iii) the total value of a donation facilitated; and
532 (iv) a compliance certification; and
533 (d) renew authorization every three years.
- 534 (7) The state security chief:
535 (a) may revoke authorization if the authroized foundation:
536 (i) fails to maintain a requirement of this section;
537 (ii) violates Title 63G, Chapter 6a, Utah Procurement Code;
538 (iii) engages in financial mismanagement; or
539 (iv) submits false information in a report required by this section; and
540 (b) shall, before revoking authorization:
541 (i) provide written notice to the foundation;

- 542 (ii) allow a 30-day period to remedy the violation;
543 (iii) provide an opportunity for a hearing; and
544 (iv) issue a final written decision.

545 (8) Authorization under this section does not:

- 546 (a) create state liability;
547 (b) imply state endorsement;
548 (c) override a local procurement requirement; and
549 (d) exempt the foundation from an applicable law.

550 Section 7. Section **53-22-109** is enacted to read:

551 **53-22-109 (Effective 07/01/25). School safety -- Compliance.**

552 (1) As used in this section:

553 (a) "Compliance issue" means a violation of a school safety requirement under:

- 554 (i) this chapter; or
555 (ii) rules established in accordance with this chapter.

556 (b) "Tiered system of support" means an escalating system of:

- 557 (i) technical assistance;
558 (ii) intervention; and
559 (iii) corrective action.

560 (2) The state security chief shall, in collaboration with the School Safety Center:

- 561 (a) establish a tiered system of support for a compliance issue;
562 (b) develop implementation procedures for the system; and
563 (c) define criteria for:
564 (i) evaluating a compliance issue;
565 (ii) assigning an appropriate tier; and
566 (iii) monitoring progress.

567 (3) In establishing the system under Subsection (2), the state security chief and School

568 Safety Center shall consider:

- 569 (a) severity of the compliance issue;
570 (b) risk to student and staff safety;
571 (c) available technical assistance resources;
572 (d) local education agency capacity; and
573 (e) required corrective action timelines.

574 Section 8. Section **53-25-601** is enacted to read:

575

Part 6. Requirements for School Safety

- 576 **53-25-601 (Effective 07/01/25). Requirements for school safety.**
- 577 (1) As used in this section:
- 578 (a) "Local law enforcement agency" means the law enforcement agency with primary
- 579 jurisdiction over a school's physical location.
- 580 (b) "School safety needs assessment" means the assessment required under Section
- 581 53G-8-701.5.
- 582 (c) "Security camera system" means the system described in Section 53G-8-805.
- 583 (2) Each local law enforcement agency shall:
- 584 (a) conduct annual school safety needs assessments as required by Section 53G-8-701.5
- 585 for each school within the local law enforcement's jurisdiction;
- 586 (b) ensure the school safety and security specialist for each school submits the
- 587 completed assessments to the county security chief by October 15 of each year;
- 588 (c) coordinate with each school within the local law enforcement's jurisdiction to obtain
- 589 and maintain access to school security camera systems as described in Section
- 590 53G-8-805; and
- 591 (d) coordinate with the relevant county security chiefs as specified in Section 53-22-103.
- 592 Section 9. Section **53G-8-701** is amended to read:
- 593 **53G-8-701 (Effective 07/01/25). Definitions.**
- 594 As used in this part:
- 595 (1) "Armed school security guard" means the same as that term is defined in Section [
- 596 53G-8-804] 53G-8-704.
- 597 (2) "County security chief" means the same as that term is defined in Section 53-22-101.
- 598 (3) "Law enforcement agency" means the same as that term is defined in Section 53-1-102.
- 599 (4) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- 600 (5) "School guardian" means the same as that term is defined in Section 53-22-106.
- 601 (6) "School is in session" means the same as that term is defined in Section 53E-3-516.
- 602 (7) "School resource officer" means a law enforcement officer, as defined in Section
- 603 53-13-103, who contracts with or whose law enforcement agency contracts with an LEA
- 604 to provide law enforcement services for the LEA.
- 605 (8) "School safety and security director" means an individual whom an LEA designates in
- 606 accordance with Section 53G-8-701.8.
- 607 (9) "School safety and security specialist" means a school employee designated under

608 Section 53G-8-701.6 who is responsible for supporting school safety initiatives.

609 (10) "School [~~safety center~~] Safety Center" means the same as that term is defined in
610 Section 53G-8-801.

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

612 Section 10. Section **53G-8-701.5** is amended to read:

613 **53G-8-701.5 (Effective 07/01/25). School safety needs assessment -- School safety**
614 **personnel -- Alternative requirements.**

615 (1)(a) No later than [~~December 31, 2024~~] October 15 of each year, an LEA shall:

616 (i) ensure a school safety needs assessment is conducted in accordance with
617 Subsection (1)(b) for each school within the LEA to determine the needs and
618 deficiencies regarding:

619 (A) appropriate school safety personnel, including necessary supports, training,
620 and policy creation for the personnel;

621 (B) physical building security and safety, including required upgrades to facilities
622 and safety technology, and a list of current deferred maintenance; and

623 (C) a school's current threat and emergency response protocols, including any
624 emergency response agreements with local law enforcement; and

625 (ii) report the results of the school safety needs assessment for each school within the
626 LEA to the state security chief and the School Safety Center.

627 (b) The school safety specialist described in Section 53G-8-701.6 in collaboration with
628 the [~~county security chief~~] local law enforcement of relevant jurisdiction over the
629 school [~~or designee described in Section 53-22-103~~] shall conduct the school safety
630 needs assessment for each school.

631 (c) In collaboration with the School Safety Center described in Section 53G-8-802, the
632 state security chief described in Section 53-22-102 shall create a school safety needs
633 assessment that an LEA shall use to ensure compliance with this Subsection (1).

634 (d) The state board shall use the results of the school safety needs assessment for each
635 school within an LEA to award a grant to an LEA in accordance with Section
636 53F-5-220.

637 (e) Any information or record detailing a school's needs assessment results is:

638 (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government
639 Records Access and Management Act; and

640 (ii) available only to:

641 (A) the state security chief;

- 642 (B) the School Safety Center;
- 643 (C) members of an LEA governing board;
- 644 (D) administrators of the LEA and school the needs assessment concerns;
- 645 (E) only to the extent necessary to award a grant under Section 53F-5-220, the
- 646 state board;
- 647 (F) the applicable school safety personnel described in Subsection (2);
- 648 (G) a local law enforcement agency that would respond to the school in case of an
- 649 emergency; and
- 650 (H) the county security chief.
- 651 (f) An individual who intentionally or knowingly provides the information described in
- 652 Subsection (1)(e) to an individual or entity not listed in Subsection (1)(e)(ii) is guilty
- 653 of a class B misdemeanor.
- 654 (2)(a) An LEA shall ensure each school within the LEA has the following school safety
- 655 personnel:
- 656 (i) a school safety and security specialist described in Section 53G-8-701.6; and
- 657 (ii) based on the results of the needs assessment described in Subsection (1), at least
- 658 one of the following:
- 659 (A) a school resource officer;
- 660 (B) a school guardian; or
- 661 (C) an armed school security guard.
- 662 (b) In addition to the school safety personnel described in Subsection (2)(a), an LEA
- 663 shall designate a school safety and security director described in Section 53G-8-701.8.
- 664 (c) ~~[If a school has more than 350 students enrolled at the school, the]~~ The same
- 665 individual may ~~[not]~~ serve in more than one of the roles listed in Subsections (2)(a)
- 666 and (b) if the school notifies the School Safety Center and the state security chief of
- 667 the decision to have the same individual serve in multiple roles as described in this
- 668 Subsection (2).
- 669 (d) An LEA may implement the requirements of Subsection (2)(a)(ii) before the LEA
- 670 has completed the school safety needs assessment described in Subsection (1).
- 671 (e) The state security chief in consultation with the School Safety Center shall establish
- 672 a timeline for an LEA to comply with the school safety personnel requirements of
- 673 this Subsection (2).
- 674 (3)(a) An LEA, school administrator, or private school may apply to the state security
- 675 chief for an approved alternative to the requirements described in:

- 676 (i) Section 53-22-105;
- 677 (ii) this section;
- 678 (iii) Section 53G-8-701.6;
- 679 (iv) Section 53G-8-701.8; and
- 680 (v) Section 53G-8-704.
- 681 (b) In approving or denying an application described in Subsection (3)(a), the state
- 682 security chief may consider factors that impact a school or LEA's ability to adhere to
- 683 the requirements of this section, including the school or LEA's:
- 684 (i) population size;
- 685 (ii) staffing needs or capacity;
- 686 (iii) geographic location;
- 687 (iv) available funding; or
- 688 (v) general demonstration of need for an alternative to the requirements of this
- 689 section.
- 690 (4) A private school shall identify an individual at the private school to serve as the safety
- 691 liaison with the local law enforcement of relevant jurisdiction and the state security chief.
- 692 Section 11. Section **53G-8-701.6** is amended to read:
- 693 **53G-8-701.6 (Effective 07/01/25). School safety and security specialist.**
- 694 (1) As used in this section, "principal" means the chief administrator at a public school,
- 695 including:
- 696 (a) a school principal;
- 697 (b) a charter school director; or
- 698 (c) the superintendent of the Utah Schools for the Deaf and the Blind.
- 699 (2)(a) Subject to Subsection (2)(b) and except as provided in Subsection 53G-8-701.5
- 700 (3), every campus within an LEA shall designate a school safety and security
- 701 specialist from the employees of the relevant campus.
- 702 (b) The school safety and security specialist:
- 703 (i) may not be a principal; and
- 704 (ii) may be the school safety and security director at one campus within the LEA.
- 705 (3) The school safety and security specialist shall:
- 706 (a) report directly to the principal;
- 707 (b) oversee school safety and security practices to ensure a safe and secure school
- 708 environment for students and staff;
- 709 (c) ensure adherence with all policies, procedures, protocols, rules, and regulations

- 710 relating to school safety and security through collaborating and maintaining effective
711 communications with the following as applicable:
- 712 (i) the principal;
 - 713 (ii) school staff;
 - 714 (iii) the school resource officer;
 - 715 (iv) the armed school security guard;
 - 716 (v) the school guardian;
 - 717 (vi) local law enforcement;
 - 718 (vii) the county security chief;
 - 719 (viii) the school safety and security director;
 - 720 (ix) the LEA; and
 - 721 (x) school-based behavioral and mental health professionals;
- 722 (d) in collaboration with the [~~county security chief or designee described in Section~~
723 ~~53-22-103~~] local law enforcement of relevant jurisdiction over the school:
- 724 (i) conduct the school safety needs assessment described in Section 53G-8-701.5; and
 - 725 (ii) conduct a building safety evaluation at least annually using the results of the
726 school safety needs assessment to recommend and implement improvements to
727 school facilities, policies, procedures, protocols, rules, and regulations relating to
728 school safety and security;
- 729 (e) if the specialist is also an employee of an LEA, participate on the multidisciplinary
730 team that the LEA establishes;
- 731 (f) conduct a behavioral threat assessment when the school safety and security specialist
732 deems necessary using an evidence-based tool the state security chief recommends in
733 consultation with the school safety center and the Office of Substance [~~Abuse~~] Use
734 and Mental Health;
- 735 (g) regularly monitor and report to the principal, local law enforcement, and, if
736 applicable, the LEA superintendent or designee, security risks for the school resulting
737 from:
- 738 (i) issues with school facilities; or
 - 739 (ii) the implementation of practices, policies, procedures, and protocols relating to
740 school safety and security;
- 741 (h) coordinate with local first responder agencies to implement and monitor safety and
742 security drills in accordance with policy and applicable procedures and protocols;
- 743 (i) ensure that school staff, and, when appropriate, students, receive training on and

- 744 remain current on the school's safety and security procedures and protocols;
- 745 (j) following an event where security of the school has been significantly compromised,
- 746 organize a debriefing with the individuals listed in Subsection (3)(c) regarding
- 747 strengthening school safety and security practices, policies, procedures, and protocols;
- 748 (k) abide by any LEA, school, or law enforcement agency policy outlining the chain of
- 749 command;
- 750 (l) during an emergency, coordinate with the following individuals as applicable, the:
- 751 (i) school resource officer;
- 752 (ii) school guardians;
- 753 (iii) armed school security guards;
- 754 (iv) school administrators; and
- 755 (v) responding law enforcement officers;
- 756 (m) follow any LEA, school, or law enforcement agency student privacy policies,
- 757 including state and federal privacy laws;
- 758 (n) participate in an annual training the state security chief selects in consultation with
- 759 the School Safety Center; and
- 760 (o) remain current on:
- 761 (i) a comprehensive school guideline the state security chief selects;
- 762 (ii) the duties of a school safety and security specialist described in this Subsection
- 763 (3); and
- 764 (iii) the school's emergency response plan.
- 765 (4) During an active emergency at the school, the school safety and security specialist is
- 766 subordinate to any responding law enforcement officers.

767 Section 12. Section **53G-8-701.8** is amended to read:

768 **53G-8-701.8 (Effective 07/01/25). School safety and security director.**

- 769 (1) Except as provided in Subsection 53G-8-701.5(3), an LEA shall designate a school
- 770 safety and security director as the LEA point of contact for the county security chief,
- 771 local law enforcement, and the state security chief.
- 772 (2) A school safety and security director shall:
- 773 (a) participate in and satisfy the training requirements~~[-, including the annual and~~
- 774 ~~biannual requirements, described in]~~ as follows:
- 775 (i) only once, the training requirements described in Section 53-22-105 for school
- 776 guardians;
- 777 (ii) ~~[Section 53G-8-702 for]~~ the school resource [officers] officer and administrator

- 778 training the School Safety Center provides; and
- 779 (iii) if applicable, training described in Section 53G-8-704 for armed school security
- 780 guards;
- 781 (b) have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,
- 782 Concealed Firearm Act, if serving as a backup school guardian;
- 783 (c) if the designee is an employee of an LEA, participate on the multidisciplinary team
- 784 the LEA establishes[;]
- 785 (d) coordinate security responses among, if applicable, the following individuals in the
- 786 LEA that employs the school safety and security director:
- 787 (i) school safety and security specialists;
- 788 (ii) school resource officers;
- 789 (iii) armed school security guards; and
- 790 (iv) school guardians; and
- 791 (e) collaborate and maintain effective communications with local law enforcement, a
- 792 county security chief, the LEA, and school-based behavioral and mental health
- 793 professionals to ensure adherence with all policies, procedures, protocols, rules, and
- 794 regulations relating to school safety and security.
- 795 (3) A school safety and security director:
- 796 (a) does not have authority to act in a law enforcement capacity; and
- 797 (b) may, at the LEA that employs the director:
- 798 (i) take actions necessary to prevent or abate an active threat; and
- 799 (ii) temporarily detain an individual when the school safety and security director has
- 800 reasonable cause to believe the individual has committed or is about to commit a
- 801 forcible felony, as that term is defined in Section 76-2-402[;] .
- 802 (4) Notwithstanding Subsection 76-10-505.5(4), if a school safety and security director is
- 803 carrying a firearm, the school safety and security director shall carry the school safety
- 804 and security director's firearm in a concealed manner and may not, unless during an
- 805 active threat, display or open carry a firearm while on school grounds.
- 806 (5) A school may use the services of the school safety and security director on a temporary
- 807 basis to satisfy the school safety personnel requirement of Subsection 53G-8-701.5(2).
- 808 (6) The state security chief shall:
- 809 (a) for each school safety and security director, track each school safety and security
- 810 director by collecting the photograph and the name and contact information for each
- 811 school safety and security director; and

812 (b) make the information described in Subsection (6)(a) readily available to each law
813 enforcement agency in the state categorized by LEA.

814 Section 13. Section **53G-8-704** is amended to read:

815 **53G-8-704 (Effective 07/01/25). Contracts between an LEA and a contract**
816 **security company for armed school security guards.**

817 (1) As used in this section:

818 (a) "Armed private security officer" means the same as that term is defined in Section
819 58-63-102.

820 (b) "Armed school security guard" means an armed private security officer who [is]:

821 (i) is licensed as an armed private security officer under Title 58, Chapter 63,
822 Security Personnel Licensing Act; and

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

824 (c) "Contract security company" means the same as that term is defined in Section
825 58-63-102.

826 (d) "State security chief" means the same as that term is defined in Section 53-22-102.

827 (2)(a) An LEA may use an armed school security guard to satisfy the school safety
828 personnel requirements of Section 53G-8-701.5.

829 (b) An LEA that uses an armed school security guard under Subsection (2)(a) shall
830 contract with a contract security company to provide armed school security guards at
831 each school within the LEA.

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

833 (a) the rights of a student under state and federal law with regard to:

834 (i) searches;

835 (ii) questioning;

836 (iii) arrests; and

837 (iv) information privacy;

838 (b) job assignment and duties of an armed school security guard, including:

839 (i) the school to which an armed school security guard will be assigned;

840 (ii) the hours an armed school security guard is present at the school;

841 (iii) the point of contact at the school that an armed school security guard will contact
842 in case of an emergency;

843 (iv) specific responsibilities for providing and receiving information;

844 (v) types of records to be kept, and by whom; and

845 (vi) training requirements; and

846 (c) other expectations of the contract security company in relation to school security at
847 the LEA.

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

852 (i) has a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,
853 Concealed Firearm Act; ~~and~~

854 (ii) has undergone training from a county security chief regarding:

855 (A) the safe loading, unloading, storage, and carrying of firearms in a school
856 setting;

857 (B) the role of armed security guards in a school setting; and

858 (C) coordination with law enforcement and school officials during an active threat[-] ;

859 (iii) completes an initial "fit to carry" assessment the Department of Health and
860 Human Services approves and a provider administers;

861 (iv) completes one mental health screening per calendar year thereafter; and

862 (v) maintains compliance with mental health screening requirements consistent with
863 law enforcement standards.

864 (b) An armed school security guard that meets the requirements of Subsection (4)(a)
865 shall, in order to remain eligible to be assigned as an armed school security guard at
866 any school under a contract described in Subsection (2)(b), participate in and satisfy
867 the training requirements of the initial, annual, and biannual trainings as defined in
868 Section 53-22-105.

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

872 (6) An LEA that enters a contract under this section shall inform the state security chief and
873 the relevant county security chief of the contract and provide the contact information of
874 the contract security company employing the armed security guard for use during an
875 emergency.

876 (7) The state security chief shall:

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

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

882 (8) An armed school security guard shall file a report described in Subsection (9) if, during
883 the performance of the armed school security guard's duties, the armed school security
884 guard:

885 (a) points a firearm at an individual; or

886 (b) aims a conductive energy device at an individual and displays the electrical current.

887 (9)(a) A report described in Subsection (8) shall include:

888 (i) a description of the incident;

889 (ii) the identification of the individuals involved in the incident; and

890 (iii) any other information required by the state security chief.

891 (b) An armed school security guard shall submit a report required under Subsection (8)
892 to the school administrator, school safety and security director, and the state security
893 chief within 48 hours after the incident.

894 (c) The school administrator, school safety and security director, and the state security
895 chief shall consult and review the report submitted under Subsection (9)(b).

896 Section 14. Section **53G-8-802** is amended to read:

897 **53G-8-802 (Effective 07/01/25). State Safety and Support Program -- State**

898 **board duties -- LEA duties.**

899 (1) There is created the School Safety Center.

900 (2) The School Safety Center shall:

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

903 (i) requiring an evidence-based behavior threat assessment that includes:

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

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

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

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

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

913 (i) in school safety;

- 914 (ii) in evidence-based approaches to improve school climate and address and correct
915 bullying behavior;
- 916 (iii) in evidence-based approaches in identifying an individual who may pose a threat
917 to the school community;
- 918 (iv) in evidence-based approaches in identifying an individual who may be showing
919 signs or symptoms of mental illness;
- 920 (v) on permitted disclosures of student data to law enforcement and other support
921 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec.
922 1232g;
- 923 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections
924 53E-9-203 and 53E-9-305; and
- 925 (vii) for administrators on rights and prohibited acts under:
- 926 (A) Chapter 9, Part 6, Bullying and Hazing;
- 927 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 928 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 929 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 930 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 931 (c) conduct and disseminate evidence-based research on school safety concerns;
- 932 (d) disseminate information on effective school safety initiatives;
- 933 (e) encourage partnerships between public and private sectors to promote school safety;
- 934 (f) provide technical assistance to an LEA in the development and implementation of
935 school safety initiatives;
- 936 (g) in conjunction with the state security chief, make available to an LEA the model
937 critical incident response training program a school and law enforcement agency
938 shall use during a threat;
- 939 (h) provide space for the public safety liaison described in Section 53-1-106 and the
940 school-based mental health specialist described in Section 26B-5-102;
- 941 (i) collaborate with the state security chief to determine appropriate application of school
942 safety requirements in Utah Code to an online school;
- 943 (j) create a model school climate survey that may be used by an LEA to assess
944 stakeholder perception of a school environment;
- 945 (k) establish a charter school liaison including defined responsibilities for charter school
946 communication and coordination with the School Safety Center;
- 947 (l) assist a foundation described in Section 53-22-108 in distributing school safety

- 948 products if a foundation seeks assistance; and
- 949 [~~(k)~~] (m) collect aggregate data and school climate survey results from an LEA that
- 950 administers the model school climate survey described in Subsection [~~(2)(i)~~] (2)(j).
- 951 (3) Nothing in this section requires:
- 952 (a) an individual to respond to a school climate survey; or
- 953 (b) an LEA to use the model school climate survey or any specified questions in the
- 954 model school climate survey described in Subsection [~~(2)(i)~~] (2)(j).
- 955 (4) The state board shall require an LEA to:
- 956 (a)(i) if an LEA administers a school climate survey, review school climate data for
- 957 each school within the LEA; and
- 958 (ii) based on the review described in Subsection (4)(a)(i):
- 959 (A) revise practices, policies, and training to eliminate harassment and
- 960 discrimination in each school within the LEA;
- 961 (B) adopt a plan for harassment- and discrimination-free learning; and
- 962 (C) host outreach events or assemblies to inform students and parents of the plan
- 963 adopted under Subsection (4)(a)(ii)(B);
- 964 (b) no later than September 1 of each school year, send a notice to each student, parent,
- 965 and LEA staff member stating the LEA's commitment to maintaining a school
- 966 climate that is free of harassment and discrimination; and
- 967 (c) report to the state board annually on the LEA's implementation of the plan under
- 968 Subsection (4)(a)(ii)(B) and progress.
- 969 Section 15. Section **53G-8-805** is amended to read:
- 970 **53G-8-805 (Effective 07/01/25). Panic alert device -- Security cameras.**
- 971 (1) In accordance with the results of the school safety needs assessment described in
- 972 Section 53G-8-701.5, an LEA shall provide a staff person in each classroom with a
- 973 wearable panic alert device that allows for immediate contact with emergency services
- 974 or emergency services agencies, law enforcement agencies, health departments, and fire
- 975 departments.
- 976 (2) An LEA shall ensure, before the school year begins, all school building personnel
- 977 receive training on the protocol and appropriate use of the panic alert device described in
- 978 Subsection (1).
- 979 (3) An LEA shall:
- 980 (a) ensure all security cameras within a school building are accessible by:
- 981 (i) a local law enforcement agency; and

- 982 (ii) public safety answering points; and
- 983 (b) coordinate with a local law enforcement agency to establish appropriate access
- 984 protocols.
- 985 (4) This section is not subject to the restrictions in Section 41-6a-2003.
- 986 Section 16. Section **53G-9-703** is amended to read:
- 987 **53G-9-703 (Effective 07/01/25). Parent education -- Mental health -- Bullying --**
- 988 **Safety.**
- 989 (1)(a) Except as provided in Subsection (3), a school district shall offer a seminar for
- 990 parents of students who attend school in the school district that:
- 991 (i) is offered at no cost to parents;
- 992 (ii)(A) if in person, begins at or after 6 p.m.; [or]
- 993 (B) if in person, takes place on a Saturday; or
- 994 (C) may be conducted at anytime online and recorded if the recording is made
- 995 available on the school district's website.
- 996 (iii)(A) is held in at least one school located in the school district; or
- 997 (B) is provided through a virtual platform; and
- 998 (iv) covers the topics described in Subsection (2).
- 999 (b)(i) A school district shall annually offer one parent seminar for each 11,000
- 1000 students enrolled in the school district.
- 1001 (ii) Notwithstanding Subsection (1)(b)(i), a school district may not be required to
- 1002 offer more than three seminars.
- 1003 (c) A school district may:
- 1004 (i) develop the district school's own curriculum for the seminar described in
- 1005 Subsection (1)(a); or
- 1006 (ii) use the curriculum developed by the state board under Subsection (2).
- 1007 (d) A school district shall notify each charter school located in the attendance boundaries
- 1008 of the school district of the date and time of a parent seminar, so the charter school
- 1009 may inform parents of the seminar.
- 1010 (2) The state board shall:
- 1011 (a) develop a curriculum for the parent seminar described in Subsection (1) that includes
- 1012 information on:
- 1013 (i) substance abuse, including illegal drugs and prescription drugs and prevention;
- 1014 (ii) bullying;
- 1015 (iii) mental health, depression, suicide awareness, and suicide prevention, including

- 1016 education on limiting access to fatal means;
- 1017 (iv) Internet safety, including pornography addiction; ~~and~~
- 1018 (v) the SafeUT Crisis Line established in Section 53B-17-1202; and
- 1019 (vi) resources related to the topics described in this Subsection (2); and
- 1020 (b) provide the curriculum, including resources and training, to school districts upon
- 1021 request.
- 1022 (3)(a) A school district is not required to offer the parent seminar if the local school
- 1023 board determines that the topics described in Subsection (2) are not of significant
- 1024 interest or value to families in the school district.
- 1025 (b) If a local school board chooses not to offer the parent seminar, the local school board
- 1026 shall notify the state board and provide the reasons why the local school board chose
- 1027 not to offer the parent seminar.
- 1028 Section 17. Section **63G-6a-103** is amended to read:
- 1029 **63G-6a-103 (Effective 07/01/25). Definitions.**
- 1030 As used in this chapter:
- 1031 (1) "Approved vendor" means a person who has been approved for inclusion on an
- 1032 approved vendor list through the approved vendor list process.
- 1033 (2) "Approved vendor list" means a list of approved vendors established under Section
- 1034 63G-6a-507.
- 1035 (3) "Approved vendor list process" means the procurement process described in Section
- 1036 63G-6a-507.
- 1037 (4) "Authorized school safety foundation" means a foundation authorized under Section
- 1038 53-22-108.
- 1039 ~~(4)~~ (5) "Bidder" means a person who submits a bid or price quote in response to an
- 1040 invitation for bids.
- 1041 ~~(5)~~ (6) "Bidding process" means the procurement process described in Part 6, Bidding.
- 1042 ~~(6)~~ (7) "Board" means the Utah State Procurement Policy Board, created in Section
- 1043 63G-6a-202.
- 1044 ~~(7)~~ (8) "Change directive" means a written order signed by the procurement officer that
- 1045 directs the contractor to suspend work or make changes, as authorized by contract,
- 1046 without the consent of the contractor.
- 1047 ~~(8)~~ (9) "Change order" means a written alteration in specifications, delivery point, rate of
- 1048 delivery, period of performance, price, quantity, or other provisions of a contract, upon
- 1049 mutual agreement of the parties to the contract.

- 1050 [~~(9)~~] (10) "Chief procurement officer" means the individual appointed under Section
1051 63A-2-102.
- 1052 [~~(10)~~] (11) "Conducting procurement unit" means a procurement unit that conducts all
1053 aspects of a procurement:
- 1054 (a) except:
- 1055 (i) reviewing a solicitation to verify that it is in proper form; and
1056 (ii) causing the publication of a notice of a solicitation; and
- 1057 (b) including:
- 1058 (i) preparing any solicitation document;
1059 (ii) appointing an evaluation committee;
1060 (iii) conducting the evaluation process, except the process relating to scores
1061 calculated for costs of proposals;
1062 (iv) selecting and recommending the person to be awarded a contract;
1063 (v) negotiating the terms and conditions of a contract, subject to the issuing
1064 procurement unit's approval; and
1065 (vi) contract administration.
- 1066 [~~(11)~~] (12) "Conservation district" means the same as that term is defined in Section
1067 17D-3-102.
- 1068 [~~(12)~~] (13) "Construction project":
- 1069 (a) means a project for the construction, renovation, alteration, improvement, or repair of
1070 a public facility on real property, including all services, labor, supplies, and materials
1071 for the project; and
- 1072 (b) does not include services and supplies for the routine, day-to-day operation, repair,
1073 or maintenance of an existing public facility.
- 1074 [~~(13)~~] (14) "Construction manager/general contractor":
- 1075 (a) means a contractor who enters into a contract:
- 1076 (i) for the management of a construction project; and
1077 (ii) that allows the contractor to subcontract for additional labor and materials that are
1078 not included in the contractor's cost proposal submitted at the time of the
1079 procurement of the contractor's services; and
- 1080 (b) does not include a contractor whose only subcontract work not included in the
1081 contractor's cost proposal submitted as part of the procurement of the contractor's
1082 services is to meet subcontracted portions of change orders approved within the
1083 scope of the project.

- 1084 ~~[(14)]~~ (15) "Construction subcontractor":
- 1085 (a) means a person under contract with a contractor or another subcontractor to provide
- 1086 services or labor for the design or construction of a construction project;
- 1087 (b) includes a general contractor or specialty contractor licensed or exempt from
- 1088 licensing under Title 58, Chapter 55, Utah Construction Trades Licensing Act; and
- 1089 (c) does not include a supplier who provides only materials, equipment, or supplies to a
- 1090 contractor or subcontractor for a construction project.
- 1091 ~~[(15)]~~ (16) "Contract" means an agreement for a procurement.
- 1092 ~~[(16)]~~ (17) "Contract administration" means all functions, duties, and responsibilities
- 1093 associated with managing, overseeing, and carrying out a contract between a
- 1094 procurement unit and a contractor, including:
- 1095 (a) implementing the contract;
- 1096 (b) ensuring compliance with the contract terms and conditions by the conducting
- 1097 procurement unit and the contractor;
- 1098 (c) executing change orders;
- 1099 (d) processing contract amendments;
- 1100 (e) resolving, to the extent practicable, contract disputes;
- 1101 (f) curing contract errors and deficiencies;
- 1102 (g) terminating a contract;
- 1103 (h) measuring or evaluating completed work and contractor performance;
- 1104 (i) computing payments under the contract; and
- 1105 (j) closing out a contract.
- 1106 ~~[(17)]~~ (18) "Contractor" means a person who is awarded a contract with a procurement unit.
- 1107 ~~[(18)]~~ (19) "Cooperative procurement" means procurement conducted by, or on behalf of:
- 1108 (a) more than one procurement unit; or
- 1109 (b) a procurement unit and a cooperative purchasing organization.
- 1110 ~~[(19)]~~ (20) "Cooperative purchasing organization" means an organization, association, or
- 1111 alliance of purchasers established to combine purchasing power in order to obtain the
- 1112 best value for the purchasers by engaging in procurements in accordance with Section
- 1113 63G-6a-2105.
- 1114 ~~[(20)]~~ (21) "Cost-plus-a-percentage-of-cost contract" means a contract under which the
- 1115 contractor is paid a percentage of the total actual expenses or costs in addition to the
- 1116 contractor's actual expenses or costs.
- 1117 ~~[(21)]~~ (22) "Cost-reimbursement contract" means a contract under which a contractor is

- 1118 reimbursed for costs which are allowed and allocated in accordance with the contract
1119 terms and the provisions of this chapter, and a fee, if any.
- 1120 [~~(22)~~] (23) "Days" means calendar days, unless expressly provided otherwise.
- 1121 [~~(23)~~] (24) "Definite quantity contract" means a fixed price contract that provides for a
1122 specified amount of supplies over a specified period, with deliveries scheduled
1123 according to a specified schedule.
- 1124 [~~(24)~~] (25) "Design professional" means:
- 1125 (a) an individual licensed as an architect under Title 58, Chapter 3a, Architects
1126 Licensing Act;
- 1127 (b) an individual licensed as a professional engineer or professional land surveyor under
1128 Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors
1129 Licensing Act;
- 1130 (c) an individual licensed under Title 58, Chapter 53, Landscape Architects Licensing
1131 Act, to engage in the practice of landscape architecture, as defined in Section
1132 58-53-102; or
- 1133 (d) an individual certified as a commercial interior designer under Title 58, Chapter 86,
1134 State Certification of Commercial Interior Designers Act.
- 1135 [~~(25)~~] (26) "Design professional procurement process" means the procurement process
1136 described in Part 15, Design Professional Services.
- 1137 [~~(26)~~] (27) "Design professional services" means:
- 1138 (a) professional services within the scope of the practice of architecture as defined in
1139 Section 58-3a-102;
- 1140 (b) professional engineering as defined in Section 58-22-102;
- 1141 (c) master planning and programming services;
- 1142 (d) professional services within the scope of the practice of landscape architecture, as
1143 defined in Section 58-53-102; or
- 1144 (e) services within the scope of the practice of commercial interior design, as defined in
1145 Section 58-86-102.
- 1146 [~~(27)~~] (28) "Design-build" means the procurement of design professional services and
1147 construction by the use of a single contract.
- 1148 [~~(28)~~] (29) "Division" means the Division of Purchasing and General Services, created in
1149 Section 63A-2-101.
- 1150 [~~(29)~~] (30) "Educational procurement unit" means:
- 1151 (a) a school district;

- 1152 (b) a public school, including a local school board or a charter school;
- 1153 (c) the Utah Schools for the Deaf and the Blind;
- 1154 (d) the Utah Education and Telehealth Network;
- 1155 (e) an institution of higher education of the state described in Section 53B-1-102; or
- 1156 (f) the State Board of Education.
- 1157 [~~(30)~~] (31) "Established catalogue price" means the price included in a catalogue, price list,
- 1158 schedule, or other form that:
- 1159 (a) is regularly maintained by a manufacturer or contractor;
- 1160 (b) is published or otherwise available for inspection by customers; and
- 1161 (c) states prices at which sales are currently or were last made to a significant number of
- 1162 any category of buyers or buyers constituting the general buying public for the
- 1163 supplies or services involved.
- 1164 [~~(31)~~] (32)(a) "Executive branch procurement unit" means a department, division, office,
- 1165 bureau, agency, or other organization within the state executive branch.
- 1166 (b) "Executive branch procurement unit" does not include the Colorado River Authority
- 1167 of Utah as provided in Section 63M-14-210.
- 1168 [~~(32)~~] (33) "Facilities division" means the Division of Facilities Construction and
- 1169 Management, created in Section 63A-5b-301.
- 1170 [~~(33)~~] (34) "Fixed price contract" means a contract that provides a price, for each
- 1171 procurement item obtained under the contract, that is not subject to adjustment except to
- 1172 the extent that:
- 1173 (a) the contract provides, under circumstances specified in the contract, for an
- 1174 adjustment in price that is not based on cost to the contractor; or
- 1175 (b) an adjustment is required by law.
- 1176 [~~(34)~~] (35) "Fixed price contract with price adjustment" means a fixed price contract that
- 1177 provides for an upward or downward revision of price, precisely described in the
- 1178 contract, that:
- 1179 (a) is based on the consumer price index or another commercially acceptable index,
- 1180 source, or formula; and
- 1181 (b) is not based on a percentage of the cost to the contractor.
- 1182 [~~(35)~~] (36) "Grant" means an expenditure of public funds or other assistance, or an
- 1183 agreement to expend public funds or other assistance, for a public purpose authorized by
- 1184 law, without acquiring a procurement item in exchange.
- 1185 [~~(36)~~] (37) "Human services procurement item" means a procurement item used to provide

- 1186 services or support to a child, youth, adult, or family.
- 1187 ~~[(37)]~~ (38) "Immaterial error":
- 1188 (a) means an irregularity or abnormality that is:
- 1189 (i) a matter of form that does not affect substance; or
- 1190 (ii) an inconsequential variation from a requirement of a solicitation that has no, little,
- 1191 or a trivial effect on the procurement process and that is not prejudicial to other
- 1192 vendors; and
- 1193 (b) includes:
- 1194 (i) a missing signature, missing acknowledgment of an addendum, or missing copy of
- 1195 a professional license, bond, or insurance certificate;
- 1196 (ii) a typographical error;
- 1197 (iii) an error resulting from an inaccuracy or omission in the solicitation; and
- 1198 (iv) any other error that the procurement official reasonably considers to be
- 1199 immaterial.
- 1200 ~~[(38)]~~ (39) "Indefinite quantity contract" means a fixed price contract that:
- 1201 (a) is for an indefinite amount of procurement items to be supplied as ordered by a
- 1202 procurement unit; and
- 1203 (b)(i) does not require a minimum purchase amount; or
- 1204 (ii) provides a maximum purchase limit.
- 1205 ~~[(39)]~~ (40) "Independent procurement unit" means:
- 1206 (a)(i) a legislative procurement unit;
- 1207 (ii) a judicial branch procurement unit;
- 1208 (iii) an educational procurement unit;
- 1209 (iv) a local government procurement unit;
- 1210 (v) a conservation district;
- 1211 (vi) a local building authority;
- 1212 (vii) a special district;
- 1213 (viii) a public corporation;
- 1214 (ix) a special service district; or
- 1215 (x) the Utah Communications Authority, established in Section 63H-7a-201;
- 1216 (b) the facilities division, but only to the extent of the procurement authority provided
- 1217 under Title 63A, Chapter 5b, Administration of State Facilities;
- 1218 (c) the attorney general, but only to the extent of the procurement authority provided
- 1219 under Title 67, Chapter 5, Attorney General;

- 1220 (d) the Department of Transportation, but only to the extent of the procurement authority
 1221 provided under Title 72, Transportation Code;
- 1222 (e) the Department of Health and Human Services, but only for the procurement of a
 1223 human services procurement item; or
- 1224 (f) any other executive branch department, division, office, or entity that has statutory
 1225 procurement authority outside this chapter, but only to the extent of that statutory
 1226 procurement authority.
- 1227 ~~[(40)]~~ (41)(a) "Interlocal entity" means a separate political subdivision created under
 1228 Title 11, Chapter 13, Interlocal Cooperation Act.
- 1229 (b) "Interlocal entity" does not include a project entity.
- 1230 ~~[(41)]~~ (42) "Invitation for bids":
- 1231 (a) means a document used to solicit:
- 1232 (i) bids to provide a procurement item to a procurement unit; or
- 1233 (ii) quotes for a price of a procurement item to be provided to a procurement unit; and
- 1234 (b) includes all documents attached to or incorporated by reference in a document
 1235 described in Subsection ~~[(41)(a)]~~ (42)(a).
- 1236 ~~[(42)]~~ (43) "Issuing procurement unit" means a procurement unit that:
- 1237 (a) reviews a solicitation to verify that it is in proper form;
- 1238 (b) causes the notice of a solicitation to be published; and
- 1239 (c) negotiates and approves the terms and conditions of a contract.
- 1240 ~~[(43)]~~ (44) "Judicial procurement unit" means:
- 1241 (a) the Utah Supreme Court;
- 1242 (b) the Utah Court of Appeals;
- 1243 (c) the Judicial Council;
- 1244 (d) a state judicial district; or
- 1245 (e) an office, committee, subcommittee, or other organization within the state judicial
 1246 branch.
- 1247 ~~[(44)]~~ (45) "Labor hour contract" is a contract under which:
- 1248 (a) the supplies and materials are not provided by, or through, the contractor; and
- 1249 (b) the contractor is paid a fixed rate that includes the cost of labor, overhead, and profit
 1250 for a specified number of labor hours or days.
- 1251 ~~[(45)]~~ (46) "Legislative procurement unit" means:
- 1252 (a) the Legislature;
- 1253 (b) the Senate;

- 1254 (c) the House of Representatives;
- 1255 (d) a staff office of the Legislature, the Senate, or the House of Representatives; or
- 1256 (e) a committee, subcommittee, commission, or other organization:
- 1257 (i) within the state legislative branch; or
- 1258 (ii)(A) that is created by statute to advise or make recommendations to the
- 1259 Legislature;
- 1260 (B) the membership of which includes legislators; and
- 1261 (C) for which the Office of Legislative Research and General Counsel provides
- 1262 staff support.
- 1263 [~~(46)~~] (47) "Local building authority" means the same as that term is defined in Section
- 1264 17D-2-102.
- 1265 [~~(47)~~] (48) "Local government procurement unit" means:
- 1266 (a) a county, municipality, interlocal entity, or project entity, and each office of the
- 1267 county, municipality, interlocal entity, or project entity, unless:
- 1268 (i) the county or municipality adopts a procurement code by ordinance;
- 1269 (ii) the interlocal entity adopts procurement rules or policies as provided in
- 1270 Subsection 11-13-226(2); or
- 1271 (iii) the project entity adopts a procurement code through the process described in
- 1272 Section 11-13-316;
- 1273 (b)(i) a county or municipality that has adopted this entire chapter by ordinance, and
- 1274 each office or agency of that county or municipality; and
- 1275 (ii) a project entity that has adopted this entire chapter through the process described
- 1276 in Subsection 11-13-316; or
- 1277 (c) a county, municipality, or project entity, and each office of the county, municipality,
- 1278 or project entity that has adopted a portion of this chapter to the extent that:
- 1279 (i) a term in the ordinance is used in the adopted chapter; or
- 1280 (ii) a term in the ordinance is used in the language a project entity adopts in its
- 1281 procurement code through the process described in Section 11-13-316.
- 1282 [~~(48)~~] (49) "Multiple award contracts" means the award of a contract for an indefinite
- 1283 quantity of a procurement item to more than one person.
- 1284 [~~(49)~~] (50) "Multiyear contract" means a contract that extends beyond a one-year period,
- 1285 including a contract that permits renewal of the contract, without competition, beyond
- 1286 the first year of the contract.
- 1287 [~~(50)~~] (51) "Municipality" means a city or town.

- 1288 [~~(51)~~] (52) "Nonadopting local government procurement unit" means:
- 1289 (a) a county or municipality that has not adopted Part 16, Protests, Part 17, Procurement
- 1290 Appeals Board, Part 18, Appeals to Court and Court Proceedings, and Part 19,
- 1291 General Provisions Related to Protest or Appeal; and
- 1292 (b) each office or agency of a county or municipality described in Subsection [~~(51)~~](a)
- 1293 (52)(a).
- 1294 [~~(52)~~] (53) "Offeror" means a person who submits a proposal in response to a request for
- 1295 proposals.
- 1296 [~~(53)~~] (54) "Preferred bidder" means a bidder that is entitled to receive a reciprocal
- 1297 preference under the requirements of this chapter.
- 1298 [~~(54)~~] (55) "Procure" means to acquire a procurement item through a procurement.
- 1299 [~~(55)~~] (56) "Procurement" means the acquisition of a procurement item through an
- 1300 expenditure of public funds, or an agreement to expend public funds, including an
- 1301 acquisition through a public-private partnership.
- 1302 [~~(56)~~] (57) "Procurement item" means an item of personal property, a technology, a service,
- 1303 or a construction project.
- 1304 [~~(57)~~] (58) "Procurement official" means:
- 1305 (a) for a procurement unit other than an independent procurement unit, the chief
- 1306 procurement officer;
- 1307 (b) for a legislative procurement unit, the individual, individuals, or body designated in a
- 1308 policy adopted by the Legislative Management Committee;
- 1309 (c) for a judicial procurement unit, the Judicial Council or an individual or body
- 1310 designated by the Judicial Council by rule;
- 1311 (d) for a local government procurement unit:
- 1312 (i) the legislative body of the local government procurement unit; or
- 1313 (ii) an individual or body designated by the local government procurement unit;
- 1314 (e) for a special district, the board of trustees of the special district or the board of
- 1315 trustees' designee;
- 1316 (f) for a special service district, the governing body of the special service district or the
- 1317 governing body's designee;
- 1318 (g) for a local building authority, the board of directors of the local building authority or
- 1319 the board of directors' designee;
- 1320 (h) for a conservation district, the board of supervisors of the conservation district or the
- 1321 board of supervisors' designee;

- 1322 (i) for a public corporation, the board of directors of the public corporation or the board
1323 of directors' designee;
- 1324 (j) for a school district or any school or entity within a school district, the board of the
1325 school district or the board's designee;
- 1326 (k) for a charter school, the individual or body with executive authority over the charter
1327 school or the designee of the individual or body;
- 1328 (l) for an institution of higher education described in Section 53B-2-101, the president of
1329 the institution of higher education or the president's designee;
- 1330 (m) for the State Board of Education, the State Board of Education or the State Board of
1331 Education's designee;
- 1332 (n) for the Utah Board of Higher Education, the Commissioner of Higher Education or
1333 the designee of the Commissioner of Higher Education;
- 1334 (o) for the Utah Communications Authority, established in Section 63H-7a-201, the
1335 executive director of the Utah Communications Authority or the executive director's
1336 designee; or
- 1337 (p)(i) for the facilities division, and only to the extent of procurement activities of
1338 the facilities division as an independent procurement unit under the procurement
1339 authority provided under Title 63A, Chapter 5b, Administration of State Facilities,
1340 the director of the facilities division or the director's designee;
- 1341 (ii) for the attorney general, and only to the extent of procurement activities of the
1342 attorney general as an independent procurement unit under the procurement
1343 authority provided under Title 67, Chapter 5, Attorney General, the attorney
1344 general or the attorney general's designee;
- 1345 (iii) for the Department of Transportation created in Section 72-1-201, and only to
1346 the extent of procurement activities of the Department of Transportation as an
1347 independent procurement unit under the procurement authority provided under
1348 Title 72, Transportation Code, the executive director of the Department of
1349 Transportation or the executive director's designee;
- 1350 (iv) for the Department of Health and Human Services, and only to the extent of the
1351 procurement activities of the Department of Health and Human Services as an
1352 independent procurement unit, the executive director of the Department of Health
1353 and Human Services or the executive director's designee; or
- 1354 (v) for any other executive branch department, division, office, or entity that has
1355 statutory procurement authority outside this chapter, and only to the extent of the

1356 procurement activities of the department, division, office, or entity as an
1357 independent procurement unit under the procurement authority provided outside
1358 this chapter for the department, division, office, or entity, the chief executive
1359 officer of the department, division, office, or entity or the chief executive officer's
1360 designee.

1361 [~~(58)~~] (59) "Procurement unit" means:

- 1362 (a) a legislative procurement unit;
- 1363 (b) an executive branch procurement unit;
- 1364 (c) a judicial procurement unit;
- 1365 (d) an educational procurement unit;
- 1366 (e) the Utah Communications Authority, established in Section 63H-7a-201;
- 1367 (f) a local government procurement unit;
- 1368 (g) a special district;
- 1369 (h) a special service district;
- 1370 (i) a local building authority;
- 1371 (j) a conservation district; or
- 1372 (k) a public corporation.

1373 [~~(59)~~] (60) "Professional service" means labor, effort, or work that requires specialized
1374 knowledge, expertise, and discretion, including labor, effort, or work in the field of:

- 1375 (a) accounting;
- 1376 (b) administrative law judge service;
- 1377 (c) architecture;
- 1378 (d) construction design and management;
- 1379 (e) engineering;
- 1380 (f) financial services;
- 1381 (g) information technology;
- 1382 (h) the law;
- 1383 (i) medicine;
- 1384 (j) psychiatry; or
- 1385 (k) underwriting.

1386 [~~(60)~~] (61) "Project entity" means the same as that term is defined in Section 11-13-103.

1387 [~~(61)~~] (62) "Protest officer" means:

- 1388 (a) for the division or an independent procurement unit:
 - 1389 (i) the procurement official;

- 1390 (ii) the procurement official's designee who is an employee of the procurement unit;
1391 or
- 1392 (iii) a person designated by rule made by the rulemaking authority; or
- 1393 (b) for a procurement unit other than an independent procurement unit, the chief
1394 procurement officer or the chief procurement officer's designee who is an employee
1395 of the division .
- 1396 [(62)] (63) "Public corporation" means the same as that term is defined in Section 63E-1-102.
1397 [(63)] (64) "Public entity" means the state or any other government entity within the state
1398 that expends public funds.
- 1399 [(64)] (65) "Public facility" means a building, structure, infrastructure, improvement, or
1400 other facility of a public entity.
- 1401 [(65)] (66) "Public funds" means money, regardless of its source, including from the federal
1402 government, that is owned or held by a procurement unit.
- 1403 [(66)] (67) "Public transit district" means a public transit district organized under Title 17B,
1404 Chapter 2a, Part 8, Public Transit District Act.
- 1405 [(67)] (68) "Public-private partnership" means an arrangement or agreement, occurring on
1406 or after January 1, 2017, between a procurement unit and one or more contractors to
1407 provide for a public need through the development or operation of a project in which the
1408 contractor or contractors share with the procurement unit the responsibility or risk of
1409 developing, owning, maintaining, financing, or operating the project.
- 1410 [(68)] (69) "Qualified vendor" means a vendor who:
1411 (a) is responsible; and
1412 (b) submits a responsive statement of qualifications under Section 63G-6a-410 that
1413 meets the minimum mandatory requirements, evaluation criteria, and any applicable
1414 score thresholds set forth in the request for statement of qualifications.
- 1415 [(69)] (70) "Real property" means land and any building, fixture, improvement,
1416 appurtenance, structure, or other development that is permanently affixed to land.
- 1417 [(70)] (71) "Request for information" means a nonbinding process through which a
1418 procurement unit requests information relating to a procurement item.
- 1419 [(71)] (72) "Request for proposals" means a document used to solicit proposals to provide a
1420 procurement item to a procurement unit, including all other documents that are attached
1421 to that document or incorporated in that document by reference.
- 1422 [(72)] (73) "Request for proposals process" means the procurement process described in Part
1423 7, Request for Proposals.

- 1424 ~~[(73)]~~ (74) "Request for statement of qualifications" means a document used to solicit
1425 information about the qualifications of a person interested in responding to a potential
1426 procurement, including all other documents attached to that document or incorporated in
1427 that document by reference.
- 1428 ~~[(74)]~~ (75) "Requirements contract" means a contract:
- 1429 (a) under which a contractor agrees to provide a procurement unit's entire requirements
1430 for certain procurement items at prices specified in the contract during the contract
1431 period; and
 - 1432 (b) that:
 - 1433 (i) does not require a minimum purchase amount; or
 - 1434 (ii) provides a maximum purchase limit.
- 1435 ~~[(75)]~~ (76) "Responsible" means being capable, in all respects, of:
- 1436 (a) meeting all the requirements of a solicitation; and
 - 1437 (b) fully performing all the requirements of the contract resulting from the solicitation,
1438 including being financially solvent with sufficient financial resources to perform the
1439 contract.
- 1440 ~~[(76)]~~ (77) "Responsive" means conforming in all material respects to the requirements of a
1441 solicitation.
- 1442 ~~[(77)]~~ (78) "Rule" includes a policy or regulation adopted by the rulemaking authority, if
1443 adopting a policy or regulation is the method the rulemaking authority uses to adopt
1444 provisions that govern the applicable procurement unit.
- 1445 ~~[(78)]~~ (79) "Rulemaking authority" means:
- 1446 (a) for a legislative procurement unit, the Legislative Management Committee;
 - 1447 (b) for a judicial procurement unit, the Judicial Council;
 - 1448 (c)(i) only to the extent of the procurement authority expressly granted to the
1449 procurement unit by statute:
 - 1450 (A) for the facilities division, the facilities division;
 - 1451 (B) for the Office of the Attorney General, the attorney general;
 - 1452 (C) for the Department of Transportation created in Section 72-1-201, the
1453 executive director of the Department of Transportation;
 - 1454 (D) for the Department of Health and Human Services, the executive director of
1455 the Department of Health and Human Services; and
 - 1456 (E) for any other executive branch department, division, office, or entity that has
1457 statutory procurement authority outside this chapter, the governing authority of

- 1458 the department, division, office, or entity; and
- 1459 (ii) for each other executive branch procurement unit, the board;
- 1460 (d) for a local government procurement unit:
- 1461 (i) the governing body of the local government unit; or
- 1462 (ii) an individual or body designated by the local government procurement unit;
- 1463 (e) for a school district or a public school, the board, except to the extent of a school
- 1464 district's own nonadministrative rules that do not conflict with the provisions of this
- 1465 chapter;
- 1466 (f) for a state institution of higher education, the Utah Board of Higher Education;
- 1467 (g) for the State Board of Education or the Utah Schools for the Deaf and the Blind, the
- 1468 State Board of Education;
- 1469 (h) for a public transit district, the chief executive of the public transit district;
- 1470 (i) for a special district other than a public transit district or for a special service district,
- 1471 the board, except to the extent that the board of trustees of the special district or the
- 1472 governing body of the special service district makes its own rules:
- 1473 (i) with respect to a subject addressed by board rules; or
- 1474 (ii) that are in addition to board rules;
- 1475 (j) for the Utah Educational Savings Plan, created in Section 53B-8a-103, the Utah
- 1476 Board of Higher Education;
- 1477 (k) for the School and Institutional Trust Lands Administration, created in Section
- 1478 53C-1-201, the School and Institutional Trust Lands Board of Trustees;
- 1479 (l) for the School and Institutional Trust Fund Office, created in Section 53D-1-201, the
- 1480 School and Institutional Trust Fund Board of Trustees;
- 1481 (m) for the Utah Communications Authority, established in Section 63H-7a-201, the
- 1482 Utah Communications Authority board, created in Section 63H-7a-203; or
- 1483 (n) for any other procurement unit, the board.
- 1484 [(79)] (80) "Service":
- 1485 (a) means labor, effort, or work to produce a result that is beneficial to a procurement
- 1486 unit;
- 1487 (b) includes a professional service; and
- 1488 (c) does not include labor, effort, or work provided under an employment agreement or a
- 1489 collective bargaining agreement.
- 1490 [(80)] (81) "Small purchase process" means the procurement process described in Section
- 1491 63G-6a-506.

- 1492 ~~[(81)]~~ (82) "Sole source contract" means a contract resulting from a sole source procurement.
- 1493 ~~[(82)]~~ (83) "Sole source procurement" means a procurement without competition pursuant to
- 1494 a determination under Subsection 63G-6a-802(1)(a) that there is only one source for the
- 1495 procurement item.
- 1496 ~~[(83)]~~ (84) "Solicitation" means an invitation for bids, request for proposals, or request for
- 1497 statement of qualifications.
- 1498 ~~[(84)]~~ (85) "Solicitation response" means:
- 1499 (a) a bid submitted in response to an invitation for bids;
- 1500 (b) a proposal submitted in response to a request for proposals; or
- 1501 (c) a statement of qualifications submitted in response to a request for statement of
- 1502 qualifications.
- 1503 ~~[(85)]~~ (86) "Special district" means the same as that term is defined in Section 17B-1-102.
- 1504 ~~[(86)]~~ (87) "Special service district" means the same as that term is defined in Section
- 1505 17D-1-102.
- 1506 ~~[(87)]~~ (88) "Specification" means any description of the physical or functional
- 1507 characteristics or of the nature of a procurement item included in an invitation for bids
- 1508 or a request for proposals, or otherwise specified or agreed to by a procurement unit,
- 1509 including a description of:
- 1510 (a) a requirement for inspecting or testing a procurement item; or
- 1511 (b) preparing a procurement item for delivery.
- 1512 ~~[(88)]~~ (89) "Standard procurement process" means:
- 1513 (a) the bidding process;
- 1514 (b) the request for proposals process;
- 1515 (c) the approved vendor list process;
- 1516 (d) the small purchase process; or
- 1517 (e) the design professional procurement process.
- 1518 ~~[(89)]~~ (90) "State cooperative contract" means a contract awarded by the division for and in
- 1519 behalf of all public entities.
- 1520 ~~[(90)]~~ (91) "Statement of qualifications" means a written statement submitted to a
- 1521 procurement unit in response to a request for statement of qualifications.
- 1522 ~~[(91)]~~ (92) "Subcontractor":
- 1523 (a) means a person under contract to perform part of a contractual obligation under the
- 1524 control of the contractor, whether the person's contract is with the contractor directly
- 1525 or with another person who is under contract to perform part of a contractual

- 1526 obligation under the control of the contractor; and
- 1527 (b) includes a supplier, distributor, or other vendor that furnishes supplies or services to
- 1528 a contractor.
- 1529 ~~[(92)]~~ (93) "Technology" means the same as "information technology," as defined in Section
- 1530 63A-16-102.
- 1531 ~~[(93)]~~ (94) "Tie bid" means that the lowest responsive bids of responsible bidders are
- 1532 identical in price.
- 1533 ~~[(94)]~~ (95) "Time and materials contract" means a contract under which the contractor is
- 1534 paid:
- 1535 (a) the actual cost of direct labor at specified hourly rates;
- 1536 (b) the actual cost of materials and equipment usage; and
- 1537 (c) an additional amount, expressly described in the contract, to cover overhead and
- 1538 profit, that is not based on a percentage of the cost to the contractor.
- 1539 ~~[(95)]~~ (96) "Transitional costs":
- 1540 (a) means the costs of changing:
- 1541 (i) from an existing provider of a procurement item to another provider of that
- 1542 procurement item; or
- 1543 (ii) from an existing type of procurement item to another type;
- 1544 (b) includes:
- 1545 (i) training costs;
- 1546 (ii) conversion costs;
- 1547 (iii) compatibility costs;
- 1548 (iv) costs associated with system downtime;
- 1549 (v) disruption of service costs;
- 1550 (vi) staff time necessary to implement the change;
- 1551 (vii) installation costs; and
- 1552 (viii) ancillary software, hardware, equipment, or construction costs; and
- 1553 (c) does not include:
- 1554 (i) the costs of preparing for or engaging in a procurement process; or
- 1555 (ii) contract negotiation or drafting costs.
- 1556 ~~[(96)]~~ (97) "Vendor":
- 1557 (a) means a person who is seeking to enter into a contract with a procurement unit to
- 1558 provide a procurement item; and
- 1559 (b) includes:

- 1560 (i) a bidder;
- 1561 (ii) an offeror;
- 1562 (iii) an approved vendor;
- 1563 (iv) a design professional; and
- 1564 (v) a person who submits an unsolicited proposal under Section 63G-6a-712.
- 1565 Section 18. Section **63G-6a-2105** is amended to read:
- 1566 **63G-6a-2105 (Effective 07/01/25). Cooperative procurements -- Contracts with**
- 1567 **federal government -- Regional solicitations.**
- 1568 (1) The chief procurement officer may, in accordance with the requirements of this chapter,
- 1569 enter into a cooperative procurement, and a contract that is awarded as a result of a
- 1570 cooperative procurement, with:
- 1571 (a) another state;
- 1572 (b) a cooperative purchasing organization; or
- 1573 (c) a public entity inside or outside the state.
- 1574 (2)(a) A public entity, nonprofit organization, or, as permitted under federal law, an
- 1575 agency of the federal government, may obtain a procurement item from a state
- 1576 cooperative contract or a contract awarded by the chief procurement officer under
- 1577 Subsection (1), without signing a participating addendum if the solicitation issued by
- 1578 the chief procurement officer to obtain the contract includes a statement indicating
- 1579 that the resulting contract will be issued for the benefit of public entities and, as
- 1580 applicable, nonprofit organizations and agencies of the federal government.
- 1581 (b) An authorized school safety foundation under Section 53-22-108 may participate in,
- 1582 sponsor, conduct, or administer a cooperative procurement for school safety products.
- 1583 (3) Except as provided in Section 63G-6a-506, or as otherwise provided in this chapter, an
- 1584 executive branch procurement unit may not obtain a procurement item from a source
- 1585 other than a state cooperative contract or a contract awarded by the chief procurement
- 1586 officer under Subsection (1), if the procurement item is available under a state
- 1587 cooperative contract or a contract awarded by the chief procurement officer under
- 1588 Subsection (1).
- 1589 (4) A Utah procurement unit may:
- 1590 (a) contract with the federal government without going through a standard procurement
- 1591 process or an exception to a standard procurement process, described in Part 8,
- 1592 Exceptions to Procurement Requirements, if the procurement item obtained under the
- 1593 contract is provided:

- 1594 (i) directly by the federal government and not by a person contracting with the
1595 federal government; or
- 1596 (ii) by a person under contract with the federal government that obtained the contract
1597 in a manner that substantially complies with the provisions of this chapter;
- 1598 (b) participate in, sponsor, conduct, or administer a cooperative procurement with
1599 another Utah procurement unit or another public entity in Utah, if:
- 1600 (i) each party unit involved in the cooperative procurement enters into an agreement
1601 describing the rights and duties of each party;
- 1602 (ii) the procurement is conducted, and the contract awarded, in accordance with the
1603 requirements of this chapter;
- 1604 (iii) the solicitation:
- 1605 (A) clearly indicates that the procurement is a cooperative procurement; and
1606 (B) identifies each party that may purchase under the resulting contract; and
- 1607 (iv) each party involved in the cooperative procurement signs a participating
1608 addendum describing its rights and obligations in relation to the resulting contract;
1609 or
- 1610 (c) purchase under, or otherwise participate in, an agreement or contract of a cooperative
1611 purchasing organization, if:
- 1612 (i) each party involved in the cooperative procurement enters into an agreement
1613 describing the rights and duties of each party;
- 1614 (ii) the procurement was conducted in accordance with the requirements of this
1615 chapter;
- 1616 (iii) the solicitation:
- 1617 (A) clearly indicates that the procurement is a cooperative procurement; and
1618 (B) identifies each party that may purchase under the resulting contract; and
- 1619 (iv) each party involved in the cooperative procurement signs a participating
1620 addendum describing its rights and obligations in relation to the resulting contract.
- 1621 (5) A procurement unit may not obtain a procurement item under a contract that results
1622 from a cooperative procurement described in Subsection (4), unless the procurement
1623 unit:
- 1624 (a) is identified under Subsection (4)(b)(iii)(B) or (4)(c)(iii)(B); and
1625 (b) signs a participating addendum to the contract as required by this section.
- 1626 (6) A procurement unit, other than a legislative procurement unit or a judicial procurement
1627 unit, may not obtain a procurement item under a contract held by the United States

1628 General Services Administration, unless, based upon documentation provided by the
1629 procurement unit, the Director of the State Division of Purchasing and General Services
1630 determines in writing that the United States General Services Administration procured
1631 the contract in a manner that substantially complies with the provisions of this chapter.

1632 (7)(a) As used in this Subsection (7), "regional solicitation" means a solicitation issued
1633 by the chief procurement officer for the procurement of a procurement item within a
1634 specified geographical region of the state.

1635 (b) In addition to any other duty or authority under this section, the chief procurement
1636 officer shall:

1637 (i) after considering board recommendations, develop a plan for issuing regional
1638 solicitations; and

1639 (ii) after developing a plan, issue regional solicitations for procurement items in
1640 accordance with the plan and this chapter.

1641 (c) A plan under Subsection (7)(b) shall:

1642 (i) define the proposed regional boundaries for regional solicitations;

1643 (ii) specify the types of procurement items for which a regional solicitation may be
1644 issued; and

1645 (iii) identify the regional solicitations that the chief procurement officer plans to issue.

1646 (d) A regional solicitation shall require that a person responding to the solicitation offer
1647 similar warranties and submit to similar obligations as are standard under other state
1648 cooperative contracts.

1649 (e) Except as authorized by the chief procurement officer, a procurement item that is
1650 available under a state cooperative contract may not be provided under a contract
1651 pursuant to a regional solicitation until after the expiration of the state cooperative
1652 contract.

1653 Section 19. Section **76-5-417** is enacted to read:

1654 **76-5-417 (Effective 07/01/25). Sexual relations with an adult high school student.**

1655 (1) As used in this section:

1656 (a) "Actor" means an individual who is 21 years old or older.

1657 (b) "Adult high school student" means an individual who is 18 to 21 years old and
1658 enrolled at a high school.

1659 (c) "High school" means a district, charter, or private school that is comprised of grade
1660 9, 10, 11, or 12.

1661 (d) "Position of special trust" means the following positions in a high school:

- 1662 (i) a teacher;
- 1663 (ii) an administrator;
- 1664 (iii) a coach;
- 1665 (iv) a counselor; or
- 1666 (v) an individual other than an individual listed in this Subsections (1)(d) who
- 1667 occupies a position of authority that enables the individual to exercise undue
- 1668 influence over an adult high school student.
- 1669 (e) "Sexual intercourse" means any penetration, however slight, of:
- 1670 (i) the genitals or anus of an individual by another individual using any body part,
- 1671 object, or substance; or
- 1672 (ii) the mouth of an individual by another individual's genitals.
- 1673 (f) Terms defined in Section 76-1-101.5 apply to this section.
- 1674 (2) An actor commits sexual relations with an adult high school student if the actor:
- 1675 (a)(i) has sexual intercourse with an adult high school student; or
- 1676 (ii) with the intent to cause substantial emotional or bodily pain to any individual or
- 1677 with the intent to arouse or gratify the sexual desire of any individual:
- 1678 (A) touches the anus, buttocks, pubic area, or any part of the genitals of an adult
- 1679 high school student;
- 1680 (B) touches the breast of a female adult high school student; or
- 1681 (C) otherwise takes indecent liberties with an adult high school student;
- 1682 (b) occupies a position of special trust in relation to the adult high school student
- 1683 described in Subsection (2)(a); and
- 1684 (c) knows or should have known that the individual with which the actor committed the
- 1685 acts described in Subsection (2)(a) was an adult high school student.
- 1686 (3) A violation of Subsection (2) is a third degree felony.
- 1687 (4) Any touching, even if accomplished through clothing, is sufficient to constitute the
- 1688 relevant element of a violation of Subsection (2)(a)(ii).
- 1689 (5) Consent of an adult high school student to an act described in Subsection (2) is not a
- 1690 defense to prosecution under this section.

1691 Section 20. **Repealer.**

1692 This bill repeals:

1693 Section **53F-4-208, State board procurement for school security software.**

1694 Section 21. **Effective Date.**

1695 This bill takes effect on July 1, 2025.