

Victim Rights Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Verona Mauga

Sponsor:

LONG TITLE

General Description:

This bill amends provisions related to victim rights.

Highlighted Provisions:

This bill:

- defines terms;
- provides that the executive director of the State Commission on Criminal and Juvenile Justice designate a coordinator for the victim rights committees;
- provides the duties of the coordinator for the victim rights committees;
- modifies the complaint process for the victim rights committees;
- requires a criminal justice agency to provide a policy for addressing a complaint alleging a violation of a victim's right to the coordinator for the victim rights committees; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-1001, as enacted by Laws of Utah 2024, Chapter 160

63M-7-1003, as enacted by Laws of Utah 2024, Chapter 160

ENACTS:

63M-7-1002.5, Utah Code Annotated 1953

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

Section 1. Section **63M-7-1001** is amended to read:

63M-7-1001 . Definitions for part.

As used in this part:

31 (1) "Committee" means a victim rights committee established in each judicial district as
32 described in Section 63M-7-1002.

33 [(2) "Victim Services Commission" means the Utah Victim Services Commission
34 established in Section 63M-7-902.]

35 (2) "Coordinator" means the individual designated by the executive director of the
36 commission as described in Section 63M-7-1002.5.

37 (3)(a) "Criminal justice agency" means an agency that is directly involved in the
38 apprehension, prosecution, incarceration, or supervision of an individual involved in [
39 criminal conduct] an offense.

40 (b) "Criminal justice agency" includes:
41 (i) a law enforcement agency as defined in Section 63M-7-502;
42 (ii) a prosecuting agency;
43 (iii) the Department of Corrections created in Section 64-13-2; or
44 (iv) the Board of Pardons and Parole created in Section 77-27-2.

45 (4) "Member" means an individual appointed to a committee.

46 (5) "Representative of a victim" means the same as that term is defined in Section 77-38-2.

47 (6)(a) "Victim" means an individual against whom [criminal conduct has allegedly been
48 committed] an offense has been committed or is alleged to have been committed.

49 (b) "Victim" includes an individual who is younger than 18 years old against whom an
50 offense has been committed or is alleged to have been committed.

51 [(b)] (c) "Victim" does not include [an individual who is an accomplice or codefendant to
52 criminal conduct] an individual who is, or appears, to be accountable or responsible
53 for the offense that has been committed or is alleged to have been committed.

54 (7) "Victim advocate" means the same as that term is defined in Section 77-37-403.

55 (8) ["Victim's rights"] "Victim's right" means:
56 (a) [the rights] a right afforded to a victim under Title 77, Chapter 37, Victims' Rights,
57 Title 77, Chapter 38, Crime Victims, and Utah Constitution, Article I, Section 28[.];
58 or
59 (b) an obligation that a prosecuting agency or prosecuting attorney owes to a victim
60 under Rule 35 of the Utah Rules of Criminal Procedure.

61 (9) "Victim Services Commission" means the Utah Victim Services Commission
62 established in Section 63M-7-902.

63 Section 2. Section **63M-7-1002.5** is enacted to read:

64 **63M-7-1002.5 . Coordinator for victim rights committees.**

65 The executive director of the commission shall designate an individual to:

66 (1) provide administrative assistance to each committee; and

67 (2) receive and process complaints as described in Section 63M-7-1003.

68 Section 3. Section **63M-7-1003** is amended to read:

69 **63M-7-1003 . Complaint of violation of a victim right -- Criminal justice agency**
70 **policy about complaints.**

71 [(1)(a) When a committee receives a complaint, the committee shall review the
72 complaint to determine whether the complaint alleges a violation of a victim's rights.]

73 [(b) If a complaint alleges a violation of a victim's rights in another judicial district, the
74 committee shall forward the complaint to the judicial district where the violation
75 allegedly occurred.]

76 [(2)(a) If the committee receives a complaint that does not allege a violation of a
77 victim's rights, the committee shall send a letter to the victim, or the representative of
78 a victim:]

79 [(i) explaining that the committee may only address a violation of the victim's rights;
80 and]

81 [(ii) describing any other resources that may be available to the victim or the
82 representative of the victim.]

83 [(b) The committee shall send the letter described in Subsection (2)(a) within 30 days
84 after the day on which the committee receives the complaint.]

85 [(3) If the complaint does allege a violation of a victim's rights, the committee shall forward
86 a copy of the complaint to the person that is the subject of the complaint.]

87 [(4) The committee shall schedule a meeting for the committee to review the complaint as
88 soon as practicable.]

89 (1)(a) A victim may submit a complaint to the Victim Services Commission if the
90 complaint alleges a violation of the victim's right.

91 (b) Notwithstanding Subsection (1)(a), a victim may not submit a complaint if the
92 complaint alleges substantially the same facts that were raised in a prior complaint.

93 (2) The coordinator shall notify the victim of the receipt of the complaint within 30 days
94 after the day on which the coordinator receives the complaint.

95 (3)(a) The coordinator may dismiss a complaint from a victim if the complaint does not
96 comply with the requirements for a complaint as described in Subsection (1).

97 (b) If the coordinator dismisses a complaint under Subsection (3)(a), the coordinator
98 shall notify the victim within 30 days after the day on which the coordinator receives

the complaint.

(4)(a) If a complaint is not dismissed under Subsection (3), the coordinator shall:

(i) subject to Subsection (4)(b), send a copy of the complaint to the subject of the complaint and the subject's employer;

(ii) notify the victim and the subject of the complaint that:

- (A) the complaint will be considered as soon as practicable by the committee; and
- (B) the victim or the subject of the complaint may attend the committee meeting at which the complaint will be discussed and submit additional information for the committee's consideration; and

(iii) schedule a meeting for the appropriate committee to review the complaint.

(b) If the subject of a complaint is a judge or court employee, the coordinator shall send a copy of the complaint to the state court administrator described in Section 78A-2-105 or the state court administrator's designee.

(5) The committee shall review a complaint as soon as practicable to determine if a violation of a victim's right has occurred.

(6)(a) Upon receiving a complaint, the committee may:

(i) consider any relevant information;

(ii) request information from:

(A) the victim, or a representative of the victim, who submitted the complaint;

(B) the subject of the complaint;

(C) a criminal justice agency; or

(D) any other person that may have information related to the complaint; and

(iii) make findings as to whether there has been a violation of a victim's right.

(b) The committee may request records from a governmental entity as described in Section 63G-2-206.

[**(5)**] **(7)** If a criminal justice agency investigates a complaint regarding a violation of a victim's rights and the committee receives a complaint about the same violation, the criminal justice agency shall provide the criminal justice agency's investigative findings related to the complaint to the committee.

[(6) After reviewing the complaint and any findings submitted by a criminal justice agency under Subsection (5), the committee may:]

[(a) inform the person of a victim's rights and the obligations required by law;]

[**(b)** refer the victim, or the representative of a victim, to other resources in the community; or]

133 [~~(e) inform the victim, or the representative of a victim, of the victim's rights and~~
134 ~~remedies described in Title 77, Chapter 37, Victims' Rights, Title 77, Chapter 38,~~
135 ~~Crime Victims, and Utah Constitution, Article I, Section 28.]~~

136 [~~(7) Within 30 days after the day on which the committee meeting is held, the chair of the~~
137 ~~committee shall send a letter to the victim, or the representative of a victim, describing~~
138 ~~any action taken by the committee.]~~

139 (8)(a) If the committee finds that the subject of a complaint did not violate a victim's
140 right:

141 (i) the committee shall send a letter to the victim, or the representative of the victim,
142 that:

143 (A) states the findings of the committee;
144 (B) explains that the committee may only address a violation of a victim's right;
145 and
146 (C) describes any resources that may be available to the victim or the
147 representative of the victim; and

148 (ii) subject to Subsection (10), the committee may send a letter to the subject of the
149 complaint and the subject's employer that states the findings of the committee.

150 (b) The committee may include recommendations in the letter described in Subsection
151 (8)(a)(ii) to ensure a better response by the subject and the subject's employer to a
152 victim exercising the victim's right.

153 (9)(a) If the committee finds that the subject of the complaint violated a victim's right,
154 the committee shall send a letter to:

155 (i) the victim, or the representative of the victim, that:

156 (A) states the findings of the committee;
157 (B) informs the victim, or the representative of the victim, of the victim's right and
158 any remedy available to the victim;
159 (C) refers the victim, or the representative of the victim, to other resources in the
160 community; and
161 (D) informs the victim, or the representative of the victim, of any other person that
162 has authority to receive a complaint regarding a violation of a victim's right;
163 and

164 (ii) subject to Subsection (10), the subject of the complaint and the subject's employer
165 that states the findings of the committee.

166 (b) The committee may include recommendations in the letter described in Subsection

167 (9)(a)(ii) to ensure a better response by the subject and the subject's employer to a
168 victim exercising the victim's right.

169 (10) If the subject of a complaint is a judge or court employee, the committee shall send a
170 letter described in Subsection (8) or (9) to the state court administrator described in
171 Section 78A-2-105 or the state court administrator's designee.

172 (11) The committee shall send a letter described in Subsection (8), (9), or (10) within 30
173 days after the day on which the committee makes a finding.

174 [{8}] (12) A criminal justice agency shall:

175 (a) establish a policy for addressing a complaint alleging a violation of a [victim's rights.]
176 victim's right; and

177 (b) upon request, provide a copy of the policy to the coordinator.

178 **Section 4. Effective Date.**

179 This bill takes effect on May 6, 2026.