

**THE COUNCIL ON SEXUAL VICTIMS AND
OFFENDERS**

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Trisha S. Beck

AN ACT RELATING TO STATE INSTITUTIONS; CREATING THE COUNCIL ON SEXUAL VICTIMS AND OFFENDERS; PROVIDING FOR MEMBERSHIP; DELINEATING RESPONSIBILITIES AND PROCEDURES; PROVIDING A REPORTING DATE; APPROPRIATING \$9,600 FROM THE GENERAL FUND; AND PROVIDING A REPEAL DATE.

This act enacts uncodified material.

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

Section 1. The Council on Sexual Victims and Offenders -- Creation -- Membership -- Quorum -- Compensation -- Staff.

(1) There is created the Council on Sexual Victims and Offenders consisting of the following members:

(a) the executive director of the Department of Corrections or the director's designee;

(b) the director of the Division of Youth Corrections in the Department of Human Services or the director's designee;

(c) the director of Utah's Sentencing Commission or the director's designee;

(d) the executive director of the Commission on Criminal and Juvenile Justice or the director's designee;

(e) the director of ~~h~~ **THE COALITION OF ADVOCATES FOR UTAH SURVIVORS' EMPOWERMENT (CAUSE)**, ~~h~~ Utah's ~~h~~ **[Rape Crisis Center] SEXUAL ASSAULT COALITION**, ~~h~~ or the director's designee;

(f) a victim of a sexual offense ~~h~~ **[or a representative]** ~~h~~ ;

(g) a sexual offender ~~h~~ **[or a representative]** ~~h~~ ;

(h) two members with experience in the legislative process;

(i) one member with experience in the judicial process;

28 (j) a member of the Child Protection Team representing the medical community;

29 (k) three members representing different ecclesiastical assemblies; ~~h~~ [and]

29a (l) ONE REPRESENTATIVE OF LAW ENFORCEMENT HAVING EXPERTISE IN SEX

29b **OFFENSES:**

29c (m) ONE REPRESENTATIVE OF A COMMUNITY MENTAL HEALTH CENTER; AND ~~h~~

30 ~~h~~ [(t)] (n) ~~h~~ up to ~~h~~ [five] THREE ~~h~~ additional members of the public representing interested

30a parties.

31 (2) The members listed in Subsections (1) (a) through (e) shall select the members listed

32 in Subsections (1)(f) through ~~h~~ [(t)] (n) ~~h~~ at the first meeting of the council.

33 (3) At the first council meeting attended by a majority of all members, a chair and vice

34 chair shall be selected.

35 (4) A majority of the members of the council constitute a quorum. The action of a

36 majority of a quorum constitutes the action of the council.

37 (5) Members of the council may not receive compensation for their work associated with

38 the council, but may receive per diem and expenses incurred as a member of the council at the

39 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

40 (6) The Department of Corrections shall provide staff and resources for the council.

41 **Section 2. Duties -- Interim report.**

42 (1) The council shall review and make recommendations on the following sexual offender

43 and victim treatment issues:

44 (a) early intervention and care for both victims and offenders;

45 (b) postincarceration or treatment care;

46 (c) civil commitment for sexual offenders ~~h~~ [with mental disorders] ~~h~~ ;

47 (d) defining sexual predators; and

48 (e) other related issues as determined by the council.

49 (2) A final report, including any proposed legislation, shall be presented to the Law

50 Enforcement and Criminal Justice Interim Committee and to the Judiciary Interim Committee by

51 ~~h~~ [October 1, 1999] THE OCTOBER 1999 MEETING ~~h~~ .

52 **Section 3. Appropriation.**

53 Except as provided in H.B. 4, Appropriations Coordination Act, there is appropriated from

54 the General Fund for fiscal year 1999-2000 \$9,600 to the Department of Corrections to pay for

55 staffing the council. ~~h~~ ANY UNEXPENDED BALANCE AT THE END OF THE FISCAL YEAR IS

55a NONLAPSING. ~~h~~

56 **Section 4. Repeal date.**

57 This act is repealed November 30, ~~h~~ [1999] 2000 ~~h~~ .

Legislative Review Note

as of 1-26-99 10:00 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel