

1 **PUBLIC SAFETY BUREAU NAME CHANGE**

2 2002 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: DeMar Bud Bowman**

5 **This act modifies the Public Safety Code by changing the title of the Criminal Investigations**
6 **Bureau to "State Bureau of Investigation" to more accurately reflect the purpose of this**
7 **bureau. The act also amends references to this bureau in other areas of the code.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **32A-1-303**, as last amended by Chapter 263, Laws of Utah 1998

11 **53-1-104**, as last amended by Chapters 263 and 343, Laws of Utah 1998

12 **53-10-301**, as renumbered and amended by Chapter 263, Laws of Utah 1998

13 **63-25a-204**, as last amended by Chapter 220, Laws of Utah 2001

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

15 Section 1. Section **32A-1-303** is amended to read:

16 **32A-1-303. Additional requirements when age is in question.**

17 (1) In addition to the presentation by the holder of an identification card under Section
18 32A-1-302, any person authorized to sell or otherwise handle alcoholic beverages or products shall
19 require any person whose age is in question to sign a statement that includes the date and number
20 of the person's identification card.

21 (2) If the person does not have an identification card, he shall sign an additional statement
22 containing additional information as the commissioner of public safety requires.

23 (3) The statement and identifying information shall be written on a form provided by the
24 commissioner of public safety and filed alphabetically by the person authorized to sell or otherwise
25 handle alcoholic beverages or products before the close of business on the day on which the
26 statement is executed.

27 (4) The form is subject to examination by any peace officer, representative of the [Criminal



28 ~~Investigations Bureau]~~ State Bureau of Investigation of the Department of Public Safety,
29 established in Section 53-10-301, or authorized employee of the department.

30 Section 2. Section **53-1-104** is amended to read:

31 **53-1-104. Boards, bureaus, councils, divisions, and offices.**

32 (1) The following are the policymaking boards within the department:

- 33 (a) the Driver License Medical Advisory Board, created in Section 53-3-303;
34 (b) the Concealed Weapon Review Board, created in Section 53-5-703;
35 (c) the Utah Fire Prevention Board, created in Section 53-7-203;
36 (d) the Liquified Petroleum Gas Board, created in Section 53-7-304; and
37 (e) the Private Investigator Hearing and Licensure Board, created in Section 53-9-104.

38 (2) The following are the councils within the department:

- 39 (a) the Peace Officer Standards and Training Council, created in Section 53-6-106; and
40 (b) the Motor Vehicle Safety Inspection Advisory Council, created in Section 53-8-203.

41 (3) The following are the divisions within the department:

- 42 (a) the Administrative Services Division, created in Section 53-1-203;
43 (b) the Management Information Services Division, created in Section 53-1-303;
44 (c) the Comprehensive Emergency Management Division, created in Section 53-2-103;
45 (d) the Driver License Division, created in Section 53-3-103;
46 (e) the Criminal Investigations and Technical Services Division, created in Section
47 53-10-103;

- 48 (f) the Peace Officers Standards and Training Division, created in Section 53-6-103;
49 (g) the State Fire Marshal Division, created in Section 53-7-103; and
50 (h) the Utah Highway Patrol Division, created in Section 53-8-103.

51 (4) The Office of Executive Protection is created in Section 53-1-112.

52 (5) The following are bureaus within the department:

- 53 (a) Bureau of Criminal Identification, created in Section 53-10-201;
54 (b) ~~[Criminal Investigations Bureau]~~ State Bureau of Investigation, created in Section
55 53-10-301;
56 (c) Bureau of Forensic Services, created in Section 53-10-401; and
57 (d) Bureau of Communications, created in Section 53-10-501.

58 (6) The State Olympic Public Safety Command is created within the department by Section

59 53-12-201.

60 Section 3. Section **53-10-301** is amended to read:

61 **Part 3. State Bureau of Investigation**

62 **53-10-301. State Bureau of Investigation -- Creation -- Bureau chief appointment,**
63 **qualifications, and compensation.**

64 (1) There is created within the division the [~~Criminal Investigations Bureau~~] State Bureau
65 of Investigation.

66 (2) The bureau shall be administered by a bureau chief appointed by the division director
67 with the approval of the commissioner.

68 (3) The bureau chief shall be experienced in administration and possess additional
69 qualifications as determined by the division director and as provided by law.

70 (4) The bureau chief acts under the supervision and control of the division director and
71 may be removed from his position at the will of the commissioner.

72 (5) The bureau chief shall receive compensation as provided by Title 67, Chapter 19, Utah
73 State Personnel Management Act.

74 Section 4. Section **63-25a-204** is amended to read:

75 **63-25a-204. Creation of committees -- Membership -- Terms.**

76 (1) There is created within the governor's office, the Justice Committee, the Treatment
77 Committee, the Prevention Committee, and the Judiciary Committee.

78 (2) The president of the Senate may designate a member of the Senate to serve on each
79 committee for a four-year term.

80 (3) The speaker of the House may designate a member of the House of Representatives
81 to serve on each committee for a four-year term.

82 (4) (a) The Justice Committee comprises a minimum of 15 voting members as follows:

83 (i) the [~~director~~] bureau chief of the [~~Criminal Investigations Bureau~~] State Bureau of
84 Investigation of the Department of Public Safety or his designee;

85 (ii) the following members designated to serve four-year terms:

86 (A) a representative designated by the Utah Chiefs of Police Association;

87 (B) a representative designated by the Utah Sheriff's Association;

88 (C) a representative designated by the Statewide Association of Public Attorneys;

89 (D) a representative designated by the Department of Commerce;

- 90 (E) an assistant attorney general designated by the attorney general;
- 91 (F) a representative designated by the commissioner of the Department of Public Safety;
- 92 (G) a representative designated by the executive director of the Department of Corrections;
- 93 (H) a representative designated by the director of the Division of Youth Corrections;
- 94 (I) a district director of juvenile probation or his designee, designated by the presiding
95 officer of the Judicial Council; and
- 96 (J) a representative of adult probation and parole designated by the executive director of
97 the Department of Corrections; and
- 98 (iii) the following members appointed by the governor to serve four-year terms:
 - 99 (A) a representative from a drug task force within the state;
 - 100 (B) a representative of crime victims;
 - 101 (C) a gang intelligence officer; and
 - 102 (D) a school resource officer.
- 103 (b) The following organizations may also designate a representative to be a voting member
104 of the committee for a four-year term:
 - 105 (i) the Federal Bureau of Investigation;
 - 106 (ii) the United States Attorney's Office; and
 - 107 (iii) the Drug Enforcement Administration.
- 108 (c) Additional committee members may be selected by a majority of the committee to
109 serve as voting members for four-year terms.
- 110 (5) (a) The Treatment Committee comprises a minimum of 17 voting members as follows:
 - 111 (i) a representative of an urban local substance abuse authority designated by the Utah
112 Behavioral Healthcare Network;
 - 113 (ii) a representative of a rural local substance abuse authority designated by the Utah
114 Behavioral Healthcare Network;
 - 115 (iii) a representative designated by the Division of Substance Abuse;
 - 116 (iv) a representative designated by the director of the Division of Youth Corrections;
 - 117 (v) a registered pharmacist designated by the Utah Pharmaceutical Association;
 - 118 (vi) a representative designated by the Utah Hospital and Health Systems Association;
 - 119 (vii) a licensed physician designated by the Utah Medical Association;
 - 120 (viii) a licensed psychologist designated by the Utah Psychological Association;

- 121 (ix) a licensed social worker designated by the National Association of Social Workers
122 (Utah Chapter);
- 123 (x) a registered nurse designated by the Utah Nurses Association;
- 124 (xi) a substance abuse counselor designated by the Utah Association of Alcohol and Drug
125 Abuse Counselors;
- 126 (xii) a representative designated by the Utah Association of Local Health Officers;
- 127 (xiii) a domestic violence treatment professional appointed by the Domestic Violence
128 Advisory Council;
- 129 (xiv) a school counselor designated by the Utah School Counselors Association;
- 130 (xv) an elementary school principal from a high risk school designated by the Utah
131 Association of Elementary School Principals;
- 132 (xvi) a secondary school principal from a high risk school designated by the Utah
133 Association of Secondary School Principals; and
- 134 (xvii) a representative designated by the executive director of the Department of
135 Workforce Services.
- 136 (b) Additional committee members may be selected by a majority of the committee.
- 137 (c) Each committee member shall serve a four-year term.
- 138 (6) (a) The Prevention Committee comprises a minimum of 18 voting members as follows:
- 139 (i) the executive director of the Utah Council for Crime Prevention or his designee;
- 140 (ii) a representative from the State Board of Regents;
- 141 (iii) the president of the Utah Federation for Youth or his designee;
- 142 (iv) the president of the state Parent Teacher Association or his designee;
- 143 (v) the director of the Association of Youth Councils or his designee;
- 144 (vi) the chair of the Coalition for Tobacco Free Utah or the chair's designee;
- 145 (vii) the following members designated to serve four-year terms:
- 146 (A) a representative designated by the director of the Division of Substance Abuse;
- 147 (B) a representative designated by the state superintendent of public instruction, State
148 Office of Education;
- 149 (C) a representative designated by the executive director of the Department of Health;
- 150 (D) a Safe and Drug-Free Schools program director from an urban school district,
151 designated by the Utah School Superintendents Association;

152 (E) a Safe and Drug-Free Schools program director from a rural school district, designated
153 by the Utah School Superintendents Association;

154 (F) a representative of an urban local substance abuse authority, designated by the Utah
155 Behavioral Healthcare Network;

156 (G) a representative designated by the commissioner of the Labor Commission;

157 (H) a representative of a rural local substance abuse authority, designated by the Utah
158 Behavioral Healthcare Network; and

159 (I) a representative designated by the Utah Association of Local Health Officers; and

160 (viii) the following members appointed by the governor to serve four-year terms:

161 (A) a representative of the academic and research community who is knowledgeable in the
162 field of substance abuse or violence prevention;

163 (B) a representative of a community-based organization that provides services to children;
164 and

165 (C) one or more members of the religious community.

166 (b) Additional committee members may be selected by a majority of the committee to
167 serve as voting members for four-year terms.

168 (7) (a) The Judiciary Committee comprises a minimum of 17 voting members as follows:

169 (i) the following members designated by the presiding officer of the Judicial Council to
170 serve four-year terms:

171 (A) a juvenile court judge;

172 (B) a district court judge;

173 (C) an appellate court judge;

174 (D) a justice court judge;

175 (E) two court executives;

176 (F) two court administrative officers;

177 (G) a representative of court treatment or prevention programs; and

178 (H) a guardian ad litem;

179 (ii) the following members designated to serve four-year terms:

180 (A) a representative designated by the director of the Division of Substance Abuse;

181 (B) a defense attorney designated by the Utah State Bar;

182 (C) a prosecuting attorney designated by the Utah Prosecution Council;

- 183 (D) an assistant attorney general designated by the attorney general;
184 (E) a director of pupil services from a local school district designated by the state
185 superintendent of public instruction; and
186 (F) a law-related education specialist designated by the state superintendent of public
187 instruction; and
188 (iii) a commander of a gang task force, or his designee, appointed by the governor to serve
189 a four-year term.
190 (b) In addition to the members designated under Subsection (7)(a), the presiding federal
191 judge may designate a federal trial judge to be a voting member of the committee for a four-year
192 term.
193 (c) Additional committee members may be selected by a majority of the committee to
194 serve as voting members for four-year terms.

Legislative Review Note
as of 8-27-01 8:08 AM

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

Office of Legislative Research and General Counsel

Committee Note

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.