

COMMISSION ON CRIMINAL AND JUVENILE  
JUSTICE

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: M. Susan Lawrence

---

---

LONG TITLE

**General Description:**

This bill amends the membership of the Commission on Criminal and Juvenile Justice regarding the appointment of legislative members.

**Highlighted Provisions:**

This bill:

► provides that the speaker of the House of Representatives and the president of the Senate each appoint the respective legislative member, rather than the governor.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides an effective date.

**Utah Code Sections Affected:**

AMENDS:

**63-25a-102 (Superseded 07/01/04)**, as last amended by Chapter 220, Laws of Utah  
2001

**63-25a-102 (Effective 07/01/04)**, as last amended by Chapter 171, Laws of Utah 2003

---

---

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

Section 1. Section **63-25a-102 (Superseded 07/01/04)** is amended to read:

**63-25a-102 (Superseded 07/01/04). Composition -- Appointments -- Ex officio members -- Terms -- U.S. Attorney as nonvoting member.**

(1) The commission on criminal and juvenile justice shall be composed of 20 voting

members as follows:

(a) the chief justice of the supreme court, as the presiding officer of the judicial council, or a judge designated by the chief justice;

(b) the state court administrator;

(c) the executive director of the Department of Corrections;

(d) the director of the Division of Youth Corrections;

(e) the commissioner of the Department of Public Safety;

(f) the attorney general;

(g) the president of the chiefs of police association or a chief of police designated by the association's president;

(h) the president of the sheriffs' association or a sheriff designated by the association's president;

(i) the chair of the Board of Pardons and Parole or a member designated by the chair;

(j) the chair of the Utah Sentencing Commission;

(k) the chair of the Utah Substance Abuse and Anti-Violence Coordinating Council;

(l) the chair of the Utah Board of Juvenile Justice;

(m) the chair of the Utah Council on Victims of Crime or the chair's designee; and

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

(i) a juvenile court judge, appointed by the chief justice, as presiding officer of the Judicial Council; [~~and~~]

(ii) a representative of the statewide association of public attorneys designated by the association's officers[-];

(iii) one member of the House of Representatives who is appointed by the speaker of the House of Representatives; and

(iv) one member of the Senate who is appointed by the president of the Senate.

(2) The governor shall appoint the remaining [~~five~~] three members to four-year staggered terms as follows:

(a) one criminal defense attorney appointed from a list of three nominees submitted by the

Utah State Bar Association;

~~[(b) one state senator;]~~

~~[(c) one state representative];~~

~~[(d)]~~ (b) one representative of public education; and

~~[(e)]~~ (c) one citizen representative.

(3) In addition to the members designated under Subsections (1) and (2), the United States Attorney for the district of Utah may serve as a nonvoting member.

(4) In appointing the members under Subsection (2), the governor shall take into account the geographical makeup of the commission.

Section 2. Section **63-25a-102 (Effective 07/01/04)** is amended to read:

**63-25a-102 (Effective 07/01/04). Composition -- Appointments -- Ex officio members -- Terms -- U.S. Attorney as nonvoting member.**

(1) The commission on criminal and juvenile justice shall be composed of 20 voting members as follows:

(a) the chief justice of the supreme court, as the presiding officer of the judicial council, or a judge designated by the chief justice;

(b) the state court administrator;

(c) the executive director of the Department of Corrections;

(d) the director of the Division of Juvenile Justice Services;

(e) the commissioner of the Department of Public Safety;

(f) the attorney general;

(g) the president of the chiefs of police association or a chief of police designated by the association's president;

(h) the president of the sheriffs' association or a sheriff designated by the association's president;

(i) the chair of the Board of Pardons and Parole or a member designated by the chair;

(j) the chair of the Utah Sentencing Commission;

(k) the chair of the Utah Substance Abuse and Anti-Violence Coordinating Council;

- (l) the chair of the Utah Board of Juvenile Justice;
- (m) the chair of the Utah Council on Victims of Crime or the chair's designee; and
- (n) the following members designated to serve four-year terms:
  - (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the Judicial Council; ~~[and]~~
  - (ii) a representative of the statewide association of public attorneys designated by the association's officers~~[-]~~;
  - (iii) one member of the House of Representatives who is appointed by the speaker of the House of Representatives; and
  - (iv) one member of the Senate who is appointed by the president of the Senate.
- (2) The governor shall appoint the remaining ~~[five]~~ three members to four-year staggered terms as follows:
  - (a) one criminal defense attorney appointed from a list of three nominees submitted by the Utah State Bar Association;
  - ~~[(b) one state senator;]~~
  - ~~[(c) one state representative;]~~
  - ~~[(d)]~~ (b) one representative of public education; and
  - ~~[(e)]~~ (c) one citizen representative.
- (3) In addition to the members designated under Subsections (1) and (2), the United States Attorney for the district of Utah may serve as a nonvoting member.
- (4) In appointing the members under Subsection (2), the governor shall take into account the geographical makeup of the commission.

**Section 3. Effective date.**

The amendments to Section 63-25a-102 (Effective July 1, 2004) take effect July 1, 2004.