

1 COMMISSION ON CRIMINAL AND JUVENILE

2 JUSTICE FUNDING

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Brad L. Dee

6 Senate Sponsor: _____

7

8 LONG TITLE

9 General Description:

10 This bill modifies the code provisions regarding distribution of the criminal surcharge
11 to also allocate funds for law enforcement purposes.

12 Highlighted Provisions:

13 This bill:

14 ▶ creates the Law Enforcement Operations Account as a restricted account within the
15 General Fund;

16 ▶ provides that the balance of 8.25% of the criminal surcharge that is not currently
17 allocated to any agency will be allocated to the Law Enforcement Operations
18 Account;

19 ▶ provides that funds from the account may be appropriated to the Commission on
20 Criminal and Juvenile Justice, which shall allocate the funds to law enforcement
21 agencies, with the first priority being state, local, or multijurisdictional task forces
22 that work on illegal drug and crime issues, and provides subsequent priorities; and

23 ▶ directs that the Commission on Criminal and Juvenile Justice allocate \$2,500,000
24 annually from the Law Enforcement Operations Account as grants for these task
25 forces.

26 Monies Appropriated in this Bill:

27 None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **63-63a-10**, Utah Code Annotated 1953



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

35 Section 1. Section **63-63a-10** is enacted to read:

36 **63-63a-10. Law Enforcement Operations Account -- Share of surcharge -- Uses.**

37 (1) As used in this section:

38 (a) "Account" means the Law Enforcement Operations Account.

39 (b) "Commission" means the Commission on Criminal and Juvenile Justice created in
40 Section 63-25a-101.

41 (c) "Law enforcement agency" means a state or local law enforcement agency.

42 (2) There is created a restricted account within the General Fund known as the Law
43 Enforcement Operations Account.

44 (3) (a) The Division of Finance shall allocate 8.25% of the collected surcharge under
45 Section 63-63a-1 to the account, but not to exceed the amount appropriated by the Legislature
46 to this account.

47 (b) Money in the account shall be appropriated to the commission for implementing
48 law enforcement operations listed in Subsection (4).

49 (4) (a) The commission shall allocate grants of funds from the account for the purposes
50 under Subsection (5) to state, local, or multijurisdictional law enforcement agencies.

51 (b) The grants shall be made by an application process established by the commission
52 in accordance with Subsection (6).

53 (5) (a) The first priority of the commission is to annually allocate not more than
54 \$2,500,000, which shall include any federal grant funding, to directly fund the operational costs
55 of state and local law enforcement agencies' drug or crime task forces, including
56 multijurisdictional task forces.

57 (b) The second priority of the commission is to allocate grants for specified law
58 enforcement agency functions as the commission finds appropriate to more effectively reduce

59 illegal drugs or crime.

60 (c) The third priority of the commission is to allocate grants to assist law enforcement
61 agencies with costs of:

62 (i) training of law enforcement officers;

63 (ii) reduction of illegal drug and crime offenses; and

64 (iii) public awareness of and participation in programs to reduce illegal drug and crime
65 offenses.

66 (6) (a) In allocating grants and determining the amount of the grants, the commission
67 shall consider:

68 (i) the demonstrated ability of the agency to appropriately use the grant to operate a
69 proposed specific task force and how this task force will add to the law enforcement agency's
70 current efforts to deter illegal drugs and crime; and

71 (ii) the agency's cooperation with other state and local agencies and task forces.

72 (b) Law enforcement agencies qualify for a grant only if they demonstrate compliance
73 with all reporting and policy requirements applicable under this section and under Title 63,
74 Chapter 25a, Criminal Justice and Substance Abuse, in order to qualify as a potential grant
75 recipient.

76 (7) Recipient law enforcement agencies may only use grant monies after approval or
77 appropriation by the agency's legislative body, and a determination that the grant monies are
78 nonlapsing.

79 (8) A recipient law enforcement agency may use funds granted under this section only
80 for the purposes stated by the commission in the grant.

81 (9) For each fiscal year, any law enforcement agency that received a grant from the
82 commission under this section shall prepare, and file with the commission and the state auditor,
83 a report in a form specified by the commission. The report shall include the following
84 regarding each grant:

85 (a) the agency's name;

86 (b) the amount of the grant;

87 (c) the date of the grant;

88 (d) how the grant has been used; and

89 (e) a statement signed by both the agency's or political subdivision's executive officer

90 or designee and by the agency's legal counsel, that all grant funds were used for illegal drug
91 reduction or crime reduction or other law enforcement purposes, as specified in the grant.

92 (10) The commission shall report in writing to the legislative Law Enforcement and
93 Criminal Justice Interim Committee annually regarding the grants allocated under this section,
94 including the amounts and uses of the grants.

Legislative Review Note
as of 12-14-06 8:18 AM

Office of Legislative Research and General Counsel

H.B. 91 - Commission on Criminal and Juvenile Justice Funding

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill is estimated to reduce the General Fund by \$400,000 in FY 2007; \$1,650,000 in FY 2008; and \$1,700,000 in FY 2009 and each fiscal year thereafter. These funds, 8.25% of the criminal surcharge previously deposited in the General Fund, will be deposited in the newly created Law Enforcement Operations Restricted Account within the General Fund. The Utah Commission on Criminal and Juvenile Justice is directed to allocate grants from this new account to state, local, or multi-jurisdictional law enforcement agencies as stipulated by provisions in the bill.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$0	\$0	\$0	(\$400,000)	(\$1,650,000)	(\$1,700,000)
General Fund Restricted	\$400,000	\$1,650,000	\$1,700,000	\$400,000	\$1,650,000	\$1,700,000
Total	\$400,000	\$1,650,000	\$1,700,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

Local governments who receive grant funding will benefit from passage of this bill.
