

1 **INVOLUNTARY FEEDING AND HYDRATION OF INMATES**

2 **AMENDMENTS**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Richard A. Greenwood**

6 Senate Sponsor: Mark B. Madsen

7

LONG TITLE

8 **General Description:**

9 This bill modifies the Code of Criminal Procedure regarding the authority of the
10 Division of Juvenile Justice Services.
11

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends definitions so that the Division of Juvenile Justice Services may petition the
- 15 court for an order to administer food or fluids to a prisoner by involuntary means,
- 16 consistent with the process and requirements already established for adult inmates
- 17 in state and county correctional facilities.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **77-16b-102**, as enacted by Laws of Utah 2012, Chapter 355

25

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

26 Section 1. Section **77-16b-102** is amended to read:
27



28 **77-16b-102. Definitions.**

29 As used in this chapter:

30 (1) "Correctional facility" means:

31 (a) a county jail [or];

32 (b) a secure correctional facility as defined by Section 64-13-1[-]; or

33 (c) a secure facility as defined by Section 62A-7-101.

34 (2) "Correctional facility administrator" means:

35 (a) a county sheriff in charge of a county jail [or];

36 (b) a designee of the executive director of the Utah Department of Corrections[-]; or

37 (c) a designee of the director of the Division of Juvenile Justice Services.

38 (3) "Medical supervision" means under the direction of a licensed physician, physician
39 assistant, or nurse practitioner.

40 (4) "Mental health therapist" has the same definition as in Section 58-60-102.

41 (5) "Prisoner" means:

42 (a) any person who is a pretrial detainee or who has been committed to the custody of a
43 sheriff or the Utah Department of Corrections, and who is physically in a correctional
44 facility[-]; and

45 (b) any person older than 18 years of age and younger than 21 years of age who has
46 been committed to the custody of the Division of Juvenile Justice Services.

Legislative Review Note
as of 12-20-13 4:12 PM

Office of Legislative Research and General Counsel