

Senator Scott K. Jenkins proposes the following substitute bill:

LAW ENFORCEMENT SERVICES ACCOUNT AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the uses of the Law Enforcement Services Account.

Highlighted Provisions:

This bill:

▶ provides that funds available in the Law Enforcement Services Account:

- may be distributed to law enforcement agencies in areas with halfway houses;

and

- must be used for law enforcement purposes to reduce crime in areas with

halfway houses;

▶ creates the Parole Violator Services Account as a restricted account within the

General Fund;

▶ provides that the Commission on Criminal and Juvenile Justice shall administer the

Parole Violator Services Account;

▶ provides that funds from the Parole Violator Services Account shall be allocated on

a pro-rata basis to law enforcement agencies based on the number of Parole Violator

Center beds in their jurisdiction; and

▶ requires law enforcement agencies that receive funds from this account to provide a

report on how the funds are used.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **51-9-412**, as last amended by Laws of Utah 2013, Chapter 439

33 ENACTS:

34 **51-9-413**, Utah Code Annotated 1953



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

37 Section 1. Section **51-9-412** is amended to read:

38 **51-9-412. Law Enforcement Services Account -- Funding -- Uses.**

39 (1) As used in this section:

40 (a) "Account" means the Law Enforcement Services Account.

41 (b) "Commission" means the Commission on Criminal and Juvenile Justice created in

42 Section **63M-7-201**.

43 (c) "Halfway house" means a facility that houses parolees upon release from prison or
44 houses probationers who have violated the terms of their probation.

45 (d) "Law enforcement agency" means a local law enforcement agency.

46 ~~[(e) "Parole violator center" means a facility that houses parolees who have violated the~~
47 ~~conditions of their parole agreement.]~~

48 (2) There is created a restricted account within the General Fund known as the "Law
49 Enforcement Services Account."

50 (3) (a) The Division of Finance shall allocate funds from the collected surcharge in
51 accordance with Subsection **51-9-401(1)(c)** to the account, but not to exceed the amount
52 appropriated by the Legislature.

53 (b) Money in the account shall be appropriated to the commission to administer and
54 distribute to law enforcement agencies providing services directly to areas with halfway houses
55 ~~[or parole violator centers, or both].~~

56 (4) The commission shall allocate funds from the account to local law enforcement
57 agencies on a pro-rata basis determined by the number of beds in each agency's jurisdiction for
58 increased enforcement in areas with halfway houses [~~or parole violator centers, or both~~].

59 (5) A law enforcement agency may use funds received under this section only for the
60 purposes stated in this section.

61 (6) For each fiscal year, any law enforcement agency that receives funds from the
62 commission under this section shall prepare, and file with the commission and the state auditor,
63 a report in a form specified by the commission. The report shall include the following:

64 (a) the agency's name;

65 (b) the amount received;

66 (c) how the funds were used, including the impact on crime reduction efforts in areas
67 with halfway houses [~~or parole violator centers, or both~~]; and

68 (d) a statement signed by both the agency's or political subdivision's executive officer
69 or designee and by the agency's legal counsel that all funds were used for law enforcement
70 operations related to reducing criminal activity in areas with halfway houses [~~or parole violator
71 centers, or both~~].

72 (7) The commission shall report in writing to the legislative Law Enforcement and
73 Criminal Justice Interim Committee annually regarding the funds allocated under this section,
74 including the amounts and uses.

75 Section 2. Section **51-9-413** is enacted to read:

76 **51-9-413. Parole Violator Center Services Account -- Funding -- Uses.**

77 (1) As used in this section:

78 (a) "Account" means the Parole Violator Center Services Account.

79 (b) "Commission" means the Commission on Criminal and Juvenile Justice created in

80 Section [63M-7-201](#).

81 (c) "Law enforcement agency" means a local law enforcement agency.

82 (d) "Parole violator center" means a facility that houses parolees who have violated the
83 conditions of their parole agreement.

84 (2) There is created a restricted account within the General Fund known as the "Parole
85 Violator Center Services Account."

86 (3) (a) The Division of Finance shall allocate funds from amounts appropriated by the

87 Legislature.

88 (b) Money in the account shall be appropriated to the commission to administer and
89 distribute to law enforcement agencies providing services directly to areas with parole violator
90 centers.

91 (4) The commission shall allocate funds from the account to local law enforcement
92 agencies on a pro-rata basis determined by the number of beds in each agency's jurisdiction for
93 increased enforcement in areas with parole violator centers.

94 (5) A law enforcement agency may use funds received under this section only for the
95 purposes stated in this section.

96 (6) For each fiscal year, any law enforcement agency that receives funds from the
97 commission under this section shall prepare, and file with the commission and the state auditor,
98 a report in a form specified by the commission. The report shall include the following:

99 (a) the agency's name;

100 (b) the amount received;

101 (c) how the funds were used, including the impact on crime reduction efforts in areas
102 with parole violator centers; and

103 (d) a statement signed by both the agency's or political subdivision's executive officer
104 or designee and by the agency's legal counsel that all funds were used for law enforcement
105 operations related to reducing criminal activity in areas with parole violator centers.

106 (7) The commission shall report in writing to the legislative Law Enforcement and
107 Criminal Justice Interim Committee annually regarding the funds allocated under this section,
108 including the amounts and uses.