

59 **76-5-601. Title.**

60 This part is known as the "Sexual Assault Kit Processing Act".

61 Section 2. Section **76-5-602** is enacted to read:

62 **76-5-602. Definitions.**

63 For purposes of this part:

64 (1) "Collecting facility" means a hospital, health care facility, or other facility that
65 performs sexual assault examinations.

66 (2) "Department" means the Department of Public Safety.

67 (3) "Evidence-based, trauma-informed, victim-centered" means policies, procedures,
68 programs, and practices that:

69 (a) have demonstrated an ability to minimize retraumatization associated with the
70 criminal justice process by recognizing the presence of trauma symptoms and acknowledging
71 the role that trauma has played in the life of a victim of sexual assault or sexual abuse; and

72 (b) encourage law enforcement officers to interact with victims of sexual assault or
73 sexual abuse with compassion and sensitivity in a nonjudgmental manner.

74 (4) "Restricted kit" means a sexual assault kit:

75 (a) that is collected by a collecting facility; and

76 (b) for which ~~the~~ a ~~victim~~ ~~who is 18 years of age or older~~ chooses
76a not to provide a personal statement about the sexual
77 assault to law enforcement, as provided in Subsection 76-5-606(1)(d).

78 (5) "Sexual assault kit" means a package of items that is used by medical personnel to
79 gather and preserve biological and physical evidence following an allegation of sexual assault
80 ~~and may include selected swabs of biological evidence that is contained in a UQuik kit~~.

81 Section 3. Section **76-5-603** is enacted to read:

82 **76-5-603. All sexual assault kits to be submitted.**

83 (1) Except as provided in Subsection 76-5-604(4), beginning July 1, 2018, all sexual
84 assault kits received by law enforcement agencies shall be submitted to the Utah Bureau of
85 Forensic Services in accordance with the provisions of this part.

86 (2) The Utah Bureau of Forensic Services shall test all sexual assault kits that the
87 bureau receives with the goal of developing autosomal DNA profiles that are eligible for entry
88 into the Combined DNA Index System.

89 (3) (a) The testing of all sexual assault kits shall be completed within a specified