

88 sexual violence or other violence;

89 (c) whether records from the alleged perpetrator's previous postsecondary institution
 90 indicate that the alleged perpetrator has a history of sexual violence or other violence;

91 (d) whether the alleged perpetrator is alleged to have threatened further sexual violence
 92 or other violence against the alleged victim or another individual;

93 (e) whether the act of sexual violence was committed by more than one alleged
 94 perpetrator;

95 (f) whether the circumstances of the covered allegation suggest there is an increased
 96 risk of future acts of sexual violence under similar circumstances;

97 (g) whether the act of sexual violence was perpetrated with a weapon; and

98 (h) the age of the alleged victim.

99 (3) An institution that makes a report in accordance with Subsection (1)(c)

99a shall, ~~H→~~ [~~within~~

100 ~~24 hours of] before ←H making the report, provide to the alleged victim of the covered~~

100a allegation, in

101 writing:

102 (a) a notification that the institution ~~H→~~ [made] will make ←H the report; ~~H→~~ [and] ←H

103 (b) the reason the institution made the determination described in

103a Subsection (1)(c) ~~H→~~ []; and

103b (c) the law enforcement agency to which the institution will make the report. ←H

104 (4) Nothing in this section supersedes:

105 (a) an obligation described in Section 62A-3-305, 62A-4a-403, or 78B-3-502; or

106 (b) a requirement described in Part 2, Confidential Communications for Institutional

107 Advocacy Services Act.

108 Section 4. Section **53B-28-304** is enacted to read:

109 **53B-28-304. Criminal retaliation against an alleged victim or a witness.**

110 (1) As used in this section:

111 (a) "Bodily injury" means the same as that term is defined in Section 76-1-601.

112 (b) "Damage" means physical damage to an individual's property.

113 (2) An individual is guilty of a third degree felony if the individual inflicts bodily

114 injury or damage:

115 (a) upon an alleged victim of or a witness to an act of sexual violence alleged in a
 116 covered allegation; and

117 (b) in retaliation for the alleged victim's or the witness's:

118 (i) report of the covered allegation; or