

INMATE HOUSING AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeremy A. Peterson

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill creates a process and formula for determining the release of offenders to community correctional centers.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that the Department of Corrections shall establish community correctional centers; and
- ▶ sets a cap on the number of offenders that may be released to a community correctional center based on population.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

64-13f-101, Utah Code Annotated 1953

64-13f-102, Utah Code Annotated 1953

64-13f-103, Utah Code Annotated 1953



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

29 Section 1. Section **64-13f-101** is enacted to read:

30 **CHAPTER 13f. COMMUNITY CORRECTIONAL CENTERS**

31 **64-13f-101. Title.**

32 This chapter is known as "Community Correctional Centers."

33 Section 2. Section **64-13f-102** is enacted to read:

34 **64-13f-102. Definitions.**

35 As used in this chapter:

36 (1) "Base percentage" means the population of a county or county zone as a percentage
37 of the state population on June 30, 2021, and June 30 of every fifth subsequent year,
38 determined using:

39 (a) the most recent United States decennial or special census; or

40 (b) another method used by the United States or state governments.

41 (2) "Cap" means the base percentage multiplied by the total number of offenders
42 housed in community correctional centers throughout the state on June 30, 2021, and June 30
43 of every fifth subsequent year.

44 (3) (a) "Central zone" means, except as provided in Subsection (3)(b), Carbon, Emery,
45 Grand, Juab, Millard, Sanpete, and Sevier counties.

46 (b) A county with a population of 50,000 or more on the date the base percentage is
47 determined is not part of the central zone.

48 (4) "Community correctional center" means the same as that term is defined in
49 Subsection [64-13-1\(2\)](#).

50 (5) "County zone" means the north zone, central zone, or south zone.

51 (6) "Department" means the Department of Corrections.

52 (7) (a) "North zone" means, except as provided in Subsection (7)(b), Daggett,
53 Duchesne, Morgan, Rich, Summit, and Uintah counties.

54 (b) A county with a population of 50,000 or more on the date the base percentage is
55 determined is not part of the north zone.

56 (8) "Offender" means the same as that term is defined in Subsection [64-13-1\(9\)](#).

57 (9) (a) "South zone" means, except as provided in Subsection (9)(b), Beaver, Garfield,
58 Iron, Kane, Piute, San Juan, and Wayne counties.

59 (b) A county with a population of 50,000 or more on the date the base percentage is
60 determined is not part of the south zone.

61 Section 3. Section **64-13f-103** is enacted to read:

62 **64-13f-103. Establishment of community correctional centers -- Cap --**
63 **Rulemaking.**

64 (1) The department shall:

65 (a) establish community correctional centers throughout the state in accordance with
66 this section;

67 (b) project the number of offenders that may be released to community correctional
68 centers throughout the state by September 1, 2021, and September 1 of every fifth subsequent
69 year; and

70 (c) establish, by rule made in accordance with Title 63G, Chapter 3, Utah
71 Administrative Rulemaking Act, a procedure to allocate offenders to community correctional
72 centers consistent with Subsection (2) and based on the number of offenders projected by the
73 department to be released to community correctional centers under Subsection (1)(b).

74 (2) The total number of offenders housed in one or more community correctional
75 centers within a county or county zone may not exceed the county or county zone's cap by more
76 than 5%.

Legislative Review Note
Office of Legislative Research and General Counsel