

HB0126S01 compared with HB0126

~~{deleted text}~~ shows text that was in HB0126 but was deleted in HB0126S01.

Inserted text shows text that was not in HB0126 but was inserted into HB0126S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{INMATE}~~ Representative Jeremy A. Peterson proposes the following substitute bill:

OFFENDER HOUSING AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeremy A. Peterson

Senate Sponsor: ~~{~~ David G. Buxton

Cosponsors:

<u>Karianne Lisonbee</u>	<u>Mike Schultz</u>
<u>Cheryl K. Acton</u>	<u>V. Lowry Snow</u>
<u>Stewart E. Barlow</u>	<u>Robert M. Spendlove</u>
<u>Susan Duckworth</u>	<u>Norman K. Thurston</u>
<u>Rebecca P. Edwards</u>	<u>Raymond P. Ward</u>
<u>Justin L. Fawson</u>	<u>Elizabeth Weight</u>
<u>Gage Froerer</u>	<u>Mark A. Wheatley</u>
<u>Craig Hall</u>	<u>Logan Wilde</u>
<u>Stephen G. Handy</u>	<u>Brad R. Wilson</u>
<u>Sandra Hollins</u>	<u>Mike Winder</u>
<u>Eric K. Hutchings</u>	

LONG TITLE

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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

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

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

CHAPTER 13f. COMMUNITY CORRECTIONAL CENTERS

64-13f-101. Title.

This chapter is known as "Community Correctional Centers."

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

64-13f-102. Definitions.

As used in this chapter:

(1) "Base percentage" means the population of a county or county zone as a percentage of the state population on June 30, ~~2021~~2023, and June 30 of every fifth subsequent year, determined using:

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- (a) the most recent United States decennial or special census; or
- (b) another method used by the United States or state governments.

(2) "Cap" means the base percentage multiplied by the total number of offenders housed in community correctional centers throughout the state on June 30, ~~2021~~2023, and June 30 of every fifth subsequent year.

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

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

~~‡~~ (~~4~~3) "Community correctional center" means the same as that term is defined in Subsection 64-13-1(2).

(~~5~~4) "County zone" means the ~~{north}~~eastern zone, ~~{central}~~northern zone, or ~~{south}~~western zone.

(~~6~~5) "Department" means the Department of Corrections.

(6) (a) "Eastern zone" means, except as provided in Subsection (6)(b), Carbon, Daggett, Duchesne, Emery, Grand, San Juan, and Uintah counties.

(b) A county with a population of 150,000 or more on the date the base percentage is determined is not part of the eastern zone.

(7) (a) "~~{North}~~Northern zone" means, except as provided in Subsection (7)(b), ~~{Daggett}~~Box Elder, ~~{Duchesne}~~Cache, Morgan, Rich, Summit, and ~~{Uintah}~~Wasatch counties.

(b) A county with a population of ~~{50}~~150,000 or more on the date the base percentage is determined is not part of the ~~{north}~~northern zone.

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

(9) (a) "~~{South}~~Western zone" means, except as provided in Subsection (9)(b), Beaver, Garfield, Tooele, Iron, Juab, Kane, Millard, Piute, ~~{San Juan}~~Sanpete, Sevier, and Wayne counties.

(b) A county with a population of ~~{50}~~150,000 or more on the date the base percentage is determined is not part of the ~~{south}~~western zone.

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

64-13f-103. Establishment of community correctional centers -- Cap --

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Rulemaking.

(1) The department shall:

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

(b) project the number of offenders that may be released to community correctional centers throughout the state by September 1, ~~2021~~2023, and September 1 of every fifth subsequent year; and

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

(2) The total number of offenders housed in one or more community correctional centers within a county or county zone may not exceed the county or county zone's cap by more than ~~5%~~20%.

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Legislative Review Note

Office of Legislative Research and General Counsel†