

1                   **COMMISSION ON CRIMINAL AND JUVENILE JUSTICE**

2                                   **AMENDMENTS**

3   2019 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Eric K. Hutchings**

6                                   Senate Sponsor: Luz Escamilla

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill makes changes to the membership and duties of certain committees and  
11                   councils.

12                   **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ changes the membership of the Commission on Criminal and Juvenile Justice; and
- 15                   ▶ makes technical changes.

16                   **Money Appropriated in this Bill:**

17                   None

18                   **Other Special Clauses:**

19                   None

20                   **Utah Code Sections Affected:**

21                   AMENDS:

22                   **63M-7-202**, as last amended by Laws of Utah 2017, Chapter 163

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

25                   Section 1. Section **63M-7-202** is amended to read:

26                   **63M-7-202. Composition -- Appointments -- Ex officio members -- Terms --**

27                   **United States Attorney as nonvoting member.**

28                   (1) The commission on criminal and juvenile justice shall be composed of [21] 25  
29                   voting members as follows:

- 30 (a) the chief justice of the supreme court, as the presiding officer of the judicial  
31 council, or a judge designated by the chief justice;
- 32 (b) the state court administrator or the state court administrator's designee;
- 33 (c) the executive director of the Department of Corrections or the executive director's  
34 designee;
- 35 [~~(d) the director of the Division of Juvenile Justice Services;~~]
- 36 (d) the executive director of the Department of Human Services or the executive  
37 director's designee;
- 38 (e) the commissioner of the Department of Public Safety or the commissioner's  
39 designee;
- 40 (f) the attorney general or an attorney designated by the attorney general;
- 41 (g) the president of the chiefs of police association or a chief of police designated by  
42 the association's president;
- 43 (h) the president of the sheriffs' association or a sheriff designated by the association's  
44 president;
- 45 (i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons  
46 and Parole designated by the chair;
- 47 (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing  
48 Commission designated by the chair;
- 49 (k) the chair of the Utah Substance Use and Mental Health Advisory Council or a  
50 member of the Utah Substance Use and Mental Health Advisory Council designated by the  
51 chair;
- 52 (l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of  
53 Juvenile Justice designated by the chair;
- 54 (m) the chair of the Utah Council on Victims of Crime or the chair's designee or a  
55 member of the Utah Council on Victims of Crime designated by the chair;
- 56 [~~(n) the director of the Division of Substance Abuse and Mental Health; and]~~
- 57 (n) the executive director of the Salt Lake Legal Defender Association or an attorney

58 designated by the executive director;

59 (o) the chair of the Utah Indigent Defense Commission or a member of the Indigent  
60 Defense Commission designated by the chair;

61 (p) the Salt Lake County District Attorney or an attorney designated by the district  
62 attorney; and

63 [~~(o)~~] (q) the following members designated to serve four-year terms:

64 (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the  
65 Judicial Council;

66 (ii) a representative of the statewide association of public attorneys designated by the  
67 association's officers;

68 (iii) one member of the House of Representatives who is appointed by the speaker of  
69 the House of Representatives; and

70 (iv) one member of the Senate who is appointed by the president of the Senate.

71 (2) The governor shall appoint the remaining [~~three~~] five members to four-year  
72 staggered terms as follows:

73 (a) one criminal defense attorney appointed from a list of three nominees submitted by  
74 the Utah State Bar Association;

75 (b) one attorney who primarily represents juveniles in delinquency matters appointed  
76 from a list of three nominees submitted by the Utah Bar Association;

77 [~~(b)~~] (c) one representative of public education; [and]

78 [~~(c)~~] (d) one citizen representative[-:]; and

79 (e) a representative from a local faith who has experience with the criminal justice  
80 system.

81 (3) In addition to the members designated under Subsections (1) and (2), the United  
82 States Attorney for the district of Utah or an attorney designated by the United States Attorney  
83 may serve as a nonvoting member.

84 (4) In appointing the members under Subsection (2), the governor shall take into  
85 account the geographical makeup of the commission.

