

STUDENT AND SCHOOL SAFETY ASSESSMENT

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions related to school safety.

Highlighted Provisions:

This bill:

- ▶ amends provisions of the International Fire Code related to routine emergency evacuation drills;
- ▶ directs the Department of Public Safety to employ a public safety liaison;
- ▶ directs the State Board of Education (Board) to develop and maintain a central repository database for purposes of school safety;
- ▶ authorizes the Board to share certain student data as requested by local law enforcement for specified purposes;
- ▶ creates the Student Safety Restricted Account with a 2024 sunset date;
- ▶ creates the Threat Assessment and Student Support Team Program;
- ▶ requires the Board to develop model policies and procedures for threat assessment and student support teams (team);
- ▶ requires a public school to establish a team and conduct a school climate survey;
- ▶ establishes duties of a team, including working with and responding to an individual who poses a threat of violence or harm to the individual, a school employee, or a student;
- ▶ enacts provisions granting immunity from liability for a member of a team;



- 28 ▶ requires law enforcement to report a student to the student's school if that student
- 29 poses a threat of violence or harm;
- 30 ▶ directs the Division of Substance Abuse and Mental Health to employ a
- 31 school-based mental health specialist;
- 32 ▶ classifies certain records created by a team as protected; and
- 33 ▶ makes technical corrections.

34 **Money Appropriated in this Bill:**

35 This bill appropriates in fiscal year 2020:

36 ▶ to the Education Fund Restricted - Student Safety Restricted Account, as an

37 ongoing appropriation:

38 • from the Education Fund, \$30,000,000;

39 ▶ to the State Board of Education - Minimum School Program - Related to Basic

40 School Programs, as an ongoing appropriation:

41 • from the Education Fund Restricted - Student Safety Restricted Account,

42 \$30,000,000;

43 ▶ to the State Board of Education - Minimum School Program - Related to Basic

44 School Programs, as a one-time appropriation:

45 • from the Education Fund, One-time, \$66,000,000;

46 ▶ to the State Board of Education - MSP Categorical Program Administration - Threat

47 Assessment and Student Support Team Program, as an ongoing appropriation:

48 • from the Education Fund, \$415,000;

49 ▶ to the State Board of Education - State Administrative Office - Student Advocacy

50 Services, as an ongoing appropriation:

51 • from the Education Fund, \$65,000;

52 ▶ to the State Board of Education - State Administrative Office - Student Advocacy

53 Services, as a one-time appropriation:

54 • from the Education Fund, One-time, \$1,055,000;

55 ▶ to the Department of Public Safety - Programs and Operations - Department

56 Commissioner's Office, as an ongoing appropriation:

57 • from the General Fund, \$150,000; and

58 ▶ to the Department of Human Services - Division of Substance Abuse and Mental

59 Health, as an ongoing appropriation:

- 60 • from the General Fund, \$150,000.

61 **Other Special Clauses:**

62 None

63 **Utah Code Sections Affected:**

64 AMENDS:

65 **15A-5-202.5**, as last amended by Laws of Utah 2018, Chapter 189

66 **53-1-106**, as last amended by Laws of Utah 2018, Chapters 200 and 417

67 **53E-3-502**, as renumbered and amended by Laws of Utah 2018, Chapter 1

68 **53E-9-305**, as last amended by Laws of Utah 2018, Chapter 304 and renumbered and
69 amended by Laws of Utah 2018, Chapter 1

70 **53E-9-308**, as last amended by Laws of Utah 2018, Chapters 285, 304 and renumbered
71 and amended by Laws of Utah 2018, Chapter 1

72 **62A-15-103**, as last amended by Laws of Utah 2018, Chapter 322

73 **63G-2-305**, as last amended by Laws of Utah 2018, Chapters 81, 159, 285, 315, 316,
74 319, 352, 409, and 425

75 **63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
76 456

77 ENACTS:

78 **53F-2-520**, Utah Code Annotated 1953

79 **53F-9-307**, Utah Code Annotated 1953

80 **53G-8-801**, Utah Code Annotated 1953

81 **53G-8-802**, Utah Code Annotated 1953

82 **53G-8-803**, Utah Code Annotated 1953

83 **53G-8-804**, Utah Code Annotated 1953

84 **53G-8-805**, Utah Code Annotated 1953

85 **53G-8-806**, Utah Code Annotated 1953



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

88 Section 1. Section **15A-5-202.5** is amended to read:

89 **15A-5-202.5. Amendments and additions to Chapters 3 and 4 of IFC.**

90 (1) For IFC, Chapter 3, General Requirements:

91 (a) IFC, Chapter 3, Section 304.1.2, Vegetation, is amended as follows: Delete line six
92 and replace it with: "the Utah Administrative Code, R652-122-200, Minimum Standards for
93 Wildland Fire Ordinance".

94 (b) IFC, Chapter 3, Section 310.8, Hazardous and Environmental Conditions, is deleted
95 and rewritten as follows: "1. When the fire code official determines that existing or historical
96 hazardous environmental conditions necessitate controlled use of any ignition source, including
97 fireworks, lighters, matches, sky lanterns, and smoking materials, any of the following may
98 occur:

99 1.1. If the existing or historical hazardous environmental conditions exist in a
100 municipality, the legislative body of the municipality may prohibit the ignition or use of an
101 ignition source in:

102 1.1.1. mountainous, brush-covered, forest-covered, or dry grass-covered areas;

103 1.1.2. within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas;

104 1.1.3. the wildland urban interface area, which means the line, area, or zone where
105 structures or other human development meet or intermingle with undeveloped wildland or land
106 being used for an agricultural purpose; or

107 1.1.4. a limited area outside the hazardous areas described in this paragraph 1.1 to
108 facilitate a readily identifiable closed area, in accordance with paragraph 2.

109 1.2. If the existing or historical hazardous environmental conditions exist in an
110 unincorporated area, the state forester may prohibit the ignition or use of an ignition source in
111 all or part of the areas described in paragraph 1.1 that are within the unincorporated area, after
112 consulting with the county fire code official who has jurisdiction over that area.

113 1.3. If the existing or historical hazardous environmental conditions exist in a metro
114 township created under Title 10, Chapter 2a, Part 4, Incorporation of Metro Townships and
115 Unincorporated Islands in a County of the First Class on and after May 12, 2015, the metro
116 township legislative body may prohibit the ignition or use of an ignition source in all or part of
117 the areas described in paragraph 1.1 that are within the township.

118 2. If a municipal legislative body, the state forester, or a metro township legislative
119 body closes an area to the discharge of fireworks under paragraph 1, the legislative body or
120 state forester shall:

121 2.1. designate the closed area along readily identifiable features like major roadways,
122 waterways, or geographic features;

123 2.2. ensure that the boundary of the designated closed area is as close as is practical to
124 the defined hazardous area, provided that the closed area may include areas outside of the
125 hazardous area to facilitate a readily identifiable line; and

126 2.3. identify the closed area through a written description or map that is readily
127 available to the public.

128 3. A municipal legislative body, the state forester, or a metro township legislative body
129 may close a defined area to the discharge of fireworks due to a historical hazardous
130 environmental condition under paragraph 1 if the legislative body or state forester:

131 3.1. makes a finding that the historical hazardous environmental condition has existed
132 in the defined area before July 1 of at least two of the preceding five years;

133 3.2. produces a map indicating the boundaries, in accordance with paragraph 2, of the
134 defined area described; and

135 3.3. before May 1 of each year the defined area is closed, provides the map described
136 in paragraph 3.2 to the county in which the defined area is located.

137 4. A municipal legislative body, the state forester, or a metro township legislative body
138 may not close an area to the discharge of fireworks due to a historical hazardous environmental
139 condition unless the legislative body or state forester provides a map, in accordance with
140 paragraph 3."

141 (c) IFC, Chapter 3, Section 311.1.1, Abandoned Premises, is amended as follows: On
142 line 10 delete the words "International Property Maintenance Code and the".

143 (d) IFC, Chapter 3, Section 311.5, Placards, is amended as follows: On line three delete
144 the word "shall" and replace it with the word "may".

145 (e) IFC, Chapter 3, Section 315.2.1, Ceiling Clearance, is amended to add the
146 following: "Exception: Where storage is not directly below the sprinkler heads, storage is
147 allowed to be placed to the ceiling on wall-mounted shelves that are protected by fire sprinkler
148 heads in occupancies meeting classification as light or ordinary hazard."

149 (2) IFC, Chapter 4, Emergency Planning and Preparedness:

150 (a) IFC, Chapter 4, Section 403.10.2.1, College and university buildings, is deleted and
151 replaced with the following:

152 "403.10.2.1 College and university buildings and fraternity and sorority houses.

153 (a) College and university buildings, including fraternity and sorority houses, shall
154 prepare an approved fire safety and evacuation plan, in accordance with Section 404.

155 (b) Group R-2 college and university buildings, including fraternity and sorority
156 houses, shall comply with Sections 403.10.2.1.1 and 403.10.2.1.2."

157 (b) IFC, Chapter 4, Section 405.2, Table 405.2, is amended to add the following
158 footnotes:

159 (i) "e. Secondary schools in Group E occupancies shall have an emergency evacuation
160 drill for fire conducted at least every two months, to a total of four emergency evacuation drills
161 during the nine-month school year. The first emergency evacuation drill for fire shall be
162 conducted within 10 school days after the beginning of classes. The third emergency
163 evacuation drill for fire, weather permitting, shall be conducted 10 school days after the
164 beginning of the next calendar year. The second and fourth emergency evacuation drills may
165 be substituted by a security or safety drill to include shelter in place, earthquake drill, or lock
166 down for violence. If inclement weather causes a secondary school to miss the 10-day deadline
167 for the third emergency evacuation drill for fire, the secondary school shall perform the third
168 emergency evacuation drill for fire as soon as practicable after the missed deadline."

169 (ii) "f. In Group E occupancies, excluding secondary schools, if the AHJ approves, the
170 monthly required emergency evacuation drill can be substituted by a security or safety drill to
171 include shelter in place, earthquake drill, or lock down for violence. The routine emergency
172 evacuation drill [~~for fire~~] must be conducted at least every other evacuation drill."

173 (iii) "g. A-3 occupancies in academic buildings of institutions of higher learning are
174 required to have one emergency evacuation drill per year, provided the following conditions are
175 met:

176 (A) The building has a fire alarm system in accordance with Section 907.2.

177 (B) The rooms classified as assembly shall have fire safety floor plans as required in
178 Subsection 404.2.2(4) posted.

179 (C) The building is not classified a high-rise building.

180 (D) The building does not contain hazardous materials over the allowable quantities by
181 code."

182 Section 2. Section **53-1-106** is amended to read:

183 **53-1-106. Department duties -- Powers.**

184 (1) In addition to the responsibilities contained in this title, the department shall:

185 (a) make rules and perform the functions specified in Title 41, Chapter 6a, Traffic
186 Code, including:187 (i) setting performance standards for towing companies to be used by the department,
188 as required by Section 41-6a-1406; and189 (ii) advising the Department of Transportation regarding the safe design and operation
190 of school buses, as required by Section 41-6a-1304;191 (b) make rules to establish and clarify standards pertaining to the curriculum and
192 teaching methods of a motor vehicle accident prevention course under Section 31A-19a-211;

193 (c) aid in enforcement efforts to combat drug trafficking;

194 (d) meet with the Department of Technology Services to formulate contracts, establish
195 priorities, and develop funding mechanisms for dispatch and telecommunications operations;196 (e) provide assistance to the Crime Victim Reparations Board and the Utah Office for
197 Victims of Crime in conducting research or monitoring victims' programs, as required by
198 Section 63M-7-505;199 (f) develop sexual assault exam protocol standards in conjunction with the Utah
200 Hospital Association;201 (g) engage in emergency planning activities, including preparation of policy and
202 procedure and rulemaking necessary for implementation of the federal Emergency Planning
203 and Community Right to Know Act of 1986, as required by Section 53-2a-702;204 (h) implement the provisions of Section 53-2a-402, the Emergency Management
205 Assistance Compact; [~~and~~]206 (i) ensure that any training or certification required of a public official or public
207 employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter
208 22, State Training and Certification Requirements, if the training or certification is required:

209 (i) under this title;

210 (ii) by the department; or

211 (iii) by an agency or division within the department[-];

212 (j) provide to the State Board of Education support for the purposes of assisting a threat
213 assessment and student support team in accordance with Section 53G-8-803; and

214 (k) employ a law enforcement officer as a public safety liaison to be housed at the State
215 Board of Education who shall work with the State Board of Education to:

216 (i) provide training for school resource officers;

217 (ii) create model policies and memorandums of understanding for a local education
218 agency and a local law enforcement agency; and

219 (iii) ensure cooperation between a local education agency and a local law enforcement
220 agency to foster compliance with disciplinary related statutory provisions, including Sections
221 [53E-3-516](#) and [53G-8-211](#).

222 (2) (a) The department shall establish a schedule of fees as required or allowed in this
223 title for services provided by the department.

224 (b) All fees not established in statute shall be established in accordance with Section
225 [63J-1-504](#).

226 (3) The department may establish or contract for the establishment of an Organ
227 Procurement Donor Registry in accordance with Section [26-28-120](#).

228 Section 3. Section **53E-3-502** is amended to read:

229 **53E-3-502. State Board of Education assistance to districts and schools.**

230 In order to assist school districts and individual schools in acquiring and maintaining
231 the characteristics set forth in Section [53E-2-302](#), the State Board of Education shall:

232 (1) provide the framework for an education system, including core competency
233 standards and their assessment, in which school districts and public schools permit students to
234 advance by demonstrating competency in subject matter and mastery of skills;

235 (2) conduct a statewide public awareness program on competency-based educational
236 systems;

237 (3) compile and publish, for the state as a whole, a set of educational performance
238 indicators describing trends in student performance;

239 (4) promote a public education climate of high expectations and academic excellence;

240 (5) disseminate successful site-based decision-making models to districts and schools
241 and provide teacher professional development opportunities and evaluation programs for
242 site-based plans consistent with Subsections [53E-2-302\(7\)](#) and [53E-6-103\(2\)\(a\)](#) and (b);

243 (6) provide a mechanism for widespread dissemination of information about strategic
244 planning for public education, including involvement of business and industry in the education

245 process, in order to ensure the understanding and support of all the individuals and groups
 246 concerned with the mission of public education as outlined in Section [53E-2-301](#);

247 (7) provide for a research and development clearing house at the state level to receive
 248 and share with school districts and public schools information on effective and innovative
 249 practices and programs in education;

250 (8) help school districts develop and implement guidelines, strategies, and professional
 251 development programs for administrators and teachers consistent with Subsections
 252 [53E-2-302](#)(7) and [53E-6-103](#)(2)(a) and (b) focused on improving interaction with parents and
 253 promoting greater parental involvement in the public schools; ~~and~~

254 (9) in concert with the State Board of Regents and the state's colleges of education
 255 review and revise teacher licensing requirements to be consistent with teacher preparation for
 256 participation in personalized education programs within the public schools[-]; and

257 (10) develop and maintain a central repository database for the purposes of the Threat
 258 Assessment and Student Support Team Program in accordance with Section [53G-8-805](#).

259 Section 4. Section [53E-9-305](#) is amended to read:

260 **[53E-9-305. Collecting student data -- Prohibition -- Student data collection notice](#)**
 261 **-- Written consent.**

262 (1) An education entity may not collect a student's:

263 (a) social security number; or

264 (b) except as required in [~~Section~~] Sections [53G-8-807](#) and [78A-6-112](#), criminal
 265 record.

266 (2) An education entity that collects student data shall, in accordance with this section,
 267 prepare and distribute, except as provided in Subsection (3), to parents and students a student
 268 data collection notice statement that:

269 (a) is a prominent, stand-alone document;

270 (b) is annually updated and published on the education entity's website;

271 (c) states the student data that the education entity collects;

272 (d) states that the education entity will not collect the student data described in

273 Subsection (1);

274 (e) states the student data described in Section [53E-9-308](#) that the education entity may
 275 not share without written consent;

276 (f) includes the following statement:

277 "The collection, use, and sharing of student data has both benefits and risks. Parents
278 and students should learn about these benefits and risks and make choices regarding student
279 data accordingly.";

280 (g) describes in general terms how the education entity stores and protects student data;

281 (h) states a student's rights under this part; and

282 (i) for an education entity that teaches students in grade 9, 10, 11, or 12, requests
283 written consent to share student data with the State Board of Regents as described in Section
284 [53E-9-308](#).

285 (3) The board may publicly post the board's collection notice described in Subsection
286 (2).

287 (4) An education entity may collect the necessary student data of a student if the
288 education entity provides a student data collection notice to:

289 (a) the student, if the student is an adult student; or

290 (b) the student's parent, if the student is not an adult student.

291 (5) An education entity may collect optional student data if the education entity:

292 (a) provides, to an individual described in Subsection (4), a student data collection
293 notice that includes a description of:

294 (i) the optional student data to be collected; and

295 (ii) how the education entity will use the optional student data; and

296 (b) obtains written consent to collect the optional student data from an individual
297 described in Subsection (4).

298 (6) An education entity may collect a student's biometric identifier or biometric
299 information if the education entity:

300 (a) provides, to an individual described in Subsection (4), a biometric information
301 collection notice that is separate from a student data collection notice, which states:

302 (i) the biometric identifier or biometric information to be collected;

303 (ii) the purpose of collecting the biometric identifier or biometric information; and

304 (iii) how the education entity will use and store the biometric identifier or biometric
305 information; and

306 (b) obtains written consent to collect the biometric identifier or biometric information

307 from an individual described in Subsection (4).

308 (7) Except under the circumstances described in Subsection 53G-8-211(2), an
309 education entity may not refer a student to an alternative evidence-based intervention described
310 in Subsection 53G-8-211(3) without written consent.

311 Section 5. Section 53E-9-308 is amended to read:

312 **53E-9-308. Sharing student data -- Prohibition -- Requirements for student data**
313 **manager -- Authorized student data sharing.**

314 (1) (a) Except as provided in Subsection (1)(b), an education entity, including a student
315 data manager, may not share personally identifiable student data without written consent.

316 (b) An education entity, including a student data manager, may share personally
317 identifiable student data:

318 (i) in accordance with the Family Education Rights and Privacy Act and related
319 provisions under 20 U.S.C. Secs. 1232g and 1232h;

320 (ii) as required by federal law; and

321 (iii) as described in Subsections (3), (5), and (6).

322 (2) A student data manager shall:

323 (a) authorize and manage the sharing, outside of the student data manager's education
324 entity, of personally identifiable student data for the education entity as described in this
325 section;

326 (b) act as the primary local point of contact for the state student data officer described
327 in Section 53E-9-302; and

328 (c) fulfill other responsibilities described in the data governance plan of the student
329 data manager's education entity.

330 (3) A student data manager may share a student's personally identifiable student data
331 with a caseworker or representative of the Department of Human Services if:

332 (a) the Department of Human Services is:

333 (i) legally responsible for the care and protection of the student, including the
334 responsibility to investigate a report of educational neglect, as provided in Subsection
335 62A-4a-409(5); or

336 (ii) providing services to the student;

337 (b) the student's personally identifiable student data is not shared with a person who is

338 not authorized:

339 (i) to address the student's education needs; or

340 (ii) by the Department of Human Services to receive the student's personally
341 identifiable student data; and

342 (c) the Department of Human Services maintains and protects the student's personally
343 identifiable student data.

344 (4) The Department of Human Services, a school official, or the Utah Juvenile Court
345 may share personally identifiable student data to improve education outcomes for youth:

346 (a) in the custody of, or under the guardianship of, the Department of Human Services;

347 (b) receiving services from the Division of Juvenile Justice Services;

348 (c) in the custody of the Division of Child and Family Services;

349 (d) receiving services from the Division of Services for People with Disabilities; or

350 (e) under the jurisdiction of the Utah Juvenile Court.

351 (5) (a) A student data manager may share personally identifiable student data in
352 response to a subpoena issued by a court.

353 (b) A person who receives personally identifiable student data under Subsection (5)(a)
354 may not use the personally identifiable student data outside of the use described in the
355 subpoena.

356 (6) (a) A student data manager may share student data, including personally
357 identifiable student data, in response to a request to share student data for the purpose of
358 research or evaluation, if the student data manager:

359 (i) verifies that the request meets the requirements of 34 C.F.R. Sec. 99.31(a)(6);

360 (ii) submits the request to the education entity's research review process; and

361 (iii) fulfills the instructions that result from the review process.

362 (b) (i) In accordance with state and federal law, the board shall share student data,
363 including personally identifiable student data, as requested by the Utah Registry of Autism and
364 Developmental Disabilities described in Section 26-7-4.

365 (ii) A person who receives student data under Subsection (6)(b)(i):

366 (A) shall maintain and protect the student data in accordance with board rule described
367 in Section 53E-9-307;

368 (B) may not use the student data for a purpose not described in Section 26-7-4; and

369 (C) is subject to audit by the state student data officer described in Section [53E-9-302](#).

370 (c) The board shall enter into an agreement with the State Board of Regents,
371 established in Section [53B-1-103](#), to share higher education outreach student data, for students
372 in grades 9 through 12 who have obtained written consent under Subsection [53E-9-305\(2\)\(i\)](#), to
373 be used strictly for the purpose of:

374 (i) providing information and resources to students in grades 9 through 12 about higher
375 education; and

376 (ii) helping students in grades 9 through 12 enter the higher education system and
377 remain until graduation.

378 (d) In accordance with state and federal law, the board shall share student data,
379 including personally identifiable student data, as requested by local law enforcement for the
380 sole purpose of informing a threat assessment and student support team through the database
381 described in Section [53G-8-805](#).

382 Section 6. Section **53F-2-520** is enacted to read:

383 **53F-2-520. Threat Assessment and Student Support Team Program -- Student**
384 **safety operations appropriation.**

385 (1) Subject to future budget constraints, the Legislature shall appropriate funds to the
386 Threat Assessment and Student Support Team Program created in Section [53G-8-802](#).

387 (2) As appropriated by the Legislature, the State Board of Education shall distribute
388 appropriations for school safety operations to school districts and charter schools for the
389 purpose of employing professionals for the support of school safety and mental health.

390 (3) (a) For fiscal years 2020, 2021, 2022, and 2023 the Legislature shall appropriate
391 money for school safety operations described in Subsection (2).

392 (b) For fiscal year 2024 or later, instead of an appropriation described in Subsection
393 (2), the Legislature shall appropriate an amount equal to the amount of ongoing money
394 appropriated to student safety operations for fiscal year 2023 to the basic program described in
395 Title 53F, Chapter 2, Part 3, Basic Program (Weighted Pupil Units).

396 Section 7. Section **53F-9-307** is enacted to read:

397 **53F-9-307. Student Safety Restricted Account.**

398 (1) As used in this section, "account" means the Student Safety Restricted Account.

399 (2) There is created within the Education Fund a restricted account known as the

400 "Student Safety Restricted Account."

401 (3) (a) The account shall earn interest.

402 (b) Interest on the account shall be deposited into the account.

403 (4) The Legislature shall appropriate money in the account for student safety operations

404 described in Section [53F-2-520](#).

405 Section 8. Section **53G-8-801** is enacted to read:

406 **Part 8. Threat Assessment and Student Support Team Program.**

407 **53G-8-801. Definitions.**

408 As used in this section:

409 (1) "Bullying" means the same as that term is defined in Section [53G-9-601](#).

410 (2) "Database" means the data repository database described in Section [53G-8-805](#).

411 (3) "Law enforcement officer" means the same as that term is defined in Section

412 [53-13-103](#).

413 (4) "Local education agency" or "LEA" means:

414 (a) a school district;

415 (b) a charter school; or

416 (c) the Utah Schools for the Deaf and the Blind.

417 (5) "LEA governing board" means:

418 (a) a local school board;

419 (b) a charter school governing board; or

420 (c) the board acting in the board's capacity as the governing board of the Utah Schools

421 for the Deaf and the Blind as described in Section [53E-8-204](#).

422 (6) "Parent" means a parent or legal guardian.

423 (7) "Program" means the Threat Assessment and Student Support Team Program

424 established in Section [53G-8-802](#).

425 (8) "School employee" means an individual working in the individual's official

426 capacity as:

427 (a) a school teacher;

428 (b) a school staff member;

429 (c) a school administrator; or

430 (d) an individual;

431 (i) who is employed, directly or indirectly, by a school, LEA governing board, or
432 school district; and

433 (ii) who works on a school campus.

434 (9) "State board" means the State Board of Education.

435 (10) "Threat assessment and student support team" or "team" means a group of
436 individuals who assess and respond to school safety issues or student needs in accordance with
437 this part.

438 Section 9. Section **53G-8-802** is enacted to read:

439 **53G-8-802. Threat Assessment and Student Support Team Program -- State**
440 **board duties.**

441 (1) There is created the Threat Assessment and Student Support Team Program.

442 (2) The state board shall:

443 (a) develop in conjunction with the Division of Substance Abuse and Mental Health
444 model policies for the establishment and duties of a threat assessment and student support
445 team, including:

446 (i) evidence-based procedures for the assessment of and intervention with an individual
447 whose behavior poses a threat to the safety of a student or school employee; and

448 (ii) procedures for referrals to law enforcement, a community services entity, a family
449 support organization, or a health care provider for evaluation or treatment;

450 (b) provide training to teams and school employees, including training:

451 (i) in school safety;

452 (ii) in evidence-based approaches to address and correct bullying behavior;

453 (iii) in evidence-based approaches in the effective identification of an individual who
454 may be at risk for violent behavior, showing signs or symptoms of mental illness, or in need of
455 special services or assistance;

456 (iv) on permitted disclosures of student data to law enforcement and other support
457 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and

458 (v) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections
459 [53E-9-203](#) and [53E-9-305](#);

460 (c) conduct and disseminate evidence-based research on school safety concerns,
461 conflict mediation, bullying, safe school design and technology, and school safety legal

462 requirements;

463 (d) disseminate information on effective school safety initiatives;

464 (e) collect and analyze quantitative data reports submitted by each team in accordance
465 with Section 53G-8-803;

466 (f) encourage partnerships between public and private sectors to promote school safety;

467 (g) provide technical assistance to an LEA in the development and implementation of
468 school safety initiatives;

469 (h) in conjunction with the Department of Public Safety, develop and make available to
470 an LEA a model critical incident response training program for school employees and others
471 providing services to schools that includes protocol for conducting a threat assessment, and
472 ensuring building security during an incident;

473 (i) provide space for the public safety liaison described in Section 53-1-106 and the
474 school-based mental health specialist described in Section 62A-15-103; and

475 (j) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative
476 Rulemaking Act, to specify:

477 (i) the type of school climate survey that an LEA shall disseminate and use to inform
478 the efforts of a team and school safety efforts generally;

479 (ii) the frequency in which an LEA shall disseminate the school climate survey;

480 (iii) the type of data the school climate survey shall collect; and

481 (iv) a valid sample size for the school climate survey.

482 Section 10. Section 53G-8-803 is enacted to read:

483 **53G-8-803. Threat assessment and student support teams -- Duties -- Oversight**
484 **committee.**

485 (1) (a) A public school shall establish a threat assessment and student support team in
486 accordance with policies described in Subsection (2).

487 (b) A team shall include:

488 (i) individuals with expertise in at least the following:

489 (A) mental health;

490 (B) instruction; and

491 (C) school administration and personnel; and

492 (ii) a law enforcement officer.

- 493 (c) Members of a team may serve more than one school.
- 494 (d) A team shall:
- 495 (i) implement policies adopted by the LEA governing board under Subsection (2);
- 496 (ii) provide guidance to students and school employees regarding recognition of
- 497 threatening or aberrant behavior that may represent a threat to the school or an individual; and
- 498 (iii) identify members of the school community to whom threatening or aberrant
- 499 behavior should be reported.
- 500 (e) (i) If a team determines that an individual poses a threat of violence to a member of
- 501 the school community, or if a student poses a threat to himself or herself, the team shall:
- 502 (A) determine whether the individual posing the threat would benefit from mental
- 503 health counseling and, if so, work with the individual and, if the individual is a student, the
- 504 individual's parent to provide a referral to mental health counseling; and
- 505 (B) determine whether the involvement of law enforcement is needed to minimize or
- 506 deter the threat and, if applicable, communicate with law enforcement.
- 507 (ii) The team shall report a determination made under Subsection (1)(e)(i) immediately
- 508 to the district superintendent, charter school director, or the superintendent's or director's
- 509 designee, as applicable.
- 510 (iii) If a student poses a threat described in Subsection (1)(e)(i), the applicable district
- 511 superintendent, charter school director, or the superintendent's or director's designee shall
- 512 immediately attempt to notify the student's parent.
- 513 (iv) Nothing in this section may be interpreted to preclude a district superintendent,
- 514 charter school director, or the superintendent's or director's designee from acting immediately
- 515 to address an imminent threat.
- 516 (f) In accordance with Section [53G-8-805](#), each team shall enter required data into the
- 517 database.
- 518 (g) A team shall utilize the data gathered from the school climate survey described in
- 519 Section [53G-8-802](#) to inform the team's efforts.
- 520 (h) In accordance with Section [53G-8-802](#), each team shall report annually quantitative
- 521 data to the state board on the team's activities, including number of reported school threats and
- 522 a summary of team responses to each threat.
- 523 (2) (a) An LEA governing board shall adopt policies for a school to establish a team,

524 including policies:

525 (i) authorizing a team to assess and intervene with a student or school employee whose
526 behavior has been determined to pose a threat to the safety of a school employee or student;

527 and

528 (ii) procedures for referrals, if appropriate, to law enforcement, a community services
529 entity, family support organization, or health care provider for evaluation or treatment.

530 (b) A policy adopted by an LEA governing board under Subsection (2)(a) shall be
531 consistent with model policies developed by the state board.

532 (3) (a) A district superintendent or charter school director may establish an oversight
533 committee to oversee each team within an LEA.

534 (b) If a district superintendent or charter school director establishes an oversight
535 committee, the committee shall include:

536 (i) individuals with expertise in at least the following:

537 (A) human resources;

538 (B) education;

539 (C) school administration; and

540 (D) mental health; and

541 (ii) a law enforcement officer.

542 Section 11. Section **53G-8-804** is enacted to read:

543 **53G-8-804. Liability.**

544 An individual who is a member of a team or a school employee is immune from any
545 liability, civil or criminal, for acting or failing to act in response to information that the
546 individual receives in the individual's capacity as a team member or school employee unless the
547 individual acts or fails to act due to malice, gross negligence, or deliberate indifference to the
548 consequences.

549 Section 12. Section **53G-8-805** is enacted to read:

550 **53G-8-805. Threat Assessment and Student Support Team Program database.**

551 (1) The state board shall develop a central repository database that contains
552 information related to assessments conducted by a team in accordance with Section [53G-8-803](#).

553 (2) The state board shall, in conjunction with the Department of Public Safety, adopt
554 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to

555 specify:

- 556 (a) the information to be collected and maintained in the database;
557 (b) what information may be accessed by a member of a team; and
558 (c) what information may be accessed by a law enforcement officer.

559 Section 13. Section **53G-8-806** is enacted to read:

560 **53G-8-806. Law enforcement required reporting.**

561 If a law enforcement officer determines that a student poses a threat of violence or harm
562 to himself or herself, a school employee, or a student, the law enforcement officer shall notify a
563 member of the team of the school in which the student is enrolled of the incident.

564 Section 14. Section **62A-15-103** is amended to read:

565 **62A-15-103. Division -- Creation -- Responsibilities.**

566 (1) There is created the Division of Substance Abuse and Mental Health within the
567 department, under the administration and general supervision of the executive director. The
568 division is the substance abuse authority and the mental health authority for this state.

569 (2) The division shall:

- 570 (a) (i) educate the general public regarding the nature and consequences of substance
571 abuse by promoting school and community-based prevention programs;
572 (ii) render support and assistance to public schools through approved school-based
573 substance abuse education programs aimed at prevention of substance abuse;
574 (iii) promote or establish programs for the prevention of substance abuse within the
575 community setting through community-based prevention programs;
576 (iv) cooperate with and assist treatment centers, recovery residences, and other
577 organizations that provide services to individuals recovering from a substance abuse disorder,
578 by identifying and disseminating information about effective practices and programs;
579 (v) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
580 Rulemaking Act, to develop, in collaboration with public and private programs, minimum
581 standards for public and private providers of substance abuse and mental health programs
582 licensed by the department under Title 62A, Chapter 2, Licensure of Programs and Facilities;
583 (vi) promote integrated programs that address an individual's substance abuse, mental
584 health, physical health, and criminal risk factors;
585 (vii) establish and promote an evidence-based continuum of screening, assessment,

586 prevention, treatment, and recovery support services in the community for individuals with
587 substance use disorder and mental illness that addresses criminal risk factors;

588 (viii) evaluate the effectiveness of programs described in this Subsection (2);
589 (ix) consider the impact of the programs described in this Subsection (2) on:

590 (A) emergency department utilization;
591 (B) jail and prison populations;
592 (C) the homeless population; and
593 (D) the child welfare system; and

594 (x) promote or establish programs for education and certification of instructors to
595 educate persons convicted of driving under the influence of alcohol or drugs or driving with
596 any measurable controlled substance in the body;

597 (b) (i) collect and disseminate information pertaining to mental health;
598 (ii) provide direction over the state hospital including approval of its budget,
599 administrative policy, and coordination of services with local service plans;

600 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
601 Rulemaking Act, to educate families concerning mental illness and promote family
602 involvement, when appropriate, and with patient consent, in the treatment program of a family
603 member; and

604 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
605 Rulemaking Act, to direct that an individual receiving services through a local mental health
606 authority or the Utah State Hospital be informed about and, if desired by the individual,
607 provided assistance in the completion of a declaration for mental health treatment in
608 accordance with Section [62A-15-1002](#);

609 (c) (i) consult and coordinate with local substance abuse authorities and local mental
610 health authorities regarding programs and services;

611 (ii) provide consultation and other assistance to public and private agencies and groups
612 working on substance abuse and mental health issues;

613 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,
614 medical and social agencies, public health authorities, law enforcement agencies, education and
615 research organizations, and other related groups;

616 (iv) promote or conduct research on substance abuse and mental health issues, and

617 submit to the governor and the Legislature recommendations for changes in policy and
618 legislation;

619 (v) receive, distribute, and provide direction over public funds for substance abuse and
620 mental health services;

621 (vi) monitor and evaluate programs provided by local substance abuse authorities and
622 local mental health authorities;

623 (vii) examine expenditures of local, state, and federal funds;

624 (viii) monitor the expenditure of public funds by:

625 (A) local substance abuse authorities;

626 (B) local mental health authorities; and

627 (C) in counties where they exist, a private contract provider that has an annual or
628 otherwise ongoing contract to provide comprehensive substance abuse or mental health
629 programs or services for the local substance abuse authority or local mental health authority;

630 (ix) contract with local substance abuse authorities and local mental health authorities
631 to provide a comprehensive continuum of services that include community-based services for
632 individuals involved in the criminal justice system, in accordance with division policy, contract
633 provisions, and the local plan;

634 (x) contract with private and public entities for special statewide or nonclinical
635 services, or services for individuals involved in the criminal justice system, according to
636 division rules;

637 (xi) review and approve each local substance abuse authority's plan and each local
638 mental health authority's plan in order to ensure:

639 (A) a statewide comprehensive continuum of substance abuse services;

640 (B) a statewide comprehensive continuum of mental health services;

641 (C) services result in improved overall health and functioning;

642 (D) a statewide comprehensive continuum of community-based services designed to
643 reduce criminal risk factors for individuals who are determined to have substance abuse or
644 mental illness conditions or both, and who are involved in the criminal justice system;

645 (E) compliance, where appropriate, with the certification requirements in Subsection
646 (2)(j); and

647 (F) appropriate expenditure of public funds;

648 (xii) review and make recommendations regarding each local substance abuse
649 authority's contract with the local substance abuse authority's provider of substance abuse
650 programs and services and each local mental health authority's contract with the local mental
651 health authority's provider of mental health programs and services to ensure compliance with
652 state and federal law and policy;

653 (xiii) monitor and ensure compliance with division rules and contract requirements;
654 and

655 (xiv) withhold funds from local substance abuse authorities, local mental health
656 authorities, and public and private providers for contract noncompliance, failure to comply
657 with division directives regarding the use of public funds, or for misuse of public funds or
658 money;

659 (d) ensure that the requirements of this part are met and applied uniformly by local
660 substance abuse authorities and local mental health authorities across the state;

661 (e) require each local substance abuse authority and each local mental health authority,
662 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(5)(a)(ii), to submit a plan to
663 the division on or before May 15 of each year;

664 (f) conduct an annual program audit and review of each local substance abuse authority
665 and each local substance abuse authority's contract provider, and each local mental health
666 authority and each local mental health authority's contract provider, including:

667 (i) a review and determination regarding whether:

668 (A) public funds allocated to the local substance abuse authority or the local mental
669 health authorities are consistent with services rendered by the authority or the authority's
670 contract provider, and with outcomes reported by the authority's contract provider; and

671 (B) each local substance abuse authority and each local mental health authority is
672 exercising sufficient oversight and control over public funds allocated for substance use
673 disorder and mental health programs and services; and

674 (ii) items determined by the division to be necessary and appropriate; and

675 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4,
676 Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;

677 (h) (i) train and certify an adult as a peer support specialist, qualified to provide peer
678 supports services to an individual with:

- 679 (A) a substance use disorder;
- 680 (B) a mental health disorder; or
- 681 (C) a substance use disorder and a mental health disorder;
- 682 (ii) certify a person to carry out, as needed, the division's duty to train and certify an
- 683 adult as a peer support specialist;
- 684 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 685 Rulemaking Act, that:
 - 686 (A) establish training and certification requirements for a peer support specialist;
 - 687 (B) specify the types of services a peer support specialist is qualified to provide;
 - 688 (C) specify the type of supervision under which a peer support specialist is required to
 - 689 operate; and
 - 690 (D) specify continuing education and other requirements for maintaining or renewing
 - 691 certification as a peer support specialist; and
- 692 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 693 Rulemaking Act, that:
 - 694 (A) establish the requirements for a person to be certified to carry out, as needed, the
 - 695 division's duty to train and certify an adult as a peer support specialist; and
 - 696 (B) specify how the division shall provide oversight of a person certified to train and
 - 697 certify a peer support specialist;
 - 698 (i) establish by rule, in accordance with Title 63G, Chapter 3, Utah Administrative
 - 699 Rulemaking Act, minimum standards and requirements for the provision of substance use
 - 700 disorder and mental health treatment to an individual who is required to participate in treatment
 - 701 by the court or the Board of Pardons and Parole, or who is incarcerated, including:
 - 702 (i) collaboration with the Department of Corrections and the Utah Substance Use and
 - 703 Mental Health Advisory Council to develop and coordinate the standards, including standards
 - 704 for county and state programs serving individuals convicted of class A and class B
 - 705 misdemeanors;
 - 706 (ii) determining that the standards ensure available treatment, including the most
 - 707 current practices and procedures demonstrated by recognized scientific research to reduce
 - 708 recidivism, including focus on the individual's criminal risk factors; and
 - 709 (iii) requiring that all public and private treatment programs meet the standards

710 established under this Subsection (2)(i) in order to receive public funds allocated to the
711 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice
712 for the costs of providing screening, assessment, prevention, treatment, and recovery support;

713 (j) establish by rule, in accordance with Title 63G, Chapter 3, Utah Administrative
714 Rulemaking Act, the requirements and procedures for the certification of licensed public and
715 private providers who provide, as part of their practice, substance use disorder and mental
716 health treatment to an individual involved in the criminal justice system, including:

717 (i) collaboration with the Department of Corrections, the Utah Substance Use and
718 Mental Health Advisory Council, and the Utah Association of Counties to develop, coordinate,
719 and implement the certification process;

720 (ii) basing the certification process on the standards developed under Subsection (2)(i)
721 for the treatment of an individual involved in the criminal justice system; and

722 (iii) the requirement that a public or private provider of treatment to an individual
723 involved in the criminal justice system shall obtain certification on or before July 1, 2016, and
724 shall renew the certification every two years, in order to qualify for funds allocated to the
725 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice
726 on or after July 1, 2016;

727 (k) collaborate with the Commission on Criminal and Juvenile Justice to analyze and
728 provide recommendations to the Legislature regarding:

729 (i) pretrial services and the resources needed to reduce recidivism;

730 (ii) county jail and county behavioral health early-assessment resources needed for an
731 offender convicted of a class A or class B misdemeanor; and

732 (iii) the replacement of federal dollars associated with drug interdiction law
733 enforcement task forces that are reduced;

734 (l) (i) establish performance goals and outcome measurements for all treatment
735 programs for which minimum standards are established under Subsection (2)(i), including
736 recidivism data and data regarding cost savings associated with recidivism reduction and the
737 reduction in the number of inmates, that are obtained in collaboration with the Administrative
738 Office of the Courts and the Department of Corrections; and

739 (ii) collect data to track and determine whether the goals and measurements are being
740 attained and make this information available to the public;

741 (m) in the division's discretion, use the data to make decisions regarding the use of
742 funds allocated to the division, the Administrative Office of the Courts, and the Department of
743 Corrections to provide treatment for which standards are established under Subsection (2)(i);
744 and

745 (n) annually, on or before August 31, submit the data collected under Subsection (2)(k)
746 to the Commission on Criminal and Juvenile Justice, which shall compile a report of findings
747 based on the data and provide the report to the Judiciary Interim Committee, the Health and
748 Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim
749 Committee, and the related appropriations subcommittees.

750 (3) (a) The division may refuse to contract with and may pursue legal remedies against
751 any local substance abuse authority or local mental health authority that fails, or has failed, to
752 expend public funds in accordance with state law, division policy, contract provisions, or
753 directives issued in accordance with state law.

754 (b) The division may withhold funds from a local substance abuse authority or local
755 mental health authority if the authority's contract provider of substance abuse or mental health
756 programs or services fails to comply with state and federal law or policy.

757 (4) Before reissuing or renewing a contract with any local substance abuse authority or
758 local mental health authority, the division shall review and determine whether the local
759 substance abuse authority or local mental health authority is complying with the oversight and
760 management responsibilities described in Sections 17-43-201, 17-43-203, 17-43-303, and
761 17-43-309. Nothing in this Subsection (4) may be used as a defense to the responsibility and
762 liability described in Section 17-43-303 and to the responsibility and liability described in
763 Section 17-43-203.

764 (5) In carrying out the division's duties and responsibilities, the division may not
765 duplicate treatment or educational facilities that exist in other divisions or departments of the
766 state, but shall work in conjunction with those divisions and departments in rendering the
767 treatment or educational services that those divisions and departments are competent and able
768 to provide.

769 (6) The division may accept in the name of and on behalf of the state donations, gifts,
770 devises, or bequests of real or personal property or services to be used as specified by the
771 donor.

772 (7) The division shall annually review with each local substance abuse authority and
773 each local mental health authority the authority's statutory and contract responsibilities
774 regarding:

- 775 (a) use of public funds;
- 776 (b) oversight of public funds; and
- 777 (c) governance of substance use disorder and mental health programs and services.

778 (8) The Legislature may refuse to appropriate funds to the division upon the division's
779 failure to comply with the provisions of this part.

780 (9) If a local substance abuse authority contacts the division under Subsection
781 17-43-201(10) for assistance in providing treatment services to a pregnant woman or pregnant
782 minor, the division shall:

- 783 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the
784 capacity to provide the treatment services; or
- 785 (b) otherwise ensure that treatment services are made available to the pregnant woman
786 or pregnant minor.

787 (10) The division shall employ a school-based mental health specialist to be housed at
788 the State Board of Education who shall work with the State Board of Education to:

- 789 (a) provide coordination between a local education agency and local mental health
790 authority;
- 791 (b) recommend evidence based and evidence informed mental health screenings and
792 intervention assessments for a local education agency; and
- 793 (c) coordinate with the local community, including local departments of health, to
794 enhance and expand mental health related resources for a local education agency.

795 Section 15. Section **63G-2-305** is amended to read:

796 **63G-2-305. Protected records.**

797 The following records are protected if properly classified by a governmental entity:

- 798 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret
799 has provided the governmental entity with the information specified in Section 63G-2-309;
- 800 (2) commercial information or nonindividual financial information obtained from a
801 person if:

- 802 (a) disclosure of the information could reasonably be expected to result in unfair

803 competitive injury to the person submitting the information or would impair the ability of the
804 governmental entity to obtain necessary information in the future;

805 (b) the person submitting the information has a greater interest in prohibiting access
806 than the public in obtaining access; and

807 (c) the person submitting the information has provided the governmental entity with
808 the information specified in Section [63G-2-309](#);

809 (3) commercial or financial information acquired or prepared by a governmental entity
810 to the extent that disclosure would lead to financial speculations in currencies, securities, or
811 commodities that will interfere with a planned transaction by the governmental entity or cause
812 substantial financial injury to the governmental entity or state economy;

813 (4) records, the disclosure of which could cause commercial injury to, or confer a
814 competitive advantage upon a potential or actual competitor of, a commercial project entity as
815 defined in Subsection [11-13-103\(4\)](#);

816 (5) test questions and answers to be used in future license, certification, registration,
817 employment, or academic examinations;

818 (6) records, the disclosure of which would impair governmental procurement
819 proceedings or give an unfair advantage to any person proposing to enter into a contract or
820 agreement with a governmental entity, except, subject to Subsections (1) and (2), that this
821 Subsection (6) does not restrict the right of a person to have access to, after the contract or
822 grant has been awarded and signed by all parties:

823 (a) a bid, proposal, application, or other information submitted to or by a governmental
824 entity in response to:

825 (i) an invitation for bids;

826 (ii) a request for proposals;

827 (iii) a request for quotes;

828 (iv) a grant; or

829 (v) other similar document; or

830 (b) an unsolicited proposal, as defined in Section [63G-6a-712](#);

831 (7) information submitted to or by a governmental entity in response to a request for
832 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict
833 the right of a person to have access to the information, after:

834 (a) a contract directly relating to the subject of the request for information has been
835 awarded and signed by all parties; or

836 (b) (i) a final determination is made not to enter into a contract that relates to the
837 subject of the request for information; and

838 (ii) at least two years have passed after the day on which the request for information is
839 issued;

840 (8) records that would identify real property or the appraisal or estimated value of real
841 or personal property, including intellectual property, under consideration for public acquisition
842 before any rights to the property are acquired unless:

843 (a) public interest in obtaining access to the information is greater than or equal to the
844 governmental entity's need to acquire the property on the best terms possible;

845 (b) the information has already been disclosed to persons not employed by or under a
846 duty of confidentiality to the entity;

847 (c) in the case of records that would identify property, potential sellers of the described
848 property have already learned of the governmental entity's plans to acquire the property;

849 (d) in the case of records that would identify the appraisal or estimated value of
850 property, the potential sellers have already learned of the governmental entity's estimated value
851 of the property; or

852 (e) the property under consideration for public acquisition is a single family residence
853 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
854 the property as required under Section [78B-6-505](#);

855 (9) records prepared in contemplation of sale, exchange, lease, rental, or other
856 compensated transaction of real or personal property including intellectual property, which, if
857 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value
858 of the subject property, unless:

859 (a) the public interest in access is greater than or equal to the interests in restricting
860 access, including the governmental entity's interest in maximizing the financial benefit of the
861 transaction; or

862 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
863 the value of the subject property have already been disclosed to persons not employed by or
864 under a duty of confidentiality to the entity;

865 (10) records created or maintained for civil, criminal, or administrative enforcement
866 purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if
867 release of the records:

868 (a) reasonably could be expected to interfere with investigations undertaken for
869 enforcement, discipline, licensing, certification, or registration purposes;

870 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
871 proceedings;

872 (c) would create a danger of depriving a person of a right to a fair trial or impartial
873 hearing;

874 (d) reasonably could be expected to disclose the identity of a source who is not
875 generally known outside of government and, in the case of a record compiled in the course of
876 an investigation, disclose information furnished by a source not generally known outside of
877 government if disclosure would compromise the source; or

878 (e) reasonably could be expected to disclose investigative or audit techniques,
879 procedures, policies, or orders not generally known outside of government if disclosure would
880 interfere with enforcement or audit efforts;

881 (11) records the disclosure of which would jeopardize the life or safety of an
882 individual;

883 (12) records the disclosure of which would jeopardize the security of governmental
884 property, governmental programs, or governmental recordkeeping systems from damage, theft,
885 or other appropriation or use contrary to law or public policy;

886 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
887 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere
888 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

889 (14) records that, if disclosed, would reveal recommendations made to the Board of
890 Pardons and Parole by an employee of or contractor for the Department of Corrections, the
891 Board of Pardons and Parole, or the Department of Human Services that are based on the
892 employee's or contractor's supervision, diagnosis, or treatment of any person within the board's
893 jurisdiction;

894 (15) records and audit workpapers that identify audit, collection, and operational
895 procedures and methods used by the State Tax Commission, if disclosure would interfere with

896 audits or collections;

897 (16) records of a governmental audit agency relating to an ongoing or planned audit
898 until the final audit is released;

899 (17) records that are subject to the attorney client privilege;

900 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
901 employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial,
902 quasi-judicial, or administrative proceeding;

903 (19) (a) (i) personal files of a state legislator, including personal correspondence to or
904 from a member of the Legislature; and

905 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
906 legislative action or policy may not be classified as protected under this section; and

907 (b) (i) an internal communication that is part of the deliberative process in connection
908 with the preparation of legislation between:

909 (A) members of a legislative body;

910 (B) a member of a legislative body and a member of the legislative body's staff; or

911 (C) members of a legislative body's staff; and

912 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
913 legislative action or policy may not be classified as protected under this section;

914 (20) (a) records in the custody or control of the Office of Legislative Research and
915 General Counsel, that, if disclosed, would reveal a particular legislator's contemplated
916 legislation or contemplated course of action before the legislator has elected to support the
917 legislation or course of action, or made the legislation or course of action public; and

918 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
919 Office of Legislative Research and General Counsel is a public document unless a legislator
920 asks that the records requesting the legislation be maintained as protected records until such
921 time as the legislator elects to make the legislation or course of action public;

922 (21) research requests from legislators to the Office of Legislative Research and
923 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared
924 in response to these requests;

925 (22) drafts, unless otherwise classified as public;

926 (23) records concerning a governmental entity's strategy about:

- 927 (a) collective bargaining; or
- 928 (b) imminent or pending litigation;
- 929 (24) records of investigations of loss occurrences and analyses of loss occurrences that
930 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
931 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 932 (25) records, other than personnel evaluations, that contain a personal recommendation
933 concerning an individual if disclosure would constitute a clearly unwarranted invasion of
934 personal privacy, or disclosure is not in the public interest;
- 935 (26) records that reveal the location of historic, prehistoric, paleontological, or
936 biological resources that if known would jeopardize the security of those resources or of
937 valuable historic, scientific, educational, or cultural information;
- 938 (27) records of independent state agencies if the disclosure of the records would
939 conflict with the fiduciary obligations of the agency;
- 940 (28) records of an institution within the state system of higher education defined in
941 Section [53B-1-102](#) regarding tenure evaluations, appointments, applications for admissions,
942 retention decisions, and promotions, which could be properly discussed in a meeting closed in
943 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of
944 the final decisions about tenure, appointments, retention, promotions, or those students
945 admitted, may not be classified as protected under this section;
- 946 (29) records of the governor's office, including budget recommendations, legislative
947 proposals, and policy statements, that if disclosed would reveal the governor's contemplated
948 policies or contemplated courses of action before the governor has implemented or rejected
949 those policies or courses of action or made them public;
- 950 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
951 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
952 recommendations in these areas;
- 953 (31) records provided by the United States or by a government entity outside the state
954 that are given to the governmental entity with a requirement that they be managed as protected
955 records if the providing entity certifies that the record would not be subject to public disclosure
956 if retained by it;
- 957 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a

958 public body except as provided in Section [52-4-206](#);

959 (33) records that would reveal the contents of settlement negotiations but not including
960 final settlements or empirical data to the extent that they are not otherwise exempt from
961 disclosure;

962 (34) memoranda prepared by staff and used in the decision-making process by an
963 administrative law judge, a member of the Board of Pardons and Parole, or a member of any
964 other body charged by law with performing a quasi-judicial function;

965 (35) records that would reveal negotiations regarding assistance or incentives offered
966 by or requested from a governmental entity for the purpose of encouraging a person to expand
967 or locate a business in Utah, but only if disclosure would result in actual economic harm to the
968 person or place the governmental entity at a competitive disadvantage, but this section may not
969 be used to restrict access to a record evidencing a final contract;

970 (36) materials to which access must be limited for purposes of securing or maintaining
971 the governmental entity's proprietary protection of intellectual property rights including patents,
972 copyrights, and trade secrets;

973 (37) the name of a donor or a prospective donor to a governmental entity, including an
974 institution within the state system of higher education defined in Section [53B-1-102](#), and other
975 information concerning the donation that could reasonably be expected to reveal the identity of
976 the donor, provided that:

977 (a) the donor requests anonymity in writing;

978 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
979 classified protected by the governmental entity under this Subsection (37); and

980 (c) except for an institution within the state system of higher education defined in
981 Section [53B-1-102](#), the governmental unit to which the donation is made is primarily engaged
982 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority
983 over the donor, a member of the donor's immediate family, or any entity owned or controlled
984 by the donor or the donor's immediate family;

985 (38) accident reports, except as provided in Sections [41-6a-404](#), [41-12a-202](#), and
986 [73-18-13](#);

987 (39) a notification of workers' compensation insurance coverage described in Section
988 [34A-2-205](#);

989 (40) (a) the following records of an institution within the state system of higher
990 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,
991 or received by or on behalf of faculty, staff, employees, or students of the institution:

992 (i) unpublished lecture notes;

993 (ii) unpublished notes, data, and information:

994 (A) relating to research; and

995 (B) of:

996 (I) the institution within the state system of higher education defined in Section

997 53B-1-102; or

998 (II) a sponsor of sponsored research;

999 (iii) unpublished manuscripts;

1000 (iv) creative works in process;

1001 (v) scholarly correspondence; and

1002 (vi) confidential information contained in research proposals;

1003 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public

1004 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

1005 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;

1006 (41) (a) records in the custody or control of the Office of Legislative Auditor General

1007 that would reveal the name of a particular legislator who requests a legislative audit prior to the

1008 date that audit is completed and made public; and

1009 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the

1010 Office of the Legislative Auditor General is a public document unless the legislator asks that

1011 the records in the custody or control of the Office of Legislative Auditor General that would

1012 reveal the name of a particular legislator who requests a legislative audit be maintained as

1013 protected records until the audit is completed and made public;

1014 (42) records that provide detail as to the location of an explosive, including a map or

1015 other document that indicates the location of:

1016 (a) a production facility; or

1017 (b) a magazine;

1018 (43) information:

1019 (a) contained in the statewide database of the Division of Aging and Adult Services

1020 created by Section [62A-3-311.1](#); or

1021 (b) received or maintained in relation to the Identity Theft Reporting Information

1022 System (IRIS) established under Section [67-5-22](#);

1023 (44) information contained in the Management Information System and Licensing

1024 Information System described in Title 62A, Chapter 4a, Child and Family Services;

1025 (45) information regarding National Guard operations or activities in support of the

1026 National Guard's federal mission;

1027 (46) records provided by any pawn or secondhand business to a law enforcement

1028 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and

1029 Secondhand Merchandise Transaction Information Act;

1030 (47) information regarding food security, risk, and vulnerability assessments performed

1031 by the Department of Agriculture and Food;

1032 (48) except to the extent that the record is exempt from this chapter pursuant to Section

1033 [63G-2-106](#), records related to an emergency plan or program, a copy of which is provided to or

1034 prepared or maintained by the Division of Emergency Management, and the disclosure of

1035 which would jeopardize:

1036 (a) the safety of the general public; or

1037 (b) the security of:

1038 (i) governmental property;

1039 (ii) governmental programs; or

1040 (iii) the property of a private person who provides the Division of Emergency

1041 Management information;

1042 (49) records of the Department of Agriculture and Food that provides for the

1043 identification, tracing, or control of livestock diseases, including any program established under

1044 Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control

1045 of Animal Disease;

1046 (50) as provided in Section [26-39-501](#):

1047 (a) information or records held by the Department of Health related to a complaint

1048 regarding a child care program or residential child care which the department is unable to

1049 substantiate; and

1050 (b) information or records related to a complaint received by the Department of Health

1051 from an anonymous complainant regarding a child care program or residential child care;
1052 (51) unless otherwise classified as public under Section 63G-2-301 and except as
1053 provided under Section 41-1a-116, an individual's home address, home telephone number, or
1054 personal mobile phone number, if:
1055 (a) the individual is required to provide the information in order to comply with a law,
1056 ordinance, rule, or order of a government entity; and
1057 (b) the subject of the record has a reasonable expectation that this information will be
1058 kept confidential due to:
1059 (i) the nature of the law, ordinance, rule, or order; and
1060 (ii) the individual complying with the law, ordinance, rule, or order;
1061 (52) the name, home address, work addresses, and telephone numbers of an individual
1062 that is engaged in, or that provides goods or services for, medical or scientific research that is:
1063 (a) conducted within the state system of higher education, as defined in Section
1064 53B-1-102; and
1065 (b) conducted using animals;
1066 (53) in accordance with Section 78A-12-203, any record of the Judicial Performance
1067 Evaluation Commission concerning an individual commissioner's vote on whether or not to
1068 recommend that the voters retain a judge including information disclosed under Subsection
1069 78A-12-203(5)(e);
1070 (54) information collected and a report prepared by the Judicial Performance
1071 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter
1072 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,
1073 the information or report;
1074 (55) records contained in the Management Information System created in Section
1075 62A-4a-1003;
1076 (56) records provided or received by the Public Lands Policy Coordinating Office in
1077 furtherance of any contract or other agreement made in accordance with Section 63J-4-603;
1078 (57) information requested by and provided to the 911 Division under Section
1079 63H-7a-302;
1080 (58) in accordance with Section 73-10-33:
1081 (a) a management plan for a water conveyance facility in the possession of the Division

1082 of Water Resources or the Board of Water Resources; or

1083 (b) an outline of an emergency response plan in possession of the state or a county or
1084 municipality;

1085 (59) the following records in the custody or control of the Office of Inspector General
1086 of Medicaid Services, created in Section [63A-13-201](#):

1087 (a) records that would disclose information relating to allegations of personal
1088 misconduct, gross mismanagement, or illegal activity of a person if the information or
1089 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services
1090 through other documents or evidence, and the records relating to the allegation are not relied
1091 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation
1092 report or final audit report;

1093 (b) records and audit workpapers to the extent they would disclose the identity of a
1094 person who, during the course of an investigation or audit, communicated the existence of any
1095 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or
1096 regulation adopted under the laws of this state, a political subdivision of the state, or any
1097 recognized entity of the United States, if the information was disclosed on the condition that
1098 the identity of the person be protected;

1099 (c) before the time that an investigation or audit is completed and the final
1100 investigation or final audit report is released, records or drafts circulated to a person who is not
1101 an employee or head of a governmental entity for the person's response or information;

1102 (d) records that would disclose an outline or part of any investigation, audit survey
1103 plan, or audit program; or

1104 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
1105 investigation or audit;

1106 (60) records that reveal methods used by the Office of Inspector General of Medicaid
1107 Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or
1108 abuse;

1109 (61) information provided to the Department of Health or the Division of Occupational
1110 and Professional Licensing under Subsection [58-68-304](#)(3) or (4);

1111 (62) a record described in Section [63G-12-210](#);

1112 (63) captured plate data that is obtained through an automatic license plate reader

- 1113 system used by a governmental entity as authorized in Section 41-6a-2003;
- 1114 (64) any record in the custody of the Utah Office for Victims of Crime relating to a
1115 victim, including:
- 1116 (a) a victim's application or request for benefits;
- 1117 (b) a victim's receipt or denial of benefits; and
- 1118 (c) any administrative notes or records made or created for the purpose of, or used to,
1119 evaluate or communicate a victim's eligibility for or denial of benefits from the Crime Victim
1120 Reparations Fund;
- 1121 (65) an audio or video recording created by a body-worn camera, as that term is
1122 defined in Section 77-7a-103, that records sound or images inside a hospital or health care
1123 facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care
1124 provider, as that term is defined in Section 78B-3-403, or inside a human service program as
1125 that term is defined in Section 62A-2-101, except for recordings that:
- 1126 (a) depict the commission of an alleged crime;
- 1127 (b) record any encounter between a law enforcement officer and a person that results in
1128 death or bodily injury, or includes an instance when an officer fires a weapon;
- 1129 (c) record any encounter that is the subject of a complaint or a legal proceeding against
1130 a law enforcement officer or law enforcement agency;
- 1131 (d) contain an officer involved critical incident as defined in Subsection
1132 76-2-408(1)(d); or
- 1133 (e) have been requested for reclassification as a public record by a subject or
1134 authorized agent of a subject featured in the recording;
- 1135 (66) a record pertaining to the search process for a president of an institution of higher
1136 education described in Section 53B-2-102, except for application materials for a publicly
1137 announced finalist; and
- 1138 (67) an audio recording that is:
- 1139 (a) produced by an audio recording device that is used in conjunction with a device or
1140 piece of equipment designed or intended for resuscitating an individual or for treating an
1141 individual with a life-threatening condition;
- 1142 (b) produced during an emergency event when an individual employed to provide law
1143 enforcement, fire protection, paramedic, emergency medical, or other first responder service:

1144 (i) is responding to an individual needing resuscitation or with a life-threatening
1145 condition; and

1146 (ii) uses a device or piece of equipment designed or intended for resuscitating an
1147 individual or for treating an individual with a life-threatening condition; and

1148 (c) intended and used for purposes of training emergency responders how to improve
1149 their response to an emergency situation;

1150 (68) records submitted by or prepared in relation to an applicant seeking a
1151 recommendation by the Research and General Counsel Subcommittee, the Budget
1152 Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an
1153 employment position with the Legislature;

1154 (69) work papers as defined in Section 31A-2-204; [and]

1155 (70) a record made available to Adult Protective Services or a law enforcement agency
1156 under Section 61-1-206[-]; and

1157 (71) a record created by a threat assessment and student support team, as defined in
1158 Section 53G-8-801, relating to the assessment of or intervention with a specific individual.

1159 Section 16. Section 63I-2-253 is amended to read:

1160 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

1161 (1) Section 53A-24-602 is repealed July 1, 2018.

1162 (2) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

1163 (b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative
1164 Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),
1165 make necessary changes to subsection numbering and cross references.

1166 (3) (a) Subsection 53B-2a-108(5) is repealed July 1, 2022.

1167 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
1168 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
1169 necessary changes to subsection numbering and cross references.

1170 (4) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as provided
1171 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

1172 (b) Subsection 53B-7-705(6)(b)(ii)(B) is repealed July 1, 2021.

1173 (5) (a) Subsection 53B-7-707(4)(a)(ii), the language that states "Except as provided in
1174 Subsection (4)(b)," is repealed July 1, 2021.

- 1175 (b) Subsection [53B-7-707\(4\)\(b\)](#) is repealed July 1, 2021.
- 1176 (6) (a) The following sections are repealed on July 1, 2023:
- 1177 (i) Section [53B-8-202](#);
- 1178 (ii) Section [53B-8-203](#);
- 1179 (iii) Section [53B-8-204](#); and
- 1180 (iv) Section [53B-8-205](#).
- 1181 (b) (i) Subsection [53B-8-201\(2\)](#) is repealed on July 1, 2023.
- 1182 (ii) When repealing Subsection [53B-8-201\(2\)](#), the Office of Legislative Research and
- 1183 General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make
- 1184 necessary changes to subsection numbering and cross references.
- 1185 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
- 1186 repealed July 1, 2023.
- 1187 (8) Subsection [53E-5-306\(3\)\(b\)\(ii\)\(B\)](#) is repealed July 1, 2020.
- 1188 (9) Section [53E-5-307](#) is repealed July 1, 2020.
- 1189 (10) Subsections [53F-2-205\(4\)](#) and (5), the language that states "or [53F-2-301.5](#), as
- 1190 applicable" is repealed July 1, 2023.
- 1191 (11) Subsection [53F-2-301\(1\)](#) is repealed July 1, 2023.
- 1192 (12) Subsection [53F-2-515\(1\)](#), the language that states "or [53F-2-301.5](#), as applicable"
- 1193 is repealed July 1, 2023.
- 1194 (13) Section [53F-4-204](#) is repealed July 1, 2019.
- 1195 (14) Section [53F-6-202](#) is repealed July 1, 2020.
- 1196 (15) Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as applicable"
- 1197 is repealed July 1, 2023.
- 1198 (16) Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
- 1199 applicable" is repealed July 1, 2023.
- 1200 (17) Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
- 1201 applicable" is repealed July 1, 2023.
- 1202 (18) Section [53F-9-307](#) is repealed July 1, 2024.
- 1203 ~~[(18)]~~ (19) Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#), as
- 1204 applicable" is repealed July 1, 2023.
- 1205 ~~[(19)]~~ (20) On July 1, 2023, when making changes in this section, the Office of

1206 Legislative Research and General Counsel shall, in addition to the office's authority under
 1207 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections
 1208 identified in this section are complete sentences and accurately reflect the office's perception of
 1209 the Legislature's intent.

1210 Section 17. **Appropriation.**

1211 The following sums of money are appropriated for the fiscal year beginning July 1,
 1212 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
 1213 fiscal year 2020.

1214 **Operating and Capital Budgets**

1215 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 1216 Legislature appropriates the following sums of money from the funds or accounts indicated for
 1217 the use and support of the government of the state of Utah.

1218 ITEM 1

1219 To State Board of Education - Minimum School Program - Related to Basic School
 1220 Programs

1221 From Education Fund Restricted -- Student Safety

1222 Restricted Account \$30,000,000

1223 From Education Fund, One-time \$66,000,000

1224 Schedule of Programs:

1225 School Safety Operations \$30,000,000

1226 School Safety Capital Facilities \$66,000,000

1227 (1) The Legislature intends that the State Board of Education distribute the ongoing
 1228 appropriation for school safety operations provided under this item in accordance with Section
 1229 [53F-2-520](#).

1230 (2) The Legislature further intends that the State Board of Education:

1231 (a) develop a distribution formula to determine how to allocate the one-time
 1232 appropriation for school safety capital facilities provided under this item to school districts and
 1233 charter schools to use to purchase or improve capital facilities, software, or equipment that will
 1234 increase school safety; and

1235 (b) distribute the one-time appropriation for school safety capital facilities provided
 1236 under this item to school districts and charter schools to use to purchase or improve capital

1237 facilities, software, or equipment that will increase school safety.

1238 ITEM 2

1239 To State Board of Education - MSP Categorical Program Administration

1240 From Education Fund \$415,000

1241 Schedule of Programs:

1242 Threat Assessment and Student Support

1243 Team Program \$415,000

1244 The Legislature intends that the State Board of Education use the appropriation
1245 provided under this item to fund a data collection analyst and for maintenance for the school
1246 safety data reporting tool described in the legislative intent language for Item 3.

1247 ITEM 3

1248 To State Board of Education - State Administrative Office

1249 From Education Fund \$65,000

1250 From Education Fund, One-time \$1,055,000

1251 Schedule of Programs:

1252 Student Advocacy Services \$1,120,000

1253 (1) The Legislature intends that the State Board of Education use the ongoing
1254 appropriation provided under this item to fund the development of curricula and materials to
1255 provide training to school staff related to student mental health.

1256 (2) The Legislature further intends that the State Board of Education use the one-time
1257 appropriation provided under this item to fund a school safety data reporting tool.

1258 ITEM 4

1259 To Department of Public Safety - Program and Operations

1260 From General Fund \$150,000

1261 Schedule of Programs:

1262 Department Commissioner's Office \$150,000

1263 (1) The Legislature intends that the Department of Public Safety use the appropriation
1264 provided under this item to fund the public safety liaison described in Section [53-1-106](#).

1265 (2) The Legislature further intends that under Section [63J-1-603](#), appropriations
1266 provided under this item not lapse at the close of fiscal year 2020.

1267 ITEM 5

1268 To Department of Human Services - Division of Substance Abuse and Mental Health

1269 From General Fund \$150,000

1270 Schedule of Programs:

1271 Community Health Services \$150,000

1272 (1) The Legislature intends that the Department of Human Services use the

1273 appropriation provided under this item to fund the school-based mental health specialist

1274 described in Section [62A-15-103](#).

1275 (2) The Legislature further intends that under Section [63J-1-603](#), appropriations

1276 provided under this item not lapse at the close of fiscal year 2020.

1277 **Restricted fund and account transfers**

1278 The Legislature authorizes the State Division of Finance to transfer the following

1279 amounts between the following funds or accounts as indicated. Expenditures and outlays from

1280 the funds or accounts to which the money is transferred must be authorized in an appropriation.

1281 ITEM 6

1282 To Education Fund Restricted -- School Safety Restricted Account

1283 From Education Fund \$30,000,000

1284 Schedule of Programs:

1285 Education Fund Restricted -- Student Safety Restricted

1286 Account \$30,000,000