

**Representative Raymond P. Ward** proposes the following substitute bill:

**STUDENT AND SCHOOL SAFETY ASSESSMENT**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: Ann Millner

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**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 a secure digital tool for purposes of reporting school safety information;
- ▶ 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 State Safety and Support Team Program;
- ▶ requires the Board to develop model policies and procedures for safety and 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 to the individual, or a member of the school community;



- 26 ▶ enacts provisions granting immunity from liability for a member of a team;
- 27 ▶ requires law enforcement to report a student to the student's school if that student
- 28 poses a threat;
- 29 ▶ directs the Division of Substance Abuse and Mental Health to employ a
- 30 school-based mental health specialist;
- 31 ▶ classifies certain records created by a team as protected; and
- 32 ▶ makes technical corrections.

33 **Money Appropriated in this Bill:**

34 This bill appropriates in fiscal year 2020:

- 35 ▶ to the Education Fund Restricted - Student Safety Restricted Account, as an
- 36 ongoing appropriation:
  - 37 • from the Education Fund, \$30,000,000;
- 38 ▶ to the State Board of Education - Minimum School Program - Related to Basic
- 39 School Programs, as an ongoing appropriation:
  - 40 • from the Education Fund Restricted - Student Safety Restricted Account,
  - 41 \$30,000,000;
  - 42 ▶ to the State Board of Education - Minimum School Program - Related to Basic
  - 43 School Programs, as a one-time appropriation:
    - 44 • from the Education Fund, One-time, \$66,000,000;
  - 45 ▶ to the State Board of Education - MSP Categorical Program Administration - State
  - 46 Safety and Support Team Program, as an ongoing appropriation:
    - 47 • from the Education Fund, \$415,000;
  - 48 ▶ to the State Board of Education - State Administrative Office - Student Advocacy
  - 49 Services, as an ongoing appropriation:
    - 50 • from the Education Fund, \$65,000;
  - 51 ▶ to the State Board of Education - State Administrative Office - Student Advocacy
  - 52 Services, as a one-time appropriation:
    - 53 • from the Education Fund, One-time, \$1,055,000;
  - 54 ▶ to the Department of Public Safety - Programs and Operations - Department
  - 55 Commissioner's Office, as an ongoing appropriation:
    - 56 • from the General Fund, \$150,000; and

57           ▶ to the Department of Human Services - Division of Substance Abuse and Mental  
58 Health, as an ongoing appropriation:

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

60 **Other Special Clauses:**

61           None

62 **Utah Code Sections Affected:**

63 AMENDS:

64           **15A-5-202.5**, as last amended by Laws of Utah 2018, Chapter 189

65           **53-1-106**, as last amended by Laws of Utah 2018, Chapters 200 and 417

66           **53E-3-502**, as renumbered and amended by Laws of Utah 2018, Chapter 1

67           **53E-9-305**, as last amended by Laws of Utah 2018, Chapter 304 and renumbered and  
68 amended by Laws of Utah 2018, Chapter 1

69           **53E-9-308**, as last amended by Laws of Utah 2018, Chapters 285, 304 and renumbered  
70 and amended by Laws of Utah 2018, Chapter 1

71           **53G-8-702**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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](#); and

189 (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  
213 safety and 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) support training with relevant state agencies for school resource officers as  
217 described in Section 53G-8-702;

218 (ii) coordinate the creation of model policies and memorandums of understanding for a  
219 local education agency and a local law enforcement agency; and

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

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

225 (b) All fees not established in statute shall be established in accordance with Section  
226 63J-1-504.

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

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

230 **53E-3-502. State Board of Education assistance to districts and schools.**

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

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

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

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

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

241 (5) disseminate successful site-based decision-making models to districts and schools  
242 and provide teacher professional development opportunities and evaluation programs for

243 site-based plans consistent with Subsections 53E-2-302(7) and 53E-6-103(2)(a) and (b);

244 (6) provide a mechanism for widespread dissemination of information about strategic  
245 planning for public education, including involvement of business and industry in the education  
246 process, in order to ensure the understanding and support of all the individuals and groups  
247 concerned with the mission of public education as outlined in Section 53E-2-301;

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

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

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

258 (10) develop and maintain a secure digital tool for the purposes of the State Safety and  
259 Support Team Program in accordance with Section 53G-8-805.

260 Section 4. Section 53E-9-305 is amended to read:

261 **53E-9-305. Collecting student data -- Prohibition -- Student data collection notice**  
262 **-- Written consent.**

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

264 (a) social security number; or

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

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

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

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

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

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

274 Subsection (1);

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

277 (f) includes the following statement:

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

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

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

283 (i) for an education entity that teaches students in grade 9, 10, 11, or 12, requests  
284 written consent to share student data with the State Board of Regents as described in Section  
285 53E-9-308.

286 (3) The board may publicly post the board's collection notice described in Subsection  
287 (2).

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

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

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

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

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

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

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

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

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

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

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

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

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

307 (b) obtains written consent to collect the biometric identifier or biometric information  
308 from an individual described in Subsection (4).

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

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

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

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

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

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

321 (ii) as required by federal law; and

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

323 (2) A student data manager shall:

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

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

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

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

333 (a) the Department of Human Services is:

334 (i) legally responsible for the care and protection of the student, including the  
335 responsibility to investigate a report of educational neglect, as provided in Subsection

336 62A-4a-409(5); or

337 (ii) providing services to the student;

338 (b) the student's personally identifiable student data is not shared with a person who is  
339 not authorized:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

379 (d) In accordance with state and federal law, the state board shall share student data  
380 collected through the secure digital tool described in Section [53G-8-805](#) with local law  
381 enforcement for the sole purpose of informing a safety and support team, as defined in Section  
382 [53G-8-801](#), for an investigation, crisis, or emergency response.

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

384 **53F-2-520. State Safety and Support Team Program -- Student safety operations**  
385 **appropriation.**

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

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

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

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

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

398 **53F-9-307. Student Safety Restricted Account.**

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

400 (2) There is created within the Education Fund a restricted account known as the  
401 "Student Safety Restricted Account."

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

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

404 (4) The Legislature shall appropriate money in the account for student safety and  
405 support operations described in Section [53F-2-520](#).

406 Section 8. Section **53G-8-702** is amended to read:

407 **53G-8-702. School resource officer training -- Curriculum.**

408 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
409 State Board of Education shall make rules that prepare and make available a training program  
410 for school principals and school resource officers to attend.

411 (2) To create the curriculum and materials for the training program described in  
412 Subsection (1), the State Board of Education shall:

413 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice  
414 created in Section [63M-7-201](#);

415 (b) solicit input from local school boards, charter school governing boards, and the  
416 Utah Schools for the Deaf and the Blind;

417 (c) solicit input from local law enforcement and other interested community  
418 stakeholders; and

419 (d) consider the current United States Department of Education recommendations on  
420 school discipline and the role of a school resource officer.

421 (3) The training program described in Subsection (1) may include training on the  
422 following:

423 (a) childhood and adolescent development;

424 (b) responding age-appropriately to students;

425 (c) working with disabled students;

426 (d) techniques to de-escalate and resolve conflict;

427 (e) cultural awareness;

428 (f) restorative justice practices;

- 429 (g) identifying a student exposed to violence or trauma and referring the student to
- 430 appropriate resources;
- 431 (h) student privacy rights;
- 432 (i) negative consequences associated with youth involvement in the juvenile and
- 433 criminal justice systems;
- 434 (j) strategies to reduce juvenile justice involvement; and
- 435 (k) roles of and distinctions between a school resource officer and other school staff
- 436 who help keep a school secure.

437 (4) The state board shall work together with the Department of Public Safety and state

438 and local law enforcement to establish policies and procedures that govern student resource

439 officers.

440 Section 9. Section **53G-8-801** is enacted to read:

441 **Part 8. State Safety and Support Team Program**

442 **53G-8-801. Definitions.**

443 As used in this section:

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

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

446 [53-13-103](#).

447 (3) "Local education agency" or "LEA" means:

448 (a) a school district;

449 (b) a charter school; or

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

451 (4) "LEA governing board" means:

452 (a) a local school board;

453 (b) a charter school governing board; or

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

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

456 (5) "Parent" means a parent or legal guardian.

457 (6) "Program" means the State Safety and Support Team Program established in

458 Section [53G-8-802](#).

459 (7) "Safety and support team" or "team" means a group of individuals who assess and

460 respond to school safety issues, risk behaviors, or student needs in accordance with this part.

461 (8) "School employee" means an individual working in the individual's official  
462 capacity as:

463 (a) a school teacher;

464 (b) a school staff member;

465 (c) a school administrator; or

466 (d) an individual:

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

469 (ii) who works on a school campus.

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

471 (10) "Tool" means the secure digital tool described in Section [53G-8-805](#).

472 Section 10. Section **53G-8-802** is enacted to read:

473 **53G-8-802. State Safety and Support Team Program -- State board duties.**

474 (1) There is created the State Safety and Support Team Program.

475 (2) The state board shall:

476 (a) develop in conjunction with the Division of Substance Abuse and Mental Health  
477 model policies for the establishment and duties of a safety and support team, including:

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

480 (ii) procedures for referrals to law enforcement;

481 (iii) procedures for referrals to a community services entity, a family support  
482 organization, or a health care provider for evaluation or treatment; and

483 (iv) recommendations for an LEA to establish a committee to oversee teams;

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

485 (i) in school safety;

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

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

490 (iv) on permitted disclosures of student data to law enforcement and other support

491 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and  
492 (v) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections  
493 53E-9-203 and 53E-9-305;  
494 (c) conduct and disseminate evidence-based research on school safety concerns,  
495 conflict mediation, bullying, safe school design and technology, and school safety legal  
496 requirements;  
497 (d) disseminate information on effective school safety initiatives;  
498 (e) collect and analyze quantitative data reports submitted by each team in accordance  
499 with Section 53G-8-803;  
500 (f) encourage partnerships between public and private sectors to promote school safety;  
501 (g) provide technical assistance to an LEA in the development and implementation of  
502 school safety initiatives;  
503 (h) in conjunction with the Department of Public Safety, develop and make available to  
504 an LEA a model critical incident response training program for school employees and others  
505 providing services to schools that includes protocol for conducting a threat assessment, and  
506 ensuring building security during an incident;  
507 (i) provide space for the public safety liaison described in Section 53-1-106 and the  
508 school-based mental health specialist described in Section 62A-15-103;  
509 (j) create a model school climate survey that may be used by an LEA to assess  
510 stakeholder perception of a school environment and adopt rules:  
511 (i) requiring an LEA to:  
512 (A) create or adopt and disseminate a school climate survey; and  
513 (B) disseminate the school climate survey;  
514 (ii) recommending the distribution method, survey frequency, and sample size of the  
515 survey; and  
516 (iii) specifying the areas of content for the school climate survey, including:  
517 (A) physical and emotional safety while at school;  
518 (B) bullying behaviors;  
519 (C) violence;  
520 (D) understanding of reporting procedures; and  
521 (E) availability of social supports for students; and

522 (k) collect aggregate data and school climate survey results from each LEA.  
523 (3) Nothing in this section requires an individual to respond to a school climate survey.  
524 Section 11. Section **53G-8-803** is enacted to read:  
525 **53G-8-803. Safety and support teams -- Duties.**  
526 (1) (a) For the school year immediately following the state board's adoption of policies  
527 and rules described in Section [53G-8-802](#) and thereafter, a public school shall establish a safety  
528 and support team in accordance with policies described in Subsection (2).  
529 (b) A team shall include:  
530 (i) individuals with expertise in at least the following:  
531 (A) mental health;  
532 (B) instruction; and  
533 (C) school administration and personnel; and  
534 (ii) a law enforcement officer.  
535 (c) Members of a team may serve more than one school.  
536 (d) A team shall:  
537 (i) implement policies adopted by the LEA governing board under Subsection (6);  
538 (ii) provide guidance to students and school employees regarding recognition of a risk  
539 behavior or situation that may represent a threat to the school or an individual; and  
540 (iii) adopt procedures to report the risk behavior or situation to identified school  
541 personnel.  
542 (e) (i) (A) If a team determines that an individual poses a threat to a member of the  
543 school community, the team shall determine whether the involvement of law enforcement is  
544 needed to minimize or deter the threat and, if applicable, communicate with law enforcement.  
545 (B) A team may not identify an individual as a threat to a member of the school  
546 community based on an individual's race, color, sex, sexual orientation, age, religion, national  
547 origin, or citizenship status, and shall ensure that guidance provided under Subsection (1)(d)(ii)  
548 discourages such practices.  
549 (ii) (A) If a team determines that a student poses a threat to himself or herself, the team  
550 shall determine whether the student posing the threat would benefit from mental health  
551 counseling and, if so, work with the student and the student's parent to provide a referral to  
552 mental health counseling or other school services.

553 (B) For a student described in Subsection (1)(e)(ii)(A), a team shall align intervention  
554 strategies with, if applicable, a student's Section 504 accommodation plan in accordance with  
555 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq., or IEP.

556 (iii) The team shall report a determination made under Subsection (1)(e)(i) or (ii)  
557 immediately to the district superintendent, charter school director, or the superintendent's or  
558 director's designee, as applicable.

559 (iv) If a student poses a threat described in Subsection (1)(e)(i) or (ii), the applicable  
560 district superintendent, charter school director, or the superintendent's or director's designee  
561 shall immediately attempt to notify the student's parent.

562 (2) Nothing in this section may be interpreted to preclude a district superintendent,  
563 charter school director, or the superintendent's or director's designee from acting immediately  
564 to address an imminent threat.

565 (3) In accordance with Section [53G-8-805](#), each team shall enter required information  
566 into the tool.

567 (4) A team shall utilize the data gathered from the school climate survey described in  
568 Section [53G-8-802](#) to inform the team's efforts.

569 (5) In accordance with Section [53G-8-802](#), each team shall report annually quantitative  
570 data to the state board on the team's activities, including number of reported school threats and  
571 a summary of team interventions and accessed resources.

572 (6) An LEA governing board shall adopt policies for a school to establish a team  
573 consistent with model policies developed by the state board under Section [53G-8-802](#).

574 Section 12. Section **53G-8-804** is enacted to read:

575 **53G-8-804. Liability.**

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

581 Section 13. Section **53G-8-805** is enacted to read:

582 **53G-8-805. Intervention and incidents technology tool.**

583 (1) The state board shall develop and maintain a secure digital tool with which a

584 designated school employee shall enter information regarding student safety incidents and  
585 interventions as required by law, including information described in:

- 586 (a) Section 53E-3-301;
- 587 (b) Section 53E-3-516;
- 588 (c) Section 53G-8-205;
- 589 (d) Section 53G-8-210;
- 590 (e) Section 53G-8-211;
- 591 (f) Section 53G-9-605;
- 592 (g) all other applicable state law; and
- 593 (h) all applicable federal law.

594 (2) The tool shall, based on the type of student safety incident, provide resources for  
595 risk behaviors and protocols for responding to a student safety incident.

596 Section 14. Section **53G-8-806** is enacted to read:

597 **53G-8-806. Law enforcement required reporting.**

598 If a law enforcement officer determines that a student poses a threat to himself or  
599 herself, a school employee, or a student, the law enforcement officer shall notify a member of  
600 the team of the school in which the student is enrolled.

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

602 **62A-15-103. Division -- Creation -- Responsibilities.**

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

606 (2) The division shall:

- 607 (a) (i) educate the general public regarding the nature and consequences of substance  
608 abuse by promoting school and community-based prevention programs;
- 609 (ii) render support and assistance to public schools through approved school-based  
610 substance abuse education programs aimed at prevention of substance abuse;
- 611 (iii) promote or establish programs for the prevention of substance abuse within the  
612 community setting through community-based prevention programs;
- 613 (iv) cooperate with and assist treatment centers, recovery residences, and other  
614 organizations that provide services to individuals recovering from a substance abuse disorder,

615 by identifying and disseminating information about effective practices and programs;

616 (v) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
617 Rulemaking Act, to develop, in collaboration with public and private programs, minimum  
618 standards for public and private providers of substance abuse and mental health programs  
619 licensed by the department under Title 62A, Chapter 2, Licensure of Programs and Facilities;

620 (vi) promote integrated programs that address an individual's substance abuse, mental  
621 health, physical health, and criminal risk factors;

622 (vii) establish and promote an evidence-based continuum of screening, assessment,  
623 prevention, treatment, and recovery support services in the community for individuals with  
624 substance use disorder and mental illness that addresses criminal risk factors;

625 (viii) evaluate the effectiveness of programs described in this Subsection (2);

626 (ix) consider the impact of the programs described in this Subsection (2) on:

627 (A) emergency department utilization;

628 (B) jail and prison populations;

629 (C) the homeless population; and

630 (D) the child welfare system; and

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

634 (b) (i) collect and disseminate information pertaining to mental health;

635 (ii) provide direction over the state hospital including approval of its budget,  
636 administrative policy, and coordination of services with local service plans;

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

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

- 646 (c) (i) consult and coordinate with local substance abuse authorities and local mental  
647 health authorities regarding programs and services;
- 648 (ii) provide consultation and other assistance to public and private agencies and groups  
649 working on substance abuse and mental health issues;
- 650 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,  
651 medical and social agencies, public health authorities, law enforcement agencies, education and  
652 research organizations, and other related groups;
- 653 (iv) promote or conduct research on substance abuse and mental health issues, and  
654 submit to the governor and the Legislature recommendations for changes in policy and  
655 legislation;
- 656 (v) receive, distribute, and provide direction over public funds for substance abuse and  
657 mental health services;
- 658 (vi) monitor and evaluate programs provided by local substance abuse authorities and  
659 local mental health authorities;
- 660 (vii) examine expenditures of local, state, and federal funds;
- 661 (viii) monitor the expenditure of public funds by:
- 662 (A) local substance abuse authorities;
- 663 (B) local mental health authorities; and
- 664 (C) in counties where they exist, a private contract provider that has an annual or  
665 otherwise ongoing contract to provide comprehensive substance abuse or mental health  
666 programs or services for the local substance abuse authority or local mental health authority;
- 667 (ix) contract with local substance abuse authorities and local mental health authorities  
668 to provide a comprehensive continuum of services that include community-based services for  
669 individuals involved in the criminal justice system, in accordance with division policy, contract  
670 provisions, and the local plan;
- 671 (x) contract with private and public entities for special statewide or nonclinical  
672 services, or services for individuals involved in the criminal justice system, according to  
673 division rules;
- 674 (xi) review and approve each local substance abuse authority's plan and each local  
675 mental health authority's plan in order to ensure:
- 676 (A) a statewide comprehensive continuum of substance abuse services;

- 677 (B) a statewide comprehensive continuum of mental health services;
- 678 (C) services result in improved overall health and functioning;
- 679 (D) a statewide comprehensive continuum of community-based services designed to  
680 reduce criminal risk factors for individuals who are determined to have substance abuse or  
681 mental illness conditions or both, and who are involved in the criminal justice system;
- 682 (E) compliance, where appropriate, with the certification requirements in Subsection  
683 (2)(j); and
- 684 (F) appropriate expenditure of public funds;
- 685 (xii) review and make recommendations regarding each local substance abuse  
686 authority's contract with the local substance abuse authority's provider of substance abuse  
687 programs and services and each local mental health authority's contract with the local mental  
688 health authority's provider of mental health programs and services to ensure compliance with  
689 state and federal law and policy;
- 690 (xiii) monitor and ensure compliance with division rules and contract requirements;  
691 and
- 692 (xiv) withhold funds from local substance abuse authorities, local mental health  
693 authorities, and public and private providers for contract noncompliance, failure to comply  
694 with division directives regarding the use of public funds, or for misuse of public funds or  
695 money;
- 696 (d) ensure that the requirements of this part are met and applied uniformly by local  
697 substance abuse authorities and local mental health authorities across the state;
- 698 (e) require each local substance abuse authority and each local mental health authority,  
699 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(5)(a)(ii), to submit a plan to  
700 the division on or before May 15 of each year;
- 701 (f) conduct an annual program audit and review of each local substance abuse authority  
702 and each local substance abuse authority's contract provider, and each local mental health  
703 authority and each local mental health authority's contract provider, including:
- 704 (i) a review and determination regarding whether:
- 705 (A) public funds allocated to the local substance abuse authority or the local mental  
706 health authorities are consistent with services rendered by the authority or the authority's  
707 contract provider, and with outcomes reported by the authority's contract provider; and

708 (B) each local substance abuse authority and each local mental health authority is  
709 exercising sufficient oversight and control over public funds allocated for substance use  
710 disorder and mental health programs and services; and  
711 (ii) items determined by the division to be necessary and appropriate; and  
712 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4,  
713 Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;  
714 (h) (i) train and certify an adult as a peer support specialist, qualified to provide peer  
715 supports services to an individual with:  
716 (A) a substance use disorder;  
717 (B) a mental health disorder; or  
718 (C) a substance use disorder and a mental health disorder;  
719 (ii) certify a person to carry out, as needed, the division's duty to train and certify an  
720 adult as a peer support specialist;  
721 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
722 Rulemaking Act, that:  
723 (A) establish training and certification requirements for a peer support specialist;  
724 (B) specify the types of services a peer support specialist is qualified to provide;  
725 (C) specify the type of supervision under which a peer support specialist is required to  
726 operate; and  
727 (D) specify continuing education and other requirements for maintaining or renewing  
728 certification as a peer support specialist; and  
729 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
730 Rulemaking Act, that:  
731 (A) establish the requirements for a person to be certified to carry out, as needed, the  
732 division's duty to train and certify an adult as a peer support specialist; and  
733 (B) specify how the division shall provide oversight of a person certified to train and  
734 certify a peer support specialist;  
735 (i) establish by rule, in accordance with Title 63G, Chapter 3, Utah Administrative  
736 Rulemaking Act, minimum standards and requirements for the provision of substance use  
737 disorder and mental health treatment to an individual who is required to participate in treatment  
738 by the court or the Board of Pardons and Parole, or who is incarcerated, including:

739 (i) collaboration with the Department of Corrections and the Utah Substance Use and  
740 Mental Health Advisory Council to develop and coordinate the standards, including standards  
741 for county and state programs serving individuals convicted of class A and class B  
742 misdemeanors;

743 (ii) determining that the standards ensure available treatment, including the most  
744 current practices and procedures demonstrated by recognized scientific research to reduce  
745 recidivism, including focus on the individual's criminal risk factors; and

746 (iii) requiring that all public and private treatment programs meet the standards  
747 established under this Subsection (2)(i) in order to receive public funds allocated to the  
748 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice  
749 for the costs of providing screening, assessment, prevention, treatment, and recovery support;

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

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

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

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

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

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

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

769 (iii) the replacement of federal dollars associated with drug interdiction law

770 enforcement task forces that are reduced;

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

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

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

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

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

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

794 (4) Before reissuing or renewing a contract with any local substance abuse authority or  
795 local mental health authority, the division shall review and determine whether the local  
796 substance abuse authority or local mental health authority is complying with the oversight and  
797 management responsibilities described in Sections 17-43-201, 17-43-203, 17-43-303, and  
798 17-43-309. Nothing in this Subsection (4) may be used as a defense to the responsibility and  
799 liability described in Section 17-43-303 and to the responsibility and liability described in  
800 Section 17-43-203.

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

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

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

812 (a) use of public funds;

813 (b) oversight of public funds; and

814 (c) governance of substance use disorder and mental health programs and services.

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

817 (9) If a local substance abuse authority contacts the division under Subsection  
818 [17-43-201](#)(10) for assistance in providing treatment services to a pregnant woman or pregnant  
819 minor, the division shall:

820 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the  
821 capacity to provide the treatment services; or

822 (b) otherwise ensure that treatment services are made available to the pregnant woman  
823 or pregnant minor.

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

826 (a) provide coordination between a local education agency and local mental health  
827 authority;

828 (b) recommend evidence based and evidence informed mental health screenings and  
829 intervention assessments for a local education agency; and

830 (c) coordinate with the local community, including local departments of health, to  
831 enhance and expand mental health related resources for a local education agency.

832 Section 16. Section 63G-2-305 is amended to read:

833 **63G-2-305. Protected records.**

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

835 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret  
836 has provided the governmental entity with the information specified in Section 63G-2-309;

837 (2) commercial information or nonindividual financial information obtained from a  
838 person if:

839 (a) disclosure of the information could reasonably be expected to result in unfair  
840 competitive injury to the person submitting the information or would impair the ability of the  
841 governmental entity to obtain necessary information in the future;

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

844 (c) the person submitting the information has provided the governmental entity with  
845 the information specified in Section 63G-2-309;

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

850 (4) records, the disclosure of which could cause commercial injury to, or confer a  
851 competitive advantage upon a potential or actual competitor of, a commercial project entity as  
852 defined in Subsection 11-13-103(4);

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

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

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

862 (i) an invitation for bids;

- 863 (ii) a request for proposals;
- 864 (iii) a request for quotes;
- 865 (iv) a grant; or
- 866 (v) other similar document; or
- 867 (b) an unsolicited proposal, as defined in Section [63G-6a-712](#);
- 868 (7) information submitted to or by a governmental entity in response to a request for
- 869 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict
- 870 the right of a person to have access to the information, after:
  - 871 (a) a contract directly relating to the subject of the request for information has been
  - 872 awarded and signed by all parties; or
  - 873 (b) (i) a final determination is made not to enter into a contract that relates to the
  - 874 subject of the request for information; and
  - 875 (ii) at least two years have passed after the day on which the request for information is
  - 876 issued;
  - 877 (8) records that would identify real property or the appraisal or estimated value of real
  - 878 or personal property, including intellectual property, under consideration for public acquisition
  - 879 before any rights to the property are acquired unless:
    - 880 (a) public interest in obtaining access to the information is greater than or equal to the
    - 881 governmental entity's need to acquire the property on the best terms possible;
    - 882 (b) the information has already been disclosed to persons not employed by or under a
    - 883 duty of confidentiality to the entity;
    - 884 (c) in the case of records that would identify property, potential sellers of the described
    - 885 property have already learned of the governmental entity's plans to acquire the property;
    - 886 (d) in the case of records that would identify the appraisal or estimated value of
    - 887 property, the potential sellers have already learned of the governmental entity's estimated value
    - 888 of the property; or
    - 889 (e) the property under consideration for public acquisition is a single family residence
    - 890 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
    - 891 the property as required under Section [78B-6-505](#);
    - 892 (9) records prepared in contemplation of sale, exchange, lease, rental, or other
    - 893 compensated transaction of real or personal property including intellectual property, which, if

894 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value  
895 of the subject property, unless:

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

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

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

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

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

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

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

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

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

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

923 (13) records that, if disclosed, would jeopardize the security or safety of a correctional  
924 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere

925 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

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

931 (15) records and audit workpapers that identify audit, collection, and operational  
932 procedures and methods used by the State Tax Commission, if disclosure would interfere with  
933 audits or collections;

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

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

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

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

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

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

946 (A) members of a legislative body;

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

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

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

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

955 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the

956 Office of Legislative Research and General Counsel is a public document unless a legislator  
957 asks that the records requesting the legislation be maintained as protected records until such  
958 time as the legislator elects to make the legislation or course of action public;

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

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

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

964 (a) collective bargaining; or

965 (b) imminent or pending litigation;

966 (24) records of investigations of loss occurrences and analyses of loss occurrences that  
967 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the  
968 Uninsured Employers' Fund, or similar divisions in other governmental entities;

969 (25) records, other than personnel evaluations, that contain a personal recommendation  
970 concerning an individual if disclosure would constitute a clearly unwarranted invasion of  
971 personal privacy, or disclosure is not in the public interest;

972 (26) records that reveal the location of historic, prehistoric, paleontological, or  
973 biological resources that if known would jeopardize the security of those resources or of  
974 valuable historic, scientific, educational, or cultural information;

975 (27) records of independent state agencies if the disclosure of the records would  
976 conflict with the fiduciary obligations of the agency;

977 (28) records of an institution within the state system of higher education defined in  
978 Section [53B-1-102](#) regarding tenure evaluations, appointments, applications for admissions,  
979 retention decisions, and promotions, which could be properly discussed in a meeting closed in  
980 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of  
981 the final decisions about tenure, appointments, retention, promotions, or those students  
982 admitted, may not be classified as protected under this section;

983 (29) records of the governor's office, including budget recommendations, legislative  
984 proposals, and policy statements, that if disclosed would reveal the governor's contemplated  
985 policies or contemplated courses of action before the governor has implemented or rejected  
986 those policies or courses of action or made them public;

987 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,  
988 revenue estimates, and fiscal notes of proposed legislation before issuance of the final  
989 recommendations in these areas;

990 (31) records provided by the United States or by a government entity outside the state  
991 that are given to the governmental entity with a requirement that they be managed as protected  
992 records if the providing entity certifies that the record would not be subject to public disclosure  
993 if retained by it;

994 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a  
995 public body except as provided in Section [52-4-206](#);

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

999 (34) memoranda prepared by staff and used in the decision-making process by an  
1000 administrative law judge, a member of the Board of Pardons and Parole, or a member of any  
1001 other body charged by law with performing a quasi-judicial function;

1002 (35) records that would reveal negotiations regarding assistance or incentives offered  
1003 by or requested from a governmental entity for the purpose of encouraging a person to expand  
1004 or locate a business in Utah, but only if disclosure would result in actual economic harm to the  
1005 person or place the governmental entity at a competitive disadvantage, but this section may not  
1006 be used to restrict access to a record evidencing a final contract;

1007 (36) materials to which access must be limited for purposes of securing or maintaining  
1008 the governmental entity's proprietary protection of intellectual property rights including patents,  
1009 copyrights, and trade secrets;

1010 (37) the name of a donor or a prospective donor to a governmental entity, including an  
1011 institution within the state system of higher education defined in Section [53B-1-102](#), and other  
1012 information concerning the donation that could reasonably be expected to reveal the identity of  
1013 the donor, provided that:

1014 (a) the donor requests anonymity in writing;

1015 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be  
1016 classified protected by the governmental entity under this Subsection (37); and

1017 (c) except for an institution within the state system of higher education defined in

1018 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged  
1019 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority  
1020 over the donor, a member of the donor's immediate family, or any entity owned or controlled  
1021 by the donor or the donor's immediate family;

1022 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and  
1023 73-18-13;

1024 (39) a notification of workers' compensation insurance coverage described in Section  
1025 34A-2-205;

1026 (40) (a) the following records of an institution within the state system of higher  
1027 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,  
1028 or received by or on behalf of faculty, staff, employees, or students of the institution:

1029 (i) unpublished lecture notes;

1030 (ii) unpublished notes, data, and information:

1031 (A) relating to research; and

1032 (B) of:

1033 (I) the institution within the state system of higher education defined in Section  
1034 53B-1-102; or

1035 (II) a sponsor of sponsored research;

1036 (iii) unpublished manuscripts;

1037 (iv) creative works in process;

1038 (v) scholarly correspondence; and

1039 (vi) confidential information contained in research proposals;

1040 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public  
1041 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

1042 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;

1043 (41) (a) records in the custody or control of the Office of Legislative Auditor General  
1044 that would reveal the name of a particular legislator who requests a legislative audit prior to the  
1045 date that audit is completed and made public; and

1046 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the  
1047 Office of the Legislative Auditor General is a public document unless the legislator asks that  
1048 the records in the custody or control of the Office of Legislative Auditor General that would

1049 reveal the name of a particular legislator who requests a legislative audit be maintained as  
1050 protected records until the audit is completed and made public;

1051 (42) records that provide detail as to the location of an explosive, including a map or  
1052 other document that indicates the location of:

1053 (a) a production facility; or  
1054 (b) a magazine;

1055 (43) information:

1056 (a) contained in the statewide database of the Division of Aging and Adult Services  
1057 created by Section [62A-3-311.1](#); or  
1058 (b) received or maintained in relation to the Identity Theft Reporting Information  
1059 System (IRIS) established under Section [67-5-22](#);

1060 (44) information contained in the Management Information System and Licensing  
1061 Information System described in Title 62A, Chapter 4a, Child and Family Services;

1062 (45) information regarding National Guard operations or activities in support of the  
1063 National Guard's federal mission;

1064 (46) records provided by any pawn or secondhand business to a law enforcement  
1065 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and  
1066 Secondhand Merchandise Transaction Information Act;

1067 (47) information regarding food security, risk, and vulnerability assessments performed  
1068 by the Department of Agriculture and Food;

1069 (48) except to the extent that the record is exempt from this chapter pursuant to Section  
1070 [63G-2-106](#), records related to an emergency plan or program, a copy of which is provided to or  
1071 prepared or maintained by the Division of Emergency Management, and the disclosure of  
1072 which would jeopardize:

1073 (a) the safety of the general public; or  
1074 (b) the security of:

1075 (i) governmental property;  
1076 (ii) governmental programs; or  
1077 (iii) the property of a private person who provides the Division of Emergency  
1078 Management information;

1079 (49) records of the Department of Agriculture and Food that provides for the

1080 identification, tracing, or control of livestock diseases, including any program established under  
1081 Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control  
1082 of Animal Disease;

1083 (50) as provided in Section 26-39-501:

1084 (a) information or records held by the Department of Health related to a complaint  
1085 regarding a child care program or residential child care which the department is unable to  
1086 substantiate; and

1087 (b) information or records related to a complaint received by the Department of Health  
1088 from an anonymous complainant regarding a child care program or residential child care;

1089 (51) unless otherwise classified as public under Section 63G-2-301 and except as  
1090 provided under Section 41-1a-116, an individual's home address, home telephone number, or  
1091 personal mobile phone number, if:

1092 (a) the individual is required to provide the information in order to comply with a law,  
1093 ordinance, rule, or order of a government entity; and

1094 (b) the subject of the record has a reasonable expectation that this information will be  
1095 kept confidential due to:

1096 (i) the nature of the law, ordinance, rule, or order; and

1097 (ii) the individual complying with the law, ordinance, rule, or order;

1098 (52) the name, home address, work addresses, and telephone numbers of an individual  
1099 that is engaged in, or that provides goods or services for, medical or scientific research that is:

1100 (a) conducted within the state system of higher education, as defined in Section  
1101 53B-1-102; and

1102 (b) conducted using animals;

1103 (53) in accordance with Section 78A-12-203, any record of the Judicial Performance  
1104 Evaluation Commission concerning an individual commissioner's vote on whether or not to  
1105 recommend that the voters retain a judge including information disclosed under Subsection  
1106 78A-12-203(5)(e);

1107 (54) information collected and a report prepared by the Judicial Performance  
1108 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter  
1109 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,  
1110 the information or report;

- 1111 (55) records contained in the Management Information System created in Section  
1112 62A-4a-1003;
- 1113 (56) records provided or received by the Public Lands Policy Coordinating Office in  
1114 furtherance of any contract or other agreement made in accordance with Section 63J-4-603;
- 1115 (57) information requested by and provided to the 911 Division under Section  
1116 63H-7a-302;
- 1117 (58) in accordance with Section 73-10-33:
- 1118 (a) a management plan for a water conveyance facility in the possession of the Division  
1119 of Water Resources or the Board of Water Resources; or
- 1120 (b) an outline of an emergency response plan in possession of the state or a county or  
1121 municipality;
- 1122 (59) the following records in the custody or control of the Office of Inspector General  
1123 of Medicaid Services, created in Section 63A-13-201:
- 1124 (a) records that would disclose information relating to allegations of personal  
1125 misconduct, gross mismanagement, or illegal activity of a person if the information or  
1126 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services  
1127 through other documents or evidence, and the records relating to the allegation are not relied  
1128 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation  
1129 report or final audit report;
- 1130 (b) records and audit workpapers to the extent they would disclose the identity of a  
1131 person who, during the course of an investigation or audit, communicated the existence of any  
1132 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or  
1133 regulation adopted under the laws of this state, a political subdivision of the state, or any  
1134 recognized entity of the United States, if the information was disclosed on the condition that  
1135 the identity of the person be protected;
- 1136 (c) before the time that an investigation or audit is completed and the final  
1137 investigation or final audit report is released, records or drafts circulated to a person who is not  
1138 an employee or head of a governmental entity for the person's response or information;
- 1139 (d) records that would disclose an outline or part of any investigation, audit survey  
1140 plan, or audit program; or
- 1141 (e) requests for an investigation or audit, if disclosure would risk circumvention of an

- 1142 investigation or audit;
- 1143 (60) records that reveal methods used by the Office of Inspector General of Medicaid  
1144 Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or  
1145 abuse;
- 1146 (61) information provided to the Department of Health or the Division of Occupational  
1147 and Professional Licensing under Subsection 58-68-304(3) or (4);
- 1148 (62) a record described in Section 63G-12-210;
- 1149 (63) captured plate data that is obtained through an automatic license plate reader  
1150 system used by a governmental entity as authorized in Section 41-6a-2003;
- 1151 (64) any record in the custody of the Utah Office for Victims of Crime relating to a  
1152 victim, including:
- 1153 (a) a victim's application or request for benefits;
- 1154 (b) a victim's receipt or denial of benefits; and
- 1155 (c) any administrative notes or records made or created for the purpose of, or used to,  
1156 evaluate or communicate a victim's eligibility for or denial of benefits from the Crime Victim  
1157 Reparations Fund;
- 1158 (65) an audio or video recording created by a body-worn camera, as that term is  
1159 defined in Section 77-7a-103, that records sound or images inside a hospital or health care  
1160 facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care  
1161 provider, as that term is defined in Section 78B-3-403, or inside a human service program as  
1162 that term is defined in Section 62A-2-101, except for recordings that:
- 1163 (a) depict the commission of an alleged crime;
- 1164 (b) record any encounter between a law enforcement officer and a person that results in  
1165 death or bodily injury, or includes an instance when an officer fires a weapon;
- 1166 (c) record any encounter that is the subject of a complaint or a legal proceeding against  
1167 a law enforcement officer or law enforcement agency;
- 1168 (d) contain an officer involved critical incident as defined in Subsection  
1169 76-2-408(1)(d); or
- 1170 (e) have been requested for reclassification as a public record by a subject or  
1171 authorized agent of a subject featured in the recording;
- 1172 (66) a record pertaining to the search process for a president of an institution of higher

1173 education described in Section [53B-2-102](#), except for application materials for a publicly  
 1174 announced finalist; and

1175 (67) an audio recording that is:

1176 (a) produced by an audio recording device that is used in conjunction with a device or  
 1177 piece of equipment designed or intended for resuscitating an individual or for treating an  
 1178 individual with a life-threatening condition;

1179 (b) produced during an emergency event when an individual employed to provide law  
 1180 enforcement, fire protection, paramedic, emergency medical, or other first responder service:

1181 (i) is responding to an individual needing resuscitation or with a life-threatening  
 1182 condition; and

1183 (ii) uses a device or piece of equipment designed or intended for resuscitating an  
 1184 individual or for treating an individual with a life-threatening condition; and

1185 (c) intended and used for purposes of training emergency responders how to improve  
 1186 their response to an emergency situation;

1187 (68) records submitted by or prepared in relation to an applicant seeking a  
 1188 recommendation by the Research and General Counsel Subcommittee, the Budget  
 1189 Subcommittee, or the Audit Subcommittee, established under Section [36-12-8](#), for an  
 1190 employment position with the Legislature;

1191 (69) work papers as defined in Section [31A-2-204](#); [~~and~~]

1192 (70) a record made available to Adult Protective Services or a law enforcement agency  
 1193 under Section [61-1-206](#)[~~;~~]; and

1194 (71) a record created by a safety and support team, as defined in Section [53G-8-801](#),  
 1195 relating to the assessment of or intervention with a specific individual.

1196 Section 17. Section **63I-2-253** is amended to read:

1197 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

1198 (1) Section [53A-24-602](#) is repealed July 1, 2018.

1199 (2) (a) Subsections [53B-2a-103](#)(2) and (4) are repealed July 1, 2019.

1200 (b) When repealing Subsections [53B-2a-103](#)(2) and (4), the Office of Legislative  
 1201 Research and General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3),  
 1202 make necessary changes to subsection numbering and cross references.

1203 (3) (a) Subsection [53B-2a-108](#)(5) is repealed July 1, 2022.

1204 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and  
1205 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make  
1206 necessary changes to subsection numbering and cross references.

1207 (4) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as provided  
1208 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

1209 (b) Subsection 53B-7-705(6)(b)(ii)(B) is repealed July 1, 2021.

1210 (5) (a) Subsection 53B-7-707(4)(a)(ii), the language that states "Except as provided in  
1211 Subsection (4)(b)," is repealed July 1, 2021.

1212 (b) Subsection 53B-7-707(4)(b) is repealed July 1, 2021.

1213 (6) (a) The following sections are repealed on July 1, 2023:

1214 (i) Section 53B-8-202;

1215 (ii) Section 53B-8-203;

1216 (iii) Section 53B-8-204; and

1217 (iv) Section 53B-8-205.

1218 (b) (i) Subsection 53B-8-201(2) is repealed on July 1, 2023.

1219 (ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and  
1220 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make  
1221 necessary changes to subsection numbering and cross references.

1222 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is  
1223 repealed July 1, 2023.

1224 (8) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.

1225 (9) Section 53E-5-307 is repealed July 1, 2020.

1226 (10) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5, as  
1227 applicable" is repealed July 1, 2023.

1228 (11) Subsection 53F-2-301(1) is repealed July 1, 2023.

1229 (12) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable"  
1230 is repealed July 1, 2023.

1231 (13) Section 53F-4-204 is repealed July 1, 2019.

1232 (14) Section 53F-6-202 is repealed July 1, 2020.

1233 (15) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable"  
1234 is repealed July 1, 2023.

1235 (16) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as  
1236 applicable" is repealed July 1, 2023.

1237 (17) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as  
1238 applicable" is repealed July 1, 2023.

1239 (18) Section 53F-9-307 is repealed July 1, 2024.

1240 [(18)] (19) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as  
1241 applicable" is repealed July 1, 2023.

1242 [(19)] (20) On July 1, 2023, when making changes in this section, the Office of  
1243 Legislative Research and General Counsel shall, in addition to the office's authority under  
1244 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections  
1245 identified in this section are complete sentences and accurately reflect the office's perception of  
1246 the Legislature's intent.

1247 Section 18. **Appropriation.**

1248 The following sums of money are appropriated for the fiscal year beginning July 1,  
1249 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
1250 fiscal year 2020.

1251 **Operating and Capital Budgets**

1252 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
1253 Legislature appropriates the following sums of money from the funds or accounts indicated for  
1254 the use and support of the government of the state of Utah.

1255 ITEM 1

1256 To State Board of Education - Minimum School Program - Related to Basic School  
1257 Programs

1258 From Education Fund Restricted -- Student Safety

1259 Restricted Account \$30,000,000

1260 From Education Fund, One-time \$66,000,000

1261 Schedule of Programs:

1262 School Safety Operations \$30,000,000

1263 School Safety Capital Facilities \$66,000,000

1264 (1) The Legislature intends that the State Board of Education distribute the ongoing  
1265 appropriation for school safety operations provided under this item in accordance with Section

1266 [53F-2-520.](#)

1267 (2) The Legislature further intends that the State Board of Education:

1268 (a) develop a distribution formula to determine how to allocate the one-time  
 1269 appropriation for school safety capital facilities provided under this item to school districts and  
 1270 charter schools to use to purchase or improve capital facilities, software, or equipment that will  
 1271 increase school safety; and

1272 (b) distribute the one-time appropriation for school safety capital facilities provided  
 1273 under this item to school districts and charter schools to use to purchase or improve capital  
 1274 facilities, software, or equipment that will increase school safety.

1275 ITEM 2

1276 To State Board of Education - MSP Categorical Program Administration

1277 From Education Fund \$415,000

1278 Schedule of Programs:

1279 State Safety and Support

1280 Team Program \$415,000

1281 The Legislature intends that the State Board of Education use the appropriation  
 1282 provided under this item to fund a data collection analyst and for maintenance for the school  
 1283 safety information reporting tool described in the legislative intent language for Item 3.

1284 ITEM 3

1285 To State Board of Education - State Administrative Office

1286 From Education Fund \$65,000

1287 From Education Fund, One-time \$1,055,000

1288 Schedule of Programs:

1289 Student Advocacy Services \$1,120,000

1290 (1) The Legislature intends that the State Board of Education use the ongoing  
 1291 appropriation provided under this item to fund the development of curricula and materials to  
 1292 provide training to school staff related to student mental health.

1293 (2) The Legislature further intends that the State Board of Education use the one-time  
 1294 appropriation provided under this item to fund a school safety information reporting tool.

1295 ITEM 4

1296 To Department of Public Safety - Program and Operations

1297 From General Fund \$150,000

1298 Schedule of Programs:

1299 Department Commissioner's Office \$150,000

1300 (1) The Legislature intends that the Department of Public Safety use the appropriation  
1301 provided under this item to fund the public safety liaison described in Section 53-1-106.

1302 (2) The Legislature further intends that under Section 63J-1-603, appropriations  
1303 provided under this item not lapse at the close of fiscal year 2020.

1304 ITEM 5

1305 To Department of Human Services - Division of Substance Abuse and Mental Health

1306 From General Fund \$150,000

1307 Schedule of Programs:

1308 Community Health Services \$150,000

1309 (1) The Legislature intends that the Department of Human Services use the  
1310 appropriation provided under this item to fund the school-based mental health specialist  
1311 described in Section 62A-15-103.

1312 (2) The Legislature further intends that under Section 63J-1-603, appropriations  
1313 provided under this item not lapse at the close of fiscal year 2020.

1314 **Restricted fund and account transfers**

1315 The Legislature authorizes the State Division of Finance to transfer the following  
1316 amounts between the following funds or accounts as indicated. Expenditures and outlays from  
1317 the funds to which the money is transferred must be authorized in an appropriation.

1318 ITEM 6

1319 To Education Fund Restricted - School Safety Restricted Account

1320 From Education Fund \$30,000,000

1321 Schedule of Programs:

1322 Education Fund Restricted - Student Safety Restricted

1323 Account \$30,000,000