

CRIMINAL CODE TASK FORCE CHANGES

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Karen Mayne

LONG TITLE

General Description:

This bill clarifies the purpose and duration of the Criminal Code Evaluation Task Force.

Highlighted Provisions:

This bill:

- ▶ clarifies the purpose and scope of the Criminal Code Evaluation Task Force; and
- ▶ includes a sunset provision to establish the duration of the task force.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

36-29-105, as enacted by Laws of Utah 2018, Chapter 343

63I-2-236, as last amended by Laws of Utah 2018, Chapters 281 and 458

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

Section 1. Section **36-29-105** is amended to read:

36-29-105. Criminal Code Evaluation Task Force.

(1) As used in this section, "task force" means the Criminal Code Evaluation Task



28 Force created in this section.

29 (2) There is created the Criminal Code Evaluation Task Force consisting of the
30 following 15 members:

31 (a) three members of the Senate appointed by the president of the Senate, no more than
32 two of whom may be from the same political party;

33 (b) three members of the House of Representatives appointed by the speaker of the
34 House of Representatives, no more than two of whom may be from the same political party;

35 (c) the executive director of the Commission on Criminal and Juvenile Justice or the
36 executive director's designee;

37 (d) the director Utah Sentencing Commission or the director's designee;

38 (e) one member appointed by the presiding officer of the Utah Judicial Council;

39 (f) one member of the Utah Prosecution Council appointed by the chair of the Utah
40 Prosecution Council;

41 (g) the executive director of the Utah Department of Corrections or the executive
42 director's designee;

43 (h) the commissioner of the Utah Department of Public Safety or the commissioner's
44 designee;

45 (i) the director of the Utah Office for Victims of Crime or the director's designee;

46 (j) an individual who represents an association of criminal defense attorneys, appointed
47 by the president of the Senate; and

48 (k) an individual who represents an association of victim advocates, appointed by the
49 speaker of the House of Representatives.

50 (3) (a) The president of the Senate shall designate a member of the Senate appointed
51 under Subsection (2)(a) as a cochair of the task force.

52 (b) The speaker of the House of Representatives shall designate a member of the House
53 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.

54 (4) (a) A majority of the members of the task force constitutes a quorum.

55 (b) The action of a majority of a quorum constitutes an action of the task force.

56 (5) (a) Salaries and expenses of the members of the task force who are legislators shall
57 be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Chapter 3,
58 Legislator Compensation.

59 (b) A member of the task force who is not a legislator:
 60 (i) may not receive compensation for the member's work associated with the task force;
 61 and
 62 (ii) may receive per diem and reimbursement for travel expenses incurred as a member
 63 of the task force at the rates established by the Division of Finance under Sections [63A-3-106](#)
 64 and [63A-3-107](#).

65 (6) The Office of Legislative Research and General Counsel shall provide staff support
 66 to the task force.

67 (7) The task force shall review the state's criminal code and related statutes and make
 68 recommendations regarding:

- 69 (a) the proper classification of crimes by degrees of felony and misdemeanor[-]; and
- 70 (b) other modifications related to the criminal code and related statutes.

71 (8) On or before November 30~~[-, 2018;]~~ of each year that the task force is in effect, the
 72 task force shall provide a report, including any proposed legislation, to:

- 73 (a) the Law Enforcement and Criminal Justice Interim Committee; and
- 74 (b) the Legislative Management Committee.

75 (9) The task force is repealed December 31, 2020.

76 Section 2. Section **63I-2-236** is amended to read:

77 **63I-2-236. Repeal dates -- Title 36.**

78 [~~Title 36, Chapter 16b, Nonbinding Statewide Public Opinion Questions, is repealed on~~
 79 ~~January 1, 2019;~~]

80 Section 36-29-105 is repealed on December 31, 2020.