

Representative Angela Romero proposes the following substitute bill:

**MURDERED AND MISSING INDIGENOUS WOMEN, GIRLS,
AND LGBTQ+ TASK FORCE**

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill creates the Murdered and Missing Indigenous Women, Girls, and LGBTQ+ Task Force.

Highlighted Provisions:

This bill:

- ▶ creates the task force; and
- ▶ specifies duties of the task force.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

- ▶ to the Legislature - Senate as a one-time appropriation:
 - from the General Fund, \$14,000;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
 - from the General Fund, \$14,000;
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:
 - from the General Fund, \$12,000.

Other Special Clauses:



26 This bill provides a repeal date.

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **36-29-107**, Utah Code Annotated 1953

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

32 Section 1. Section **36-29-107** is enacted to read:

33 **36-29-107. Murdered and Missing Indigenous Women, Girls, and LGBTQ+ Task**
34 **Force -- Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies --**
35 **Duties -- Interim Report.**

36 (1) As used in this section, "task force" means the Murdered and Missing Indigenous
37 Women, Girls, and LGBTQ+ Task Force created in Subsection (2).

38 (2) There is created a Murdered and Missing Indigenous Women, Girls, and LGBTQ+
39 Task Force consisting of the following 17 members:

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

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

44 (c) the following nine members, appointed jointly by the president of the Senate and
45 the speaker of the House of Representatives:

46 (i) a member of a nonprofit organization primarily serving Utah's Native American
47 community;

48 (ii) a representative of a Utah Native American tribe;

49 (iii) a representative of a victim advocate organization serving Utah's Native American
50 population;

51 (iv) A Utah Native American Tribal Judge;

52 (v) a Native American woman or Native American LGBTQ+ survivor of gender
53 violence;

54 (vi) a researcher from the University of Utah;

55 (vii) a sheriff of a county that:

56 (A) is not a county of the first or second class; and

- 57 (B) has, within its boundaries, a federally recognized Native American tribe;
58 (viii) a representative of the district attorney in a county of the first class; and
59 (ix) a representative of a law enforcement agency in a county of the first class;
60 (d) a representative of the Office of the Attorney General selected by the attorney
61 general; and
62 (e) a representative of the Department of Public Safety selected by the commissioner of
63 public safety.
- 64 (3) (a) A vacancy shall be filled by appointing a replacement member in the same
65 manner as the member creating the vacancy was appointed under Subsection (2).
66 (b) Each member of the task force shall serve until a successor is appointed and
67 qualified.
- 68 (4) (a) The president of the Senate shall designate a member of the Senate appointed
69 under Subsection (2)(a) as a cochair of the task force.
70 (b) The speaker of the House of Representatives shall designate a member of the House
71 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.
- 72 (5) (a) A quorum consists of:
73 (i) a majority of the legislator members from each chamber; and
74 (ii) a majority of the nonlegislator members.
- 75 (b) The action of a majority of a quorum constitutes an action of the task force.
- 76 (6) (a) Salaries and expenses of the members of the task force who are legislators shall
77 be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Chapter 3,
78 Legislator Compensation.
- 79 (b) A member of the task force who is not a legislator:
80 (i) may not receive compensation or benefits for the member's service associated with
81 the task force; and
82 (ii) may receive per diem and travel expenses incurred as a member of the task force at
83 the rates established by the Division of Finance in accordance with Sections [63A-3-106](#) and
84 [63A-3-107](#) and rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
85 [63A-3-107](#).
- 86 (7) The Office of Legislative Research and General Counsel shall provide staff support
87 to the task force.

88 (8) The task force shall:

89 (a) identify the systemic causes behind violence that indigenous women, girls, and
90 LGBTQ+ experience, including patterns and underlying factors that explain why
91 disproportionately high levels of violence occur against indigenous women, girls, and
92 LGBTQ+, including underlying historical, social, economic, institutional, and cultural factors
93 that may contribute to the violence;

94 (b) identify gaps in local, state, and federal law enforcement agency data collection
95 related to missing and murdered indigenous women, girls, and LGBTQ+;

96 (c) study an effective mechanism for law enforcement in Utah to collect uniform data
97 improvements for law enforcement in addressing the murdered and missing indigenous
98 women, girls, and LGBTQ+ crisis in Utah; and

99 (d) based on review and analysis of the collected data, recommend improvements in
100 the criminal justice and social service systems for preventing and addressing the murdered and
101 missing indigenous women, girls, and LGBTQ+ crisis in Utah.

102 (9) (a) On or before November 30, 2020, the task force shall provide a report, including
103 any proposed legislation, to the Law Enforcement and Criminal Justice Interim Committee.

104 (b) The report shall include:

105 (i) existing or proposed institutional policies and practices that are effective in reducing
106 gender violence and increasing safety of indigenous women, girls, and LGBTQ+; and

107 (ii) recommendations for improvements in the criminal justice and social service
108 systems for preventing and addressing the murdered and missing indigenous women, girls, and
109 LGBTQ+ crisis in Utah.

110 **Section 2. Appropriation.**

111 The following sums of money are appropriated for the fiscal year beginning July 1,
112 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
113 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
114 Act, the Legislature appropriates the following sums of money from the funds or accounts
115 indicated for the use and support of the government of the state of Utah.

116 ITEM 1

117 To Legislature - Senate

118 From General Fund, One-time \$14,000

119	<u>Schedule of Programs:</u>	
120	<u>Administration</u>	<u>\$14,000</u>
121	<u>ITEM 2</u>	
122	<u>To Legislature - House of Representatives</u>	
123	<u>From General Fund, One-time</u>	<u>\$14,000</u>
124	<u>Schedule of Programs:</u>	
125	<u>Administration</u>	<u>\$14,000</u>
126	<u>ITEM 3</u>	
127	<u>To Legislature - Office of Legislative Research and General Counsel</u>	
128	<u>From General Fund, One-time</u>	<u>\$12,000</u>
129	<u>Schedule of Programs:</u>	
130	<u>Administration</u>	<u>\$12,000</u>
131	<u>The Legislature intends that an appropriation provided under these items be used for</u>	
132	<u>expenses relating to the Murdered and Missing Indigenous Women, Girls, and LGBTQ+ Task</u>	
133	<u>Force as described in Section 36-29-107.</u>	
134	Section 3. Repeal date.	
135	<u>Section 36-29-107 is repealed on November 30, 2020.</u>	