

## HB0116S03 compared with HB0116S02

~~{deleted text}~~ shows text that was in HB0116S02 but was deleted in HB0116S03.

inserted text shows text that was not in HB0116S02 but was inserted into HB0116S03.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Representative Angela Romero}~~Senator David P. Hinkins proposes the following substitute bill:

**TASK FORCE ON MISSING AND MURDERED ~~{AND MISSING~~  
~~INDIGENOUS WOMEN, GIRLS,~~  
~~{AMERICAN INDIANS AND {LGBTQ+ TASK FORCE}~~ALASKA  
NATIVES**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Angela Romero**

**Senate Sponsor: David P. Hinkins**

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### LONG TITLE

#### General Description:

This bill creates the ~~{Murdered and Missing Indigenous Women, Girls, and LGBTQ+}~~  
~~Task Force~~ on Missing and Murdered American Indians and Alaska Natives.

#### Highlighted Provisions:

This bill:

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

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### 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}~~\$3,000200;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
  - from the General Fund, ~~+\$14}~~\$3,000200;
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:
  - from the General Fund, ~~+\$12}~~\$2,000800.

### Other Special Clauses:

This bill provides a repeal date.

### Utah Code Sections Affected:

ENACTS:

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

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

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

**36-29-107.** ~~Murdered and Missing Indigenous Women, Girls, and LGBTQ+}~~

**Task Force on Missing and Murdered American Indians and Alaska Natives -- Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties -- Interim Report.**

(1) As used in this section, "task force" means the ~~murdered and missing indigenous women, girls, and LGBTQ+}~~ Task Force on Missing and Murdered American Indians and Alaska Natives created in Subsection (2).

(2) There is created a ~~murdered and missing indigenous women, girls, and LGBTQ+}~~ Task Force on Missing and Murdered American Indians and Alaska Natives consisting of the following ~~17}~~nine members:

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

(b) ~~three members}~~one member of the House of Representatives appointed by the speaker of the House of Representatives ~~, no more than two of whom may be from the same~~

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~~political party~~};

(c) the following ~~{nine}~~three members, appointed jointly by the president of the Senate and the speaker of the House of Representatives:

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

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

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

~~{iv} A Utah Native American Tribal Judge;~~

~~{v} a Native American woman or Native American LGBTQ+ survivor of gender violence;~~

~~{vi} a researcher from the University of Utah;~~

~~{vii} a sheriff of a county that:~~

~~{A} is not a county of the first or second class; and~~

~~{B} has, within its boundaries, a federally recognized Native American tribe;~~

~~{viii} a representative of the district attorney in a county of the first class; and~~

~~{ix} a representative of a law enforcement agency in a county of the first class;~~

~~{d} a representative of the Office of the Attorney General selected by the attorney general; and~~

~~{e} a representative}~~d) the director of the Division of Indian Affairs, or the director's designee;

{e) the executive director of the Department of {Public Safety selected by} Human Services, or the executive director's designee;

{f) the attorney general, or the attorney general's designee; and

{g) the commissioner of public safety for the Department of Public Safety, or the commissioner's designee.

~~{3}~~{a}) A vacancy in a position appointed under Subsection (2)(a), (b), or (c) shall be filled by appointing a replacement member in the same manner as the member creating the vacancy was appointed under Subsection (2)~~f~~.

~~{b} Each member of the task force shall serve until a successor is appointed and qualified}~~{a), (b), or (c).

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(4) (a) ~~The {president of the Senate shall designate a member of the Senate}~~ senator appointed under Subsection (2)(a) ~~{as}~~ is a cochair of the task force.

(b) ~~The {speaker of the House of Representatives shall designate a}~~ member of the House of Representatives appointed under Subsection (2)(b) ~~{as}~~ is a cochair of the task force.

(5) (a) A quorum consists of ~~{~~:

~~(i) a majority of the legislator members from each chamber; and~~

~~(ii) a majority of the nonlegislator}~~ five members.

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

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

(b) A member of the task force who is not a legislator:

(i) may not receive compensation or benefits for the member's service associated with the task force; and

(ii) may receive per diem and travel expenses incurred as a member of the task force at the rates established by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107 and rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

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

(8) The task force shall:

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

~~(b) identify gaps in local, state, and federal}~~ conduct appropriate consultations with tribal governments on the scope and nature of the issues regarding missing and murdered American Indians and Alaska Natives;

(b) develop model protocols and procedures to apply to new and unsolved cases of missing or murdered individuals in American Indian and Alaska Native communities,

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including the best practices for:

(i) improving the way law enforcement investigators and prosecutors respond to the high volume of the cases, and to the investigative challenges that might be presented in cases involving female victims;

(ii) collecting and sharing data among various jurisdictions and law enforcement {agency data collection related to} agencies; and

(iii) better use of existing criminal databases;

(c) seek input from multi-disciplinary and multi-jurisdictional persons, including representatives from tribal law enforcement and federal agencies, about how to review cold cases involving missing and murdered {indigenous women, girls, and LGBTQ+;

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

~~\_\_\_\_\_ (d) based on review and analysis of the collected data, recommend improvements in the criminal justice and social service systems for preventing and addressing the murdered and missing indigenous women, girls, and LGBTQ+ crisis in Utah; American Indians and Alaska Natives; and~~

(d) address the need for greater clarity concerning roles, authorities, and jurisdiction throughout the lifecycle of cases involving missing and murdered American Indians and Alaska Natives by discussing:

(i) best practices in cases involving missing and murdered American Indians and Alaska Natives, including best practices related to communication with affected families from initiation of an investigation through case resolution or closure; and

(ii) education and outreach campaigns for communities that are most affected by crime resulting in missing and murdered American Indians and Alaska Natives to identify and reduce the crime.

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

(b) The report shall include {,

~~\_\_\_\_\_ (i) existing or proposed institutional policies and practices that are effective in reducing~~

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~~gender violence and increasing safety of indigenous women, girls, and LGBTQ+; and~~  
~~(ii) a summary of the task force's findings under Subsection (8) and~~ recommendations  
for improvements in the criminal justice and social service systems for preventing and  
addressing ~~the crimes involving missing and~~ murdered ~~and missing indigenous women,~~  
~~girls,~~ ~~LGBTQ+ crisis~~ ~~Alaska Natives~~ in Utah.

### Section 2. **Appropriation.**

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

#### ITEM 1

##### To Legislature - Senate

<u>From General Fund, One-time</u>	<del>(\$14)</del> <u>\$3,000</u> <u>200</u>
<u>Schedule of Programs:</u>	
<u>Administration</u>	<del>(\$14)</del> <u>\$3,000</u> <u>200</u>

#### ITEM 2

##### To Legislature - House of Representatives

<u>From General Fund, One-time</u>	<del>(\$14)</del> <u>\$3,000</u> <u>200</u>
<u>Schedule of Programs:</u>	
<u>Administration</u>	<del>(\$14)</del> <u>\$3,000</u> <u>200</u>

#### ITEM 3

##### To Legislature - Office of Legislative Research and General Counsel

<u>From General Fund, One-time</u>	<del>(\$12)</del> <u>\$2,000</u> <u>800</u>
<u>Schedule of Programs:</u>	
<u>Administration</u>	<del>(\$12)</del> <u>\$2,000</u> <u>800</u>

The Legislature intends that an appropriation provided under these items be used for expenses relating to the ~~Murdered and Missing Indigenous Women, Girls, and LGBTQ+~~ Task Force on Missing and Murdered American Indians and Alaska Natives as described in Section 36-29-107.

### Section 3. **Repeal date.**

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Section 36-29-107 is repealed on November 30, 2020.