

HB0116S04 compared with HB0116S03

~~{deleted text}~~ shows text that was in HB0116S03 but was deleted in HB0116S04.

inserted text shows text that was not in HB0116S03 but was inserted into HB0116S04.

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Senator David P. Hinkins proposes the following substitute bill:

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

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 and Girls 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.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

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- ▶ to the Legislature - Senate as a one-time appropriation:
 - from the General Fund, \$3,200;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
 - from the General Fund, \$3,200;
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:
 - from the General Fund, \$2,800.

Other Special Clauses:

This bill provides a repeal date.

Utah Code Sections Affected:

ENACTS:

36-29-107, Utah Code Annotated 1953

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 and Girls 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 and Girls 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 and Girls Task Force ~~on Missing and Murdered American Indians and Alaska Natives~~ consisting of the following nine members:

(a) one member of the Senate appointed by the president of the Senate;

(b) one member of the House of Representatives appointed by the speaker of the House of Representatives;

(c) the following 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;

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

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

(d) the director of the Division of Indian Affairs, or the director's designee;

(e) the executive director of the Department of 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 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)(a), (b), or (c).

(4) (a) The senator appointed under Subsection (2)(a) is a cochair of the task force.

(b) The member of the House of Representatives appointed under Subsection (2)(b) is a cochair of the task force.

(5) (a) A quorum consists of 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) conduct appropriate consultations with tribal governments on the scope and nature

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of the issues regarding missing and murdered {American Indians}indigenous women and {Alaska Natives}girls;

(b) develop model protocols and procedures to apply to new and unsolved cases of missing or murdered {individuals in American Indian}indigenous women and {Alaska Native communities}girls, 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 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 {American Indians}indigenous women and {Alaska Natives}girls; and

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

(i) best practices in cases involving missing and murdered {American Indians}indigenous women and {Alaska Natives}girls, 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}indigenous women and {Alaska Natives}girls to identify and reduce the crime.

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

(b) The report shall include 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 crimes involving missing and murdered {American Indians}indigenous women and {Alaska Natives}girls in Utah.

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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

From General Fund, One-time \$3,200

Schedule of Programs:

Administration \$3,200

ITEM 2

To Legislature - House of Representatives

From General Fund, One-time \$3,200

Schedule of Programs:

Administration \$3,200

ITEM 3

To Legislature - Office of Legislative Research and General Counsel

From General Fund, One-time \$2,800

Schedule of Programs:

Administration \$2,800

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

Section 3. **Repeal date.**

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