

HB0340S01 compared with HB0340

~~deleted text~~ shows text that was in HB0340 but was deleted in HB0340S01.

inserted text shows text that was not in HB0340 but was inserted into HB0340S01.

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Representative Lee B. Perry proposes the following substitute bill:

RAMPAGE VIOLENCE PREVENTION STUDY

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lee B. Perry

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires the State Commission on Criminal and Juvenile Justice to conduct a study on rampage violence.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Commission on Criminal and Juvenile Justice to conduct a study on rampage violence;
- ▶ authorizes the State Commission on Criminal and Juvenile Justice to contract with a state agency, private entity, or research institution to assist in the study on rampage violence;
- ▶ requires the State Commission on Criminal and Juvenile Justice to report to the Law

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Enforcement and Criminal Justice Interim Committee regarding the study on rampage violence;

- ▶ creates the Rampage Violence Prevention Study Fund; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-263, as last amended by Laws of Utah 2019, Chapters 182, 240, 246, 325, 370, and 483

ENACTS:

63M-7-213, Utah Code Annotated 1953

63M-7-213.5, Utah Code Annotated 1953

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

Section 1. Section **63I-2-263** is amended to read:

63I-2-263. Repeal dates, Title 63A to Title 63N.

(1) On July 1, 2020:

(a) Subsection 63A-1-203(5)(a)(i) is repealed; and

(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.

~~[(2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.]~~

~~[(3)]~~ (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2020.

~~[(4)]~~ (3) The following sections regarding the World War II Memorial Commission are repealed on July 1, 2020:

(a) Section 63G-1-801;

(b) Section 63G-1-802;

(c) Section 63G-1-803; and

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(d) Section 63G-1-804.

~~[(5)]~~ (4) In relation to the State Fair Park Committee, on January 1, 2021:

(a) Section 63H-6-104.5 is repealed; and

(b) Subsections 63H-6-104(8) and (9) are repealed.

~~[(6)]~~ (5) Section 63H-7a-303 is repealed on July 1, 2022.

~~[(7)]~~ (6) In relation to the Employability to Careers Program Board, on July 1, 2022:

(a) Subsection 63J-1-602.1(52) is repealed;

(b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

and

(c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

~~[(8)]~~ (7) Section 63J-4-708 is repealed January 1, 2023.

(8) ~~{Section}~~ Sections 63M-7-213 ~~{is}~~ and 63M-7-213.5 are repealed on January 1, 2023.

Section 2. Section **63M-7-213** is enacted to read:

63M-7-213. Study on rampage violence -- Report.

(1) As used in this section:

(a) "Perpetrator" means an individual responsible for a rampage violence incident.

(b) "Rampage violence incident" means a violent act or shooting that occurs in a place of public use and results in at least three ~~{or more}~~ fatalities.

(2) Before October 2022, the ~~{commission}~~ State Commission on Criminal and Juvenile Justice shall conduct a study on rampage violence incidents. ~~{~~

~~—— (3) Before October 1, 2020, the commission shall:~~

~~—— (a) determine what information, and from which local, state, or federal agencies, will be necessary to complete the study;~~

~~—— (b) determine the cost of the study;~~

~~—— (c) make recommendations for legislation, if any, that is necessary to facilitate information sharing between local, state, federal, and private entities and the division for the study; and~~

~~—— (d) report the findings described in Subsections (3)(a) through (c) to the Law Enforcement and Criminal Justice Interim Committee. }~~

~~{4}~~ 3 The study described in Subsection (2) shall:

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(a) evaluate rampage violence incidents that have occurred in the United States by researching, for each rampage violence incident evaluated:

(i) where the rampage violence incident took place;

(ii) the duration of the rampage violence incident;

(iii) the weapon used in the rampage violence incident;

(iv) whether the perpetrator:

(A) had any history of mental illness, substance abuse, criminal or domestic violence charges, or making violent threats; or

(B) experienced a significant life stressor before the rampage violence incident;

(v) the age and gender of the perpetrator; and

(vi) any apparent motive of the perpetrator for the rampage violence incident;

(b) evaluate rampage violence incidents that have occurred in the state in the manner described in Subsection ~~(4)~~3(a); and

(c) examine policies or legislation enacted in the United States in response to a rampage violence incident and the effectiveness of the policies or legislation.

~~(5)~~4) The ~~commission~~State Commission on Criminal and Juvenile Justice shall ensure that the study described in Subsection (2) is conducted:

(a) in an unbiased manner with no preconceived notions about potential results; and

(b) by a multi-disciplinary team comprised of individuals who represent the following disciplines:

(i) public health;

(ii) mental health;

(iii) social science; and

(iv) criminal science.

~~(6)~~5) The ~~commission~~State Commission on Criminal and Juvenile Justice may contract with another state agency, private entity, or research institution to assist the ~~division~~State Commission on Criminal and Juvenile Justice with the study described in Subsection (2).

~~(7)~~6) (a) Before November 30, 2022, the ~~commission~~State Commission on Criminal and Juvenile Justice shall submit to the Law Enforcement and Criminal Justice Interim Committee a final report regarding the study described in Subsection (2), including

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proposed legislation and recommendations for prevention of rampage violence incidents.

(b) The final report shall include references to all sources of information and data used in the final report and study.

Section 3. Section 63M-7-213.5 is enacted to read:

63M-7-213.5. Rampage Violence Prevention Study Fund.

(1) There is created an expendable special revenue fund known as the "Rampage Violence Prevention Study Fund."

(2) The fund shall consist of:

(a) gifts, grants, donations, or any other conveyance of money that may be made to the fund from public or private individuals or entities; and

(b) interest earned on money in the fund.

(3) The State Commission on Criminal and Juvenile Justice shall administer the fund in accordance with this section.

(4) (a) The State Commission on Criminal and Juvenile Justice shall award fund money to an entity or individual for the purpose of administering the study described in Section 63M-7-213.

(b) Fund money may only be used for the purposes described in Subsection (4).

(5) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State Money Management Act, except that all interest and other earning derived from the fund shall be deposited into the fund.

(6) Before November 30, 2021, the State Commission on Criminal and Juvenile Justice shall submit to the Executive Offices and Criminal Justice Appropriations Subcommittee a written report regarding the status of the fund, including the contributions received and expenditures made from the fund.