

Representative Karianne Lisonbee proposes the following substitute bill:

VICTIM SERVICES AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: Chris H. Wilson

LONG TITLE

General Description:

This bill modifies the Utah Council for Victims of Crime (council).

Highlighted Provisions:

This bill:

- ▶ modifies the membership of the council;
- ▶ allows the council to advocate for a victim of crime in appellate courts;
- ▶ clarifies the duties of the staff assigned to the council; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-601, as last amended by Laws of Utah 2019, Chapter 246

63M-7-602, as renumbered and amended by Laws of Utah 2008, Chapter 382

63M-7-603, as last amended by Laws of Utah 2010, Chapter 82

63M-7-605, as renumbered and amended by Laws of Utah 2008, Chapter 382



26

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

28 Section 1. Section **63M-7-601** is amended to read:

29 **63M-7-601. Creation -- Members -- Chair.**

30 (1) There is created within the governor's office the Utah Council on Victims of Crime.

31 (2) The [~~Utah Council on Victims of Crime~~] council shall be composed of ~~Ĥ~~→ [25] 26 ←~~Ĥ~~

31a voting

32 members as follows:

33 (a) a representative of the Commission on Criminal and Juvenile Justice appointed by

34 the executive director;

35 (b) a representative of the Department of Corrections appointed by the executive

36 director;

37 (c) a representative of the Board of Pardons and Parole appointed by the chair;

38 (d) a representative of the Department of Public Safety appointed by the commissioner;

39 (e) a representative of the Division of Juvenile Justice Services appointed by the

40 director;

41 (f) a representative of the Utah Office for Victims of Crime appointed by the director;

42 (g) a representative of the Office of the Attorney General appointed by the attorney

43 general;

44 (h) a representative of the United States Attorney for the district of Utah appointed by

45 the United States Attorney;

46 (i) a representative of Utah's Native American community appointed by the director of

47 the Division of Indian Affairs after input from federally recognized tribes in Utah;

48 [~~(j) a professional or volunteer working in the area of violence against women and~~

49 ~~families appointed by the governor;]~~

50 (j) a representative of the Department of Health's Violence and Injury Prevention

51 Program appointed by the program's manager;

52 (k) the chair of each judicial district's victims' rights committee;

53 [~~(l) the following members appointed to serve four-year terms:]~~

54 [~~(i)~~] (l) a representative of the Statewide Association of Public Attorneys appointed by

55 that association;

56 [~~(ii)~~] (m) a representative of the Utah Chiefs of Police Association appointed by the

57 president of that association;

58 ~~[(iii)]~~ (n) a representative of the Utah Sheriffs' Association appointed by the president
59 of that association;

60 ~~[(iv)]~~ (o) a representative of a Children's Justice Center appointed by the attorney
61 general; ~~H→~~ **[and]**

61a **(p) the director of the Division of Child and Family Services or that individual's**
61b **designee; and** ~~←H~~

62 ~~[(v) a citizen representative appointed by the governor; and]~~

63 ~~[(m)]~~ ~~H→~~ ~~[(p)]~~ **(q)** ~~←H~~ the following members appointed by the members in Subsections

63a (2)(a)

64 through (2)~~[(k)]~~ ~~H→~~ ~~[(o)]~~ **(p)** ~~←H~~ to serve four-year terms:

65 (i) an individual who ~~H→~~ ~~[works professionally with victims of crime]~~ **engages in**

65a **community based advocacy** ~~←H~~ ; ~~[and]~~

66 ~~[(ii) a victim of crime.]~~

67 ~~[(3) The council shall annually elect one member to serve as chair.]~~

68 (ii) a citizen representative; and

69 (iii) a citizen representative who has been a victim of crime.

70 (3) The council shall annually elect:

71 (a) one member to serve as chair;

72 (b) one member to serve as vice-chair; and

73 (c) one member to serve as treasurer.

74 Section 2. Section **63M-7-602** is amended to read:

75 **63M-7-602. Reappointment -- Vacancies.**

76 (1) ~~[Members]~~ A member appointed to serve a four-year ~~[terms shall be]~~ term is

77 eligible for reappointment ~~[one time]~~.

78 (2) When a vacancy occurs in the membership for any reason, the replacement shall be

79 appointed for the remainder of the unexpired term.

80 Section 3. Section **63M-7-603** is amended to read:

81 **63M-7-603. Duties of the council.**

82 (1) The council shall:

83 (a) make recommendations to the Legislature, the governor, and the Judicial Council

84 on the following:

85 (i) enforcing existing rights of victims of crime;

86 (ii) enhancing rights of victims of crime;

87 (iii) the role of victims of crime in the criminal justice system;

88 (iv) victim restitution;
 89 (v) educating and training criminal justice professionals on the rights of victims of
 90 crime; and

91 (vi) enhancing services to victims of crimes;

92 (b) provide training on the rights of victims of crime; and

93 (c) establish a subcommittee to consider complaints not resolved by the Victims'

94 Rights Committee established in Section [77-37-5](#).

95 (2) The council:

96 (a) shall advocate the adoption, repeal, or modification of laws or proposed legislation
 97 in the interest of victims of crime;

98 (b) subject to court rules ~~§~~ → **and the governor's approval** ← ~~§~~ , may advocate in appellate
 98a courts on behalf of a victim of

99 crime ~~§~~ → **as described in Subsection 77-38-11(2)(a)(ii)** ← ~~§~~ ;

100 ~~(b)~~ (c) may establish additional subcommittees to assist in accomplishing its duties;

101 and

102 ~~(c)~~ (d) shall select and appoint ~~[persons pursuant to the provisions of]~~ individuals in
 103 accordance with Section [77-37-5](#) to act as chairpersons of the judicial district victims' rights
 104 committees and provide assistance to the committees in their operations.

105 Section 4. Section **63M-7-605** is amended to read:

106 **63M-7-605. Staffing.**

107 (1) The Commission on Criminal and Juvenile Justice shall provide staff to the council
 108 and any subcommittees established by the council.

109 (2) Staff assigned to the council shall:

110 (a) provide administrative assistance to the council and any subcommittees;

111 (b) receive complaints regarding victim's rights violations from victims and other
 112 interested persons and forward the complaints to the appropriate subcommittee within the
 113 council; and

114 (c) perform any duties assigned by the council or a subcommittee to fulfill the council's
 115 duties described in Section ~~§~~ → ~~[[67-5d-203](#)]~~ [63M-7-603](#) ← ~~§~~ .