

**MURDERED AND MISSING INDIGENOUS WOMEN AND
GIRLS TASK FORCE**

2021 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 (task force).

Highlighted Provisions:

This bill:

- ▶ creates the task force, addressing:
 - membership;
 - quorum requirements; and
 - compensation for task force members;
- ▶ requires the Office of Legislative Research and General Counsel to staff 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, One-time, \$400;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
 - from the General Fund, One-time, \$400; and
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:

- 30 • from the General Fund, One-time, \$300; and
- 31 in fiscal year 2022:
- 32 ▶ to the Legislature - Senate as an ongoing appropriation:
- 33 • from the General Fund, \$2,800;
- 34 ▶ to the Legislature - House of Representatives as an ongoing appropriation:
- 35 • from the General Fund, \$2,800; and
- 36 ▶ to the Legislature - Office of Legislative Research and General Counsel as an
- 37 ongoing appropriation:
- 38 • from the General Fund, \$2,500.

39 **Other Special Clauses:**

40 This bill provides a special effective date.

41 **Utah Code Sections Affected:**

42 AMENDS:

43 **63I-2-236**, as last amended by Laws of Utah 2019, Chapter 389

44 ENACTS:

45 **36-29-107.5**, Utah Code Annotated 1953



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

48 Section 1. Section **36-29-107.5** is enacted to read:

49 **36-29-107.5. Murdered and Missing Indigenous Women and Girls Task Force --**
 50 **Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties --**
 51 **Interim report.**

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

54 (2) There is created the Murdered and Missing Indigenous Women and Girls Task
55 Force consisting of the following nine members:

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

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

58 of Representatives;

59 (c) the following three members, appointed jointly by the president of the Senate and
60 the speaker of the House of Representatives:

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

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

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

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

67 (e) the executive director of the Department of Human Services, or the executive
68 director's designee;

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

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

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

75 (4) (a) The member of the Senate appointed under Subsection (2)(a) is a cochair of the
76 task force.

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

79 (5) (a) A quorum consists of five members.

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

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

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

85 (i) may not receive compensation or benefits for the member's service associated with

86 the task force; and

87 (ii) may receive per diem and travel expenses incurred as a member of the task force at
88 the rates the Division of Finance establishes in accordance with:

89 (A) Sections 63A-3-106 and 63A-3-107; and

90 (B) rules the Division of Finance makes in accordance with Title 63G, Chapter 3, Utah
91 Administrative Rulemaking Act, to carry out the provisions of Sections 63A-3-106 and
92 63A-3-107.

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

95 (8) The task force shall:

96 (a) conduct appropriate consultations with tribal governments on the scope and nature
97 of the issues regarding murdered and missing indigenous women and girls;

98 (b) develop model protocols and procedures to apply to new and unsolved cases of
99 murdered or missing indigenous women and girls, including the best practices for:

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

103 (ii) collecting and sharing data among various jurisdictions and law enforcement
104 agencies; and

105 (iii) better use of existing criminal databases;

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

109 (d) address the need for greater clarity concerning roles, authorities, and jurisdiction
110 throughout the lifecycle of cases involving murdered and missing indigenous women and girls
111 by discussing:

112 (i) best practices in cases involving murdered and missing indigenous women and girls,
113 including best practices related to communication with affected families from initiation of an

114 investigation through case resolution or closure; and

115 (ii) education and outreach campaigns for communities that are most affected by crime
116 resulting in murdered and missing indigenous women and girls to identify and reduce the
117 crime.

118 (9) (a) On or before November 30, 2023, the task force shall provide a report to the
119 Law Enforcement and Criminal Justice Interim Committee.

120 (b) The report described in Subsection (9)(a) shall include a summary of the task
121 force's findings under Subsection (8) and recommendations for improvements in the criminal
122 justice and social service systems for preventing and addressing crimes involving murdered and
123 missing indigenous women and girls in the state.

124 Section 2. Section **63I-2-236** is amended to read:

125 **63I-2-236. Repeal dates -- Title 36.**

126 [~~Section 36-29-105 is repealed on December 31, 2020.~~]

127 Section 36-29-107.5 is repealed on November 30, 2023.

128 Section 3. **Appropriation.**

129 The following sums of money are appropriated for the fiscal year beginning July 1,
130 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
131 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
132 Act, the Legislature appropriates the following sums of money from the funds or accounts
133 indicated for the use and support of the government of the state of Utah.

134 ITEM 1

135 To Legislature - Senate

136 From General Fund, One-time

\$400

137 Schedule of Programs:

138 Administration

\$400

139 ITEM 2

140 To Legislature - House of Representatives

141 From General Fund, One-time

\$400

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142	<u>Schedule of Programs:</u>	
143	<u>Administration</u>	<u>\$400</u>
144	<u>ITEM 3</u>	
145	<u>To Legislature - Office of Legislative Research and General Counsel</u>	
146	<u>From General Fund, One-time</u>	<u>\$300</u>
147	<u>Schedule of Programs:</u>	
148	<u>Administration</u>	<u>\$300</u>
149	<u>The following sums of money are appropriated for the fiscal year beginning July 1,</u>	
150	<u>2021, and ending June 30, 2022. These are additions to amounts previously appropriated for</u>	
151	<u>fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures</u>	
152	<u>Act, the Legislature appropriates the following sums of money from the funds or accounts</u>	
153	<u>indicated for the use and support of the government of the state of Utah.</u>	
154	<u>ITEM 1</u>	
155	<u>To Legislature - Senate</u>	
156	<u>From General Fund</u>	<u>\$2,800</u>
157	<u>Schedule of Programs:</u>	
158	<u>Administration</u>	<u>\$2,800</u>
159	<u>ITEM 2</u>	
160	<u>To Legislature - House of Representatives</u>	
161	<u>From General Fund</u>	<u>\$2,800</u>
162	<u>Schedule of Programs:</u>	
163	<u>Administration</u>	<u>\$2,800</u>
164	<u>ITEM 3</u>	
165	<u>To Legislature - Office of Legislative Research and General Counsel</u>	
166	<u>From General Fund</u>	<u>\$2,500</u>
167	<u>Schedule of Programs:</u>	
168	<u>Administration</u>	<u>\$2,500</u>
169	<u>The Legislature intends that an appropriation provided under this section be used for</u>	

170 expenses relating to the Murdered and Missing Indigenous Women and Girls Task Force as
171 described in Section [36-29-107.5](#).

172 Section 4. **Effective date.**

173 If approved by two-thirds of all the members elected to each house, this bill takes effect
174 upon approval by the governor, or the day following the constitutional time limit of Utah
175 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
176 the date of veto override.