

**VICTIM SERVICES AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karianne Lisonbee**

Senate Sponsor: Chris H. Wilson

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**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

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

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 [~~25~~] 27  
32 voting 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           (k) a representative of the Department of Health's Violence and Injury Prevention  
51 Program appointed by the program's manager;

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

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

54           ~~[(i)]~~ (m) a representative of the Statewide Association of Public Attorneys appointed  
55 by that association;

56           ~~[(ii)]~~ (n) a representative of the Utah Chiefs of Police Association appointed by the  
 57 president of that association;

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

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

62           (q) the director of the Division of Child and Family Services or that individual's  
 63 designee; and

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

65           ~~[(m)]~~ (r) the following members appointed by the members in Subsections (2)(a)  
 66 through (2)~~[(k)]~~(q) to serve four-year terms:

67           (i) an individual who ~~[works professionally with victims of crime; and]~~ engages in  
 68 community based advocacy;

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

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

71           (ii) a citizen representative; and

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

73           (3) The council shall annually elect:

74           (a) one member to serve as chair;

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

76           (c) one member to serve as treasurer.

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

78           **63M-7-602. Reappointment -- Vacancies.**

79           (1) ~~[Members]~~ A member appointed to serve a four-year ~~[terms shall be]~~ term is  
 80 eligible for reappointment ~~[one time]~~.

81           (2) When a vacancy occurs in the membership for any reason, the replacement shall be  
 82 appointed for the remainder of the unexpired term.

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

84 **63M-7-603. Duties of the council.**

85 (1) The council shall:

86 (a) make recommendations to the Legislature, the governor, and the Judicial Council  
87 on the following:

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

89 (ii) enhancing rights of victims of crime;

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

91 (iv) victim restitution;

92 (v) educating and training criminal justice professionals on the rights of victims of  
93 crime; and

94 (vi) enhancing services to victims of crimes;

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

96 (c) establish a subcommittee to consider complaints not resolved by the Victims'  
97 Rights Committee established in Section [77-37-5](#).

98 (2) The council:

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

101 (b) subject to court rules and the governor's approval, may advocate in appellate courts  
102 on behalf of a victim of crime as described in Subsection [77-38-11\(2\)\(a\)\(ii\)](#);

103 ~~[(b)]~~ (c) may establish additional subcommittees to assist in accomplishing its duties;  
104 and

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

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

109 **63M-7-605. Staffing.**

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

112           (2) Staff assigned to the council shall:

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

114           (b) receive complaints regarding victim's rights violations from victims and other  
115 interested persons and forward the complaints to the appropriate subcommittee within the  
116 council.