

## HB0129S01 compared with HB0129

~~text~~ shows text that was in HB0129 but was deleted in HB0129S01.

text shows text that was not in HB0129 but was inserted into HB0129S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative V. Lowry Snow proposes the following substitute bill:

### OFFICE ON DOMESTIC AND SEXUAL VIOLENCE

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: V. Lowry Snow**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill creates the Office on Domestic and Sexual Violence and the Domestic Violence Offender ~~Task Force~~ Advisory Board within the State Commission on Criminal and Juvenile Justice.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Office on Domestic and Sexual Violence within the State Commission on Criminal and Juvenile Justice;
- ▶ requires the executive director of the commission to appoint a director of the office;
- ▶ creates the Domestic Violence Offender ~~Task Force~~ Advisory Board within the commission; and

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- ▶ requires the office ~~{, in consultation with the task force,}~~ to coordinate with the advisory board and other advisory councils within the commission to create and implement statewide resources and policies for reducing instances of domestic and sexual violence.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

**63M-7-701**, Utah Code Annotated 1953

**63M-7-702**, Utah Code Annotated 1953

**63M-7-703**, Utah Code Annotated 1953

**63M-7-704**, Utah Code Annotated 1953

**63M-7-801**, Utah Code Annotated 1953

**63M-7-802**, Utah Code Annotated 1953

**63M-7-803**, Utah Code Annotated 1953

**63M-7-804**, Utah Code Annotated 1953

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

Section 1. Section **63M-7-701** is enacted to read:

#### **Part 7. Office on Domestic and Sexual Violence**

##### **63M-7-701. Title.**

This part is known as the "Office on Domestic and Sexual Violence."

Section 2. Section **63M-7-702** is enacted to read:

##### **63M-7-702. Definitions.**

As used in this part:

(1) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.

(2) "Office" means the Office on Domestic and Sexual Violence created in Section 63M-7-703.

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Section 3. Section **63M-7-703** is enacted to read:

**63M-7-703. Office on Domestic and Sexual Violence -- Creation -- Appointment of director.**

(1) There is created the Office on Domestic and Sexual Violence within the commission.

(2) The executive director of the commission shall appoint a director of the office.

Section 4. Section **63M-7-704** is enacted to read:

**63M-7-704. Office duties**~~{-- Rulemaking}~~.

The office shall:

(1) provide leadership and generate unity for the state's ongoing efforts to reduce and eliminate the impact of rape, sexual assault, and intimate partner and domestic and sexual violence through comprehensive and evidence-based prevention, intervention, and treatment ~~for juvenile and adult offenders~~;

(2) coordinate with ~~the Domestic Violence Offender Advisory Board, and other~~ advisory councils within the commission focused on domestic and sexual violence, to create, disseminate, implement, and recommend statewide policies to address intimate partner and domestic and sexual violence;

(3) collaborate and partner with public and private partners to perform the duties described in this section using a multidisciplinary approach; ~~and~~

(4) facilitate planning for a balanced continuum of intimate partner and domestic and sexual violence prevention, intervention, treatment, and justice services~~;~~

~~—— (5) in consultation with the Domestic Violence Offender Task Force created in Section 63M-7-803;~~

~~—— (a) establish and promote the use of best practice standards that are based on the best practices identified by the Domestic Violence Offender Task Force under Subsection 63M-7-804(2)(b);~~

~~—— (b) disseminate the best practice standards described in Subsection (5)(a) to be used in the evaluation, intervention, treatment, and monitoring of intimate partner and domestic and sexual violence offenders; and~~

~~—— (c) establish an accreditation program for public and private providers of intervention and treatment for intimate partner and domestic and sexual violence offenders that requires the~~

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~~public and private providers comply with the best practices described in Subsection (5)(a); and  
(6) make rules in accordance with Title 63G, Chapter 3, Administrative Rulemaking Act, to implement this part.~~

~~1.~~

Section 5. Section **63M-7-801** is enacted to read:

### **Part 8. Domestic Violence Offender ~~{Task Force}~~ Advisory Board**

#### **63M-7-801. Title.**

This part is known as the "Domestic Violence Offender ~~{Task Force}~~ Advisory Board."

Section 6. Section **63M-7-802** is enacted to read:

#### **63M-7-802. Definitions.**

As used in this part:

(1) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.

(2) "~~{Task force}~~ Advisory board" means the Domestic Violence Offender ~~{Task Force}~~ Advisory Board created in Section 63M-7-803.

Section 7. Section **63M-7-803** is enacted to read:

**63M-7-803. Domestic Violence Offender ~~{Task Force}~~ Advisory Board -- Creation -- Membership -- Quorum -- Per diem -- Staff support -- Meetings.**

(1) There is created within the commission the Domestic Violence Offender ~~{Task Force within the commission}~~ Advisory Board consisting of the following members:

(a) the executive director of the Department of Corrections, or the executive director's designee;

(b) the executive director of the Department of Human Services, or the executive director's designee;

(c) the executive director of the Department of Health, or the executive director's designee;

(d) the director of the Office for Victims of Crime, or the director's designee;

~~(e)~~ the chair of the Board of Pardons and Parole, or the chair's designee;

~~(f)~~ one judge appointed by the presiding officer of the Utah Judicial Council;

~~(g)~~ one individual who represents the Administrative Office of the Courts appointed by the state court administrator; ~~{and}~~

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(fgh) nine individuals appointed by the executive director of the commission, including:

(i) a clinical social worker, a marriage and family therapist, a professional counselor, and a psychologist licensed under Title 58, Chapter 60, Mental Health Professional Practice Act;

(ii) an individual who represents an association of criminal defense attorneys;

(iii) an individual who represents an association of prosecuting attorneys;

(iv) an individual who represents law enforcement;

(v) an individual who represents an association of criminal justice victim advocates;

and

(vi) an individual who represents a nonprofit organization that provides domestic violence victim advocate services.

(2) (a) A member may not serve on the {task force} advisory board for more than eight consecutive years.

(b) If a vacancy occurs in the membership of the {task force} advisory board appointed under Subsection (1), the member shall be replaced in the same manner in which the original appointment was made.

(c) A member of the {task force} advisory board serves until the member's successor is appointed.

(3) The members of the {task force} advisory board shall vote on a chair and co-chair of the {task force} advisory board to serve for two years.

(4) (a) A majority of the {task force} advisory board members constitutes a quorum.

(b) The action of a majority of a quorum constitutes an action of the {task force} advisory board.

(5) {A task force} An advisory board member may not receive compensation or benefits for the member's service on the {task force} advisory board, but may receive per diem and reimbursement for travel expenses incurred as {a task force} an advisory board member at the rates established by the Division of Finance under:

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

(b) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(6) The commission shall provide staff support to the {task force} advisory board.

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(7) The ~~{task force}~~advisory board shall meet at least quarterly on a date the ~~{task force}~~advisory board sets.

Section 8. Section 63M-7-804 is enacted to read:

### **63M-7-804. ~~{Task force}~~ Advisory board duties -- Rulemaking.**

(1) The ~~{task force}~~advisory board shall advise and make recommendations to the Office on Domestic and Sexual Violence created in Section 63M-7-703.

(2) As part of the ~~{task force's}~~advisory board's duties under Subsection (1), the ~~{task force}~~advisory board shall:

(a) research standardized procedures and methods for intimate partner and domestic violence offender evaluation, intervention, treatment, and monitoring that prioritize physical and psychological safety of victims;~~{ and }~~

(b) identify and establish best ~~{practices}~~practice standards for intimate partner and domestic ~~{ and sexual }~~ violence evaluation, intervention, treatment, and monitoring that:

(i) are applicable to the state's needs~~{ that. }~~;

(~~ii~~) ii are based on scientific research to address an individual's intimate partner and domestic violence risk factors; and

(~~iii~~) iii incorporate evidence-based trauma informed care to enhance the quality and continuity of intervention and treatment~~{. }~~;

(c) disseminate the best practice standards described in Subsection (2)(b) to be used in the evaluation, intervention, treatment, and monitoring of intimate partner and domestic violence offenders; and

(d) establish an accreditation program for public and private providers of intervention and treatment for intimate partner and domestic violence offenders that requires the public and private providers comply with the best practices described in Subsection (2)(b).

(3) The advisory board shall make rules in accordance with Title 63G, Chapter 3, Administrative Rulemaking Act, to implement this part.