

Representative Mark A. Wheatley proposes the following substitute bill:

COMMUNITY AND POLICE RELATIONS COMMISSION

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Wheatley

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill creates the Community and Police Relations Commission.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Community and Police Relations Commission;
- ▶ provides for the appointment of members of the commission;
- ▶ establishes procedures for the commission;
- ▶ requires the commission to:
 - discuss and report on improved relations between police and the community, data collection, law enforcement transparency, and addressing systemic issues of inequality and racial disparities; and
 - provide a forum for citizens to voice concerns and comments about police service, practices, and policies;
- ▶ requires the commission to provide a report to the governor and the Law Enforcement and Criminal Justice Interim Committee; and
- ▶ provides a sunset date for the commission.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63I-1-253**, as last amended by Laws of Utah 2020, Chapters 154, 174, 214, 234, 242,
32 269, 335, and 354

33 ENACTS:

34 **53-6a-101**, Utah Code Annotated 1953

35 **53-6a-102**, Utah Code Annotated 1953

36 **53-6a-103**, Utah Code Annotated 1953

37 **53-6a-104**, Utah Code Annotated 1953



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

40 Section 1. Section **53-6a-101** is enacted to read:

41 **CHAPTER 6a. COMMUNITY AND POLICE RELATIONS COMMISSION**

42 **53-6a-101. Title.**

43 This chapter is known as the "Community and Police Relations Commission."

44 Section 2. Section **53-6a-102** is enacted to read:

45 **53-6a-102. Definitions.**

46 As used in this chapter, "commission" means the Community and Police Relations
47 Commission created in Section [53-6a-103](#).

48 Section 3. Section **53-6a-103** is enacted to read:

49 **53-6a-103. Creation of Community and Police Relations Commission -- Purpose --**
50 **Membership -- Quorum -- Meetings -- Compensation.**

51 (1) There is created the Community and Police Relations Commission.

52 (2) The commission comprises the following members:

53 (a) the commissioner or the commissioner's designee;

54 (b) the director of the Utah Commission on Criminal and Juvenile Justice or the
55 director's designee;

56 (c) the director of the Utah Division of Multicultural Affairs or the director's designee;

57 (d) five members nominated by community, minority, or civil rights organizations and
58 appointed by the director of the Utah Division of Multicultural Affairs, one of which shall be
59 between 15 and 18 years old at the time of appointment;

60 (e) two members of the House of Representatives, appointed by the speaker of the
61 House of Representatives, no more than one of whom may be from the same political party;

62 (f) two members of the Senate, appointed by the president of the Senate, no more than
63 one of whom may be from the same political party;

64 (g) two members from the Utah Chiefs of Police Association, one representing an
65 urban area and one representing a rural area, appointed by the president of the Utah Chiefs of
66 Police Association;

67 (h) two members from the Utah Sheriffs' Association, one representing an urban area
68 and one representing a rural area, appointed by the president of the Utah Sheriffs' Association;

69 (i) one representative of the substance abuse or mental health community, appointed by
70 the executive director of the Department of Human Services;

71 (j) one representative of the faith community, appointed by the chair;

72 (k) one representative of the refugee community, appointed by the director of the Utah
73 Division of Multicultural Affairs;

74 (l) the director of the Utah Division of Indian Affairs or the director's designee;

75 (m) the president of the Utah Statewide Association of Prosecutors and Public
76 Attorneys or the president's designee;

77 (n) the president of the Utah Association of Criminal Defense Lawyers or the
78 president's designee;

79 (o) one member who represents the Office of the Attorney General, appointed by the
80 attorney general;

81 (p) the president of the Utah Association of Counties or the president's designee; and

82 (q) an elected official who represents the Utah League of Cities and Towns, appointed
83 by the president of the Utah League of Cities and Towns.

84 (3) (a) Members of the commission shall be appointed to two-year terms.

85 (b) A member may be appointed for additional terms.

86 (c) When a vacancy occurs in the membership of the commission, the replacement
87 shall be appointed for the unexpired term.

- 88 (4) A member of the commission ceases to be a member:
89 (a) immediately upon the termination of the member's holding the office, membership,
90 or employment that was the basis for eligibility to membership on the board; or
91 (b) upon two unexcused absences in one year from regularly scheduled commission
92 meetings.
93 (5) (a) The commissioner or the commissioner's designee shall serve as chair of the
94 commission.
95 (b) The chair shall set the agenda for commission meetings.
96 (6) Attendance of a majority of the members constitutes a quorum for the transaction of
97 official commission business.
98 (7) Formal action by the commission requires a majority vote of a quorum present.
99 (8) (a) Meetings may be called by the chair and shall be called by the chair upon the
100 written request of six members.
101 (b) Meetings shall be held at the times and places determined by the commission.
102 (9) The commission shall meet at least four times per year.
103 (10) (a) Except as provided in Subsection (10)(b), a member may not receive
104 compensation, benefits, per diem, or travel expenses for the member's service.
105 (b) Compensation and expenses of a member who is a legislator are governed by
106 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
107 (11) Membership on the commission does not disqualify any member from holding any
108 other public office or employment.
109 (12) The department shall provide staff support to the commission.
110 Section 4. Section **53-6a-104** is enacted to read:
111 **53-6a-104. Commission duties -- Reports.**
112 (1) The commission shall:
113 (a) discuss and report on the following:
114 (i) improved relations between police and the community;
115 (ii) data collection and sharing;
116 (iii) transparency in law enforcement; and
117 (iv) addressing systemic issues of inequality and racial disparities; and
118 (b) provide a forum for citizens to voice concerns and comments about police service,

119 practices, and policies.

120 (2) On or before November 30, 2022, the commission shall report on the commission's
121 progress to:

122 (a) the governor; and

123 (b) the Law Enforcement and Criminal Justice Interim Committee.

124 (3) On or before November 30, 2024, the commission shall provide a report, including
125 a summary of the commission's findings and recommendations with regard to the subjects
126 described in Subsection (1), to:

127 (a) the governor; and

128 (b) the Law Enforcement and Criminal Justice Interim Committee.

129 Section 5. Section **63I-1-253** is amended to read:

130 **63I-1-253. Repeal dates, Titles 53 through 53G.**

131 (1) Section **53-2a-105**, which creates the Emergency Management Administration
132 Council, is repealed July 1, 2021.

133 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
134 Board, are repealed July 1, 2022.

135 (3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
136 July 1, 2023.

137 (4) Subsection **53-6-203(1)(b)(ii)**, regarding being 19 years old at certification, is
138 repealed July 1, 2027.

139 (5) Title 53, Chapter 6a, Community and Police Relations Commission, is repealed
140 January 1, 2025.

141 [~~5~~] (6) Subsection **53-13-104(6)(a)**, regarding being 19 years old at certification, is
142 repealed July 1, 2027.

143 [~~6~~] (7) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board,
144 is repealed July 1, 2024.

145 [~~7~~] (8) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

146 [~~8~~] (9) Section **53B-17-1203**, which creates the SafeUT and School Safety
147 Commission, is repealed January 1, 2025.

148 [~~9~~] (10) Section **53B-18-1501** is repealed July 1, 2021.

149 [~~10~~] (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,

150 2028.

151 ~~[(11)]~~ (12) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is
152 repealed July 1, 2025.

153 ~~[(12)]~~ (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of
154 money from the Land Exchange Distribution Account to the Geological Survey for test wells
155 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

156 ~~[(13)]~~ (14) Section 53E-3-515 is repealed January 1, 2023.

157 ~~[(14)]~~ (15) In relation to a standards review committee, on January 1, 2023:

158 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
159 recommendations of a standards review committee established under Section 53E-4-203" is
160 repealed; and

161 (b) Section 53E-4-203 is repealed.

162 ~~[(15)]~~ (16) Subsections 53E-3-503(5) and (6), which create coordinating councils for
163 youth in custody, are repealed July 1, 2027.

164 ~~[(16)]~~ (17) Section 53E-4-402, which creates the State Instructional Materials
165 Commission, is repealed July 1, 2022.

166 ~~[(17)]~~ (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory
167 Commission, is repealed July 1, 2023.

168 ~~[(18)]~~ (19) Subsection 53E-8-204(4), which creates the advisory council for the Utah
169 Schools for the Deaf and the Blind, is repealed July 1, 2021.

170 ~~[(19) Section 53F-2-514 is repealed July 1, 2020.]~~

171 (20) Section 53F-5-203 is repealed July 1, 2024.

172 (21) Section 53F-5-212 is repealed July 1, 2024.

173 (22) Section 53F-5-213 is repealed July 1, 2023.

174 (23) Section 53F-5-214, in relation to a grant for professional learning, is repealed July
175 1, 2025.

176 (24) Section 53F-5-215, in relation to an elementary teacher preparation grant is
177 repealed July 1, 2025.

178 (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
179 Committee, is repealed July 1, 2024.

180 (26) Section 53F-9-501 is repealed January 1, 2023.

181 (27) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
182 Commission, are repealed January 1, 2025.

183 (28) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class C
184 misdemeanor, is repealed July 1, 2022.