

Senator Chris H. Wilson 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



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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:

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

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

(2) The [~~Utah Council on Victims of Crime~~] council shall be composed of [~~25~~] 27 voting members as follows:

(a) a representative of the Commission on Criminal and Juvenile Justice appointed by the executive director;

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

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

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

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

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

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

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

(i) a representative of Utah's Native American community appointed by the director of the Division of Indian Affairs after input from federally recognized tribes in Utah;

(j) a professional or volunteer working in the area of violence against women and families appointed by the governor;

(k) a representative of the Department of Health's Violence and Injury Prevention Program appointed by the program's manager;

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

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

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

~~[(i)]~~ (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.