

## HB0289S02 compared with HB0289S01

~~{deleted text}~~ shows text that was in HB0289S01 but was deleted in HB0289S02.

inserted text shows text that was not in HB0289S01 but was inserted into HB0289S02.

**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 Karianne Lisonbee}~~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

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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:

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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;~~††~~

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

~~[(k)1(l)]~~ the chair of each judicial district's victims' rights committee;

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

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

~~(f)(n)~~ a representative of the Utah Chiefs of Police Association appointed by the president of that association;

~~(f)(o)~~ a representative of the Utah Sheriffs' Association appointed by the president of that association;

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

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

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

~~(f)(r)~~ the following members appointed by the members in Subsections (2)(a) through (2)~~[(k)1(f)(q)]~~ to serve four-year terms:

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

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

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

(ii) a citizen representative; and

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

(3) The council shall annually elect:

(a) one member to serve as chair;

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

(c) one member to serve as treasurer.

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

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

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

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

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

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

(1) The council shall:

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

(i) enforcing existing rights of victims of crime;

(ii) enhancing rights of victims of crime;

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

(iv) victim restitution;

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

(vi) enhancing services to victims of crimes;

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

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

(2) The council:

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

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

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

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

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

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

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

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(2) Staff assigned to the council shall:

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

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

~~{ (c) perform any duties assigned by the council or a subcommittee to fulfill the council's duties described in Section 67-5d-203.~~

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