

1 **SUICIDE PREVENTION AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Steve Eliason**

5 Senate Sponsor: Michael S. Kennedy

---

---

7 **LONG TITLE**

8 **General Description:**

9 This bill amends and creates programs to address suicide.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ changes a program that helps Utah residents purchase a firearm safe from a coupon  
14 program to a rebate program;
- 15 ▶ requires the Division of Substance Abuse and Mental Health to administer a  
16 program to provide training to health care organizations related to reducing  
17 suicides;
- 18 ▶ eliminates a grant application requirement for an individual to receive funds for  
19 clean-up and bereavement services; and
- 20 ▶ makes technical changes.

21 **Money Appropriated in this Bill:**

22 This bill appropriates in fiscal year 2022:

- 23 ▶ to the Department of Human Services -- Division of Substance Abuse and Mental  
24 Health, as an ongoing appropriation:
- 25 • from the General Fund, \$350,000.

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53-5-707**, as last amended by Laws of Utah 2019, Chapter 440

31 **62A-15-103**, as last amended by Laws of Utah 2020, Chapter 193

32 **62A-15-1501**, as enacted by Laws of Utah 2019, Chapter 447

33 **62A-15-1502**, as enacted by Laws of Utah 2019, Chapter 447

34 **76-10-526**, as last amended by Laws of Utah 2019, Chapters 386 and 440

35 ENACTS:

36 **62A-15-120**, Utah Code Annotated 1953



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

39 Section 1. Section **53-5-707** is amended to read:

40 **53-5-707. Concealed firearm permit -- Fees -- Concealed Weapons Account.**

41 (1) (a) An applicant for a concealed firearm permit shall pay a fee of \$25 at the time of  
42 filing an application.

43 (b) A nonresident applicant shall pay an additional \$10 for the additional cost of  
44 processing a nonresident application.

45 (c) The bureau shall waive the initial fee for an applicant who is a law enforcement  
46 officer under Section **53-13-103**.

47 (d) Concealed firearm permit renewal fees for active duty service members and the  
48 spouse of an active duty service member shall be waived.

49 (2) The renewal fee for the permit is \$20. A nonresident shall pay an additional \$5 for  
50 the additional cost of processing a nonresidential renewal.

51 (3) The replacement fee for the permit is \$10.

52 (4) (a) The late fee for the renewal permit is \$7.50.

53 (b) As used in this section, "late fee" means the fee charged by the bureau for a renewal  
54 submitted on a permit that has been expired for more than 30 days but less than one year.

55 (5) (a) There is created a restricted account within the General Fund known as the  
56 "Concealed Weapons Account."

57 (b) The account shall be funded from fees collected under this section and Section  
58 **53-5-707.5**.

59 (c) Funds in the account may only be used to cover costs relating to:  
60 (i) the issuance of concealed firearm permits under this part; or  
61 (ii) the programs described in [~~Subsections~~] Subsection 62A-15-103(3) and  
62 [~~76-10-526(15) and~~] Section 62A-15-1101.

63 (6) (a) The bureau may collect any fees charged by an outside agency for additional  
64 services required by statute as a prerequisite for issuance of a permit.

65 (b) The bureau shall promptly forward any fees collected under Subsection (6)(a) to the  
66 appropriate agency.

67 (7) The bureau shall make an annual report in writing to the Legislature's Law  
68 Enforcement and Criminal Justice Interim Committee on the amount and use of the fees  
69 collected under this section and Section 53-5-707.5.

70 Section 2. Section **62A-15-103** is amended to read:

71 **62A-15-103. Division -- Creation -- Responsibilities.**

72 (1) (a) There is created the Division of Substance Abuse and Mental Health within the  
73 department, under the administration and general supervision of the executive director.

74 (b) The division is the substance abuse authority and the mental health authority for  
75 this state.

76 (2) The division shall:

77 (a) (i) educate the general public regarding the nature and consequences of substance  
78 abuse by promoting school and community-based prevention programs;

79 (ii) render support and assistance to public schools through approved school-based  
80 substance abuse education programs aimed at prevention of substance abuse;

81 (iii) promote or establish programs for the prevention of substance abuse within the  
82 community setting through community-based prevention programs;

83 (iv) cooperate with and assist treatment centers, recovery residences, and other  
84 organizations that provide services to individuals recovering from a substance abuse disorder,  
85 by identifying and disseminating information about effective practices and programs;

86 (v) except as provided in Section 62A-15-103.5, make rules in accordance with Title  
87 63G, Chapter 3, Utah Administrative Rulemaking Act, to develop, in collaboration with public  
88 and private programs, minimum standards for public and private providers of substance abuse  
89 and mental health programs licensed by the department under Title 62A, Chapter 2, Licensure

90 of Programs and Facilities;

91 (vi) promote integrated programs that address an individual's substance abuse, mental  
92 health, physical health, and criminal risk factors;

93 (vii) establish and promote an evidence-based continuum of screening, assessment,  
94 prevention, treatment, and recovery support services in the community for individuals with  
95 substance use disorder and mental illness that addresses criminal risk factors;

96 (viii) evaluate the effectiveness of programs described in this Subsection (2);

97 (ix) consider the impact of the programs described in this Subsection (2) on:

98 (A) emergency department utilization;

99 (B) jail and prison populations;

100 (C) the homeless population; and

101 (D) the child welfare system; and

102 (x) promote or establish programs for education and certification of instructors to  
103 educate persons convicted of driving under the influence of alcohol or drugs or driving with  
104 any measurable controlled substance in the body;

105 (b) (i) collect and disseminate information pertaining to mental health;

106 (ii) provide direction over the state hospital including approval of the state hospital's  
107 budget, administrative policy, and coordination of services with local service plans;

108 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
109 Rulemaking Act, to educate families concerning mental illness and promote family  
110 involvement, when appropriate, and with patient consent, in the treatment program of a family  
111 member; and

112 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
113 Rulemaking Act, to direct that an individual receiving services through a local mental health  
114 authority or the Utah State Hospital be informed about and, if desired by the individual,  
115 provided assistance in the completion of a declaration for mental health treatment in  
116 accordance with Section [62A-15-1002](#);

117 (c) (i) consult and coordinate with local substance abuse authorities and local mental  
118 health authorities regarding programs and services;

119 (ii) provide consultation and other assistance to public and private agencies and groups  
120 working on substance abuse and mental health issues;

- 121 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,  
122 medical and social agencies, public health authorities, law enforcement agencies, education and  
123 research organizations, and other related groups;
- 124 (iv) promote or conduct research on substance abuse and mental health issues, and  
125 submit to the governor and the Legislature recommendations for changes in policy and  
126 legislation;
- 127 (v) receive, distribute, and provide direction over public funds for substance abuse and  
128 mental health services;
- 129 (vi) monitor and evaluate programs provided by local substance abuse authorities and  
130 local mental health authorities;
- 131 (vii) examine expenditures of local, state, and federal funds;
- 132 (viii) monitor the expenditure of public funds by:
- 133 (A) local substance abuse authorities;
- 134 (B) local mental health authorities; and
- 135 (C) in counties where they exist, a private contract provider that has an annual or  
136 otherwise ongoing contract to provide comprehensive substance abuse or mental health  
137 programs or services for the local substance abuse authority or local mental health authority;
- 138 (ix) contract with local substance abuse authorities and local mental health authorities  
139 to provide a comprehensive continuum of services that include community-based services for  
140 individuals involved in the criminal justice system, in accordance with division policy, contract  
141 provisions, and the local plan;
- 142 (x) contract with private and public entities for special statewide or nonclinical  
143 services, or services for individuals involved in the criminal justice system, according to  
144 division rules;
- 145 (xi) review and approve each local substance abuse authority's plan and each local  
146 mental health authority's plan in order to ensure:
- 147 (A) a statewide comprehensive continuum of substance abuse services;
- 148 (B) a statewide comprehensive continuum of mental health services;
- 149 (C) services result in improved overall health and functioning;
- 150 (D) a statewide comprehensive continuum of community-based services designed to  
151 reduce criminal risk factors for individuals who are determined to have substance abuse or

152 mental illness conditions or both, and who are involved in the criminal justice system;

153 (E) compliance, where appropriate, with the certification requirements in Subsection

154 (2)(j); and

155 (F) appropriate expenditure of public funds;

156 (xii) review and make recommendations regarding each local substance abuse

157 authority's contract with the local substance abuse authority's provider of substance abuse

158 programs and services and each local mental health authority's contract with the local mental

159 health authority's provider of mental health programs and services to ensure compliance with

160 state and federal law and policy;

161 (xiii) monitor and ensure compliance with division rules and contract requirements;

162 and

163 (xiv) withhold funds from local substance abuse authorities, local mental health

164 authorities, and public and private providers for contract noncompliance, failure to comply

165 with division directives regarding the use of public funds, or for misuse of public funds or

166 money;

167 (d) ensure that the requirements of this part are met and applied uniformly by local

168 substance abuse authorities and local mental health authorities across the state;

169 (e) require each local substance abuse authority and each local mental health authority,

170 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(6)(a)(ii), to submit a plan to

171 the division on or before May 15 of each year;

172 (f) conduct an annual program audit and review of each local substance abuse authority

173 and each local substance abuse authority's contract provider, and each local mental health

174 authority and each local mental health authority's contract provider, including:

175 (i) a review and determination regarding whether:

176 (A) public funds allocated to the local substance abuse authority or the local mental

177 health authorities are consistent with services rendered by the authority or the authority's

178 contract provider, and with outcomes reported by the authority's contract provider; and

179 (B) each local substance abuse authority and each local mental health authority is

180 exercising sufficient oversight and control over public funds allocated for substance use

181 disorder and mental health programs and services; and

182 (ii) items determined by the division to be necessary and appropriate; [~~and~~]

183 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4,  
184 Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;

185 (h) (i) train and certify an adult as a peer support specialist, qualified to provide peer  
186 supports services to an individual with:

187 (A) a substance use disorder;

188 (B) a mental health disorder; or

189 (C) a substance use disorder and a mental health disorder;

190 (ii) certify a person to carry out, as needed, the division's duty to train and certify an  
191 adult as a peer support specialist;

192 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
193 Rulemaking Act, that:

194 (A) establish training and certification requirements for a peer support specialist;

195 (B) specify the types of services a peer support specialist is qualified to provide;

196 (C) specify the type of supervision under which a peer support specialist is required to  
197 operate; and

198 (D) specify continuing education and other requirements for maintaining or renewing  
199 certification as a peer support specialist; and

200 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
201 Rulemaking Act, that:

202 (A) establish the requirements for a person to be certified to carry out, as needed, the  
203 division's duty to train and certify an adult as a peer support specialist; and

204 (B) specify how the division shall provide oversight of a person certified to train and  
205 certify a peer support specialist;

206 (i) except as provided in Section [62A-15-103.5](#), establish by rule, in accordance with  
207 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, minimum standards and  
208 requirements for the provision of substance use disorder and mental health treatment to an  
209 individual who is incarcerated or who is required to participate in treatment by a court or by the  
210 Board of Pardons and Parole, including:

211 (i) collaboration with the Department of Corrections and the Utah Substance Use and  
212 Mental Health Advisory Council to develop and coordinate the standards, including standards  
213 for county and state programs serving individuals convicted of class A and class B

214 misdemeanors;

215 (ii) determining that the standards ensure available treatment, including the most  
216 current practices and procedures demonstrated by recognized scientific research to reduce  
217 recidivism, including focus on the individual's criminal risk factors; and

218 (iii) requiring that all public and private treatment programs meet the standards  
219 established under this Subsection (2)(i) in order to receive public funds allocated to the  
220 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice  
221 for the costs of providing screening, assessment, prevention, treatment, and recovery support;

222 (j) except as provided in Section [62A-15-103.5](#), establish by rule, in accordance with  
223 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the requirements and procedures  
224 for the certification of licensed public and private providers, including individuals licensed by  
225 the Division of Occupational and Professional Licensing, programs licensed by the department,  
226 and health care facilities licensed by the Department of Health, who provide, as part of their  
227 practice, substance use disorder and mental health treatment to an individual involved in the  
228 criminal justice system, including:

229 (i) collaboration with the Department of Corrections, the Utah Substance Use and  
230 Mental Health Advisory Council, and the Utah Association of Counties to develop, coordinate,  
231 and implement the certification process;

232 (ii) basing the certification process on the standards developed under Subsection (2)(i)  
233 for the treatment of an individual involved in the criminal justice system; and

234 (iii) the requirement that a public or private provider of treatment to an individual  
235 involved in the criminal justice system shall obtain certification on or before July 1, 2016, and  
236 shall renew the certification every two years, in order to qualify for funds allocated to the  
237 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice  
238 on or after July 1, 2016;

239 (k) collaborate with the Commission on Criminal and Juvenile Justice to analyze and  
240 provide recommendations to the Legislature regarding:

241 (i) pretrial services and the resources needed to reduce recidivism;

242 (ii) county jail and county behavioral health early-assessment resources needed for an  
243 offender convicted of a class A or class B misdemeanor; and

244 (iii) the replacement of federal dollars associated with drug interdiction law



245 enforcement task forces that are reduced;

246 (l) (i) establish performance goals and outcome measurements for all treatment  
247 programs for which minimum standards are established under Subsection (2)(i), including  
248 recidivism data and data regarding cost savings associated with recidivism reduction and the  
249 reduction in the number of inmates, that are obtained in collaboration with the Administrative  
250 Office of the Courts and the Department of Corrections; and

251 (ii) collect data to track and determine whether the goals and measurements are being  
252 attained and make this information available to the public;

253 (m) in the division's discretion, use the data to make decisions regarding the use of  
254 funds allocated to the division, the Administrative Office of the Courts, and the Department of  
255 Corrections to provide treatment for which standards are established under Subsection (2)(i);

256 (n) annually, on or before August 31, submit the data collected under Subsection (2)(k)  
257 to the Commission on Criminal and Juvenile Justice, which shall compile a report of findings  
258 based on the data and provide the report to the Judiciary Interim Committee, the Health and  
259 Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim  
260 Committee, and the related appropriations subcommittees; and

261 (o) consult and coordinate with the Department of Health and the Division of Child  
262 and Family Services to develop and manage the operation of a program designed to reduce  
263 substance abuse during pregnancy that includes:

264 (i) providing education and resources to health care providers and individuals in the  
265 state regarding prevention of substance abuse during pregnancy;

266 (ii) providing training to health care providers in the state regarding screening of a  
267 pregnant woman or pregnant minor to identify a substance abuse disorder; and

268 (iii) providing referrals to pregnant women or pregnant minors in need of substance use  
269 treatment services to a facility that has the capacity to provide the treatment services.

270 (3) In addition to the responsibilities described in Subsection (2), the division shall,  
271 within funds appropriated by the Legislature for this purpose, implement and manage the  
272 operation of a firearm safety and suicide prevention program, in consultation with the Bureau  
273 of Criminal Identification created in Section [53-10-201](#), including:

274 (a) coordinating with the Department of Health, local mental health and substance  
275 abuse authorities, a nonprofit behavioral health advocacy group, and a representative from a

276 Utah-based nonprofit organization with expertise in the field of firearm use and safety that  
277 represents firearm owners, to:

278 (i) produce and periodically review and update a firearm safety brochure and other  
279 educational materials with information about the safe handling and use of firearms that  
280 includes:

281 (A) information on safe handling, storage, and use of firearms in a home environment;

282 (B) information about at-risk individuals and individuals who are legally prohibited  
283 from possessing firearms;

284 (C) information about suicide prevention awareness; and

285 (D) information about the availability of firearm safety packets;

286 (ii) procure cable-style gun locks for distribution pursuant to this section;

287 (iii) produce a firearm safety packet that includes the firearm safety brochure and the  
288 cable-style gun lock described in this Subsection (3); and

289 (iv) create a suicide prevention education course that:

290 (A) provides information for distribution regarding firearm safety education;

291 (B) incorporates current information on how to recognize suicidal behaviors and  
292 identify individuals who may be suicidal; and

293 (C) provides information regarding crisis intervention resources;

294 (b) distributing, free of charge, the firearm safety packet to the following persons, who  
295 shall make the firearm safety packet available free of charge:

296 (i) health care providers, including emergency rooms;

297 (ii) mobile crisis outreach teams;

298 (iii) mental health practitioners;

299 (iv) other public health suicide prevention organizations;

300 (v) entities that teach firearm safety courses;

301 (vi) school districts for use in the seminar, described in Section [53G-9-702](#), for parents  
302 of students in the school district; and

303 (vii) firearm dealers to be distributed in accordance with Section [76-10-526](#);

304 (c) creating and administering a [~~redeemable coupon program described in this~~  
305 ~~Subsection (3) and Section [76-10-526](#) that includes: (i) producing a redeemable coupon]~~ rebate  
306 program that includes a rebate that offers between \$10 and \$200 off the purchase price of a

307 firearm safe from a participating firearms dealer or a person engaged in the business of selling  
308 firearm safes in Utah, by a Utah resident [~~who has filed an application for a concealed firearm~~  
309 ~~permit, and~~];

310 [~~(ii) collecting the receipts described in Section 76-10-526 from the participating~~  
311 ~~dealers and persons and reimbursing the dealers and persons;~~]

312 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
313 making rules that establish procedures for:

314 (i) producing and distributing the suicide prevention education course and the firearm  
315 safety brochures and packets;

316 (ii) procuring the cable-style gun locks for distribution; and

317 (iii) administering the [~~redeemable coupon~~] rebate program; and

318 (e) reporting to the Health and Human Services Interim Committee regarding  
319 implementation and success of the firearm safety program and suicide prevention education  
320 course at or before the November meeting each year.

321 (4) (a) The division may refuse to contract with and may pursue legal remedies against  
322 any local substance abuse authority or local mental health authority that fails, or has failed, to  
323 expend public funds in accordance with state law, division policy, contract provisions, or  
324 directives issued in accordance with state law.

325 (b) The division may withhold funds from a local substance abuse authority or local  
326 mental health authority if the authority's contract provider of substance abuse or mental health  
327 programs or services fails to comply with state and federal law or policy.

328 (5) (a) Before reissuing or renewing a contract with any local substance abuse authority  
329 or local mental health authority, the division shall review and determine whether the local  
330 substance abuse authority or local mental health authority is complying with the oversight and  
331 management responsibilities described in Sections 17-43-201, 17-43-203, 17-43-303, and  
332 17-43-309.

333 (b) Nothing in this Subsection (5) may be used as a defense to the responsibility and  
334 liability described in Section 17-43-303 and to the responsibility and liability described in  
335 Section 17-43-203.

336 (6) In carrying out the division's duties and responsibilities, the division may not  
337 duplicate treatment or educational facilities that exist in other divisions or departments of the

338 state, but shall work in conjunction with those divisions and departments in rendering the  
339 treatment or educational services that those divisions and departments are competent and able  
340 to provide.

341 (7) The division may accept in the name of and on behalf of the state donations, gifts,  
342 devises, or bequests of real or personal property or services to be used as specified by the  
343 donor.

344 (8) The division shall annually review with each local substance abuse authority and  
345 each local mental health authority the authority's statutory and contract responsibilities  
346 regarding:

- 347 (a) use of public funds;
- 348 (b) oversight of public funds; and
- 349 (c) governance of substance use disorder and mental health programs and services.

350 (9) The Legislature may refuse to appropriate funds to the division upon the division's  
351 failure to comply with the provisions of this part.

352 (10) If a local substance abuse authority contacts the division under Subsection  
353 [17-43-201](#)(10) for assistance in providing treatment services to a pregnant woman or pregnant  
354 minor, the division shall:

- 355 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the  
356 capacity to provide the treatment services; or
- 357 (b) otherwise ensure that treatment services are made available to the pregnant woman  
358 or pregnant minor.

359 (11) The division shall employ a school-based mental health specialist to be housed at  
360 the State Board of Education who shall work with the State Board of Education to:

- 361 (a) provide coordination between a local education agency and local mental health  
362 authority;
- 363 (b) recommend evidence-based and evidence informed mental health screenings and  
364 intervention assessments for a local education agency; and
- 365 (c) coordinate with the local community, including local departments of health, to  
366 enhance and expand mental health related resources for a local education agency.

367 Section 3. Section **62A-15-120** is enacted to read:

368 **62A-15-120. Suicide technical assistance program.**

369 (1) As used in this section, "technical assistance" means training for the prevention of  
370 suicide.

371 (2) (a) Before July 1, 2021, and each subsequent July 1, the division shall solicit  
372 applications from health care organizations to receive technical assistance provided by the  
373 division.

374 (b) The division shall approve at least one but not more than six applications each year.

375 (c) The division shall determine which applicants receive the technical assistance  
376 before December 31 of each year.

377 (3) An application for technical assistance under this section shall:

378 (a) identify the population to whom the health care organization will provide suicide  
379 prevention services;

380 (b) identify how the health care organization plans to implement the skills and  
381 knowledge gained from the technical assistance;

382 (c) identify the health care organization's current resources used for the prevention of  
383 suicide;

384 (d) explain how the population described in Subsection (3)(a) will benefit from the  
385 health care organization receiving technical assistance;

386 (e) provide details regarding:

387 (i) how the health care organization will provide timely and effective suicide  
388 prevention services;

389 (ii) any existing or planned contracts or partnerships between the health care  
390 organization and other persons that are related to suicide prevention;

391 (iii) the methods the health care organization will use to:

392 (A) protect the privacy of each individual to whom the health care organization  
393 provides suicide prevention services; and

394 (B) collect non-identifying data; and

395 (f) provide other information requested by the division for the division to evaluate the  
396 application.

397 (4) In evaluating an application for technical assistance, the division shall consider:

398 (a) the extent to which providing technical assistance to the health care organization  
399 will fulfill the purpose of preventing suicides in the state;

400 (b) the extent to which the population described in Subsection (3)(a) is likely to benefit  
401 from the health care organization receiving the technical assistance;

402 (c) the cost of providing the technical assistance to the health care organization; and

403 (d) the extent to which any of the following are likely to benefit the health care  
404 organization's ability to assist in preventing suicides in the state:

405 (i) existing or planned contracts or partnerships between the applicant and other  
406 persons to develop and implement other initiatives; or

407 (ii) additional funding sources available to the applicant for suicide prevention  
408 services.

409 (5) Before June 30, 2022, and each subsequent June 30, the division shall submit a  
410 written report to the Health and Human Services Interim Committee regarding each health care  
411 organization the division provided technical assistance to in the preceding year under this  
412 section.

413 (6) Before June 30, 2024, the division shall submit a written report to the Health and  
414 Human Services Interim Committee regarding:

415 (a) data gathered in relation to providing technical assistance to a health care  
416 organization;

417 (b) knowledge gained relating to providing technical assistance;

418 (c) recommendations for the future regarding how the state can better prevent suicides;  
419 and

420 (d) obstacles encountered when providing technical assistance.

421 Section 4. Section **62A-15-1501** is amended to read:

422 **62A-15-1501. Definitions.**

423 As used in this part:

424 (1) "Account" means the Survivors of Suicide Loss Account created in Section  
425 **62A-15-1502.**

426 (2) (a) "Cohabitant" means an individual who lives with another individual.

427 (b) "Cohabitant" does not include a relative.

428 [(2)] (3) "Relative" means father, mother, husband, wife, son, daughter, sister, brother,  
429 grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin,  
430 mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

431 Section 5. Section **62A-15-1502** is amended to read:

432 **62A-15-1502. Survivors of Suicide Loss Account.**

433 (1) There is created a restricted account within the General Fund known as the  
434 "Survivors of Suicide Loss Account."

435 (2) The division shall administer the account in accordance with this part.

436 (3) The account shall consist of:

437 (a) money appropriated to the account by the Legislature; and

438 (b) interest earned on money in the account.

439 (4) Upon appropriation, the division shall award grants from the account to ~~[(a) a~~  
440 ~~relative, legal guardian, or cohabitant of an individual who dies by suicide as reimbursement~~  
441 ~~for costs incurred by the relative, legal guardian, or cohabitant for mental health treatment or~~  
442 ~~therapy as a result of the suicide; and (b)]~~ a person who provides, for no or minimal cost:

443 [(i)] (a) clean-up of property affected or damaged by an individual's suicide, as  
444 reimbursement for the costs incurred for the clean-up; and

445 [(ii)] (b) bereavement services to a relative, legal guardian, or cohabitant of an  
446 individual who dies by suicide.

447 ~~[(5) The division shall establish a grant application and review process for the~~  
448 ~~expenditure of money from the account.]~~

449 ~~[(6) The grant application and review process shall describe:]~~

450 ~~[(a) requirements to complete the grant application;]~~

451 ~~[(b) requirements for receiving funding;]~~

452 ~~[(c) criteria for the approval of a grant application; and]~~

453 ~~[(d) support offered by the division to complete a grant application.]~~

454 ~~[(7) Upon receipt of a grant application, the division shall:]~~

455 ~~[(a) review the grant application for completeness;]~~

456 ~~[(b) make a determination regarding the grant application;]~~

457 ~~[(c) inform the grant applicant of the division's determination regarding the grant~~  
458 ~~application; and]~~

459 ~~[(d) if approved, award grants from the account to the grant applicant.]~~

460 [(8)] (5) Before November 30 of each year, the division shall report to the Health and  
461 Human Services Interim Committee regarding the status of the account and expenditures made

462 from the account.

463 Section 6. Section **76-10-526** is amended to read:

464 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**  
465 **Exemption for concealed firearm permit holders and law enforcement officers.**

466 (1) For purposes of this section, "valid permit to carry a concealed firearm" does not  
467 include a temporary permit issued under Section [53-5-705](#).

468 (2) (a) To establish personal identification and residence in this state for purposes of  
469 this part, a dealer shall require an individual receiving a firearm to present one photo  
470 identification on a form issued by a governmental agency of the state.

471 (b) A dealer may not accept a driving privilege card issued under Section [53-3-207](#) as  
472 proof of identification for the purpose of establishing personal identification and residence in  
473 this state as required under this Subsection (2).

474 (3) (a) A criminal history background check is required for the sale of a firearm by a  
475 licensed firearm dealer in the state.

476 (b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms  
477 Licensee.

478 (4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a  
479 criminal background check, on a form provided by the bureau.

480 (b) The form shall contain the following information:

481 (i) the dealer identification number;

482 (ii) the name and address of the individual receiving the firearm;

483 (iii) the date of birth, height, weight, eye color, and hair color of the individual  
484 receiving the firearm; and

485 (iv) the social security number or any other identification number of the individual  
486 receiving the firearm.

487 (5) (a) The dealer shall send the information required by Subsection (4) to the bureau  
488 immediately upon its receipt by the dealer.

489 (b) A dealer may not sell or transfer a firearm to an individual until the dealer has  
490 provided the bureau with the information in Subsection (4) and has received approval from the  
491 bureau under Subsection (7).

492 (6) The dealer shall make a request for criminal history background information by



493 telephone or other electronic means to the bureau and shall receive approval or denial of the  
494 inquiry by telephone or other electronic means.

495 (7) When the dealer calls for or requests a criminal history background check, the  
496 bureau shall:

497 (a) review the criminal history files, including juvenile court records, to determine if  
498 the individual is prohibited from purchasing, possessing, or transferring a firearm by state or  
499 federal law;

500 (b) inform the dealer that:

501 (i) the records indicate the individual is prohibited; or

502 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

503 (c) provide the dealer with a unique transaction number for that inquiry; and

504 (d) provide a response to the requesting dealer during the call for a criminal  
505 background check, or by return call, or other electronic means, without delay, except in case of  
506 electronic failure or other circumstances beyond the control of the bureau, the bureau shall  
507 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the  
508 delay.

509 (8) (a) The bureau may not maintain any records of the criminal history background  
510 check longer than 20 days from the date of the dealer's request, if the bureau determines that  
511 the individual receiving the firearm is not prohibited from purchasing, possessing, or  
512 transferring the firearm under state or federal law.

513 (b) However, the bureau shall maintain a log of requests containing the dealer's federal  
514 firearms number, the transaction number, and the transaction date for a period of 12 months.

515 (9) (a) If the criminal history background check discloses information indicating that  
516 the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or  
517 transferring a firearm, the bureau shall inform the law enforcement agency in the jurisdiction  
518 where the individual resides.

519 (b) A law enforcement agency that receives information from the bureau under  
520 Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that  
521 includes:

522 (i) based on the information the bureau provides to the law enforcement agency under  
523 Subsection (9)(a), the number of cases that involve an individual who is prohibited from

524 purchasing, possessing, or transferring a firearm as a result of a conviction for an offense  
525 involving domestic violence; and

526 (ii) of the cases described in Subsection (9)(b)(i):

527 (A) the number of cases the law enforcement agency investigates; and

528 (B) the number of cases the law enforcement agency investigates that result in a  
529 criminal charge.

530 (c) The bureau shall:

531 (i) compile the information from the reports described in Subsection (9)(b);

532 (ii) omit or redact any identifying information in the compilation; and

533 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim  
534 Committee before November 1 of each year.

535 (10) If an individual is denied the right to purchase a firearm under this section, the  
536 individual may review the individual's criminal history information and may challenge or  
537 amend the information as provided in Section [53-10-108](#).

538 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah  
539 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all  
540 records provided by the bureau under this part are in conformance with the requirements of the  
541 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

542 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a  
543 firearm under this section.

544 (b) The fee described under Subsection (12)(a) remains in effect until changed by the  
545 bureau through the process described in Section [63J-1-504](#).

546 (c) (i) The dealer shall forward at one time all fees collected for criminal history  
547 background checks performed during the month to the bureau by the last day of the month  
548 following the sale of a firearm.

549 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover  
550 the cost of administering and conducting the criminal history background check program.

551 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,  
552 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee  
553 required in this section for the purchase of a firearm if:

554 (a) the individual presents the individual's concealed firearm permit to the dealer prior

555 to purchase of the firearm; and

556 (b) the dealer verifies with the bureau that the individual's concealed firearm permit is  
557 valid.

558 (14) (a) A law enforcement officer, as defined in Section 53-13-103, is exempt from  
559 the background check fee required in this section for the purchase of a personal firearm to be  
560 carried while off-duty if the law enforcement officer verifies current employment by providing  
561 a letter of good standing from the officer's commanding officer and current law enforcement  
562 photo identification.

563 (b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a  
564 personal firearm once in a 24-month period.

565 ~~[(15) (a) A dealer or a person engaged in the business of selling firearm safes in Utah  
566 may participate in the redeemable coupon program described in this Subsection (15) and  
567 Subsection 62A-15-103(3).]~~

568 ~~[(b) A participating dealer or person shall:]~~

569 ~~[(i) apply the coupon only toward the purchase of a gun safe;]~~

570 ~~[(ii) collect the receipts from the purchase of a firearm safe using the redeemable  
571 coupons and send the receipts to the Division of Substance Abuse and Mental Health for  
572 redemption; and]~~

573 ~~[(iii) make the firearm safety brochure described in Subsection 62A-15-103(3)  
574 available to a customer free of charge.]~~

575 ~~[(16)]~~ (15) A dealer engaged in the business of selling, leasing, or otherwise  
576 transferring any firearm shall:

577 (a) make the firearm safety brochure described in Subsection 62A-15-103(3) available  
578 to a customer free of charge; and

579 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer  
580 under Subsection 62A-15-103(3) to a customer purchasing a shotgun, short barreled shotgun,  
581 short barreled rifle, rifle, or another firearm that federal law does not require be accompanied  
582 by a gun lock at the time of purchase.

583 Section 7. **Appropriation.**

584 The following sums of money are appropriated for the fiscal year beginning July 1,  
585 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for

586 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedure  
587 Act, the Legislature appropriates the following sums of money from the funds or accounts  
588 indicated for the use and support of the government of the state of Utah.

589 ITEM 1

590 To Department of Human Services -- Division of Substance Abuse and Mental Health

591 From General Fund \$350,000

592 Schedule of Programs:

593 Community Mental Health Services \$350,000

594 The Legislature intends that the Division of Substance Abuse and Mental Health  
595 expend appropriations provided under this item for providing suicide prevention training to  
596 health care organizations under Section [62A-15-120](#).