



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

February 23, 2022

Mr. President,

The Business and Labor Committee reports a favorable recommendation on **S.B. 239**, CONGREGATE CARE PROGRAM AMENDMENTS, by Senator M. K. McKell, with the following amendments:

1. *Page 11, Lines 311 through 317:*

311 (50) (a) "Youth transportation company" means any person that transports a child
for
312 payment to or from a congregate care program in Utah.
313 (b) "Youth transportation company" does not include:
314 (i) a relative of the child;
315 (ii) a state agency; or
316 (iii) {~~a person that transports the child from a congregate care program and~~
returns the
317 child to the same congregate care program within 48 hours.} a congregate care
program's employee who transports the child from the congregate care program
that employs the employee and returns the child to the same congregate care
program.

2. *Page 29, Line 891 through Page 30, Line 903:*

891 (6) (a) A congregate care program:
892 [(a)] (i) [~~when not otherwise prohibited by law~~] subject to Subsection (6)(b), shall
893 facilitate weekly confidential [communication] voice-to-voice communication between a
child

Bill Number



SB0239

Action Class



S

Action Code



SCRAMD

894 and the child's parents, guardian, foster parents, and siblings, as applicable;
895 ~~[(b)]~~ (ii) shall ensure that the communication described in Subsection (6)(a)(i)
896 complies with the child's treatment plan, if any; and
897 ~~[(c)]~~ (iii) may not use family contact as an incentive for proper behavior or withhold
898 family contact as a punishment.

899 (b) { ~~A congregate care program may deny the communication, or modify
900 the frequency
901 or the form of the communication described in Subsection (6)(a)(i) if:
902 (i) the office approves the denial or modification; or
903 (ii) state law or a court order prohibits the communication, the frequency, or
of the communication.~~ } =

For the communication described in Subsection (6)(a)(i), a congregate care program may not:

(i) deny the communication unless state law or a court order prohibits the communication; or

(ii) modify the frequency or form of the communication unless:

(A) the office approves the modification; or

(B) state law or a court order prohibits the frequency or the form of the communication.

Respectfully,

Curtis S. Bramble
Chair

Voting: 6-0-3