

Representative Ryan D. Wilcox proposes the following substitute bill:

SCHOOL SAFETY REQUIREMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses school safety and security issues.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a state security chief position within the Department of Public Safety;
- ▶ requires each county sheriff to identify an individual within the sheriff's office to coordinate between the county sheriff's office, the state security chief, and certain police chiefs within the county;
- ▶ creates the School Security Task Force;
- ▶ requires the task force to develop the qualifications, duties, and scope of authority of the state security chief;
- ▶ requires the State Board of Education (board) to provide a report on certain law enforcement and disciplinary actions on school grounds to the State Commission on Criminal and Juvenile Justice (commission);
- ▶ requires certain contracts and policies concerning school resource officers, including the handling of certain student offenses;
- ▶ adds components to the board's model critical response training program;



- 26 ▶ provides for the board to administer a grant program for certain school services and
- 27 materials, including school resource officer services;
- 28 ▶ amends requirements for and renames the criminal justice database;
- 29 ▶ modifies the duties of the commission in regards to juvenile justice;
- 30 ▶ enacts data collection and reporting requirements for the commission and the
- 31 Administrative Office of the Courts in regards to offenses committed, or allegedly
- 32 committed, by minors; and
- 33 ▶ makes technical and conforming amendments.

34 **Money Appropriated in this Bill:**

35 This bill appropriates in fiscal year 2024:

- 36 ▶ to State Board of Education - Contracted Initiatives and Grants, as a one-time
- 37 appropriation:
- 38 • from the Income Tax Fund, One-time, \$25,000,000.

39 **Other Special Clauses:**

40 None

41 **Utah Code Sections Affected:**

42 AMENDS:

- 43 **53E-3-516**, as last amended by Laws of Utah 2022, Chapter 399
- 44 **53G-8-701**, as last amended by Laws of Utah 2019, Chapter 293
- 45 **53G-8-702**, as last amended by Laws of Utah 2021, Chapter 279
- 46 **53G-8-703**, as last amended by Laws of Utah 2019, Chapter 293
- 47 **53G-8-802**, as last amended by Laws of Utah 2022, Chapter 399
- 48 **63A-16-1001**, as enacted by Laws of Utah 2022, Chapter 390
- 49 **63A-16-1002**, as enacted by Laws of Utah 2022, Chapter 390 and last amended by
- 50 Coordination Clause, Laws of Utah 2022, Chapter 390
- 51 **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,
- 52 and 409
- 53 **63M-7-208**, as last amended by Laws of Utah 2021, Chapter 262
- 54 **63M-7-218**, as enacted by Laws of Utah 2022, Chapter 390 and last amended by
- 55 Coordination Clause, Laws of Utah 2022, Chapter 390

56 ENACTS:

- 57 [53-22-101](#), Utah Code Annotated 1953
- 58 [53-22-102](#), Utah Code Annotated 1953
- 59 [53-22-103](#), Utah Code Annotated 1953
- 60 [53-22-104](#), Utah Code Annotated 1953
- 61 [53G-8-703.2](#), Utah Code Annotated 1953
- 62 [53G-8-803](#), Utah Code Annotated 1953
- 63 [80-6-104](#), Utah Code Annotated 1953



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

66 Section 1. Section **53-22-101** is enacted to read:

67 **CHAPTER 22. SCHOOL SECURITY ACT**

68 **53-22-101. School Security Act -- Definitions.**

69 As used in this chapter:

70 (1) "Public school" means the same as that term is defined in Section [53G-9-205.1](#).

71 (2) "School resource officer" or "SRO" means a law enforcement officer hired by a
72 public school in accordance with Section [53G-8-703](#).

73 (3) "State security chief" means an individual appointed by the commissioner under
74 Section [53-22-102](#).

75 Section 2. Section **53-22-102** is enacted to read:

76 **53-22-102. State security chief -- Creation -- Appointment.**

77 (1) There is created within the department a state security chief.

78 (2) The state security chief:

79 (a) is appointed by the commissioner with the approval of the governor;

80 (b) is subject to the supervision and control of the commissioner;

81 (c) may be removed at the will of the commissioner;

82 (d) shall be qualified by experience and education to:

83 (i) enforce the laws of this state relating to school safety;

84 (ii) perform duties prescribed by the commissioner; and

85 (iii) enforce rules made under this chapter.

86 (3) The duties and responsibilities of the state security chief shall be determined by the
87 Commissioner of Public Safety in conjunction with the School Security Task Force created in

88 Section 53-22-104.

89 Section 3. Section **53-22-103** is enacted to read:

90 **53-22-103. County sheriff responsibilities -- Coordination.**

91 Each county sheriff shall identify an individual within the sheriff's office to coordinate
92 security responsibilities between the state security chief, the county sheriff's office, and the
93 corresponding police chiefs whose jurisdiction includes a public school within the county.

94 Section 4. Section **53-22-104** is enacted to read:

95 **53-22-104. School Security Task Force -- Membership -- Duties -- Per diem --**
96 **Report -- Expiration.**

97 (1) There is created a School Security Task Force composed of the following 16
98 members:

99 (a) the House chair of the Law Enforcement and Criminal Justice Interim Committee,
100 who shall serve as chair;

101 (b) the House chair of the Criminal Code Evaluation Task Force;

102 (c) a member of the Senate, appointed by the president of the Senate;

103 (d) a member of the State Board of Education security team;

104 (e) the school safety specialist to the State Board of Education;

105 (f) the public safety liaison described in Section [53-1-106](#);

106 (g) the commissioner of the Department of Public Safety or the commissioner's
107 designee;

108 (h) a member of the Utah School Superintendents Association, selected by the
109 president of the association;

110 (i) two members of the Chiefs of Police Association, one from a city of the first or
111 second class and one from a city of the third, fourth, fifth, or sixth class, selected by the
112 president of the association;

113 (j) two members of the Sheriffs Association, one from a county of the first, second, or
114 third class and one from a county of the fourth, fifth, or sixth class, selected by the president of
115 the association;

116 (k) a representative from the Utah Association of Public Charter Schools selected by
117 the president of the association;

118 (l) a representative from a school district, selected by the chair;

- 119 (m) a representative from a private school recommended by the commissioner of the
120 Department of Public Safety; and
- 121 (n) a member of a local law enforcement agency recommended by the commissioner of
122 the Department of Public Safety.
- 123 (2) The task force shall:
- 124 (a) determine the specific qualifications, duties, and responsibilities of the state
125 security chief created in Section 53-22-102;
- 126 (b) create statewide standardized training requirements and hiring policies for school
127 resource officers;
- 128 (c) review and revise, if necessary, the model critical incident response training
129 program developed under Section 53G-8-802;
- 130 (d) develop training standards for active shooter and emergency response in schools;
- 131 (e) recommend safety and security protocols for the design, construction, and
132 reconstruction of new and existing schools;
- 133 (f) develop legislation to accomplish Subsections (a) through (e) for introduction in the
134 2024 General Session; and
- 135 (g) prepare a report and present any legislation developed to the Law Enforcement and
136 Criminal Justice Interim Committee by November 30, 2023.
- 137 (3) (a) A majority of the members of the task force constitutes a quorum.
- 138 (b) The action of a majority of a quorum constitutes an action of the task force.
- 139 (4) The Office of Legislative Research and General Counsel shall provide staff for the
140 task force.
- 141 (5) (a) Salaries and expenses of the members of the task force who are legislators shall
142 be paid in accordance with:
- 143 (i) Section 36-2-2;
- 144 (ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation
145 Expenses; and
- 146 (iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.
- 147 (b) A member of the task force who is not a legislator may not receive compensation
148 for the member's work associated with the task force but may receive per diem and
149 reimbursement for travel expenses incurred as a member of the task force at the rates

150 established by the Division of Finance under:

151 (i) Sections [63A-3-106](#) and [63A-3-107](#); and

152 (ii) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and
153 [63A-3-107](#).

154 (6) This task force expires December 31, 2023.

155 Section 5. Section **53E-3-516** is amended to read:

156 **53E-3-516. School disciplinary and law enforcement action report -- Rulemaking**
157 **authority.**

158 (1) As used in this section:

159 (a) "Disciplinary action" means an action by a public school meant to formally
160 discipline a student of that public school that includes a suspension or expulsion.

161 (b) "Law enforcement agency" means the same as that term is defined in Section
162 [77-7a-103](#).

163 (c) "Minor" means the same as that term is defined in Section [53G-6-201](#).

164 (d) "Other law enforcement activity" means a significant law enforcement interaction
165 with a minor that does not result in an arrest, including:

166 (i) a search and seizure by an SRO;

167 (ii) issuance of a criminal citation;

168 (iii) issuance of a ticket or summons;

169 (iv) filing a delinquency petition; or

170 (v) referral to a probation officer.

171 (e) "School is in session" means the hours of a day during which a public school
172 conducts instruction for which student attendance is counted toward calculating average daily
173 membership.

174 (f) (i) "School-sponsored activity" means an activity, fundraising event, club, camp,
175 clinic, or other event or activity that is authorized by a specific public school, according to LEA
176 governing board policy, and satisfies at least one of the following conditions:

177 (A) the activity is managed or supervised by a school district, public school, or public
178 school employee;

179 (B) the activity uses the school district or public school facilities, equipment, or other
180 school resources; or

181 (C) the activity is supported or subsidized, more than inconsequentially, by public
182 funds, including the public school's activity funds or Minimum School Program dollars.

183 (ii) "School-sponsored activity" includes preparation for and involvement in a public
184 performance, contest, athletic competition, demonstration, display, or club activity.

185 (g) "Student resource officer" or "SRO" means the same as that term is defined in
186 Section [53G-8-701](#).

187 (2) Beginning on July 1, 2023, the state board shall develop an annual report regarding
188 the following incidents that occur on school grounds while school is in session or during a
189 school-sponsored activity:

190 (a) arrests of a minor;

191 (b) other law enforcement activities; and

192 (c) disciplinary actions.

193 (3) Pursuant to state and federal law, law enforcement agencies shall collaborate with
194 the state board and LEAs to provide and validate data and information necessary to complete
195 the report described in Subsection (2), as requested by an LEA or the state board.

196 (4) The report described in Subsection (2) shall include the following information
197 listed separately for each LEA:

198 (a) the number of arrests of a minor, including the reason why the minor was arrested;

199 (b) the number of other law enforcement activities, including the following information
200 for each incident:

201 (i) the reason for the other law enforcement activity; and

202 (ii) the type of other law enforcement activity used;

203 (c) the number of disciplinary actions imposed, including:

204 (i) the reason for the disciplinary action; and

205 (ii) the type of disciplinary action;

206 (d) the number of SROs employed; and

207 (e) if applicable, the demographics of an individual who is subject to, as the following
208 are defined in Section [53G-9-601](#), bullying, hazing, cyber-bullying, or retaliation.

209 (5) The report described in Subsection (2) shall include the following information, in
210 aggregate, for each element described in Subsections (4)(a) through (c):

211 (a) age;

- 212 (b) grade level;
- 213 (c) race;
- 214 (d) sex; and
- 215 (e) disability status.

216 (6) Information included in the annual report described in Subsection (2) shall comply
 217 with:

- 218 (a) Chapter 9, Part 3, Student Data Protection;
- 219 (b) Chapter 9, Part 2, Student Privacy; and
- 220 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.

221 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 222 state board shall make rules to compile the report described in Subsection (2).

223 (8) The state board shall provide the report described in Subsection (2):

224 (a) in accordance with Section 53E-1-203 for incidents that occurred during the
 225 previous school year[-]; and

226 (b) to the State Commission on Criminal and Juvenile Justice before July 1 of each
 227 year for incidents that occurred during the previous school year.

228 Section 6. Section 53G-8-701 is amended to read:

229 **53G-8-701. Definitions.**

230 As used in this part:

231 (1) "Law enforcement agency" means the same as that term is defined in Section
 232 53-1-102.

233 (2) "Public school" means the same as that term is defined in Section 53G-9-205.1.

234 [(2)] (3) "School resource officer" or "SRO" means a law enforcement officer, as
 235 defined in Section 53-13-103, who contracts with or whose law enforcement agency contracts
 236 with an LEA to provide law enforcement services for the LEA.

237 Section 7. Section 53G-8-702 is amended to read:

238 **53G-8-702. School resource officer training -- Curriculum.**

239 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 240 state board shall make rules that prepare and make available a training program for school
 241 principals, school personnel, and school resource officers to attend.

242 (2) To create the curriculum and materials for the training program described in

243 Subsection (1), the state board shall:

244 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice
245 created in Section [63M-7-201](#);

246 (b) solicit input from local school boards, charter school governing boards, and the
247 Utah Schools for the Deaf and the Blind;

248 (c) consult with a nationally recognized organization that provides resources and
249 training for school resource officers;

250 [~~(c)~~] (d) solicit input from local law enforcement and other interested community
251 stakeholders; and

252 [~~(d)~~] (e) consider the current United States Department of Education recommendations
253 on school discipline and the role of a school resource officer.

254 (3) The training program described in Subsection (1) may include training on the
255 following:

256 (a) childhood and adolescent development;

257 (b) responding age-appropriately to students;

258 (c) working with disabled students;

259 (d) techniques to de-escalate and resolve conflict;

260 (e) cultural awareness;

261 (f) restorative justice practices;

262 (g) identifying a student exposed to violence or trauma and referring the student to
263 appropriate resources;

264 (h) student privacy rights;

265 (i) negative consequences associated with youth involvement in the juvenile and
266 criminal justice systems;

267 (j) strategies to reduce juvenile justice involvement;

268 (k) roles of and distinctions between a school resource officer and other school staff
269 who help keep a school secure;

270 (l) developing and supporting successful relationships with students; and

271 (m) legal parameters of searching and questioning students on school property.

272 (4) The state board shall work together with the Department of Public Safety, the State
273 Commission on Criminal and Juvenile Justice, and state and local law enforcement to establish

274 policies, ~~and~~ procedures, ~~that govern~~ and training requirements for school resource officers.

275 Section 8. Section **53G-8-703** is amended to read:

276 **53G-8-703. Contracts between an LEA and law enforcement for school resource**
277 **officer services -- Requirements.**

278 (1) An LEA ~~may~~ shall contract with a local law enforcement agency ~~or an~~
279 ~~individual~~ to provide school resource officer services at the LEA ~~if the LEA governing board~~
280 ~~reviews and approves the contract~~].

281 (2) The LEA governing board and the local law enforcement agency shall develop a
282 mutually agreed upon contract for an SRO.

283 ~~(2)~~ (3) ~~if an LEA contracts~~ An LEA contract with a law enforcement agency ~~or an~~
284 ~~individual~~ to provide SRO services at the LEA~~, the LEA governing board~~ shall require in the
285 contract:

286 (a) an acknowledgment by the law enforcement agency ~~or the individual~~ that an SRO
287 hired under the contract shall:

288 (i) provide for and maintain a safe, healthy, and productive learning environment in a
289 school;

290 (ii) act as a positive role model to students;

291 (iii) work to create a cooperative, proactive, and problem-solving partnership between
292 law enforcement and the LEA;

293 (iv) emphasize the use of restorative approaches to address negative behavior; and

294 (v) at the request of the LEA, teach a vocational law enforcement class;

295 (b) a description of the shared understanding of the LEA and the law enforcement
296 agency ~~or individual~~ regarding the roles and responsibilities of law enforcement and the LEA
297 to:

298 (i) maintain safe schools;

299 (ii) improve school climate; and

300 (iii) support educational opportunities for students;

301 (c) a designation of student offenses that, in accordance with Section 53G-8-211, the

302 SRO:

303 (i) may refer to the juvenile court;

304 (ii) [the SRO] shall confer with the LEA to resolve[~~, including an offense that~~]; and

305 ~~[(i) is a minor violation of the law; and]~~
 306 ~~[(ii) would not violate the law if the offense was committed by an adult;]~~
 307 ~~[(d)] (iii) [a designation of student offenses that are administrative issues that an SRO]~~
 308 shall refer to a school administrator for resolution ~~[in accordance with Section 53G-8-211]~~ as
 309 an administrative issue with the understanding that the SRO will be informed of the outcome of
 310 the administrative issue;

311 ~~[(e)] (d)~~ a detailed description of the rights of a student under state and federal law
 312 with regard to:

313 (i) searches;

314 (ii) questioning;

315 (iii) arrests; and

316 ~~[(iii)] (iv)~~ information privacy;

317 ~~[(f)] (e)~~ a detailed description of:

318 (i) job assignment and duties[;], including:

319 (A) the school to which the SRO will be assigned;

320 (B) the hours the SRO is expected to be present at the school;

321 (C) the point of contact at the school;

322 (D) specific responsibilities for providing and receiving information; and

323 (E) types of records to be kept, and by whom;

324 (ii) training requirements; and

325 (iii) other expectations of the SRO and school administration in relation to law
 326 enforcement at the LEA;

327 ~~[(g)] (f)~~ that an SRO who is hired under the contract and the principal at the school
 328 where an SRO will be working, or the principal's designee, will jointly complete the SRO
 329 training described in Section 53G-8-702; ~~[and]~~

330 ~~[(h) if the contract is between an LEA and a law enforcement agency, that:]~~

331 ~~[(i)] (g)~~ that both parties agree to jointly discuss SRO applicants; and

332 ~~[(i)] (h)~~ that the law enforcement agency will, at least annually, seek out and accept
 333 feedback from an LEA about an SRO's performance.

334 Section 9. Section 53G-8-703.2 is enacted to read:

335 **53G-8-703.2. LEA establishment of SRO policy -- Public comment.**

- 336 (1) An LEA shall establish an SRO policy.
- 337 (2) The SRO policy described in Subsection (1) shall include:
- 338 (a) the contract described in Section [53G-8-703](#); and
- 339 (b) all other procedures and requirements governing the relationship between the LEA
- 340 and an SRO.
- 341 (3) Before implementing the SRO policy described in Subsection (1), the LEA shall
- 342 present the SRO policy at a public meeting and receive public comment on the SRO policy.

343 Section 10. Section **53G-8-802** is amended to read:

344 **53G-8-802. State Safety and Support Program -- State board duties -- LEA**
345 **duties.**

- 346 (1) There is created the State Safety and Support Program.
- 347 (2) The state board shall:
 - 348 (a) develop in conjunction with the Division of Substance Abuse and Mental Health
 - 349 model student safety and support policies for an LEA, including:
 - 350 (i) evidence-based procedures for the assessment of and intervention with an individual
 - 351 whose behavior poses a threat to school safety;
 - 352 (ii) procedures for referrals to law enforcement; and
 - 353 (iii) procedures for referrals to a community services entity, a family support
 - 354 organization, or a health care provider for evaluation or treatment;
 - 355 (b) provide training:
 - 356 (i) in school safety;
 - 357 (ii) in evidence-based approaches to improve school climate and address and correct
 - 358 bullying behavior;
 - 359 (iii) in evidence-based approaches in identifying an individual who may pose a threat
 - 360 to the school community;
 - 361 (iv) in evidence-based approaches in identifying an individual who may be showing
 - 362 signs or symptoms of mental illness;
 - 363 (v) on permitted disclosures of student data to law enforcement and other support
 - 364 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g;
 - 365 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections
 - 366 [53E-9-203](#) and [53E-9-305](#); and

- 367 (vii) for administrators on rights and prohibited acts under:
- 368 (A) Chapter 9, Part 6, Bullying and Hazing;
- 369 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 370 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 371 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 372 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 373 (c) conduct and disseminate evidence-based research on school safety concerns;
- 374 (d) disseminate information on effective school safety initiatives;
- 375 (e) encourage partnerships between public and private sectors to promote school safety;
- 376 (f) provide technical assistance to an LEA in the development and implementation of
- 377 school safety initiatives;
- 378 (g) in conjunction with the Department of Public Safety, develop and make available to
- 379 an LEA a model critical incident response training program that includes:
- 380 (i) protocols for conducting a threat assessment, and ensuring building security during
- 381 an incident;
- 382 (ii) standardized response protocol terminology for use throughout the state;
- 383 (iii) protocols for planning and safety drills; and
- 384 (iv) recommendations for safety equipment for schools including amounts and types of
- 385 first aid supplies;
- 386 (h) provide space for the public safety liaison described in Section 53-1-106 and the
- 387 school-based mental health specialist described in Section 62A-15-103;
- 388 (i) create a model school climate survey that may be used by an LEA to assess
- 389 stakeholder perception of a school environment and, in accordance with Title 63G, Chapter 3,
- 390 Utah Administrative Rulemaking Act, adopt rules:
- 391 (i) requiring an LEA to:
- 392 (A) create or adopt and disseminate a school climate survey; and
- 393 (B) disseminate the school climate survey;
- 394 (ii) recommending the distribution method, survey frequency, and sample size of the
- 395 survey; and
- 396 (iii) specifying the areas of content for the school climate survey; and
- 397 (j) collect aggregate data and school climate survey results from each LEA.

398 (3) Nothing in this section requires an individual to respond to a school climate survey.

399 (4) The state board shall require an LEA to:

400 (a) (i) review data from the state board-facilitated surveys containing school climate
401 data for each school within the LEA; and

402 (ii) based on the review described in Subsection (4)(a)(i):

403 (A) revise practices, policies, and training to eliminate harassment and discrimination
404 in each school within the LEA;

405 (B) adopt a plan for harassment- and discrimination-free learning; and

406 (C) host outreach events or assemblies to inform students and parents of the plan
407 adopted under Subsection (4)(a)(ii)(B);

408 (b) no later than September 1 of each school year, send a notice to each student, parent,
409 and LEA staff member stating the LEA's commitment to maintaining a school climate that is
410 free of harassment and discrimination; and

411 (c) report to the state board:

412 (i) no later than August 1, 2023, on the LEA's plan adopted under Subsection
413 (4)(a)(ii)(B); and

414 (ii) after August 1, 2023, annually on the LEA's implementation of the plan and
415 progress.

416 Section 11. Section **53G-8-803** is enacted to read:

417 **53G-8-803. School Safety and Support Grant Program -- Rulemaking.**

418 (1) The state board may award a grant to an LEA in response to an LEA request for
419 proposal to provide a school with:

420 (a) school resource officer services;

421 (b) first-aid kits for classrooms; or

422 (c) bleeding control kits.

423 (2) An LEA may not apply for a grant under this section to fund services already in
424 place, but an LEA may submit a request for proposal to fund an expansion of existing services.

425 (3) The state board shall prioritize grant funding for:

426 (a) counties of the 3rd, 4th, 5th, and 6th class;

427 (b) cities of the 3rd, 4th, and 5th class; and

428 (c) towns.

429 (4) The state board may adopt rules in accordance with Title 63G, Chapter 3, Utah
430 Administrative Rulemaking Act, to administer this section.

431 Section 12. Section **63A-16-1001** is amended to read:

432 **63A-16-1001. Definitions.**

433 As used in this part:

434 (1) "Commission" means the State Commission on Criminal and Juvenile Justice
435 created in Section [63M-7-201](#).

436 (2) "Criminal justice agency" means an agency or institution directly involved in the
437 apprehension, prosecution, and incarceration of an individual involved in criminal activity,
438 including law enforcement, correctional facilities, jails, courts, probation, and parole.

439 (3) "Database" means the [~~Criminal Justice Database~~] criminal and juvenile justice
440 database created in this part.

441 (4) "Division" means the Division of Technology Services created in Section
442 [63A-16-103](#).

443 Section 13. Section **63A-16-1002** is amended to read:

444 **63A-16-1002. Criminal and juvenile justice database.**

445 (1) The commission shall oversee the creation and management of a [~~Criminal Justice~~
446 ~~Database~~] criminal and juvenile justice database for information and data required to be
447 reported to the commission, organized by county, and accessible to all criminal justice agencies
448 in the state.

449 (2) The division shall assist with the development and management of the database.

450 (3) The division, in collaboration with the commission, shall create:

451 (a) master standards and formats for information submitted to the database;

452 (b) a portal, bridge, website, or other method for reporting entities to provide the
453 information;

454 (c) a master data management index or system to assist in the retrieval of information
455 in the database;

456 (d) a protocol for accessing information in the database that complies with state
457 privacy regulations; and

458 (e) a protocol for real-time audit capability of all data accessed through the portal by
459 participating data source, data use entities, and regulators.

460 (4) Each criminal justice agency charged with reporting information to the commission
461 shall provide the data or information to the database in a form prescribed by the commission.

462 (5) The database shall be the repository for the statutorily required data described in:

463 (a) Section 13-53-111, recidivism reporting requirements;

464 (b) Section 17-22-32, county jail reporting requirements;

465 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;

466 (d) Section 24-4-118, forfeiture reporting requirements;

467 (e) Section 41-6a-511, courts to collect and maintain data;

468 (f) Section 63M-7-214, law enforcement agency grant reporting;

469 (g) Section 63M-7-216, prosecutorial data collection;

470 (h) Section 64-13-21, supervision of sentenced offenders placed in community;

471 (i) Section 64-13-25, standards for programs;

472 (j) Section 64-13-45, department reporting requirements;

473 (k) Section 64-13e-104, housing of state probationary inmates or state parole inmates;

474 (l) Section 77-7-8.5, use of tactical groups;

475 (m) Section 77-20-103, release data requirements;

476 (n) Section 77-22-2.5, court orders for criminal investigations;

477 (o) Section 78A-2-109.5, court demographics reporting;

478 (p) Section 80-6-104, data collection on offenses committed by minors; and

479 ~~(p)~~ (q) any other statutes which require the collection of specific data and the
480 reporting of that data to the commission.

481 (6) The commission shall report:

482 (a) progress on the database, including creation, configuration, and data entered, to the
483 Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and

484 (b) all data collected as of December 31, 2022, to the Law Enforcement and Criminal
485 Justice Interim Committee, the House Law Enforcement and Criminal Justice Standing
486 Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing
487 Committee not later than January 16, 2023.

488 Section 14. Section 63I-2-253 is amended to read:

489 **63I-2-253. Repeal dates: Titles 53 through 53G.**

490 (1) Section 53-22-104 is repealed December 31, 2023.

491 (2) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a
492 technical college board of trustees, is repealed July 1, 2022.

493 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
494 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
495 necessary changes to subsection numbering and cross references.

496 ~~(2)~~ (3) Section 53B-6-105.7 is repealed July 1, 2024.

497 ~~(3)~~ (4) Section 53B-7-707 regarding performance metrics for technical colleges is
498 repealed July 1, 2023.

499 ~~(4)~~ (5) Section 53B-8-114 is repealed July 1, 2024.

500 ~~(5)~~ (6) The following provisions, regarding the Regents' scholarship program, are
501 repealed on July 1, 2023:

502 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
503 established under Sections 53B-8-202 through 53B-8-205";

504 (b) Section 53B-8-202;

505 (c) Section 53B-8-203;

506 (d) Section 53B-8-204; and

507 (e) Section 53B-8-205.

508 ~~(6)~~ (7) Section 53B-10-101 is repealed on July 1, 2027.

509 ~~(7)~~ (8) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
510 repealed July 1, 2023.

511 ~~(8)~~ (9) Subsection 53E-1-201(1)(s) regarding the report by the Educational
512 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

513 ~~(9)~~ (10) Section 53E-1-202.2, regarding a Public Education Appropriations
514 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

515 ~~(10)~~ (11) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed
516 July 1, 2024.

517 ~~(11)~~ (12) In Subsections 53F-2-205(4) and (5), regarding the State Board of
518 Education's duties if contributions from the minimum basic tax rate are overestimated or
519 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,
520 2023.

521 ~~(12)~~ (13) Section 53F-2-209, regarding local education agency budgetary flexibility,

522 is repealed July 1, 2024.

523 ~~[(13)]~~ (14) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
524 repealed July 1, 2023.

525 ~~[(14)]~~ (15) Section 53F-2-302.1, regarding the Enrollment Growth Contingency
526 Program, is repealed July 1, 2023.

527 ~~[(15)]~~ (16) Subsection 53F-2-314(4), relating to a one-time expenditure between the
528 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

529 ~~[(16)]~~ (17) Section 53F-2-524, regarding teacher bonuses for extra work assignments,
530 is repealed July 1, 2024.

531 ~~[(17)]~~ (18) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
532 applicable" is repealed July 1, 2023.

533 ~~[(18)]~~ (19) Subsection 53F-4-401(3)(b), regarding a child enrolled or eligible for
534 enrollment in kindergarten, is repealed July 1, 2022.

535 ~~[(19)]~~ (20) In Subsection 53F-4-404(4)(c), the language that states "Except as provided
536 in Subsection (4)(d)" is repealed July 1, 2022.

537 ~~[(20)]~~ (21) Subsection 53F-4-404(4)(d) is repealed July 1, 2022.

538 ~~[(21)]~~ (22) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
539 applicable" is repealed July 1, 2023.

540 ~~[(22)]~~ (23) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
541 applicable" is repealed July 1, 2023.

542 ~~[(23)]~~ (24) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
543 applicable" is repealed July 1, 2023.

544 ~~[(24)]~~ (25) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
545 as applicable" is repealed July 1, 2023.

546 ~~[(25)]~~ (26) On July 1, 2023, when making changes in this section, the Office of
547 Legislative Research and General Counsel shall, in addition to the office's authority under
548 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
549 identified in this section are complete sentences and accurately reflect the office's perception of
550 the Legislature's intent.

551 Section 15. Section 63M-7-208 is amended to read:

552 **63M-7-208. Juvenile justice oversight -- Delegation -- Effective dates.**

- 553 (1) The Commission on Criminal and Juvenile Justice shall:
- 554 (a) support implementation and expansion of evidence-based juvenile justice programs
- 555 and practices, including assistance regarding implementation fidelity, quality assurance, and
- 556 ongoing evaluation;
- 557 (b) examine and make recommendations on the use of third-party entities or an
- 558 intermediary organization to assist with implementation and to support the performance-based
- 559 contracting system authorized in Subsection (1)(m);
- 560 (c) oversee the development of performance measures to track juvenile justice reforms,
- 561 and ensure early and ongoing stakeholder engagement in identifying the relevant performance
- 562 measures;
- 563 (d) evaluate currently collected data elements throughout the juvenile justice system
- 564 and contract reporting requirements to streamline reporting, reduce redundancies, eliminate
- 565 inefficiencies, and ensure a focus on recidivism reduction;
- 566 (e) review averted costs from reductions in out-of-home placements for juvenile justice
- 567 youth placed with the Division of Juvenile Justice Services and the Division of Child and
- 568 Family Services, and make recommendations to prioritize the reinvestment and realignment of
- 569 resources into community-based programs for youth living at home, including the following:
- 570 (i) statewide expansion of:
- 571 (A) juvenile receiving centers, as defined in Section [80-1-102](#);
- 572 (B) mobile crisis outreach teams, as defined in Section [62A-15-102](#);
- 573 (C) youth courts; and
- 574 (D) victim-offender mediation;
- 575 (ii) statewide implementation of nonresidential diagnostic assessment;
- 576 (iii) statewide availability of evidence-based programs and practices including
- 577 cognitive behavioral and family therapy programs for minors assessed by a validated risk and
- 578 needs assessment as moderate or high risk;
- 579 (iv) implementation and infrastructure to support the sustainability and fidelity of
- 580 evidence-based juvenile justice programs, including resources for staffing, transportation, and
- 581 flexible funds; and
- 582 (v) early intervention programs such as family strengthening programs, family
- 583 wraparound services, and proven truancy interventions;

584 (f) assist the Administrative Office of the Courts in the development of a statewide
585 sliding scale for the assessment of fines, fees, and restitution, based on the ability of the minor's
586 family to pay;

587 (g) analyze the alignment of resources and the roles and responsibilities of agencies,
588 such as the operation of early intervention services, receiving centers, and diversion, and make
589 recommendations to reallocate functions as appropriate, in accordance with Section [80-5-401](#);

590 (h) comply with the data collection and reporting requirements under Section
591 [80-6-104](#);

592 ~~[(h) ensure that data reporting is expanded and routinely review data in additional~~
593 ~~areas, including:]~~

594 ~~[(i) referral and disposition data by judicial district;]~~

595 ~~[(ii) data on the length of time minors spend in the juvenile justice system, including~~
596 ~~the total time spent under court jurisdiction, on community supervision, and in each~~
597 ~~out-of-home placement;]~~

598 ~~[(iii) recidivism data for minors who are diverted to a nonjudicial adjustment under~~
599 ~~Section [80-6-304](#) and minors for whom dispositions are ordered under Section [80-6-701](#),~~
600 ~~including tracking minors into the adult corrections system;]~~

601 ~~[(iv) change in aggregate risk levels from the time minors receive services, are under~~
602 ~~supervision, and are in out-of-home placement; and]~~

603 ~~[(v) dosage of programming;]~~

604 (i) develop a reasonable timeline within which all programming delivered to minors in
605 the juvenile justice system must be evidence-based or consist of practices that are rated as
606 effective for reducing recidivism by a standardized program evaluation tool;

607 (j) provide guidelines to be considered by the Administrative Office of the Courts and
608 the Division of Juvenile Justice Services in developing tools considered by the Administrative
609 Office of the Courts and the Division of Juvenile Justice Services in developing or selecting
610 tools to be used for the evaluation of juvenile justice programs;

611 (k) develop a timeline to support improvements to juvenile justice programs to achieve
612 reductions in recidivism and review reports from relevant state agencies on progress toward
613 reaching that timeline;

614 (l) subject to Subsection (2), assist in the development of training for juvenile justice

615 stakeholders, including educators, law enforcement officers, probation staff, judges, Division
616 of Juvenile Justice Services staff, Division of Child and Family Services staff, and program
617 providers;

618 (m) subject to Subsection (3), assist in the development of a performance-based
619 contracting system, which shall be developed by the Administrative Office of the Courts and
620 the Division of Juvenile Justice Services for contracted services in the community and
621 contracted out-of-home placement providers;

622 (n) assist in the development of a validated detention risk assessment tool that [~~shall~~
623 ~~be~~] is developed or adopted and validated by the Administrative Office of the Courts and the
624 Division of Juvenile Justice Services as provided in Section 80-5-203 [~~on and after July 1,~~
625 ~~2018~~]; and

626 (o) annually issue and make public a report to the governor, president of the Senate,
627 speaker of the House of Representatives, and chief justice of the Utah Supreme Court on the
628 progress of the reforms and any additional areas in need of review.

629 (2) Training described in Subsection (1)(l) should include instruction on
630 evidence-based programs and principles of juvenile justice, such as risk, needs, responsivity,
631 and fidelity, and shall be supplemented by the following topics:

- 632 (a) adolescent development;
- 633 (b) identifying and using local behavioral health resources;
- 634 (c) implicit bias;
- 635 (d) cultural competency;
- 636 (e) graduated responses;
- 637 (f) Utah juvenile justice system data and outcomes; and
- 638 (g) gangs.

639 (3) The system described in Subsection (1)(m) shall provide incentives for:

- 640 (a) the use of evidence-based juvenile justice programs and practices rated as effective
641 by the tools selected in accordance with Subsection (1)(j);
- 642 (b) the use of three-month timelines for program completion; and
- 643 (c) evidence-based programs and practices for minors living at home in rural areas.

644 (4) The State Commission on Criminal and Juvenile Justice may delegate the duties
645 imposed under this section to a subcommittee or board established by the Commission on

646 Criminal and Juvenile Justice in accordance with Subsection [63M-7-204\(2\)](#).

647 ~~[(5) Subsections (1)(a) through (c) take effect August 1, 2017. The remainder of this~~
648 ~~section takes effect July 1, 2018.]~~

649 Section 16. Section **63M-7-218** is amended to read:

650 **63M-7-218. State grant requirements.**

651 Beginning July 1, 2023, the commission may not award any grant of state funds to any
652 entity subject to, and not in compliance with, the reporting requirements in Subsections
653 [63A-16-1002\(5\)\(a\)](#) through ~~[(θ)]~~ [\(p\)](#).

654 Section 17. Section **80-6-104** is enacted to read:

655 **80-6-104. Data collection on offenses committed by minors -- Reporting**
656 **requirement.**

657 (1) As used in this section:

658 (a) "Firearm" means the same as that term is defined in Section [76-10-501](#).

659 (b) "Firearm-related offense" means a criminal offense involving a firearm.

660 (c) "School is in session" means the same as that term is defined in Section [53E-3-516](#).

661 (d) "School-sponsored activity" means the same as that term is defined in Section
662 [53E-3-516](#).

663 (2) Before July 1 of each year, the Administrative Office of the Courts shall submit the
664 following data to the State Commission on Criminal and Juvenile Justice, broken down by
665 judicial district, for the preceding calendar year:

666 (a) the number of referrals to the juvenile court;

667 (b) the number of minors diverted to a nonjudicial adjustment;

668 (c) the number of minors that satisfy the conditions of a nonjudicial adjustment;

669 (d) the number of minors for whom a petition is filed in the juvenile court;

670 (e) the number of minors for whom an information is filed in the juvenile court;

671 (f) the number of minors bound over to the district court by the juvenile court;

672 (g) the number of petitions for offenses committed by minors that were dismissed by
673 the juvenile court;

674 (h) the number of adjudications in the juvenile court for offenses committed by minors;

675 (i) the number of guilty pleas entered into by minors in the juvenile court;

676 (j) the number of dispositions resulting in secure care, community-based placement,

677 formal probation, and intake probation;

678 (k) for each minor charged in the juvenile court with a firearm-related offense:

679 (i) the minor's age at the time the offense was committed or allegedly committed;

680 (ii) the minor's zip code at the time that the offense was referred to the juvenile court;

681 (iii) whether the minor is a restricted person under Subsection [76-10-503\(1\)\(a\)\(iv\)](#) or

682 (1)(b)(ii);

683 (iv) the type of offense for which the minor is charged;

684 (v) the outcome of the minor's case in juvenile court, including whether the minor was

685 bound over to the district court or adjudicated by the juvenile court; and

686 (vi) if a disposition was entered by the juvenile court, whether the disposition resulted

687 in secure care, community-based placement, formal probation, or intake probation.

688 (3) The State Commission on Criminal and Juvenile Justice shall track the disposition

689 of a case resulting from a firearm-related offense committed, or allegedly committed, by a

690 minor when the minor is found in possession of a firearm while school is in session or during a

691 school-sponsored activity.

692 (4) In collaboration with the Administrative Office of the Courts, the division, and

693 other agencies, the State Commission on Criminal and Juvenile Justice shall collect data for the

694 preceding calendar year on:

695 (a) the length of time that minors spend in the juvenile justice system, including the

696 total amount of time minors spend under juvenile court jurisdiction, on community

697 supervision, and in each out-of-home placement;

698 (b) recidivism of minors who are diverted to a nonjudicial adjustment and minors for

699 whom dispositions are ordered by the juvenile court, including tracking minors into the adult

700 corrections system;

701 (c) changes in aggregate risk levels from the time minors receive services, are under

702 supervision, and are in out-of-home placement; and

703 (d) dosages of programming.

704 (5) On and before October 1 of each year, the State Commission on Criminal and

705 Juvenile Justice shall prepare and submit a written report to the Judiciary Interim Committee

706 and the Law Enforcement and Criminal Justice Interim Committee that includes:

707 (a) data collected by the State Commission on Criminal and Juvenile Justice under this

708 section;

709 (b) data collected by the State Board of Education under Section 53E-3-516; and

710 (c) recommendations for legislative action with respect to the data described in this

711 Subsection (5).

712 Section 18. **Appropriation.**

713 The following sums of money are appropriated for the fiscal year beginning July 1,

714 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for

715 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

716 Act, the Legislature appropriates the following sums of money from the funds or accounts

717 indicated for the use and support of the government of the state of Utah.

718 ITEM 1

719 To State Board of Education - Contracted Initiatives and Grants

720 From Income Tax Fund, One-time 25,000,000

721 Schedule of Programs:

722 Contracts and Grants 25,000,000

723 The Legislature intends that:

724 (1) the appropriation under this item be used for the grant program described in Section
725 53G-8-803 of this bill; and

726 (2) under Section 63J-1-603, the one-time appropriation provided under this item not
727 lapse at the close of fiscal year 2024 and the use of any nonlapsing funds is limited to the

728 purposes described in Subsection (1) of this item.