

**RAPE CRISIS AND SERVICES CENTER AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Angela Romero**

Senate Sponsor: Todd D. Weiler

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**LONG TITLE**

**General Description:**

This bill concerns standards of care and eligibility standards for a rape crisis and services center.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ specifies rulemaking authority to ~~H→ [the H→~~ State Commission on Criminal and

Juvenile

~~Justice, in consultation with the H→ Utah] the State Commission on Criminal and Juvenile~~

Justice (commission), in consultation with the Utah H→ Office for Victims of Crime (office) to create:

- standards of care for a rape crisis and services center;
- eligibility standards for a rape crisis and services center to be eligible for a grant, other funds, or services;

• standards and procedures for ~~H→ [the H→ [office] state auditor H→ to] the~~ commission to H→ monitor or audit

the compliance of a

rape crisis and services center with eligibility standards; ~~H→~~ ▶ requires the state auditor to audit

the commission's compliance with monitoring and auditing requirements and the provision of certain grant funds; H→ and

- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**⊕



H.B. 114

25  None

26 **Utah Code Sections Affected:**

27 AMENDS:

121 53-13-103.

122 (21) (a) "Medical examination" means a physical examination necessary to document  
123 criminally injurious conduct.

124 (b) "Medical examination" does not include mental health evaluations for the  
125 prosecution and investigation of a crime.

126 (22) "Mental health counseling" means outpatient and inpatient counseling necessitated  
127 as a result of criminally injurious conduct, is subject to rules made by the board in accordance  
128 with Title 63G, Chapter 3, Utah Administrative  
129 Rulemaking Act.

130 (23) "Misconduct" means conduct by the victim that was attributable to the injury or  
131 death of the victim as provided by rules made by the board in accordance with Title 63G,  
132 Chapter 3, Utah Administrative Rulemaking Act.

133 (24) "Noneconomic detriment" means pain, suffering, inconvenience, physical  
134 impairment, and other nonpecuniary damage, except as provided in this part.

135 (25) "Nongovernment organization victim advocate" means the same as that term is  
136 defined in Section 77-38-403.

137 (26) "Pecuniary loss" does not include loss attributable to pain and suffering except as  
138 otherwise provided in this part.

139 (27) "Offender" means an individual who has violated Title 76, Utah Criminal  
140 Code, through criminally injurious conduct regardless of whether the individual is arrested,  
141 prosecuted, or convicted.

142 (28) "Offense" means a violation of Title 76, Utah Criminal Code.

143 (29) "Office" means the director, the reparations and assistance officers, and any other  
144 staff employed for the purpose of carrying out the provisions of this part.

145 (30) "Perpetrator" means the individual who actually participated in the criminally  
146 injurious conduct.

147 (31) ~~H~~→ (a) ←~~H~~ "Rape crisis and services center" means a nonprofit entity that assists  
147a victims of  
148 sexual assault and victims' families by offering sexual assault crisis intervention and counseling  
149 through a sexual assault counselor.

149a ~~H~~→ (b) "Rape crisis and services center" **does not include a qualified institutional** ↻

149b **⊕ victim services provider as defined in Section 53B-28-201. ←H**

150 [~~31~~] (32) "Reparations award" means money or other benefits provided to a claimant

151 or to another on behalf of a claimant after the day on which a reparations claim is approved by



189 Section 76-1-101.5.

190 [~~43~~] (45) (a) "Victim" means an individual who suffers bodily or psychological injury  
191 or death as a direct result of:

192 (i) criminally injurious conduct; or

193 (ii) the production of pornography in violation of Section 76-5b-201 or 76-5b-201.1 if  
194 the individual is a minor.

195 (b) "Victim" does not include an individual who participated in or observed the judicial  
196 proceedings against an offender unless otherwise provided by statute or rule made in  
197 accordance with Title 63G, Chapter 3, Utah  
198 Administrative Rulemaking Act.

199 [~~44~~] (46) "Work loss" means loss of income from work the injured victim would  
200 have performed if the injured victim had not been injured and expenses reasonably incurred by  
201 the injured victim in obtaining services in lieu of those the injured victim would have  
202 performed for income, reduced by any income from substitute work the injured victim was  
203 capable of performing but unreasonably failed to undertake.

204 Section 2. Section **63M-7-527** is enacted to read:

205 **63M-7-527. Rape crisis and services center standards, eligibility, and monitoring**  
206 **-- Administrative rulemaking authority.**

207 (1) With regard to eligibility for a grant, other funds, or services provided under this  
208 part for a rape crisis and services center, the ~~H~~→ **commission, in consultation with the** ←~~H~~ office  
208a ~~H~~→, ←~~H~~ shall create rules to:

209 (a) create standards of care for a rape crisis and services center to provide safe,  
210 effective, and appropriate services for a victim of sexual assault:

211 (i) that are based on best practices; and

212 (ii) with input from the Utah Victim Services Commission's subcommittee on rape and  
213 sexual assault established under Subsection 63M-7-903(5)(b);



214 (b) create and enforce eligibility standards for a rape crisis and services center that:

215 (i) incorporate the standards of care described in Subsection (1)(a); and

216 (ii) may be used to determine whether a rape crisis and services center is eligible for a

217 grant, other funds, or services under this part; and

218 (c) create standards and procedures for ~~H→ [the H→ [office or the office's designee]~~ state

218a ~~auditor ←H to monitor or~~

219 ~~audit] the commission to monitor and audit ←H~~ a rape crisis and services center for compliance

219a with the eligibility standards described in

220 Subsection (1)(b).

221 (2) Rules made by the ~~H→ [office]~~ commission ←H under this section shall be made in

221a accordance with Title

222 63G, Chapter 3, Utah Administrative Rulemaking Act. ~~H→~~ (3) The state auditor shall audit the

222a commission's compliance with the commission's monitoring and auditing requirements

222b described in Subsection (1)(c) and the provision of grant funds under this section. ←H

223 Section 3. Effective date.

224 This bill takes effect on May 1, 2024.