

Representative Ryan D. Wilcox proposes the following substitute bill:

PUBLIC SAFETY DATA AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill amends and enacts provisions related to the collection and reporting of public safety data.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Alcohol Abuse Tracking Committee to report certain information to the State Commission on Criminal and Juvenile Justice and to the Law Enforcement and Criminal Justice Interim Committee;
- ▶ amends the dates for certain required reports;
- ▶ renames the "criminal and juvenile justice database" to the "public safety portal";
- ▶ clarifies that the State School Board's school disciplinary and law enforcement action report is a report required to be included in the public safety portal managed by the State Commission on Criminal and Juvenile Justice;
- ▶ provides the State Commission on Criminal and Juvenile Justice with authority to contract with private and governmental entities to assist criminal justice agencies in complying with certain data reporting requirements;
- ▶ creates the public safety portal grant program; and



26 ▶ makes technical and conforming changes.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **26B-1-427**, as renumbered and amended by Laws of Utah 2023, Chapter 305

34 **53E-3-516**, as last amended by Laws of Utah 2023, Chapters 115, 161

35 **63A-16-1001**, as last amended by Laws of Utah 2023, Chapter 161

36 **63A-16-1002**, as last amended by Laws of Utah 2023, Chapters 158, 161, 382, and 448

37 **63M-7-214**, as last amended by Laws of Utah 2022, Chapter 390

38 **63M-7-216**, as last amended by Laws of Utah 2023, Chapter 330

39 **63M-7-218**, as last amended by Laws of Utah 2023, Chapters 158, 161 and 382

40 **80-6-104**, as enacted by Laws of Utah 2023, Chapter 161

41 ENACTS:

42 **63A-16-1003**, Utah Code Annotated 1953



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

45 Section 1. Section **26B-1-427** is amended to read:

46 **26B-1-427. Alcohol Abuse Tracking Committee --Tracking effects of abuse of**
47 **alcoholic products.**

48 (1) There is created a committee within the department known as the Alcohol Abuse
49 Tracking Committee that consists of:

50 (a) the executive director or the executive director's designee;

51 (b) the commissioner of the Department of Public Safety or the commissioner's
52 designee;

53 (c) the director of the Department of Alcoholic Beverage Services or that director's
54 designee;

55 (d) the executive director of the Department of Workforce Services or that executive
56 director's designee;

57 (e) the chair of the Utah Substance Use and Mental Health Advisory Council or the
58 chair's designee;

59 (f) the state court administrator or the state court administrator's designee; and

60 (g) the director of the Division of Technology Services or that director's designee.

61 (2) The executive director or the executive director's designee shall chair the
62 committee.

63 (3) (a) Four members of the committee constitute a quorum.

64 (b) A vote of the majority of the committee members present when a quorum is present
65 is an action of the committee.

66 (4) The committee shall meet at the call of the chair, except that the chair shall call a
67 meeting at least twice a year:

68 (a) with one meeting held each year to develop the report required under Subsection
69 (7); and

70 (b) with one meeting held to review and finalize the report before the report is issued.

71 (5) The committee may adopt additional procedures or requirements for:

72 (a) voting, when there is a tie of the committee members;

73 (b) how meetings are to be called; and

74 (c) the frequency of meetings.

75 (6) The committee shall establish a process to collect for each calendar year the
76 following information:

77 (a) the number of individuals statewide who are convicted of, plead guilty to, plead no
78 contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a
79 violation related to underage drinking of alcohol;

80 (b) the number of individuals statewide who are convicted of, plead guilty to, plead no
81 contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a
82 violation related to driving under the influence of alcohol;

83 (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act,
84 related to over-serving or over-consumption of an alcoholic product;

85 (d) the cost of social services provided by the state related to abuse of alcohol,
86 including services provided by the Division of Child and Family Services;

87 (e) the location where the alcoholic products that result in the violations or costs

88 described in Subsections (6)(a) through (d) are obtained; and

89 (f) any information the committee determines can be collected and relates to the abuse
90 of alcoholic products.

91 (7) The committee shall:

92 (a) report the information collected under Subsection (6) annually to the governor ~~and~~
93 ~~the Legislature~~, the Law Enforcement and Criminal Justice Interim Committee, and the State
94 Commission on Criminal and Juvenile Justice by no later than the July 1 immediately
95 following the calendar year for which the information is collected; and

96 (b) provide all data collected before January 1, 2024, under Subsection (6) to the State
97 Commission on Criminal and Juvenile Justice.

98 Section 2. Section 53E-3-516 is amended to read:

99 **53E-3-516. School disciplinary and law enforcement action report -- Rulemaking**
100 **authority.**

101 (1) As used in this section:

102 (a) "Dangerous weapon" means the same as that term is defined in Section 53G-8-510.

103 ~~[(b) "Disciplinary action" means an action by a public school meant to formally~~
104 ~~discipline a student of that public school that includes a suspension or expulsion.]~~

105 (b) (i) "Law enforcement action" means a significant law enforcement interaction with
106 a minor.

107 (ii) "Law enforcement action" includes the following actions against a minor:

108 (A) a search and seizure by a school resource officer;

109 (B) an arrest;

110 (C) the issuance of a citation;

111 (D) the filing of a delinquency petition, indictment, or criminal information; or

112 (E) a referral to the juvenile court.

113 (c) "Law enforcement agency" means the same as that term is defined in Section
114 77-7a-103.

115 (d) "Minor" means the same as that term is defined in Section 80-1-102.

116 ~~[(e) "Other law enforcement activity" means a significant law enforcement interaction~~
117 ~~with a minor that does not result in an arrest, including:]~~

118 ~~[(i) a search and seizure by an SRO;]~~

119 ~~[(ii) issuance of a criminal citation;]~~

120 ~~[(iii) issuance of a ticket or summons;]~~

121 ~~[(iv) filing a delinquency petition; or]~~

122 ~~[(v) referral to a probation officer.]~~

123 (e) (i) "School disciplinary action" means an action by a public school to formally
 124 discipline a student of that public school.

125 (ii) "School disciplinary action" includes a suspension or an expulsion.

126 (f) "School is in session" means the hours of a day during which a public school
 127 conducts instruction for which student attendance is counted toward calculating average daily
 128 membership.

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

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

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

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

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

140 (h) " School resource officer" or "SRO" means the same as that term is defined in
 141 Section [53G-8-701](#).

142 (2) ~~[Beginning on July 1, 2023, the]~~ The state board shall develop an annual report
 143 regarding the following incidents that occur on school grounds while school is in session or
 144 during a school-sponsored activity:

145 ~~[(a) arrests of a minor;]~~

146 ~~[(b) other law enforcement activities;]~~

147 ~~[(c)]~~ (a) school disciplinary actions; [and]

148 ~~[(d)]~~ (b) minors found in possession of a dangerous weapon[-]; and

149 (c) law enforcement actions.

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

153 (4) The report described in Subsection (2) shall include the following information
154 listed separately for each school in an LEA:

155 ~~[(a) the number of arrests of a minor, including the reason why the minor was~~
156 ~~arrested;]~~

157 ~~[(b)]~~ (a) the number of ~~[other]~~ law enforcement ~~[activities]~~ actions, including the
158 following information for each incident:

159 (i) the reason for the ~~[other]~~ law enforcement ~~[activity]~~ action; and

160 (ii) the type of ~~[other]~~ law enforcement ~~[activity]~~ action used;

161 ~~[(c)]~~ (b) the number of school disciplinary actions ~~[imposed]~~, including the following
162 information for each incident:

163 (i) the reason for the school disciplinary action; and

164 (ii) the type of school disciplinary action;

165 ~~[(d)]~~ (c) the number of SROs employed;

166 ~~[(e)]~~ (d) if applicable, the demographics of an individual who is subject to, as the
167 following are defined in Section 53G-9-601, bullying, hazing, cyber-bullying, or retaliation;
168 and

169 ~~[(f)]~~ (e) the number of minors found in possession of a dangerous weapon on school
170 grounds while school is in session or during a school-sponsored activity.

171 (5) The report described in Subsection (2) shall include the following information, in
172 aggregate, for each element described in Subsections (4)(a) ~~[through (c)]~~ and (b):

173 (a) age;

174 (b) grade level;

175 (c) race;

176 (d) sex; and

177 (e) disability status.

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

180 (a) Chapter 9, Part 3, Student Data Protection;

181 (b) Chapter 9, Part 2, Student Privacy; and
 182 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
 183 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 184 state board shall make rules to compile the report described in Subsection (2).

185 (8) The state board shall provide the report described in Subsection (2):
 186 (a) in accordance with Section [53E-1-203](#) for incidents that occurred during the
 187 previous school year; and

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

190 Section 3. Section **63A-16-1001** is amended to read:

191 **63A-16-1001. Definitions.**

192 As used in this part:

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

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

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

199 [~~(4)~~] (3) "Division" means the Division of Technology Services created in Section
 200 [63A-16-103](#).

201 (4) "Grant" means a grant awarded under Section [63A-16-1003](#).

202 (5) "Program" means the public safety portal grant program created in Section
 203 [63A-16-1003](#).

204 (6) "Public safety portal" means the data portal created in Section [63A-16-1002](#).

205 (7) "State board" means the State Board of Education.

206 Section 4. Section **63A-16-1002** is amended to read:

207 **63A-16-1002. Public safety portal.**

208 (1) The commission shall oversee the creation and management of a [~~criminal and~~
 209 ~~juvenile justice database~~] public safety portal for information and data required to be reported
 210 to the commission[~~, organized by county,~~] and accessible to all criminal justice agencies in the
 211 state.

212 (2) The division shall assist with the development and management of the [database]
213 public safety portal.

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

215 (a) master standards and formats for information submitted to the [database] public
216 safety portal;

217 (b) a [~~portal~~] gateway, bridge, website, or other method for reporting entities to provide
218 the information;

219 (c) a master data management index or system to assist in the retrieval of information
220 [~~in the database~~] from the public safety portal;

221 (d) a protocol for accessing information in the [database] public safety portal that
222 complies with state privacy regulations; and

223 (e) a protocol for real-time audit capability of all data accessed [~~through~~] from the
224 public safety portal by participating data source, data use entities, and regulators.

225 [~~(4) Each criminal justice agency charged with reporting information to the~~
226 ~~commission shall provide the data or information to the database in a form prescribed by the~~
227 ~~commission.~~]

228 [~~(5)~~] (4) The [database] public safety portal shall be the repository for the statutorily
229 required data described in:

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

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

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

233 (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;

234 [~~(d)~~] (e) Section 41-6a-511, courts to collect and maintain data;

235 [~~(e)~~] (f) Section 53-23-101, reporting requirements for reverse-location warrants;

236 [~~(f)~~] (g) Section 53-24-102, sexual assault offense reporting requirements for law
237 enforcement agencies;

238 (h) Section 53E-3-516, school disciplinary and law enforcement action report;

239 [~~(g)~~] (i) Section 63M-7-214, law enforcement agency grant reporting;

240 [~~(h)~~] (j) Section 63M-7-216, prosecutorial data collection;

241 [~~(i)~~] (k) Section 64-13-21, supervision of sentenced offenders placed in community;

242 [~~(j)~~] (l) Section 64-13-25, standards for programs;

243 ~~[(k)]~~ (m) Section 64-13-45, department reporting requirements;
 244 ~~[(H)]~~ (n) Section 64-13e-104, housing of state probationary inmates or state parole
 245 inmates;
 246 ~~[(m)]~~ (o) Section 77-7-8.5, use of tactical groups;
 247 ~~[(n)]~~ (p) Section 77-11b-404, forfeiture reporting requirements;
 248 ~~[(o)]~~ (q) Section 77-20-103, release data requirements;
 249 ~~[(p)]~~ (r) Section 77-22-2.5, court orders for criminal investigations;
 250 ~~[(q)]~~ (s) Section 78A-2-109.5, court demographics reporting;
 251 ~~[(r)]~~ (t) Section 80-6-104, data collection on offenses committed by minors; and
 252 ~~[(s)]~~ (u) any other statutes which require the collection of specific data and the
 253 reporting of that data to the commission.

254 ~~[(6)]~~ (5) ~~[The]~~ Before October 1, 2025, the commission shall report[:]
 255 ~~[(a) progress on the database, including creation, configuration, and data entered, to the~~
 256 ~~Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and]~~
 257 ~~[(b) all data collected [as of December 31, 2022;]~~ to the Law Enforcement and
 258 Criminal Justice Interim Committee~~[- the House Law Enforcement and Criminal Justice~~
 259 ~~Standing Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice~~
 260 ~~Standing Committee not later than January 16, 2023].~~

261 (6) The commission may:
 262 (a) enter into contracts with private or governmental entities to assist entities in
 263 complying with the data reporting requirements of Subsection (4); and
 264 (b) adopt, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
 265 Act, rules to administer this section, including establishing requirements and procedures for
 266 collecting the data described in Subsection (4).

267 Section 5. Section **63A-16-1003** is enacted to read:

268 **63A-16-1003. Public safety portal grant program.**

269 (1) (a) There is created within the commission the public safety portal grant program.

270 (b) The purpose of the program is to award grants to assist entities in complying with
 271 the data reporting requirements described in Subsection 63A-16-1002(4).

272 (c) The program is funded with existing appropriations previously designated for the
 273 purpose of facilitating data collection and any ongoing appropriations made by the Legislature

274 for the program.

275 (2) An entity that submits a proposal for a grant to the commission shall include details
276 in the proposal regarding:

277 (a) how the entity plans to use the grant to fulfill the purpose described in Subsection

278 (1)(b);

279 (b) any plan to use funding sources in addition to the grant for proposal;

280 (c) any existing or planned partnerships with another individual or entity to implement
281 the proposal; and

282 (d) other information the commission determines is necessary to evaluate the proposal.

283 (3) When evaluating a proposal for a grant, the commission shall consider:

284 (a) the likelihood that the proposal will accomplish the purpose described in

285 Subsection (1)(b);

286 (b) the cost of the proposal; and

287 (c) the viability and sustainability of the proposal.

288 (4) Subject to Subsection (2), the commission may make rules, in accordance with

289 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

290 (a) eligibility criteria for a grant;

291 (b) the form and process for submitting a proposal to the commission for a grant;

292 (c) the method and formula for determining a grant amount; and

293 (d) reporting requirements for a grant recipient.

294 Section 6. Section **63M-7-214** is amended to read:

295 **63M-7-214. Commission on Criminal and Juvenile Justice -- Grants.**

296 (1) As used in this section:

297 (a) "Commission" means the Commission on Criminal and Juvenile Justice created in

298 Section **63M-7-201**.

299 (b) "Law enforcement agency" means a state or local law enforcement agency.

300 (c) "Other appropriate agency" means a state or local government agency, or a
301 nonprofit organization, that works to prevent illegal drug activity and enforce laws regarding
302 illegal drug activity and related criminal activity by:

303 (i) programs, including education, prevention, treatment, and research programs; and

304 (ii) enforcement of laws regarding illegal drugs.

305 (2) The commission shall implement law enforcement operations and programs related
306 to reducing illegal drug activity as listed in Subsection (3).

307 (3) (a) The first priority of the commission is to annually allocate not more than
308 \$2,500,000, depending upon funding available from other sources, to directly fund the
309 operational costs of state and local law enforcement agencies' drug or crime task forces,
310 including multijurisdictional task forces.

311 (b) The second priority of the commission is to allocate grants for specified law
312 enforcement agency functions and other agency functions as the commission finds appropriate
313 to more effectively reduce illegal drug activity and related criminal activity, including
314 providing education, prevention, treatment, and research programs.

315 (4) (a) In allocating grants and determining the amount of the grants to carry out the
316 purposes of Subsection (3), the commission shall consider:

317 (i) the demonstrated ability of the agency to appropriately use the grant to implement
318 the proposed functions and how this function or task force will add to the law enforcement
319 agency's current efforts to reduce illegal drug activity and related criminal activity; and

320 (ii) the agency's cooperation with other state and local agencies and task forces.

321 (b) Agencies qualify for a grant only if they demonstrate compliance with all reporting
322 and policy requirements applicable under this section and under Title 63M, Chapter 7,
323 Criminal Justice and Substance Abuse, in order to qualify as a potential grant recipient.

324 [~~(5) The commission shall allocate grants to local law enforcement agencies to assist in~~
325 ~~complying with the requirements of Subsection 63A-16-1002(4). The commission shall only~~
326 ~~use funds appropriated for this purpose for the grants.]~~

327 [~~(6)~~ (5) Recipient agencies may only use grant money after approval or appropriation
328 by the agency's governing body, and a determination that the grant money is nonlapsing.

329 [~~(7)~~ (6) A recipient law enforcement agency may use funds granted under this section
330 only for the purposes stated by the commission in the grant.

331 [~~(8)~~ (7) (a) For each fiscal year, any law enforcement agency that receives a grant from
332 the commission under this section shall prepare and file with the commission and the state
333 auditor a report in a form specified by the commission.

334 (b) The report shall include the following regarding each grant:

335 (i) the agency's name;

- 336 (ii) the amount of the grant;
- 337 (iii) the date of the grant;
- 338 (iv) how the grant has been used; and
- 339 (v) a statement signed by both the agency's or political subdivision's executive officer
- 340 or designee and by the agency's legal counsel, that all grant funds were used for law
- 341 enforcement operations and programs approved by the commission and that relate to reducing
- 342 illegal drug activity and related criminal activity, as specified in the grant.

343 Section 7. Section **63M-7-216** is amended to read:

344 **63M-7-216. Prosecutorial data collection -- Policy transparency.**

345 (1) As used in this section:

346 (a) "Commission" means the Commission on Criminal and Juvenile Justice created in

347 Section [63M-7-201](#).

348 (b) (i) "Criminal case" means a case where an offender is charged with an offense for

349 which a mandatory court appearance is required under the Uniform Bail Schedule.

350 (ii) "Criminal case" does not mean a case for criminal non-support under Section

351 [76-7-201](#) or any proceeding involving collection or payment of child support, medical support,

352 or child care expenses by or on behalf of the Office of Recovery Services under Section

353 [26B-9-108](#) or [76-7-202](#).

354 (c) "Offense tracking number" means a distinct number applied to each criminal

355 offense by the Bureau of Criminal Identification.

356 (d) "Pre-filing diversion" means an agreement between a prosecutor and an individual

357 prior to being charged with a crime, before an information or indictment is filed, in which the

358 individual is diverted from the traditional criminal justice system into a program of supervision

359 and supportive services in the community.

360 (e) "Post-filing diversion" is as described in Section [77-2-5](#).

361 (f) "Prosecutorial agency" means the Office of the Attorney General and any city,

362 county, or district attorney acting as a public prosecutor.

363 (g) "Publish" means to make aggregated data available to the general public.

364 (2) Beginning July 1, 2021, all prosecutorial agencies within the state shall submit the

365 following data with regards to each criminal case referred to it from a law enforcement agency

366 to the commission for compilation and analysis:

- 367 (a) the defendant's:
368 (i) full name;
369 (ii) offense tracking number;
370 (iii) date of birth; and
371 (iv) zip code;
- 372 (b) referring agency;
373 (c) whether the prosecutorial agency filed charges, declined charges, initiated a
374 pre-filing diversion, or asked the referring agency for additional information;
375 (d) if charges were filed, the case number and the court in which the charges were
376 filed;
- 377 (e) all charges brought against the defendant;
378 (f) whether bail was requested and, if so, the requested amount;
379 (g) the date of initial discovery disclosure;
380 (h) whether post-filing diversion was offered and, if so, whether it was entered;
381 (i) if post-filing diversion or other plea agreement was accepted, the date entered by the
382 court; and
383 (j) the date of conviction, acquittal, plea agreement, dismissal, or other disposition of
384 the case.
- 385 (3) (a) The information required by Subsection (2), including information that was
386 missing or incomplete at the time of an earlier submission but is presently available, shall be
387 submitted within 90 days of the last day of March, June, September, and December of each
388 year for the previous 90-day period in the form and manner selected by the commission.
- 389 (b) If the last day of the month is a Saturday, Sunday, or state holiday, the information
390 shall be submitted on the next working day.
- 391 (4) The prosecutorial agency shall maintain a record of all information collected and
392 transmitted to the commission for 10 years.
- 393 (5) The commission shall include in the plan required by Subsection 63M-7-204(1)(k)
394 an analysis of the data received, comparing and contrasting the practices and trends among and
395 between prosecutorial agencies in the state. The Law Enforcement and Criminal Justice Interim
396 Committee may request an in-depth analysis of the data received annually. Any request shall be
397 in writing and specify which data points the report shall focus on.

398 (6) The commission may provide assistance to prosecutorial agencies in setting up a
399 method of collecting and reporting data required by this section.

400 (7) Beginning January 1, 2021, all prosecutorial agencies shall publish specific office
401 policies. If the agency does not maintain a policy on a topic in this subsection, the agency shall
402 affirmatively disclose that fact. Policies shall be published online on the following topics:

403 (a) screening and filing criminal charges;

404 (b) plea bargains;

405 (c) sentencing recommendations;

406 (d) discovery practices;

407 (e) prosecution of juveniles, including whether to prosecute a juvenile as an adult;

408 (f) collection of fines and fees;

409 (g) criminal and civil asset forfeiture practices;

410 (h) services available to victims of crime, both internal to the prosecutorial office and
411 by referral to outside agencies;

412 (i) diversion programs; and

413 (j) restorative justice programs.

414 ~~[(8) (a) A prosecutorial agency not in compliance with this section by July 1, 2022, in
415 accordance with the commission's guidelines may not receive grants or other funding intended
416 to assist with bringing the agency into compliance with this section. In addition, any funds
417 received for the purpose of bringing the agency into compliance with this section shall be
418 returned to the source of the funding.]~~

419 ~~[(b) Only funding received from the commission by a prosecutorial agency specifically
420 intended to assist the agency with compliance with this section may be recalled.]~~

421 Section 8. Section **63M-7-218** is amended to read:

422 **63M-7-218. State grant requirements.**

423 (1) ~~[Beginning July 1, 2023]~~ Except as provided in Subsection (2), the commission
424 may not award [any] a grant of state funds to [any] an entity subject to, and not in compliance
425 with, the reporting requirements in [Subsections 63A-16-1002(5)(a) through (r)] Subsection
426 63A-16-1002(4).

427 (2) The commission may award a grant to an entity under Section 63A-16-1003 even if
428 the entity is not in compliance with the reporting requirements described in Subsection

429 [63A-16-1002\(4\)](#).

430 Section 9. Section **80-6-104** is amended to read:

431 **80-6-104. Data collection on offenses committed by minors -- Reporting**
432 **requirement.**

433 (1) As used in this section:

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

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

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

437 (d) "School-sponsored activity" means the same as that term is defined in Section
438 [53E-3-516](#).

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

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

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

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

445 (d) the number of minors for whom a petition for an offense is filed in the juvenile
446 court;

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

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

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

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

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

453 (j) the number of dispositions resulting in secure care, community-based placement,
454 formal probation, and intake probation; and

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

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

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

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

460 (iv) the type of offense for which the minor is charged;
461 (v) the outcome of the minor's case in juvenile court, including whether the minor was
462 bound over to the district court or adjudicated by the juvenile court; and

463 (vi) if a disposition was entered by the juvenile court, whether the disposition resulted
464 in secure care, community-based placement, formal probation, or intake probation.

465 (3) The State Commission on Criminal and Juvenile Justice shall track the disposition
466 of a case resulting from a firearm-related offense committed, or allegedly committed, by a
467 minor when the minor is found in possession of a firearm while school is in session or during a
468 school-sponsored activity.

469 (4) In collaboration with the Administrative Office of the Courts, the division, and
470 other agencies, the State Commission on Criminal and Juvenile Justice shall collect data for the
471 preceding calendar year on:

472 (a) the length of time that minors spend in the juvenile justice system, including the
473 total amount of time minors spend under juvenile court jurisdiction, on community
474 supervision, and in each out-of-home placement;

475 (b) recidivism of minors who are diverted to a nonjudicial adjustment and minors for
476 whom dispositions are ordered by the juvenile court, including tracking minors into the adult
477 corrections system;

478 (c) changes in aggregate risk levels from the time minors receive services, are under
479 supervision, and are in out-of-home placement; and

480 (d) dosages of programming.

481 (5) On and before October 1 of each year, the State Commission on Criminal and
482 Juvenile Justice shall prepare and submit a written report to the Judiciary Interim Committee
483 and the Law Enforcement and Criminal Justice Interim Committee that includes:

484 (a) data collected by the State Commission on Criminal and Juvenile Justice under this
485 section; and

486 [~~(b) data collected by the State Board of Education under Section 53E-3-516, and~~]

487 [~~(c)~~] (b) recommendations for legislative action with respect to the data described in
488 this Subsection (5).

489 (6) [~~Nothing in this section shall be construed to~~] This section does not require the
490 disclosure of information or data that is classified as controlled, private, or protected under

491 Title 63G, Chapter 2, Government Records Access and Management Act.

492 Section 10. **Effective date.**

493 If approved by two-thirds of all the members elected to each house, this bill takes effect
494 upon approval by the governor, or the day following the constitutional time limit of Utah
495 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
496 the date of veto override.