{deleted text} shows text that was in HB0086 but was deleted in HB0086S01.

inserted text shows text that was not in HB0086 but was inserted into HB0086S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: \to Kirk A. Cullimore

#### **LONG TITLE**

#### **Committee Note:**

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 11 voting for 0 voting against 7 absent

#### **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
- makes technical and conforming changes.

#### Money Appropriated in this Bill:

None

### **Other Special Clauses:**

This bill provides a special effective date.

#### **Utah Code Sections Affected:**

#### AMENDS:

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

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

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

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

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

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

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

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

#### **ENACTS:**

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

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

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

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

- (1) There is created a committee within the department known as the Alcohol Abuse Tracking Committee that consists of:
  - (a) the executive director or the executive director's designee;
- (b) the commissioner of the Department of Public Safety or the commissioner's designee;
- (c) the director of the Department of Alcoholic Beverage Services or that director's designee;
- (d) the executive director of the Department of Workforce Services or that executive director's designee;
- (e) the chair of the Utah Substance Use and Mental Health Advisory Council or the chair's designee;
  - (f) the state court administrator or the state court administrator's designee; and
  - (g) the director of the Division of Technology Services or that director's designee.
- (2) The executive director or the executive director's designee shall chair the committee.
  - (3) (a) Four members of the committee constitute a quorum.
- (b) A vote of the majority of the committee members present when a quorum is present is an action of the committee.
- (4) The committee shall meet at the call of the chair, except that the chair shall call a meeting at least twice a year:
- (a) with one meeting held each year to develop the report required under Subsection (7); and
  - (b) with one meeting held to review and finalize the report before the report is issued.
  - (5) The committee may adopt additional procedures or requirements for:
  - (a) voting, when there is a tie of the committee members;
  - (b) how meetings are to be called; and
  - (c) the frequency of meetings.
- (6) The committee shall establish a process to collect for each calendar year the following information:
- (a) the number of individuals statewide who are convicted of, plead guilty to, plead no contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a

violation related to underage drinking of alcohol;

- (b) the number of individuals statewide who are convicted of, plead guilty to, plead no contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a violation related to driving under the influence of alcohol;
- (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act, related to over-serving or over-consumption of an alcoholic product;
- (d) the cost of social services provided by the state related to abuse of alcohol, including services provided by the Division of Child and Family Services;
- (e) the location where the alcoholic products that result in the violations or costs described in Subsections (6)(a) through (d) are obtained; and
- (f) any information the committee determines can be collected and relates to the abuse of alcoholic products.
  - (7) The committee shall:
- (a) report the information collected under Subsection (6) annually to the governor [and the Legislature], the Law Enforcement and Criminal Justice Interim Committee, and the State Commission on Criminal and Juvenile Justice by no later than the July 1 immediately following the calendar year for which the information is collected; and
- (b) provide all data collected before January 1, 2024, under Subsection (6) to the State Commission on Criminal and Juvenile Justice.
  - Section 2. Section **53E-3-516** is amended to read:

# 53E-3-516. School disciplinary and law enforcement action report -- Rulemaking authority.

- (1) As used in this section:
- (a) "Dangerous weapon" means the same as that term is defined in Section 53G-8-510.
- [(b) "Disciplinary action" means an action by a public school meant to formally discipline a student of that public school that includes a suspension or expulsion.]
- (b) (i) "Law enforcement action" means a significant law enforcement interaction with a minor.
  - (ii) "Law enforcement action" includes the following actions against a minor:
  - (A) a search and seizure by a school resource officer;
  - (B) an arrest;

- (C) the issuance of a citation;
- (D) the filing of a delinquency petition, indictment, or criminal information; or
- (E) a referral to the juvenile court.
- (c) "Law enforcement agency" means the same as that term is defined in Section 77-7a-103.
  - (d) "Minor" means the same as that term is defined in Section 80-1-102.
- [(e) "Other law enforcement activity" means a significant law enforcement interaction with a minor that does not result in an arrest, including:
  - [(i) a search and seizure by an SRO;]
  - (ii) issuance of a criminal citation;
  - (iii) issuance of a ticket or summons;
  - [(iv) filing a delinquency petition; or]
  - [(v) referral to a probation officer.]
- (e) (i) "School disciplinary action" means an action by a public school to formally discipline a student of that public school.
  - (ii) "School disciplinary action" includes a suspension or an expulsion.
- (f) "School is in session" means the hours of a day during which a public school conducts instruction for which student attendance is counted toward calculating average daily membership.
- (g) (i) "School-sponsored activity" means an activity, fundraising event, club, camp, clinic, or other event or activity that is authorized by a specific public school, according to LEA governing board policy, and satisfies at least one of the following conditions:
- (A) the activity is managed or supervised by a school district, public school, or public school employee;
- (B) the activity uses the school district or public school facilities, equipment, or other school resources; or
- (C) the activity is supported or subsidized, more than inconsequentially, by public funds, including the public school's activity funds or Minimum School Program dollars.
- (ii) "School-sponsored activity" includes preparation for and involvement in a public performance, contest, athletic competition, demonstration, display, or club activity.
  - (h) "School resource officer" or "SRO" means the same as that term is defined in

Section 53G-8-701.

- (2) [Beginning on July 1, 2023, the] The state board shall develop an annual report regarding the following incidents that occur on school grounds while school is in session or during a school-sponsored activity:
  - [(a) arrests of a minor;]
  - (b) other law enforcement activities;
  - [(c)] (a) school disciplinary actions; [and]
  - [(d)] (b) minors found in possession of a dangerous weapon[-]; and
  - (c) law enforcement actions.
- (3) Pursuant to state and federal law, law enforcement agencies shall collaborate with the state board and LEAs to provide and validate data and information necessary to complete the report described in Subsection (2), as requested by an LEA or the state board.
- (4) The report described in Subsection (2) shall include the following information listed separately for each school in an LEA:
- [(a) the number of arrests of a minor, including the reason why the minor was arrested;]
- [(b)] (a) the number of [other] law enforcement [activities] actions, including the following information for each incident:
  - (i) the reason for the [other] law enforcement [activity] action; and
  - (ii) the type of [other] law enforcement [activity] action used;
- [(c)] (b) the number of school disciplinary actions [imposed], including the following information for each incident:
  - (i) the reason for the school disciplinary action; and
  - (ii) the type of school disciplinary action;
  - [(d)] (c) the number of SROs employed;
- [(e)] (d) if applicable, the demographics of an individual who is subject to, as the following are defined in Section 53G-9-601, bullying, hazing, cyber-bullying, or retaliation; and
- [(f)] (e) the number of minors found in possession of a dangerous weapon on school grounds while school is in session or during a school-sponsored activity.
  - (5) The report described in Subsection (2) shall include the following information, in

aggregate, for each element described in Subsections (4)(a) [through (c)] and (b):

- (a) age;
- (b) grade level;
- (c) race;
- (d) sex; and
- (e) disability status.
- (6) Information included in the annual report described in Subsection (2) shall comply with:
  - (a) Chapter 9, Part 3, Student Data Protection;
  - (b) Chapter 9, Part 2, Student Privacy; and
  - (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to compile the report described in Subsection (2).
  - (8) The state board shall provide the report described in Subsection (2):
- (a) in accordance with Section 53E-1-203 for incidents that occurred during the previous school year; and
- (b) to the State Commission on Criminal and Juvenile Justice before July 1 of each year for incidents that occurred during the previous school year.

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

#### 63A-16-1001. Definitions.

As used in this part:

- (1) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.
- (2) "Criminal justice agency" means an agency or institution directly involved in the apprehension, prosecution, and incarceration of an individual involved in criminal activity, including law enforcement, correctional facilities, jails, courts, probation, and parole.
  - [(3) "Database" means the criminal and juvenile justice database created in this part.]
- [(4)] (3) "Division" means the Division of Technology Services created in Section 63A-16-103.
  - (4) "Grant" means a grant awarded under Section 63A-16-1003.
  - (5) "Program" means the public safety portal grant program created in Section

#### 63A-16-1003.

- (6) "Public safety portal" means the data portal created in Section 63A-16-1002.
- (7) "State board" means the State Board of Education.

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

#### 63A-16-1002. Public safety portal.

- (1) The commission shall oversee the creation and management of a [criminal and juvenile justice database] public safety portal for information and data required to be reported to the commission[, organized by county,] and accessible to all criminal justice agencies in the state.
- (2) The division shall assist with the development and management of the [database] public safety portal.
  - (3) The division, in collaboration with the commission, shall create:
- (a) master standards and formats for information submitted to the [database] <u>public</u> safety portal;
- (b) a [portal] gateway, bridge, website, or other method for reporting entities to provide the information;
- (c) a master data management index or system to assist in the retrieval of information [in the database] from the public safety portal;
- (d) a protocol for accessing information in the [database] public safety portal that complies with state privacy regulations; and
- (e) a protocol for real-time audit capability of all data accessed [through] from the public safety portal by participating data source, data use entities, and regulators.
- [(4) Each criminal justice agency charged with reporting information to the commission shall provide the data or information to the database in a form prescribed by the commission.]
- [(5)] (4) The [database] public safety portal shall be the repository for the statutorily required data described in:
  - (a) Section 13-53-111, recidivism reporting requirements;
  - (b) Section 17-22-32, county jail reporting requirements;
  - (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;
  - (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;

- [<del>(d)</del>] (e) Section 41-6a-511, courts to collect and maintain data;
- [(e)] (f) Section 53-23-101, reporting requirements for reverse-location warrants;
- [(f)] (g) Section 53-24-102, sexual assault offense reporting requirements for law enforcement agencies;
  - (h) Section 53E-3-516, school disciplinary and law enforcement action report;
  - [<del>(g)</del>] (i) Section 63M-7-214, law enforcement agency grant reporting;
  - [th] (i) Section 63M-7-216, prosecutorial data collection;
  - [(i)] (k) Section 64-13-21, supervision of sentenced offenders placed in community;
  - [<del>(j)</del>] <u>(1)</u> Section 64-13-25, standards for programs;
  - [(k)] (m) Section 64-13-45, department reporting requirements;
- [(1)] (n) Section 64-13e-104, housing of state probationary inmates or state parole inmates:
  - [(m)] (o) Section 77-7-8.5, use of tactical groups;
  - [(n)] (p) Section 77-11b-404, forfeiture reporting requirements;
  - [(o)] (q) Section 77-20-103, release data requirements;
  - [<del>(p)</del>] <u>(r)</u> Section 77-22-2.5, court orders for criminal investigations;
  - [<del>(q)</del>] (s) Section 78A-2-109.5, court demographics reporting;
  - [(r)] (t) Section 80-6-104, data collection on offenses committed by minors; and
- [(s)] (u) any other statutes which require the collection of specific data and the reporting of that data to the commission.
  - [(6)] (5) [The] Before October 1, 2025, the commission shall report[(6)]
- [(a) progress on the database, including creation, configuration, and data entered, to the Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and { }
- [(b)] all data collected [as of December 31, 2022,] to the Law Enforcement and Criminal Justice Interim Committee[, the House Law Enforcement and Criminal Justice Standing Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing Committee not later than January 16, 2023].
  - (6) The commission may:
- (a) enter into contracts with private or governmental entities to assist entities in complying with the data reporting requirements of Subsection (4); and

- (b) adopt, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, rules to administer this section, including establishing requirements and procedures for collecting the data described in Subsection (4).
  - Section 5. Section **63A-16-1003** is enacted to read:

#### 63A-16-1003. Public safety portal grant program.

- (1) (a) There is created within the commission the public safety portal grant program.
- (b) The purpose of the program is to award grants to assist entities in complying with the data reporting requirements described in Subsection 63A-16-1002(4).
- (c) The program is funded with existing appropriations previously designated for the purpose of facilitating data collection and any ongoing appropriations made by the Legislature for the program.
- (2) An entity that submits a proposal for a grant to the commission shall include details in the proposal regarding:
- (a) how the entity plans to use the grant to fulfill the purpose described in Subsection (1)(b);
  - (b) any plan to use funding sources in addition to the grant for proposal;
- (c) any existing or planned partnerships with another individual or entity to implement the proposal; and
  - (d) other information the commission determines is necessary to evaluate the proposal.
  - (3) When evaluating a proposal for a grant, the commission shall consider:
- (a) the likelihood that the proposal will accomplish the purpose described in Subsection (1)(b);
  - (b) the cost of the proposal; and
  - (c) the viability and sustainability of the proposal.
- (4) Subject to Subsection (2), the commission may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:
  - (a) eligibility criteria for a grant;
  - (b) the form and process for submitting a proposal to the commission for a grant;
  - (c) the method and formula for determining a grant amount; and
  - (d) reporting requirements for a grant recipient.
  - Section 6. Section **63M-7-214** is amended to read:

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

- (1) As used in this section:
- (a) "Commission" means the Commission on Criminal and Juvenile Justice created in Section 63M-7-201.
  - (b) "Law enforcement agency" means a state or local law enforcement agency.
- (c) "Other appropriate agency" means a state or local government agency, or a nonprofit organization, that works to prevent illegal drug activity and enforce laws regarding illegal drug activity and related criminal activity by:
  - (i) programs, including education, prevention, treatment, and research programs; and
  - (ii) enforcement of laws regarding illegal drugs.
- (2) The commission shall implement law enforcement operations and programs related to reducing illegal drug activity as listed in Subsection (3).
- (3) (a) The first priority of the commission is to annually allocate not more than \$2,500,000, depending upon funding available from other sources, to directly fund the operational costs of state and local law enforcement agencies' drug or crime task forces, including multijurisdictional task forces.
- (b) The second priority of the commission is to allocate grants for specified law enforcement agency functions and other agency functions as the commission finds appropriate to more effectively reduce illegal drug activity and related criminal activity, including providing education, prevention, treatment, and research programs.
- (4) (a) In allocating grants and determining the amount of the grants to carry out the purposes of Subsection (3), the commission shall consider:
- (i) the demonstrated ability of the agency to appropriately use the grant to implement the proposed functions and how this function or task force will add to the law enforcement agency's current efforts to reduce illegal drug activity and related criminal activity; and
  - (ii) the agency's cooperation with other state and local agencies and task forces.
- (b) Agencies qualify for a grant only if they demonstrate compliance with all reporting and policy requirements applicable under this section and under Title 63M, Chapter 7, Criminal Justice and Substance Abuse, in order to qualify as a potential grant recipient.
- [(5) The commission shall allocate grants to local law enforcement agencies to assist in complying with the requirements of Subsection 63A-16-1002(4). The commission shall only

use funds appropriated for this purpose for the grants.]

- [(6)] (5) Recipient agencies may only use grant money after approval or appropriation by the agency's governing body, and a determination that the grant money is nonlapsing.
- [<del>(7)</del>] (6) A recipient law enforcement agency may use funds granted under this section only for the purposes stated by the commission in the grant.
- [(8)] (7) (a) For each fiscal year, any law enforcement agency that receives a grant from the commission under this section shall prepare and file with the commission and the state auditor a report in a form specified by the commission.
  - (b) The report shall include the following regarding each grant:
  - (i) the agency's name;
  - (ii) the amount of the grant;
  - (iii) the date of the grant;
  - (iv) how the grant has been used; and
- (v) a statement signed by both the agency's or political subdivision's executive officer or designee and by the agency's legal counsel, that all grant funds were used for law enforcement operations and programs approved by the commission and that relate to reducing illegal drug activity and related criminal activity, as specified in the grant.

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

#### 63M-7-216. Prosecutorial data collection -- Policy transparency.

- (1) As used in this section:
- (a) "Commission" means the Commission on Criminal and Juvenile Justice created in Section 63M-7-201.
- (b) (i) "Criminal case" means a case where an offender is charged with an offense for which a mandatory court appearance is required under the Uniform Bail Schedule.
- (ii) "Criminal case" does not mean a case for criminal non-support under Section 76-7-201 or any proceeding involving collection or payment of child support, medical support, or child care expenses by or on behalf of the Office of Recovery Services under Section 26B-9-108 or 76-7-202.
- (c) "Offense tracking number" means a distinct number applied to each criminal offense by the Bureau of Criminal Identification.
  - (d) "Pre-filing diversion" means an agreement between a prosecutor and an individual

prior to being charged with a crime, before an information or indictment is filed, in which the individual is diverted from the traditional criminal justice system into a program of supervision and supportive services in the community.

- (e) "Post-filing diversion" is as described in Section 77-2-5.
- (f) "Prosecutorial agency" means the Office of the Attorney General and any city, county, or district attorney acting as a public prosecutor.
  - (g) "Publish" means to make aggregated data available to the general public.
- (2) Beginning July 1, 2021, all prosecutorial agencies within the state shall submit the following data with regards to each criminal case referred to it from a law enforcement agency to the commission for compilation and analysis:
  - (a) the defendant's:
  - (i) full name;
  - (ii) offense tracking number;
  - (iii) date of birth; and
  - (iv) zip code;
  - (b) referring agency;
- (c) whether the prosecutorial agency filed charges, declined charges, initiated a pre-filing diversion, or asked the referring agency for additional information;
- (d) if charges were filed, the case number and the court in which the charges were filed;
  - (e) all charges brought against the defendant;
  - (f) whether bail was requested and, if so, the requested amount;
  - (g) the date of initial discovery disclosure;
  - (h) whether post-filing diversion was offered and, if so, whether it was entered;
- (i) if post-filing diversion or other plea agreement was accepted, the date entered by the court; and
- (j) the date of conviction, acquittal, plea agreement, dismissal, or other disposition of the case.
- (3) (a) The information required by Subsection (2), including information that was missing or incomplete at the time of an earlier submission but is presently available, shall be submitted within 90 days of the last day of March, June, September, and December of each

year for the previous 90-day period in the form and manner selected by the commission.

- (b) If the last day of the month is a Saturday, Sunday, or state holiday, the information shall be submitted on the next working day.
- (4) The prosecutorial agency shall maintain a record of all information collected and transmitted to the commission for 10 years.
- (5) The commission shall include in the plan required by Subsection 63M-7-204(1)(k) an analysis of the data received, comparing and contrasting the practices and trends among and between prosecutorial agencies in the state. The Law Enforcement and Criminal Justice Interim Committee may request an in-depth analysis of the data received annually. Any request shall be in writing and specify which data points the report shall focus on.
- (6) The commission may provide assistance to prosecutorial agencies in setting up a method of collecting and reporting data required by this section.
- (7) Beginning January 1, 2021, all prosecutorial agencies shall publish specific office policies. If the agency does not maintain a policy on a topic in this subsection, the agency shall affirmatively disclose that fact. Policies shall be published online on the following topics:
  - (a) screening and filing criminal charges;
  - (b) plea bargains;
  - (c) sentencing recommendations;
  - (d) discovery practices;
  - (e) prosecution of juveniles, including whether to prosecute a juvenile as an adult;
  - (f) collection of fines and fees;
  - (g) criminal and civil asset forfeiture practices;
- (h) services available to victims of crime, both internal to the prosecutorial office and by referral to outside agencies;
  - (i) diversion programs; and
  - (j) restorative justice programs.
- [(8) (a) A prosecutorial agency not in compliance with this section by July 1, 2022, in accordance with the commission's guidelines may not receive grants or other funding intended to assist with bringing the agency into compliance with this section. In addition, any funds received for the purpose of bringing the agency into compliance with this section shall be returned to the source of the funding.]

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

Section  $\frac{7}{8}$ . Section **63M-7-218** is amended to read:

#### 63M-7-218. State grant requirements.

- (1) [Beginning July 1, 2023] Except as provided in Subsection (2), the commission may not award [any] a grant of state funds to [any] an entity subject to, and not in compliance with, the reporting requirements in [Subsections 63A-16-1002(5)(a) through (r)] Subsection 63A-16-1002(4).
- (2) The commission may award a grant to an entity under Section 63A-16-1003 even if the entity is not in compliance with the reporting requirements described in Subsection 63A-16-1002(4).

Section  $\frac{(8)}{9}$ . Section 80-6-104 is amended to read:

# 80-6-104. Data collection on offenses committed by minors -- Reporting requirement.

- (1) As used in this section:
- (a) "Firearm" means the same as that term is defined in Section 76-10-501.
- (b) "Firearm-related offense" means a criminal offense involving a firearm.
- (c) "School is in session" means the same as that term is defined in Section 53E-3-516.
- (d) "School-sponsored activity" means the same as that term is defined in Section 53E-3-516.
- (2) Before July 1 of each year, the Administrative Office of the Courts shall submit the following data to the State Commission on Criminal and Juvenile Justice, broken down by judicial district, for the preceding calendar year:
  - (a) the number of referrals to the juvenile court;
  - (b) the number of minors diverted to a nonjudicial adjustment;
  - (c) the number of minors that satisfy the conditions of a nonjudicial adjustment;
- (d) the number of minors for whom a petition for an offense is filed in the juvenile court;
  - (e) the number of minors for whom an information is filed in the juvenile court;
  - (f) the number of minors bound over to the district court by the juvenile court;
  - (g) the number of petitions for offenses committed by minors that were dismissed by

the juvenile court;

- (h) the number of adjudications in the juvenile court for offenses committed by minors;
- (i) the number of guilty pleas entered into by minors in the juvenile court;
- (j) the number of dispositions resulting in secure care, community-based placement, formal probation, and intake probation; and
  - (k) for each minor charged in the juvenile court with a firearm-related offense:
  - (i) the minor's age at the time the offense was committed or allegedly committed;
  - (ii) the minor's zip code at the time that the offense was referred to the juvenile court;
- (iii) whether the minor is a restricted person under Subsection 76-10-503(1)(a)(iv) or (1)(b)(iii);
  - (iv) the type of offense for which the minor is charged;
- (v) the outcome of the minor's case in juvenile court, including whether the minor was bound over to the district court or adjudicated by the juvenile court; and
- (vi) if a disposition was entered by the juvenile court, whether the disposition resulted in secure care, community-based placement, formal probation, or intake probation.
- (3) The State Commission on Criminal and Juvenile Justice shall track the disposition of a case resulting from a firearm-related offense committed, or allegedly committed, by a minor when the minor is found in possession of a firearm while school is in session or during a school-sponsored activity.
- (4) In collaboration with the Administrative Office of the Courts, the division, and other agencies, the State Commission on Criminal and Juvenile Justice shall collect data for the preceding calendar year on:
- (a) the length of time that minors spend in the juvenile justice system, including the total amount of time minors spend under juvenile court jurisdiction, on community supervision, and in each out-of-home placement;
- (b) recidivism of minors who are diverted to a nonjudicial adjustment and minors for whom dispositions are ordered by the juvenile court, including tracking minors into the adult corrections system;
- (c) changes in aggregate risk levels from the time minors receive services, are under supervision, and are in out-of-home placement; and
  - (d) dosages of programming.

- (5) On and before October 1 of each year, the State Commission on Criminal and Juvenile Justice shall prepare and submit a written report to the Judiciary Interim Committee and the Law Enforcement and Criminal Justice Interim Committee that includes:
- (a) data collected by the State Commission on Criminal and Juvenile Justice under this section; and
  - [(b) data collected by the State Board of Education under Section 53E-3-516; and]
- [(c)] (b) recommendations for legislative action with respect to the data described in this Subsection (5).
- (6) [Nothing in this section shall be construed to] This section does not require the disclosure of information or data that is classified as controlled, private, or protected under Title 63G, Chapter 2, Government Records Access and Management Act.

Section  $\{9\}$  10. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah

Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.