

HB0532S01 compared with HB0532

~~text~~ shows text that was in HB0532 but was deleted in HB0532S01.

text shows text that was not in HB0532 but was inserted into HB0532S01.

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Representative Calvin R. Musselman proposes the following substitute bill:

STATE BOARDS AND COMMISSIONS MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: {} Calvin R. Musselman

Senate Sponsor: {} _____

LONG TITLE

General Description:

This bill modifies or repeals various boards and commissions.

Highlighted Provisions:

This bill:

- ▶ repeals the Utah Museums Advisory Board on October 1, 2024;
- ▶ renames and modifies the Utah Arts Advisory Board as the Utah Arts and Museums Advisory Board and repeals the board with review on July 1, 2029;
- ▶ repeals the Utah Health Care Workforce Financial Assistance Program Advisory Committee;
- ▶ renames and modifies the Opioid and Overdose Fatality Review Committee as the Controlled Substances Scheduling and Opioid Fatality Advisory Committee and repeals the committee with review on July 1, 2029;

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- ▶ modifies membership of the Employment Advisory Council and repeals the council with review on July 1, 2029;
- ▶ repeals the Governor's Committee on Employment of People with Disabilities on October 1, 2024;
- ▶ repeals the advisory council to advise and assist the Division of Services for the Deaf and Hard of Hearing;
- ▶ renames and modifies the Criminal Justice Data Management Task Force as the Public Safety Data Management Task Force and repeals the task force on July 1, 2029;
- ▶ repeals the Domestic Violence Data Task Force on October 1, 2024;
- ▶ repeals the Private Investigator Hearing and Licensure Board on October 1, 2024;
- ▶ renames and modifies the Bail Bond Recovery Licensure Board as the Bail Bond Recovery and Private Investigator Licensure Board and repeals the board with review on July 1, 2029;
- ▶ modifies the duties of the Emergency Management Administration Council and repeals the council with review on July 1, 2029;
- ▶ repeals the Statewide Mutual Aid Committee on October 1, 2024;
- ▶ renames and modifies the State Emergency Medical Services Committee as the Trauma System and Emergency Medical Services Advisory Committee and repeals the committee with review on July 1, 2029;
- ▶ repeals the Trauma System Advisory Committee on October 1, 2024;
- ▶ renames and modifies the Stroke Registry Advisory Committee as the Stroke and Cardiac Advisory Registry Committee and repeals the committee with review on July 1, 2029;
- ▶ repeals the Cardiac Registry Advisory Committee on October 1, 2024;
- ▶ modifies the Utah Victim Services Commission and repeals the commission with review on July 1, 2029;
- ▶ repeals the Crime Victim Reparations Assistance Board on October 1, 2024;
- ▶ repeals the Utah Council on Victims of Crime on October 1, 2024;
- ▶ repeals the Rural Online Working Hubs Grant Advisory Committee;
- ▶ repeals the Rural Physician Loan Repayment Program Advisory Committee on July

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1, 2026;

- ▶ enacts language for the appointment of individuals to new or modified committees;
- 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:

9-6-102, as last amended by Laws of Utah 2020, Chapter 419

9-6-202, as last amended by Laws of Utah 2020, Chapters 154, 419

9-6-301, as repealed and reenacted by Laws of Utah 2020, Chapter 419

9-6-302, as repealed and reenacted by Laws of Utah 2020, Chapter 419

9-6-304, as repealed and reenacted by Laws of Utah 2020, Chapter 419

9-6-504, as last amended by Laws of Utah 2020, Chapter 419

9-6-505, as last amended by Laws of Utah 2020, Chapter 419

11-48-103 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 16, 310 and 327

26B-1-202, as last amended by Laws of Utah 2023, Chapter 302

26B-1-204 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 249, 305

26B-1-204 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 249, 305 and 310

26B-1-420, as last amended by Laws of Utah 2023, Chapter 281 and renumbered and amended by Laws of Utah 2023, Chapter 305 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 305

26B-4-702, as renumbered and amended by Laws of Utah 2023, Chapter 307

26B-8-231, as renumbered and amended by Laws of Utah 2023, Chapter 306

35A-4-502, as last amended by Laws of Utah 2011, Chapter 439

36-12-23, as enacted by Laws of Utah 2023, Chapter 429

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- 36-29-111**, as last amended by Laws of Utah 2023, Chapter 87
- 52-4-205**, as last amended by Laws of Utah 2023, Chapters 263, 328, 374, and 521
- 53-1-104 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 40, 310
- 53-1-106**, as last amended by Laws of Utah 2023, Chapters 328, 447
- 53-2a-105**, as last amended by Laws of Utah 2021, Chapter 344
- 53-2d-101 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 16, 327 and renumbered and amended by Laws of Utah 2023, Chapter 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 327
- 53-2d-104 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapters 305, 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 305
- 53-2d-105 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 327 and renumbered and amended by Laws of Utah 2023, Chapter 310 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 327
- 53-2d-305 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapters 307, 310
- 53-2d-903 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapters 305, 310
- 53-9-102**, as last amended by Laws of Utah 2011, Chapter 432
- 53-11-102**, as last amended by Laws of Utah 2015, Chapter 170
- 53-11-104**, as last amended by Laws of Utah 2014, Chapter 134
- 53-11-105**, as last amended by Laws of Utah 2013, Chapter 396
- 53-11-106**, as last amended by Laws of Utah 2013, Chapter 51
- 53B-28-402**, as last amended by Laws of Utah 2023, Chapter 16
- 58-37f-203**, as last amended by Laws of Utah 2021, Chapter 340
- 63I-1-209**, as last amended by Laws of Utah 2020, Chapters 154, 232 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 154
- 63I-1-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 249, 269, 270, 275, 310, 332, 335, 420, and 495 and repealed and reenacted by Laws of Utah 2023, Chapter 329 and last amended by Coordination Clause, Laws of Utah

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2023, Chapters 329, 332

63I-1-235, as last amended by Laws of Utah 2023, Chapters 27, 52

63I-1-236, as last amended by Laws of Utah 2023, Chapters 112, 139, 228, and 475

63I-1-253 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 30, 52, 133, 161, 367, and 494

63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25), as last amended by Laws of Utah 2023, Chapters 30, 52, 133, 161, 310, 367, and 494

63I-1-253 (Contingently Effective 01/01/25), as last amended by Laws of Utah 2023, Chapters 30, 52, 133, 161, 187, 310, 367, and 494

63I-1-263, as last amended by Laws of Utah 2023, Chapters 33, 47, 104, 109, 139, 155, 212, 218, 249, 270, 448, 489, and 534

63I-2-209, as last amended by Laws of Utah 2023, Chapter 33

63I-2-226 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 33, 139, 249, 295, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter 329

63I-2-226 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 33, 139, 249, 295, 310, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 329

63I-2-235, as last amended by Laws of Utah 2022, Chapter 21

63I-2-236, as last amended by Laws of Utah 2023, Chapters 87, 101 and 273

63I-2-253 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168, 310, 380, 383, and 467

63I-2-258, as last amended by Laws of Utah 2020, Chapter 354

63I-2-263, as last amended by Laws of Utah 2023, Chapters 33, 139, 212, 354, and 530

63M-7-202, as last amended by Laws of Utah 2023, Chapter 150

~~63M-7-209 (Effective 07/01/24)~~; 63M-7-204, as last amended by Laws of Utah 2023, Chapters ~~310~~; 158, 330, 330; 382, and 500

63M-7-502, as last amended by Laws of Utah 2022, Chapters 148, 185 and 430

63M-7-506, as last amended by Laws of Utah 2020, Chapter 149

63M-7-507, as last amended by Laws of Utah 2020, Chapter 149

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63M-7-508, as last amended by Laws of Utah 2020, Chapter 149

63M-7-511, as last amended by Laws of Utah 2023, Chapter 158

63M-7-516, as last amended by Laws of Utah 2020, Chapter 149

63M-7-517, as last amended by Laws of Utah 2020, Chapter 149

63M-7-519, as last amended by Laws of Utah 2020, Chapter 149

63M-7-521.5, as last amended by Laws of Utah 2020, Chapter 149

63M-7-522, as last amended by Laws of Utah 2020, Chapter 149

63M-7-525, as last amended by Laws of Utah 2020, Chapter 149

63M-7-902, as enacted by Laws of Utah 2023, Chapter 150

63M-7-904, as enacted by Laws of Utah 2023, Chapter 150

63N-4-502, as last amended by Laws of Utah 2022, Chapter 129

63N-4-504, as enacted by Laws of Utah 2019, Chapter 467

73-3d-201, as enacted by Laws of Utah 2023, Chapter 126

77-37-5, as last amended by Laws of Utah 2023, Chapter 237

80-2-402, as renumbered and amended by Laws of Utah 2022, Chapter 334

ENACTS:

63C-1-103, Utah Code Annotated 1953

REPEALS AND REENACTS:

26B-1-403, as renumbered and amended by Laws of Utah 2023, Chapter 305

REPEALS:

26B-1-419, as renumbered and amended by Laws of Utah 2023, Chapter 305

35A-13-504, as renumbered and amended by Laws of Utah 2016, Chapter 271

53-11-125, as enacted by Laws of Utah 2018, Chapter 462

63M-7-209 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapter

330

63M-7-209 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 310,

330

63N-4-505, as enacted by Laws of Utah 2019, Chapter 467

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

Section 1. Section 9-6-102 is amended to read:

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9-6-102. Definitions.

As used in this chapter:

(1) "Arts" means the various branches of creative human activity, including visual arts, film, performing arts, sculpture, literature, music, theater, dance, digital arts, video-game arts, and cultural vitality.

(2) "Arts and museums board" means the Utah Arts and Museums Advisory Board created in Section 9-6-301.

(3) "Development" includes:

(a) constructing, expanding, or repairing a museum or other facility that houses arts or cultural presentations;

(b) providing for public information, preservation, and access to museums, the arts, and the cultural heritage of the state; and

(c) supporting the professional development of artists, cultural administrators, and cultural leaders within the state.

(4) "Director" means the director of the Division of Arts and Museums.

(5) "Division" means the Division of Arts and Museums.

(6) "Museum" means an organized and permanent institution that:

(a) is owned or controlled by the state, a county, or a municipality, or is a nonprofit organization;

(b) has an educational or aesthetic purpose;

(c) owns or curates a tangible collection; and

(d) exhibits the collection to the public on a regular schedule.

~~[(7) "Museums board" means the Utah Museums Advisory Board created in Section 9-6-305.]~~

Section 2. Section **9-6-202** is amended to read:

9-6-202. Division director.

(1) The chief administrative officer of the division shall be a director appointed by the executive director in consultation with the arts and museums board [~~and the museums board~~].

(2) The director shall be a person experienced in administration and knowledgeable about the arts and museums.

(3) In addition to the division, the director is the chief administrative officer for~~[:(3)]~~

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~~[(a)]~~ the Utah Arts and Museums Advisory Board created in Section 9-6-301 ~~[, and]~~.

~~[(b)]~~ the Utah Museums Advisory Board created in Section 9-6-305.]

Section 3. Section **9-6-301** is amended to read:

9-6-301. Utah Arts and Museums Advisory Board.

(1) There is created within the division the Utah Arts and Museums Advisory Board.

(2) (a) Except as provided in ~~[Subsections]~~ Subsection (2)(b) ~~[and (2)(f)]~~, the arts and museums board shall consist of ~~[13]~~ nine members appointed by the governor to four-year terms ~~[with the consent of the Senate]~~.

(b) The governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of arts and museums board members are staggered so that approximately half of the arts and museums board is appointed every two years.

~~[(c)]~~ (3) The governor shall appoint:

~~(a)~~ ~~[eight]~~ five members who are working artists or administrators, one from each of the following areas:

(i) visual arts, media arts, architecture, or design;

~~[(ii)]~~ ~~architecture or design;~~

~~[(iii)]~~ (ii) literature;

~~[(iv)]~~ (iii) music;

~~[(v)]~~ (iv) folk, traditional, or native arts; and

~~[(vi)]~~ (v) theater or dance;

~~[(vii)]~~ ~~dance; and]~~

~~[(viii)]~~ ~~media arts.]~~

~~[(d)]~~ (b) two members who are qualified, trained, and experienced museum professionals who each have a minimum of five years of continuous paid work experience at a museum;

~~(c)~~ ~~[The governor shall appoint three members who are]~~ one member who is knowledgeable in or appreciative of the arts~~[-]~~ or museums; and

~~[(e)]~~ ~~(d)~~ ~~[The governor shall appoint two members who have]~~ one member who has expertise in technology, marketing, business, or finance.

~~[(f)]~~ ~~Before January 1, 2026, the governor may appoint up to three additional members who are knowledgeable in or appreciative of the arts:]~~

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~~[(i) for terms that shall end before January 1, 2026; and]~~

~~[(ii) in which case the arts board may consist of up to 16 members until January 1, 2026.]~~

~~[(3)] (4)~~ The governor shall appoint members described in Subsection (3) from the state at large with due consideration for geographical representation.

~~[(4)] (5)~~ When a vacancy occurs in the membership for any reason, the governor shall appoint a replacement member for the unexpired term within one month from the time of the vacancy.

~~[(5)] (6)~~ A simple majority of the voting members of the arts and museums board constitutes a quorum for the transaction of business.

~~[(6)] (7)~~ (a) The arts and museums board members shall elect a chair and a vice chair from among the arts and museums board's members.

(b) The chair and the vice chair shall serve a term of two years.

~~[(7)] (8)~~ The arts and museums board shall meet at least ~~[once]~~ twice each year.

~~[(8)] (9)~~ A member of the arts and museums board may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Sections 63A-3-106 and 63A-3-107; and

(b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

~~[(9)] (10)~~ Except as provided in Subsection ~~[(8)] (9)~~, a member may not receive any gifts, prizes, or awards of money from division funds during the member's term of office.

(11) The division shall provide staff to the arts and museums board.

Section 4. Section **9-6-302** is amended to read:

9-6-302. Arts and museums board powers and duties.

(1) The arts and museums board may:

(a) with the concurrence of the director, make rules governing the conduct of the arts and museums board's business in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

(b) receive gifts, bequests, and property.

(2) The arts and museums board shall:

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(a) act in an advisory capacity for the division;

(b) [~~appoint an arts collection committee as described in Section 9-6-303 to~~] in accordance with Subsection (3), advise the division [and the arts board] regarding the works of art acquired and maintained under this part; and

(c) with the concurrence of the director, approve the allocation of arts grant money and State of Utah Alice Merrill Horne Art Collection acquisition funding.

(3) When advising the division as described in Subsection (2)(b), the arts and museums board shall, with the concurrence of the director, appoint and consult with any combination of artists, art historians, museum professionals, gallery owners, knowledgeable art collectors, art appraisers, or judges of art.

Section 5. Section **9-6-304** is amended to read:

9-6-304. State of Utah Alice Merrill Horne Art Collection.

(1) There is created the State of Utah Alice Merrill Horne Art Collection.

(2) The State of Utah Alice Merrill Horne Art Collection:

(a) consists of all works of art acquired under this part; and

(b) shall be held as the property of the state and under the control of the division.

(3) Works of art in the State of Utah Alice Merrill Horne Art Collection may be loaned for exhibition purposes in accordance with recommendations from the arts and museums board and rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(4) The division shall:

(a) take reasonable precautions to avoid damage or destruction to works of art in the State of Utah Alice Merrill Horne Art Collection;

(b) procure insurance coverage for the works of art in the State of Utah Alice Merrill Horne Art Collection; and

(c) ensure that all works of art shipped to and from any exhibition under this section are packed by an expert packer.

(5) (a) The division may only deaccession works of art in the State of Utah Alice Merrill Horne Art Collection in accordance with rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) A work of art in the State of Utah Alice Merrill Horne Art Collection that is to be

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deaccessioned in accordance with division rule is not state surplus property as that term is defined in Section 63A-2-101.5, and the division is not subject to the surplus property program described in Section 63A-2-401 for that work of art.

Section 6. Section **9-6-504** is amended to read:

9-6-504. Duties of the division.

The division, in accordance with the provisions of this part, shall:

- (1) allocate money from the state fund to the endowment fund created by a qualifying organization under Section 9-6-503;
- (2) determine the eligibility of each qualifying organization to receive money from the state fund;
- (3) determine the matching amount each qualifying organization shall raise in order to qualify to receive money from the state fund;
- (4) establish a date by which each qualifying organization shall provide its matching funds;
- (5) verify that matching funds have been provided by each qualifying organization by the date determined in Subsection (4); and
- (6) (a) in accordance with the provisions of this part and Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may establish criteria by rule for determining the eligibility of qualifying organizations to receive money from the state fund; and
(b) in making rules under this Subsection (6), the division may consider the recommendations of the arts and museums board [~~and the museums board~~].

Section 7. Section **9-6-505** is amended to read:

9-6-505. Eligibility requirements of qualifying arts organizations -- Allocation limitations -- Matching requirements.

(1) Any qualifying organization may apply to receive money from the state fund to be deposited in an endowment fund the organization has created under Section 9-6-503:

(a) if the qualifying organization has received a grant from the division during one of the three years immediately before making application for state fund money under this Subsection (1); or

(b) upon recommendation of the arts and museums board [~~or the museums board~~], if the qualifying organization has not received a grant from the board within the past three years.

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(2) (a) The maximum amount that may be allocated to each qualifying organization from the state fund shall be determined by the division by calculating the average cash income of the qualifying organization during the past three fiscal years as contained in the qualifying organization's final reports on file with the division.

(b) The division shall notify each qualifying organization of the maximum amount of money from the state fund for which the qualifying organization qualifies.

(c) The minimum amount that may be allocated to each qualifying organization from the state fund is \$2,500.

(d) If the maximum amount for which the organization qualifies under the calculation described in Subsection (2)(a) is less than \$2,500, the organization may still apply for \$2,500.

(3) (a) After the division determines that a qualifying organization is eligible to receive money from the state fund and before any money is allocated to the qualifying organization from the state fund, the qualifying organization shall match the amount qualified for with money raised and designated exclusively for that purpose.

(b) State money, in-kind contributions, and preexisting endowment gifts may not be used to match money from the state fund.

(4) The amount of match money described in Subsection (3) that a qualifying organization is required to provide shall be based on a sliding scale as follows:

(a) any amount requested not exceeding \$100,000 shall be matched one-to-one;

(b) any additional amount requested that makes the aggregate amount requested exceed \$100,000 but not exceed \$500,000 shall be matched two-to-one; and

(c) any additional amount requested that makes the aggregate amount requested exceed \$500,000 shall be matched three-to-one.

(5) (a) Qualifying organizations shall raise the matching amount within three years after applying for money from the state fund by a date determined by the division.

(b) Money from the state fund shall be released to the qualifying organization only upon verification by the board that the matching money has been received on or before the date determined under Subsection (5)(a).

(c) Verification of matching funds shall be made by a certified public accountant.

(d) Money from the state fund shall be released to qualifying organizations with professional endowment management in increments not less than \$20,000 as audited

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confirmation of matching funds is received by the division.

(e) Money from the state fund shall be granted to each qualifying organization on the basis of the matching funds a qualifying organization has raised by the date determined under Subsection (5)(a).

~~{ 63M-7-204. Duties of commission.~~

~~—— (1) The State Commission on Criminal and Juvenile Justice administration shall:~~

~~—— (a) promote the commission's purposes as enumerated in Section 63M-7-201;~~

~~—— (b) promote the communication and coordination of all criminal and juvenile justice agencies;~~

~~—— (c) study, evaluate, and report on the status of crime in the state and on the effectiveness of criminal justice policies, procedures, and programs that are directed toward the reduction of crime in the state;~~

~~—— (d) study, evaluate, and report on programs initiated by state and local agencies to address reducing recidivism, including changes in penalties and sentencing guidelines intended to reduce recidivism, costs savings associated with the reduction in the number of inmates, and evaluation of expenses and resources needed to meet goals regarding the use of treatment as an alternative to incarceration, as resources allow;~~

~~—— (e) study, evaluate, and report on policies, procedures, and programs of other jurisdictions which have effectively reduced crime;~~

~~—— (f) identify and promote the implementation of specific policies and programs the commission determines will significantly reduce crime in Utah;~~

~~—— (g) provide analysis and recommendations on all criminal and juvenile justice legislation, state budget, and facility requests, including program and fiscal impact on all components of the criminal and juvenile justice system;~~

~~—— (h) provide analysis, accountability, recommendations, and supervision for state and federal criminal justice grant money;~~

~~—— (i) provide public information on the criminal and juvenile justice system and give technical assistance to agencies or local units of government on methods to promote public awareness;~~

~~—— (j) promote research and program evaluation as an integral part of the criminal and juvenile justice system;~~

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- ~~—— (k) provide a comprehensive criminal justice plan annually;~~
- ~~—— (l) review agency forecasts regarding future demands on the criminal and juvenile justice systems, including specific projections for secure bed space;~~
- ~~—— (m) promote the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems by:
 - ~~—— (i) developing and maintaining common data standards for use by all state criminal justice agencies;~~
 - ~~—— (ii) annually performing audits of criminal history record information maintained by state criminal justice agencies to assess their accuracy, completeness, and adherence to standards;~~
 - ~~—— (iii) defining and developing state and local programs and projects associated with the improvement of information management for law enforcement and the administration of justice; and~~
 - ~~—— (iv) establishing general policies concerning criminal and juvenile justice information systems and making rules as necessary to carry out the duties under Subsection (1)(k) and this Subsection (1)(m);~~
 - ~~—— (n) allocate and administer grants, from money made available, for approved education programs to help prevent the sexual exploitation of children;~~
 - ~~—— (o) allocate and administer grants for law enforcement operations and programs related to reducing illegal drug activity and related criminal activity;~~
 - ~~—— (p) request, receive, and evaluate data and recommendations collected and reported by agencies and contractors related to policies recommended by the commission regarding recidivism reduction, including the data described in Section 13-53-111 and Subsection 26B-5-102(2)(t);~~
 - ~~—— (q) establish and administer a performance incentive grant program that allocates funds appropriated by the Legislature to programs and practices implemented by counties that reduce recidivism and reduce the number of offenders per capita who are incarcerated;~~
 - ~~—— (r) oversee or designate an entity to oversee the implementation of juvenile justice reforms;~~
 - ~~—— (s) make rules and administer the juvenile holding room standards and juvenile jail~~~~

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~~standards to align with the Juvenile Justice and Delinquency Prevention Act requirements pursuant to 42 U.S.C. Sec. 5633;~~

~~—— (t) allocate and administer grants, from money made available, for pilot-qualifying education programs;~~

~~—— (u) oversee the trauma-informed justice program described in Section 63M-7-209;~~

~~—— (v) request, receive, and evaluate the aggregate data collected from prosecutorial agencies and the Administrative Office of the Courts, in accordance with Sections 63M-7-216 and 78A-2-109.5;~~

~~—— (w) report annually to the Law Enforcement and Criminal Justice Interim Committee on the progress made on each of the following goals of the Justice Reinvestment Initiative:~~

~~—— (i) ensuring oversight and accountability;~~

~~—— (ii) supporting local corrections systems;~~

~~—— (iii) improving and expanding reentry and treatment services; and~~

~~—— (iv) strengthening probation and parole supervision;~~

~~—— (x) compile a report of findings based on the data and recommendations provided under Section 13-53-111 and Subsection 26B-5-102(2)(n) that:~~

~~—— (i) separates the data provided under Section 13-53-111 by each residential, vocational and life skills program; and~~

~~—— (ii) separates the data provided under Subsection 26B-5-102(2)(n) by each mental health or substance use treatment program;~~

~~—— (y) publish the report described in Subsection (1)(x) on the commission's website and annually provide the report to the Judiciary Interim Committee, the Health and Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim Committee, and the related appropriations subcommittees; and~~

~~—— (z) receive, compile, and publish on the commission's website the data provided under:~~

~~—— (i) Section 53-23-101;~~

~~—— (ii) Section 53-24-102; and~~

~~—— (iii) Section 53-26-101~~

~~(2) If the commission designates an entity under Subsection (1)(r), the commission shall ensure that the membership of the entity includes representation from the three branches of government and, as determined by the commission, representation from relevant stakeholder~~

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~~groups across all parts of the juvenile justice system, including county representation.~~

~~63M-7-506. Functions of board:~~

- ~~(1) The board shall:~~
 - ~~(a) adopt a description of the office and prescribe the general operation of the board;~~
 - ~~(b) prescribe policy for the office;~~
 - ~~(c) adopt rules to implement and administer this part in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may include setting of ceilings on reparations, defining of terms not specifically stated in this part, and establishing of rules governing attorney fees;~~
 - ~~(d) prescribe forms for applications for reparations;~~
 - ~~(e) review all reparations awards made by the reparations staff, although the board may not reverse or modify reparations awards authorized by the reparations staff;~~
 - ~~(f) render an annual report to the governor and the Legislature regarding the staff's and the board's activities;~~
 - ~~(g) cooperate with the director and the director's staff in formulating standards for the uniform application of Section 63M-7-509, taking into consideration the rates and amounts of reparation payable for injuries and death under other laws of this state and the United States;~~
 - ~~(h) allocate money available in the fund to victims of criminally injurious conduct for reparations claims;~~
 - ~~(i) allocate money available to other victim services as provided by administrative rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, once a sufficient reserve has been established for reparation claims; and~~
 - ~~(j) approve the allocation and disbursement of funds made available to the office by the United States, the state, foundations, corporations, or other entities or individuals to subgrantees from private, non-profit, and governmental entities operating qualified statewide assistance programs.~~
- ~~(2) All rules, or other statements of policy, along with application forms specified by the board, are binding upon the director, the reparations officers, assistance officers, and other staff.~~

~~80-2-402. Child welfare training coordinator -- Mandatory education and training of child welfare caseworkers -- Development of curriculum.~~

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- ~~—— (1) There is created within the division a full-time position of a child welfare training coordinator.~~
- ~~—— (2) The child welfare training coordinator is not responsible for direct casework services or the supervision of casework services, but is required to:~~
 - ~~—— (a) develop child welfare curriculum that:~~
 - ~~—— (i) is current and effective, consistent with the division's mission and purpose for child welfare; and~~
 - ~~—— (ii) utilizes curriculum and resources from a variety of sources including those from:~~
 - ~~—— (A) the public sector;~~
 - ~~—— (B) the private sector; and~~
 - ~~—— (C) inside and outside of the state;~~
 - ~~—— (b) recruit, select, and supervise child welfare trainers;~~
 - ~~—— (c) develop a statewide training program, including a budget and identification of sources of funding to support that training;~~
 - ~~—— (d) evaluate the efficacy of training in improving job performance;~~
 - ~~—— (e) assist child protective services and foster care workers in developing and fulfilling their individual training plans;~~
 - ~~—— (f) monitor staff compliance with division training requirements and individual training plans; and~~
 - ~~—— (g) expand the collaboration between the division and schools of social work within institutions of higher education in developing child welfare services curriculum, and in providing and evaluating training.~~
- ~~—— (3) The director shall, with the assistance of the child welfare training coordinator, establish and ensure child welfare caseworker competency regarding a core curriculum for child welfare services that:~~
 - ~~—— (a) is driven by child safety and family well-being;~~
 - ~~—— (b) emphasizes child and family voice;~~
 - ~~—— (c) is trauma-informed, as defined in Section 63M-7-209; and~~
 - ~~—— (d) is consistent with national child welfare practice standards.~~
- ~~—— (4) A child welfare caseworker shall complete training in:~~
 - ~~—— (a) the legal duties of a child welfare caseworker;~~

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~~—— (b) the responsibility of a child welfare caseworker to protect the safety and legal rights of children, parents, and families at all stages of a case, including:~~

~~—— (i) initial contact;~~

~~—— (ii) safety and risk assessment, as described in Section 80-2-403; and~~

~~—— (iii) intervention;~~

~~—— (c) recognizing situations involving:~~

~~—— (i) substance abuse;~~

~~—— (ii) domestic violence;~~

~~—— (iii) abuse; and~~

~~—— (iv) neglect; and~~

~~—— (d) the relationship of the Fourth and Fourteenth Amendments of the Constitution of the United States to the child welfare caseworker's job, including:~~

~~—— (i) search and seizure of evidence;~~

~~—— (ii) the warrant requirement;~~

~~—— (iii) exceptions to the warrant requirement; and~~

~~—— (iv) removing a child from the custody of the child's parent or guardian.~~

~~—— (5) The division shall train the division's child welfare caseworkers to:~~

~~—— (a) apply the risk assessment tools and rules described in Subsection 80-1-102(83); and~~

~~—— (b) develop child and family plans that comply with:~~

~~—— (i) federal mandates; and~~

~~—— (ii) the specific needs of the child and the child's family.~~

~~—— (6) The division shall use the training of child welfare caseworkers to emphasize:~~

~~—— (a) the importance of maintaining the parent-child relationship;~~

~~—— (b) the preference for providing in-home services over taking a child into protective custody, both for the emotional well-being of the child and the efficient allocation of resources;~~

~~and~~

~~—— (c) the importance and priority of:~~

~~—— (i) kinship placement in the event a child must be taken into protective custody; and~~

~~—— (ii) guardianship placement, in the event the parent-child relationship is legally terminated and no appropriate adoptive placement is available.~~

~~—— (7) If a child welfare caseworker is hired, before assuming independent casework~~

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~~responsibilities, the division shall ensure that the child welfare caseworker has:~~

- ~~— (a) completed the training described in Subsections (4), (5), and (6); and~~
- ~~— (b) participated in sufficient skills development for a child welfare caseworker.~~

‡ Section 8. Section **11-48-103 (Effective 07/01/24)** is amended to read:

11-48-103 (Effective 07/01/24). Provision of 911 ambulance services in municipalities and counties.

(1) The governing body of each municipality and county shall, subject to Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers, ensure at least a minimum level of 911 ambulance services are provided:

- (a) within the territorial limits of the municipality or county;
- (b) by a ground ambulance provider, licensed by the Bureau of Emergency Medical Services under Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers; and
- (c) in accordance with rules established by the [State] Trauma System and Emergency Medical Services Committee under [~~Subsection 53-2d-105(8)~~] Section 53-2d-105.

(2) A municipality or county may:

(a) subject to Subsection (3), maintain and support 911 ambulance services for the municipality's or county's own jurisdiction; or

(b) contract to:

(i) provide 911 ambulance services to any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency;

(ii) receive 911 ambulance services from any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency;

(iii) jointly provide 911 ambulance services with any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency; or

(iv) contribute toward the support of 911 ambulance services in any county, municipal corporation, special district, special service district, interlocal entity, private corporation, nonprofit corporation, state agency, or federal agency in return for 911 ambulance services.

(3) (a) A municipality or county that maintains and supports 911 ambulance services

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for the municipality's or county's own jurisdiction under Subsection (2)(a) shall obtain a license as a ground ambulance provider from the Bureau of Emergency Medical Services under Title 53, Chapter 2d, Part 5, Ambulance and Paramedic Providers.

(b) Sections 53-2d-505 through 53-2d-505.3 do not apply to a license described in Subsection (3)(a).

Section 9. Section **26B-1-202** is amended to read:

26B-1-202. Department authority and duties.

The department may, subject to applicable restrictions in state law and in addition to all other authority and responsibility granted to the department by law:

(1) adopt rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and not inconsistent with law, as the department may consider necessary or desirable for providing health and social services to the people of this state;

(2) establish and manage client trust accounts in the department's institutions and community programs, at the request of the client or the client's legal guardian or representative, or in accordance with federal law;

(3) purchase, as authorized or required by law, services that the department is responsible to provide for legally eligible persons;

(4) conduct adjudicative proceedings for clients and providers in accordance with the procedures of Title 63G, Chapter 4, Administrative Procedures Act;

(5) establish eligibility standards for the department's programs, not inconsistent with state or federal law or regulations;

(6) take necessary steps, including legal action, to recover money or the monetary value of services provided to a recipient who was not eligible;

(7) set and collect fees for the department's services;

(8) license agencies, facilities, and programs, except as otherwise allowed, prohibited, or limited by law;

(9) acquire, manage, and dispose of any real or personal property needed or owned by the department, not inconsistent with state law;

(10) receive gifts, grants, devises, and donations; gifts, grants, devises, donations, or the proceeds thereof, may be credited to the program designated by the donor, and may be used for the purposes requested by the donor, as long as the request conforms to state and federal

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policy; all donated funds shall be considered private, nonlapsing funds and may be invested under guidelines established by the state treasurer;

(11) accept and employ volunteer labor or services; the department is authorized to reimburse volunteers for necessary expenses, when the department considers that reimbursement to be appropriate;

(12) carry out the responsibility assigned in the workforce services plan by the State Workforce Development Board;

(13) carry out the responsibility assigned by Section 62A-5a-105 with respect to coordination of services for students with a disability;

(14) provide training and educational opportunities for the department's staff;

(15) collect child support payments and any other money due to the department;

(16) apply the provisions of Title 78B, Chapter 12, Utah Child Support Act, to parents whose child lives out of the home in a department licensed or certified setting;

(17) establish policy and procedures, within appropriations authorized by the Legislature, in cases where the Division of Child and Family Services or the Division of Juvenile Justice Services is given custody of a minor by the juvenile court under Title 80, Utah Juvenile Code, or the department is ordered to prepare an attainment plan for a minor found not competent to proceed under Section 80-6-403, including:

(a) designation of interagency teams for each juvenile court district in the state;

(b) delineation of assessment criteria and procedures;

(c) minimum requirements, and timeframes, for the development and implementation of a collaborative service plan for each minor placed in department custody; and

(d) provisions for submittal of the plan and periodic progress reports to the court;

(18) carry out the responsibilities assigned to the department by statute;

(19) examine and audit the expenditures of any public funds provided to a local substance abuse authority, a local mental health authority, a local area agency on aging, and any person, agency, or organization that contracts with or receives funds from those authorities or agencies. Those local authorities, area agencies, and any person or entity that contracts with or receives funds from those authorities or area agencies, shall provide the department with any information the department considers necessary. The department is further authorized to issue directives resulting from any examination or audit to a local authority, an area agency, and

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persons or entities that contract with or receive funds from those authorities with regard to any public funds. If the department determines that it is necessary to withhold funds from a local mental health authority or local substance abuse authority based on failure to comply with state or federal law, policy, or contract provisions, the department may take steps necessary to ensure continuity of services. For purposes of this Subsection (19) "public funds" means the same as that term is defined in Section 62A-15-102;

(20) in accordance with Subsection 26B-2-104(1)(d), accredit one or more agencies and persons to provide intercountry adoption services;

(21) within legislative appropriations, promote and develop a system of care and stabilization services:

(a) in compliance with Title 63G, Chapter 6a, Utah Procurement Code; and

(b) that encompasses the department, department contractors, and the divisions, offices, or institutions within the department, to:

(i) navigate services, funding resources, and relationships to the benefit of the children and families whom the department serves;

(ii) centralize department operations, including procurement and contracting;

(iii) develop policies that govern business operations and that facilitate a system of care approach to service delivery;

(iv) allocate resources that may be used for the children and families served by the department or the divisions, offices, or institutions within the department, subject to the restrictions in Section 63J-1-206;

(v) create performance-based measures for the provision of services; and

(vi) centralize other business operations, including data matching and sharing among the department's divisions, offices, and institutions;

(22) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:

(a) under this title;

(b) by the department; or

(c) by an agency or division within the department;

(23) enter into cooperative agreements with the Department of Environmental Quality

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to delineate specific responsibilities to assure that assessment and management of risk to human health from the environment are properly administered;

(24) consult with the Department of Environmental Quality and enter into cooperative agreements, as needed, to ensure efficient use of resources and effective response to potential health and safety threats from the environment, and to prevent gaps in protection from potential risks from the environment to specific individuals or population groups;

(25) to the extent authorized under state law or required by federal law, promote and protect the health and wellness of the people within the state;

(26) establish, maintain, and enforce rules authorized under state law or required by federal law to promote and protect the public health or to prevent disease and illness;

(27) investigate the causes of epidemic, infectious, communicable, and other diseases affecting the public health;

(28) provide for the detection and reporting of communicable, infectious, acute, chronic, or any other disease or health hazard which the department considers to be dangerous, important, or likely to affect the public health;

(29) collect and report information on causes of injury, sickness, death, and disability and the risk factors that contribute to the causes of injury, sickness, death, and disability within the state;

(30) collect, prepare, publish, and disseminate information to inform the public concerning the health and wellness of the population, specific hazards, and risks that may affect the health and wellness of the population and specific activities which may promote and protect the health and wellness of the population;

(31) abate nuisances when necessary to eliminate sources of filth and infectious and communicable diseases affecting the public health;

(32) make necessary sanitary and health investigations and inspections in cooperation with local health departments as to any matters affecting the public health;

(33) establish laboratory services necessary to support public health programs and medical services in the state;

(34) establish and enforce standards for laboratory services which are provided by any laboratory in the state when the purpose of the services is to protect the public health;

(35) cooperate with the Labor Commission to conduct studies of occupational health

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hazards and occupational diseases arising in and out of employment in industry, and make recommendations for elimination or reduction of the hazards;

(36) cooperate with the local health departments, the Department of Corrections, the Administrative Office of the Courts, the Division of Juvenile Justice Services, and the [~~Crime Victim Reparations and Assistance Board~~] Utah ~~{Victim Services Commission}~~ Office for [Victims of Crime](#) to conduct testing for HIV infection of alleged sexual offenders, convicted sexual offenders, and any victims of a sexual offense;

(37) investigate the causes of maternal and infant mortality;

(38) establish, maintain, and enforce a procedure requiring the blood of adult pedestrians and drivers of motor vehicles killed in highway accidents be examined for the presence and concentration of alcohol, and provide the Commissioner of Public Safety with monthly statistics reflecting the results of these examinations, with necessary safeguards so that information derived from the examinations is not used for a purpose other than the compilation of these statistics;

(39) establish qualifications for individuals permitted to draw blood under Subsection 41-6a-523(1)(a)(vi), 53-10-405(2)(a)(vi), 72-10-502(5)(a)(vi), or 77-23-213(3)(a)(vi), and to issue permits to individuals the department finds qualified, which permits may be terminated or revoked by the department;

(40) establish a uniform public health program throughout the state which includes continuous service, employment of qualified employees, and a basic program of disease control, vital and health statistics, sanitation, public health nursing, and other preventive health programs necessary or desirable for the protection of public health;

(41) conduct health planning for the state;

(42) monitor the costs of health care in the state and foster price competition in the health care delivery system;

(43) establish methods or measures for health care providers, public health entities, and health care insurers to coordinate among themselves to verify the identity of the individuals the providers serve;

(44) designate Alzheimer's disease and related dementia as a public health issue and, within budgetary limitations, implement a state plan for Alzheimer's disease and related dementia by incorporating the plan into the department's strategic planning and budgetary

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process;

(45) coordinate with other state agencies and other organizations to implement the state plan for Alzheimer's disease and related dementia;

(46) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required by the agency or under this title ~~[, Title 26, Utah Health Code, or Title 62A, Utah Human Services Code];~~

(47) oversee public education vision screening as described in Section 53G-9-404; and

(48) issue code blue alerts in accordance with Title 35A, Chapter 16, Part 7, Code Blue Alert.

Section 10. Section **26B-1-204 (Superseded 07/01/24)** is amended to read:

26B-1-204 (Superseded 07/01/24). Creation of boards, divisions, and offices --

Power to organize department.

(1) The executive director shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and not inconsistent with law for:

(a) the administration and government of the department;

(b) the conduct of the department's employees; and

(c) the custody, use, and preservation of the records, papers, books, documents, and property of the department.

(2) The following policymaking boards, councils, and committees are created within the Department of Health and Human Services:

(a) Board of Aging and Adult Services;

(b) Utah State Developmental Center Board;

(c) Health Facility Committee;

(d) State Emergency Medical Services Committee;

(e) Air Ambulance Committee;

(f) Health Data Committee;

~~[(g) Utah Health Care Workforce Financial Assistance Program Advisory Committee;]~~

~~[(h)]~~ (g) Child Care Provider Licensing Committee;

~~[(i)]~~ (h) Primary Care Grant Committee;

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~~[(f)]~~ (i) Adult Autism Treatment Program Advisory Committee;

~~[(k)]~~ (j) Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee;

and

~~[(f)]~~ (k) any boards, councils, or committees that are created by statute in this title.

(3) The following divisions are created within the Department of Health and Human Services:

(a) relating to operations:

(i) the Division of Finance and Administration;

(ii) the Division of Licensing and Background Checks;

(iii) the Division of Customer Experience;

(iv) the Division of Data, Systems, and Evaluation; and

(v) the Division of Continuous Quality Improvement;

(b) relating to healthcare administration:

(i) the Division of Integrated Healthcare, which shall include responsibility for:

(A) the state's medical assistance programs; and

(B) behavioral health programs described in Chapter 5, Health Care - Substance Use

and Mental Health;

(ii) the Division of Aging and Adult Services; and

(iii) the Division of Services for People with Disabilities; and

(c) relating to community health and well-being:

(i) the Division of Child and Family Services;

(ii) the Division of Family Health;

(iii) the Division of Population Health;

(iv) the Division of Juvenile Justice and Youth Services; and

(v) the Office of Recovery Services.

(4) The executive director may establish offices and bureaus to facilitate management of the department as required by, and in accordance with this title.

(5) From July 1, 2022, through June 30, 2023, the executive director may adjust the organizational structure relating to the department, including the organization of the department's divisions and offices, notwithstanding the organizational structure described in this title.

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Section 11. Section **26B-1-204 (Effective 07/01/24)** is amended to read:

26B-1-204 (Effective 07/01/24). Creation of boards, divisions, and offices -- Power to organize department.

(1) The executive director shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and not inconsistent with law for:

- (a) the administration and government of the department;
- (b) the conduct of the department's employees; and
- (c) the custody, use, and preservation of the records, papers, books, documents, and property of the department.

(2) The following policymaking boards, councils, and committees are created within the Department of Health and Human Services:

- (a) Board of Aging and Adult Services;
- (b) Utah State Developmental Center Board;
- (c) Health Facility Committee;
- (d) Health Data Committee;
- ~~[(e) Utah Health Care Workforce Financial Assistance Program Advisory Committee;]~~
- ~~[(f)]~~ (e) Child Care Provider Licensing Committee;
- ~~[(g)]~~ (f) Primary Care Grant Committee;
- ~~[(h)]~~ (g) Adult Autism Treatment Program Advisory Committee;
- ~~[(i)]~~ (h) Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee;

and

~~[(j)]~~ (i) any boards, councils, or committees that are created by statute in this title.

(3) The following divisions are created within the Department of Health and Human Services:

- (a) relating to operations:
 - (i) the Division of Finance and Administration;
 - (ii) the Division of Licensing and Background Checks;
 - (iii) the Division of Customer Experience;
 - (iv) the Division of Data, Systems, and Evaluation; and
 - (v) the Division of Continuous Quality Improvement;
- (b) relating to healthcare administration:

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(i) the Division of Integrated Healthcare, which shall include responsibility for:

(A) the state's medical assistance programs; and

(B) behavioral health programs described in Chapter 5, Health Care - Substance Use and Mental Health;

(ii) the Division of Aging and Adult Services; and

(iii) the Division of Services for People with Disabilities; and

(c) relating to community health and well-being:

(i) the Division of Child and Family Services;

(ii) the Division of Family Health;

(iii) the Division of Population Health;

(iv) the Division of Juvenile Justice and Youth Services; and

(v) the Office of Recovery Services.

(4) The executive director may establish offices and bureaus to facilitate management of the department as required by, and in accordance with this title.

(5) From July 1, 2022, through June 30, 2023, the executive director may adjust the organizational structure relating to the department, including the organization of the department's divisions and offices, notwithstanding the organizational structure described in this title.

Section 12. Section **26B-1-403** is repealed and reenacted to read:

26B-1-403. Controlled Substances Scheduling and Opioid Fatality Advisory Committee -- Membership -- Duties -- Guidelines for scheduling or listing drugs.

(1) As used in this section:

(a) "Committee" means the Controlled Substances Scheduling and Opioid Fatality Advisory Committee established under this section.

(b) "Controlled substance schedule" or "schedule" means a schedule described in Subsection (15), (16), (17), (18), or (19).

(c) "Opioid overdose death" means a death primarily caused by opioids or another substance that closely resembles an opioid.

(2) The department shall establish the Controlled Substances Scheduling and Opioid Fatality Advisory Committee.

(3) The committee shall consist of:

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- (a) the executive director or the executive director's designee;
 - (b) the director of the Division of Professional Licensing, or the director's designee, as described in Section 58-1-104;
 - (c) the commissioner of the Department of Public Safety, or the commissioner's designee, as described in Section 53-1-107;
 - (d) the executive director of the State Commission on Criminal and Juvenile Justice, or the executive director's designee, as described in Section 63M-7-203;
 - (e) the chief medical examiner, or the examiner's designee, as described in Section 26B-8-202;
 - (f) the bureau chief of the Bureau of Forensic Services, or the chief's designee, as described in Section 53-10-401;
 - (g) director of the Office of Substance Use and Mental Health, or the director's designee, as described in Section 26B-5-102;
 - (h) the director of the Utah Poison Control Center or the director's designee;
 - (i) a representative from:

 - (i) a state or local jail or detention center; or
 - (ii) state, county, or municipal law enforcement;
 - (j) one physician who is a member of the Medical Licensing Board created in Section 58-67-201;
 - (k) one pharmacist who is a member of the Utah State Board of Pharmacy created in Section 58-17b-201;
 - (l) one psychiatrist who is currently licensed and practicing in the state;
 - (m) one advanced practice registered nurse or physician assistant who is currently licensed and practicing in the state;
 - (n) one emergency medical services provider or an emergency medicine physician who is currently licensed and practicing in the state; and
 - (o) one expert in substance abuse addiction.
- (4) The executive director described in Subsection (3)(a) and the director described in Subsection (3)(b), or their respective designees, are cochairs of the committee.
- (5) (a) Each member described in Subsections (3)(i) through (o) is appointed by the governor for a term of four years.

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(b) Notwithstanding Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the members described in Subsections (3)(i) through (o) are appointed every two years.

(6) A vacancy in a membership described in Subsections (3)(i) through (o) other than the expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

(7) (a) A majority of the members of the committee constitute a quorum of the committee.

(b) The action of a majority of a quorum constitutes the action of the committee.

(c) The committee may meet up to eight times each year.

(8) The executive director shall appoint a committee coordinator.

(9) A member of the committee may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

(10) (a) The department shall give the committee access to all reports, records, and other documents that are relevant to the committee's responsibilities under this section, including reports, records, or documents that are private, controlled, or protected under Title 63G, Chapter 2, Government Records Access and Management Act.

(b) In accordance with Subsection 63G-2-206(6), the committee is subject to the same restrictions on disclosure of a report, record, or other document received under Subsection (10)(a) as the department.

(11) The committee serves as a consultative and advisory body to the Legislature regarding:

(a) the movement of a controlled substance from one schedule or list to another;

(b) the removal of a controlled substance from any schedule or list; and

(c) the designation of a substance as a controlled substance and the placement of the substance in a designated schedule or list.

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(12) On or before September 30 of each year, the committee shall submit to the Health and Human Services Interim Committee a written report:

(a) describing any substances recommended by the committee for scheduling, rescheduling, listing, or deletion from the schedules or list by the Legislature; and

(b) stating the reasons for the recommendation.

(13) In advising the Legislature regarding the need to add, delete, relist, or reschedule a substance, the committee shall consider:

(a) the actual or probable abuse of the substance, including:

(i) the history and current pattern of abuse both in Utah and in other states;

(ii) the scope, duration, and significance of abuse;

(iii) the degree of actual or probable detriment to public health which may result from abuse of the substance; and

(iv) the probable physical and social impact of widespread abuse of the substance;

(b) the biomedical hazard of the substance, including:

(i) its pharmacology, including the effects and modifiers of the effects of the substance;

(ii) its toxicology, acute and chronic toxicity, interaction with other substances, whether controlled or not, and the degree to which it may cause psychological or physiological dependence; and

(iii) the risk to public health and the particular susceptibility of segments of the population;

(c) whether the substance is an immediate precursor, as defined in Section 58-37-2, of a substance that is currently a controlled substance;

(d) the current state of scientific knowledge regarding the substance, including whether there is any acceptable means to safely use the substance under medical supervision;

(e) the relationship between the use of the substance and criminal activity, including whether:

(i) persons engaged in illicit trafficking of the substance are also engaged in other criminal activity;

(ii) the nature and relative profitability of manufacturing or delivering the substance encourages illicit trafficking in the substance;

(iii) the commission of other crimes is one of the recognized effects of abuse of the

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substance; and

(iv) addiction to the substance relates to the commission of crimes to facilitate the continued use of the substance;

(f) whether the substance has been scheduled by other states; and

(g) whether the substance has any accepted medical use in treatment in the United States.

(14) The committee's duties under this section do not include tobacco products as defined in Section 59-14-102 or alcoholic beverages as defined in Section 32B-1-102.

(15) (a) The committee shall recommend placement of a substance in Schedule I if the committee finds:

(i) that the substance has high potential for abuse; and

(ii) that an accepted standard has not been established for safe use in treatment for medical purposes.

(b) The committee may recommend placement of a substance in Schedule I under Section 58-37-4 if it finds that the substance is classified as a controlled substance in Schedule I under federal law.

(16) (a) The committee shall recommend placement of a substance in Schedule II if the committee finds that:

(i) the substance has high potential for abuse;

(ii) the substance has a currently accepted medical use in treatment in the United States, or a currently accepted medical use subject to severe restrictions; and

(iii) the abuse of the substance may lead to severe psychological or physiological dependence.

(b) The committee may recommend placement of a substance in Schedule II if the committee finds that the substance is classified as a controlled substance in Schedule II under federal law.

(17) (a) The committee shall recommend placement of a substance in Schedule III if the committee finds that:

(i) the substance has a potential for abuse that is less than the potential for substances listed in Schedules I and II;

(ii) the substance has a currently accepted medical use in treatment in the United

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States; and

(iii) abuse of the substance may lead to moderate or low physiological dependence or high psychological dependence.

(b) The committee may recommend placement of a substance in Schedule III if it finds that the substance is classified as a controlled substance in Schedule III under federal law.

(18) (a) The committee shall recommend placement of a substance in Schedule IV if it finds that:

(i) the substance has a low potential for abuse relative to substances in Schedule III;

(ii) the substance has currently accepted medical use in treatment in the United States;

and

(iii) abuse of the substance may lead to limited physiological dependence or psychological dependence relative to the substances in Schedule III.

(b) The committee may recommend placement of a substance in Schedule IV if it finds that the substance is classified as a controlled substance in Schedule IV under federal law.

(19) (a) The committee shall recommend placement of a substance in Schedule V if it finds that:

(i) the substance has low potential for abuse relative to the controlled substances listed in Schedule IV;

(ii) the substance has currently accepted medical use in treatment in the United States;

and

(iii) the substance has limited physiological dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

(b) The committee may recommend placement of a substance in Schedule V under this section if it finds that the substance is classified as a controlled substance in Schedule V under federal law.

(20) The committee may recommend placement of a substance on a controlled substance list if it finds that the substance has a potential for abuse and that an accepted standard has not been established for safe use in treatment for medical purposes.

(21) The committee shall:

(a) conduct a multidisciplinary review of available information regarding a decedent of an opioid overdose death, which shall include:

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(i) consideration of the decedent's points of contact with health care systems, social services systems, criminal justice systems, and other systems; and

(ii) identification of specific factors that put the decedent at risk for opioid overdose;

(b) promote cooperation and coordination among government entities involved in opioid misuse, abuse, or overdose prevention;

(c) develop an understanding of the causes and incidence of opioid overdose deaths in the state;

(d) make recommendations for changes to law or policy that may prevent opioid overdose deaths;

(e) inform public health and public safety entities of emerging trends in opioid overdose deaths;

(f) monitor overdose trends on non-opioid overdose deaths; and

(g) review non-opioid overdose deaths in the manner described in Subsection (21)(a), when the committee determines that there are a substantial number of overdose deaths in the state caused by the use of a non-opioid.

(22) The committee may interview or request information from a staff member, a provider, or any other person who may have knowledge or expertise that is relevant to the review of an opioid overdose death.

(23) When an individual case is discussed in a committee meeting under Subsection (21)(a), (21)(g), or (22), the committee shall close the meeting in accordance with Sections 52-4-204 through 52-4-206.

Section 13. Section **26B-1-420** is amended to read:

26B-1-420. Cannabis Research Review Board.

(1) As used in this section:

(a) "Cannabinoid product" means the same as that term is defined in Section 58-37-3.6.

(b) "Cannabis" means the same as that term is defined in Section 58-37-3.6.

(2) (a) There is created the Cannabis Research Review Board within the department.

(b) The department shall appoint, in consultation with a professional association based in the state that represents physicians, seven members to the Cannabis Research Review Board as follows:

(i) three individuals who are medical research professionals; and

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(ii) four physicians:

(A) who are qualified medical providers as defined in Section 26B-4-201; and

(B) at least two who have at least 100 patients with a medical cannabis patient card at the time of appointment.

(3) The department shall ensure that at least one of the board members appointed under Subsection (2)(b) is a member of the [~~Controlled Substances Advisory Committee~~] Controlled Substances Scheduling and Opioid Fatality Advisory Committee created in Section [~~58-38a-201~~] 26B-1-403.

(4) (a) Four of the board members appointed under Subsection (2)(b) shall serve an initial term of two years and three of the board members appointed under Subsection (2)(b) shall serve an initial term of four years.

(b) Successor board members shall each serve a term of four years.

(c) A board member appointed to fill a vacancy on the board shall serve the remainder of the term of the board member whose departure created the vacancy.

(5) The department may remove a board member without cause.

(6) The board shall:

(a) nominate a board member to serve as chairperson of the board by a majority vote of the board members; and

(b) meet as often as necessary to accomplish the duties assigned to the board under this chapter.

(7) Each board member, including the chair, has one vote.

(8) (a) A majority of board members constitutes a quorum.

(b) A vote of a majority of the quorum at any board meeting is necessary to take action on behalf of the board.

(9) A board member may not receive compensation for the member's service on the board, but may, in accordance with rules adopted by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, receive:

(a) per diem at the rate established under Section 63A-3-106; and

(b) travel expenses at the rate established under Section 63A-3-107.

(10) If a board member appointed under Subsection (2)(b) does not meet the qualifications of Subsection (2)(b) before July 1, 2022:

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- (a) the board member's seat is vacant; and
- (b) the department shall fill the vacancy in accordance with this section.

(11) The board shall review any available scientific research related to the human use of cannabis, a cannabinoid product, or an expanded cannabinoid product that:

(a) was conducted under a study approved by an institutional review board that is registered for human subject research by the United States Department of Health and Human Services;

(b) was conducted or approved by the federal government; or

(c) (i) was conducted in another country; and

(ii) demonstrates, as determined by the board, a sufficient level of scientific reliability and significance to merit the board's review.

(12) Based on the research described in Subsection (11), the board shall evaluate the safety and efficacy of cannabis, cannabinoid products, and expanded cannabinoid products, including:

(a) medical conditions that respond to cannabis, cannabinoid products, and expanded cannabinoid products;

(b) cannabis and cannabinoid dosage amounts and medical dosage forms;

(c) interaction of cannabis, cannabinoid products, and expanded cannabinoid products, as defined in Section 58-37-3.6, with other treatments; and

(d) contraindications, adverse reactions, and potential side effects from use of cannabis, cannabinoid products, and expanded cannabinoid products.

(13) Based on the board's evaluation under Subsection (12), the board shall develop guidelines for treatment with cannabis, a cannabinoid product, and an expanded cannabinoid product that include:

(a) a list of medical conditions, if any, that the board determines are appropriate for treatment with cannabis, a cannabis product, a cannabinoid product, or an expanded cannabinoid product;

(b) a list of contraindications, side effects, and adverse reactions that are associated with use of cannabis, cannabinoid products, or expanded cannabinoid products;

(c) a list of potential drug-drug interactions between medications that the United States Food and Drug Administration has approved and cannabis, cannabinoid products, and

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expanded cannabinoid products; and

(d) any other guideline the board determines appropriate.

(14) The board shall submit the guidelines described in Subsection (13) to the director of the Division of Professional Licensing.

(15) Guidelines that the board develops under this section may not limit the availability of cannabis, cannabinoid products, or expanded cannabinoid products permitted under Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies, or Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.

(16) The board shall provide a report to the Health and Human Services Interim Committee regarding the board's work before October 1 of each year.

(17) Based on the board's evaluation under Subsection (12), the board may provide recommendations to the Medical Cannabis Policy Advisory Board created in Section 26B-1-435 regarding restrictions for a substance found in a medical cannabis product that:

(a) is likely harmful to human health; or

(b) is associated with a substance that is likely harmful to human health.

Section 14. Section **26B-4-702** is amended to read:

26B-4-702. Creation of Utah Health Care Workforce Financial Assistance

Program -- Duties of department.

(1) As used in this section:

(a) "Eligible professional" means a geriatric professional or a health care professional who is eligible to participate in the program.

(b) "Geriatric professional" means a person who:

(i) is a licensed:

(A) health care professional;

(B) social worker;

(C) occupational therapist;

(D) pharmacist;

(E) physical therapist; or

(F) psychologist; and

(ii) is determined by the department to have adequate advanced training in geriatrics to prepare the person to provide specialized geriatric care within the scope of the person's

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profession.

(c) "Health care professional" means:

(i) a licensed:

(A) physician;

(B) physician assistant;

(C) nurse;

(D) dentist; or

(E) mental health therapist; or

(ii) another licensed health care professional designated by the department by rule.

(d) "Program" means the Utah Health Care Workforce Financial Assistance Program created in this section.

(e) "Underserved area" means an area designated by the department as underserved by health care professionals, based upon the results of a needs assessment developed by the department [~~in consultation with the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26B-1-419~~].

(2) There is created within the department the Utah Health Care Workforce Financial Assistance Program to provide, within funding appropriated by the Legislature for the following purposes:

(a) professional education scholarships and loan repayment assistance to health care professionals who locate or continue to practice in underserved areas; and

(b) loan repayment assistance to geriatric professionals who locate or continue to practice in underserved areas.

(3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules governing the administration of the program, including rules that address:

(a) application procedures;

(b) eligibility criteria;

(c) selection criteria;

(d) service conditions, which at a minimum shall include professional service in an underserved area for a minimum period of time by any person receiving a scholarship or loan repayment assistance;

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(e) penalties for failure to comply with service conditions or other terms of a scholarship or loan repayment contract;

(f) criteria for modifying or waiving service conditions or penalties in case of extreme hardship or other good cause; and

(g) administration of contracts entered into before the effective date of this act, between the department and scholarship or loan repayment recipients, as authorized by law.

(4) The department may provide education loan repayment assistance to an eligible professional if the eligible professional:

(a) agrees to practice in an underserved area for the duration of the eligible professional's participation in the program; and

(b) submits a written commitment from the health care facility employing the eligible professional that the health care facility will provide education loan repayment assistance to the eligible professional in an amount equal to 20% of the total award amount provided to the eligible professional.

~~[(5) The department shall seek and consider the recommendations of the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26B-1-419 as it develops and modifies rules to administer the program.]~~

~~[(6) (5) Funding for the program:~~

~~(a) shall be a line item within the appropriations act;~~

~~(b) shall be nonlapsing unless designated otherwise by the Legislature; and~~

~~(c) may be used to cover administrative costs of the program[, including reimbursement expenses of the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26B-1-419].~~

~~[(7) (6) Refunds for loan repayment assistance, penalties for breach of contract, and other payments to the program are dedicated credits to the program.~~

~~[(8) (7) The department shall prepare an annual report on the revenues, expenditures, and outcomes of the program.~~

Section 15. Section **26B-8-231** is amended to read:

26B-8-231. Overdose fatality examiner.

(1) Within funds appropriated by the Legislature, the department shall provide compensation, at a standard rate determined by the department, to an overdose fatality

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examiner.

(2) The overdose fatality examiner shall:

(a) work with the medical examiner to compile data regarding overdose and opioid related deaths, including:

(i) toxicology information;

(ii) demographics; and

(iii) the source of opioids or drugs;

(b) as relatives of the deceased are willing, gather information from relatives of the deceased regarding the circumstances of the decedent's death;

(c) maintain a database of information described in Subsections (2)(a) and (b);

(d) coordinate no less than monthly with the suicide prevention coordinator described in Section 26B-5-611; and

(e) coordinate no less than quarterly with the [~~Opioid and Overdose Fatality Review Committee~~] Controlled Substances Scheduling and Opioid Fatality Advisory Committee created in Section 26B-1-403.

Section 16. Section **35A-4-502** is amended to read:

35A-4-502. Administration of Employment Security Act.

(1) (a) The department shall administer this chapter through the division.

(b) The department may make, amend, or rescind any rules and special orders necessary for the administration of this chapter.

(c) The division may:

(i) employ persons;

(ii) make expenditures;

(iii) require reports;

(iv) make investigations;

(v) make audits of any or all funds provided for under this chapter when necessary; and

(vi) take any other action it considers necessary or suitable to that end.

(d) No later than the first day of October of each year, the department shall submit to the governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make any recommendations for amendments to this chapter as the department considers proper.

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(e) (i) The report required under Subsection (1)(d) shall include a balance sheet of the money in the fund in which there shall be provided, if possible, a reserve against liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the division in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period.

(ii) Whenever the department believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, it shall promptly inform the governor and the Legislature and make appropriate recommendations.

(2) (a) The department may make, amend, or rescind rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) The director of the division or the director's designee may adopt, amend, or rescind special orders after appropriate notice and opportunity to be heard. Special orders become effective 10 days after notification or mailing to the last-known address of the individuals or concerns affected thereby.

(3) The director of the division or the director's designee shall cause to be printed for distribution to the public:

- (a) the text of this chapter;
- (b) the department's rules pertaining to this chapter;
- (c) the department's annual reports to the governor required by Subsection (1)(e); and
- (d) any other material the director of the division or the director's designee considers relevant and suitable and shall furnish them to any person upon application.

(4) (a) The division may delegate to any person so appointed the power and authority it considers reasonable and proper for the effective administration of this chapter and may bond any person handling money or signing checks under this authority.

(b) The department may, when permissible under federal and state law, make arrangements to voluntarily elect coverage under the United States Civil Service Retirement System or a comparable private retirement plan with respect to past as well as future services of individuals employed under this chapter who:

- (i) were hired prior to October 1, 1980; and
- (ii) have been retained by the department without significant interruption in the employees' services for the department.

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(c) An employee of the department who no longer may participate in a federal or other retirement system as a result of a change in status or appropriation under this chapter may purchase credit with the employee's assets from the federal or other retirement system in which the employee may no longer participate in a retirement system created under:

(i) Title 49, Chapter 13, Public Employees' Noncontributory Retirement Act for a purchase made under this Subsection (4)(c) by an employee eligible for service credit under Title 49, Chapter 13, Public Employees' Noncontributory Retirement Act; or

(ii) Title 49, Chapter 22, New Public Employees' Tier II Contributory Retirement Act, for a purchase made under this Subsection (4)(c) by an employee eligible for service credit under Title 49, Chapter 22, New Public Employees' Tier II Contributory Retirement Act.

(5) There is created an Employment Advisory Council composed of the members listed in Subsections (5)(a) and (b).

(a) The executive director shall appoint:

(i) not less than [~~five~~] three employer representatives chosen from individuals recommended by employers, employer associations, or employer groups;

(ii) not less than [~~five~~] three employee representatives chosen from individuals recommended by employees, employee associations, or employee groups; and

(iii) [~~five~~] three public representatives chosen at large.

(b) The executive director or the executive director's designee shall serve as a nonvoting member of the council.

(c) The employee representatives shall include both union and nonunion employees who fairly represent the percentage in the labor force of the state.

(d) Employers and employees shall consider nominating members of groups who historically may have been excluded from the council, such as women, minorities, and individuals with disabilities.

(e) (i) Except as required by Subsection (5)(e)(ii), as terms of current council members expire, the executive director shall appoint each new member or reappointed member to a four-year term.

(ii) Notwithstanding the requirements of Subsection (5)(e)(i), the executive director shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the council is appointed

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every two years.

(f) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(g) The executive director shall terminate the term of any council member who ceases to be representative as designated by the council member's original appointment.

(h) The council shall advise the department and the Legislature in formulating policies and discussing problems related to the administration of this chapter including:

(i) reducing and preventing unemployment;

(ii) encouraging the adoption of practical methods of vocational training, retraining, and vocational guidance;

(iii) monitoring the implementation of the Wagner-Peyser Act;

(iv) promoting the creation and development of job opportunities and the reemployment of unemployed workers throughout the state in every possible way; and

(v) appraising the industrial potential of the state.

(i) The council shall assure impartiality and freedom from political influence in the solution of the problems listed in Subsection (5)(h).

(j) The executive director or the executive director's designee shall serve as chair of the council and call the necessary meetings.

(k) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(i) Section 63A-3-106;

(ii) Section 63A-3-107; and

(iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(l) The department shall provide staff support to the council.

(6) In the discharge of the duties imposed by this chapter, the division director or the director's designee as designated by department rule, may in connection with a disputed matter or the administration of this chapter:

(a) administer oaths and affirmations;

(b) take depositions;

(c) certify to official acts; and

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(d) issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records necessary as evidence.

(7) (a) In case of contumacy by or refusal to obey a subpoena issued to any person, any court of this state within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the director of the division or the director's designee shall have jurisdiction to issue to that person an order requiring the person to appear before the director or the director's designee to produce evidence, if so ordered, or give testimony regarding the matter under investigation or in question. Any failure to obey that order of the court may be punished by the court as contempt.

(b) Any person who, without just cause, fails or refuses to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records, if it is in that person's power to do so, in obedience to a subpoena of the director or the director's designee shall be punished as provided in Subsection 35A-1-301(1)(b). Each day the violation continues is a separate offense.

(c) In the event a witness asserts a privilege against self-incrimination, testimony and evidence from the witness may be compelled pursuant to Title 77, Chapter 22b, Grants of Immunity.

(8) (a) In the administration of this chapter, the division shall cooperate with the United States Department of Labor to the fullest extent consistent with the provisions of this chapter and shall take action, through the adoption of appropriate rules by the department and administrative methods and standards, as necessary to secure to this state and its citizens all advantages available under the provisions of:

- (i) the Social Security Act that relate to unemployment compensation;
- (ii) the Federal Unemployment Tax Act; and
- (iii) the Federal-State Extended Unemployment Compensation Act of 1970.

(b) In the administration of Section 35A-4-402, which is enacted to conform with the requirements of the Federal-State Extended Unemployment Compensation Act of 1970, 26 U.S.C. Sec. 3304, the division shall take any action necessary to ensure that the section is interpreted and applied to meet the requirements of the federal act, as interpreted by the United States Department of Labor and to secure to this state the full reimbursement of the federal

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share of extended and regular benefits paid under this chapter that are reimbursable under the federal act.

Section 17. Section **36-12-23** is amended to read:

36-12-23. Legislative committees -- Staffing.

As used in this section:

(1) "Chair" means a presiding officer or a co-presiding officer of a legislative committee.

(2) "Committee" means a standing committee, interim committee, subcommittee, special committee, authority, commission, council, task force, panel, or board in which legislative participation is required by law or legislative rule.

(3) "Legislative committee" means a committee:

- (a) formed by the Legislature to study or oversee subjects of legislative concern; and
- (b) that is required by law or legislative rule to have a chair who is a legislator.

(4) "Legislator" means a member of either house of the Legislature.

(5) "Professional legislative office" means the Office of Legislative Research and General Counsel, the Office of the Legislative Fiscal Analyst, or the Office of the Legislative Auditor General.

(6) (a) Except as provided in Subsection (7), a professional legislative office shall provide staff support to a legislative committee.

(b) If a law or legislative rule does not designate which particular professional legislative office shall provide staff support to a legislative committee, that office shall be the Office of Legislative Research and General Counsel.

(7) This section does not apply to:

- (a) the Point of the Mountain State Land Authority created in Section 11-59-201;
- (b) the Utah Broadband Center Advisory Commission created in Section 36-29-109;
- (c) the Blockchain and Digital Innovation Task Force created in Section 36-29-110;
- (d) the [~~Criminal Justice~~] Public Safety Data Management Task Force created in Section 36-29-111;

(e) the Constitutional Defense Council created in Section 63C-4a-202;

(f) the Women in the Economy Subcommittee created in Section 63N-1b-402;

(g) the House Ethics Committee established under Legislative Joint Rule JR6-2-101; or

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(h) the Senate Ethics Committee established under Legislative Joint Rule JR6-2-101.
Section 18. Section **36-29-111** is amended to read:

36-29-111. Public Safety Data Management Task Force.

(1) As used in this section[, "task force"]:

(a) "Cohabitant abuse protective order" means an order issued with or without notice to the respondent in accordance with Title 78B, Chapter 7, Part 6, Cohabitant Abuse Protective Orders.

(b) "Lethality assessment" means an evidence-based assessment that is intended to identify a victim of domestic violence who is at a high risk of being killed by the perpetrator.

(c) "Task force" means the [Criminal Justice] Public Safety Data Management Task Force created in this section.

(d) "Victim" means an individual who is a victim of domestic violence, as defined in Section 77-36-1.

(2) There is created the [Criminal Justice] Public Safety Data Management Task Force consisting of the following members:

(a) three members of the Senate appointed by the president of the Senate, no more than two of whom may be from the same political party;

(b) three members of the House of Representatives appointed by the speaker of the House of Representatives, no more than two of whom may be from the same political party;
and

(c) representatives from the following organizations as requested by the executive director of the State Commission on Criminal and Juvenile Justice:

(i) the State Commission on Criminal and Juvenile Justice;

~~[(ii) the Office of the Utah Attorney General;]~~

~~[(iii)]~~ (ii) the Judicial Council;

~~[(iv)]~~ (iii) the Statewide Association of Prosecutors;

~~[(v)]~~ (iv) the Department of Corrections;

~~[(vi)]~~ (v) the Department of Public Safety;

~~[(vii) the Utah League of Cities and Towns;]~~

~~[(viii)]~~ (vi) the Utah Association of Counties;

~~[(ix)]~~ (vii) the Utah Chiefs of Police Association;

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~~[(x)]~~ (viii) the Utah Sheriffs Association;

~~[(xi)]~~ (ix) the Board of Pardons and Parole;

(x) the Department of Health and Human Services;

(xi) the Utah Division of Indian Affairs; and

~~[(xii) a representative from a bail bond agency; and]~~

~~[(xiii)]~~ (xii) any other organizations or groups as recommended by the executive

director of the Commission on Criminal and Juvenile Justice.

(3) (a) The president of the Senate shall designate a member of the Senate appointed under Subsection (2)(a) as a cochair of the task force.

(b) The speaker of the House of Representatives shall designate a member of the House of Representatives appointed under Subsection (2)(b) as a cochair of the task force.

(4) (a) A majority of the members of the task force present at a meeting constitutes a quorum.

(b) The action of a majority of a quorum constitutes an action of the task force.

(5) (a) Salaries and expenses of the members of the task force who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

(b) A member of the task force who is not a legislator:

(i) may not receive compensation for the member's work associated with the task force; and

(ii) may receive per diem and reimbursement for travel expenses incurred as a member of the task force at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(6) The State Commission on Criminal and Juvenile Justice shall provide staff support to the task force.

(7) The task force shall review the state's current criminal justice data collection requirements and make recommendations regarding:

(a) possible ways to connect the various records systems used throughout the state so that data can be shared between criminal justice agencies and with policymakers;

(b) ways to automate the collection, storage, and dissemination of the data;

(c) standardizing the format of data collection and retention; ~~[and]~~

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(d) the collection of domestic violence data in the state; and

~~[(d)]~~ (e) the collection of data not already required related to criminal justice.

~~[(8) On or before November 30 of each year that the task force is in effect, the task force shall provide a report, including any proposed legislation, to:]~~

~~[(a) the Law Enforcement and Criminal Justice Interim Committee; and]~~

~~[(b) the Legislative Management Committee.]~~

~~[(9) The task force is repealed July 1, 2025.]~~

(8) On or before November 30 of each year, the task force shall provide a report to the Law Enforcement and Criminal Justice Interim Committee and the Legislative Management Committee that includes:

(a) recommendations in accordance with Subsection (7)(a);

(b) information on:

(i) lethality assessments conducted in the state, including:

(A) the type of lethality assessments used by law enforcement agencies and other organizations that provide domestic violence services; and

(B) training and protocols implemented by law enforcement agencies and the organizations described in Subsection (8)(b)(i)(A) regarding the use of lethality assessments;

(ii) the data collection efforts implemented by law enforcement agencies and the organizations described in Subsection (8)(b)(i)(A);

(iii) the number of cohabitant abuse protective orders that, in the immediately preceding calendar year, were:

(A) issued;

(B) amended or dismissed before the date of expiration; or

(C) dismissed under Section 78B-7-605; and

(iv) the prevalence of domestic violence in the state and the prevalence of the following in domestic violence cases:

(A) stalking;

(B) strangulation;

(C) violence in the presence of a child; and

(D) threats of suicide or homicide;

(c) a review of and feedback on:

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(i) lethality assessment training and protocols implemented by law enforcement agencies and the organizations described in Subsection (8)(b)(i)(A); and

(ii) the collection of domestic violence data in the state, including:

(A) the coordination between state, local, and not-for-profit agencies to collect data from lethality assessments and on the prevalence of domestic violence, including the number of voluntary commitments of firearms under Section 53-5c-201;

(B) efforts to standardize the format for collecting domestic violence and lethality assessment data from state, local, and not-for-profit agencies within federal confidentiality requirements; and

(C) the need for any additional data collection requirements or efforts; and

(d) any proposed legislation.

Section 19. Section **52-4-205** is amended to read:

52-4-205. Purposes of closed meetings -- Certain issues prohibited in closed meetings.

(1) A closed meeting described under Section 52-4-204 may only be held for:

(a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual;

(b) strategy sessions to discuss collective bargaining;

(c) strategy sessions to discuss pending or reasonably imminent litigation;

(d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, if public discussion would:

(i) disclose the appraisal or estimated value of the property under consideration; or

(ii) prevent the public body from completing the transaction on the best possible terms;

(e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:

(i) public discussion of the transaction would:

(A) disclose the appraisal or estimated value of the property under consideration; or

(B) prevent the public body from completing the transaction on the best possible terms;

(ii) the public body previously gave public notice that the property would be offered for

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sale; and

(iii) the terms of the sale are publicly disclosed before the public body approves the sale;

(f) discussion regarding deployment of security personnel, devices, or systems;

(g) investigative proceedings regarding allegations of criminal misconduct;

(h) as relates to the Independent Legislative Ethics Commission, conducting business relating to the receipt or review of ethics complaints;

(i) as relates to an ethics committee of the Legislature, a purpose permitted under Subsection 52-4-204(1)(a)(iii)(C);

(j) as relates to the Independent Executive Branch Ethics Commission created in Section 63A-14-202, conducting business relating to an ethics complaint;

(k) as relates to a county legislative body, discussing commercial information as defined in Section 59-1-404;

(l) as relates to the Utah Higher Education Savings Board of Trustees and its appointed board of directors, discussing fiduciary or commercial information;

(m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:

(i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;

(ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or

(iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;

(n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;

(o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:

(i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be

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disclosed to a member of the public or to a participant in the procurement process; and

(ii) the public body needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process;

(p) as relates to the governing board of a governmental nonprofit corporation, as that term is defined in Section 11-13a-102, the purpose of discussing information that is designated as a trade secret, as that term is defined in Section 13-24-2, if:

(i) public knowledge of the discussion would reasonably be expected to result in injury to the owner of the trade secret; and

(ii) discussion of the information is necessary for the governing board to properly discharge the board's duties and conduct the board's business;

(q) as it relates to the Cannabis Production Establishment Licensing Advisory Board, to review confidential information regarding violations and security requirements in relation to the operation of cannabis production establishments;

(r) considering a loan application, if public discussion of the loan application would disclose:

(i) nonpublic personal financial information; or

(ii) a nonpublic trade secret, as defined in Section 13-24-2, or nonpublic business financial information the disclosure of which would reasonably be expected to result in unfair competitive injury to the person submitting the information;

(s) a discussion of the board of the Point of the Mountain State Land Authority, created in Section 11-59-201, regarding a potential tenant of point of the mountain state land, as defined in Section 11-59-102; or

(t) a purpose for which a meeting is required to be closed under Subsection (2).

(2) The following meetings shall be closed:

(a) a meeting of the Health and Human Services Interim Committee to review a report described in Subsection 26B-1-506(1)(a), and the responses to the report described in Subsections 26B-1-506(2) and (4);

(b) a meeting of the Child Welfare Legislative Oversight Panel to:

(i) review a report described in Subsection 26B-1-506(1)(a), and the responses to the report described in Subsections 26B-1-506(2) and (4); or

(ii) review and discuss an individual case, as described in Subsection 36-33-103(2);

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(c) a meeting of the [~~Opioid and Overdose Fatality Review Committee~~] Controlled Substances Scheduling and Opioid Fatality Advisory Committee, created in Section 26B-1-403, to review and discuss an individual case, as described in Subsection [~~26B-1-403(10)~~] 26B-1-403(23);

(d) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose of advising the Natural Resource Conservation Service of the United States Department of Agriculture on a farm improvement project if the discussed information is protected information under federal law;

(e) a meeting of the Compassionate Use Board established in Section 26B-1-421 for the purpose of reviewing petitions for a medical cannabis card in accordance with Section 26B-1-421;

(f) a meeting of the Colorado River Authority of Utah if:

(i) the purpose of the meeting is to discuss an interstate claim to the use of the water in the Colorado River system; and

(ii) failing to close the meeting would:

(A) reveal the contents of a record classified as protected under Subsection 63G-2-305(82);

(B) reveal a legal strategy relating to the state's claim to the use of the water in the Colorado River system;

(C) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best terms and conditions regarding the use of water in the Colorado River system; or

(D) give an advantage to another state or to the federal government in negotiations regarding the use of water in the Colorado River system;

(g) a meeting of the General Regulatory Sandbox Program Advisory Committee if:

(i) the purpose of the meeting is to discuss an application for participation in the regulatory sandbox as defined in Section 63N-16-102; and

(ii) failing to close the meeting would reveal the contents of a record classified as protected under Subsection 63G-2-305(83);

(h) a meeting of a project entity if:

(i) the purpose of the meeting is to conduct a strategy session to discuss market

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conditions relevant to a business decision regarding the value of a project entity asset if the terms of the business decision are publicly disclosed before the decision is finalized and a public discussion would:

(A) disclose the appraisal or estimated value of the project entity asset under consideration; or

(B) prevent the project entity from completing on the best possible terms a contemplated transaction concerning the project entity asset;

(ii) the purpose of the meeting is to discuss a record, the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, the project entity;

(iii) the purpose of the meeting is to discuss a business decision, the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, the project entity; or

(iv) failing to close the meeting would prevent the project entity from getting the best price on the market; and

(i) a meeting of the School Activity Eligibility Commission, described in Section 53G-6-1003, if the commission is in effect in accordance with Section 53G-6-1002, to consider, discuss, or determine, in accordance with Section 53G-6-1004, an individual student's eligibility to participate in an interscholastic activity, as that term is defined in Section 53G-6-1001, including the commission's determinative vote on the student's eligibility.

(3) In a closed meeting, a public body may not:

(a) interview a person applying to fill an elected position;

(b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or

(c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

Section 20. Section **53-1-104 (Effective 07/01/24)** is amended to read:

53-1-104 (Effective 07/01/24). Boards, bureaus, councils, divisions, and offices.

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(1) The following are the policymaking boards and committees within the department:

(a) the ~~[State] Trauma System and Emergency Medical Services Committee~~ created in Section 53-2d-104;

(b) the Air Ambulance Committee created in Section 53-2d-107;

(c) the Driver License Medical Advisory Board, created in Section 53-3-303;

(d) the Concealed Firearm Review Board, created in Section 53-5-703;

(e) the Utah Fire Prevention Board, created in Section 53-7-203; and

(f) the Liquefied Petroleum Gas Board, created in Section 53-7-304~~[-and]~~.

~~[(g) the Private Investigator Hearing and Licensure Board, created in Section 53-9-104.]~~

(2) The Peace Officer Standards and Training Council, created in Section 53-6-106, is within the department.

(3) The following are the divisions within the department:

(a) the Administrative Services Division, created in Section 53-1-203;

(b) the Management Information Services Division, created in Section 53-1-303;

(c) the Division of Emergency Management, created in Section 53-2a-103;

(d) the Driver License Division, created in Section 53-3-103;

(e) the Criminal Investigations and Technical Services Division, created in Section 53-10-103;

(f) the Peace Officer Standards and Training Division, created in Section 53-6-103;

(g) the State Fire Marshal Division, created in Section 53-7-103; and

(h) the Utah Highway Patrol Division, created in Section 53-8-103.

(4) The Office of Executive Protection is created in Section 53-1-112.

(5) The following are the bureaus within the department:

(a) the Bureau of Emergency Medical Services, created in Section 53-2d-102;

(b) the Bureau of Criminal Identification, created in Section 53-10-201;

(c) the State Bureau of Investigation, created in Section 53-10-301;

(d) the Bureau of Forensic Services, created in Section 53-10-401; and

(e) the Bureau of Communications, created in Section 53-10-501.

Section 21. Section **53-1-106** is amended to read:

53-1-106. Department duties -- Powers.

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(1) In addition to the responsibilities contained in this title, the department shall:

(a) make rules and perform the functions specified in Title 41, Chapter 6a, Traffic Code, including:

(i) setting performance standards for towing companies to be used by the department, as required by Section 41-6a-1406; and

(ii) advising the Department of Transportation regarding the safe design and operation of school buses, as required by Section 41-6a-1304;

(b) make rules to establish and clarify standards pertaining to the curriculum and teaching methods of a motor vehicle accident prevention course under Section 31A-19a-211;

(c) aid in enforcement efforts to combat drug trafficking;

(d) meet with the Division of Technology Services to formulate contracts, establish priorities, and develop funding mechanisms for dispatch and telecommunications operations;

(e) provide assistance to the [~~Crime Victim Reparations Board~~] Commission on Criminal and Juvenile Justice and the Utah Office for Victims of Crime in conducting research or monitoring victims' programs, as required by Section [~~63M-7-505~~] 63M-7-507;

(f) develop sexual assault exam protocol standards in conjunction with the Utah Hospital Association;

(g) engage in emergency planning activities, including preparation of policy and procedure and rulemaking necessary for implementation of the federal Emergency Planning and Community Right to Know Act of 1986, as required by Section 53-2a-702;

(h) implement the provisions of Section 53-2a-402, the Emergency Management Assistance Compact;

(i) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:

(i) under this title;

(ii) by the department; or

(iii) by an agency or division within the department;

(j) employ a law enforcement officer as a public safety liaison to be housed at the State Board of Education who shall work with the State Board of Education to:

(i) support training with relevant state agencies for school resource officers as

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described in Section 53G-8-702;

(ii) coordinate the creation of model policies and memorandums of understanding for a local education agency and a local law enforcement agency; and

(iii) ensure cooperation between relevant state agencies, a local education agency, and a local law enforcement agency to foster compliance with disciplinary related statutory provisions, including Sections 53E-3-516 and 53G-8-211;

(k) provide for the security and protection of public officials, public officials' staff, and the capitol hill complex in accordance with the provisions of this part; and

(l) fulfill the duties described in Sections 77-36-2.1 and 78B-7-120 related to lethality assessments.

(2) (a) The department shall establish a schedule of fees as required or allowed in this title for services provided by the department.

(b) All fees not established in statute shall be established in accordance with Section 63J-1-504.

(3) The department may establish or contract for the establishment of an Organ Procurement Donor Registry in accordance with Section 26B-8-319.

Section 22. Section **53-2a-105** is amended to read:

53-2a-105. Emergency Management Administration Council created -- Function -- Composition -- Expenses.

(1) There is created the Emergency Management Administration Council to:

(a) provide advice and coordination for state and local government agencies on government emergency prevention, mitigation, preparedness, response, and recovery actions and activities[-];

(b) review the progress and status of the statewide mutual aid system as defined in Section 53-2a-302;

(c) assist in developing methods to track and evaluate activation of the statewide mutual aid system; and

(d) examine issues facing participating political subdivisions, as defined in Section 53-2a-302, regarding implementation of the statewide mutual aid system.

(2) The council shall develop comprehensive guidelines and procedures that address the operation of the statewide mutual aid system, including:

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(a) projected or anticipated costs of responding to emergencies;

(b) checklists for requesting and providing assistance;

(c) record keeping for participating political subdivisions;

(d) reimbursement procedures and other necessary implementation elements and necessary forms for requests; and

(e) other records documenting deployment and return of assets.

(3) The council may prepare an annual report on the condition and effectiveness of the statewide mutual aid system, make recommendations for correcting any deficiencies, and submit the report to the Political Subdivisions Interim Committee.

~~[(2)]~~ (4) The council shall meet at the call of the chair, but at least semiannually.

~~[(3)]~~ (5) The council shall be made up of the:

(a) lieutenant governor, or the lieutenant governor's designee;

(b) attorney general, or the attorney general's designee;

(c) heads of the following state agencies, or their designees:

(i) Department of Public Safety;

(ii) Division of Emergency Management;

(iii) Department of Transportation;

(iv) Department of Health;

(v) Department of Environmental Quality;

(vi) Department of Workforce Services;

(vii) Department of Natural Resources;

(viii) Department of Agriculture and Food;

(ix) Division of Technology Services; and

(x) Division of Indian Affairs;

(d) adjutant general of the National Guard or the adjutant general's designee;

(e) statewide interoperability coordinator of the Utah Communications Authority or the coordinator's designee;

(f) two representatives with expertise in emergency management appointed by the Utah League of Cities and Towns;

(g) two representatives with expertise in emergency management appointed by the Utah Association of Counties;

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(h) up to four additional members with expertise in emergency management, critical infrastructure, or key resources as these terms are defined under ~~[6 U.S. Code Section 101]~~ 6 U.S.C. Sec. 101 appointed from the private sector, by the co-chairs of the council;

(i) two representatives appointed by the Utah Emergency Management Association;

(j) one representative from the Urban Area Working Group, appointed by the council co-chairs;

(k) one representative from education, appointed by the council co-chairs; and

(l) one representative from a volunteer or faith-based organization, appointed by the council co-chairs.

~~[(4)]~~ (6) The commissioner and the lieutenant governor shall serve as co-chairs of the council.

~~[(5)]~~ (7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

~~[(6)]~~ (8) The council shall coordinate with existing emergency management related entities including:

(a) the Emergency Management Regional Committees established by the Department of Public Safety; and

~~[(b) the Statewide Mutual Aid Committee established under Section 53-2a-303; and]~~

~~[(c)]~~ (b) the Hazardous Chemical Emergency Response Commission designated under Section 53-2a-703.

~~[(7)]~~ (9) The council may appoint additional members or establish other committees and task forces as determined necessary by the council to carry out the duties of the council.

Section 23. Section **53-2d-101 (Effective 07/01/24)** is amended to read:

53-2d-101 (Effective 07/01/24). Definitions.

As used in this chapter:

(1) (a) "911 ambulance or paramedic services" means:

(i) either:

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(A) 911 ambulance service;

(B) 911 paramedic service; or

(C) both 911 ambulance and paramedic service; and

(ii) a response to a 911 call received by a designated dispatch center that receives 911 or E911 calls.

(b) "911 ambulance or paramedic services" does not mean a seven or 10 digit telephone call received directly by an ambulance provider licensed under this chapter.

(2) "Account" means the Automatic External Defibrillator Restricted Account, created in Section 53-2d-809.

(3) "Ambulance" means a ground, air, or water vehicle that:

(a) transports patients and is used to provide emergency medical services; and

(b) is required to obtain a permit under Section 53-2d-404 to operate in the state.

(4) "Ambulance provider" means an emergency medical service provider that:

(a) transports and provides emergency medical care to patients; and

(b) is required to obtain a license under Part 5, Ambulance and Paramedic Providers.

(5) "Automatic external defibrillator" or "AED" means an automated or automatic computerized medical device that:

(a) has received pre-market notification approval from the United States Food and Drug Administration, pursuant to 21 U.S.C. Sec. 360(k);

(b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;

(c) is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

(d) upon determining that defibrillation should be performed, automatically charges, enabling delivery of, or automatically delivers, an electrical impulse through the chest wall and to an individual's heart.

(6) (a) "Behavioral emergency services" means delivering a behavioral health intervention to a patient in an emergency context within a scope and in accordance with guidelines established by the department.

(b) "Behavioral emergency services" does not include engaging in the:

(i) practice of mental health therapy as defined in Section 58-60-102;

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- (ii) practice of psychology as defined in Section 58-61-102;
- (iii) practice of clinical social work as defined in Section 58-60-202;
- (iv) practice of certified social work as defined in Section 58-60-202;
- (v) practice of marriage and family therapy as defined in Section 58-60-302;
- (vi) practice of clinical mental health counseling as defined in Section 58-60-402; or
- (vii) practice as a substance use disorder counselor as defined in Section 58-60-502.

(7) "Bureau" means the Bureau of Emergency Medical Services created in Section 53-2d-102.

(8) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external chest compression applied to a person who is unresponsive and not breathing.

(9) "Committee" means the [State] Trauma System and Emergency Medical Services Committee created by Section 53-2d-104.

(10) "Community paramedicine" means medical care:

(a) provided by emergency medical service personnel; and

(b) provided to a patient who is not:

(i) in need of ambulance transportation; or

(ii) located in a health care facility as defined in Section 26B-2-201.

(11) "Division" means the Division of Emergency Management created in Section 53-2a-103.

(12) "Direct medical observation" means in-person observation of a patient by a physician, registered nurse, physician's assistant, or individual licensed under Section 26B-4-116.

(13) "Emergency medical condition" means:

(a) a medical condition that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in:

(i) placing the individual's health in serious jeopardy;

(ii) serious impairment to bodily functions; or

(iii) serious dysfunction of any bodily organ or part; or

(b) a medical condition that in the opinion of a physician or the physician's designee requires direct medical observation during transport or may require the intervention of an

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individual licensed under Section 53-2d-402 during transport.

(14) "Emergency medical dispatch center" means a public safety answering point, as defined in Section 63H-7a-103, that is designated as an emergency medical dispatch center by the bureau.

(15) (a) "Emergency medical service personnel" means an individual who provides emergency medical services or behavioral emergency services to a patient and is required to be licensed or certified under Section 53-2d-402.

(b) "Emergency medical service personnel" includes a paramedic, medical director of a licensed emergency medical service provider, emergency medical service instructor, behavioral emergency services technician, other categories established by the committee, and a certified emergency medical dispatcher.

(16) "Emergency medical service providers" means:

(a) licensed ambulance providers and paramedic providers;

(b) a facility or provider that is required to be designated under Subsection 53-2d-403(1)(a); and

(c) emergency medical service personnel.

(17) "Emergency medical services" means:

(a) medical services;

(b) transportation services;

(c) behavioral emergency services; or

(d) any combination of the services described in Subsections (17)(a) through (c).

(18) "Emergency medical service vehicle" means a land, air, or water vehicle that is:

(a) maintained and used for the transportation of emergency medical personnel, equipment, and supplies to the scene of a medical emergency; and

(b) required to be permitted under Section 53-2d-404.

(19) "Governing body":

(a) means the same as that term is defined in Section 11-42-102; and

(b) for purposes of a "special service district" under Section 11-42-102, means a special service district that has been delegated the authority to select a provider under this chapter by the special service district's legislative body or administrative control board.

(20) "Interested party" means:

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(a) a licensed or designated emergency medical services provider that provides emergency medical services within or in an area that abuts an exclusive geographic service area that is the subject of an application submitted pursuant to Part 5, Ambulance and Paramedic Providers;

(b) any municipality, county, or fire district that lies within or abuts a geographic service area that is the subject of an application submitted pursuant to Part 5, Ambulance and Paramedic Providers; or

(c) the department when acting in the interest of the public.

(21) "Level of service" means the level at which an ambulance provider type of service is licensed as:

(a) emergency medical technician;

(b) advanced emergency medical technician; or

(c) paramedic.

(22) "Medical control" means a person who provides medical supervision to an emergency medical service provider.

(23) "Non-911 service" means transport of a patient that is not 911 transport under Subsection (1).

(24) "Nonemergency secured behavioral health transport" means an entity that:

(a) provides nonemergency secure transportation services for an individual who:

(i) is not required to be transported by an ambulance under Section 53-2d-405; and

(ii) requires behavioral health observation during transport between any of the

following facilities:

(A) a licensed acute care hospital;

(B) an emergency patient receiving facility;

(C) a licensed mental health facility; and

(D) the office of a licensed health care provider; and

(b) is required to be designated under Section 53-2d-403.

(25) "Paramedic provider" means an entity that:

(a) employs emergency medical service personnel; and

(b) is required to obtain a license under Part 5, Ambulance and Paramedic Providers.

(26) "Patient" means an individual who, as the result of illness, injury, or a behavioral

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emergency condition, meets any of the criteria in Section 26B-4-119.

(27) "Political subdivision" means:

(a) a city, town, or metro township;

(b) a county;

(c) a special service district created under Title 17D, Chapter 1, Special Service District Act, for the purpose of providing fire protection services under Subsection 17D-1-201(9);

(d) a special district created under Title 17B, Limited Purpose Local Government Entities - Special Districts, for the purpose of providing fire protection, paramedic, and emergency services;

(e) areas coming together as described in Subsection 53-2d-505.2(2)(b)(ii); or

(f) an interlocal entity under Title 11, Chapter 13, Interlocal Cooperation Act.

(28) "Sudden cardiac arrest" means a life-threatening condition that results when a person's heart stops or fails to produce a pulse.

(29) "Trauma" means an injury requiring immediate medical or surgical intervention.

(30) "Trauma system" means a single, statewide system that:

(a) organizes and coordinates the delivery of trauma care within defined geographic areas from the time of injury through transport and rehabilitative care; and

(b) is inclusive of all prehospital providers, hospitals, and rehabilitative facilities in delivering care for trauma patients, regardless of severity.

(31) "Triage" means the sorting of patients in terms of disposition, destination, or priority. For prehospital trauma victims, triage requires a determination of injury severity to assess the appropriate level of care according to established patient care protocols.

(32) "Triage, treatment, transportation, and transfer guidelines" means written procedures that:

(a) direct the care of patients; and

(b) are adopted by the medical staff of an emergency patient receiving facility, trauma center, or an emergency medical service provider.

(33) "Type of service" means the category at which an ambulance provider is licensed as:

(a) ground ambulance transport;

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- (b) ground ambulance interfacility transport; or
- (c) both ground ambulance transport and ground ambulance interfacility transport.

Section 24. Section **53-2d-104 (Effective 07/01/24)** is amended to read:

53-2d-104 (Effective 07/01/24). Trauma System and Emergency Medical Services Committee -- Membership -- Expenses.

(1) There is created the [~~State~~] Trauma System and Emergency Medical Services Committee.

(2) The committee shall be composed of the following [~~19~~] 11 members appointed by the governor, at least [~~six~~] three of whom shall reside in a county of the third, fourth, fifth, or sixth class:

(a) [~~five~~] four physicians licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, as follows:

- (i) one surgeon who actively provides trauma care at a hospital;
- (ii) one rural physician involved in emergency medical care;
- (iii) [~~two physicians who practice~~] one physician who practices in the emergency department of a general acute hospital; and
- (iv) one pediatrician who practices in the emergency department or critical care unit of a general acute hospital or a children's specialty hospital;

(b) [~~two representatives from private ambulance providers~~] one representative from a private ambulance provider;

(c) one representative from an ambulance provider that is neither privately owned nor operated by a fire department;

(d) [~~two chief officers from fire agencies operated by the~~] one chief officer from a fire agency operated by one of the following classes of licensed or designated emergency medical services providers:

- (i) a municipality[-];
- (ii) a county[-~~and~~]; or
- (iii) a fire district[-~~provided that no class of medical services providers may have more than one representative under this Subsection (2)(d)~~]; and

(e) four of any of the following representatives:

- ~~(f)~~ (i) one director of a law enforcement agency that provides emergency medical

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services;

~~[(f)]~~ (ii) one hospital administrator;

~~[(g)]~~ (iii) one emergency care nurse;

~~[(h)]~~ (iv) one paramedic in active field practice;

~~[(i)]~~ (v) one emergency medical technician in active field practice;

~~[(j)]~~ (vi) one certified emergency medical dispatcher affiliated with an emergency medical dispatch center;

~~[(k)]~~ (vii) one licensed mental health professional with experience as a first responder;

~~[(l)]~~ (viii) one licensed behavioral emergency services technician; ~~[and]~~ or

~~[(m)]~~ (ix) one consumer.

(3) (a) Except as provided in Subsection (3)(b), members shall be appointed to a four-year term ~~[beginning July 1]~~.

(b) Notwithstanding Subsection (3)(a), the governor:

(i) shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years; and

(ii) may not reappoint a member for more than two consecutive terms~~;~~ and].

~~[(iii) shall:]~~

~~[(A) initially appoint the second member under Subsection (2)(b) from a different private provider than the private provider currently serving under Subsection (2)(b); and]~~

~~[(B) thereafter stagger each replacement of a member in Subsection (2)(b) so that the member positions under Subsection (2)(b) are not held by representatives of the same private provider.]~~

(c) When a vacancy occurs in the membership for any reason, the replacement shall be appointed by the governor for the unexpired term.

(4) (a) (i) Each January, the committee shall organize and select one of the committee's members as chair and one member as vice chair.

(ii) The committee may organize standing or ad hoc subcommittees, which shall operate in accordance with guidelines established by the committee.

(b) (i) The chair shall convene a minimum of four meetings per year.

(ii) The chair may call special meetings.

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(iii) The chair shall call a meeting upon request of five or more members of the committee.

(c) (i) [~~Nine~~] Six members of the committee constitute a quorum for the transaction of business.

(ii) The action of a majority of the members present is the action of the committee.

(5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(6) Administrative services for the committee shall be provided by the bureau.

Section 25. Section **53-2d-105 (Effective 07/01/24)** is amended to read:

53-2d-105 (Effective 07/01/24). Committee advisory duties.

(1) The committee shall:

(a) advise the department regarding trauma system needs throughout the state;

(b) assist the department in evaluating the quality and outcomes of the overall trauma system;

(c) review and comment on proposals and rules governing the statewide trauma system; and

(d) make recommendations for the development of statewide triage, treatment, transportation, and transfer guidelines.

(2) The committee shall adopt rules, with the concurrence of the bureau, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

~~(1)~~ (a) establish licensure, certification, and reciprocity requirements under Section 53-2d-402;

~~(2)~~ (b) establish designation requirements under Section 53-2d-403;

~~(3)~~ (c) promote the development of a statewide emergency medical services system under Section 53-2d-403;

~~(4)~~ (d) establish insurance requirements for ambulance providers;

~~(5)~~ (e) provide guidelines for requiring patient data under Section 53-2d-203;

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~~[(6)]~~ (f) establish criteria for awarding grants under Section 53-2d-207;

~~[(7)]~~ (g) establish requirements for the coordination of emergency medical services and the medical supervision of emergency medical service providers under Section 53-2d-403;

~~[(8)]~~ (h) select appropriate vendors to establish certification requirements for emergency medical dispatchers;

~~[(9)]~~ (i) establish the minimum level of service for 911 ambulance services provided under Section 11-48-103; and

~~[(10)]~~ (j) are necessary to carry out the responsibilities of the committee as specified in other sections of this chapter.

Section 26. Section **53-2d-305 (Effective 07/01/24)** is amended to read:

53-2d-305 (Effective 07/01/24). Trauma center designations and guidelines.

(1) The bureau, after seeking the advice of the [~~trauma system advisory~~] committee, shall establish by rule:

(a) trauma center designation requirements; and

(b) model state guidelines for triage, treatment, transportation, and transfer of trauma patients to the most appropriate health care facility.

(2) The bureau shall designate as a trauma center each hospital that:

(a) voluntarily requests a trauma center designation; and

(b) meets the applicable requirements established pursuant to Subsection (1).

Section 27. Section **53-2d-903 (Effective 07/01/24)** is amended to read:

53-2d-903 (Effective 07/01/24). Stroke and cardiac registry advisory committee.

(1) There is created within the bureau a stroke and cardiac registry advisory committee.

(2) The stroke and cardiac registry advisory committee created in Subsection (1) shall:

(a) be composed of at least five but no more than nine individuals knowledgeable in adult and pediatric stroke or cardiac care, including physicians, physician assistants, nurses, hospital administrators, emergency medical services personnel, government officials, consumers, and persons affiliated with professional health care associations;

(b) advise the bureau regarding the development and implementation of the stroke registry created in Section [~~26B-7-225~~] 53-2d-901 and the cardiac registry created in Section 53-2d-902;

(c) assist the bureau in evaluating the quality and outcomes of the stroke registry

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created in Section ~~[26B-7-225]~~ 53-2d-901 and the cardiac registry created in Section 53-2d-902; and

(d) review and comment on proposals and rules governing the statewide stroke registry created in Section ~~[26B-7-225]~~ 53-2d-901 and the cardiac registry created in Section 53-2d-902.

(3) (a) Except as provided in Subsection (3)(b), a member of the committee is appointed by the governor for a four-year term.

(b) The governor:

(i) shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years; and

(ii) may not reappoint a member for more than two consecutive terms.

(c) When a vacancy occurs in the membership for any reason, the governor shall appoint the replacement for the unexpired term.

Section 28. Section **53-9-102** is amended to read:

53-9-102. Definitions.

In this chapter, unless otherwise stated:

(1) "Adequate records" means records containing, at a minimum, sufficient information to identify the client, the dates of service, the fee for service, the payments for service, the type of service given, and copies of any reports that may have been made.

(2) "Advertising" means the submission of bids, contracting or making known by any public notice, publication, or solicitation of business, directly or indirectly, that services regulated under this chapter are available for consideration.

(3) "Agency" means a person who holds an agency license pursuant to this chapter, and includes one who employs an individual for wages and salary, and withholds all legally required deductions and contributions, or contracts with a registrant or an apprentice on a part-time or case-by-case basis to conduct an investigation on behalf of the agency.

(4) "Applicant" means any person who has submitted a completed application and all required fees.

(5) "Apprentice" means a person who holds an apprentice license pursuant to this chapter, has not met the requirements for registration, and works under the direct supervision

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and guidance of an agency.

(6) "Board" means the [~~Private Investigator Hearing and Licensure Board created in Section 53-9-104~~] Bail Bond Recovery and Private Investigator Licensure Board created in Section 53-11-104.

(7) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201.

(8) "Commissioner" means the commissioner of the Department of Public Safety.

(9) "Conviction" means an adjudication of guilt by a federal, state, or local court resulting from trial or plea, including a plea of no contest, regardless of whether the imposition of sentence was suspended.

(10) "Department" means the Department of Public Safety.

(11) "Direct supervision" means that the agency or employer:

(a) is responsible for, and authorizes, the type and extent of work assigned;

(b) reviews and approves all work produced by the apprentice before it goes to the client;

(c) closely supervises and provides direction and guidance to the apprentice in the performance of his assigned work; and

(d) is immediately available to the apprentice for verbal contact, including by electronic means.

(12) "Emergency action" means a summary suspension of a license pending revocation, suspension, or probation in order to protect the public health, safety, or welfare.

(13) "Employee" means an individual who works for an agency or other employer, is listed on the agency's or employer's payroll records, and is under the agency's or employer's direction and control. An employee is not an independent contractor.

(14) "Identification card" means a card issued by the commissioner to a qualified applicant for an agency, registrant, or apprentice license.

(15) "Letter of concern" means an advisory letter to notify a licensee that while there is insufficient evidence to support probation, suspension, or revocation of a license, the department informs the licensee of the need to modify or eliminate certain practices and that continuation of the activities that led to the information being submitted to the department may result in further disciplinary action against the licensee.

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(16) "Licensee" means a person to whom an agency, registrant, or apprentice license is issued by the department.

(17) (a) "Private investigator or private detective" means any person, except collection agencies and credit reporting agencies, who, for consideration, engages in business or accepts employment to conduct any investigation for the purpose of obtaining information with reference to:

(i) crime, wrongful acts, or threats against the United States or any state or territory of the United States;

(ii) the identity, reputation, character, habits, conduct, business occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movements, whereabouts, affiliations, associations, or transactions of any person or group of persons;

(iii) the credibility of witnesses or other persons;

(iv) the whereabouts of missing persons or owners of abandoned property;

(v) the causes and origin of, or responsibility for a fire, libel, slander, a loss, an accident, damage, or an injury to real or personal property;

(vi) the business of securing evidence to be used before investigating committees or boards of award or arbitration or in the trial of civil or criminal cases and the trial preparation;

(vii) the prevention, detection, and removal of installed devices for eavesdropping or observation;

(viii) the business of "skip tracing" persons who have become delinquent in their lawful debts, either when hired by an individual, collection agency, or through the direct purchase of the debt from a financial institution or entity owning the debt or judgment; or

(ix) serving civil process.

(b) "Private investigator or private detective" does not include:

(i) any person or employee conducting an investigation on the person's or employee's own behalf or on behalf of the employer if the employer is not a private investigator under this chapter;

(ii) an employee of an attorney licensed to practice law in this state; or

(iii) a currently licensed certified public accountant or CPA as defined in Section 58-26a-102.

(18) "Qualifying party" means the individual meeting the qualifications under this

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chapter for a private investigator license.

(19) "Registrant" means any person who holds a registrant license pursuant to this chapter. The registrant performs private investigative work either as an employee on an employer's payroll or, on a contract with an agency, part-time, or case-by-case basis, with a minimum amount of direction.

(20) "Restructuring" means any change in the legal status of a business.

(21) "Unprofessional conduct" means any of the following:

(a) engaging or offering to engage by fraud or misrepresentation in any activities regulated by this chapter;

(b) aiding or abetting a person who is not licensed pursuant to this chapter in representing that person as a private investigator or registrant in this state;

(c) gross negligence in the practice of a private investigator or registrant;

(d) failing or refusing to maintain adequate records and investigative findings on a subject of investigation or a client;

(e) committing a felony or a misdemeanor involving any crime that is grounds for denial, suspension, or revocation of an agency, registrant, or apprentice license. In all cases, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission of the crime; or

(f) making a fraudulent or untrue statement to the bureau, board, department, or its investigators, staff, or consultants.

Section 29. Section **53-11-102** is amended to read:

53-11-102. Definitions.

As used in this chapter:

(1) "Applicant" means a person who has submitted to the department a completed application and all required application and processing fees.

(2) "Bail bond agency" means a bail enforcement agent licensed under this chapter who operates a business to carry out the functions of a bail enforcement agent, and to conduct this business:

(a) employs one or more persons licensed under this chapter for wages or salary, and withholds all legally required deductions and contributions; or

(b) contracts with a bail recovery agent or bail recovery apprentice on a part-time or

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case-by-case basis.

(3) "Bail enforcement agent" means an individual licensed under this chapter as a bail enforcement agent to enforce the terms and conditions of a defendant's release on bail in a civil or criminal proceeding, to apprehend a defendant or surrender a defendant to custody, or both, as is appropriate, and who:

- (a) is appointed by a bail bond surety; and
- (b) receives or is promised money or other things of value for this service.

(4) "Bail recovery agent" means an individual employed by a bail enforcement agent to assist the bail enforcement agent regarding civil or criminal defendants released on bail by:

- (a) presenting a defendant for required court appearances;
- (b) apprehending or surrendering a defendant to a court; or
- (c) keeping the defendant under necessary surveillance.

(5) "Bail recovery apprentice" means any individual licensed under this chapter as a bail recovery apprentice, and who:

- (a) has not met the requirements for licensure as a bail recovery agent or bail enforcement agent; and
- (b) is employed by a bail enforcement agent, and works under the direct supervision of a bail enforcement agent or bail recovery agent employed also by the bail enforcement agent, unless the bail recovery apprentice is conducting activities at the direction of the employing bail enforcement agent that under this chapter do not require direct supervision.

(6) "Board" means the Bail Bond Recovery and Private Investigator Licensure Board created under Section 53-11-104.

(7) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201 within the Department of Public Safety.

(8) "Commissioner" means the commissioner of public safety as defined under Section 53-1-107, or his designee.

(9) "Contract employee" or "independent contractor" means a person who works for an agency as an independent contractor.

(10) "Conviction" means an adjudication of guilt by a federal, state, or local court resulting from a trial or plea, including a plea of no contest or nolo contendere, regardless of whether the imposition of sentence was suspended.

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(11) "Department" means the Department of Public Safety.

(12) "Direct supervision" means a bail enforcement agent employing or contracting with a bail recovery apprentice, or a bail recovery agent employed by or contracting with that bail enforcement agent who:

(a) takes responsibility for and assigns the work a bail recovery apprentice may conduct; and

(b) closely supervises, within close physical proximity, and provides direction and guidance to the bail recovery apprentice regarding the assigned work.

(13) "Emergency action" means a summary suspension of a license issued under this chapter pending revocation, suspension, or probation, in order to protect the public health, safety, or welfare.

(14) "Identification card" means a card issued by the commissioner to an applicant qualified for licensure under this chapter.

(15) "Letter of concern" means an advisory letter to notify a licensee that while there is insufficient evidence to support probation, suspension, or revocation of a license, the department believes:

(a) the licensee should modify or eliminate certain practices; and

(b) continuation of the activities that led to the information being submitted to the department may result in further disciplinary action against the license.

(16) "Occupied structure" means any edifice, including residential and public buildings, vehicles, or any other structure that could reasonably be expected to house or shelter persons.

(17) "Private investigator or private detective" means the same as that term is defined in Section 53-9-102.

~~[(17)]~~ (18) "Supervision" means the employing bail enforcement agent is responsible for and authorizes the type and extent of work assigned to a bail recovery agent who is his employee or contract employee.

~~[(18)]~~ (19) "Unprofessional conduct" means:

(a) engaging or offering to engage by fraud or misrepresentation in any activities regulated by this chapter;

(b) aiding or abetting a person who is not licensed pursuant to this chapter in

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representing that person as a bail recovery agent in this state;

(c) gross negligence in the practice of a bail recovery agent;

(d) committing a felony or a misdemeanor involving any crime that is grounds for denial, suspension, or revocation of a bail recovery license, and conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission; or

(e) making a fraudulent or untrue statement to the board, department, its investigators, or staff.

Section 30. Section **53-11-104** is amended to read:

53-11-104. Board.

(1) ~~[(a)]~~ There is established under the Department of Public Safety a Bail Bond Recovery and Private Investigator Licensure Board consisting of ~~[five]~~ nine members appointed by the commissioner.

~~[(b) The commissioner may appoint, in accordance with this section, persons who are also serving in the same capacity on the Private Investigator Hearing and Licensure Board under Section 53-9-104.]~~

(2) Each member of the board shall be a citizen of the United States and a resident of this state at the time of appointment:

(a) one member shall be a person who is qualified for and is licensed under this chapter;

(b) one member shall be a person who is qualified for and is licensed under Title 53, Chapter 9, Private Investigator Regulation Act;

~~[(b)]~~ (c) one member shall be a an attorney licensed to practice in the state;

~~[(c)]~~ (d) one member shall be a chief of police or sheriff;

(e) one member shall be a supervisory investigator from the commissioner's office;

~~[(d)]~~ (f) one member shall be an owner of a bail bond surety company; ~~and~~

(g) one member shall be an owner of a private investigator agency;

~~[(e)]~~ (h) one member shall be a public member who:

(i) does not have a financial interest in a bail bond surety or bail bond recovery business; and

(ii) does not have an immediate family member or a household member, or a personal or professional acquaintance who is licensed or registered under this chapter~~[-];~~ and

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(i) one member shall be a public member who:

(i) does not have a financial interest in a private investigative agency; and

(ii) does not have an immediate family member or a household member, or a personal professional acquaintance who is licensed or registered under Title 53, Chapter 9, Private Investigator Regulation Act.

(3) (a) As terms of current board members expire, the commissioner shall appoint each new member or reappointed member to a four-year term, except as required by Subsection (3)(b).

(b) The commissioner shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.

(4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(5) At its first meeting every year, the board shall elect a chair and vice chair from its membership.

(6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(7) A member may not serve more than one term, except that a member appointed to fill a vacancy or appointed for an initial term of less than four years under Subsection (3) may be reappointed for one additional full term.

(8) The commissioner, after a board hearing and recommendation, may remove any member of the board for misconduct, incompetency, or neglect of duty.

(9) Members of the board are immune from suit with respect to all acts done and actions taken in good faith in carrying out the purposes of this chapter.

Section 31. Section **53-11-105** is amended to read:

53-11-105. Powers and duties of board.

(1) The board shall:

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(a) (i) review all applications for licensing and renewals of licenses submitted by the bureau under this chapter and Title 53, Chapter 9, Private Investigator Regulation Act; and
(ii) approve or disapprove [~~these~~] the applications;
(b) review all complaints and take disciplinary action; and
(c) establish standards for and approve providers of courses required for licensure under this section.

(2) The board may take and hear evidence, administer oaths and affirmations, and compel by subpoena the attendance of witnesses and the production of books, papers, records, documents, and other information relating to:

(a) investigation of an applicant for licensure under this chapter or Title 53, Chapter 9, Private Investigator Regulation Act; or
(b) a formal complaint against or department investigation of a bail enforcement agent, bail recovery agent, [~~or~~] bail recovery apprentice, or a private investigator.

Section 32. Section **53-11-106** is amended to read:

53-11-106. Board meetings and hearings -- Quorum.

(1) The board shall meet at the call of the chair, but not less often than once each quarter.

(2) (a) A quorum consists of [~~three~~] five members.

(b) The action of a majority of a quorum constitutes an action of the board.

(3) If a member has three or more unexcused absences within a 12-month period, the commissioner shall determine if that board member should be released from board duties.

Section 33. Section **53B-28-402** is amended to read:

53B-28-402. Campus safety study -- Report to Legislature.

(1) As used in this section:

(a) "Campus law enforcement" means a unit of an institution that provides public safety services.

(b) (i) "Institution" means an institution of higher education described in Section 53B-2-101.

(ii) "Institution" includes an institution's campus law enforcement.

(c) "Local law enforcement" means a state or local law enforcement agency other than campus law enforcement.

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(d) "Public safety services" means police services, security services, dispatch services, emergency services, or other similar services.

(e) "Sexual violence" means the same as that term is defined in Section 53B-28-301.

(f) "Special district" means the same as that term is defined in Section 17B-1-102.

(g) "Special service district" means the same as that term is defined in Section 17D-1-102.

(h) "Student" means the same as that term is defined in Section 53B-28-301.

(i) "Student organization" means the same as that term is defined in Section 53B-28-401.

(2) The board shall:

(a) study issues related to providing public safety services on institution campuses, including:

(i) policies and practices for hiring, supervision, and firing of campus law enforcement officers;

(ii) training of campus law enforcement in responding to incidents of sexual violence or other crimes reported by or involving a student, including training related to lethality or similar assessments;

(iii) how campus law enforcement and local law enforcement respond to reports of incidents of sexual violence or other crimes reported by or involving a student, including supportive measures for victims and disciplinary actions for perpetrators;

(iv) training provided to faculty, staff, students, and student organizations on campus safety and prevention of sexual violence;

(v) roles, responsibilities, jurisdiction, and authority of local law enforcement and campus law enforcement, including authority based on:

(A) the type of public safety services provided; or

(B) geographic boundaries;

(vi) how an institution and local law enforcement coordinate to respond to on-campus and off-campus incidents requiring public safety services, including:

(A) legal requirements or restrictions affecting coordination;

(B) agreements, practices, or procedures governing coordination between an institution and local law enforcement, including mutual support, sharing information, or dispatch

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management; and

(C) any issues that may affect the timeliness of a response to an on-campus or off-campus incident reported by or involving a student;

(vii) infrastructure, staffing, and equipment considerations that impact the effectiveness of campus law enforcement or local law enforcement responses to an on-campus or off-campus incident reported by or involving a student;

(viii) the benefits and disadvantages of an institution employing campus law enforcement compared to local law enforcement providing public safety services on an institution campus;

(ix) an institution's compliance with federal and state crime statistic reporting requirements;

(x) how an institution informs faculty, staff, and students about a crime or emergency on campus;

(xi) national best practices for providing public safety services on institution campuses, including differences in best practices based on the size, infrastructure, location, and other relevant characteristics of a college or university; and

(xii) any other issue the board determines is relevant to the study;

(b) make recommendations for providing public safety services on institution campuses statewide;

(c) produce a final report of the study described in this section, including the recommendations described in Subsection (2)(b); and

(d) in accordance with Section 68-3-14, present the final report described in Subsection (2)(c) to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee at or before the committees' November 2021 meetings.

(3) In carrying out the board's duties under this section, the board may coordinate with individuals and organizations with knowledge, expertise, or experience related to the board's duties under this section, including:

(a) the Department of Health and Human Services;

(b) the Utah Office for Victims of Crime;

(c) the Utah [~~Council on Victims of Crime~~] Victim Services Commission;

(d) institutions;

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(e) local law enforcement;

(f) special districts or special service districts that provide 911 and emergency dispatch service; and

(g) community and other non-governmental organizations.

Section 34. Section **58-37f-203** is amended to read:

58-37f-203. Submission, collection, and maintenance of data.

(1) (a) The division shall implement on a statewide basis, including non-resident pharmacies as defined in Section 58-17b-102, the following two options for a pharmacist to submit information:

(i) real-time submission of the information required to be submitted under this part to the controlled substance database; and

(ii) 24-hour daily or next business day, whichever is later, batch submission of the information required to be submitted under this part to the controlled substance database.

(b) A pharmacist shall comply with either:

(i) the submission time requirements established by the division under Subsection (1)(a)(i); or

(ii) the submission time requirements established by the division under Subsection (1)(a)(ii).

(c) Notwithstanding the time requirements described in Subsection (1)(a), a pharmacist may submit corrections to data that the pharmacist has submitted to the controlled substance database within seven business days after the day on which the division notifies the pharmacist that data is incomplete or corrections to the data are otherwise necessary.

(d) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code.

(2) (a) The pharmacist-in-charge and the pharmacist of the drug outlet where a controlled substance is dispensed shall submit the data described in this section to the division in accordance with:

(i) the requirements of this section;

(ii) the procedures established by the division;

(iii) additional types of information or data fields established by the division; and

(iv) the format established by the division.

(b) A dispensing medical practitioner licensed under Chapter 17b, Part 8, Dispensing

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Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, shall comply with the provisions of this section and the dispensing medical practitioner shall assume the duties of the pharmacist under this chapter.

(3) (a) Except as provided in Subsection (3)(b), the pharmacist-in-charge and the pharmacist described in Subsection (2)(a) shall, for each controlled substance dispensed by a pharmacist under the pharmacist's supervision, submit to the division any type of information or data field established by the division by rule in accordance with Subsection (6) regarding:

(i) each controlled substance that is dispensed by the pharmacist or under the pharmacist's supervision; and

(ii) each noncontrolled substance that is:

(A) designated by the division under Subsection (8)(a); and

(B) dispensed by the pharmacist or under the pharmacist's supervision.

(b) Subsection (3)(a) does not apply to a drug that is dispensed for administration to, or use by, a patient at a health care facility, including a patient in an outpatient setting at the health care facility.

(4) An individual whose records are in the database may obtain those records upon submission of a written request to the division.

(5) (a) A patient whose record is in the database may contact the division in writing to request correction of any of the patient's database information that is incorrect.

(b) The division shall grant or deny the request within 30 days from receipt of the request and shall advise the requesting patient of its decision within 35 days of receipt of the request.

(c) If the division denies a request under this Subsection (5) or does not respond within 35 days, the patient may submit an appeal to the Department of Commerce, within 60 days after the patient's written request for a correction under this Subsection (5).

(6) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish submission requirements under this part, including:

(a) electronic format;

(b) submission procedures; and

(c) required information and data fields.

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(7) The division shall ensure that the database system records and maintains for reference:

(a) the identification of each individual who requests or receives information from the database;

(b) the information provided to each individual; and

(c) the date and time that the information is requested or provided.

(8) (a) The division, in collaboration with the [~~Utah Controlled Substance Advisory Committee created in Section 58-38a-201~~] Controlled Substances Scheduling and Opioid Fatality Advisory Committee created in Section 26B-1-403, shall designate a list of noncontrolled substances described in Subsection (8)(b) by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) To determine whether a prescription drug should be designated in the schedules of controlled substances under this chapter, the division may collect information about a prescription drug as defined in Section 58-17b-102 that is not designated in the schedules of controlled substances under this chapter.

Section 35. Section **63C-1-103** is enacted to read:

63C-1-103. Appointment and terms of boards, committees, councils, and commissions transitioning on October 1, 2024.

(1) As used in this section:

(a) "Enacted committee" means:

(i) the following committees enacted on October 1, 2024:

(A) the Utah Arts and Museums Advisory Board created in Section 9-6-301;

(B) the Controlled Substances Scheduling and Opioid Fatality Advisory Committee created in Section 26B-1-403;

(C) the Public Safety Data Management Task Force created in Section 36-29-111;

(D) the Bail Bond Recovery and Private Investigator Licensure Board created in Section 54-11-104;

(E) the Trauma System and Emergency Medical Services Advisory Committee created in Section 53-2d-104; and

(F) the Stroke and Cardiac Registry Advisory Committee created in Section 53-2d-903;

and

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(ii) the following as constituted on or after October 1, 2024:

(A) the Employment Advisory Council created in Subsection 35A-4-302(5);

(B) the Emergency Management Administration Council created in Section 53-2a-105;

and

(C) the Utah Victim Services Commission created in Section 63M-7-902.

(b) "Expired committee" means:

(i) the following which, in accordance with Title 63I, Chapter 2, Repeal Dates by Title Act, repeal on October 1, 2024:

(A) the Utah Museums Advisory Board created in Section 9-6-305;

(B) the Controlled Substances Advisory Committee created in Section 58-38a-201;

(C) the Domestic Violence Data Task Force created in Section 63C-29-201;

(D) the Private Investigator Hearing and Licensure Board created in Section 53-9-104;

(E) the Trauma System Advisory Committee created in Section 26B-1-406; and

(F) the Cardiac Registry Advisory Committee created in Section 26B-1-408; and

(ii) the following as constituted before October 1, 2024:

(A) the Utah Arts Advisory Board created in Section 9-6-301;

(B) the Opioid and Overdose Fatality Review Committee created in Section 26B-1-403;

(C) the Criminal Justice Data Management Task Force created in Section 36-29-111;

(D) the Bail Bond Recovery Licensure Board created in Section 53-11-104;

(E) the State Emergency Medical Services Committee created in Sections 26B-1-404 and 53-2d-104;

(F) the Stroke Registry Advisory Committee created in Sections 26B-1-407 and 53-2d-903;

(G) the Employment Advisory Council created in Subsection 35A-4-302(5);

(H) the Emergency Management Administration Council created in Section 53-2a-105;

and

(I) the Utah Victim Services Commission created in Section 63M-7-902.

(2) An individual who is appointed as a member of an expired committee is removed from the expired committee after September 30, 2024.

(3) (a) On or after May 1, 2024, but before October 1, 2024, the appointing authority of

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an enacted committee may appoint a member to the enacted committee in accordance with the section governing appointment to the enacted committee.

(b) (i) A member described in Subsection (3)(a) may not begin the individual's term of service on the enacted committee before October 1, 2024; and

(ii) if applicable under the section governing appointment to the enacted committee, the Senate may provide advice and consent.

(4) (a) Nothing in this section prevents an appointing authority from appointing an individual who is removed from an expired committee in accordance with Subsection (2) to an enacted committee if the individual's appointment meets the requirements of the section governing appointment to the enacted committee.

(b) If an individual is removed from an expired committee under Subsection (2) and is then appointed to an enacted committee under Subsection (3)(a), and the appointed position has limited terms an individual may serve, the appointment under Subsection (3)(a) does not count as an additional term.

Section 36. Section **63I-1-209** is amended to read:

63I-1-209. Repeal dates: Title 9.

~~[(1) Section 9-6-303, which creates the Arts Collection Committee, is repealed July 1, 2027.]~~

~~[(2) Section 9-6-305, which creates the Utah Museums Advisory Board, is repealed July 1, 2027.]~~

~~[(3)] (1) Sections 9-6-301 and 9-6-302, which create and describe the Utah Arts and Museums Advisory Board, are repealed on July 1, 2029.~~

~~(2) Section 9-9-405, which creates the Native American Remains Review Committee, is repealed July 1, 2025.~~

~~[(4)] (3) Title 9, Chapter 20, Utah Commission on Service and Volunteerism Act, is repealed July 1, 2026.~~

Section 37. Section **63I-1-226 (Effective 07/01/24)** is amended to read:

63I-1-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.

(1) Subsection 26B-1-204(2)(i), related to the Primary Care Grant Committee, is repealed July 1, 2025.

(2) Section 26B-1-315, which creates the Medicaid Expansion Fund, is repealed July 1,

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2024.

(3) Section 26B-1-319, which creates the Neuro-Rehabilitation Fund, is repealed January 1, 2025.

(4) Section 26B-1-320, which creates the Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

(5) Subsection 26B-1-324(4), the language that states "the Behavioral Health Crisis Response Commission, as defined in Section 63C-18-202," is repealed December 31, 2026.

(6) Subsection 26B-1-329(6), related to the Behavioral Health Crisis Response Commission, is repealed December 31, 2026.

(7) Section 26B-1-402, related to the Rare Disease Advisory Council Grant Program, is repealed July 1, 2026.

(8) Section 26B-1-403, which creates the Controlled Substances Scheduling and Opioid Fatality Advisory Committee, is repealed July 1, 2029.

~~[(8)]~~ (9) Section 26B-1-409, which creates the Utah Digital Health Service Commission, is repealed July 1, 2025.

~~[(9)]~~ (10) Section 26B-1-410, which creates the Primary Care Grant Committee, is repealed July 1, 2025.

~~[(10)]~~ (11) Section 26B-1-416, which creates the Utah Children's Health Insurance Program Advisory Council, is repealed July 1, 2025.

~~[(11)]~~ (12) Section 26B-1-417, which creates the Brain Injury Advisory Committee, is repealed July 1, 2025.

~~[(12)]~~ (13) Section 26B-1-418, which creates the Neuro-Rehabilitation Fund and Pediatric Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.

~~[(13)]~~ (14) Section 26B-1-422, which creates the Early Childhood Utah Advisory Council, is repealed July 1, 2029.

~~[(14)]~~ (15) Section 26B-1-428, which creates the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program, is repealed July 1, 2025.

~~[(15)]~~ (16) Section 26B-1-430, which creates the Coordinating Council for Persons with Disabilities, is repealed July 1, 2027.

~~[(16)]~~ (17) Section 26B-1-431, which creates the Forensic Mental Health Coordinating Council, is repealed July 1, 2023.

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~~[(17)]~~ (18) Section 26B-1-432, which creates the Newborn Hearing Screening Committee, is repealed July 1, 2026.

~~[(18)]~~ (19) Section 26B-1-434, regarding the Correctional Postnatal and Early Childhood Advisory Board, is repealed July 1, 2026.

~~[(19)]~~ (20) Section 26B-2-407, related to drinking water quality in child care centers, is repealed July 1, 2027.

~~[(20)]~~ (21) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is repealed July 1, 2028.

~~[(21)]~~ (22) Section 26B-3-136, which creates the Children's Health Care Coverage Program, is repealed July 1, 2025.

~~[(22)]~~ (23) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention Program, is repealed June 30, 2027.

~~[(23)]~~ (24) Subsection 26B-3-213(2), the language that states "and the Behavioral Health Crisis Response Commission created in Section 63C-18-202" is repealed December 31, 2026.

~~[(24)]~~ (25) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review Board, are repealed July 1, 2027.

~~[(25)]~~ (26) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2024.

~~[(26)]~~ (27) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed July 1, 2024.

~~[(27)]~~ (28) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.

~~[(28)]~~ (29) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.

~~[(29)]~~ (30) Section 26B-4-710, related to rural residency training programs, is repealed July 1, 2025.

~~[(30)]~~ (31) Subsections 26B-5-112(1) and (5), the language that states "In consultation with the Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is repealed December 31, 2026.

~~[(31)]~~ (32) Section 26B-5-112.5 is repealed December 31, 2026.

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~~[(32)]~~ (33) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant Program, is repealed December 31, 2026.

~~[(33)]~~ (34) Section 26B-5-118, related to collaborative care grant programs, is repealed December 31, 2024.

~~[(34)]~~ (35) Section 26B-5-120 is repealed December 31, 2026.

~~[(35)]~~ (36) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:

(a) Subsection 26B-5-606(2)(a)(i), the language that states "and" is repealed; and

(b) Subsections 26B-5-606(2)(a)(ii), 26B-5-606(2)(b), and 26B-5-606(2)(c) are repealed.

~~[(36)]~~ (37) In relation to the Behavioral Health Crisis Response Commission, on December 31, 2026:

(a) Subsection 26B-5-609(1)(a) is repealed;

(b) Subsection 26B-5-609(3)(a), the language that states "With recommendations from the commission," is repealed;

(c) Subsection 26B-5-610(1)(b) is repealed;

(d) Subsection 26B-5-610(2)(b), the language that states "and in consultation with the commission," is repealed; and

(e) Subsection 26B-5-610(4), the language that states "In consultation with the commission," is repealed.

~~[(37)]~~ (38) Subsections 26B-5-611(1)(a) and (10), in relation to the Utah Substance Use and Mental Health Advisory Council, are repealed January 1, 2033.

~~[(38)]~~ (39) Section 26B-5-612, related to integrated behavioral health care grant programs, is repealed December 31, 2025.

~~[(39)]~~ (40) Subsection 26B-7-119(5), related to reports to the Legislature on the outcomes of the Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.

~~[(40)]~~ (41) Section 26B-7-224, related to reports to the Legislature on violent incidents and fatalities involving substance abuse, is repealed December 31, 2027.

~~[(41)]~~ (42) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, 2024.

~~[(42)]~~ (43) Section 26B-8-513, related to identifying overuse of non-evidence-based

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health care, is repealed December 31, 2023.

Section 38. Section **63I-1-235** is amended to read:

63I-1-235. Repeal dates: Title 35A.

(1) Subsection 35A-1-202(2)(d), related to the Child Care Advisory Committee, is repealed July 1, 2026.

(2) Section 35A-3-205, which creates the Child Care Advisory Committee, is repealed July 1, 2026.

(3) Subsection 35A-4-502(5), which creates the Employment Advisory Council, is repealed July 1, ~~[2032]~~ 2029.

(4) Title 35A, Chapter 9, Part 6, Education Savings Incentive Program, is repealed July 1, 2028.

~~[(5) Sections 35A-13-301 and 35A-13-302, which create the Governor's Committee on Employment of People with Disabilities, are repealed July 1, 2028.]~~

~~[(6) (5) Section 35A-13-303, which creates the State Rehabilitation Advisory Council, is repealed July 1, 2024.~~

~~[(7) (6) Section 35A-13-404, which creates the advisory council for the Division of Services for the Blind and Visually Impaired, is repealed July 1, 2025.~~

~~[(8) (7) Sections 35A-13-603 and 35A-13-604, which create the Interpreter Certification Board, are repealed July 1, 2026.~~

Section 39. Section **63I-1-236** is amended to read:

63I-1-236. Repeal dates: Title 36.

(1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2028.

(2) Section 36-29-111, creating the Public Safety Data Management Task Force, is repealed July 1, 2029.

~~[(2) (3) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed January 1, 2025.~~

~~[(3) (4) Section 36-29-108, Criminal Code Evaluation Task Force, is repealed July 1, 2028.~~

~~[(4) (5) Section 36-29-112, Justice Court Reform Task Force, is repealed July 1, 2025.~~

Section 40. Section **63I-1-253 (Superseded 07/01/24)** is amended to read:

63I-1-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.

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- (1) Section 53-2a-105, which creates the Emergency Management Administration Council, is repealed July 1, [~~2027~~] 2029.
- (2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory Board, are repealed July 1, 2027.
- (3) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed July 1, 2024.
- (4) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is repealed July 1, 2024.
- (5) Section 53B-7-709, regarding five-year performance goals for the Utah System of Higher Education is repealed July 1, 2027.
- (6) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed July 1, 2028.
- (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- (8) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is repealed January 1, 2025.
- (9) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- (10) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure Research Center, is repealed on July 1, 2028.
- (11) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells and other hydrologic studies in the West Desert, is repealed July 1, 2030.
- (12) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in custody, are repealed July 1, 2027.
- (13) In relation to a standards review committee, on January 1, 2028:
 - (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the recommendations of a standards review committee established under Section 53E-4-203" is repealed; and
 - (b) Section 53E-4-203 is repealed.
- (14) Section 53E-4-402, which creates the State Instructional Materials Commission, is repealed July 1, 2027.
- (15) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is

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repealed July 1, 2033.

(16) Section 53F-2-420, which creates the Intensive Services Special Education Pilot Program, is repealed July 1, 2024.

(17) Section 53F-5-213 is repealed July 1, 2023.

(18) Section 53F-5-214, in relation to a grant for professional learning, is repealed July 1, 2025.

(19) Section 53F-5-215, in relation to an elementary teacher preparation grant, is repealed July 1, 2025.

(20) Section 53F-5-219, which creates the Local Innovations Civics Education Pilot Program, is repealed on July 1, 2025.

(21) Subsection 53F-9-203(7), which creates the Charter School Revolving Account Committee, is repealed July 1, 2024.

(22) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety Commission, are repealed January 1, 2025.

(23) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.

(24) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1, 2027.

Section 41. Section **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25)** is amended to read:

63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25). Repeal dates: Titles 53 through 53G.

(1) Section 53-2a-105, which creates the Emergency Management Administration Council, is repealed July 1, ~~2027~~ 2029.

(2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory Board, are repealed July 1, 2027.

(3) Section 53-2d-104, which creates the Trauma System and Emergency Medical Services Advisory Committee, is repealed on July 1, 2029.

(4) Section 53-2d-703 is repealed July 1, 2027.

(5) Section 53-2d-903, which creates the Stroke and Cardiac Registry Advisory Committee, is repealed July 1, 2029.

~~[(4)]~~ (6) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed July 1, 2024.

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~~(7)~~ (7) Section 53-11-104, which creates the Bail Bond Recovery and Private Investigator Licensure Board, is repealed July 1, 2029.

~~[(5)]~~ (8) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is repealed July 1, 2024.

~~[(6)]~~ (9) Section 53B-7-709, regarding five-year performance goals for the Utah System of Higher Education is repealed July 1, 2027.

~~[(7)]~~ (10) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed July 1, 2028.

~~[(8)]~~ (11) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

~~[(9)]~~ (12) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is repealed January 1, 2025.

~~[(10)]~~ (13) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

~~[(11)]~~ (14) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure Research Center, is repealed on July 1, 2028.

~~[(12)]~~ (15) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells and other hydrologic studies in the West Desert, is repealed July 1, 2030.

~~[(13)]~~ (16) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in custody, are repealed July 1, 2027.

~~[(14)]~~ (17) In relation to a standards review committee, on January 1, 2028:

(a) in Subsection 53E-4-202(8), the language "by a standards review committee and the recommendations of a standards review committee established under Section 53E-4-203" is repealed; and

(b) Section 53E-4-203 is repealed.

~~[(15)]~~ (18) Section 53E-4-402, which creates the State Instructional Materials Commission, is repealed July 1, 2027.

~~[(16)]~~ (19) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is repealed July 1, 2033.

~~[(17)]~~ (20) Section 53F-2-420, which creates the Intensive Services Special Education

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Pilot Program, is repealed July 1, 2024.

~~[(18)]~~ (21) Section 53F-5-213 is repealed July 1, 2023.

~~[(19)]~~ (22) Section 53F-5-214, in relation to a grant for professional learning, is repealed July 1, 2025.

~~[(20)]~~ (23) Section 53F-5-215, in relation to an elementary teacher preparation grant, is repealed July 1, 2025.

~~[(21)]~~ (24) Section 53F-5-219, which creates the Local Innovations Civics Education Pilot Program, is repealed on July 1, 2025.

~~[(22)]~~ (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account Committee, is repealed July 1, 2024.

~~[(23)]~~ (26) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety Commission, are repealed January 1, 2025.

~~[(24)]~~ (27) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.

~~[(25)]~~ (28) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1, 2027.

Section 42. Section **63I-1-253 (Contingently Effective 01/01/25)** is amended to read:
63I-1-253 (Contingently Effective 01/01/25). Repeal dates: Titles 53 through 53G.

(1) Section 53-2a-105, which creates the Emergency Management Administration Council, is repealed July 1, ~~[2027]~~ 2029.

(2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory Board, are repealed July 1, 2027.

(3) Section 53-2d-703 is repealed July 1, 2027.

(4) Section 53-2d-903, which creates the Stroke and Cardiac Advisory Registry Advisory Committee, is repealed July 1, 2029.

~~[(4)]~~ (5) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed July 1, 2024.

(6) Section 53-11-104, which creates the Bail Bond Recovery and Private Investigator Licensure Board, is repealed July 1, 2029.

~~[(5)]~~ (7) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is repealed July 1, 2024.

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~~[(6)]~~ (8) Section 53B-7-709, regarding five-year performance goals for the Utah System of Higher Education is repealed July 1, 2027.

~~[(7)]~~ (9) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed July 1, 2028.

~~[(8)]~~ (10) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

~~[(9)]~~ (11) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is repealed January 1, 2025.

~~[(10)]~~ (12) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

~~[(11)]~~ (13) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure Research Center, is repealed on July 1, 2028.

~~[(12)]~~ (14) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells and other hydrologic studies in the West Desert, is repealed July 1, 2030.

~~[(13)]~~ (15) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in custody, are repealed July 1, 2027.

~~[(14)]~~ (16) In relation to a standards review committee, on January 1, 2028:

(a) in Subsection 53E-4-202(8), the language "by a standards review committee and the recommendations of a standards review committee established under Section 53E-4-203" is repealed; and

(b) Section 53E-4-203 is repealed.

~~[(15)]~~ (17) Section 53E-4-402, which creates the State Instructional Materials Commission, is repealed July 1, 2027.

~~[(16)]~~ (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is repealed July 1, 2033.

~~[(17)]~~ (19) Section 53F-2-420, which creates the Intensive Services Special Education Pilot Program, is repealed July 1, 2024.

~~[(18)]~~ (20) Section 53F-5-213 is repealed July 1, 2023.

~~[(19)]~~ (21) Section 53F-5-214, in relation to a grant for professional learning, is repealed July 1, 2025.

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~~[(20)]~~ (22) Section 53F-5-215, in relation to an elementary teacher preparation grant, is repealed July 1, 2025.

~~[(21)]~~ (23) Section 53F-5-219, which creates the Local Innovations Civics Education Pilot Program, is repealed on July 1, 2025.

~~[(22)]~~ (24) (a) Subsection 53F-9-201.1(2)(b)(ii), in relation to the use of funds from a loss in enrollment for certain fiscal years, is repealed on July 1, 2030.

(b) On July 1, 2030, the Office of Legislative Research and General Counsel shall renumber the remaining subsections accordingly.

~~[(23)]~~ (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account Committee, is repealed July 1, 2024.

~~[(24)]~~ (26) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety Commission, are repealed January 1, 2025.

~~[(25)]~~ (27) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.

~~[(26)]~~ (28) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1, 2027.

Section 43. Section **63I-1-263** is amended to read:

63I-1-263. Repeal dates: Titles 63A through 63N.

(1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital improvement funding, is repealed July 1, 2024.

(2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

(3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review Committee, are repealed July 1, 2023.

(4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2028.

(5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.

(6) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1, 2024.

(7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is

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repealed July 1, 2023.

(8) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed December 31, 2026.

(9) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is repealed July 1, 2026.

(10) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.

(11) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.

~~[(12) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed December 31, 2024.]~~

~~[(13) (12) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed on July 1, 2028.]~~

~~[(14) (13) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities Advisory Board, is repealed July 1, 2026.]~~

~~[(15) (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2028.]~~

~~[(16) (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2024.]~~

~~[(17) (16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.]~~

~~[(18) (17) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is repealed January 1, 2025.]~~

~~[(19) (18) Section 63L-11-204, creating a canyon resource management plan to Provo Canyon, is repealed July 1, 2025.]~~

~~[(20) (19) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is repealed July 1, 2027.]~~

~~[(21) (20) In relation to the Utah Substance Use and Mental Health Advisory Council, on January 1, 2033:~~

~~(a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are repealed;~~

~~(b) Section 63M-7-305, the language that states "council" is replaced with "commission";~~

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(c) Subsection 63M-7-305(1)(a) is repealed and replaced with:

"(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

(d) Subsection 63M-7-305(2) is repealed and replaced with:

"(2) The commission shall:

(a) provide ongoing oversight of the implementation, functions, and evaluation of the Drug-Related Offenses Reform Act; and

(b) coordinate the implementation of Section 77-18-104 and related provisions in Subsections 77-18-103(2)(c) and (d)."

~~[(22) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2027.]~~

~~[(23) (21) Title 63M, Chapter 7, Part 8, Sex Offense Management Board, is repealed July 1, 2026.~~

~~[(22) Section 63M-7-902, which creates the Victim Services Commission, is repealed July 1, 2029.~~

~~[(24) (23) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.~~

~~[(25) (24) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed January 1, 2025.~~

~~[(26) (25) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.~~

~~[(27) (26) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July 1, 2028.~~

~~[(28) (27) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July 1, 2027.~~

~~[(29) (28) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is repealed July 1, 2025.~~

~~[(30) (29) In relation to the Rural Employment Expansion Program, on July 1, 2028:~~

~~(a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed; and~~

~~(b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion Program, is repealed.~~

~~[(31) (30) In relation to the Board of Tourism Development, on July 1, 2025:~~

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- (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;
 - (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is repealed and replaced with "Utah Office of Tourism";
 - (c) Subsection 63N-7-101(1), which defines "board," is repealed;
 - (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive approval from the Board of Tourism Development, is repealed; and
 - (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.
- ~~[(32)]~~ (31) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed on July 1, 2024.

Section 44. Section **63I-2-209** is amended to read:

63I-2-209. Repeal dates: Title 9.

- (1) Section 9-6-303 is repealed on October 1, 2024.
- (2) Sections 9-6-305 and 9-6-306, which create and describe the powers of the Utah Museums Advisory Board, are repealed on October 1, 2024.
- (3) Section 9-9-112, Bears Ears Visitor Center Advisory Committee, is repealed December 31, 2024.
- ~~[(2)]~~ (4) Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, is repealed June 30, 2021.
- ~~[(3)]~~ (5) Title 9, Chapter 17, Humanitarian Service and Educational and Cultural Exchange Restricted Account Act, is repealed on July 1, 2024.
- ~~[(4)]~~ (6) Title 9, Chapter 18, Martin Luther King, Jr. Civil Rights Support Restricted Account Act, is repealed on July 1, 2024.

~~[(5)]~~ (7) Title 9, Chapter 19, National Professional Men's Soccer Team Support of Building Communities Restricted Account Act, is repealed on July 1, 2024.

Section 45. Section **63I-2-226 (Superseded 07/01/24)** is amended to read:

63I-2-226 (Superseded 07/01/24). Repeal dates: Titles 26A through 26B.

- (1) Subsection 26B-1-204(2)(e), related to the Air Ambulance Committee, is repealed July 1, 2024.
- (2) Section 26B-1-241 is repealed July 1, 2024.
- (3) Section 26B-1-302 is repealed on July 1, 2024.

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(4) Section 26B-1-313 is repealed on July 1, 2024.

(5) Section 26B-1-314 is repealed on July 1, 2024.

(6) Section 26B-1-321 is repealed on July 1, 2024.

(7) Section 26B-1-405, related to the Air Ambulance Committee, is repealed on July 1, 2024.

(8) Section 26B-1-423, which creates the rural Physician Loan Repayment Program Advisory Committee, is repealed on July 1, 2026.

~~[(8) Section 26B-1-419, which creates the Utah Health Care Workforce Financial Assistance Program Advisory Committee, is repealed July 1, 2027.]~~

(9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-2-231(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

(10) Section 26B-3-142 is repealed July 1, 2024.

(11) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization and genetic testing, is repealed July 1, 2030.

(12) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-4-135(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

(13) Section 26B-4-702, related to the Utah Health Care Workforce Financial

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Assistance Program, is repealed July 1, 2027.

[(14)] (14) Subsections 26B-4-703(3)(b), (3)(c)(i) and (ii), and (6)(b) are repealed on July 1, 2026.

~~[(14)]~~ (15) Section 26B-5-117, related to early childhood mental health support grant programs, is repealed January 2, 2025.

~~[(15)]~~ (16) Subsection 26B-7-117(3), related to reports to the Legislature on syringe exchange and education, is repealed January 1, 2027.

~~[(16)]~~ (17) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1, 2025.

Section 46. Section **63I-2-226 (Effective 07/01/24)** is amended to read:

63I-2-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.

(1) Section 26B-1-241 is repealed July 1, 2024.

(2) Section 26B-1-302 is repealed on July 1, 2024.

(3) Section 26B-1-313 is repealed on July 1, 2024.

(4) Section 26B-1-314 is repealed on July 1, 2024.

(5) Section 26B-1-321 is repealed on July 1, 2024.

(6) Section 26B-1-423, which creates the rural Physician Loan Repayment Program Advisory Committee, is repealed on July 1, 2026.

~~[(6) Section 26B-1-419, which creates the Utah Health Care Workforce Financial Assistance Program Advisory Committee, is repealed July 1, 2027.]~~

(7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-2-231(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

(8) Section 26B-3-142 is repealed July 1, 2024.

(9) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization

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and genetic testing, is repealed July 1, 2030.

(10) Section 26B-4-702, related to the Utah Health Care Workforce Financial Assistance Program, is repealed July 1, 2027.

(11) Subsections 26B-4-703(3)(b), (3)(c)(i) and (ii), and (6)(b) are repealed on July 1, 2026.

~~[(11)]~~ (12) Section 26B-5-117, related to early childhood mental health support grant programs, is repealed January 2, 2025.

~~[(12)]~~ (13) Subsection 26B-7-117(3), related to reports to the Legislature on syringe exchange and education, is repealed January 1, 2027.

~~[(13)]~~ (14) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1, 2025.

Section 47. Section **63I-2-235** is amended to read:

63I-2-235. Repeal dates: Title 35A.

(1) Section 35A-1-104.6 is repealed June 30, 2022.

(2) Section 35A-3-212 is repealed June 30, 2025.

(3) Sections 35A-13-301 and 35A-13-302, which create the Governor's Committee on Employment of People with Disabilities, are repealed on October 1, 2024.

Section 48. Section **63I-2-236** is amended to read:

63I-2-236. Repeal dates: Title 36.

(1) Section 36-12-8.2 is repealed July 1, 2024.

(2) Section 36-29-107.5 is repealed on November 30, 2024.

(3) Section 36-29-109 is repealed on November 30, 2027.

(4) Section 36-29-110 is repealed on November 30, 2024.

~~[(5) Section 36-29-111 is repealed July 1, 2025.]~~

~~[(6)]~~ (5) The following sections regarding the State Flag Task Force are repealed on January 1, 2024:

(a) Section 36-29-201;

(b) Section 36-29-202; and

(c) Section 36-29-203.

~~[(7)]~~ (6) Title 36, Chapter 29, Part 3, Mental Illness Psychotherapy Drug Task Force, is repealed December 31, 2023.

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Section 49. Section **63I-2-253 (Effective 07/01/24)** is amended to read:

63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.

(1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed July 1, 2024.

(2) Section 53-1-118 is repealed on July 1, 2024.

(3) Section 53-1-120 is repealed on July 1, 2024.

(4) Section 53-2a-303 is repealed on October 1, 2024.

~~(4)~~ (5) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1, 2024.

(6) Section 53-2d-302, which creates the Trauma System Advisory Committee, is repealed on October 1, 2024.

(7) Section 53-2d-904, which creates the Cardiac Registry Advisory Committee, is repealed on October 1, 2024.

~~(5)~~ (8) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 53-2d-702(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

~~(6)~~ (9) Section 53-7-109 is repealed on July 1, 2024.

(10) Sections 53-9-104, 53-9-105, and 53-9-106, which create and establish the duties of the Private Investigator Hearing and Licensure Board, are repealed on October 1, 2024.

~~(7)~~ (11) Section 53-22-104 is repealed December 31, 2023.

~~(8)~~ (12) Section 53B-6-105.7 is repealed July 1, 2024.

~~(9)~~ (13) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July 1, 2023.

~~(10)~~ (14) Section 53B-8-114 is repealed July 1, 2024.

~~(11)~~ (15) The following provisions, regarding the Regents' scholarship program, are

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repealed on July 1, 2023:

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

(b) Section 53B-8-202;

(c) Section 53B-8-203;

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

(e) Section 53B-8-205.

~~[(12)]~~ (16) Section 53B-10-101 is repealed on July 1, 2027.

~~[(13)]~~ (17) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

~~[(14)]~~ (18) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee evaluation and recommendations, is repealed January 1, 2024.

~~[(15)]~~ (19) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed July 1, 2024.

~~[(16)]~~ (20) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

~~[(17)]~~ (21) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed July 1, 2024.

~~[(18)]~~ (22) Section 53F-5-221, regarding a management of energy and water pilot program, is repealed July 1, 2028.

~~[(19)]~~ (23) Section 53F-9-401 is repealed on July 1, 2024.

~~[(20)]~~ (24) Section 53F-9-403 is repealed on July 1, 2024.

~~[(21)]~~ (25) On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Section 36-12-12, make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.

Section 50. Section **63I-2-258** is amended to read:

63I-2-258. Repeal dates: Title 58.

Title 58, Chapter 38a, Controlled Substances Advisory Committee Act, is repealed October 1, 2024.

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Section 51. Section **63I-2-263** is amended to read:

63I-2-263. Repeal dates: Title 63A through Title 63N.

(1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2025.

(2) Section 63A-17-303 is repealed July 1, 2023.

(3) Section 63A-17-806 is repealed June 30, 2026.

(4) Section 63C-1-103 is repealed January 1, 2025.

~~[(4)]~~ (5) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology Commission is repealed July 1, 2023.

(6) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed October 1, 2024.

~~[(5)]~~ (7) Section 63H-7a-303 is repealed July 1, 2024.

~~[(6)]~~ (8) Subsection 63H-7a-403(2)(b), regarding the charge to maintain the public safety communications network, is repealed July 1, 2033.

~~[(7)]~~ (9) Subsection 63J-1-602.2(45), which lists appropriations to the State Tax Commission for property tax deferral reimbursements, is repealed July 1, 2027.

(10) Sections 63M-7-504~~, 63M-7-505,~~ and ~~63M-7-506~~63M-7-505, which create and establish the duties of the Crime Victim Reparations and Assistance Board, are repealed October 1, 2024.

(11) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed October 1, 2024.

~~[(8)]~~ (12) Subsection 63N-2-213(12)(a), relating to claiming a tax credit in the same taxable year as the targeted business income tax credit, is repealed December 31, 2024.

~~[(9)]~~ (13) Title 63N, Chapter 2, Part 3, Targeted Business Income Tax Credit in an Enterprise Zone, is repealed December 31, 2024.

Section 52. Section **63M-7-202** is amended to read:

63M-7-202. Composition -- Appointments -- Ex officio members -- Terms -- United States Attorney as nonvoting member.

(1) The State Commission on Criminal and Juvenile Justice is composed of ~~[26]~~ 25 voting members as follows:

(a) the chief justice of the supreme court, as the presiding officer of the judicial

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council, or a judge designated by the chief justice;

(b) the state court administrator or the state court administrator's designee;

(c) the executive director of the Department of Corrections or the executive director's designee;

(d) the executive director of the Department of Health and Human Services or the executive director's designee;

(e) the commissioner of the Department of Public Safety or the commissioner's designee;

(f) the attorney general or an attorney designated by the attorney general;

(g) the president of the chiefs of police association or a chief of police designated by the association's president;

(h) the president of the sheriffs' association or a sheriff designated by the association's president;

(i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons and Parole designated by the chair;

(j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing Commission designated by the chair;

(k) the chair of the Utah Substance Use and Mental Health Advisory Council or a member of the Utah Substance Use and Mental Health Advisory Council designated by the chair;

(l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of Juvenile Justice designated by the chair;

(m) the chair of the Utah Victim Services Commission or a member of the Utah Victim Services Commission designated by the chair;

~~[(n) the chair of the Utah Council on Victims of Crime or a member of the Utah Council on Victims of Crime designated by the chair;]~~

~~[(o)]~~ (n) the executive director of the Salt Lake Legal Defender Association or an attorney designated by the executive director;

~~[(p)]~~ (o) the chair of the Utah Indigent Defense Commission or a member of the Indigent Defense Commission designated by the chair;

~~[(q)]~~ (p) the Salt Lake County District Attorney or an attorney designated by the district

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attorney; and

~~[(r)]~~ (q) the following members designated to serve four-year terms:

(i) a juvenile court judge, appointed by the chief justice, as presiding officer of the Judicial Council;

(ii) a representative of the statewide association of public attorneys designated by the association's officers;

(iii) one member of the House of Representatives who is appointed by the speaker of the House of Representatives; and

(iv) one member of the Senate who is appointed by the president of the Senate.

(2) The governor shall appoint the remaining five members to four-year staggered terms as follows:

(a) one criminal defense attorney appointed from a list of three nominees submitted by the Utah State Bar Association;

(b) one attorney who primarily represents juveniles in delinquency matters appointed from a list of three nominees submitted by the Utah Bar Association;

(c) one representative of public education;

(d) one citizen representative; and

(e) a representative from a local faith who has experience with the criminal justice system.

(3) In addition to the members designated under Subsections (1) and (2), the United States Attorney for the district of Utah or an attorney designated by the United States Attorney may serve as a nonvoting member.

(4) In appointing the members under Subsection (2), the governor shall take into account the geographical makeup of the commission.

Section 53. ~~{ Section 63M-7-209 (Effective 07/01/24) is amended to read:~~

~~63M-7-209 (Effective 07/01/24). Trauma-informed justice program.~~

~~(1) As used in this section:~~

~~(a) "Committee" means the Multi-Disciplinary Trauma-Informed Committee created under Subsection (2).~~

~~(b) "First responder" includes:~~

~~(i) a law enforcement officer, as defined in Section 53-13-103;~~

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~~—— (ii) emergency medical service personnel, as defined in Section 53-2d-101; and~~

~~—— (iii) a firefighter.~~

~~—— (c) "Trauma-informed" means a policy, procedure, program, or practice that demonstrates an ability to minimize retraumatization associated with the criminal and juvenile justice system.~~

~~—— (d) "Victim" means the same as that term is defined in Section 77-37-2.~~

~~—— (2) (a) The commission shall create a committee known as the Multi-Disciplinary Trauma-Informed Committee to assist the commission in meeting the requirements of this section. The commission shall provide for the membership, terms, and quorum requirements of the committee, except that:~~

~~—— (i) at least one member of the committee shall be a victim;~~

~~—— (ii) the executive director of the Department of Health and Human Services or the executive director's designee shall be on the committee; and~~

~~—— (iii) the commission shall terminate the committee on June 30, 2020.~~

~~—— (b) The commission shall use the Utah Office for Victims of Crime, the Utah Office on Domestic and Sexual Violence, and the Utah [Council on Victims of Crime] Victim Services Commission in meeting the requirements of this section.~~

~~—— (3) (a) The committee shall work with statewide coalitions, children's justice centers, and other stakeholders to complete, by no later than September 1, 2019, a review of current and recommended trauma-informed policies, procedures, programs, or practices in the state's criminal and juvenile justice system, including:~~

~~—— (i) reviewing the role of victim advocates and victim services in the criminal and juvenile justice system and:~~

~~—— (A) how to implement the option of a comprehensive, seamless victim advocate system that is based on the best interests of victims and assists a victim throughout the criminal and juvenile justice system or a victim's process of recovering from the trauma the victim experienced as a result of being a victim of crime; and~~

~~—— (B) recommending what minimum qualifications a victim advocate must meet, including recommending trauma-informed training or trauma-informed continuing education hours;~~

~~—— (ii) reviewing of best practice standards and protocols, including recommending~~

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~~adoption or creation of trauma-informed interview protocols, that may be used to train persons within the criminal and juvenile justice system concerning trauma-informed policies, procedures, programs, or practices, including training of:~~

- ~~—— (A) peace officers that is consistent with the training developed under Section 53-10-908;~~
- ~~—— (B) first responders;~~
- ~~—— (C) prosecutors;~~
- ~~—— (D) defense counsel;~~
- ~~—— (E) judges and other court personnel;~~
- ~~—— (F) the Board of Pardons and Parole and its personnel;~~
- ~~—— (G) the Department of Corrections, including Adult Probation and Parole; and~~
- ~~—— (H) others involved in the state's criminal and juvenile justice system;~~
- ~~—— (iii) recommending outcome-based metrics to measure achievement related to trauma-informed policies, procedures, programs, or practices in the criminal and juvenile justice system;~~
- ~~—— (iv) recommending minimum qualifications and continuing education of individuals providing training, consultation, or administrative supervisory consultation within the criminal and juvenile justice system regarding trauma-informed policies, procedures, programs, or practices;~~
- ~~—— (v) identifying needs that are not funded or that would benefit from additional resources;~~
- ~~—— (vi) identifying funding sources, including outlining the restrictions on the funding sources, that may fund trauma-informed policies, procedures, programs, or practices;~~
- ~~—— (vii) reviewing which governmental entities should have the authority to implement recommendations of the committee; and~~
- ~~—— (viii) reviewing the need, if any, for legislation or appropriations to meet budget needs.~~
- ~~—— (b) Whenever the commission conducts a related survey, the commission, when possible, shall include how victims and their family members interact with Utah's criminal and juvenile justice system, including whether the victims and family members are treated with trauma-informed policies, procedures, programs, or practices throughout the criminal and juvenile justice system.~~

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~~—— (4) The commission shall establish and administer a performance incentive grant program that allocates money appropriated by the Legislature to public or private entities:~~

~~—— (a) to provide advocacy and related service for victims in connection with the Board of Pardons and Parole process; and~~

~~—— (b) that have demonstrated experience and competency in the best practices and standards of trauma-informed care:~~

~~—— (5) The commission shall report to the Judiciary Interim Committee, at the request of the Judiciary Interim Committee, and the Law Enforcement and Criminal Justice Interim Committee by no later than the September 2019 interim regarding the grant under Subsection (4), the committee's activities under this section, and whether the committee should be extended beyond June 30, 2020:~~

~~—— Section 54.} Section {63M-7-502} 63M-7-204 is amended to read:~~

~~{63M-7-502} 63M-7-204. {Definitions:~~

~~—— As used in this part:~~

~~—— (1) "Accomplice" means an individual who has engaged in criminal conduct as} Duties of commission.~~

(1) The State Commission on Criminal and Juvenile Justice administration shall:

(a) promote the commission's purposes as enumerated in Section 63M-7-201;

(b) promote the communication and coordination of all criminal and juvenile justice agencies;

(c) study, evaluate, and report on the status of crime in the state and on the effectiveness of criminal justice policies, procedures, and programs that are directed toward the reduction of crime in the state;

(d) study, evaluate, and report on programs initiated by state and local agencies to address reducing recidivism, including changes in penalties and sentencing guidelines intended to reduce recidivism, costs savings associated with the reduction in the number of inmates, and evaluation of expenses and resources needed to meet goals regarding the use of treatment as an alternative to incarceration, as resources allow;

(e) study, evaluate, and report on policies, procedures, and programs of other jurisdictions which have effectively reduced crime;

(f) identify and promote the implementation of specific policies and programs the

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commission determines will significantly reduce crime in Utah;

(g) provide analysis and recommendations on all criminal and juvenile justice legislation, state budget, and facility requests, including program and fiscal impact on all components of the criminal and juvenile justice system;

(h) provide analysis, accountability, recommendations, and supervision for state and federal criminal justice grant money;

(i) provide public information on the criminal and juvenile justice system and give technical assistance to agencies or local units of government on methods to promote public awareness;

(j) promote research and program evaluation as an integral part of the criminal and juvenile justice system;

(k) provide a comprehensive criminal justice plan annually;

(l) review agency forecasts regarding future demands on the criminal and juvenile justice systems, including specific projections for secure bed space;

(m) promote the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems by:

(i) developing and maintaining common data standards for use by all state criminal justice agencies;

(ii) annually performing audits of criminal history record information maintained by state criminal justice agencies to assess their accuracy, completeness, and adherence to standards;

(iii) defining and developing state and local programs and projects associated with the improvement of information management for law enforcement and the administration of justice; and

(iv) establishing general policies concerning criminal and juvenile justice information systems and making rules as necessary to carry out the duties under Subsection (1)(k) and this Subsection (1)(m);

(n) allocate and administer grants, from money made available, for approved education programs to help prevent the sexual exploitation of children;

(o) allocate and administer grants for law enforcement operations and programs related

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to reducing illegal drug activity and related criminal activity;

(p) request, receive, and evaluate data and recommendations collected and reported by agencies and contractors related to policies recommended by the commission regarding recidivism reduction, including the data described in Section ~~{76-2-202.~~

~~—— (2) "Advocacy services provider" means the same as that term is defined in Section 77-38-403.~~

~~—— [(3) "Board" means the Crime Victim Reparations and Assistance Board created under Section 63M-7-504.]~~

~~—— [(4) (3) "Bodily injury" means physical pain, illness, or any impairment of physical condition.~~

~~—— [(5) (4) "Claimant" means any of the following claiming reparations under this part:~~

~~—— (a) a victim;~~

~~—— (b) a dependent of a deceased victim; or~~

~~—— (c) an individual or representative who files a reparations claim on behalf of a victim.~~

~~—— [(6) (5) "Child" means an unemancipated individual who is under 18 years old.~~

~~—— [(7) (6) "Collateral source" means any source of benefits or advantages for economic loss otherwise reparable under this part that the victim or claimant has received, or that is readily available to the victim from:~~

~~—— (a) the offender;~~

~~—— (b) the insurance of the offender or the victim;~~

~~—— (c) the United States government or any of its agencies, a state or any of its political subdivisions, or an instrumentality of two or more states, except in the case on nonobligatory state-funded programs;~~

~~—— (d) social security, Medicare, and Medicaid;~~

~~—— (e) state-required temporary nonoccupational income replacement insurance or disability income insurance;~~

~~—— (f) workers' compensation;~~

~~—— (g) wage continuation programs of any employer;~~

~~—— (h) proceeds of a contract of insurance payable to the victim for the loss the victim sustained because of the criminally injurious conduct;~~

~~—— (i) a contract providing prepaid hospital and other health care services or benefits for~~

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~~disability; or~~

~~—— (j) veteran's benefits, including veteran's hospitalization benefits.~~

~~—— [(8)] (7) "Criminal justice system victim advocate" means the same as that term is defined in Section 77-38-403.~~

~~—— [(9)] (8) (a) "Criminally injurious conduct" other than acts of war declared or not declared means conduct that:~~

~~—— (i) is or would be subject to prosecution in this state under Section 76-1-201;~~

~~—— (ii) occurs or is attempted;~~

~~—— (iii) causes, or poses a substantial threat of causing, bodily injury or death;~~

~~—— (iv) is punishable by fine, imprisonment, or death if the individual engaging in the conduct possessed the capacity to commit the conduct, and~~

~~—— (v) does not arise out of the ownership, maintenance, or use of a motor vehicle, aircraft, or water craft, unless the conduct is:~~

~~—— (A) intended to cause bodily injury or death;~~

~~—— (B) punishable under Title 76, Chapter 5, Offenses Against the Individual; or~~

~~—— (C) chargeable as an offense for driving under the influence of alcohol or drugs.~~

~~—— (b) "Criminally injurious conduct" includes a felony violation of Section 76-7-101 and other conduct leading to the psychological injury of an individual resulting from living in a setting that involves a bigamous relationship:~~

~~—— [(10)] (9) (a) "Dependent" means a natural person to whom the victim is wholly or partially legally responsible for care or support.~~

~~—— (b) "Dependent" includes a child of the victim born after the victim's death.~~

~~—— [(11)] (10) "Dependent's economic loss" means loss after the victim's death of contributions of things of economic value to the victim's dependent, not including services the dependent would have received from the victim if the victim had not suffered the fatal injury, less expenses of the dependent avoided by reason of victim's death.~~

~~—— [(12)] (11) "Dependent's replacement services loss" means loss reasonably and necessarily incurred by the dependent after the victim's death in obtaining services in lieu of those the decedent would have performed for the victim's benefit if the victim had not suffered the fatal injury, less expenses of the dependent avoided by reason of the victim's death and not subtracted in calculating the dependent's economic loss.~~

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~~[(13)] (12) "Director" means the director of the office.~~

~~[(14)] (13) "Disposition" means the sentencing or determination of penalty or punishment to be imposed upon an individual:~~

~~(a) convicted of a crime;~~

~~(b) found delinquent; or~~

~~(c) against whom a finding of sufficient facts for conviction or finding of delinquency is made.~~

~~[(15)] (14) (a) "Economic loss" means economic detriment consisting only of allowable expense, work loss, replacement services loss, and if injury causes death, dependent's economic loss and dependent's replacement service loss:~~

~~(b) "Economic loss" includes economic detriment even if caused by pain and suffering or physical impairment.~~

~~(c) "Economic loss" does not include noneconomic detriment.~~

~~[(16)] (15) "Elderly victim" means an individual who is 60 years old or older and who is a victim.~~

~~[(17)] (16) "Fraudulent claim" means a filed reparations based on material misrepresentation of fact and intended to deceive the reparations staff for the purpose of obtaining reparation funds for which the claimant is not eligible.~~

~~[(18)] (17) "Fund" means the Crime Victim Reparations Fund created; 13-53-111 and Subsection 26B-5-102(2)(1);~~

(q) establish and administer a performance incentive grant program that allocates funds appropriated by the Legislature to programs and practices implemented by counties that reduce recidivism and reduce the number of offenders per capita who are incarcerated;

(r) oversee or designate an entity to oversee the implementation of juvenile justice reforms;

(s) make rules and administer the juvenile holding room standards and juvenile jail standards to align with the Juvenile Justice and Delinquency Prevention Act requirements pursuant to 42 U.S.C. Sec. 5633;

(t) allocate and administer grants, from money made available, for pilot qualifying education programs;

[(u) oversee the trauma-informed justice program described in Section

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~~{63M-7-526.}~~ 63M-7-209.1

~~[(19)] (18) (a) "Interpersonal violence" means an act involving violence, physical harm, or a threat of violence or physical harm, that is committed by an individual who is or has been in a domestic, dating, sexual, or intimate relationship with the victim.~~

~~_____ (b) "Interpersonal violence" includes any attempt, conspiracy, or solicitation of an act; (v) (u) request, receive, and evaluate the aggregate data collected from prosecutorial agencies and the Administrative Office of the Courts, in accordance with Sections 63M-7-216 and 78A-2-109.5;~~

~~[(w)] (v) report annually to the Law Enforcement and Criminal Justice Interim Committee on the progress made on each of the following goals of the Justice Reinvestment Initiative:~~

~~(i) ensuring oversight and accountability;~~

~~(ii) supporting local corrections systems;~~

~~(iii) improving and expanding reentry and treatment services; and~~

~~(iv) strengthening probation and parole supervision;~~

~~[(x)] (w) compile a report of findings based on the data and recommendations provided under Section 13-53-111 and Subsection 26B-5-102(2)(n) that:~~

~~(i) separates the data provided under Section 13-53-111 by each residential, vocational and life skills program; and~~

~~(ii) separates the data provided under Subsection 26B-5-102(2)(n) by each mental health or substance use treatment program;~~

~~[(y)] (x) publish the report described in Subsection ~~[(19) 1] [(a) x]~~ ~~(18)(a):~~~~

~~_____ [(20)] (19) "Law enforcement officer" means the same as that term is defined in Section 53-13-103:~~

~~_____ [(21)] (20) (a) "Medical examination" means a physical examination necessary to document criminally injurious conduct.~~

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

~~_____ [(22)] (21) "Mental health counseling" means outpatient and inpatient counseling necessitated as a result of criminally injurious conduct, is subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

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~~[(23)] (22) "Misconduct" means conduct by the victim that was attributable to the injury or death of the victim as provided by rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

~~[(24)] (23) "Noneconomic detriment" means pain, suffering, inconvenience, physical impairment, and other nonpecuniary damage, except as provided in this part.~~

~~[(25)] (24) "Nongovernment organization victim advocate" means the same as that term is defined in Section 77-38-403.~~

~~[(26)] (25) "Pecuniary loss" does not include loss attributable to pain and suffering except as otherwise provided in this part.~~

~~[(27)] (26) "Offender" means an individual who has violated Title 76, Utah Criminal Code, through criminally injurious conduct regardless of whether the individual is arrested, prosecuted, or convicted.~~

~~[(28)] (27) "Offense" means a violation of Title 76, Utah Criminal Code.~~

~~[(29)] (28) "Office" means the director, the reparations and assistance officers, and any other staff employed for the purpose of carrying out the provisions of this part.~~

~~[(30)] (29) "Perpetrator" means the individual who actually participated in the criminally injurious conduct.~~

~~[(31)] (30) "Reparations award" means money or other benefits provided to a claimant or to another on behalf of a claimant after the day on which a reparations claim is approved by the office.~~

~~[(32)] (31) "Reparations claim" means a claimant's request or application made to the office for a reparations award.~~

~~[(33)] (32) (a) "Reparations officer" means an individual employed by the office to investigate claims of victims and award reparations under this part.~~

~~(b) "Reparations officer" includes the director when the director is acting as a reparations officer.~~

~~[(34)] (33) "Replacement service loss" means expenses reasonably and necessarily incurred in obtaining ordinary and necessary services in lieu of those the injured individual would have performed, not for income but the benefit of the injured individual or the injured individual's dependents if the injured individual had not been injured.~~

~~[(35)] (34) (a) "Representative" means the victim, immediate family member, legal~~

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~~guardian, attorney, conservator, executor, or an heir of an individual.~~

~~—— (b) "Representative" does not include a service provider or collateral source.~~

~~—— [(36)] (35) "Restitution" means the same as that term is defined in Section 77-38b-102.~~

~~—— [(37)] (36) "Secondary victim" means an individual who is traumatically affected by the criminally injurious conduct subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

~~—— (37) "Services commission" means the Utah Victim Services Commission created in Section 63M-7-902.~~

~~—— (38) "Service provider" means an individual or agency who provides a service to a victim for a monetary fee, except attorneys as provided in Section 63M-7-524.~~

~~—— (39) "Serious bodily injury" means the same as that term is defined in Section 76-1-101.5.~~

~~—— (40) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses.~~

~~—— (41) "Strangulation" means any act involving the use of unlawful force or violence that:~~

~~—— (a) impedes breathing or the circulation of blood; and~~

~~—— (b) is likely to produce a loss of consciousness by:~~

~~—— (i) applying pressure to the neck or throat of an individual; or~~

~~—— (ii) obstructing the nose, mouth, or airway of an individual.~~

~~—— (42) "Substantial bodily injury" means the same as that term is defined in Section 76-1-101.5.~~

~~—— (43) (a) "Victim" means an individual who suffers bodily or psychological injury or death as a direct result of:~~

~~—— (i) criminally injurious conduct; or~~

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

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

~~—— (44) "Work loss" means loss of income from work the injured victim would have~~

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~~performed if the injured victim had not been injured and expenses reasonably incurred by the injured victim in obtaining services in lieu of those the injured victim would have performed for income, reduced by any income from substitute work the injured victim was capable of performing but unreasonably failed to undertake;~~

~~Section 55. Section 63M-7-507 is amended to read:~~

~~**63M-7-507. Director -- Appointment and functions -- Office duties:**~~

~~(1) The executive director of the Commission on Criminal and Juvenile Justice, after consulting with the [board] services commission, shall appoint a director to carry out the provisions of this part:~~

~~(2) The director shall:~~

~~(a) be an experienced administrator with a background in at least one of the following fields:~~

~~(i) social work;~~

~~(ii) psychology;~~

~~(iii) criminal justice;~~

~~(iv) law; or~~

~~(v) another field related to the fields described in Subsections (2)(a)(i) through (iv);~~

~~(b) demonstrate an understanding of the needs of crime victims and of services to victims; and~~

~~(c) devote the director's time and capacity to the director's duties.~~

~~(3) In addition to the requirements under Subsection (2), the director shall:~~

~~(a) hire staff, including reparations and assistance officers, as necessary;~~

~~(b) act when necessary as a reparations officer in deciding an initial reparations claim;~~

~~(c) possess the same investigation and decision-making authority as the reparations officers;~~

~~(d) hear appeals from the decisions of the reparations officers, unless the director acted as a reparations officer on the initial reparations claim;~~

~~(e) serve as a liaison between the office and the [board] services commission;~~

~~(f) serve as the public relations representative of the office;~~

~~(g) provide for payment of all administrative salaries, fees, and expenses incurred by the staff of the [board] services commission, to be paid out of appropriations from the fund;~~

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~~— (h) cooperate with the state treasurer and the state Division of Finance in causing the funds in the fund to be invested and the fund's investments sold or exchanged and the proceeds and income collected;~~

~~— (i) apply for, receive, allocate, disburse, and account for, subject to approval and in conformance with policies adopted by the [board] services commission, all grant funds made available by the United States, the state, foundations, corporations, and other businesses, agencies, or individuals;~~

~~— (j) obtain and utilize the services of other governmental agencies upon request; and~~

~~— (k) act in any other capacity or perform any other acts necessary for the office or [board] services commission to successfully fulfill the office's or board's statutory duties and objectives.~~

~~— (4) The office is placed within the Commission on Criminal and Juvenile Justice for the provision by the services commission of administrative and support services.~~

~~— (5) The office shall, under the direction of the Commission on Criminal and Juvenile Justice and in collaboration with the services commission, adopt rules to implement and administer this part in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may include setting of ceilings on reparations, defining of terms not specifically stated in this part, and establishing of rules governing attorney fees.~~

~~— (6) The director may request assistance from the Commission on Criminal and Juvenile Justice, the Department of Public Safety, and other state agencies in conducting research or monitoring victims' programs.~~

~~— Section 56. Section **63M-7-508** is amended to read:~~

~~— **63M-7-508. Reparations officers.**~~

~~— The reparations officers shall in addition to any assignments made by the director:~~

~~— (1) hear and determine all matters relating to a reparations claim and reinvestigate or reopen a reparations claim without regard to statutes of limitation or periods of prescription;~~

~~— (2) obtain from prosecuting attorneys, law enforcement officers, and other criminal justice agencies, investigations and data to enable the reparations officer to determine whether and to what extent a claimant qualifies for reparations;~~

~~— (3) as determined necessary by the reparations officers, hold hearings, administer oaths or affirmations, examine any individual under oath or affirmation, issue subpoenas requiring~~

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~~the attendance and giving of testimony of witnesses, require the production of any books, papers, documents, or other evidence which may contribute to the reparations officer's ability to determine particular reparation awards;~~

~~—— (4) determine who is a victim or dependent;~~

~~—— (5) award reparations or other benefits determined to be due under this part and the rules of the [board] office made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (6) take notice of judicially recognized facts and general, technical, and scientific facts within the reparations officers' specialized knowledge;~~

~~—— (7) advise and assist the [board] services commission in developing policies recognizing the rights, needs, and interests of crime victims;~~

~~—— (8) render periodic reports as requested by the [board] services commission concerning:~~

~~—— (a) the reparations officers' activities; and~~

~~—— (b) the manner in which the rights, needs, and interests of crime victims are being addressed by the state's criminal justice system;~~

~~—— (9) establish priorities for assisting elderly victims of crime or those victims facing extraordinary hardships;~~

~~—— (10) cooperate with the State Commission on Criminal and Juvenile Justice to develop information regarding crime victims' problems and programs; and~~

~~—— (11) assist the director in publicizing the provisions of the office, including the procedures for obtaining reparation, and in encouraging law enforcement agencies, health providers, and other related officials to take reasonable care to ensure that victims are informed about the provisions of this part and the procedure for applying for reparation.~~

~~—— Section 57. Section **63M-7-511** is amended to read:~~

~~—— **63M-7-511. Compensable losses and amounts.**~~

~~—— A reparations award under this part may be made if:~~

~~—— (1) the reparations officer finds the reparations claim satisfies the requirements for the reparations award under the provisions of this part and the rules of the [board] office;~~

~~—— (2) money is available in the fund;~~

~~—— (3) the individual for whom the reparations award is to be paid is otherwise eligible~~

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~~under this part; and~~

~~—— (4) the reparations claim is for an allowable expense incurred by the victim, as follows:~~

~~—— (a) reasonable and necessary charges incurred for products, services, and accommodations;~~

~~—— (b) inpatient and outpatient medical treatment and physical therapy, subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (c) mental health counseling that:~~

~~—— (i) is set forth in a mental health treatment plan that is approved before any payment is made by a reparations officer; and~~

~~—— (ii) qualifies within any further rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (d) actual loss of past earnings and anticipated loss of future earnings because of a death or disability resulting from the personal injury at a rate not to exceed 66-2/3% of the individual's weekly gross salary or wages or the maximum amount allowed under the state workers' compensation statute;~~

~~—— (e) care of minor children enabling a victim or spouse of a victim, but not both, to continue gainful employment at a rate per child per week as determined under rules established by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (f) funeral and burial expenses for death caused by the criminally injurious conduct, subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (g) loss of support to a dependent not otherwise compensated for a pecuniary loss for personal injury, for as long as the dependence would have existed had the victim survived, at a rate not to exceed 66-2/3% of the individual's weekly salary or wages or the maximum amount allowed under the state workers' compensation statute, whichever is less;~~

~~—— (h) personal property necessary and essential to the health or safety of the victim as defined by rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~

~~—— (i) medical examinations, subject to rules made by the [board] office in accordance~~

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~~with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may allow for exemptions from Sections 63M-7-509, 63M-7-512, and 63M-7-513; and~~

~~—— (j) for a victim of sexual assault who becomes pregnant from the sexual assault, health care;~~

~~—— (i) for the victim during the duration of the victim's pregnancy if the health care is related to or resulting from the sexual assault or the pregnancy; and~~

~~—— (ii) for the victim and the victim's child for one year after the day on which the victim's child is born.~~

~~—— Section 58. Section 63M-7-516 is amended to read:~~

~~—— **63M-7-516. Waiver of privilege.**~~

~~—— (1) (a) A victim who is a claimant waives any privilege as to communications or records relevant to an issue of the physical, mental, or emotional conditions of the victim except for the attorney-client privilege.~~

~~—— (b) The waiver described in Subsection (1)(a) applies only to reparations officers, the director, the [board] services commission, and legal counsel.~~

~~—— (2) A claimant may be required to supply any additional medical or psychological reports available relating to the injury or death for which compensation is claimed.~~

~~—— (3) (a) The reparations officer hearing a reparations claim or an appeal from a reparations claim shall make available to the claimant a copy of the report.~~

~~—— (b) If the victim is deceased, the director or the director's appointee, on request, shall furnish the claimant a copy of the report unless dissemination of that copy is prohibited by law.~~

~~—— Section 59. Section 63M-7-517 is amended to read:~~

~~—— **63M-7-517. Additional testing.**~~

~~—— (1) If the mental, physical, or emotional condition of a victim is material to a reparations claim, the reparations officer, director, or chair of the [board] services commission who hears the reparations claim or the appeal may order the claimant to submit to a mental or physical examination by a physician or psychologist and may recommend to the court to order an autopsy of a deceased victim.~~

~~—— (2) The court may order an additional examination for good cause shown and shall provide notice to the individual to be examined and the individual's representative.~~

~~—— (3) All reports from additional examinations shall set out findings, including results of~~

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~~all tests made, diagnoses, prognoses, other conclusions, and reports of earlier examinations of the same conditions:~~

~~—— (4) A copy of the report shall be made available to the victim or the representative of the victim unless dissemination of that copy is prohibited by law:~~

~~—— Section 60. Section **63M-7-519** is amended to read:~~

~~—— **63M-7-519. Assignment of recovery -- Reimbursement.**~~

~~—— (1) (a) By accepting a reparations award, the victim:~~

~~—— (i) automatically assigns to the office any claim the victim may have relating to criminally injurious conduct in the reparations claim; and~~

~~—— (ii) is required to reimburse the office if the victim recovers any money relating to the criminally injurious conduct:~~

~~—— (b) The office's right of assignment and reimbursement under Subsection (1)(a) is limited to the lesser of:~~

~~—— (i) the amount paid by the office; or~~

~~—— (ii) the amount recovered by the victim from the third party:~~

~~—— (c) The office may be reimbursed under Subsection (1)(a) regardless of whether the office exercises the office's right of assignment under Subsection (1)(a):~~

~~—— (2) The [board] services commission, with the concurrence of the director, may reduce the office's right of reimbursement if the [board] services commission determines that:~~

~~—— (a) the reduction will benefit the fund; or~~

~~—— (b) the victim has ongoing expenses related to the offense upon which the reparations claim is based and the benefit to the victim of reducing the office's right of reimbursement exceeds the benefit to the office of receiving full reimbursement:~~

~~—— (3) The office reserves the right to make a claim for reimbursement on behalf of the victim and the victim may not impair the office's claim or the office's right of reimbursement:~~

~~—— Section 61. Section **63M-7-521.5** is amended to read:~~

~~—— **63M-7-521.5. Payments to medical service providers:**~~

~~—— (1) (a) Except as provided in Subsection (2), a medical service provider who accepts payment from the office shall agree to accept payments as payment in full on behalf of the victim or claimant and may not attempt to collect further payment from the victim or the claimant for services for which the office has made payment:~~

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~~—— (b) In the event the office is unable to make full payment in accordance with the office's rules, the medical service provider may collect from the victim or claimant, but not more than the amount the provider would have received from the office.~~

~~—— (2) (a) When a medical service provider receives notice that a reparations claim has been filed, the medical service provider may not, before the office determines whether to issue a reparations award, engage in debt collection for the claim, including:~~

~~—— (i) repeatedly calling or writing to a victim and threatening to refer unpaid health care costs to a debt collection agency, attorney, or other person for collection; or~~

~~—— (ii) filing for or pursuing a legal remedy for payment of unpaid health care costs.~~

~~—— (b) The statute of limitations for collecting a debt is tolled during the time in which a request for a reparations award is being reviewed by the office.~~

~~—— (3) The office may:~~

~~—— (a) use the fee schedule utilized by the Utah Public Employees Health Plan or any other fee schedule adopted by the [board] services commission; and~~

~~—— (b) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, necessary to implement the fee schedule adopted in accordance with this section.~~

~~—— Section 62. Section **63M-7-522** is amended to read:~~

~~—— **63M-7-522. Emergency reparations award.**~~

~~—— (1) If the reparations officer determines that the claimant will suffer financial hardship unless an emergency reparations award is made, and it appears likely that a final reparations award will be made, an amount may be paid to the claimant, to be deducted from the final reparations award or repaid by and recoverable from the claimant to the extent that it exceeds the final reparations award.~~

~~—— (2) The [board] services commission may limit emergency reparations awards under Subsection (1) to any amount the [board] services commission considers necessary.~~

~~—— Section 63. Section **63M-7-525** is amended to read:~~

~~—— **63M-7-525. Purpose -- Not entitlement program.**~~

~~—— (1) (a) The purpose of the office is to assist victims of criminally injurious conduct who may be eligible for assistance from the fund.~~

~~—— (b) Reparation to a victim under this part is limited to the money available in the fund.~~

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~~—— (2) (a) The assistance program described in Subsection (1) is not an entitlement program.~~

~~—— (b) A reparations award may be limited or denied as determined appropriate by the [board] services commission.~~

~~—— (c) Failure to grant a reparations award does not create a cause of action against the office, the state, or any of its subdivisions and there is no right to judicial review over the decision whether or not to grant a reparations award.~~

~~—— (3) A cause of action based on a failure to give or receive the notice required by this part does not accrue to any person against the state, any of its agencies or local subdivisions, any of their law enforcement officers or other agents or employees, or any health care or medical provider or its agents or employees nor does it affect or alter any requirement for filing or payment of a reparations claim.~~

~~—— Section 64. Section **63M-7-902** is amended to read:~~

~~—— **63M-7-902. Creation -- Membership -- Terms -- Vacancies -- Expenses.**~~

~~—— (1) There is created the Utah Victim Services Commission within the State Commission on Criminal and Juvenile Justice.~~

~~—— (2) The commission is composed of the following members:~~

~~—— (a) the executive director of the State Commission on Criminal and Juvenile Justice or the executive director's designee;~~

~~—— (b) the director of the Utah Office for Victims of Crime or the director's designee;~~

~~—— (c) the executive director of the Department of ~~};~~ 1)(w) on the commission's website and annually provide the report to the Judiciary Interim Committee, the Health and Human Services ~~{or the executive director's designee;~~~~

~~—— [(d) the executive director of the Department of Corrections or the executive director's designee;]~~

~~—— [(e) the director of the Division of Multicultural Affairs or the director's designee;]~~

~~—— [(f)] (d) the executive director of the state sexual assault coalition for this state or the executive director's designee;~~

~~—— [(g)] (e) the executive director of the state domestic violence coalition for this state or the executive director's designee;~~

~~—— [(h)] (f) the executive director of the tribal coalition for this state or the executive~~

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director's designee;

——— ~~[(i) the director of the Children's Justice Center Program in the Office of the Attorney General or the director's designee;]~~

——— ~~[(j) (g) the chair of the Children's Justice Center Standing Committee or the chair's designee;~~

——— ~~[(k) (h) the attorney general or the attorney general's designee;~~

——— ~~[(l) (i) the commissioner of the Department of Public Safety or the commissioner's designee;~~

——— ~~[(m) (j) a criminal justice system based advocate, appointed by the governor with the advice and consent of the Senate;~~

——— ~~[(n) (k) a prosecuting attorney, appointed by the governor with the advice and consent of the Senate;~~

——— ~~[(o) a criminal defense attorney, appointed by the governor with the advice and consent of the Senate;]~~

——— ~~[(p) (l) a law enforcement representative from the Utah Sheriffs Association or Utah Chiefs of Police Association, appointed by the governor with the advice and consent of the Senate;~~

——— ~~[(q) (m) an individual who is a victim of crime, appointed by the governor with the advice and consent of the Senate;~~

——— ~~[(r) (n) an individual who is a current or former representative from the House of Representatives or has experience or expertise with the legislative process, appointed by the speaker of the House of Representatives; and~~

——— ~~[(s) (o) an individual who is a current or former senator from the Senate or has experience or expertise with the legislative process, appointed by the president of the Senate.~~

——— ~~(3) (a) A member appointed under Subsections [(2)(m) through (s)] (2)(j) through (o) shall serve a four-year term.~~

——— ~~(b) A member appointed to serve a four-year term is eligible for reappointment.~~

——— ~~(4) When a vacancy occurs in the membership of; Interim Committee, the Law Enforcement and Criminal Justice Interim Committee, and the related appropriations subcommittees; [and]~~

[(z) (y) receive, compile, and publish on the commission's website the data provided

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under:

(i) Section 53-23-101;

(ii) Section 53-24-102; and

(iii) Section 53-26-101; and

(z) review, research, advise, and make recommendations to the three branches of government regarding evidence-based sex offense management policies and practices, including supervision standards, treatment standards, and the sex offender registry.

(2) If the commission ~~{for any reason, the replacement shall be appointed by the applicable appointing authority for the remainder of the unexpired term of the original appointment.~~

~~—— (5) Except as otherwise provided in Subsection [(5)] (6), a member may not receive compensation for the member's service but may receive per diem and reimbursement for travel expenses incurred as a member at the rates established by:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

~~—— (c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.~~

~~—— (6) A member may not receive per diem or reimbursement for travel expenses} designates an entity under Subsection (5) if the member is being paid by a governmental entity while performing the member's service on the commission.~~

~~—— Section 65} 1)(r), the commission shall ensure that the membership of the entity includes representation from the three branches of government and, as determined by the commission, representation from relevant stakeholder groups across all parts of the juvenile justice system, including county representation.~~

Section 54. Section ~~{63M-7-904~~ is amended to read:

~~—— 63M-7-904. Duties of the commission -- Report.~~

~~—— (1) The commission shall:~~

~~—— (a) adopt a description of the office and prescribe the general operation of the commission;~~

~~—— (b) prescribe policy for the office;~~

~~—— (c) prescribe forms for applications for reparations;~~

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- ~~—— (d) review all reparations awards made by the reparations staff, although the commission may not reverse or modify reparations awards authorized by the reparations staff;~~
- ~~—— (e) cooperate with the director of the Office of Victims of Crime and the director's staff in formulating standards for the uniform application of Section 63M-7-509, taking into consideration the rates and amounts of reparations payable for injuries and death under other laws of this state and the United States;~~
- ~~—— (f) allocate money available in the fund to victims of criminally injurious conduct for reparations claims;~~
- ~~—— (g) allocate money available to other victim services as provided by administrative rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, once a sufficient reserve has been established for reparations claims;~~
- ~~—— (h) approve the allocation and disbursement of funds made available to the office by the United States, the state, foundations, corporations, or other entities or individuals to subgrantees from private, nonprofit, and governmental entities operating qualified statewide assistance programs;~~
- ~~—— (i) advocate for the adoption, repeal, or modification of laws or proposed legislation in the interest of victims of crime;~~
- ~~—— (j) select and appoint individuals in accordance with Section 77-37-5 to act as chairpersons of the judicial district victims' rights committees and provide assistance to the committees in their operations;~~
- ~~—— (k) make recommendations to the Legislature, the governor, and the Judicial Council on the following:~~
 - ~~—— (i) enforcing existing rights of victims of crime;~~
 - ~~—— (ii) enhancing rights of victims of crime;~~
 - ~~—— (iii) the role of victims of crime in the criminal justice system;~~
 - ~~—— (iv) victim restitution;~~
 - ~~—— (v) educating and training criminal justice professionals on the rights of victims of crime; and~~
 - ~~—— (vi) enhancing services to victims of crimes;~~
- ~~—— (l) provide training on the rights of victims of crime; and~~
- ~~—— (m) establish a subcommittee to consider complaints not resolved by the Victims'~~

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~~Rights Committee established in Section 77-37-5;~~

~~—— (2) The commission shall, in partnership with state agencies and organizations, including the Children's Justice Center Program, the Utah Office for Victims of Crime, [the Utah Council on Victims of Crime,] and the Division of Child and Family Services:~~

~~—— (a) review and assess the duties and practices of the State Commission on Criminal and Juvenile Justice regarding services and criminal justice policies pertaining to victims;~~

~~—— (b) encourage and facilitate the development and coordination of trauma-informed services for crime victims throughout the state;~~

~~—— (c) encourage and foster public and private partnerships for the purpose of:~~

~~—— (i) assessing needs for crime victim services throughout the state;~~

~~—— (ii) developing crime victim services and resources throughout the state; and~~

~~—— (iii) coordinating crime victim services and resources throughout the state;~~

~~—— (d) generate unity for ongoing efforts to reduce and eliminate the impact of crime on victims through a comprehensive and evidence-based prevention, treatment, and justice strategy;~~

~~—— (e) recommend and support the creation, dissemination, and implementation of statewide policies and plans to address crimes, including domestic violence, sexual violence, child abuse, and driving under the influence of drugs and alcohol;~~

~~—— [(f) develop a systematic process and clearinghouse for the collection and dissemination of data on domestic violence and sexual violence;]~~

~~—— [(g)] (f) collect information on statewide funding for crime victim services and prevention efforts, including the sources, disbursement, and outcomes of statewide funding for crime victim services and prevention efforts;~~

~~—— [(h)] (g) consider recommendations from any subcommittee of the commission; and~~

~~—— [(i)] (h) make recommendations regarding:~~

~~—— (i) the duties and practices of the State Commission on Criminal and Juvenile Justice to ensure that:~~

~~—— (A) crime victims are a vital part of the criminal justice system of the state;~~

~~—— (B) all crime victims and witnesses are treated with dignity, respect, courtesy, and sensitivity; and~~

~~—— (C) the rights of crime victims and witnesses are honored and protected by law in a~~

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manner no less vigorous than protections afforded to criminal defendants; and

~~—— (ii) statewide funding for crime victim services and prevention efforts;~~

~~—— [(2)] (3) The commission may:~~

~~—— (a) subject to court rules and the governor's approval, advocate in an appellate court on behalf of a victim of crime as described in Subsection 77-38-11(2)(a)(ii);~~

~~—— (b) recommend to the Legislature the services to be funded by the Victim Services Restricted Account[.]; and~~

~~—— (c) establish additional subcommittees to assist in accomplishing the commission's duties;~~

~~—— [(3)] (4) The commission shall report the commission's recommendations annually to the State Commission on Criminal and Juvenile Justice, the governor, the Judicial Council, the Executive Offices and Criminal Justice Appropriations Subcommittee, the Health and Human Services Interim Committee, the Judiciary Interim Committee, and the Law Enforcement and Criminal Justice Interim Committee.~~

~~—— [(4)] (5) When taking an action or making a recommendation, the commission shall respect that a state agency is bound to follow state law and may have duties or responsibilities imposed by state law.~~

~~—— Section 66. Section 63N-4-502; 63M-7-502 is amended to read:~~

~~{63N-4-502}; 63M-7-502. **Definitions.**~~

As used in this part:

~~{(1)} (1) "{Advisory committee}" means the Rural Online Working Hubs Grant Advisory Committee created in Section 63N-4-505.]~~

~~—— [(2)] (1) "Coworking and innovation center" means a facility designed to provide individuals with the infrastructure and equipment to participate in the online workforce.~~

~~—— [(3)] (2) "Entity" means a county, city, nonprofit organization, or institution of higher education.} Accomplice" means an individual who has engaged in criminal conduct as described in Section 76-2-202.~~

~~(2) "Advocacy services provider" means the same as that term is defined in Section 77-38-403.~~

~~[(3) "Board" means the Crime Victim Reparations and Assistance Board created under Section 63M-7-504.]~~

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~~[(4)] (3) "{Grant" means a grant awarded as part of the Rural Coworking and Innovation Center Grant Program created in Section 63N-4-503}~~ Bodily injury" means physical pain, illness, or any impairment of physical condition.

~~[(5)] (4) "{Grant program} Claimant" means {the Rural Coworking and Innovation Center Grant Program created in Section 63N-4-503}~~ any of the following claiming reparations under this part:

(a) a victim;

(b) a dependent of a deceased victim; or

(c) an individual or representative who files a reparations claim on behalf of a victim.

~~[(6)] (5) "{Rural area" means any area in any county in the state except Salt Lake, Utah, Davis, Weber, Washington, Cache, Tooele, and Summit counties.~~

~~Section 67. Section 63N-4-504}~~ Child" means an unemancipated individual who is under 18 years old.

~~[(7)] (6) "Collateral source" means any source of benefits or advantages for economic loss otherwise reparable under this part that the victim or claimant has received, or that is readily available to the victim from:~~

(a) the offender;

(b) the insurance of the offender or the victim;

(c) the United States government or any of its agencies, a state or any of its political subdivisions, or an instrumentality of two or more states, except in the case on nonobligatory state-funded programs;

(d) social security, Medicare, and Medicaid;

(e) state-required temporary nonoccupational income replacement insurance or disability income insurance;

(f) workers' compensation;

(g) wage continuation programs of any employer;

(h) proceeds of a contract of insurance payable to the victim for the loss the victim sustained because of the criminally injurious conduct;

(i) a contract providing prepaid hospital and other health care services or benefits for disability; or

(j) veteran's benefits, including veteran's hospitalization benefits.

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~~[(8)]~~ (7) "Criminal justice system victim advocate" means the same as that term is defined in Section 77-38-403.

~~[(9)]~~ (8) (a) "Criminally injurious conduct" other than acts of war declared or not declared means conduct that:

(i) is or would be subject to prosecution in this state under Section 76-1-201;

(ii) occurs or is attempted;

(iii) causes, or poses a substantial threat of causing, bodily injury or death;

(iv) is punishable by fine, imprisonment, or death if the individual engaging in the conduct possessed the capacity to commit the conduct; and

(v) does not arise out of the ownership, maintenance, or use of a motor vehicle, aircraft, or water craft, unless the conduct is:

(A) intended to cause bodily injury or death;

(B) punishable under Title 76, Chapter 5, Offenses Against the Individual; or

(C) chargeable as an offense for driving under the influence of alcohol or drugs.

(b) "Criminally injurious conduct" includes a felony violation of Section 76-7-101 and other conduct leading to the psychological injury of an individual resulting from living in a setting that involves a bigamous relationship.

~~[(10)]~~ (9) (a) "Dependent" means a natural person to whom the victim is wholly or partially legally responsible for care or support.

(b) "Dependent" includes a child of the victim born after the victim's death.

~~[(11)]~~ (10) "Dependent's economic loss" means loss after the victim's death of contributions of things of economic value to the victim's dependent, not including services the dependent would have received from the victim if the victim had not suffered the fatal injury, less expenses of the dependent avoided by reason of victim's death.

~~[(12)]~~ (11) "Dependent's replacement services loss" means loss reasonably and necessarily incurred by the dependent after the victim's death in obtaining services in lieu of those the decedent would have performed for the victim's benefit if the victim had not suffered the fatal injury, less expenses of the dependent avoided by reason of the victim's death and not subtracted in calculating the dependent's economic loss.

~~[(13)]~~ (12) "Director" means the director of the office.

~~[(14)]~~ (13) "Disposition" means the sentencing or determination of penalty or

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punishment to be imposed upon an individual:

(a) convicted of a crime;

(b) found delinquent; or

(c) against whom a finding of sufficient facts for conviction or finding of delinquency is made.

[(15)] (14) (a) "Economic loss" means economic detriment consisting only of allowable expense, work loss, replacement services loss, and if injury causes death, dependent's economic loss and dependent's replacement service loss.

(b) "Economic loss" includes economic detriment even if caused by pain and suffering or physical impairment.

(c) "Economic loss" does not include noneconomic detriment.

[(16)] (15) "Elderly victim" means an individual who is 60 years old or older and who is a victim.

[(17)] (16) "Fraudulent claim" means a filed reparations based on material misrepresentation of fact and intended to deceive the reparations staff for the purpose of obtaining reparation funds for which the claimant is not eligible.

[(18)] (17) "Fund" means the Crime Victim Reparations Fund created in Section 63M-7-526.

[(19)] (18) (a) "Interpersonal violence" means an act involving violence, physical harm, or a threat of violence or physical harm, that is committed by an individual who is or has been in a domestic, dating, sexual, or intimate relationship with the victim.

(b) "Interpersonal violence" includes any attempt, conspiracy, or solicitation of an act described in Subsection [(19)(a)] (18)(a).

[(20)] (19) "Law enforcement officer" means the same as that term is defined in Section 53-13-103.

[(21)] (20) (a) "Medical examination" means a physical examination necessary to document criminally injurious conduct.

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

[(22)] (21) "Mental health counseling" means outpatient and inpatient counseling necessitated as a result of criminally injurious conduct, is subject to rules made by the [board]

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office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

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

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

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

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

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

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

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

[(30)] (29) "Perpetrator" means the individual who actually participated in the criminally injurious conduct.

[(31)] (30) "Reparations award" means money or other benefits provided to a claimant or to another on behalf of a claimant after the day on which a reparations claim is approved by the office.

[(32)] (31) "Reparations claim" means a claimant's request or application made to the office for a reparations award.

[(33)] (32) (a) "Reparations officer" means an individual employed by the office to investigate claims of victims and award reparations under this part.

(b) "Reparations officer" includes the director when the director is acting as a reparations officer.

[(34)] (33) "Replacement service loss" means expenses reasonably and necessarily incurred in obtaining ordinary and necessary services in lieu of those the injured individual would have performed, not for income but the benefit of the injured individual or the injured individual's dependents if the injured individual had not been injured.

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~~[(35)]~~ (34) (a) "Representative" means the victim, immediate family member, legal guardian, attorney, conservator, executor, or an heir of an individual.

~~(b)~~ "Representative" does not include a service provider or collateral source.

~~[(36)]~~ (35) "Restitution" means the same as that term is defined in Section 77-38b-102.

~~[(37)]~~ (36) "Secondary victim" means an individual who is traumatically affected by the criminally injurious conduct subject to rules made by the ~~[board]~~ office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

~~[(38)]~~ (37) "Service provider" means an individual or agency who provides a service to a victim for a monetary fee, except attorneys as provided in Section 63M-7-524.

~~[(39)]~~ (38) "Serious bodily injury" means the same as that term is defined in Section 76-1-101.5.

~~[(40)]~~ (39) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses.

~~[(41)]~~ (40) "Strangulation" means any act involving the use of unlawful force or violence that:

~~(a)~~ impedes breathing or the circulation of blood; and

~~(b)~~ is likely to produce a loss of consciousness by:

~~(i)~~ applying pressure to the neck or throat of an individual; or

~~(ii)~~ obstructing the nose, mouth, or airway of an individual.

~~[(42)]~~ (41) "Substantial bodily injury" means the same as that term is defined in Section 76-1-101.5.

~~[(43)]~~ (42) (a) "Victim" means an individual who suffers bodily or psychological injury or death as a direct result of:

~~(i)~~ criminally injurious conduct; or

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

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

~~[(44)]~~ (43) "Work loss" means loss of income from work the injured victim would have performed if the injured victim had not been injured and expenses reasonably incurred by

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the injured victim in obtaining services in lieu of those the injured victim would have performed for income, reduced by any income from substitute work the injured victim was capable of performing but unreasonably failed to undertake.

Section 55. Section 63M-7-506 is amended to read:

~~{63N-4-504. Requirements for awarding a working hubs grant.~~

~~(1) In {63M-7-506. Duties of the office.~~

~~(1) The [board] office shall:~~

~~[(a) adopt a description of the office and prescribe the general operation of the board;]~~

~~[(b)] (a) prescribe policy for the office;~~

~~[(c)] (b) under the direction of the executive director of the Commission on Criminal~~

~~and Juvenile Justice, adopt rules to implement and administer this part in~~ accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, ~~{the office shall make rules establishing the eligibility and reporting criteria for an entity to receive a grant under this part, including:~~

~~—— (a) the form and process of submitting an application to the office for a grant;~~

~~—— (b) which entities are eligible to apply for a grant;~~

~~—— (c) the method and formula for determining grant amounts; and~~

~~—— (d) the reporting requirements of grant recipients.~~

~~(2) In determining the award of a grant, the office may prioritize projects:~~

~~—— (a) that will serve underprivileged or underserved communities, including communities with high unemployment or low median incomes;~~

~~—— (b) where an applicant demonstrates comprehensive planning of the project but has limited access to financial resources, including financial resources from local or county government; and~~

~~—— (c) that maximize economic development opportunities in collaboration with the economic development needs or plans of an educational institution, a county, and a municipality.~~

~~—— (3) Subject to legislative appropriation, a grant may only be awarded by the executive director [after consultation with the advisory committee].~~

~~—— (4) A grant may only be awarded under this part:~~

~~—— (a) if the grant recipient agrees to provide any combination of funds, land, buildings, or in-kind work in an amount equal to at least 25% of the grant;~~

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~~(b) if the grant recipient agrees not to use grant money for the ongoing operation or maintenance of a coworking and innovation center; and~~

~~(c) in an amount no more than \$500,000 to a grant applicant.~~

~~Section 68. Section **73-3d-201**; which may include setting of ceilings on reparations, defining of terms not specifically stated in this part, and establishing of rules governing attorney fees;~~

~~[(d)] (c) prescribe forms for applications for reparations;~~

~~[(e)] review all reparations awards made by the reparations staff, although the board may not reverse or modify reparations awards authorized by the reparations staff;]~~

~~[(f)] (d) render an annual report to the governor and the Legislature regarding the staff's and the board's activities;~~

~~[(g)] (e) [cooperate with the director and the director's staff in formulating] formulate standards for the uniform application of Section 63M-7-509, taking into consideration the rates and amounts of reparation payable for injuries and death under other laws of this state and the United States;~~

~~[(h)] (f) allocate money available in the fund to victims of criminally injurious conduct for reparations claims;~~

~~[(i)] (g) allocate money available to other victim services as provided by administrative rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, once a sufficient reserve has been established for reparation claims; and~~

~~[(j)] (h) [approve the allocation and disbursement of] as authorized by the Commission on Criminal and Juvenile Justice, allocate and disburse funds made available to the office by the United States, the state, foundations, corporations, or other entities or individuals to subgrantees from private, non-profit, and governmental entities operating qualified statewide assistance programs.~~

~~(2) All rules, or other statements of policy, along with application forms specified by the [board] office, are binding upon the director, the reparations officers, assistance officers, and other staff.~~

~~Section 56. Section **63M-7-507** is amended to read:~~

~~**73-3d-201. Declaration of a temporary water shortage emergency by the governor.**~~

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~~(1) (a) Subject to the requirements of this section, the governor may declare a temporary water shortage emergency by issuing an executive order if, on the governor's own initiative or at the request of a person entitled to make a request, the governor determines that an existing or imminent short-term interruption of water delivery in this state caused by manmade or natural causes other than drought:~~

~~(i) threatens:~~

~~(A) the availability or quality of an essential water supply or water supply infrastructure; or~~

~~(B) the operation of the economy; and~~

~~(ii) because of the threats}~~ 63M-7-507. Director -- Appointment and functions --

Office duties.

(1) The executive director of the Commission on Criminal and Juvenile Justice~~[, after consulting with the board,]~~ shall appoint a director to carry out the provisions of this part.

(2) The director shall:

(a) be an experienced administrator with a background in at least one of the following fields:

(i) social work;

(ii) psychology;

(iii) criminal justice;

(iv) law; or

(v) another field related to the fields described in ~~{Subsection}~~ Subsections (1)(a)(i); jeopardizes the peace, health, safety, or welfare of the people of this state:

~~(b) The governor may only issue the executive order declaring a temporary water shortage emergency described in Subsection (1)(a):~~

~~(i) with the advice and recommendation of the state engineer; and~~

~~(ii) in consultation with the emergency management administration [committee] council created by Section 53-2a-105.~~

~~(c) An executive order issued under this Subsection (1) shall state with specificity:~~

~~(i) the nature of the interruption of water supply;~~

~~(ii) subject to}~~ 2)(a)(i) through (iv);

(b) demonstrate an understanding of the needs of crime victims and of services to

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victims; and

(c) devote the director's time and capacity to the director's duties.

(3) In addition to the requirements under Subsection (2), the ~~{time period for which the temporary water shortage emergency is declared;~~

~~—— (iii) a description of the geographic area that is subject to the executive order;~~

~~—— (iv) a list of the specific persons entitled to make a request who may exercise the preferential use of water under Section 73-3d-301 during the effective period of the temporary water shortage emergency; and~~

~~—— (v) the purposes outlined in Subsection 73-3d-301(1) for which a person who is described in Subsection (1)(c)(iv) may take the water subject to Section 73-3d-301.~~

~~—— (d) Before providing a recommendation to the governor under Subsection (1)(b)(i), the state engineer shall require a person entitled to make a request who is described in Subsection (1)(c)(iv) to provide a written statement describing how the person entitled to make a request has exhausted other reasonable means to acquire water.~~

~~—— (e) A person entitled to make a request who is described in Subsection (1)(c)(iv) may take water preferentially during a temporary water shortage emergency only for a purpose authorized by the executive order.~~

~~—— (f) (i) Within seven calendar days of the day on which the governor issues an executive order declaring a temporary water shortage emergency, the Legislative Management Committee shall:~~

~~—— (A) review the executive order;~~

~~—— (B) advise the governor on the declaration of a temporary water shortage emergency; and~~

~~—— (C) recommend to the Legislature whether the executive order should be kept as issued by the governor, extended, or terminated.~~

~~—— (ii) The failure of the Legislative Management Committee to meet as required by Subsection (1)(f)(i) does not affect the validity of the executive order declaring a temporary water shortage emergency.~~

~~—— (2) (a) The governor shall state in an executive order declaring a temporary water shortage emergency the time period for which the temporary water shortage emergency is declared, except that the governor may not declare a temporary water shortage emergency for~~

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~~longer than 30 days after the date the executive order is issued.~~

~~—— (b) The governor may terminate an executive order declaring a temporary water shortage emergency before the expiration of the time period stated in the executive order.~~

~~—— (c) An executive order declaring a temporary water emergency issued by the governor within 30 days of the expiration or termination of a prior executive order for the same emergency is considered an extension subject to Subsection (2)(c).~~

~~—— (d) The Legislature may extend the time period of an executive order declaring a temporary water shortage emergency by joint resolution, except that the Legislature may not extend a temporary water shortage emergency for longer than one year from the day on which the executive order declaring a temporary water shortage emergency is issued.~~

~~—— (e) An executive order declaring a temporary water shortage emergency may be renewed or extended only by joint resolution of the Legislature.~~

~~—— Section 69. Section ~~77-37-5~~; director shall:~~

~~(a) hire staff, including reparations and assistance officers, as necessary;~~

~~(b) act when necessary as a reparations officer in deciding an initial reparations claim;~~

~~(c) possess the same investigation and decision-making authority as the reparations officers;~~

~~(d) hear appeals from the decisions of the reparations officers, unless the director acted as a reparations officer on the initial reparations claim;~~

~~[(e) serve as a liaison between the office and the board;]~~

~~[(f)] (e) serve as the public relations representative of the office;~~

~~[(g)] (f) provide for payment of all administrative salaries, fees, and expenses incurred by the staff of the [board] office, to be paid out of appropriations from the fund;~~

~~[(h)] (g) cooperate with the state treasurer and the state Division of Finance in causing the funds in the fund to be invested and the fund's investments sold or exchanged and the proceeds and income collected;~~

~~[(i)] (h) apply for, receive, allocate, disburse, and account for, subject to approval and in conformance with policies adopted by the [board] office, all grant funds made available by the United States, the state, foundations, corporations, and other businesses, agencies, or individuals;~~

~~[(j)] (i) obtain and utilize the services of other governmental agencies upon request;~~

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and

~~[(k)] (j) act in any other capacity or perform any other acts necessary for the office [or board] to successfully fulfill the office's [or board's] statutory duties and objectives.~~

~~(4) The director may request assistance from the Commission on Criminal and Juvenile Justice, the Department of Public Safety, and other state agencies in conducting research or monitoring victims' programs.~~

Section 57. Section ~~63M-7-508~~ is amended to read:

~~{77-37-5. Remedies -- District Victims' Rights Committee:~~

~~———— (1) In each judicial district, the Utah [Council on Victims of Crime] Victim Services Commission, established in Section [63M-7-601] ~~63M-7-902~~, shall appoint a person who shall chair a judicial district victims' rights committee consisting of:~~

~~———— (a) a county attorney or district attorney;~~

~~———— (b) a sheriff;~~

~~———— (c) a corrections field services administrator;~~

~~———— (d) an appointed victim advocate;~~

~~———— (e) a municipal attorney;~~

~~———— (f) a municipal chief of police; and~~

~~———— (g) other representatives as appropriate.~~

~~———— (2) The committee shall meet at least semiannually to review progress and problems related to this chapter, [Title 77, Chapter 38, Crime Victims, Title 77, Chapter 38b, Crime Victims Restitution Act,] Chapter 38, Crime Victims, Chapter 38b, Crime Victims Restitution Act, and Utah Constitution Article I, Section 28. Victims and other interested parties may submit matters of concern to the victims' rights committee. The committee may hold a hearing open to the public on any appropriate matter of concern and may publish its findings. These matters shall also be considered at the meetings of the victims' rights committee. The committee shall forward minutes of all meetings to the Utah [Council on Victims of Crime] Victim Services Commission for review and other appropriate action.~~

~~———— (3) If a victims' rights committee is unable to resolve a complaint, it may refer the complaint to the Utah [Council on Victims of Crime] Victim Services Commission.~~

~~———— (4) The Utah Office for Victims of Crime shall provide materials to~~

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local ~~63M-7-508.~~ Reparations officers.

The reparations officers shall in addition to any assignments made by the director:

(1) hear and determine all matters relating to a reparations claim and reinvestigate or reopen a reparations claim without regard to statutes of limitation or periods of prescription;

(2) obtain from prosecuting attorneys, law enforcement ~~{to inform every victim of a sexual offense of the right to request testing of the convicted sexual offender and of the victim as provided in Section 53-10-802.~~

~~—— (5) (a) If a person acting under color of state law willfully or wantonly fails to perform duties so that the rights in this chapter are not provided, an action for injunctive relief may be brought against the individual and the government entity that employs the individual.~~

~~—— (b) For all other violations, if the committee finds a violation of a victim's right, it shall refer the matter to the appropriate court for further proceedings consistent with Subsection 77-38-11(2).~~

~~—— (c) The failure to provide the rights in this chapter or [Title 77, Chapter 38, Crime Victims] Chapter 38, Crime Victims, does not constitute cause for a judgment against the state or any government entity, or~~ officers, and other criminal justice agencies, investigations and data to enable the reparations officer to determine whether and to what extent a claimant qualifies for reparations;

(3) as determined necessary by the reparations officers, hold hearings, administer oaths or affirmations, examine any individual ~~{employed by the state or any government entity, for monetary damages, attorney fees, or the costs of exercising any rights under this chapter.~~

~~—— (6) The person accused of and subject to prosecution for the crime or the act which would be a crime if committed by a competent adult, has no standing to make a claim concerning any violation of;~~ under oath or affirmation, issue subpoenas requiring the attendance and giving of testimony of witnesses, require the production of any books, papers, documents, or other evidence which may contribute to the reparations officer's ability to determine particular reparation awards;

(4) determine who is a victim or dependent;

(5) award reparations or other benefits determined to be due under this part and the rules of the [board] office made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

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(6) take notice of judicially recognized facts and general, technical, and scientific facts within the reparations officers' specialized knowledge;

(7) advise and assist [the board] in developing policies recognizing the rights, needs, and interests of crime victims;

(8) render periodic reports as requested by the [board] Commission on Criminal and Juvenile Justice concerning:

(a) the reparations officers' activities; and

(b) the manner in which the rights, needs, and interests of crime victims are being addressed by the state's criminal justice system;

(9) establish priorities for assisting elderly victims of crime or those victims facing extraordinary hardships;

(10) cooperate with the State Commission on Criminal and Juvenile Justice to develop information regarding crime victims' problems and programs; and

(11) assist the director in publicizing the provisions of the office, including the procedures for obtaining reparation, and in encouraging law enforcement agencies, health providers, and other related officials to take reasonable care to ensure that victims are informed about the provisions of this part and the procedure for applying for reparation.

Section 58. Section 63M-7-511 is amended to read:

63M-7-511. Compensable losses and amounts.

A reparations award under this part may be made if:

(1) the reparations officer finds the reparations claim satisfies the requirements for the reparations award under the provisions of this part and the rules of the [board] office;

(2) money is available in the fund;

(3) the individual for whom the reparations award is to be paid is otherwise eligible under this part; and

(4) the reparations claim is for an allowable expense incurred by the victim, as follows:

(a) reasonable and necessary charges incurred for products, services, and accommodations;

(b) inpatient and outpatient medical treatment and physical therapy, subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

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(c) mental health counseling that:

(i) is set forth in a mental health treatment plan that is approved before any payment is made by a reparations officer; and

(ii) qualifies within any further rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(d) actual loss of past earnings and anticipated loss of future earnings because of a death or disability resulting from the personal injury at a rate not to exceed 66-2/3% of the individual's weekly gross salary or wages or the maximum amount allowed under the state workers' compensation statute;

(e) care of minor children enabling a victim or spouse of a victim, but not both, to continue gainful employment at a rate per child per week as determined under rules established by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(f) funeral and burial expenses for death caused by the criminally injurious conduct, subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(g) loss of support to a dependent not otherwise compensated for a pecuniary loss for personal injury, for as long as the dependence would have existed had the victim survived, at a rate not to exceed 66-2/3% of the individual's weekly salary or wages or the maximum amount allowed under the state workers' compensation statute, whichever is less;

(h) personal property necessary and essential to the health or safety of the victim as defined by rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(i) medical examinations, subject to rules made by the [board] office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may allow for exemptions from Sections 63M-7-509, 63M-7-512, and 63M-7-513; and

(j) for a victim of sexual assault who becomes pregnant from the sexual assault, health care:

(i) for the victim during the duration of the victim's pregnancy if the health care is related to or resulting from the sexual assault or the pregnancy; and

(ii) for the victim and the victim's child for one year after the day on which the victim's

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child is born.

Section 59. Section 63M-7-516 is amended to read:

63M-7-516. Waiver of privilege.

(1) (a) A victim who is a claimant waives any privilege as to communications or records relevant to an issue of the physical, mental, or emotional conditions of the victim except for the attorney-client privilege.

(b) The waiver described in Subsection (1)(a) applies only to reparations officers, the director, the [board] assistant director reparations program manager, and legal counsel.

(2) A claimant may be required to supply any additional medical or psychological reports available relating to the injury or death for which compensation is claimed.

(3) (a) The reparations officer hearing a reparations claim or an appeal from a reparations claim shall make available to the claimant a copy of the report.

(b) If the victim is deceased, the director or the director's appointee, on request, shall furnish the claimant a copy of the report unless dissemination of that copy is prohibited by law.

Section 60. Section 63M-7-517 is amended to read:

63M-7-517. Additional testing.

(1) If the mental, physical, or emotional condition of a victim is material to a reparations claim, the reparations officer, director, the assistant director reparations program manager, or chair of the board who hears the reparations claim or the appeal may order the claimant to submit to a mental or physical examination by a physician or psychologist and may recommend to the court to order an autopsy of a deceased victim.

(2) The court may order an additional examination for good cause shown and shall provide notice to the individual to be examined and the individual's representative.

(3) All reports from additional examinations shall set out findings, including results of all tests made, diagnoses, prognoses, other conclusions, and reports of earlier examinations of the same conditions.

(4) A copy of the report shall be made available to the victim or the representative of the victim unless dissemination of that copy is prohibited by law.

Section 61. Section 63M-7-519 is amended to read:

63M-7-519. Assignment of recovery -- Reimbursement.

(1) (a) By accepting a reparations award, the victim:

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(i) automatically assigns to the office any claim the victim may have relating to criminally injurious conduct in the reparations claim; and

(ii) is required to reimburse the office if the victim recovers any money relating to the criminally injurious conduct.

(b) The office's right of assignment and reimbursement under Subsection (1)(a) is limited to the lesser of:

(i) the amount paid by the office; or

(ii) the amount recovered by the victim from the third party.

(c) The office may be reimbursed under Subsection (1)(a) regardless of whether the office exercises the office's right of assignment under Subsection (1)(a).

(2) The [board] executive director of the Commission on Criminal and Juvenile Justice, with the concurrence of the director, may reduce the office's right of reimbursement if the [board] executive director determines that:

(a) the reduction will benefit the fund; or

(b) the victim has ongoing expenses related to the offense upon which the reparations claim is based and the benefit to the victim of reducing the office's right of reimbursement exceeds the benefit to the office of receiving full reimbursement.

(3) The office reserves the right to make a claim for reimbursement on behalf of the victim and the victim may not impair the office's claim or the office's right of reimbursement.

Section 62. Section 63M-7-521.5 is amended to read:

63M-7-521.5. Payments to medical service providers.

(1) (a) Except as provided in Subsection (2), a medical service provider who accepts payment from the office shall agree to accept payments as payment in full on behalf of the victim or claimant and may not attempt to collect further payment from the victim or the claimant for services for which the office has made payment.

(b) In the event the office is unable to make full payment in accordance with the office's rules, the medical service provider may collect from the victim or claimant, but not more than the amount the provider would have received from the office.

(2) (a) When a medical service provider receives notice that a reparations claim has been filed, the medical service provider may not, before the office determines whether to issue a reparations award, engage in debt collection for the claim, including:

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(i) repeatedly calling or writing to a victim and threatening to refer unpaid health care costs to a debt collection agency, attorney, or other person for collection; or

(ii) filing for or pursuing a legal remedy for payment of unpaid health care costs.

(b) The statute of limitations for collecting a debt is tolled during the time in which a request for a reparations award is being reviewed by the office.

(3) The office may:

(a) use the fee schedule utilized by the Utah Public Employees Health Plan or any other fee schedule adopted by the [board] office; and

(b) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, necessary to implement the fee schedule adopted in accordance with this section.

Section 63. Section 63M-7-522 is amended to read:

63M-7-522. Emergency reparations award.

(1) If the reparations officer determines that the claimant will suffer financial hardship unless an emergency reparations award is made, and it appears likely that a final reparations award will be made, an amount may be paid to the claimant, to be deducted from the final reparations award or repaid by and recoverable from the claimant to the extent that it exceeds the final reparations award.

(2) The [board] office may limit emergency reparations awards under Subsection (1) to any amount the [board] office considers necessary.

Section 64. Section 63M-7-525 is amended to read:

63M-7-525. Purpose -- Not entitlement program.

(1) (a) The purpose of the office is to assist victims of criminally injurious conduct who may be eligible for assistance from the fund.

(b) Reparation to a victim under this part is limited to the money available in the fund.

(2) (a) The assistance program described in Subsection (1) is not an entitlement program.

(b) A reparations award may be limited or denied as determined appropriate by the [board] office.

(c) Failure to grant a reparations award does not create a cause of action against the office, the state, or any of its subdivisions and there is no right to judicial review over the

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decision whether or not to grant a reparations award.

(3) A cause of action based on a failure to give or receive the notice required by this part does not accrue to any person against the state, any of its agencies or local subdivisions, any of their law enforcement officers or other agents or employees, or any health care or medical provider or its agents or employees nor does it affect or alter any requirement for filing or payment of a reparations claim.

Section 65. Section 63M-7-902 is amended to read:

63M-7-902. Creation -- Membership -- Terms -- Vacancies -- Expenses.

(1) There is created the Utah Victim Services Commission within the State Commission on Criminal and Juvenile Justice.

(2) The commission is composed of the following members:

(a) the executive director of the State Commission on Criminal and Juvenile Justice or the executive director's designee;

(b) the director of the Utah Office for Victims of Crime or the director's designee;

[(c) the executive director of the Department of Health and Human Services or the executive director's designee;]

[(d)] (c) the executive director of the Department of Corrections or the executive director's designee;

[(e)] (d) the director of the Division of Multicultural Affairs or the director's designee;

[(f)] (e) the executive director of the state sexual assault coalition for this state or the executive director's designee;

[(g)] (f) the executive director of the state domestic violence coalition for this state or the executive director's designee;

[(h)] (g) the executive director of the tribal coalition for this state or the executive director's designee;

[(i)] (h) the director of the Children's Justice Center Program in the Office of the Attorney General or the director's designee;

[(j) the chair of the Children's Justice Center Standing Committee or the chair's designee;]

[(k)] (i) the attorney general or the attorney general's designee;

[(l)] (j) the commissioner of the Department of Public Safety or the commissioner's

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designee:

~~[(m)] (k) a criminal justice system based advocate, appointed by the governor with the advice and consent of the Senate;~~

~~[(n)] (l) a prosecuting attorney, appointed by the governor with the advice and consent of the Senate;~~

~~[(o)] (m) a criminal defense attorney, appointed by the governor with the advice and consent of the Senate;~~

~~[(p)] (n) a law enforcement representative from the Utah Sheriffs Association or Utah Chiefs of Police Association, appointed by the governor with the advice and consent of the Senate; and~~

~~[(q) an individual who is a victim of crime, appointed by the governor with the advice and consent of the Senate;]~~

~~[(r)] (o) an individual who is a current [or former representative from the House of Representatives or has experience or expertise with the legislative process, appointed by the speaker of the House of Representatives; and] representative from the House of Representatives or senator from the Senate, appointed jointly by the speaker of the House of Representatives and president of the Senate.~~

~~[(s) an individual who is a current or former senator from the Senate or has experience or expertise with the legislative process, appointed by the president of the Senate.]~~

~~(3) (a) A member appointed under Subsections [(2)(m) through (s)] (2)(k) through (o) shall serve a four-year term.~~

~~(b) A member appointed to serve a four-year term is eligible for reappointment.~~

~~(4) When a vacancy occurs in the membership of the commission for any reason, the replacement shall be appointed by the applicable appointing authority for the remainder of the unexpired term of the original appointment.~~

~~(5) Except as otherwise provided in Subsection [(5)] (6), a member may not receive compensation for the member's service but may receive per diem and reimbursement for travel expenses incurred as a member at the rates established by:~~

~~(a) Section 63A-3-106;~~

~~(b) Section 63A-3-107; and~~

~~(c) rules made by the Division of Finance according to Sections 63A-3-106 and~~

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63A-3-107.

(6) A member may not receive per diem or reimbursement for travel expenses under Subsection (5) if the member is being paid by a governmental entity while performing the member's service on the commission.

Section 66. Section 63M-7-904 is amended to read:

63M-7-904. Duties of the commission -- Report.

(1) The commission shall:

(a) advocate for the adoption, repeal, or modification of laws or proposed legislation in the interest of victims of crime;

(b) select and appoint individuals in accordance with Section 77-37-5 to act as chairpersons of the judicial district victims' rights committees and provide assistance to the committees in their operations;

(c) make recommendations to the Legislature, the governor, and the Judicial Council on the following:

(i) enforcing existing rights of victims of crime;

(ii) enhancing rights of victims of crime;

(iii) the role of victims of crime in the criminal justice system;

(iv) victim restitution;

(v) educating and training criminal justice professionals on the rights of victims of crime; and

(vi) enhancing services to victims of crimes; and

(d) provide training on the rights of victims of crime.

(2) The commission shall, in partnership with state agencies and organizations, including the Children's Justice Center Program, the Utah Office for Victims of Crime, [the Utah Council on Victims of Crime,] and the Division of Child and Family Services:

(a) review and assess the duties and practices of the State Commission on Criminal and Juvenile Justice regarding services and criminal justice policies pertaining to victims;

(b) encourage and facilitate the development and coordination of trauma-informed services for crime victims throughout the state;

(c) encourage and foster public and private partnerships for the purpose of:

(i) assessing needs for crime victim services throughout the state;

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(ii) developing crime victim services and resources throughout the state; and

(iii) coordinating crime victim services and resources throughout the state;

(d) generate unity for ongoing efforts to reduce and eliminate the impact of crime on victims through a comprehensive and evidence-based prevention, treatment, and justice strategy;

(e) recommend and support the creation, dissemination, and implementation of statewide policies and plans to address crimes, including domestic violence, sexual violence, child abuse, and driving under the influence of drugs and alcohol;

~~[(f) develop a systematic process and clearinghouse for the collection and dissemination of data on domestic violence and sexual violence;]~~

~~[(g)] (f) collect information on statewide funding for crime victim services and prevention efforts, including the sources, disbursement, and outcomes of statewide funding for crime victim services and prevention efforts;~~

~~[(h)] (g) consider recommendations from any subcommittee of the commission; and~~

~~[(i)] (h) make recommendations regarding;~~

~~(i) the duties and practices of the State Commission on Criminal and Juvenile Justice to ensure that:~~

~~(A) crime victims are a vital part of the criminal justice system of the state;~~

~~(B) all crime victims and witnesses are treated with dignity, respect, courtesy, and sensitivity; and~~

~~(C) the rights of crime victims and witnesses are honored and protected by law in a manner no less vigorous than protections afforded to criminal defendants; and~~

~~(ii) statewide funding for crime victim services and prevention efforts.~~

~~[(2)] (3) The commission may:~~

~~(a) subject to court rules and the governor's approval, advocate in an appellate court on behalf of a victim of crime as described in Subsection 77-38-11(2)(a)(ii); and~~

~~(b) recommend to the Legislature the services to be funded by the Victim Services Restricted Account.~~

~~[(3)] (4) The commission shall report the commission's recommendations annually to the State Commission on Criminal and Juvenile Justice, the governor, the Judicial Council, the Executive Offices and Criminal Justice Appropriations Subcommittee, the Health and Human~~

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Services Interim Committee, the Judiciary Interim Committee, and the Law Enforcement and Criminal Justice Interim Committee.

[(4)] (5) When taking an action or making a recommendation, the commission shall respect that a state agency is bound to follow state law and may have duties or responsibilities imposed by state law.

Section 67. Section 63N-4-502 is amended to read:

63N-4-502. Definitions.

As used in this part:

[(1)] "Advisory committee" means the Rural Online Working Hubs Grant Advisory Committee created in Section 63N-4-505.]

[(2)] (1) "Coworking and innovation center" means a facility designed to provide individuals with the infrastructure and equipment to participate in the online workforce.

[(3)] (2) "Entity" means a county, city, nonprofit organization, or institution of higher education.

[(4)] (3) "Grant" means a grant awarded as part of the Rural Coworking and Innovation Center Grant Program created in Section 63N-4-503.

[(5)] (4) "Grant program" means the Rural Coworking and Innovation Center Grant Program created in Section 63N-4-503.

[(6)] (5) "Rural area" means any area in any county in the state except Salt Lake, Utah, Davis, Weber, Washington, Cache, Tooele, and Summit counties.

Section 68. Section 63N-4-504 is amended to read:

63N-4-504. Requirements for awarding a working hubs grant.

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office shall make rules establishing the eligibility and reporting criteria for an entity to receive a grant under this part, including:

- (a) the form and process of submitting an application to the office for a grant;
- (b) which entities are eligible to apply for a grant;
- (c) the method and formula for determining grant amounts; and
- (d) the reporting requirements of grant recipients.

(2) In determining the award of a grant, the office may prioritize projects:

- (a) that will serve underprivileged or underserved communities, including communities

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with high unemployment or low median incomes;

(b) where an applicant demonstrates comprehensive planning of the project but has limited access to financial resources, including financial resources from local or county government; and

(c) that maximize economic development opportunities in collaboration with the economic development needs or plans of an educational institution, a county, and a municipality.

(3) Subject to legislative appropriation, a grant may only be awarded by the executive director [after consultation with the advisory committee].

(4) A grant may only be awarded under this part:

(a) if the grant recipient agrees to provide any combination of funds, land, buildings, or in-kind work in an amount equal to at least 25% of the grant;

(b) if the grant recipient agrees not to use grant money for the ongoing operation or maintenance of a coworking and innovation center; and

(c) in an amount no more than \$500,000 to a grant applicant.

Section 69. Section 73-3d-201 is amended to read:

73-3d-201. Declaration of a temporary water shortage emergency by the governor.

(1) (a) Subject to the requirements of this section, the governor may declare a temporary water shortage emergency by issuing an executive order if, on the governor's own initiative or at the request of a person entitled to make a request, the governor determines that an existing or imminent short-term interruption of water delivery in this state caused by manmade or natural causes other than drought:

(i) threatens:

(A) the availability or quality of an essential water supply or water supply infrastructure; or

(B) the operation of the economy; and

(ii) because of the threats described in Subsection (1)(a)(i), jeopardizes the peace, health, safety, or welfare of the people of this state.

(b) The governor may only issue the executive order declaring a temporary water shortage emergency described in Subsection (1)(a):

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(i) with the advice and recommendation of the state engineer; and

(ii) in consultation with the emergency management administration [committee] council created by Section 53-2a-105.

(c) An executive order issued under this Subsection (1) shall state with specificity:

(i) the nature of the interruption of water supply;

(ii) subject to Subsection (2), the time period for which the temporary water shortage emergency is declared;

(iii) a description of the geographic area that is subject to the executive order;

(iv) a list of the specific persons entitled to make a request who may exercise the preferential use of water under Section 73-3d-301 during the effective period of the temporary water shortage emergency; and

(v) the purposes outlined in Subsection 73-3d-301(1) for which a person who is described in Subsection (1)(c)(iv) may take the water subject to Section 73-3d-301.

(d) Before providing a recommendation to the governor under Subsection (1)(b)(i), the state engineer shall require a person entitled to make a request who is described in Subsection (1)(c)(iv) to provide a written statement describing how the person entitled to make a request has exhausted other reasonable means to acquire water.

(e) A person entitled to make a request who is described in Subsection (1)(c)(iv) may take water preferentially during a temporary water shortage emergency only for a purpose authorized by the executive order.

(f) (i) Within seven calendar days of the day on which the governor issues an executive order declaring a temporary water shortage emergency, the Legislative Management Committee shall:

(A) review the executive order;

(B) advise the governor on the declaration of a temporary water shortage emergency;

and

(C) recommend to the Legislature whether the executive order should be kept as issued by the governor, extended, or terminated.

(ii) The failure of the Legislative Management Committee to meet as required by Subsection (1)(f)(i) does not affect the validity of the executive order declaring a temporary water shortage emergency.

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(2) (a) The governor shall state in an executive order declaring a temporary water shortage emergency the time period for which the temporary water shortage emergency is declared, except that the governor may not declare a temporary water shortage emergency for longer than 30 days after the date the executive order is issued.

(b) The governor may terminate an executive order declaring a temporary water shortage emergency before the expiration of the time period stated in the executive order.

(c) An executive order declaring a temporary water emergency issued by the governor within 30 days of the expiration or termination of a prior executive order for the same emergency is considered an extension subject to Subsection (2)(e).

(d) The Legislature may extend the time period of an executive order declaring a temporary water shortage emergency by joint resolution, except that the Legislature may not extend a temporary water shortage emergency for longer than one year from the day on which the executive order declaring a temporary water shortage emergency is issued.

(e) An executive order declaring a temporary water shortage emergency may be renewed or extended only by joint resolution of the Legislature.

Section 70. Section 77-37-5 is amended to read:

77-37-5. Remedies -- District Victims' Rights Committee.

(1) In each judicial district, the Utah [~~Council on Victims of Crime~~] Victim Services Commission, established in Section [~~63M-7-601~~] 63M-7-902, shall appoint a person who shall chair a judicial district victims' rights committee consisting of:

(a) a county attorney or district attorney;

(b) a sheriff;

(c) a corrections field services administrator;

(d) an appointed victim advocate;

(e) a municipal attorney;

(f) a municipal chief of police; and

(g) other representatives as appropriate.

(2) The committee shall meet at least semiannually to review progress and problems related to this chapter, [~~Title 77, Chapter 38, Crime Victims, Title 77, Chapter 38b, Crime Victims Restitution Act,~~] Chapter 38, Crime Victims, Chapter 38b, Crime Victims Restitution Act, and Utah Constitution Article I, Section 28. Victims and other interested parties may

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submit matters of concern to the victims' rights committee. The committee may hold a hearing open to the public on any appropriate matter of concern and may publish its findings. These matters shall also be considered at the meetings of the victims' rights committee. The committee shall forward minutes of all meetings to the Utah [Council on Victims of Crime] Victim Services Commission for review and other appropriate action.

(3) If a victims' rights committee is unable to resolve a complaint, it may refer the complaint to the Utah [Council on Victims of Crime] Victim Services Commission.

(4) The Utah Office for Victims of Crime shall provide materials to local law enforcement to inform every victim of a sexual offense of the right to request testing of the convicted sexual offender and of the victim as provided in Section 53-10-802.

(5) (a) If a person acting under color of state law willfully or wantonly fails to perform duties so that the rights in this chapter are not provided, an action for injunctive relief may be brought against the individual and the government entity that employs the individual.

(b) For all other violations, if the committee finds a violation of a victim's right, it shall refer the matter to the appropriate court for further proceedings consistent with Subsection 77-38-11(2).

(c) The failure to provide the rights in this chapter or [Title 77, Chapter 38, Crime Victims] Chapter 38, Crime Victims, does not constitute cause for a judgment against the state or any government entity, or any individual employed by the state or any government entity, for monetary damages, attorney fees, or the costs of exercising any rights under this chapter.

(6) The person accused of and subject to prosecution for the crime or the act which would be a crime if committed by a competent adult, has no standing to make a claim concerning any violation of the provisions of this chapter.

Section ~~{70}~~71. Section **80-2-402** is amended to read:

80-2-402. Child welfare training coordinator -- Mandatory education and training of child welfare caseworkers -- Development of curriculum.

(1) There is created within the division a full-time position of a child welfare training coordinator.

(2) The child welfare training coordinator is not responsible for direct casework services or the supervision of casework services, but is required to:

(a) develop child welfare curriculum that:

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(i) is current and effective, consistent with the division's mission and purpose for child welfare; and

(ii) utilizes curriculum and resources from a variety of sources including those from:

(A) the public sector;

(B) the private sector; and

(C) inside and outside of the state;

(b) recruit, select, and supervise child welfare trainers;

(c) develop a statewide training program, including a budget and identification of sources of funding to support that training;

(d) evaluate the efficacy of training in improving job performance;

(e) assist child protective services and foster care workers in developing and fulfilling their individual training plans;

(f) monitor staff compliance with division training requirements and individual training plans; and

(g) expand the collaboration between the division and schools of social work within institutions of higher education in developing child welfare services curriculum, and in providing and evaluating training.

(3) The director shall, with the assistance of the child welfare training coordinator, establish and ensure child welfare caseworker competency regarding a core curriculum for child welfare services that:

(a) is driven by child safety and family well-being;

(b) emphasizes child and family voice;

(c) ~~is trauma-informed, as defined in Section 63M-7-209~~ is based on a policy, procedure, program, or practice that demonstrates an ability to minimize retraumatization associated with the criminal and juvenile justice system; and

(d) is consistent with national child welfare practice standards.

(4) A child welfare caseworker shall complete training in:

(a) the legal duties of a child welfare caseworker;

(b) the responsibility of a child welfare caseworker to protect the safety and legal rights of children, parents, and families at all stages of a case, including:

(i) initial contact;

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- (ii) safety and risk assessment, as described in Section 80-2-403; and
- (iii) intervention;
- (c) recognizing situations involving:
 - (i) substance abuse;
 - (ii) domestic violence;
 - (iii) abuse; and
 - (iv) neglect; and
- (d) the relationship of the Fourth and Fourteenth Amendments of the Constitution of the United States to the child welfare caseworker's job, including:
 - (i) search and seizure of evidence;
 - (ii) the warrant requirement;
 - (iii) exceptions to the warrant requirement; and
 - (iv) removing a child from the custody of the child's parent or guardian.
- (5) The division shall train the division's child welfare caseworkers to:
 - (a) apply the risk assessment tools and rules described in Subsection 80-1-102(83); and
 - (b) develop child and family plans that comply with:
 - (i) federal mandates; and
 - (ii) the specific needs of the child and the child's family.
- (6) The division shall use the training of child welfare caseworkers to emphasize:
 - (a) the importance of maintaining the parent-child relationship;
 - (b) the preference for providing in-home services over taking a child into protective custody, both for the emotional well-being of the child and the efficient allocation of resources;
- and
 - (c) the importance and priority of:
 - (i) kinship placement in the event a child must be taken into protective custody; and
 - (ii) guardianship placement, in the event the parent-child relationship is legally terminated and no appropriate adoptive placement is available.
- (7) If a child welfare caseworker is hired, before assuming independent casework responsibilities, the division shall ensure that the child welfare caseworker has:
 - (a) completed the training described in Subsections (4), (5), and (6); and
 - (b) participated in sufficient skills development for a child welfare caseworker.

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Section 72. Repealer.

This bill repeals:

Section 26B-1-419, Utah Health Care Workforce Financial Assistance Program

Advisory Committee -- Membership -- Compensation -- Duties.

Section 35A-13-504, Appointment of advisory council.

Section 53-11-125, Exemptions from licensure.

Section 63M-7-209 (Superseded 07/01/24), Trauma-informed justice program.

Section 63M-7-209 (Effective 07/01/24), Trauma-informed justice program.

Section 63N-4-505, Rural Online Working Hubs Grant Advisory Committee --

Membership -- Duties -- Expenses.

Section ~~{71}~~73. Effective date.

(1) Except as provided in Subsections (2) through (4), this bill takes effect on October 1, 2024.

~~(2) The actions affecting the following sections take effect on May 1, 2024:~~

~~— (a) Section 26B-1-204 (Superseded 07/01/24);~~

~~— (b) Section 26B-1-419;~~

~~— (c) Section 26B-4-702;~~

~~— (d) Section 35A-13-504;~~

~~— (e) Section 53-11-125;~~

~~— (f) Section 63C-1-103;~~

~~— (g) Section 63I-1-209;~~

~~— (h) Section 63I-1-235;~~

~~— (i) Section 63I-1-236;~~

~~— (j) Section 63I-1-253 (Superseded 07/01/24);~~

~~— (k) Section 63I-1-263;~~

~~— (l) Section 63I-2-209;~~

~~— (m) Section 63I-2-226 (Superseded 07/01/24);~~

~~— (n) Section 63I-2-235;~~

~~— (o) Section 63I-2-236;~~

~~— (p) Section 63I-2-258;~~

~~— (q) Section 63I-2-263;~~

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- ~~(r) Section 63N-4-502;~~
- ~~(s) Section 63N-4-504;~~
- ~~(t) Section 63N-4-505; and~~
- ~~(u) Section 73-3d-201.~~
- ~~(3)} The actions affecting the following sections take effect on ~~July~~ May 1, 2024:~~
- ~~{ (a) Section 11-48-103 (Effective 07/01/24);~~
- ~~† (b}a) Section 26B-1-204 (~~{Effective}~~ Superseded 07/01/24);~~
- (b) Section 26B-1-419;
- ~~(c) Section ~~{53-1-104 (Effective 07/01/24)}~~ 26B-4-702;~~
- ~~(d) Section ~~{53-2d-101 (Effective 07/01/24)}~~ 35A-13-504;~~
- ~~(e) Section ~~{53-2d-104 (Effective 07/01/24)}~~ 53-11-125;~~
- ~~(f) Section ~~{53-2d-105 (Effective 07/01/24)}~~ 63C-1-103;~~
- ~~(g) Section ~~{53-2d-305 (Effective 07/01/24)}~~ 63I-1-209;~~
- ~~(h) Section ~~{53-2d-903 (Effective 07/01/24)}~~ 63I-1-235;~~
- (i) Section 63I-1-236;
- ~~(f}i) Section ~~{63I-1-226}~~ 63I-1-253 (~~{Effective}~~ Superseded 07/01/24);~~
- ~~(f}j}k) Section ~~{63I-1-253 }~~ 63I-1-263;~~
- ~~(~~{Eff 07/01/24}~~l) ~~{(Cont Sup 01/01/25)}~~ Section 63I-2-209;~~
- ~~(f}k}m) Section 63I-2-226 (~~{Effective}~~ Superseded 07/01/24);~~
- ~~(f}l}n) Section 63I-2-235;~~
- (o) Section 63I-2-236;
- ~~(p) Section ~~{63I-2-253 (Effective 07/01/24)}~~ 63I-2-258;~~
- (q) Section 63I-2-263;
- (r) Section 63M-7-204; ~~{and}~~
- ~~(f}m}s) Section 63M-7-209 (~~{Effective 07/01/24}~~;~~
- † Superseded 07/01/24);
- (t) Section 63M-7-209 (Effective 07/01/24).
- (u) Section 63N-4-502;
- (v) Section 63N-4-504;
- (w) Section 73-3d-201; and
- (x) Section 80-2-402.

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(3) The actions affecting the following sections take effect on July 1, 2024:

(a) Section 26B-1-204 (Effective 07/01/24);

(b) Section 63I-1-226 (Effective 07/01/24);

(c) Section 63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25);

(d) Section 63I-2-226 (Effective 07/01/24); and

(e) Section 63I-2-253 (Effective 07/01/24).

(4) The actions affecting Section 63I-1-253 (Contingently Effective 01/01/25) contingently take effect on January 1, 2025.