

**Senator Daniel McCay** proposes the following substitute bill:

**STATE BOARDS AND COMMISSIONS MODIFICATIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Calvin R. Musselman**

Senate Sponsor: Daniel McCay

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**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;
- ▶ repeals the arts collection committee 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;
- ▶ repeals the Opioid and Overdose Fatality Review Committee;
- ▶ 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;
- ▶ repeals the Stroke Registry Advisory Committee;
- ▶ repeals the Cardiac Registry Advisory Committee;
- ▶ repeals the Multi-Disciplinary Trauma-Informed Committee;
- ▶ modifies the membership of the State Commission on Criminal and Juvenile Justice;
- ▶ requires law enforcement agencies and other organizations that provide domestic violence services to submit certain data to the State Commission on Criminal and Juvenile Justice;
- ▶ 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 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.

This bill provides a coordination clause.

**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-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

**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

**53-9-102**, 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

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

**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-1-235**, 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

119           **63I-2-226 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33,  
120 139, 249, 295, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter  
121 329

122           **63I-2-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33,  
123 139, 249, 295, 310, and 465 and repealed and reenacted by Laws of Utah 2023,  
124 Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapter  
125 329

126           **63I-2-235**, as last amended by Laws of Utah 2022, Chapter 21

127           **63I-2-236**, as last amended by Laws of Utah 2023, Chapters 87, 101 and 273

128           **63I-2-253 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7, 21,  
129 33, 142, 167, 168, 310, 380, 383, and 467

130           **63I-2-263**, as last amended by Laws of Utah 2023, Chapters 33, 139, 212, 354, and 530

131           **63M-7-202**, as last amended by Laws of Utah 2023, Chapter 150

132           **63M-7-204**, as last amended by Laws of Utah 2023, Chapters 158, 330, 382, and 500

133           **63M-7-218**, as last amended by Laws of Utah 2023, Chapters 158, 161 and 382

134           **63M-7-502**, as last amended by Laws of Utah 2022, Chapters 148, 185 and 430

135           **63M-7-506**, as last amended by Laws of Utah 2020, Chapter 149

136           **63M-7-507**, as last amended by Laws of Utah 2020, Chapter 149

137           **63M-7-508**, as last amended by Laws of Utah 2020, Chapter 149

138           **63M-7-511**, as last amended by Laws of Utah 2023, Chapter 158

139           **63M-7-516**, as last amended by Laws of Utah 2020, Chapter 149

140           **63M-7-517**, as last amended by Laws of Utah 2020, Chapter 149

141           **63M-7-519**, as last amended by Laws of Utah 2020, Chapter 149

142           **63M-7-521.5**, as last amended by Laws of Utah 2020, Chapter 149

143           **63M-7-522**, as last amended by Laws of Utah 2020, Chapter 149

144           **63M-7-525**, as last amended by Laws of Utah 2020, Chapter 149

145           **63M-7-902**, as enacted by Laws of Utah 2023, Chapter 150

146           **63M-7-904**, as enacted by Laws of Utah 2023, Chapter 150

147           **63N-4-502**, as last amended by Laws of Utah 2022, Chapter 129

148           **63N-4-504**, as enacted by Laws of Utah 2019, Chapter 467

149           **73-3d-201**, as enacted by Laws of Utah 2023, Chapter 126

150           **80-2-402**, as renumbered and amended by Laws of Utah 2022, Chapter 334  
151 ENACTS:  
152           **63C-1-103**, Utah Code Annotated 1953  
153           **63M-7-220**, Utah Code Annotated 1953  
154 REPEALS:  
155           **26B-1-403**, as renumbered and amended by Laws of Utah 2023, Chapter 305  
156           **26B-1-407 (Superseded 07/01/24)**, as renumbered and amended by Laws of Utah  
157 2023, Chapter 305  
158           **26B-1-408 (Superseded 07/01/24)**, as renumbered and amended by Laws of Utah  
159 2023, Chapter 305  
160           **53-2d-903 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023,  
161 Chapters 305, 310  
162           **53-2d-904 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023,  
163 Chapters 305, 310  
164           **26B-1-419**, as renumbered and amended by Laws of Utah 2023, Chapter 305  
165           **35A-13-504**, as renumbered and amended by Laws of Utah 2016, Chapter 271  
166           **53-11-125**, as enacted by Laws of Utah 2018, Chapter 462  
167           **63M-7-209 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapter  
168 330  
169           **63M-7-209 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 310,  
170 330  
171           **63N-4-505**, as enacted by Laws of Utah 2019, Chapter 467  
172 **Utah Code Sections Affected By Coordination Clause:**  
173           **9-6-301**, as repealed and reenacted by Laws of Utah 2020, Chapter 419

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

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

177           **9-6-102. Definitions.**

178           As used in this chapter:

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

181 and cultural vitality.

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

184 (3) "Development" includes:

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

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

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

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

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

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

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

196 (b) has an educational or aesthetic purpose;

197 (c) owns or curates a tangible collection; and

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

199 ~~[(7) "Museums board" means the Utah Museums Advisory Board created in Section~~  
200 ~~9-6-305.]~~

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

202 **9-6-202. Division director.**

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

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

207 (3) In addition to the division, the director is the chief administrative officer for~~[-(a)]~~  
208 the Utah Arts and Museums Advisory Board created in Section 9-6-301~~[-and]~~.

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

210 *The following section is affected by a coordination clause at the end of this bill.*

211 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:]~~

~~[(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;]~~

243           ~~[(3)]~~ (4) The governor shall appoint members described in Subsection (3) from the  
244 state at large with due consideration for geographical representation.

245           ~~[(4)]~~ (5) When a vacancy occurs in the membership for any reason, the governor shall  
246 appoint a replacement member for the unexpired term within one month from the time of the  
247 vacancy.

248           ~~[(5)]~~ (6) A simple majority of the voting members of the arts and museums board  
249 constitutes a quorum for the transaction of business.

250           ~~[(6)]~~ (7) (a) The arts and museums board members shall elect a chair and a vice chair  
251 from among the arts and museums board's members.

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

253           ~~[(7)]~~ (8) The arts and museums board shall meet at least ~~[once]~~ twice each year.

254           ~~[(8)]~~ (9) A member of the arts and museums board may not receive compensation or  
255 benefits for the member's service, but may receive per diem and travel expenses in accordance  
256 with:

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

258           (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
259 63A-3-107.

260           ~~[(9)]~~ (10) Except as provided in Subsection ~~[(8)]~~ (9), a member may not receive any  
261 gifts, prizes, or awards of money from division funds during the member's term of office.

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

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

264           **9-6-302. Arts and museums board powers and duties.**

265           (1) The arts and museums board may:

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

269           (b) receive gifts, bequests, and property.

270           (2) The arts and museums board shall:

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

272           (b) ~~[appoint an arts collection committee as described in Section 9-6-303 to]~~ in  
273 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 and museums 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 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.

(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 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).

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

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

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

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

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

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

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

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

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

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

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

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

519 (35) cooperate with the Labor Commission to conduct studies of occupational health  
520 hazards and occupational diseases arising in and out of employment in industry, and make  
521 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 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 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;
- ~~[(j)]~~ (i) Adult Autism Treatment Program Advisory Committee;
- ~~[(k)]~~ (j) Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee;

584 and

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

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

588 (a) relating to operations:

589 (i) the Division of Finance and Administration;

590 (ii) the Division of Licensing and Background Checks;

591 (iii) the Division of Customer Experience;

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

593 (v) the Division of Continuous Quality Improvement;

594 (b) relating to healthcare administration:

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

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

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

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

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

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

602 (i) the Division of Child and Family Services;

603 (ii) the Division of Family Health;

604 (iii) the Division of Population Health;

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

606 (v) the Office of Recovery Services.

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

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

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

614 **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:
  - (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-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 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

708 repayment assistance;

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

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

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

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

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

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

723 ~~[(5) The department shall seek and consider the recommendations of the Utah Health~~  
724 ~~Care Workforce Financial Assistance Program Advisory Committee created under Section~~  
725 ~~26B-1-419 as it develops and modifies rules to administer the program.]~~

726 ~~[(6)]~~ (5) Funding for the program:

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

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

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

732 ~~[(7)]~~ (6) Refunds for loan repayment assistance, penalties for breach of contract, and  
733 other payments to the program are dedicated credits to the program.

734 ~~[(8)]~~ (7) The department shall prepare an annual report on the revenues, expenditures,  
735 and outcomes of the program.

736 Section 13. Section **26B-8-231** is amended to read:

737 **26B-8-231. Overdose fatality examiner.**

738 (1) Within funds appropriated by the Legislature, the department shall provide

compensation, at a standard rate determined by the department, to an overdose fatality 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); and

(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 created in Section 26B-1-403.]~~

Section 14. 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.

(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.

(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

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

(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

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

Section 15. 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

(h) the Senate Ethics Committee established under Legislative Joint Rule [JR6-2-101](#).

Section 16. 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;

956           ~~[(x)]~~ (viii) the Utah Sheriffs Association;  
957           ~~[(xi)]~~ (ix) the Board of Pardons and Parole;  
958           (x) the Department of Health and Human Services;  
959           (xi) the Utah Division of Indian Affairs; and  
960           ~~[(xii) a representative from a bail bond agency; and]~~  
961           ~~[(xiii)]~~ (xii) any other organizations or groups as recommended by the executive  
962 director of the Commission on Criminal and Juvenile Justice.

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

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

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

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

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

973           (b) A member of the task force who is not a legislator:  
974           (i) may not receive compensation for the member's work associated with the task force;  
975 and  
976           (ii) may receive per diem and reimbursement for travel expenses incurred as a member  
977 of the task force at the rates established by the Division of Finance under Sections 63A-3-106  
978 and 63A-3-107.

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

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

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

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

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

987 (d) the collection of domestic violence data in the state; and  
988 ~~[(d)]~~ (e) the collection of data not already required related to criminal justice.  
989 ~~[(8) On or before November 30 of each year that the task force is in effect, the task~~  
990 ~~force shall provide a report, including any proposed legislation, to:]~~  
991 ~~[(a) the Law Enforcement and Criminal Justice Interim Committee; and]~~  
992 ~~[(b) the Legislative Management Committee.]~~  
993 ~~[(9) The task force is repealed July 1, 2025.]~~  
994 (8) On or before November 30 of each year, the task force shall provide a report to the  
995 Law Enforcement and Criminal Justice Interim Committee and the Legislative Management  
996 Committee that includes:  
997 (a) recommendations in accordance with Subsection (7)(a);  
998 (b) information on:  
999 (i) lethality assessments conducted in the state, including:  
1000 (A) the type of lethality assessments used by law enforcement agencies and other  
1001 organizations that provide domestic violence services; and  
1002 (B) training and protocols implemented by law enforcement agencies and the  
1003 organizations described in Subsection (8)(b)(i)(A) regarding the use of lethality assessments;  
1004 (ii) the data collection efforts implemented by law enforcement agencies and the  
1005 organizations described in Subsection (8)(b)(i)(A);  
1006 (iii) the number of cohabitant abuse protective orders that, in the immediately  
1007 preceding calendar year, were:  
1008 (A) issued;  
1009 (B) amended or dismissed before the date of expiration; or  
1010 (C) dismissed under Section [78B-7-605](#); and  
1011 (iv) the prevalence of domestic violence in the state and the prevalence of the  
1012 following in domestic violence cases:  
1013 (A) stalking;  
1014 (B) strangulation;  
1015 (C) violence in the presence of a child; and  
1016 (D) threats of suicide or homicide;  
1017 (c) a review of and feedback on:

(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 17. 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

1049 sale; and

1050 (iii) the terms of the sale are publicly disclosed before the public body approves the  
1051 sale;

1052 (f) discussion regarding deployment of security personnel, devices, or systems;

1053 (g) investigative proceedings regarding allegations of criminal misconduct;

1054 (h) as relates to the Independent Legislative Ethics Commission, conducting business  
1055 relating to the receipt or review of ethics complaints;

1056 (i) as relates to an ethics committee of the Legislature, a purpose permitted under  
1057 Subsection 52-4-204(1)(a)(iii)(C);

1058 (j) as relates to the Independent Executive Branch Ethics Commission created in  
1059 Section 63A-14-202, conducting business relating to an ethics complaint;

1060 (k) as relates to a county legislative body, discussing commercial information as  
1061 defined in Section 59-1-404;

1062 (l) as relates to the Utah Higher Education Savings Board of Trustees and its appointed  
1063 board of directors, discussing fiduciary or commercial information;

1064 (m) deliberations, not including any information gathering activities, of a public body  
1065 acting in the capacity of:

1066 (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code,  
1067 during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;

1068 (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a  
1069 decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or

1070 (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement  
1071 Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17,  
1072 Procurement Appeals Board;

1073 (n) the purpose of considering information that is designated as a trade secret, as  
1074 defined in Section 13-24-2, if the public body's consideration of the information is necessary to  
1075 properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;

1076 (o) the purpose of discussing information provided to the public body during the  
1077 procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of  
1078 the meeting:

1079 (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be

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);

1111 ~~[(e) a meeting of the Opioid and Overdose Fatality Review Committee, created in~~  
1112 ~~Section 26B-1-403, to review and discuss an individual case, as described in Subsection~~  
1113 ~~26B-1-403(10);]~~

1114 ~~[(d)]~~ (c) a meeting of a conservation district as defined in Section 17D-3-102 for the  
1115 purpose of advising the Natural Resource Conservation Service of the United States  
1116 Department of Agriculture on a farm improvement project if the discussed information is  
1117 protected information under federal law;

1118 ~~[(e)]~~ (d) a meeting of the Compassionate Use Board established in Section 26B-1-421  
1119 for the purpose of reviewing petitions for a medical cannabis card in accordance with Section  
1120 26B-1-421;

1121 ~~[(f)]~~ (e) a meeting of the Colorado River Authority of Utah if:

1122 (i) the purpose of the meeting is to discuss an interstate claim to the use of the water in  
1123 the Colorado River system; and

1124 (ii) failing to close the meeting would:

1125 (A) reveal the contents of a record classified as protected under Subsection  
1126 63G-2-305(82);

1127 (B) reveal a legal strategy relating to the state's claim to the use of the water in the  
1128 Colorado River system;

1129 (C) harm the ability of the Colorado River Authority of Utah or river commissioner to  
1130 negotiate the best terms and conditions regarding the use of water in the Colorado River  
1131 system; or

1132 (D) give an advantage to another state or to the federal government in negotiations  
1133 regarding the use of water in the Colorado River system;

1134 ~~[(g)]~~ (f) a meeting of the General Regulatory Sandbox Program Advisory Committee  
1135 if:

1136 (i) the purpose of the meeting is to discuss an application for participation in the  
1137 regulatory sandbox as defined in Section 63N-16-102; and

1138 (ii) failing to close the meeting would reveal the contents of a record classified as  
1139 protected under Subsection 63G-2-305(83);

1140 ~~[(h)]~~ (g) a meeting of a project entity if:

1141 (i) the purpose of the meeting is to conduct a strategy session to discuss market

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

~~[(t)]~~ (h) 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 18. 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.**

1173 (1) The following are the policymaking boards and committees within the department:

1174 (a) the [State] Trauma System and Emergency Medical Services Committee created in

1175 Section 53-2d-104;

1176 (b) the Air Ambulance Committee created in Section 53-2d-107;

1177 (c) the Driver License Medical Advisory Board, created in Section 53-3-303;

1178 (d) the Concealed Firearm Review Board, created in Section 53-5-703;

1179 (e) the Utah Fire Prevention Board, created in Section 53-7-203;

1180 (f) the Liquified Petroleum Gas Board, created in Section 53-7-304; and

1181 (g) [~~the Private Investigator Hearing and Licensure Board, created in Section~~

1182 53-9-104.] the Bail Bond Recovery and Private Investigator Licensure Board created in Section

1183 53-11-104.

1184 (2) The Peace Officer Standards and Training Council, created in Section 53-6-106, is

1185 within the department.

1186 (3) The following are the divisions within the department:

1187 (a) the Administrative Services Division, created in Section 53-1-203;

1188 (b) the Management Information Services Division, created in Section 53-1-303;

1189 (c) the Division of Emergency Management, created in Section 53-2a-103;

1190 (d) the Driver License Division, created in Section 53-3-103;

1191 (e) the Criminal Investigations and Technical Services Division, created in Section

1192 53-10-103;

1193 (f) the Peace Officer Standards and Training Division, created in Section 53-6-103;

1194 (g) the State Fire Marshal Division, created in Section 53-7-103; and

1195 (h) the Utah Highway Patrol Division, created in Section 53-8-103.

1196 (4) The Office of Executive Protection is created in Section 53-1-112.

1197 (5) The following are the bureaus within the department:

1198 (a) the Bureau of Emergency Medical Services, created in Section 53-2d-102;

1199 (b) the Bureau of Criminal Identification, created in Section 53-10-201;

1200 (c) the State Bureau of Investigation, created in Section 53-10-301;

1201 (d) the Bureau of Forensic Services, created in Section 53-10-401; and

1202 (e) the Bureau of Communications, created in Section 53-10-501.

1203 Section 19. Section **53-1-106** is amended to read:

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

(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 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 20. 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

1266 the operation of the statewide mutual aid system, including:  
1267       (a) projected or anticipated costs of responding to emergencies;  
1268       (b) checklists for requesting and providing assistance;  
1269       (c) record keeping for participating political subdivisions;  
1270       (d) reimbursement procedures and other necessary implementation elements and  
1271 necessary forms for requests; and  
1272       (e) other records documenting deployment and return of assets.  
1273       (3) The council may prepare an annual report on the condition and effectiveness of the  
1274 statewide mutual aid system, make recommendations for correcting any deficiencies, and  
1275 submit the report to the Political Subdivisions Interim Committee.  
1276       ~~[(2)]~~ (4) The council shall meet at the call of the chair, but at least semiannually.  
1277       ~~[(3)]~~ (5) The council shall be made up of the:  
1278       (a) lieutenant governor, or the lieutenant governor's designee;  
1279       (b) attorney general, or the attorney general's designee;  
1280       (c) heads of the following state agencies, or their designees:  
1281       (i) Department of Public Safety;  
1282       (ii) Division of Emergency Management;  
1283       (iii) Department of Transportation;  
1284       (iv) Department of Health;  
1285       (v) Department of Environmental Quality;  
1286       (vi) Department of Workforce Services;  
1287       (vii) Department of Natural Resources;  
1288       (viii) Department of Agriculture and Food;  
1289       (ix) Division of Technology Services; and  
1290       (x) Division of Indian Affairs;  
1291       (d) adjutant general of the National Guard or the adjutant general's designee;  
1292       (e) statewide interoperability coordinator of the Utah Communications Authority or the  
1293 coordinator's designee;  
1294       (f) two representatives with expertise in emergency management appointed by the Utah  
1295 League of Cities and Towns;  
1296       (g) two representatives with expertise in emergency management appointed by the

1297 Utah Association of Counties;

1298 (h) up to four additional members with expertise in emergency management, critical  
1299 infrastructure, or key resources as these terms are defined under ~~[6 U.S. Code Section 101]~~ 6  
1300 U.S.C. Sec. 101 appointed from the private sector, by the co-chairs of the council;

1301 (i) two representatives appointed by the Utah Emergency Management Association;

1302 (j) one representative from the Urban Area Working Group, appointed by the council  
1303 co-chairs;

1304 (k) one representative from education, appointed by the council co-chairs; and

1305 (l) one representative from a volunteer or faith-based organization, appointed by the  
1306 council co-chairs.

1307 ~~[(4)]~~ (6) The commissioner and the lieutenant governor shall serve as co-chairs of the  
1308 council.

1309 ~~[(5)]~~ (7) A member may not receive compensation or benefits for the member's service,  
1310 but may receive per diem and travel expenses in accordance with:

1311 (a) Section 63A-3-106;

1312 (b) Section 63A-3-107; and

1313 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
1314 63A-3-107.

1315 ~~[(6)]~~ (8) The council shall coordinate with existing emergency management related  
1316 entities including:

1317 (a) the Emergency Management Regional Committees established by the Department  
1318 of Public Safety; and

1319 ~~[(b) the Statewide Mutual Aid Committee established under Section 53-2a-303; and]~~

1320 ~~[(c)]~~ (b) the Hazardous Chemical Emergency Response Commission designated under  
1321 Section 53-2a-703.

1322 ~~[(7)]~~ (9) The council may appoint additional members or establish other committees  
1323 and task forces as determined necessary by the council to carry out the duties of the council.

1324 Section 21. Section **53-2d-101 (Effective 07/01/24)** is amended to read:

1325 **53-2d-101 (Effective 07/01/24). Definitions.**

1326 As used in this chapter:

1327 (1) (a) "911 ambulance or paramedic services" means:

- 1328 (i) either:
- 1329 (A) 911 ambulance service;
- 1330 (B) 911 paramedic service; or
- 1331 (C) both 911 ambulance and paramedic service; and
- 1332 (ii) a response to a 911 call received by a designated dispatch center that receives 911
- 1333 or E911 calls.
- 1334 (b) "911 ambulance or paramedic services" does not mean a seven or 10 digit
- 1335 telephone call received directly by an ambulance provider licensed under this chapter.
- 1336 (2) "Account" means the Automatic External Defibrillator Restricted Account, created
- 1337 in Section [53-2d-809](#).
- 1338 (3) "Ambulance" means a ground, air, or water vehicle that:
- 1339 (a) transports patients and is used to provide emergency medical services; and
- 1340 (b) is required to obtain a permit under Section [53-2d-404](#) to operate in the state.
- 1341 (4) "Ambulance provider" means an emergency medical service provider that:
- 1342 (a) transports and provides emergency medical care to patients; and
- 1343 (b) is required to obtain a license under Part 5, Ambulance and Paramedic Providers.
- 1344 (5) "Automatic external defibrillator" or "AED" means an automated or automatic
- 1345 computerized medical device that:
- 1346 (a) has received pre-market notification approval from the United States Food and
- 1347 Drug Administration, pursuant to 21 U.S.C. Sec. 360(k);
- 1348 (b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid
- 1349 ventricular tachycardia;
- 1350 (c) is capable of determining, without intervention by an operator, whether
- 1351 defibrillation should be performed; and
- 1352 (d) upon determining that defibrillation should be performed, automatically charges,
- 1353 enabling delivery of, or automatically delivers, an electrical impulse through the chest wall and
- 1354 to an individual's heart.
- 1355 (6) (a) "Behavioral emergency services" means delivering a behavioral health
- 1356 intervention to a patient in an emergency context within a scope and in accordance with
- 1357 guidelines established by the department.
- 1358 (b) "Behavioral emergency services" does not include engaging in the:

- 1359 (i) practice of mental health therapy as defined in Section 58-60-102;  
1360 (ii) practice of psychology as defined in Section 58-61-102;  
1361 (iii) practice of clinical social work as defined in Section 58-60-202;  
1362 (iv) practice of certified social work as defined in Section 58-60-202;  
1363 (v) practice of marriage and family therapy as defined in Section 58-60-302;  
1364 (vi) practice of clinical mental health counseling as defined in Section 58-60-402; or  
1365 (vii) practice as a substance use disorder counselor as defined in Section 58-60-502.  
1366 (7) "Bureau" means the Bureau of Emergency Medical Services created in Section  
1367 53-2d-102.
- 1368 (8) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or external  
1369 chest compression applied to a person who is unresponsive and not breathing.
- 1370 (9) "Committee" means the [State] Trauma System and Emergency Medical Services  
1371 Committee created by Section 53-2d-104.
- 1372 (10) "Community paramedicine" means medical care:  
1373 (a) provided by emergency medical service personnel; and  
1374 (b) provided to a patient who is not:  
1375 (i) in need of ambulance transportation; or  
1376 (ii) located in a health care facility as defined in Section 26B-2-201.
- 1377 (11) "Division" means the Division of Emergency Management created in Section  
1378 53-2a-103.
- 1379 (12) "Direct medical observation" means in-person observation of a patient by a  
1380 physician, registered nurse, physician's assistant, or individual licensed under Section  
1381 26B-4-116.
- 1382 (13) "Emergency medical condition" means:  
1383 (a) a medical condition that manifests itself by symptoms of sufficient severity,  
1384 including severe pain, that a prudent layperson, who possesses an average knowledge of health  
1385 and medicine, could reasonably expect the absence of immediate medical attention to result in:  
1386 (i) placing the individual's health in serious jeopardy;  
1387 (ii) serious impairment to bodily functions; or  
1388 (iii) serious dysfunction of any bodily organ or part; or  
1389 (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 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.

1421 (20) "Interested party" means:

1422 (a) a licensed or designated emergency medical services provider that provides  
1423 emergency medical services within or in an area that abuts an exclusive geographic service area  
1424 that is the subject of an application submitted pursuant to Part 5, Ambulance and Paramedic  
1425 Providers;

1426 (b) any municipality, county, or fire district that lies within or abuts a geographic  
1427 service area that is the subject of an application submitted pursuant to Part 5, Ambulance and  
1428 Paramedic Providers; or

1429 (c) the department when acting in the interest of the public.

1430 (21) "Level of service" means the level at which an ambulance provider type of service  
1431 is licensed as:

1432 (a) emergency medical technician;

1433 (b) advanced emergency medical technician; or

1434 (c) paramedic.

1435 (22) "Medical control" means a person who provides medical supervision to an  
1436 emergency medical service provider.

1437 (23) "Non-911 service" means transport of a patient that is not 911 transport under  
1438 Subsection (1).

1439 (24) "Nonemergency secured behavioral health transport" means an entity that:

1440 (a) provides nonemergency secure transportation services for an individual who:

1441 (i) is not required to be transported by an ambulance under Section 53-2d-405; and

1442 (ii) requires behavioral health observation during transport between any of the  
1443 following facilities:

1444 (A) a licensed acute care hospital;

1445 (B) an emergency patient receiving facility;

1446 (C) a licensed mental health facility; and

1447 (D) the office of a licensed health care provider; and

1448 (b) is required to be designated under Section 53-2d-403.

1449 (25) "Paramedic provider" means an entity that:

1450 (a) employs emergency medical service personnel; and

1451 (b) is required to obtain a license under Part 5, Ambulance and Paramedic Providers.

1452           (26) "Patient" means an individual who, as the result of illness, injury, or a behavioral  
1453 emergency condition, meets any of the criteria in Section [26B-4-119](#).

1454           (27) "Political subdivision" means:

1455           (a) a city, town, or metro township;

1456           (b) a county;

1457           (c) a special service district created under Title 17D, Chapter 1, Special Service  
1458 District Act, for the purpose of providing fire protection services under Subsection  
1459 [17D-1-201](#)(9);

1460           (d) a special district created under Title 17B, Limited Purpose Local Government  
1461 Entities - Special Districts, for the purpose of providing fire protection, paramedic, and  
1462 emergency services;

1463           (e) areas coming together as described in Subsection [53-2d-505.2](#)(2)(b)(ii); or

1464           (f) an interlocal entity under Title 11, Chapter 13, Interlocal Cooperation Act.

1465           (28) "Sudden cardiac arrest" means a life-threatening condition that results when a  
1466 person's heart stops or fails to produce a pulse.

1467           (29) "Trauma" means an injury requiring immediate medical or surgical intervention.

1468           (30) "Trauma system" means a single, statewide system that:

1469           (a) organizes and coordinates the delivery of trauma care within defined geographic  
1470 areas from the time of injury through transport and rehabilitative care; and

1471           (b) is inclusive of all prehospital providers, hospitals, and rehabilitative facilities in  
1472 delivering care for trauma patients, regardless of severity.

1473           (31) "Triage" means the sorting of patients in terms of disposition, destination, or  
1474 priority. For prehospital trauma victims, triage requires a determination of injury severity to  
1475 assess the appropriate level of care according to established patient care protocols.

1476           (32) "Triage, treatment, transportation, and transfer guidelines" means written  
1477 procedures that:

1478           (a) direct the care of patients; and

1479           (b) are adopted by the medical staff of an emergency patient receiving facility, trauma  
1480 center, or an emergency medical service provider.

1481           (33) "Type of service" means the category at which an ambulance provider is licensed  
1482 as:

- 1483 (a) ground ambulance transport;  
1484 (b) ground ambulance interfacility transport; or  
1485 (c) both ground ambulance transport and ground ambulance interfacility transport.

1486 Section 22. Section **53-2d-104 (Effective 07/01/24)** is amended to read:

1487 **53-2d-104 (Effective 07/01/24). Trauma System and Emergency Medical Services**  
1488 **Committee -- Membership -- Expenses.**

1489 (1) There is created the [State] Trauma System and Emergency Medical Services  
1490 Committee.

1491 (2) The committee shall be composed of the following [19] 11 members appointed by  
1492 the governor, at least [six] three of whom shall reside in a county of the third, fourth, fifth, or  
1493 sixth class:

1494 (a) [~~five~~] four physicians licensed under Title 58, Chapter 67, Utah Medical Practice  
1495 Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, as follows:

- 1496 (i) one surgeon who actively provides trauma care at a hospital;  
1497 (ii) one rural physician involved in emergency medical care;  
1498 (iii) [~~two physicians who practice~~] one physician who practices in the emergency  
1499 department of a general acute hospital; and  
1500 (iv) one pediatrician who practices in the emergency department or critical care unit of  
1501 a general acute hospital or a children's specialty hospital;

1502 (b) [~~two representatives from private ambulance providers~~] one representative from a  
1503 private ambulance provider;

1504 (c) one representative from an ambulance provider that is neither privately owned nor  
1505 operated by a fire department;

1506 (d) [~~two chief officers from fire agencies operated by the~~] one chief officer from a fire  
1507 agency operated by one of the following classes of licensed or designated emergency medical  
1508 services providers:

1509 (i) a municipality[,];

1510 (ii) a county[, and]; or

1511 (iii) a fire district[, ~~provided that no class of medical services providers may have more~~  
1512 ~~than one representative under this Subsection (2)(d)~~]; and

1513 (e) four of any of the following representatives:

1514           ~~[(e)]~~ (i) one director of a law enforcement agency that provides emergency medical  
1515 services;

1516           ~~[(f)]~~ (ii) one hospital administrator;

1517           ~~[(g)]~~ (iii) one emergency care nurse;

1518           ~~[(h)]~~ (iv) one paramedic in active field practice;

1519           ~~[(i)]~~ (v) one emergency medical technician in active field practice;

1520           ~~[(j)]~~ (vi) one certified emergency medical dispatcher affiliated with an emergency  
1521 medical dispatch center;

1522           ~~[(k)]~~ (vii) one licensed mental health professional with experience as a first responder;

1523           ~~[(l)]~~ (viii) one licensed behavioral emergency services technician; ~~[and]~~ or

1524           ~~[(m)]~~ (ix) one consumer.

1525           (3) (a) Except as provided in Subsection (3)(b), members shall be appointed to a  
1526 four-year term ~~[beginning July 1]~~.

1527           (b) Notwithstanding Subsection (3)(a), the governor:

1528           (i) shall, at the time of appointment or reappointment, adjust the length of terms to  
1529 ensure that the terms of committee members are staggered so that approximately half of the  
1530 committee is appointed every two years; and

1531           (ii) may not reappoint a member for more than two consecutive terms~~[, and]~~.

1532           ~~[(iii) shall:]~~

1533           ~~[(A) initially appoint the second member under Subsection (2)(b) from a different~~  
1534 ~~private provider than the private provider currently serving under Subsection (2)(b); and]~~

1535           ~~[(B) thereafter stagger each replacement of a member in Subsection (2)(b) so that the~~  
1536 ~~member positions under Subsection (2)(b) are not held by representatives of the same private~~  
1537 ~~provider:]~~

1538           (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
1539 appointed by the governor for the unexpired term.

1540           (4) (a) (i) Each January, the committee shall organize and select one of the committee's  
1541 members as chair and one member as vice chair.

1542           (ii) The committee may organize standing or ad hoc subcommittees, which shall  
1543 operate in accordance with guidelines established by the committee.

1544           (b) (i) The chair shall convene a minimum of four meetings per year.

1545 (ii) The chair may call special meetings.

1546 (iii) The chair shall call a meeting upon request of five or more members of the

1547 committee.

1548 (c) (i) ~~[Nine]~~ Six members of the committee constitute a quorum for the transaction of

1549 business.

1550 (ii) The action of a majority of the members present is the action of the committee.

1551 (5) A member may not receive compensation or benefits for the member's service, but

1552 may receive per diem and travel expenses in accordance with:

1553 (a) Section 63A-3-106;

1554 (b) Section 63A-3-107; and

1555 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

1556 63A-3-107.

1557 (6) Administrative services for the committee shall be provided by the bureau.

1558 Section 23. Section **53-2d-105 (Effective 07/01/24)** is amended to read:

1559 **53-2d-105 (Effective 07/01/24). Committee advisory duties.**

1560 The committee shall ~~[adopt rules, with the concurrence of the bureau, in accordance~~

1561 ~~with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that]~~:

1562 (1) ~~[establish]~~ advise the bureau chief regarding:

1563 (a) licensure, certification, and reciprocity requirements under Section 53-2d-402;

1564 ~~[(2)]~~ (b) [establish] designation requirements under Section 53-2d-403;

1565 ~~[(3)] promote the development of a statewide emergency medical services system under~~

1566 ~~Section 53-2d-403;~~

1567 ~~[(4)]~~ (c) [establish] insurance requirements for ambulance providers;

1568 ~~[(5)]~~ (d) [provide] guidelines for requiring patient data under Section 53-2d-203;

1569 ~~[(6)]~~ (e) [establish] criteria for awarding grants under Section 53-2d-207;

1570 ~~[(7)]~~ (f) [establish] requirements for the coordination of emergency medical services

1571 and the medical supervision of emergency medical service providers under Section 53-2d-403;

1572 ~~[(8)]~~ (g) [select] appropriate vendors to establish certification requirements for

1573 emergency medical dispatchers;

1574 ~~[(9)]~~ (h) [establish] the minimum level of service for 911 ambulance services provided

1575 under Section 11-48-103; and

(i) rules necessary to administer this chapter, which shall be made by the bureau chief in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

(2) promote the development of a statewide emergency medical services system under Section 53-2d-403.

~~[(10) are necessary to carry out the responsibilities of the committee as specified in other sections of this chapter.]~~

Section 24. 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 25. 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 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.

(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 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 26. 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 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

1731 resulting from a trial or plea, including a plea of no contest or nolo contendere, regardless of  
1732 whether the imposition of sentence was suspended.

1733 (11) "Department" means the Department of Public Safety.

1734 (12) "Direct supervision" means a bail enforcement agent employing or contracting  
1735 with a bail recovery apprentice, or a bail recovery agent employed by or contracting with that  
1736 bail enforcement agent who:

1737 (a) takes responsibility for and assigns the work a bail recovery apprentice may  
1738 conduct; and

1739 (b) closely supervises, within close physical proximity, and provides direction and  
1740 guidance to the bail recovery apprentice regarding the assigned work.

1741 (13) "Emergency action" means a summary suspension of a license issued under this  
1742 chapter pending revocation, suspension, or probation, in order to protect the public health,  
1743 safety, or welfare.

1744 (14) "Identification card" means a card issued by the commissioner to an applicant  
1745 qualified for licensure under this chapter.

1746 (15) "Letter of concern" means an advisory letter to notify a licensee that while there is  
1747 insufficient evidence to support probation, suspension, or revocation of a license, the  
1748 department believes:

1749 (a) the licensee should modify or eliminate certain practices; and

1750 (b) continuation of the activities that led to the information being submitted to the  
1751 department may result in further disciplinary action against the license.

1752 (16) "Occupied structure" means any edifice, including residential and public  
1753 buildings, vehicles, or any other structure that could reasonably be expected to house or shelter  
1754 persons.

1755 (17) "Private investigator or private detective" means the same as that term is defined  
1756 in Section [53-9-102](#).

1757 ~~[(17)]~~ (18) "Supervision" means the employing bail enforcement agent is responsible  
1758 for and authorizes the type and extent of work assigned to a bail recovery agent who is his  
1759 employee or contract employee.

1760 ~~[(18)]~~ (19) "Unprofessional conduct" means:

1761 (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 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 27. 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]~~ eight 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]~~

1793           (ii) does not have a financial interest in a private investigative agency; and  
1794           ~~[(ii)]~~ (iii) does not have an immediate family member or a household member, or a  
1795 personal or professional acquaintance who is licensed or registered under this chapter or Title  
1796 53, Chapter 9, Private Investigator Regulation Act.

1797           (3) (a) As terms of current board members expire, the commissioner shall appoint each  
1798 new member or reappointed member to a four-year term, except as required by Subsection  
1799 (3)(b).

1800           (b) The commissioner shall, at the time of appointment or reappointment, adjust the  
1801 length of terms to ensure that the terms of board members are staggered so that approximately  
1802 half of the board is appointed every two years.

1803           (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
1804 appointed for the unexpired term.

1805           (5) At its first meeting every year, the board shall elect a chair and vice chair from its  
1806 membership.

1807           (6) A member may not receive compensation or benefits for the member's service, but  
1808 may receive per diem and travel expenses in accordance with:

1809           (a) Section 63A-3-106;

1810           (b) Section 63A-3-107; and

1811           (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
1812 63A-3-107.

1813           (7) A member may not serve more than one term, except that a member appointed to  
1814 fill a vacancy or appointed for an initial term of less than four years under Subsection (3) may  
1815 be reappointed for one additional full term.

1816           (8) The commissioner, after a board hearing and recommendation, may remove any  
1817 member of the board for misconduct, incompetency, or neglect of duty.

1818           (9) Members of the board are immune from suit with respect to all acts done and  
1819 actions taken in good faith in carrying out the purposes of this chapter.

1820           Section 28. Section 53-11-105 is amended to read:

1821           **53-11-105. Powers and duties of board.**

1822           (1) The board shall:

1823           (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 29. 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 30. 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.

(d) "Public safety services" means police services, security services, dispatch services,

1855 emergency services, or other similar services.

1856 (e) "Sexual violence" means the same as that term is defined in Section 53B-28-301.

1857 (f) "Special district" means the same as that term is defined in Section 17B-1-102.

1858 (g) "Special service district" means the same as that term is defined in Section

1859 17D-1-102.

1860 (h) "Student" means the same as that term is defined in Section 53B-28-301.

1861 (i) "Student organization" means the same as that term is defined in Section

1862 53B-28-401.

1863 (2) The board shall:

1864 (a) study issues related to providing public safety services on institution campuses,  
1865 including:

1866 (i) policies and practices for hiring, supervision, and firing of campus law enforcement  
1867 officers;

1868 (ii) training of campus law enforcement in responding to incidents of sexual violence  
1869 or other crimes reported by or involving a student, including training related to lethality or  
1870 similar assessments;

1871 (iii) how campus law enforcement and local law enforcement respond to reports of  
1872 incidents of sexual violence or other crimes reported by or involving a student, including  
1873 supportive measures for victims and disciplinary actions for perpetrators;

1874 (iv) training provided to faculty, staff, students, and student organizations on campus  
1875 safety and prevention of sexual violence;

1876 (v) roles, responsibilities, jurisdiction, and authority of local law enforcement and  
1877 campus law enforcement, including authority based on:

1878 (A) the type of public safety services provided; or

1879 (B) geographic boundaries;

1880 (vi) how an institution and local law enforcement coordinate to respond to on-campus  
1881 and off-campus incidents requiring public safety services, including:

1882 (A) legal requirements or restrictions affecting coordination;

1883 (B) agreements, practices, or procedures governing coordination between an institution  
1884 and local law enforcement, including mutual support, sharing information, or dispatch  
1885 management; and

1886 (C) any issues that may affect the timeliness of a response to an on-campus or  
1887 off-campus incident reported by or involving a student;

1888 (vii) infrastructure, staffing, and equipment considerations that impact the effectiveness  
1889 of campus law enforcement or local law enforcement responses to an on-campus or off-campus  
1890 incident reported by or involving a student;

1891 (viii) the benefits and disadvantages of an institution employing campus law  
1892 enforcement compared to local law enforcement providing public safety services on an  
1893 institution campus;

1894 (ix) an institution's compliance with federal and state crime statistic reporting  
1895 requirements;

1896 (x) how an institution informs faculty, staff, and students about a crime or emergency  
1897 on campus;

1898 (xi) national best practices for providing public safety services on institution campuses,  
1899 including differences in best practices based on the size, infrastructure, location, and other  
1900 relevant characteristics of a college or university; and

1901 (xii) any other issue the board determines is relevant to the study;

1902 (b) make recommendations for providing public safety services on institution campuses  
1903 statewide;

1904 (c) produce a final report of the study described in this section, including the  
1905 recommendations described in Subsection (2)(b); and

1906 (d) in accordance with Section 68-3-14, present the final report described in Subsection  
1907 (2)(c) to the Education Interim Committee and the Law Enforcement and Criminal Justice  
1908 Interim Committee at or before the committees' November 2021 meetings.

1909 (3) In carrying out the board's duties under this section, the board may coordinate with  
1910 individuals and organizations with knowledge, expertise, or experience related to the board's  
1911 duties under this section, including:

1912 (a) the Department of Health and Human Services;

1913 (b) the Utah Office for Victims of Crime;

1914 (c) the Utah [~~Council on Victims of Crime~~] Victim Services Commission;

1915 (d) institutions;

1916 (e) local law enforcement;

1917 (f) special districts or special service districts that provide 911 and emergency dispatch  
1918 service; and

1919 (g) community and other non-governmental organizations.

1920 Section 31. Section **63A-16-1002** is amended to read:

1921 **63A-16-1002. Criminal and juvenile justice database.**

1922 (1) The commission shall oversee the creation and management of a criminal and  
1923 juvenile justice database for information and data required to be reported to the commission,  
1924 organized by county, and accessible to all criminal justice agencies in the state.

1925 (2) The division shall assist with the development and management of the database.

1926 (3) The division, in collaboration with the commission, shall create:

1927 (a) master standards and formats for information submitted to the database;

1928 (b) a portal, bridge, website, or other method for reporting entities to provide the  
1929 information;

1930 (c) a master data management index or system to assist in the retrieval of information  
1931 in the database;

1932 (d) a protocol for accessing information in the database that complies with state  
1933 privacy regulations; and

1934 (e) a protocol for real-time audit capability of all data accessed through the portal by  
1935 participating data source, data use entities, and regulators.

1936 (4) Each criminal justice agency charged with reporting information to the commission  
1937 shall provide the data or information to the database in a form prescribed by the commission.

1938 (5) The database shall be the repository for the statutorily required data described in:

1939 (a) Section 13-53-111, recidivism reporting requirements;

1940 (b) Section 17-22-32, county jail reporting requirements;

1941 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;

1942 (d) Section 41-6a-511, courts to collect and maintain data;

1943 (e) Section 53-23-101, reporting requirements for reverse-location warrants;

1944 (f) Section 53-24-102, sexual assault offense reporting requirements for law  
1945 enforcement agencies;

1946 (g) Section 63M-7-214, law enforcement agency grant reporting;

1947 (h) Section 63M-7-216, prosecutorial data collection;

1948 (i) Section [63M-7-220](#), domestic violence data collection;  
 1949 ~~[(t)]~~ (j) Section [64-13-21](#), supervision of sentenced offenders placed in community;  
 1950 ~~[(j)]~~ (k) Section [64-13-25](#), standards for programs;  
 1951 ~~[(k)]~~ (l) Section [64-13-45](#), department reporting requirements;  
 1952 ~~[(l)]~~ (m) Section [64-13e-104](#), housing of state probationary inmates or state parole  
 1953 inmates;  
 1954 ~~[(m)]~~ (n) Section [77-7-8.5](#), use of tactical groups;  
 1955 ~~[(n)]~~ (o) Section [77-11b-404](#), forfeiture reporting requirements;  
 1956 ~~[(o)]~~ (p) Section [77-20-103](#), release data requirements;  
 1957 ~~[(p)]~~ (q) Section [77-22-2.5](#), court orders for criminal investigations;  
 1958 ~~[(q)]~~ (r) Section [78A-2-109.5](#), court demographics reporting;  
 1959 ~~[(r)]~~ (s) Section [80-6-104](#), data collection on offenses committed by minors; and  
 1960 ~~[(s)]~~ (t) any other statutes which require the collection of specific data and the reporting  
 1961 of that data to the commission.  
 1962 (6) The commission shall report:  
 1963 (a) progress on the database, including creation, configuration, and data entered, to the  
 1964 Law Enforcement and Criminal Justice Interim Committee not later than November 2022; and  
 1965 (b) all data collected as of December 31, 2022, to the Law Enforcement and Criminal  
 1966 Justice Interim Committee, the House Law Enforcement and Criminal Justice Standing  
 1967 Committee, and the Senate Judiciary, Law Enforcement and Criminal Justice Standing  
 1968 Committee not later than January 16, 2023.  
 1969 Section 32. Section **63C-1-103** is enacted to read:  
 1970 **63C-1-103. Appointment and terms of boards, committees, councils, and**  
 1971 **commissions transitioning on October 1, 2024.**  
 1972 (1) As used in this section:  
 1973 (a) "Enacted committee" means:  
 1974 (i) the following committees enacted on October 1, 2024:  
 1975 (A) the Utah Arts and Museums Advisory Board created in Section [9-6-301](#);  
 1976 (B) the Public Safety Data Management Task Force created in Section [36-29-111](#);  
 1977 (C) the Bail Bond Recovery and Private Investigator Licensure Board created in  
 1978 Section [54-11-104](#); and

1979            (D) the Trauma System and Emergency Medical Services Advisory Committee created  
 1980 in Section 53-2d-104; and

1981            (ii) the following as constituted on or after October 1, 2024:

1982            (A) the Employment Advisory Council created in Subsection 35A-4-302(5);

1983            (B) the Emergency Management Administration Council created in Section 53-2a-105;  
 1984 and

1985            (C) the Utah Victim Services Commission created in Section 63M-7-902.

1986            (b) "Expired committee" means:

1987            (i) the following which, in accordance with Title 63I, Chapter 2, Repeal Dates by Title  
 1988 Act, repeal on October 1, 2024:

1989            (A) the Utah Museums Advisory Board created in Section 9-6-305;

1990            (B) the Domestic Violence Data Task Force created in Section 63C-29-201;

1991            (C) the Private Investigator Hearing and Licensure Board created in Section 53-9-104;  
 1992 and

1993            (D) the Trauma System Advisory Committee created in Section 26B-1-406;

1994            (ii) the following as constituted before October 1, 2024:

1995            (A) the Utah Arts Advisory Board created in Section 9-6-301;

1996            (B) the Criminal Justice Data Management Task Force created in Section 36-29-111;

1997            (C) the Bail Bond Recovery Licensure Board created in Section 53-11-104;

1998            (D) the State Emergency Medical Services Committee created in Sections 26B-1-404  
 1999 and 53-2d-104;

2000            (E) the Employment Advisory Council created in Subsection 35A-4-302(5);

2001            (F) the Emergency Management Administration Council created in Section 53-2a-105;  
 2002 and

2003            (G) the Utah Victim Services Commission created in Section 63M-7-902.

2004            (2) An individual who is appointed as a member of an expired committee is removed  
 2005 from the expired committee after September 30, 2024.

2006            (3) (a) On or after May 1, 2024, but before October 1, 2024, the appointing authority of  
 2007 an enacted committee may appoint a member to the enacted committee in accordance with the  
 2008 section governing appointment to the enacted committee.

2009            (b) (i) A member described in Subsection (3)(a) may not begin the individual's term of

2010 service on the enacted committee before October 1, 2024; and

2011 (ii) if applicable under the section governing appointment to the enacted committee,  
2012 the Senate may provide advice and consent.

2013 (4) (a) Nothing in this section prevents an appointing authority from appointing an  
2014 individual who is removed from an expired committee in accordance with Subsection (2) to an  
2015 enacted committee if the individual's appointment meets the requirements of the section  
2016 governing appointment to the enacted committee.

2017 (b) If an individual is removed from an expired committee under Subsection (2) and is  
2018 then appointed to an enacted committee under Subsection (3)(a), and the appointed position has  
2019 limited terms an individual may serve, the appointment under Subsection (3)(a) does not count  
2020 as an additional term.

2021 Section 33. Section **63I-1-209** is amended to read:

2022 **63I-1-209. Repeal dates: Title 9.**

2023 ~~[(1) Section **9-6-303**, which creates the Arts Collection Committee, is repealed July 1,~~  
2024 ~~2027.]~~

2025 ~~[(2) Section **9-6-305**, which creates the Utah Museums Advisory Board, is repealed~~  
2026 ~~July 1, 2027.]~~

2027 ~~[(3)]~~ (1) Section **9-6-301**, Utah Arts and Museums Advisory Board, is repealed July 1,  
2028 2029.

2029 (2) Section **9-6-302**, Arts and museums board powers and duties, is repealed July 1,  
2030 2029.

2031 (3) Section **9-9-405**, which creates the Native American Remains Review Committee,  
2032 is repealed July 1, 2025.

2033 (4) Title 9, Chapter 20, Utah Commission on Service and Volunteerism Act, is  
2034 repealed July 1, 2026.

2035 Section 34. Section **63I-1-235** is amended to read:

2036 **63I-1-235. Repeal dates: Title 35A.**

2037 (1) Subsection **35A-1-202**(2)(d), related to the Child Care Advisory Committee, is  
2038 repealed July 1, 2026.

2039 (2) Section **35A-3-205**, which creates the Child Care Advisory Committee, is repealed  
2040 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 35. 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, 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 36. 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.**

(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

2072 repealed July 1, 2024.

2073 (5) Section [53B-7-709](#), regarding five-year performance goals for the Utah System of  
2074 Higher Education is repealed July 1, 2027.

2075 (6) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed  
2076 July 1, 2028.

2077 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

2078 (8) Section [53B-17-1203](#), which creates the SafeUT and School Safety Commission, is  
2079 repealed January 1, 2025.

2080 (9) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

2081 (10) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure  
2082 Research Center, is repealed on July 1, 2028.

2083 (11) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of money  
2084 from the Land Exchange Distribution Account to the Geological Survey for test wells and other  
2085 hydrologic studies in the West Desert, is repealed July 1, 2030.

2086 (12) Subsections [53E-3-503](#)(5) and (6), which create coordinating councils for youth in  
2087 custody, are repealed July 1, 2027.

2088 (13) In relation to a standards review committee, on January 1, 2028:

2089 (a) in Subsection [53E-4-202](#)(8), the language "by a standards review committee and the  
2090 recommendations of a standards review committee established under Section [53E-4-203](#)" is  
2091 repealed; and

2092 (b) Section [53E-4-203](#) is repealed.

2093 (14) Section [53E-4-402](#), which creates the State Instructional Materials Commission, is  
2094 repealed July 1, 2027.

2095 (15) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is  
2096 repealed July 1, 2033.

2097 (16) Section [53F-2-420](#), which creates the Intensive Services Special Education Pilot  
2098 Program, is repealed July 1, 2024.

2099 (17) Section [53F-5-213](#) is repealed July 1, 2023.

2100 (18) Section [53F-5-214](#), in relation to a grant for professional learning, is repealed July  
2101 1, 2025.

2102 (19) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is

2103 repealed July 1, 2025.

2104 (20) Section [53F-5-219](#), which creates the Local Innovations Civics Education Pilot  
2105 Program, is repealed on July 1, 2025.

2106 (21) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving Account  
2107 Committee, is repealed July 1, 2024.

2108 (22) Subsections [53G-4-608\(2\)\(b\)](#) and [\(4\)\(b\)](#), related to the Utah Seismic Safety  
2109 Commission, are repealed January 1, 2025.

2110 (23) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1, 2027.

2111 (24) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1,  
2112 2027.

2113 Section 37. Section **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25)** is amended to read:

2114 **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25). Repeal dates: Titles 53 through**  
2115 **53G.**

2116 (1) Section [53-2a-105](#), which creates the Emergency Management Administration  
2117 Council, is repealed July 1, ~~[2027]~~ 2029.

2118 (2) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue Advisory  
2119 Board, are repealed July 1, 2027.

2120 (3) Section [53-2d-104](#), Trauma System and Emergency Medical Services Committee --  
2121 Membership -- Expenses, is repealed on July 1, 2029.

2122 (4) Section [53-2d-703](#) is repealed July 1, 2027.

2123 ~~[(4)]~~ (5) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is  
2124 repealed July 1, 2024.

2125 (6) Section [53-11-104](#), Board, is repealed July 1, 2029.

2126 ~~[(5)]~~ (7) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board,  
2127 is repealed July 1, 2024.

2128 ~~[(6)]~~ (8) Section [53B-7-709](#), regarding five-year performance goals for the Utah  
2129 System of Higher Education is repealed July 1, 2027.

2130 ~~[(7)]~~ (9) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is  
2131 repealed July 1, 2028.

2132 ~~[(8)]~~ (10) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1,  
2133 2028.

2134           ~~[(9)]~~ (11) Section [53B-17-1203](#), which creates the SafeUT and School Safety  
2135 Commission, is repealed January 1, 2025.

2136           ~~[(10)]~~ (12) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,  
2137 2028.

2138           ~~[(11)]~~ (13) Title 53B, Chapter 18, Part 18, Electrification of Transportation  
2139 Infrastructure Research Center, is repealed on July 1, 2028.

2140           ~~[(12)]~~ (14) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of  
2141 money from the Land Exchange Distribution Account to the Geological Survey for test wells  
2142 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

2143           ~~[(13)]~~ (15) Subsections [53E-3-503](#)(5) and (6), which create coordinating councils for  
2144 youth in custody, are repealed July 1, 2027.

2145           ~~[(14)]~~ (16) In relation to a standards review committee, on January 1, 2028:  
2146           (a) in Subsection [53E-4-202](#)(8), the language "by a standards review committee and the  
2147 recommendations of a standards review committee established under Section [53E-4-203](#)" is  
2148 repealed; and

2149           (b) Section [53E-4-203](#) is repealed.

2150           ~~[(15)]~~ (17) Section [53E-4-402](#), which creates the State Instructional Materials  
2151 Commission, is repealed July 1, 2027.

2152           ~~[(16)]~~ (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory  
2153 Commission, is repealed July 1, 2033.

2154           ~~[(17)]~~ (19) Section [53F-2-420](#), which creates the Intensive Services Special Education  
2155 Pilot Program, is repealed July 1, 2024.

2156           ~~[(18)]~~ (20) Section [53F-5-213](#) is repealed July 1, 2023.

2157           ~~[(19)]~~ (21) Section [53F-5-214](#), in relation to a grant for professional learning, is  
2158 repealed July 1, 2025.

2159           ~~[(20)]~~ (22) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is  
2160 repealed July 1, 2025.

2161           ~~[(21)]~~ (23) Section [53F-5-219](#), which creates the Local Innovations Civics Education  
2162 Pilot Program, is repealed on July 1, 2025.

2163           ~~[(22)]~~ (24) Subsection [53F-9-203](#)(7), which creates the Charter School Revolving  
2164 Account Committee, is repealed July 1, 2024.

2165           ~~[(23)]~~ (25) Subsections [53G-4-608](#)(2)(b) and (4)(b), related to the Utah Seismic Safety  
2166 Commission, are repealed January 1, 2025.

2167           ~~[(24)]~~ (26) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,  
2168 2027.

2169           ~~[(25)]~~ (27) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed  
2170 July 1, 2027.

2171           Section 38. Section **63I-1-253 (Contingently Effective 01/01/25)** is amended to read:  
2172 **63I-1-253 (Contingently Effective 01/01/25). Repeal dates: Titles 53 through 53G.**

2173           (1) Section [53-2a-105](#), which creates the Emergency Management Administration  
2174 Council, is repealed July 1, ~~[2027]~~ 2029.

2175           (2) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue Advisory  
2176 Board, are repealed July 1, 2027.

2177           (3) Section [53-2d-104](#), Trauma System and Emergency Medical Services Committee --  
2178 Membership -- Expenses, is repealed on July 1, 2029.

2179           (4) Section [53-2d-703](#) is repealed July 1, 2027.

2180           ~~[(4)]~~ (5) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is  
2181 repealed July 1, 2024.

2182           (6) Section [53-11-104](#), Board, is repealed July 1, 2029.

2183           ~~[(5)]~~ (7) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board,  
2184 is repealed July 1, 2024.

2185           ~~[(6)]~~ (8) Section [53B-7-709](#), regarding five-year performance goals for the Utah  
2186 System of Higher Education is repealed July 1, 2027.

2187           ~~[(7)]~~ (9) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is  
2188 repealed July 1, 2028.

2189           ~~[(8)]~~ (10) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1,  
2190 2028.

2191           ~~[(9)]~~ (11) Section [53B-17-1203](#), which creates the SafeUT and School Safety  
2192 Commission, is repealed January 1, 2025.

2193           ~~[(10)]~~ (12) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,  
2194 2028.

2195           ~~[(11)]~~ (13) Title 53B, Chapter 18, Part 18, Electrification of Transportation

2196 Infrastructure Research Center, is repealed on July 1, 2028.

2197       ~~[(12)]~~ (14) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of

2198 money from the Land Exchange Distribution Account to the Geological Survey for test wells

2199 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

2200       ~~[(13)]~~ (15) Subsections [53E-3-503](#)(5) and (6), which create coordinating councils for

2201 youth in custody, are repealed July 1, 2027.

2202       ~~[(14)]~~ (16) In relation to a standards review committee, on January 1, 2028:

2203       (a) in Subsection [53E-4-202](#)(8), the language "by a standards review committee and the

2204 recommendations of a standards review committee established under Section [53E-4-203](#)" is

2205 repealed; and

2206       (b) Section [53E-4-203](#) is repealed.

2207       ~~[(15)]~~ (17) Section [53E-4-402](#), which creates the State Instructional Materials

2208 Commission, is repealed July 1, 2027.

2209       ~~[(16)]~~ (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory

2210 Commission, is repealed July 1, 2033.

2211       ~~[(17)]~~ (19) Section [53F-2-420](#), which creates the Intensive Services Special Education

2212 Pilot Program, is repealed July 1, 2024.

2213       ~~[(18)]~~ (20) Section [53F-5-213](#) is repealed July 1, 2023.

2214       ~~[(19)]~~ (21) Section [53F-5-214](#), in relation to a grant for professional learning, is

2215 repealed July 1, 2025.

2216       ~~[(20)]~~ (22) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is

2217 repealed July 1, 2025.

2218       ~~[(21)]~~ (23) Section [53F-5-219](#), which creates the Local Innovations Civics Education

2219 Pilot Program, is repealed on July 1, 2025.

2220       ~~[(22)]~~ (24) (a) Subsection [53F-9-201.1](#)(2)(b)(ii), in relation to the use of funds from a

2221 loss in enrollment for certain fiscal years, is repealed on July 1, 2030.

2222       (b) On July 1, 2030, the Office of Legislative Research and General Counsel shall

2223 renumber the remaining subsections accordingly.

2224       ~~[(23)]~~ (25) Subsection [53F-9-203](#)(7), which creates the Charter School Revolving

2225 Account Committee, is repealed July 1, 2024.

2226       ~~[(24)]~~ (26) Subsections [53G-4-608](#)(2)(b) and (4)(b), related to the Utah Seismic Safety

2227 Commission, are repealed January 1, 2025.  
2228       ~~[(25)]~~ (27) Section **53G-9-212**, Drinking water quality in schools, is repealed July 1,  
2229 2027.  
2230       ~~[(26)]~~ (28) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed  
2231 July 1, 2027.  
2232       Section 39. Section **63I-1-263** is amended to read:  
2233       **63I-1-263. Repeal dates: Titles 63A through 63N.**  
2234       (1) Subsection **63A-5b-405**(5), relating to prioritizing and allocating capital  
2235 improvement funding, is repealed July 1, 2024.  
2236       (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,  
2237 2023.  
2238       (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review  
2239 Committee, are repealed July 1, 2023.  
2240       (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July  
2241 1, 2028.  
2242       (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,  
2243 2025.  
2244       (6) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,  
2245 2024.  
2246       (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is  
2247 repealed July 1, 2023.  
2248       (8) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed  
2249 December 31, 2026.  
2250       (9) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is  
2251 repealed July 1, 2026.  
2252       (10) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.  
2253       (11) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.  
2254       ~~[(12) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed~~  
2255 ~~December 31, 2024.]~~  
2256       ~~[(13)]~~ (12) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is  
2257 repealed on July 1, 2028.

2258           ~~[(14)]~~ (13) Section ~~63G-6a-805~~, which creates the Purchasing from Persons with  
2259 Disabilities Advisory Board, is repealed July 1, 2026.

2260           ~~[(15)]~~ (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed  
2261 July 1, 2028.

2262           ~~[(16)]~~ (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed  
2263 July 1, 2024.

2264           ~~[(17)]~~ (16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,  
2265 2026.

2266           ~~[(18)]~~ (17) Subsection ~~63J-1-602.2~~(25), related to the Utah Seismic Safety  
2267 Commission, is repealed January 1, 2025.

2268           ~~[(19)]~~ (18) Section ~~63L-11-204~~, creating a canyon resource management plan to Provo  
2269 Canyon, is repealed July 1, 2025.

2270           ~~[(20)]~~ (19) Title 63L, Chapter 11, Part 4, Resource Development Coordinating  
2271 Committee, is repealed July 1, 2027.

2272           ~~[(21)]~~ (20) In relation to the Utah Substance Use and Mental Health Advisory Council,  
2273 on January 1, 2033:

2274           (a) Sections ~~63M-7-301~~, ~~63M-7-302~~, ~~63M-7-303~~, ~~63M-7-304~~, and ~~63M-7-306~~ are  
2275 repealed;

2276           (b) Section ~~63M-7-305~~, the language that states "council" is replaced with  
2277 "commission";

2278           (c) Subsection ~~63M-7-305~~(1)(a) is repealed and replaced with:  
2279 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2280           (d) Subsection ~~63M-7-305~~(2) is repealed and replaced with:  
2281 "(2) The commission shall:

2282           (a) provide ongoing oversight of the implementation, functions, and evaluation of the  
2283 Drug-Related Offenses Reform Act; and

2284           (b) coordinate the implementation of Section ~~77-18-104~~ and related provisions in  
2285 Subsections ~~77-18-103~~(2)(c) and (d).".

2286           ~~[(22)] The Crime Victim Reparations and Assistance Board, created in Section~~  
2287 ~~63M-7-504, is repealed July 1, 2027.]~~

2288           ~~[(23)]~~ (21) Title 63M, Chapter 7, Part 8, Sex Offense Management Board, is repealed

2289 July1, 2026.

2290 (22) Section [63M-7-902](#), Creation -- Membership -- Terms -- Vacancies -- Expenses, is  
2291 repealed July 1, 2029.

2292 [~~(24)~~] (23) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,  
2293 2026.

2294 [~~(25)~~] (24) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is  
2295 repealed January 1, 2025.

2296 [~~(26)~~] (25) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2297 [~~(27)~~] (26) Section [63N-2-512](#), related to the Hotel Impact Mitigation Fund, is repealed  
2298 July 1, 2028.

2299 [~~(28)~~] (27) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is  
2300 repealed July 1, 2027.

2301 [~~(29)~~] (28) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant  
2302 Program, is repealed July 1, 2025.

2303 [~~(30)~~] (29) In relation to the Rural Employment Expansion Program, on July 1, 2028:

2304 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;  
2305 and

2306 (b) Subsection [63N-4-805](#)(5)(b), referring to the Rural Employment Expansion  
2307 Program, is repealed.

2308 [~~(31)~~] (30) In relation to the Board of Tourism Development, on July 1, 2025:

2309 (a) Subsection [63N-2-511](#)(1)(b), which defines "tourism board," is repealed;

2310 (b) Subsections [63N-2-511](#)(3)(a) and (5), the language that states "tourism board" is  
2311 repealed and replaced with "Utah Office of Tourism";

2312 (c) Subsection [63N-7-101](#)(1), which defines "board," is repealed;

2313 (d) Subsection [63N-7-102](#)(3)(c), which requires the Utah Office of Tourism to receive  
2314 approval from the Board of Tourism Development, is repealed; and

2315 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

2316 [~~(32)~~] (31) Subsection [63N-8-103](#)(3)(c), which allows the Governor's Office of  
2317 Economic Opportunity to issue an amount of tax credit certificates only for rural productions,  
2318 is repealed on July 1, 2024.

2319 Section 40. Section **63I-2-209** is amended to read:

2320 **63I-2-209. Repeal dates: Title 9.**

2321 (1) Section 9-6-303, Arts collection committee, is repealed on October 1, 2024.

2322 (2) Section 9-6-305, Utah Museums Advisory Board, is repealed on October 1, 2024;

2323 (3) Section 9-6-306, Museums board power and duties, is repealed on October 1, 2024.

2324 (4) Section 9-9-112, Bears Ears Visitor Center Advisory Committee, is repealed  
2325 December 31, 2024.

2326 ~~[(2)]~~ (5) Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, is  
2327 repealed June 30, 2021.

2328 ~~[(3)]~~ (6) Title 9, Chapter 17, Humanitarian Service and Educational and Cultural  
2329 Exchange Restricted Account Act, is repealed on July 1, 2024.

2330 ~~[(4)]~~ (7) Title 9, Chapter 18, Martin Luther King, Jr. Civil Rights Support Restricted  
2331 Account Act, is repealed on July 1, 2024.

2332 ~~[(5)]~~ (8) Title 9, Chapter 19, National Professional Men's Soccer Team Support of  
2333 Building Communities Restricted Account Act, is repealed on July 1, 2024.

2334 Section 41. Section **63I-2-226 (Superseded 07/01/24)** is amended to read:

2335 **63I-2-226 (Superseded 07/01/24). Repeal dates: Titles 26A through 26B.**

2336 (1) Subsection 26B-1-204(2)(e), related to the Air Ambulance Committee, is repealed  
2337 July 1, 2024.

2338 (2) Section 26B-1-241 is repealed July 1, 2024.

2339 (3) Section 26B-1-302 is repealed on July 1, 2024.

2340 (4) Section 26B-1-313 is repealed on July 1, 2024.

2341 (5) Section 26B-1-314 is repealed on July 1, 2024.

2342 (6) Section 26B-1-321 is repealed on July 1, 2024.

2343 (7) Section 26B-1-405, related to the Air Ambulance Committee, is repealed on July 1,  
2344 2024.

2345 (8) Section 26B-1-423, which creates the rural Physician Loan Repayment Program  
2346 Advisory Committee, is repealed on July 1, 2026.

2347 ~~[(8) Section 26B-1-419, which creates the Utah Health Care Workforce Financial~~  
2348 ~~Assistance Program Advisory Committee, is repealed July 1, 2027.]~~

2349 (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
2350 26B-2-231(1)(a) is amended to read:

2351 "(a) provide the patient or the patient's representative with the following information  
2352 before contacting an air medical transport provider:

2353 (i) which health insurers in the state the air medical transport provider contracts with;

2354 (ii) if sufficient data is available, the average charge for air medical transport services

2355 for a patient who is uninsured or out of network; and

2356 (iii) whether the air medical transport provider balance bills a patient for any charge not  
2357 paid by the patient's health insurer; and".

2358 (10) Section 26B-3-142 is repealed July 1, 2024.

2359 (11) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization  
2360 and genetic testing, is repealed July 1, 2030.

2361 (12) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
2362 26B-4-135(1)(a) is amended to read:

2363 "(a) provide the patient or the patient's representative with the following information  
2364 before contacting an air medical transport provider:

2365 (i) which health insurers in the state the air medical transport provider contracts with;

2366 (ii) if sufficient data is available, the average charge for air medical transport services

2367 for a patient who is uninsured or out of network; and

2368 (iii) whether the air medical transport provider balance bills a patient for any charge not  
2369 paid by the patient's health insurer; and".

2370 (13) Section 26B-4-702, related to the Utah Health Care Workforce Financial  
2371 Assistance Program, is repealed July 1, 2027.

2372 (14) Subsections 26B-4-703(3)(b), (3)(c)(i) and (ii), and (6)(b) are repealed on July 1,  
2373 2026.

2374 ~~[(14)]~~ (15) Section 26B-5-117, related to early childhood mental health support grant  
2375 programs, is repealed January 2, 2025.

2376 ~~[(15)]~~ (16) Subsection 26B-7-117(3), related to reports to the Legislature on syringe  
2377 exchange and education, is repealed January 1, 2027.

2378 ~~[(16)]~~ (17) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1,  
2379 2025.

2380 Section 42. Section 63I-2-226 (Effective 07/01/24) is amended to read:

2381 **63I-2-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.**

- 2382 (1) Section [26B-1-241](#) is repealed July 1, 2024.
- 2383 (2) Section [26B-1-302](#) is repealed on July 1, 2024.
- 2384 (3) Section [26B-1-313](#) is repealed on July 1, 2024.
- 2385 (4) Section [26B-1-314](#) is repealed on July 1, 2024.
- 2386 (5) Section [26B-1-321](#) is repealed on July 1, 2024.
- 2387 (6) Section [26B-1-423](#), Rural Physician Loan Repayment Program Advisory
- 2388 Committee -- Membership -- Compensation -- Duties, is repealed on July 1, 2026.
- 2389 ~~[(6) Section [26B-1-419](#), which creates the Utah Health Care Workforce Financial~~
- 2390 ~~Assistance Program Advisory Committee, is repealed July 1, 2027.]~~
- 2391 (7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
- 2392 [26B-2-231](#)(1)(a) is amended to read:
- 2393 "(a) provide the patient or the patient's representative with the following information
- 2394 before contacting an air medical transport provider:
- 2395 (i) which health insurers in the state the air medical transport provider contracts with;
- 2396 (ii) if sufficient data is available, the average charge for air medical transport services
- 2397 for a patient who is uninsured or out of network; and
- 2398 (iii) whether the air medical transport provider balance bills a patient for any charge not
- 2399 paid by the patient's health insurer; and".
- 2400 (8) Section [26B-3-142](#) is repealed July 1, 2024.
- 2401 (9) Subsection [26B-3-215](#)(5), related to reporting on coverage for in vitro fertilization
- 2402 and genetic testing, is repealed July 1, 2030.
- 2403 (10) Section [26B-4-702](#), related to the Utah Health Care Workforce Financial
- 2404 Assistance Program, is repealed July 1, 2027.
- 2405 (11) Subsections [26B-4-703](#)(3)(b), (3)(c)(i) and (ii), and (6)(b) are repealed on July 1,
- 2406 2026.
- 2407 ~~[(11)]~~ (12) Section [26B-5-117](#), related to early childhood mental health support grant
- 2408 programs, is repealed January 2, 2025.
- 2409 ~~[(12)]~~ (13) Subsection [26B-7-117](#)(3), related to reports to the Legislature on syringe
- 2410 exchange and education, is repealed January 1, 2027.
- 2411 ~~[(13)]~~ (14) Section [26B-7-120](#), relating to sickle cell disease, is repealed on July 1,
- 2412 2025.

2413 Section 43. Section **63I-2-235** is amended to read:

2414 **63I-2-235. Repeal dates: Title 35A.**

2415 (1) Section [35A-1-104.6](#) is repealed June 30, 2022.

2416 (2) Section [35A-3-212](#) is repealed June 30, 2025.

2417 (3) Section [35A-13-301](#), Title, is repealed October 1, 2024.

2418 (4) Section [35A-13-302](#), Governor's Committee on Employment of People with  
2419 Disabilities, is repealed on October 1, 2024.

2420 Section 44. Section **63I-2-236** is amended to read:

2421 **63I-2-236. Repeal dates: Title 36.**

2422 (1) Section [36-12-8.2](#) is repealed July 1, 2024.

2423 (2) Section [36-29-107.5](#) is repealed on November 30, 2024.

2424 (3) Section [36-29-109](#) is repealed on November 30, 2027.

2425 (4) Section [36-29-110](#) is repealed on November 30, 2024.

2426 ~~[(5) Section [36-29-111](#) is repealed July 1, 2025.]~~

2427 ~~[(6)]~~ (5) The following sections regarding the State Flag Task Force are repealed on  
2428 January 1, 2024:

2429 (a) Section [36-29-201](#);

2430 (b) Section [36-29-202](#); and

2431 (c) Section [36-29-203](#).

2432 ~~[(7)]~~ (6) Title 36, Chapter 29, Part 3, Mental Illness Psychotherapy Drug Task Force, is  
2433 repealed December 31, 2023.

2434 Section 45. Section **63I-2-253 (Effective 07/01/24)** is amended to read:

2435 **63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.**

2436 (1) Subsection [53-1-104](#)(1)(b), regarding the Air Ambulance Committee, is repealed  
2437 July 1, 2024.

2438 (2) Section [53-1-118](#) is repealed on July 1, 2024.

2439 (3) Section [53-1-120](#) is repealed on July 1, 2024.

2440 (4) Section [53-2a-303](#), Statewide mutual aid committee, is repealed on October 1,  
2441 2024.

2442 ~~[(4)]~~ (5) Section [53-2d-107](#), regarding the Air Ambulance Committee, is repealed July  
2443 1, 2024.

2444           (6) Section [53-2d-302](#), Trauma system advisory committee, is repealed on October 1,  
2445 2024.

2446           ~~[(5)]~~ (7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
2447 [53-2d-702](#)(1)(a) is amended to read:

2448           "(a) provide the patient or the patient's representative with the following information  
2449 before contacting an air medical transport provider:

2450           (i) which health insurers in the state the air medical transport provider contracts with;

2451           (ii) if sufficient data is available, the average charge for air medical transport services  
2452 for a patient who is uninsured or out of network; and

2453           (iii) whether the air medical transport provider balance bills a patient for any charge not  
2454 paid by the patient's health insurer; and".

2455           ~~[(6)]~~ (8) Section [53-7-109](#) is repealed on July 1, 2024.

2456           (9) The following sections creating and establishing the duties of the Private  
2457 Investigator Hearing and Licensure Board, are repealed on October 1, 2024:

2458           (a) Section [53-9-104](#);

2459           (b) Section [53-9-105](#); and

2460           (c) Section [53-9-106](#).

2461           ~~[(7)]~~ (10) Section [53-22-104](#) is repealed December 31, 2023.

2462           ~~[(8)]~~ (11) Section [53B-6-105.7](#) is repealed July 1, 2024.

2463           ~~[(9)]~~ (12) Section [53B-7-707](#) regarding performance metrics for technical colleges is  
2464 repealed July 1, 2023.

2465           ~~[(10)]~~ (13) Section [53B-8-114](#) is repealed July 1, 2024.

2466           ~~[(11)]~~ (14) The following provisions, regarding the Regents' scholarship program, are  
2467 repealed on July 1, 2023:

2468           (a) in Subsection [53B-8-105](#)(12), the language that states, "or any scholarship  
2469 established under Sections [53B-8-202](#) through [53B-8-205](#)";

2470           (b) Section [53B-8-202](#);

2471           (c) Section [53B-8-203](#);

2472           (d) Section [53B-8-204](#); and

2473           (e) Section [53B-8-205](#).

2474           ~~[(12)]~~ (15) Section [53B-10-101](#) is repealed on July 1, 2027.

2475           ~~[(13)]~~ (16) Subsection [53E-1-201](#)(1)(s) regarding the report by the Educational  
2476 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

2477           ~~[(14)]~~ (17) Section [53E-1-202.2](#), regarding a Public Education Appropriations  
2478 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

2479           ~~[(15)]~~ (18) Section [53F-2-209](#), regarding local education agency budgetary flexibility,  
2480 is repealed July 1, 2024.

2481           ~~[(16)]~~ (19) Subsection [53F-2-314](#)(4), relating to a one-time expenditure between the  
2482 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

2483           ~~[(17)]~~ (20) Section [53F-2-524](#), regarding teacher bonuses for extra work assignments,  
2484 is repealed July 1, 2024.

2485           ~~[(18)]~~ (21) Section [53F-5-221](#), regarding a management of energy and water pilot  
2486 program, is repealed July 1, 2028.

2487           ~~[(19)]~~ (22) Section [53F-9-401](#) is repealed on July 1, 2024.

2488           ~~[(20)]~~ (23) Section [53F-9-403](#) is repealed on July 1, 2024.

2489           ~~[(21)]~~ (24) On July 1, 2023, when making changes in this section, the Office of  
2490 Legislative Research and General Counsel shall, in addition to the office's authority under  
2491 Section [36-12-12](#), make corrections necessary to ensure that sections and subsections identified  
2492 in this section are complete sentences and accurately reflect the office's perception of the  
2493 Legislature's intent.

2494           Section 46. Section **63I-2-263** is amended to read:

2495           **63I-2-263. Repeal dates: Title 63A through Title 63N.**

2496           (1) Title 63A, Chapter 2, Part 5, Educational Interpretation and Translation Services  
2497 Procurement Advisory Council is repealed July 1, 2025.

2498           (2) Section 63A-17-303 is repealed July 1, 2023.

2499           (3) Section [63A-17-806](#) is repealed June 30, 2026.

2500           (4) Section [63C-1-103](#), Appointment and terms of boards, committees, councils, and  
2501 commissions transitioning on October 1, 2024, is repealed January 1, 2025.

2502           ~~[(4)]~~ (5) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology  
2503 Commission is repealed July 1, 2023.

2504           (6) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed October 1,  
2505 2024.

2506           ~~[(5)]~~ (7) Section ~~63H-7a-303~~ is repealed July 1, 2024.

2507           ~~[(6)]~~ (8) Subsection ~~63H-7a-403~~(2)(b), regarding the charge to maintain the public

2508 safety communications network, is repealed July 1, 2033.

2509           ~~[(7)]~~ (9) Subsection ~~63J-1-602.2~~(45), which lists appropriations to the State Tax

2510 Commission for property tax deferral reimbursements, is repealed July 1, 2027.

2511           (10) Section ~~63M-7-504~~, Crime Victim Reparations and Assistance Board -- Members,

2512 is repealed October 1, 2024.

2513           (11) Section ~~63M-7-505~~, Board and office within Commission on Criminal and

2514 Juvenile Justice, is repealed October 1, 2024.

2515           (12) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed

2516 October 1, 2024.

2517           ~~[(8)]~~ (13) Subsection ~~63N-2-213~~(12)(a), relating to claiming a tax credit in the same

2518 taxable year as the targeted business income tax credit, is repealed December 31, 2024.

2519           ~~[(9)]~~ (14) Title 63N, Chapter 2, Part 3, Targeted Business Income Tax Credit in an

2520 Enterprise Zone, is repealed December 31, 2024.

2521           Section 47. Section ~~63M-7-202~~ is amended to read:

2522           **63M-7-202. Composition -- Appointments -- Ex officio members -- Terms --**

2523 **United States Attorney as nonvoting member.**

2524           (1) The State Commission on Criminal and Juvenile Justice is composed of ~~[26]~~ 25

2525 voting members as follows:

2526           (a) the chief justice of the supreme court, as the presiding officer of the judicial

2527 council, or a judge designated by the chief justice;

2528           (b) the state court administrator or the state court administrator's designee;

2529           (c) the executive director of the Department of Corrections or the executive director's

2530 designee;

2531           (d) the executive director of the Department of Health and Human Services or the

2532 executive director's designee;

2533           (e) the commissioner of the Department of Public Safety or the commissioner's

2534 designee;

2535           (f) the attorney general or an attorney designated by the attorney general;

2536           (g) the president of the chiefs of police association or a chief of police designated by

2537 the association's president;

2538 (h) the president of the sheriffs' association or a sheriff designated by the association's  
2539 president;

2540 (i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons  
2541 and Parole designated by the chair;

2542 (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing  
2543 Commission designated by the chair;

2544 (k) the chair of the Utah Substance Use and Mental Health Advisory Council or a  
2545 member of the Utah Substance Use and Mental Health Advisory Council designated by the  
2546 chair;

2547 (l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of  
2548 Juvenile Justice designated by the chair;

2549 (m) the chair of the Utah Victim Services Commission or a member of the Utah Victim  
2550 Services Commission designated by the chair;

2551 ~~[(n) the chair of the Utah Council on Victims of Crime or a member of the Utah~~  
2552 ~~Council on Victims of Crime designated by the chair;]~~

2553 ~~[(o)]~~ (n) the executive director of the Salt Lake Legal Defender Association or an  
2554 attorney designated by the executive director;

2555 ~~[(p)]~~ (o) the chair of the Utah Indigent Defense Commission or a member of the  
2556 Indigent Defense Commission designated by the chair;

2557 ~~[(q)]~~ (p) the Salt Lake County District Attorney or an attorney designated by the district  
2558 attorney; and

2559 ~~[(r)]~~ (q) the following members designated to serve four-year terms:

2560 (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the  
2561 Judicial Council;

2562 (ii) a representative of the statewide association of public attorneys designated by the  
2563 association's officers;

2564 (iii) one member of the House of Representatives who is appointed by the speaker of  
2565 the House of Representatives; and

2566 (iv) one member of the Senate who is appointed by the president of the Senate.

2567 (2) The governor shall appoint the remaining five members to four-year staggered

2568 terms as follows:

2569 (a) one criminal defense attorney appointed from a list of three nominees submitted by  
2570 the Utah State Bar Association;

2571 (b) one attorney who primarily represents juveniles in delinquency matters appointed  
2572 from a list of three nominees submitted by the Utah Bar Association;

2573 (c) one representative of public education;

2574 (d) one citizen representative; and

2575 (e) a representative from a local faith who has experience with the criminal justice  
2576 system.

2577 (3) In addition to the members designated under Subsections (1) and (2), the United  
2578 States Attorney for the district of Utah or an attorney designated by the United States Attorney  
2579 may serve as a nonvoting member.

2580 (4) In appointing the members under Subsection (2), the governor shall take into  
2581 account the geographical makeup of the commission.

2582 Section 48. Section **63M-7-204** is amended to read:

2583 **63M-7-204. Duties of commission.**

2584 (1) The State Commission on Criminal and Juvenile Justice administration shall:

2585 (a) promote the commission's purposes as enumerated in Section **63M-7-201**;

2586 (b) promote the communication and coordination of all criminal and juvenile justice  
2587 agencies;

2588 (c) study, evaluate, and report on the status of crime in the state and on the  
2589 effectiveness of criminal justice policies, procedures, and programs that are directed toward the  
2590 reduction of crime in the state;

2591 (d) study, evaluate, and report on programs initiated by state and local agencies to  
2592 address reducing recidivism, including changes in penalties and sentencing guidelines intended  
2593 to reduce recidivism, costs savings associated with the reduction in the number of inmates, and  
2594 evaluation of expenses and resources needed to meet goals regarding the use of treatment as an  
2595 alternative to incarceration, as resources allow;

2596 (e) study, evaluate, and report on policies, procedures, and programs of other  
2597 jurisdictions which have effectively reduced crime;

2598 (f) identify and promote the implementation of specific policies and programs the

2599 commission determines will significantly reduce crime in Utah;

2600 (g) provide analysis and recommendations on all criminal and juvenile justice

2601 legislation, state budget, and facility requests, including program and fiscal impact on all

2602 components of the criminal and juvenile justice system;

2603 (h) provide analysis, accountability, recommendations, and supervision for state and

2604 federal criminal justice grant money;

2605 (i) provide public information on the criminal and juvenile justice system and give

2606 technical assistance to agencies or local units of government on methods to promote public

2607 awareness;

2608 (j) promote research and program evaluation as an integral part of the criminal and

2609 juvenile justice system;

2610 (k) provide a comprehensive criminal justice plan annually;

2611 (l) review agency forecasts regarding future demands on the criminal and juvenile

2612 justice systems, including specific projections for secure bed space;

2613 (m) promote the development of criminal and juvenile justice information systems that

2614 are consistent with common standards for data storage and are capable of appropriately sharing

2615 information with other criminal justice information systems by:

2616 (i) developing and maintaining common data standards for use by all state criminal

2617 justice agencies;

2618 (ii) annually performing audits of criminal history record information maintained by

2619 state criminal justice agencies to assess their accuracy, completeness, and adherence to

2620 standards;

2621 (iii) defining and developing state and local programs and projects associated with the

2622 improvement of information management for law enforcement and the administration of

2623 justice; and

2624 (iv) establishing general policies concerning criminal and juvenile justice information

2625 systems and making rules as necessary to carry out the duties under Subsection (1)(k) and this

2626 Subsection (1)(m);

2627 (n) allocate and administer grants, from money made available, for approved education

2628 programs to help prevent the sexual exploitation of children;

2629 (o) allocate and administer grants for law enforcement operations and programs related

2630 to reducing illegal drug activity and related criminal activity;

2631 (p) request, receive, and evaluate data and recommendations collected and reported by  
2632 agencies and contractors related to policies recommended by the commission regarding  
2633 recidivism reduction, including the data described in Section 13-53-111 and Subsection  
2634 26B-5-102(2)(l);

2635 (q) establish and administer a performance incentive grant program that allocates funds  
2636 appropriated by the Legislature to programs and practices implemented by counties that reduce  
2637 recidivism and reduce the number of offenders per capita who are incarcerated;

2638 (r) oversee or designate an entity to oversee the implementation of juvenile justice  
2639 reforms;

2640 (s) make rules and administer the juvenile holding room standards and juvenile jail  
2641 standards to align with the Juvenile Justice and Delinquency Prevention Act requirements  
2642 pursuant to 42 U.S.C. Sec. 5633;

2643 (t) allocate and administer grants, from money made available, for pilot qualifying  
2644 education programs;

2645 [~~(u)~~] ~~oversee the trauma-informed justice program described in Section 63M-7-209;~~

2646 [~~(v)~~] (u) request, receive, and evaluate the aggregate data collected from prosecutorial  
2647 agencies and the Administrative Office of the Courts, in accordance with Sections 63M-7-216  
2648 and 78A-2-109.5;

2649 [~~(w)~~] (v) report annually to the Law Enforcement and Criminal Justice Interim  
2650 Committee on the progress made on each of the following goals of the Justice Reinvestment  
2651 Initiative:

2652 (i) ensuring oversight and accountability;

2653 (ii) supporting local corrections systems;

2654 (iii) improving and expanding reentry and treatment services; and

2655 (iv) strengthening probation and parole supervision;

2656 [~~(x)~~] (w) compile a report of findings based on the data and recommendations provided  
2657 under Section 13-53-111 and Subsection 26B-5-102(2)(n) that:

2658 (i) separates the data provided under Section 13-53-111 by each residential, vocational  
2659 and life skills program; and

2660 (ii) separates the data provided under Subsection 26B-5-102(2)(n) by each mental

2661 health or substance use treatment program;

2662 ~~[(z)]~~ (x) publish the report described in Subsection ~~[(1)(x)]~~ (1)(w) on the commission's  
 2663 website and annually provide the report to the Judiciary Interim Committee, the Health and  
 2664 Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim  
 2665 Committee, and the related appropriations subcommittees; ~~[and]~~

2666 ~~[(z)]~~ (y) receive, compile, and publish on the commission's website the data provided  
 2667 under:

2668 (i) Section [53-23-101](#);

2669 (ii) Section [53-24-102](#); and

2670 (iii) Section [53-26-101](#); and

2671 (z) review, research, advise, and make recommendations to the three branches of  
 2672 government regarding evidence-based sex offense management policies and practices,  
 2673 including supervision standards, treatment standards, and the sex offender registry.

2674 (2) (a) The commission may designate an entity to perform the duties described in this  
 2675 part.

2676 (b) If the commission designates an entity under Subsection ~~[(1)(r)]~~ (2)(a), the  
 2677 commission shall ensure that the membership of the designated entity includes representation  
 2678 from ~~[the three branches of government and, as determined by the commission, representation~~  
 2679 ~~from relevant stakeholder groups across all parts of the juvenile justice system, including~~  
 2680 ~~county representation]~~ relevant stakeholder groups from the parts of the justice system  
 2681 implicated in the policy area.

2682 Section 49. Section **63M-7-218** is amended to read:

2683 **63M-7-218. State grant requirements.**

2684 Beginning July 1, 2023, the commission may not award any grant of state funds to any  
 2685 entity subject to, and not in compliance with, the reporting requirements in Subsections  
 2686 [63A-16-1002](#)(5)(a) through ~~[(r)]~~ (s).

2687 Section 50. Section **63M-7-220** is enacted to read:

2688 **63M-7-220. Domestic violence data collection.**

2689 (1) As used in this section:

2690 (a) "Commission" means the State Commission on Criminal and Juvenile Justice  
 2691 created in Section [63M-7-201](#).

(b) "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.

(c) "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.

(d) "Victim" means the same as that term is defined in Section [77-36-1](#).

(2) Beginning July 1, 2025, each law enforcement agency and other organizations that provide domestic violence services within the state shall submit the following data to the commission for compilation and analysis in collaboration with the data collected by the Department of Public Safety in accordance with Section [77-36-2.1](#) and the Administrative Office of the Courts:

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

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

(ii) training and protocols implemented by law enforcement agencies and the organizations described in Subsection (2)(a)(i) regarding the use of lethality assessments;

(b) the data collection efforts implemented by law enforcement agencies and the organizations described in Subsection (2)(a)(i);

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

(i) issued;

(ii) amended or dismissed before the date of expiration; and

(iii) dismissed under Section [78B-7-605](#); and

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

(i) stalking;

(ii) strangulation;

(iii) violence in the presence of children; and

(iv) threats of suicide or homicide.

(3) The commission, in collaboration with domestic violence organizations and other related stakeholders, shall conduct a review of and provide feedback on:

(a) lethality assessment training and protocols implemented by law enforcement agencies and the organizations described in Subsection (2)(a)(i); and

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

(i) 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](#);

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

(iii) the need for any additional data collection requirements or efforts.

(4) On or before November 30 of each year, the commission shall provide a written report to the Law Enforcement and Criminal Justice Interim Committee describing:

(a) the information gathered under Subsections (2) and (3); or

(b) the progress and assessment of available data under Subsections (2) and (3).

Section 51. Section **63M-7-502** is amended to read:

**63M-7-502. Definitions.**

As used in this part:

(1) "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](#).]~~

~~[(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

2754 loss otherwise reparable under this part that the victim or claimant has received, or that is  
2755 readily available to the victim from:

- 2756 (a) the offender;
- 2757 (b) the insurance of the offender or the victim;
- 2758 (c) the United States government or any of its agencies, a state or any of its political  
2759 subdivisions, or an instrumentality of two or more states, except in the case on nonobligatory  
2760 state-funded programs;
- 2761 (d) social security, Medicare, and Medicaid;
- 2762 (e) state-required temporary nonoccupational income replacement insurance or  
2763 disability income insurance;
- 2764 (f) workers' compensation;
- 2765 (g) wage continuation programs of any employer;
- 2766 (h) proceeds of a contract of insurance payable to the victim for the loss the victim  
2767 sustained because of the criminally injurious conduct;
- 2768 (i) a contract providing prepaid hospital and other health care services or benefits for  
2769 disability; or
- 2770 (j) veteran's benefits, including veteran's hospitalization benefits.

2771 ~~[(8)]~~ (7) "Criminal justice system victim advocate" means the same as that term is  
2772 defined in Section 77-38-403.

2773 ~~[(9)]~~ (8) (a) "Criminally injurious conduct" other than acts of war declared or not  
2774 declared means conduct that:

- 2775 (i) is or would be subject to prosecution in this state under Section 76-1-201;
- 2776 (ii) occurs or is attempted;
- 2777 (iii) causes, or poses a substantial threat of causing, bodily injury or death;
- 2778 (iv) is punishable by fine, imprisonment, or death if the individual engaging in the  
2779 conduct possessed the capacity to commit the conduct; and
- 2780 (v) does not arise out of the ownership, maintenance, or use of a motor vehicle,  
2781 aircraft, or water craft, unless the conduct is:

- 2782 (A) intended to cause bodily injury or death;
- 2783 (B) punishable under Title 76, Chapter 5, Offenses Against the Individual; or
- 2784 (C) chargeable as an offense for driving under the influence of alcohol or drugs.

2785 (b) "Criminally injurious conduct" includes a felony violation of Section 76-7-101 and  
2786 other conduct leading to the psychological injury of an individual resulting from living in a  
2787 setting that involves a bigamous relationship.

2788 ~~[(10)]~~ (9) (a) "Dependent" means a natural person to whom the victim is wholly or  
2789 partially legally responsible for care or support.

2790 (b) "Dependent" includes a child of the victim born after the victim's death.

2791 ~~[(11)]~~ (10) "Dependent's economic loss" means loss after the victim's death of  
2792 contributions of things of economic value to the victim's dependent, not including services the  
2793 dependent would have received from the victim if the victim had not suffered the fatal injury,  
2794 less expenses of the dependent avoided by reason of victim's death.

2795 ~~[(12)]~~ (11) "Dependent's replacement services loss" means loss reasonably and  
2796 necessarily incurred by the dependent after the victim's death in obtaining services in lieu of  
2797 those the decedent would have performed for the victim's benefit if the victim had not suffered  
2798 the fatal injury, less expenses of the dependent avoided by reason of the victim's death and not  
2799 subtracted in calculating the dependent's economic loss.

2800 ~~[(13)]~~ (12) "Director" means the director of the office.

2801 ~~[(14)]~~ (13) "Disposition" means the sentencing or determination of penalty or  
2802 punishment to be imposed upon an individual:

2803 (a) convicted of a crime;

2804 (b) found delinquent; or

2805 (c) against whom a finding of sufficient facts for conviction or finding of delinquency  
2806 is made.

2807 ~~[(15)]~~ (14) (a) "Economic loss" means economic detriment consisting only of  
2808 allowable expense, work loss, replacement services loss, and if injury causes death, dependent's  
2809 economic loss and dependent's replacement service loss.

2810 (b) "Economic loss" includes economic detriment even if caused by pain and suffering  
2811 or physical impairment.

2812 (c) "Economic loss" does not include noneconomic detriment.

2813 ~~[(16)]~~ (15) "Elderly victim" means an individual who is 60 years old or older and who  
2814 is a victim.

2815 ~~[(17)]~~ (16) "Fraudulent claim" means a filed reparations based on material

2816 misrepresentation of fact and intended to deceive the reparations staff for the purpose of  
2817 obtaining reparation funds for which the claimant is not eligible.

2818 ~~[(18)]~~ (17) "Fund" means the Crime Victim Reparations Fund created in Section  
2819 63M-7-526.

2820 ~~[(19)]~~ (18) (a) "Interpersonal violence" means an act involving violence, physical  
2821 harm, or a threat of violence or physical harm, that is committed by an individual who is or has  
2822 been in a domestic, dating, sexual, or intimate relationship with the victim.

2823 (b) "Interpersonal violence" includes any attempt, conspiracy, or solicitation of an act  
2824 described in Subsection ~~[(19)(a)]~~ (18)(a).

2825 ~~[(20)]~~ (19) "Law enforcement officer" means the same as that term is defined in  
2826 Section 53-13-103.

2827 ~~[(21)]~~ (20) (a) "Medical examination" means a physical examination necessary to  
2828 document criminally injurious conduct.

2829 (b) "Medical examination" does not include mental health evaluations for the  
2830 prosecution and investigation of a crime.

2831 ~~[(22)]~~ (21) "Mental health counseling" means outpatient and inpatient counseling  
2832 necessitated as a result of criminally injurious conduct, is subject to rules made by the ~~[board]~~  
2833 office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

2834 ~~[(23)]~~ (22) "Misconduct" means conduct by the victim that was attributable to the  
2835 injury or death of the victim as provided by rules made by the ~~[board]~~ office in accordance with  
2836 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

2837 ~~[(24)]~~ (23) "Noneconomic detriment" means pain, suffering, inconvenience, physical  
2838 impairment, and other nonpecuniary damage, except as provided in this part.

2839 ~~[(25)]~~ (24) "Nongovernment organization victim advocate" means the same as that  
2840 term is defined in Section 77-38-403.

2841 ~~[(26)]~~ (25) "Pecuniary loss" does not include loss attributable to pain and suffering  
2842 except as otherwise provided in this part.

2843 ~~[(27)]~~ (26) "Offender" means an individual who has violated Title 76, Utah Criminal  
2844 Code, through criminally injurious conduct regardless of whether the individual is arrested,  
2845 prosecuted, or convicted.

2846 ~~[(28)]~~ (27) "Offense" means a violation of Title 76, Utah Criminal Code.

2847           ~~[(29)]~~ (28) "Office" means the director, the reparations and assistance officers, and any  
2848 other staff employed for the purpose of carrying out the provisions of this part.

2849           ~~[(30)]~~ (29) "Perpetrator" means the individual who actually participated in the  
2850 criminally injurious conduct.

2851           ~~[(31)]~~ (30) "Reparations award" means money or other benefits provided to a claimant  
2852 or to another on behalf of a claimant after the day on which a reparations claim is approved by  
2853 the office.

2854           ~~[(32)]~~ (31) "Reparations claim" means a claimant's request or application made to the  
2855 office for a reparations award.

2856           ~~[(33)]~~ (32) (a) "Reparations officer" means an individual employed by the office to  
2857 investigate claims of victims and award reparations under this part.

2858           (b) "Reparations officer" includes the director when the director is acting as a  
2859 reparations officer.

2860           ~~[(34)]~~ (33) "Replacement service loss" means expenses reasonably and necessarily  
2861 incurred in obtaining ordinary and necessary services in lieu of those the injured individual  
2862 would have performed, not for income but the benefit of the injured individual or the injured  
2863 individual's dependents if the injured individual had not been injured.

2864           ~~[(35)]~~ (34) (a) "Representative" means the victim, immediate family member, legal  
2865 guardian, attorney, conservator, executor, or an heir of an individual.

2866           (b) "Representative" does not include a service provider or collateral source.

2867           ~~[(36)]~~ (35) "Restitution" means the same as that term is defined in Section [77-38b-102](#).

2868           ~~[(37)]~~ (36) "Secondary victim" means an individual who is traumatically affected by  
2869 the criminally injurious conduct subject to rules made by the ~~[board]~~ office in accordance with  
2870 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

2871           ~~[(38)]~~ (37) "Service provider" means an individual or agency who provides a service to  
2872 a victim for a monetary fee, except attorneys as provided in Section [63M-7-524](#).

2873           ~~[(39)]~~ (38) "Serious bodily injury" means the same as that term is defined in Section  
2874 [76-1-101.5](#).

2875           ~~[(40)]~~ (39) "Sexual assault" means any criminal conduct described in Title 76, Chapter  
2876 5, Part 4, Sexual Offenses.

2877           ~~[(41)]~~ (40) "Strangulation" means any act involving the use of unlawful force or

2878 violence that:

2879 (a) impedes breathing or the circulation of blood; and

2880 (b) is likely to produce a loss of consciousness by:

2881 (i) applying pressure to the neck or throat of an individual; or

2882 (ii) obstructing the nose, mouth, or airway of an individual.

2883 ~~[(42)]~~ (41) "Substantial bodily injury" means the same as that term is defined in

2884 Section 76-1-101.5.

2885 ~~[(43)]~~ (42) (a) "Victim" means an individual who suffers bodily or psychological injury

2886 or death as a direct result of:

2887 (i) criminally injurious conduct; or

2888 (ii) the production of pornography in violation of Section 76-5b-201 or 76-5b-201.1 if

2889 the individual is a minor.

2890 (b) "Victim" does not include an individual who participated in or observed the judicial

2891 proceedings against an offender unless otherwise provided by statute or rule made in

2892 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

2893 ~~[(44)]~~ (43) "Work loss" means loss of income from work the injured victim would

2894 have performed if the injured victim had not been injured and expenses reasonably incurred by

2895 the injured victim in obtaining services in lieu of those the injured victim would have

2896 performed for income, reduced by any income from substitute work the injured victim was

2897 capable of performing but unreasonably failed to undertake.

2898 Section 52. Section 63M-7-506 is amended to read:

2899 **63M-7-506. Duties of the office.**

2900 (1) The ~~[board]~~ office shall:

2901 ~~[(a) adopt a description of the office and prescribe the general operation of the board;]~~

2902 ~~[(b)]~~ (a) prescribe policy for the office;

2903 ~~[(c)]~~ (b) under the direction of the executive director of the Commission on Criminal

2904 and Juvenile Justice, adopt rules to implement and administer this part in accordance with Title

2905 63G, Chapter 3, Utah Administrative Rulemaking Act, which may include setting of ceilings

2906 on reparations, defining of terms not specifically stated in this part, and establishing of rules

2907 governing attorney fees;

2908 ~~[(d)]~~ (c) prescribe forms for applications for reparations;

2909 ~~[(e) review all reparations awards made by the reparations staff, although the board~~  
2910 ~~may not reverse or modify reparations awards authorized by the reparations staff;]~~

2911 ~~[(f)]~~ (d) render an annual report to the governor and the Legislature regarding the staff's  
2912 and the board's activities;

2913 ~~[(g)]~~ (e) ~~[cooperate with the director and the director's staff in formulating]~~ formulate  
2914 standards for the uniform application of Section 63M-7-509, taking into consideration the rates  
2915 and amounts of reparation payable for injuries and death under other laws of this state and the  
2916 United States;

2917 ~~[(h)]~~ (f) allocate money available in the fund to victims of criminally injurious conduct  
2918 for reparations claims;

2919 ~~[(i)]~~ (g) allocate money available to other victim services as provided by administrative  
2920 rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, once  
2921 a sufficient reserve has been established for reparation claims; and

2922 ~~[(j)]~~ (h) ~~[approve the allocation and disbursement of]~~ as authorized by the Commission  
2923 on Criminal and Juvenile Justice, allocate and disburse funds made available to the office by  
2924 the United States, the state, foundations, corporations, or other entities or individuals to  
2925 subgrantees from private, non-profit, and governmental entities operating qualified statewide  
2926 assistance programs.

2927 (2) All rules, or other statements of policy, along with application forms specified by  
2928 the ~~[board]~~ office, are binding upon the director, the reparations officers, assistance officers,  
2929 and other staff.

2930 Section 53. Section 63M-7-507 is amended to read:

2931 **63M-7-507. Director -- Appointment and functions -- Office duties.**

2932 (1) The executive director of the Commission on Criminal and Juvenile Justice~~[-after~~  
2933 ~~consulting with the board;]~~ shall appoint a director to carry out the provisions of this part.

2934 (2) The director shall:

2935 (a) be an experienced administrator with a background in at least one of the following  
2936 fields:

2937 (i) social work;

2938 (ii) psychology;

2939 (iii) criminal justice;

2940 (iv) law; or  
2941 (v) another field related to the fields described in Subsections (2)(a)(i) through (iv);  
2942 (b) demonstrate an understanding of the needs of crime victims and of services to  
2943 victims; and  
2944 (c) devote the director's time and capacity to the director's duties.  
2945 (3) In addition to the requirements under Subsection (2), the director shall:  
2946 (a) hire staff, including reparations and assistance officers, as necessary;  
2947 (b) act when necessary as a reparations officer in deciding an initial reparations claim;  
2948 (c) possess the same investigation and decision-making authority as the reparations  
2949 officers;  
2950 (d) hear appeals from the decisions of the reparations officers, unless the director acted  
2951 as a reparations officer on the initial reparations claim;  
2952 ~~[(e) serve as a liaison between the office and the board;]~~  
2953 ~~[(f)]~~ (e) serve as the public relations representative of the office;  
2954 ~~[(g)]~~ (f) provide for payment of all administrative salaries, fees, and expenses incurred  
2955 by the staff of the ~~[board]~~ office, to be paid out of appropriations from the fund;  
2956 ~~[(h)]~~ (g) cooperate with the state treasurer and the state Division of Finance in causing  
2957 the funds in the fund to be invested and the fund's investments sold or exchanged and the  
2958 proceeds and income collected;  
2959 ~~[(i)]~~ (h) apply for, receive, allocate, disburse, and account for, subject to approval and  
2960 in conformance with policies adopted by the ~~[board]~~ office, all grant funds made available by  
2961 the United States, the state, foundations, corporations, and other businesses, agencies, or  
2962 individuals;  
2963 ~~[(j)]~~ (i) obtain and utilize the services of other governmental agencies upon request;  
2964 and  
2965 ~~[(k)]~~ (j) act in any other capacity or perform any other acts necessary for the office ~~[or~~  
2966 ~~board]~~ to successfully fulfill the office's ~~[or board's]~~ statutory duties and objectives.  
2967 (4) The director may request assistance from the Commission on Criminal and Juvenile  
2968 Justice, the Department of Public Safety, and other state agencies in conducting research or  
2969 monitoring victims' programs.  
2970 Section 54. 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 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]~~ 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 55. 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;

(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

3033 Administrative Rulemaking Act;

3034 (g) loss of support to a dependent not otherwise compensated for a pecuniary loss for  
3035 personal injury, for as long as the dependence would have existed had the victim survived, at a  
3036 rate not to exceed 66-2/3% of the individual's weekly salary or wages or the maximum amount  
3037 allowed under the state workers' compensation statute, whichever is less;

3038 (h) personal property necessary and essential to the health or safety of the victim as  
3039 defined by rules made by the [~~board~~] office in accordance with Title 63G, Chapter 3, Utah  
3040 Administrative Rulemaking Act;

3041 (i) medical examinations, subject to rules made by the [~~board~~] office in accordance  
3042 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may allow for  
3043 exemptions from Sections 63M-7-509, 63M-7-512, and 63M-7-513; and

3044 (j) for a victim of sexual assault who becomes pregnant from the sexual assault, health  
3045 care:

3046 (i) for the victim during the duration of the victim's pregnancy if the health care is  
3047 related to or resulting from the sexual assault or the pregnancy; and

3048 (ii) for the victim and the victim's child for one year after the day on which the victim's  
3049 child is born.

3050 Section 56. Section 63M-7-516 is amended to read:

3051 **63M-7-516. Waiver of privilege.**

3052 (1) (a) A victim who is a claimant waives any privilege as to communications or  
3053 records relevant to an issue of the physical, mental, or emotional conditions of the victim  
3054 except for the attorney-client privilege.

3055 (b) The waiver described in Subsection (1)(a) applies only to reparations officers, the  
3056 director, the [~~board~~] assistant director reparations program manager, and legal counsel.

3057 (2) A claimant may be required to supply any additional medical or psychological  
3058 reports available relating to the injury or death for which compensation is claimed.

3059 (3) (a) The reparations officer hearing a reparations claim or an appeal from a  
3060 reparations claim shall make available to the claimant a copy of the report.

3061 (b) If the victim is deceased, the director or the director's appointee, on request, shall  
3062 furnish the claimant a copy of the report unless dissemination of that copy is prohibited by law.

3063 Section 57. 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 58. 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]~~ 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 59. 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:

(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 60. 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

3126 award will be made, an amount may be paid to the claimant, to be deducted from the final  
3127 reparations award or repaid by and recoverable from the claimant to the extent that it exceeds  
3128 the final reparations award.

3129 (2) The ~~[board]~~ office may limit emergency reparations awards under Subsection (1) to  
3130 any amount the ~~[board]~~ office considers necessary.

3131 Section 61. Section **63M-7-525** is amended to read:

3132 **63M-7-525. Purpose -- Not entitlement program.**

3133 (1) (a) The purpose of the office is to assist victims of criminally injurious conduct  
3134 who may be eligible for assistance from the fund.

3135 (b) Reparation to a victim under this part is limited to the money available in the fund.

3136 (2) (a) The assistance program described in Subsection (1) is not an entitlement  
3137 program.

3138 (b) A reparations award may be limited or denied as determined appropriate by the  
3139 ~~[board]~~ office.

3140 (c) Failure to grant a reparations award does not create a cause of action against the  
3141 office, the state, or any of its subdivisions and there is no right to judicial review over the  
3142 decision whether or not to grant a reparations award.

3143 (3) A cause of action based on a failure to give or receive the notice required by this  
3144 part does not accrue to any person against the state, any of its agencies or local subdivisions,  
3145 any of their law enforcement officers or other agents or employees, or any health care or  
3146 medical provider or its agents or employees nor does it affect or alter any requirement for filing  
3147 or payment of a reparations claim.

3148 Section 62. Section **63M-7-902** is amended to read:

3149 **63M-7-902. Creation -- Membership -- Terms -- Vacancies -- Expenses.**

3150 (1) There is created the Utah Victim Services Commission within the State  
3151 Commission on Criminal and Juvenile Justice.

3152 (2) The commission is composed of the following members:

3153 (a) the executive director of the State Commission on Criminal and Juvenile Justice or  
3154 the executive director's designee;

3155 (b) the director of the Utah Office for Victims of Crime or the director's designee;

3156 ~~[(c) the executive director of the Department of Health and Human Services or the~~

3157 ~~executive director's designee;]~~

3158           ~~[(d)]~~ (c) the executive director of the Department of Corrections or the executive  
3159 director's designee;

3160           ~~[(e)]~~ (d) the director of the Division of Multicultural Affairs or the director's designee;

3161           ~~[(f)]~~ (e) the executive director of the state sexual assault coalition for this state or the  
3162 executive director's designee;

3163           ~~[(g)]~~ (f) the executive director of the state domestic violence coalition for this state or  
3164 the executive director's designee;

3165           ~~[(h)]~~ (g) the executive director of the tribal coalition for this state or the executive  
3166 director's designee;

3167           ~~[(i)]~~ (h) the director of the Children's Justice Center Program in the Office of the  
3168 Attorney General or the director's designee;

3169           ~~[(j)] the chair of the Children's Justice Center Standing Committee or the chair's~~  
3170 ~~designee;]~~

3171           ~~[(k)]~~ (i) the attorney general or the attorney general's designee;

3172           ~~[(l)]~~ (j) the commissioner of the Department of Public Safety or the commissioner's  
3173 designee;

3174           ~~[(m)]~~ (k) a criminal justice system based advocate, appointed by the governor with the  
3175 advice and consent of the Senate;

3176           ~~[(n)]~~ (l) a prosecuting attorney, appointed by the governor with the advice and consent  
3177 of the Senate;

3178           ~~[(o)]~~ (m) a criminal defense attorney, appointed by the governor with the advice and  
3179 consent of the Senate;

3180           ~~[(p)]~~ (n) a law enforcement representative from the Utah Sheriffs Association or Utah  
3181 Chiefs of Police Association, appointed by the governor with the advice and consent of the  
3182 Senate; and

3183           ~~[(q)] an individual who is a victim of crime, appointed by the governor with the advice~~  
3184 ~~and consent of the Senate;]~~

3185           ~~[(r)]~~ (o) an individual who is a current ~~[or former representative from the House of~~  
3186 ~~Representatives or has experience or expertise with the legislative process, appointed by the~~  
3187 ~~speaker of the House of Representatives; and]~~ representative from the House of

3188 Representatives or senator from the Senate, appointed jointly by the speaker of the House of  
3189 Representatives and president of the Senate.

3190 ~~[(s) an individual who is a current or former senator from the Senate or has experience~~  
3191 ~~or expertise with the legislative process, appointed by the president of the Senate.]~~

3192 (3) (a) A member appointed under Subsections ~~[(2)(m) through (s)]~~ (2)(k) through (o)  
3193 shall serve a four-year term.

3194 (b) A member appointed to serve a four-year term is eligible for reappointment.

3195 (4) When a vacancy occurs in the membership of the commission for any reason, the  
3196 replacement shall be appointed by the applicable appointing authority for the remainder of the  
3197 unexpired term of the original appointment.

3198 (5) Except as otherwise provided in Subsection ~~[(5)]~~ (6), a member may not receive  
3199 compensation for the member's service but may receive per diem and reimbursement for travel  
3200 expenses incurred as a member at the rates established by:

3201 (a) Section [63A-3-106](#);

3202 (b) Section [63A-3-107](#); and

3203 (c) rules made by the Division of Finance according to Sections [63A-3-106](#) and  
3204 [63A-3-107](#).

3205 (6) A member may not receive per diem or reimbursement for travel expenses under  
3206 Subsection (5) if the member is being paid by a governmental entity while performing the  
3207 member's service on the commission.

3208 Section 63. Section **63M-7-904** is amended to read:

3209 **63M-7-904. Duties of the commission -- Report.**

3210 (1) The commission shall:

3211 (a) advocate for the adoption, repeal, or modification of laws or proposed legislation in  
3212 the interest of victims of crime;

3213 (b) make recommendations to the Legislature, the governor, and the Judicial Council  
3214 on the following:

3215 (i) enforcing existing rights of victims of crime;

3216 (ii) enhancing rights of victims of crime;

3217 (iii) the role of victims of crime in the criminal justice system;

3218 (iv) victim restitution;

3219 (v) educating and training criminal justice professionals on the rights of victims of  
3220 crime; and

3221 (vi) enhancing services to victims of crimes; and

3222 (c) provide training on the rights of victims of crime.

3223 (2) The commission shall, in partnership with state agencies and organizations,  
3224 including the Children's Justice Center Program, the Utah Office for Victims of Crime, [~~the~~  
3225 ~~Utah Council on Victims of Crime;~~] and the Division of Child and Family Services:

3226 (a) review and assess the duties and practices of the State Commission on Criminal and  
3227 Juvenile Justice regarding services and criminal justice policies pertaining to victims;

3228 (b) encourage and facilitate the development and coordination of trauma-informed  
3229 services for crime victims throughout the state;

3230 (c) encourage and foster public and private partnerships for the purpose of:

3231 (i) assessing needs for crime victim services throughout the state;

3232 (ii) developing crime victim services and resources throughout the state; and

3233 (iii) coordinating crime victim services and resources throughout the state;

3234 (d) generate unity for ongoing efforts to reduce and eliminate the impact of crime on  
3235 victims through a comprehensive and evidence-based prevention, treatment, and justice  
3236 strategy;

3237 (e) recommend and support the creation, dissemination, and implementation of  
3238 statewide policies and plans to address crimes, including domestic violence, sexual violence,  
3239 child abuse, and driving under the influence of drugs and alcohol;

3240 [~~(f) develop a systematic process and clearinghouse for the collection and~~  
3241 ~~dissemination of data on domestic violence and sexual violence;~~]

3242 [(g)] (f) collect information on statewide funding for crime victim services and  
3243 prevention efforts, including the sources, disbursement, and outcomes of statewide funding for  
3244 crime victim services and prevention efforts;

3245 [(h)] (g) consider recommendations from any subcommittee of the commission; and

3246 [(i)] (h) make recommendations regarding:

3247 (i) the duties and practices of the State Commission on Criminal and Juvenile Justice  
3248 to ensure that:

3249 (A) crime victims are a vital part of the criminal justice system of the state;

3250 (B) all crime victims and witnesses are treated with dignity, respect, courtesy, and  
3251 sensitivity; and

3252 (C) the rights of crime victims and witnesses are honored and protected by law in a  
3253 manner no less vigorous than protections afforded to criminal defendants; and

3254 (ii) statewide funding for crime victim services and prevention efforts.

3255 ~~[(2)]~~ (3) The commission may:

3256 (a) subject to court rules and the governor's approval, advocate in an appellate court on  
3257 behalf of a victim of crime;

3258 (b) recommend to the Legislature the services to be funded by the Victim Services  
3259 Restricted Account;

3260 (c) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
3261 Rulemaking Act, regarding the process by which a victim, or a representative of a victim, may  
3262 submit a complaint alleging a violation of the victim's rights; and

3263 (d) review any action taken by a district victims' rights committee.

3264 ~~[(3)]~~ (4) The commission shall report the commission's recommendations annually to  
3265 the State Commission on Criminal and Juvenile Justice, the governor, the Judicial Council, the  
3266 Executive Offices and Criminal Justice Appropriations Subcommittee, the Health and Human  
3267 Services Interim Committee, the Judiciary Interim Committee, and the Law Enforcement and  
3268 Criminal Justice Interim Committee.

3269 ~~[(4)]~~ (5) When taking an action or making a recommendation, the commission shall  
3270 respect that a state agency is bound to follow state law and may have duties or responsibilities  
3271 imposed by state law.

3272 Section 64. Section **63N-4-502** is amended to read:

3273 **63N-4-502. Definitions.**

3274 As used in this part:

3275 ~~[(1) "Advisory committee" means the Rural Online Working Hubs Grant Advisory~~  
3276 ~~Committee created in Section **63N-4-505**.]~~

3277 ~~[(2)]~~ (1) "Coworking and innovation center" means a facility designed to provide  
3278 individuals with the infrastructure and equipment to participate in the online workforce.

3279 ~~[(3)]~~ (2) "Entity" means a county, city, nonprofit organization, or institution of higher  
3280 education.

3281           [(4)] (3) "Grant" means a grant awarded as part of the Rural Coworking and Innovation  
3282 Center Grant Program created in Section 63N-4-503.

3283           [(5)] (4) "Grant program" means the Rural Coworking and Innovation Center Grant  
3284 Program created in Section 63N-4-503.

3285           [(6)] (5) "Rural area" means any area in any county in the state except Salt Lake, Utah,  
3286 Davis, Weber, Washington, Cache, Tooele, and Summit counties.

3287           Section 65. Section 63N-4-504 is amended to read:

3288           **63N-4-504. Requirements for awarding a working hubs grant.**

3289           (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
3290 office shall make rules establishing the eligibility and reporting criteria for an entity to receive  
3291 a grant under this part, including:

3292           (a) the form and process of submitting an application to the office for a grant;

3293           (b) which entities are eligible to apply for a grant;

3294           (c) the method and formula for determining grant amounts; and

3295           (d) the reporting requirements of grant recipients.

3296           (2) In determining the award of a grant, the office may prioritize projects:

3297           (a) that will serve underprivileged or underserved communities, including communities  
3298 with high unemployment or low median incomes;

3299           (b) where an applicant demonstrates comprehensive planning of the project but has  
3300 limited access to financial resources, including financial resources from local or county  
3301 government; and

3302           (c) that maximize economic development opportunities in collaboration with the  
3303 economic development needs or plans of an educational institution, a county, and a  
3304 municipality.

3305           (3) Subject to legislative appropriation, a grant may only be awarded by the executive  
3306 director ~~[after consultation with the advisory committee]~~.

3307           (4) A grant may only be awarded under this part:

3308           (a) if the grant recipient agrees to provide any combination of funds, land, buildings, or  
3309 in-kind work in an amount equal to at least 25% of the grant;

3310           (b) if the grant recipient agrees not to use grant money for the ongoing operation or  
3311 maintenance of a coworking and innovation center; and

3312 (c) in an amount no more than \$500,000 to a grant applicant.

3313 Section 66. Section **73-3d-201** is amended to read:

3314 **73-3d-201. Declaration of a temporary water shortage emergency by the**  
3315 **governor.**

3316 (1) (a) Subject to the requirements of this section, the governor may declare a  
3317 temporary water shortage emergency by issuing an executive order if, on the governor's own  
3318 initiative or at the request of a person entitled to make a request, the governor determines that  
3319 an existing or imminent short-term interruption of water delivery in this state caused by  
3320 manmade or natural causes other than drought:

3321 (i) threatens:

3322 (A) the availability or quality of an essential water supply or water supply  
3323 infrastructure; or

3324 (B) the operation of the economy; and

3325 (ii) because of the threats described in Subsection (1)(a)(i), jeopardizes the peace,  
3326 health, safety, or welfare of the people of this state.

3327 (b) The governor may only issue the executive order declaring a temporary water  
3328 shortage emergency described in Subsection (1)(a):

3329 (i) with the advice and recommendation of the state engineer; and

3330 (ii) in consultation with the emergency management administration [~~committee~~]  
3331 council created by Section [53-2a-105](#).

3332 (c) An executive order issued under this Subsection (1) shall state with specificity:

3333 (i) the nature of the interruption of water supply;

3334 (ii) subject to Subsection (2), the time period for which the temporary water shortage  
3335 emergency is declared;

3336 (iii) a description of the geographic area that is subject to the executive order;

3337 (iv) a list of the specific persons entitled to make a request who may exercise the  
3338 preferential use of water under Section [73-3d-301](#) during the effective period of the temporary  
3339 water shortage emergency; and

3340 (v) the purposes outlined in Subsection [73-3d-301](#)(1) for which a person who is  
3341 described in Subsection (1)(c)(iv) may take the water subject to Section [73-3d-301](#).

3342 (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 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

3374 renewed or extended only by joint resolution of the Legislature.

3375 Section 67. Section **80-2-402** is amended to read:

3376 **80-2-402. Child welfare training coordinator -- Mandatory education and**  
3377 **training of child welfare caseworkers -- Development of curriculum.**

3378 (1) There is created within the division a full-time position of a child welfare training  
3379 coordinator.

3380 (2) The child welfare training coordinator is not responsible for direct casework  
3381 services or the supervision of casework services, but is required to:

3382 (a) develop child welfare curriculum that:

3383 (i) is current and effective, consistent with the division's mission and purpose for child  
3384 welfare; and

3385 (ii) utilizes curriculum and resources from a variety of sources including those from:

3386 (A) the public sector;

3387 (B) the private sector; and

3388 (C) inside and outside of the state;

3389 (b) recruit, select, and supervise child welfare trainers;

3390 (c) develop a statewide training program, including a budget and identification of  
3391 sources of funding to support that training;

3392 (d) evaluate the efficacy of training in improving job performance;

3393 (e) assist child protective services and foster care workers in developing and fulfilling  
3394 their individual training plans;

3395 (f) monitor staff compliance with division training requirements and individual training  
3396 plans; and

3397 (g) expand the collaboration between the division and schools of social work within  
3398 institutions of higher education in developing child welfare services curriculum, and in  
3399 providing and evaluating training.

3400 (3) The director shall, with the assistance of the child welfare training coordinator,  
3401 establish and ensure child welfare caseworker competency regarding a core curriculum for  
3402 child welfare services that:

3403 (a) is driven by child safety and family well-being;

3404 (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;

(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;

3436 and

3437 (c) the importance and priority of:

3438 (i) kinship placement in the event a child must be taken into protective custody; and

3439 (ii) guardianship placement, in the event the parent-child relationship is legally

3440 terminated and no appropriate adoptive placement is available.

3441 (7) If a child welfare caseworker is hired, before assuming independent casework

3442 responsibilities, the division shall ensure that the child welfare caseworker has:

3443 (a) completed the training described in Subsections (4), (5), and (6); and

3444 (b) participated in sufficient skills development for a child welfare caseworker.

3445 Section 68. **Repealer.**

3446 This bill repeals:

3447 Section **26B-1-403**, Opioid and Overdose Fatality Review Committee.

3448 Section **26B-1-407** (Superseded 07/01/24), Stroke registry advisory committee.

3449 Section **26B-1-408** (Superseded 07/01/24), Cardiac registry advisory committee.

3450 Section **26B-1-419**, Utah Health Care Workforce Financial Assistance Program

3451 **Advisory Committee -- Membership -- Compensation -- Duties.**

3452 Section **35A-13-504**, Appointment of advisory council.

3453 Section **53-2d-903** (Effective 07/01/24), Stroke registry advisory committee.

3454 Section **53-2d-904** (Effective 07/01/24), Cardiac registry advisory committee.

3455 Section **53-11-125**, Exemptions from licensure.

3456 Section **63M-7-209** (Superseded 07/01/24), Trauma-informed justice program.

3457 Section **63M-7-209** (Effective 07/01/24), Trauma-informed justice program.

3458 Section **63N-4-505**, Rural Online Working Hubs Grant Advisory Committee --

3459 **Membership -- Duties -- Expenses.**

3460 Section 69. **Effective date.**

3461 (1) Except as provided in Subsections (2) through (4), this bill takes effect on October  
3462 1, 2024.

3463 (2) The actions affecting the following sections take effect on May 1, 2024:

3464 (a) Section **26B-1-204** (Superseded 07/01/24);

3465 (b) Section **26B-1-403**;

3466 (c) Section **26B-1-407**;

- 3467        (d) Section [26B-1-408](#);  
3468        (e) Section [26B-1-419](#);  
3469        (f) Section [26B-4-702](#);  
3470        (g) Section [35A-13-504](#);  
3471        (h) Section [52-4-205](#);  
3472        (i) Section [53-2d-903](#);  
3473        (j) Section [53-2d-904](#);  
3474        (k) Section [53-11-125](#);  
3475        (l) Section [63A-16-1002](#);  
3476        (m) Section [63C-1-103](#);  
3477        (n) Section [63I-1-209](#);  
3478        (o) Section [63I-1-235](#);  
3479        (p) Section [63I-1-236](#);  
3480        (q) Section [63I-1-253](#) (Superseded 07/01/24);  
3481        (r) Section [63I-1-263](#);  
3482        (s) Section [63I-2-209](#);  
3483        (t) Section [63I-2-226](#) (Superseded 07/01/24);  
3484        (u) Section [63I-2-235](#);  
3485        (v) Section [63I-2-236](#);  
3486        (x) Section [63I-2-263](#);  
3487        (y) Section [63M-7-204](#);  
3488        (z) Section [63M-7-209](#) (Superseded 07/01/24);  
3489        (aa) Section [63M-7-218](#);  
3490        (bb) Section [63M-7-220](#);  
3491        (cc) Section [63N-4-502](#);  
3492        (dd) Section [63N-4-504](#);  
3493        (ee) Section [63N-4-505](#);  
3494        (ff) Section [73-3d-201](#); and  
3495        (gg) Section [80-2-402](#).  
3496        (3) The actions affecting the following sections take effect on July 1, 2024:  
3497        (a) Section [26B-1-204](#) (Effective 07/01/24);

3498 (c) Section [63I-1-253](#) (Eff 07/01/24) (Cont Sup 01/01/25);

3499 (d) Section [63I-2-226](#) (Effective 07/01/24);

3500 (e) Section [63I-2-253](#) (Effective 07/01/24); and

3501 (f) Section [63M-7-209](#) (Effective 07/01/24).

3502 (4) The actions affecting Section [63I-1-253](#) (Contingently Effective 01/01/25)

3503 contingently take effect on January 1, 2025.

3504 Section 70. **Coordinating H.B. 532 with H.B. 115.**

3505 If H.B. 532, State Boards and Commissions Modifications, and H.B. 115, Cultural and

3506 Community Engagement Amendments, both pass and become law, the Legislature intends that,

3507 on October 1, 2024, the amendments to Section [9-6-301](#) in H.B. 532 supersede the

3508 amendments to Section [9-6-301](#) in H.B. 115.