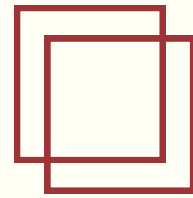


# LEGISLATIVE REPORT

2024

# EXECUTIVE SUMMARY



This year's legislative session brought crucial funding into the emergency shelter and County behavioral health systems. It saw an expansion of the scope of law enforcement and the criminal justice system to exert a heavier influence on youth in public schools and individuals experiencing homelessness. Additionally, the legislature conducted a broad restructuring of its policy advisory bodies. The downsizing of these boards and commissions could alter the ways in which stakeholders engage on an array of policy issues, including homelessness, criminal justice, sentencing, and victims rights. In the coming year, these more streamlined bodies will need to work in tandem with additional stakeholders to pursue collaborative solutions to the state's most pressing problems.

State and local agencies are planning with community organizations to make the best possible use out of the session's system funding. Gaps still exist. Meaningful investment in statewide deeply affordable housing is needed, and individuals continue to face long wait times to get the care and services they need.

The Office of Homelessness and Criminal Justice Reform will continue throughout the interim as a partner in Salt Lake County's systemic coordination work, endeavoring to address criminal justice inequities and to render homelessness rare, brief, and non-recurring.

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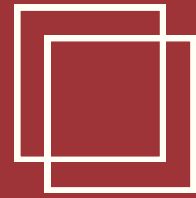
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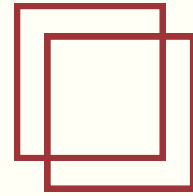


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# OVERVIEW



The Salt Lake County Office of Homelessness and Criminal Justice Reform presents the following report on bills and appropriations from the 2024 General Session of the Utah State Legislature. The Office was formed in July 2023 as a part of the County’s unified approach to understanding and addressing issues at the intersection of homelessness and criminal justice.

**207**  
BILLS TRACKED

The Office works closely with County human services and other stakeholders through systemic coordination efforts and provides staff support for the Salt Lake Valley Coalition to End Homelessness and the Criminal Justice Advisory Council.

**137**  
BILLS PASSED

This report has three goals.

The first is to summarize themes that emerged during this year’s session, highlighting gaps and opportunities that have emerged.

The second is to communicate appropriations decisions that will impact relevant systems, programs, and services across our issue areas.

**46**  
IN REPORT

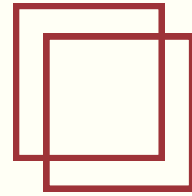
The third is to provide concise, accurate synopses of significant legislation.

**\$55.1 M**  
HOMELESSNESS  
FUNDING

**\$49.7 M**  
CRIMINAL JUSTICE  
FUNDING

**\$21.0 M**  
BEHAVIORAL HEALTH  
FUNDING

# THEMES



## SYSTEM FUNDING

This year's session saw much-needed funding allocated to fill gaps in the homelessness, criminal justice, and behavioral health systems. On the homelessness side, funds were set aside to support low-barrier shelter development and shore-up statewide systems. Funding was also appropriated to target bottlenecks in the criminal justice system, adding new district and juvenile court judges as well as additional state-level prosecutors. For behavioral health, vital monies were allocated towards Medicaid Match assistance for counties and a statewide primary care provider rate increase. In addition, a portion of the State's share of Opioid Settlement dollars will be distributed to community-based substance use recovery and prevention programs.

**\$3.0 M**  
DISTRICT AND JUVENILE  
COURT JUDGES

**\$2.1 M**  
COURT INTERPRETER  
PROGRAM

**\$450 K**  
CRIMINAL APPEALS  
ATTORNEYS

**\$25 M**

ESTABLISH LOW-BARRIER  
SHELTERS STATEWIDE

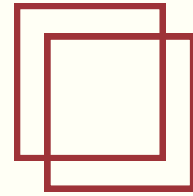
**\$5.5 M**

MEDICAID MATCH  
ASSISTANCE TO COUNTIES

**\$1.5 M**

OPIOID SETTLEMENT DOLLARS  
FOR COMMUNITY PROGRAMS

# THEMES



## LAW ENFORCEMENT & CRIMINALIZATION

A significant number of bills involved an emphasis on law enforcement, strict sentencing, and incarceration as means to address school safety issues and behaviors commonly associated with homelessness and behavioral health conditions. Several bills focus on civil commitment, potentially expanding the scenarios in which a person would be eligible and adding new responsibilities for law enforcement and corrections. There is also a collection of bills that focuses on individuals with a high degree of criminal justice involvement, increasing associated penalties and sentences. Additionally, this year's legislation increases the prevalence of presumptive mandatory-minimum sentences for certain crimes and limits the circumstances under which an individual is eligible for pre-trial release. Last, there several changes that aim for an increased focus on the enforcement of camping and panhandling ordinances.

**HB 14**  
MANDATORY SUSPENSION OR  
EXPULSION FOR A FALSE  
EMERGENCY REPORT

**HB 84**  
SCHOOL GUARDIAN  
PROGRAM ARMS ON-  
CAMPUS VOLUNTEERS

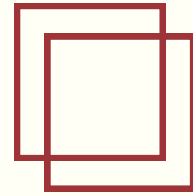
**HB 273**  
PRESUMPTIVE MINIMUM 5-YEARS IN  
PRISON FOR DUI RESULTING IN DEATH

**HB 68**  
PRESUMPTIVE PRISON SENTENCE FOR  
DISTRIBUTION WITH A DANGEROUS WEAPON

# HB 421

MUST ENFORCE PANHANDLING  
ORDINANCE TO RECEIVE SHELTER  
CITIES MITIGATION FUNDS

# THEMES



## STATE BOARDS & COMMISSIONS

Legislators made sweeping changes to the membership and duties of policy advisory bodies across all three issue areas. Several key commissions saw significant membership reductions. These changes aim to improve group focus and functionality with the tradeoff of narrower stakeholder representation. In addition, the creation of new bodies, such as the Behavioral Health Commission, may lead to increased attention on critical issue areas and facilitate the development of novel policy solutions. In all, these smaller commissions will have significant new responsibilities in the coming months, and stakeholders may need to identify additional opportunities to inform and educate legislators.

### SB 27

CREATES BEHAVIORAL HEALTH COMMISSION, RELOCATES USAAV+

### HB 532

REPEALS VICTIMS' RIGHTS BOARDS, LIMITS STUDY OF DOMESTIC & SEXUAL VIOLENCE

## SB 200

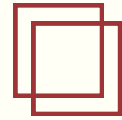
DOWNSIZES CCJJ & SENTENCING COMMISSION, REMOVES DA & LDA POSITIONS

## HB 298

REPLACES UTAH HOMELESSNESS COUNCIL WITH 11-MEMBER HOMELESS SERVICES BOARD

# APPROPRIATIONS

## HOMELESSNESS

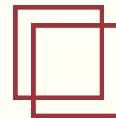


ITEM	ONGOING	ONE-TIME	DESCRIPTION
LOW BARRIER SHELTER DEVELOPMENT	-	\$25,000,000	Help establish low barrier shelters statewide.
STATEWIDE HOMELESS SUPPORT	\$10,000,000	\$11,800,000	Address homeless within the state via competitive grant process overseen by Utah Homelessness Council (now Homeless Services Board).
HOMELESS SHELTER CITIES MITIGATION	\$2,500,000	-	Helps cities address community safety impacts from hosting shelter sites.
LOCAL SALES TAX CONTRIBUTION TO HOMELESS SHELTER CITIES MITIGATION (HB 421)	\$1,000,000	-	Anticipated account balance increase due to clarification of monthly per-bed discount for local contributions.
OHS DATA AND REPORTING (HB 298)	\$116,700	\$100,800	Supports OHS efforts to meet new data collection and reporting requirements.
ALCOHOL SALES ROUND-UP FOR PAMELA ATKINSON HOMELESS ACCOUNT	-	\$150,000	Creates point-of-sale round-up option to contribute to the Pamela Atkinson Homeless Trust Fund.
HOME COURT PILOT (HB 421)	\$488,800	\$2,000,000	Support development of problem-solving court program in Salt Lake County
TANF FOR NEWGEN: YOUTH HOMELESSNESS SOLUTIONS AND PREVENTION		\$1,700,000	Help meet growing demand for youth aged 12-17 in Basic Center Programs and Transitional Living Program.
HOUSING AND COMMUNITY DEVELOPMENT STAFF	\$238,000	-	Improve program support and outcomes for housing and community development.
EXPANDED MEDICAID COVERAGE FOR JUSTICE-INVOLVED INDIVIDUALS (HB 501)	-	-	Closing health insurance loopholes allows additional medicaid coverage for incarcerated and recently released individuals.
<b>TOTAL</b>	<b>\$14,343,500</b>	<b>\$40,750,800</b>	<b>\$55,094,300</b>



# APPROPRIATIONS

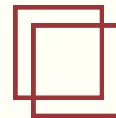
## CRIMINAL JUSTICE



ITEM	ONGOING	ONE-TIME	DESCRIPTION
CRIMINAL APPEALS ATTORNEYS	\$450,000	-	Increase the Attorney General's Office capacity.
CORRECTIONS ENHANCED COMPENSATION	\$30,000,000	\$6,000,000	Increases for targeted compensation and officer overtime pay.
PRISON SAFETY AND RISK MITIGATION	\$1,400,000	\$400,000	Address safety risks and challenges identified in prison audit.
JUDICIAL CAPACITY	\$1,400,000	\$1,600,000	District and juvenile court judgeships and staffing to better process and accelerate current caseload and backlog.
COURT INTERPRETER PROGRAM	\$700,000	\$1,400,000	Address the ability to retain, hire, and contract for court interpreters.
GUARDIAN AD LITEM ATTORNEY COMPENSATION	\$500,000	\$600,000	Support the retention and recruitment of attorneys who represent children in cases of alleged abuse and neglect.
PUBLIC SAFETY EMERGENCY MEDICAL SERVICES (EMS) OPERATIONS	\$200,000	\$1,700,000	Support EMS transition from HHS to DPS, maintain current operations, and support rural EMS providers.
WEST DAVIS CORRIDOR UHP OFFICERS	\$500,000	\$300,000	Support Utah Highway Patrol coverage of recently opened West Davis Corridor.
PUBLIC SAFETY AERO BUREAU OPERATIONS	\$300,000	\$1,700,000	Support helicopter operations, including federal, state, and local search and rescue and law enforcement support.
JAIL CONTRACTING AND JAIL REIMBURSEMENT	\$3,500,000	\$1,000,000	Enhance daily rates for jail contracting and reimbursement.
<b>TOTAL</b>	<b>\$36,300,000</b>	<b>\$13,400,000</b>	<b>\$49,700,000</b>

# APPROPRIATIONS

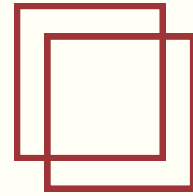
## BEHAVIORAL HEALTH



ITEM	ONGOING	ONE-TIME	DESCRIPTION
MENTAL HEALTH "STEP-DOWN" HOUSING PROJECT	-	\$8,200,000	A 60-unit permanent supportive housing facility for individuals with severe mental illness.
BEHAVIORAL HEALTH INTERNSHIPS FOR SOCIAL SERVICES AGENCIES	-	\$2,300,000	Create new opportunities for behavioral health careers for State employees.
BEHAVIORAL HEALTH LICENSE SUPPORT (SB 26)	\$185,000	-	Expand access to behavioral health licenses
PRIMARY CARE PROVIDER RATE INCREASE	\$701,500	-	2.12% rate increase.
MEDICAID MATCH ASSISTANCE TO COUNTIES	\$4,130,000	\$1,400,000	Begin to make up gap in 80%-20% state-local split for Medicaid Match services.
USARA RECOVERY COMMUNITY CENTERS (OPIOID SETTLEMENT)	-	\$500,000	Support infrastructure costs for statewide recovery centers.
SPYHOP (OPIOID SETTLEMENT)	-	\$200,000	Youth development and prevention program focused on media arts and mentorship.
U OF U EXPANDING CARE FOR PREGNANT PATIENTS WITH SUD (OPIOID SETTLEMENT)	-	\$200,000	Increase number of pregnant and postpartum patients receiving services.
RUFF HAVEN SUD RECOVERY AND ANIMAL COMPANIONS (OPIOID SETTLEMENT)	-	\$225,000	Support individuals with animal companions during substance use treatment, domestic violence, and homelessness.
PROUD RENTAL ASSISTANCE AND CASE MANAGEMENT (OPIOID SETTLEMENT)	-	\$351,200	Facilitate stable housing for low-income individuals who have completed a residential treatment program for OUD
PSYCHOTROPIC MEDICATION OVERSIGHT PILOT PROGRAM (HB 38)	\$2,600,000	\$42,600	Program for minors and justice-involved youth to receive supervised psychotropic medication and associated care.
<b>TOTAL</b>	<b>\$7,616,500</b>	<b>\$13,422,600</b>	<b>\$21,039,100</b>

# LEGISLATION

## ISSUE AREAS

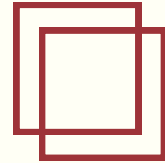


The Office assigned each bill one or more issue area labels. Below is a summary of the most common issue areas among bills we tracked.

ISSUE AREA	BILLS FILED	BILLS PASSED	PASS RATE
CHILDREN & YOUTH	34	26	76.5%
LAW ENFORCEMENT	28	19	67.9%
SEXUAL ASSAULT	27	20	74.1%
DATA & TRANSPARENCY	24	20	83.3%
TRIAL PROCEDURE	19	17	89.5%
DRUG & ALCOHOL ENFORCEMENT	19	13	68.4%
CORRECTIONS	18	14	77.8%
JUVENILE JUSTICE	16	14	87.5%
SOCIAL SERVICES	16	13	81.3%
FIREARMS	16	8	50.0%
AFFORDABLE HOUSING	14	7	50.0%

# LEGISLATION

# HOMELESSNESS



## HB 298

### HOMELESS SERVICES AMENDMENTS

Rep. Clancy | Sen. Cullimore

This bill replaces the Utah Homelessness Council with the 11-member Utah Homeless Services Board. Membership includes a representative from the Utah Homeless Network, an elected official appointed by the Utah Association of Counties, and a county behavioral health administrator appointed by the Utah Association of Counties. The Board will have expanded duties, including updating the State’s strategic plan on homelessness, developing annual statewide goals for reducing homelessness, working with local homeless council to carry out goal setting and reporting requirements, and identifying best practices and strategies to address the individual and community impacts of homelessness. The bill also adds new data collection and reporting requirements for the Office of Homeless Services with a focus on measuring progress towards a “functional zero” level of homelessness. Additionally, this bill modifies code blue protocol, relaxing the standard by which individuals may be denied temporary shelter from actual danger to perceived danger and allowing the enforcement of no-camping ordinances even if no beds or other temporary shelter accommodations are available. In sum, this bill may increase the data collection, strategic planning, and reporting capacity of the State in its efforts to alleviate homelessness.

## HB 299

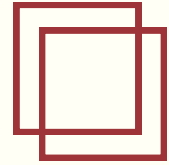
### COURT-ORDERED TREATMENT MODIFICATIONS

Rep. Clancy | Sen. Bramble

This bill directs the Utah Substance Use and Mental Health Advisory Council (USAHV+) to study civil commitment and present findings and recommendations to the Judiciary Interim Committee at or before its October 2024 meeting. This bill also introduces several changes to the involuntary commitment process, including a requirement for local mental health authorities to notify law enforcement when certain individuals are released from temporary involuntary commitment and provide discharge instructions to accompany any release or change of custody or care. It changes the criteria for a court-ordered involuntary commitment of individuals with a mental illness and individuals with an intellectual disability. The total impact of the bill on the involuntary commitment process is yet unknown, though there is some uncertainty that local health authorities will be able to legally notify law enforcement upon patient release without violating federal information privacy statutes.

# LEGISLATION

# HOMELESSNESS



## HB 394

HOMELESS SERVICES FUNDING AMENDMENTS

Rep. Strong | Sen. Ipson

This bill requires the Utah Homeless Network Steering Committee to develop a funding formula for the distribution of homeless services across the state. The criteria established for the formula favor a redistribution of resources away from Salt Lake County and towards other counties in the state. Though this may reduce funding distributed in Salt Lake County, the additional funding provided to other areas of the State may increase their capacity to provide localized services

## HB 421

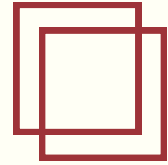
HOMELESSNESS AND VULNERABLE POPULATIONS AMENDMENTS

Rep. Eliason | Sen. Cullimore

This bill requires the Utah Homelessness Council (UHC) to develop a prioritization standard for homeless shelters in assigning beds and prevents shelters from receiving State funds if they do not comply. It also incentivizes UHC to award grants from the Homeless to Housing Reform Restricted Account to shelters that offer any matching funds. Additionally, the bill requires municipalities to enforce an ordinance that prohibits “panhandling” to be eligible for Homeless Shelter Cities Mitigation Restricted Account funding and clarifies the contribution discount to the Homeless Shelter Cities Mitigation Restricted Account that municipalities receive for each shelter bed they host. This bill also raises the code blue temperature threshold from 15 to 18 degrees Fahrenheit and includes a provision that explicitly allows the Utah State Hospital to contract out for step-down and reentry care services. Finally, the bill introduces HOME Court Pilot Program in Salt Lake County. The specific program requirements are ambiguous, and the funding and implementation responsibility falls largely to the County. This is a complex bill, and its total impact on the statewide and local homeless services systems will likely be myriad and may not be immediately obvious at the street-level.

# LEGISLATION

# HOMELESSNESS



## HB 465

HOUSING AFFORDABILITY REVISIONS

Rep. Whyte | Sen. Fillmore

This bill introduces several provisions designed to improve local capacity to develop affordable housing. The first change is authorizing redevelopment agencies and community development agencies to use funding to support the acquisition, construction, or rehabilitation of income-targeted housing. The second is allowing up to 6% of the Olene Walker Housing Loan Fund to be used to offset administrative expenses. The third is creating a process to facilitate State and pass-through funding supporting affordable housing investments, and the fourth is a mechanism for the roll-over of the low-income housing tax credit. Taken together, these changes may support an increase in the supply of affordable housing statewide, with the possibility of indirect benefits to deeply affordable housing development efforts.

## SB 116

EVICTION NOTICE REQUIREMENTS

Sen. Plumb | Rep. Eliason

This bill creates a process to remove unattended pets from premises in the case of eviction and establishes requirements for the local animal control authority, landlord, and sheriff to take steps to attempt to return the pet to the tenant in a timely manner. This bill may improve consistent law enforcement and animal control response in eviction cases involving unattended pets. It may also improve the rate at which individuals are successfully reunited with their pets when they become separated during an eviction event.

## SB 187

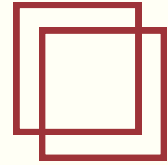
UTAH FAIR HOUSING ACT AMENDMENTS

Sen. Cullimore | Rep. Brammer

This bill removes an exemption from the Fair Housing Act for owners who are individuals, as opposed to business entities. It also codifies a requirement for a legal representative provided by the Labor Commission to attempt a good faith resolution of any disputes under the Fair Housing Act prior to a formal hearing. Together, these provisions expand the scope of the Fair Housing Act and create an additional opportunity to expediently resolve and redress valid complaints.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 14

#### SCHOOL THREAT PENALTY AMENDMENTS

Rep. Wilcox | Sen. Ipson

This bill requires a student to be suspended or expelled from a public school for making a false emergency report targeted at the school. It also enhances the penalties associated with making a threat against a school and makes falsely reporting an emergency a second degree felony. Together these provisions aim to reduce the number of false emergency reports and limit the resources expended in responding to them. It is unclear if the penalties and further criminalization associated with such acts will function as deterrents for public school students, and the expulsion or suspension requirement may reduce the ability of school administrators to seek collaborative, long-term solutions to patterns of student behavior.

### HB 16

#### SEXUAL OFFENSES AMENDMENTS

Rep. Hawkins | Sen. Weiler

The bill proposes several modifications to Utah's legal framework concerning sexual crimes against children. It aims to clarify and redefine certain terms and conditions under which sexual offenses against children are prosecuted. Specifically, the bill addresses the conduct constituting offenses like rape of a child, object rape of a child, sexual abuse of a child, and aggravated sexual abuse of a child. It defines the terms "sexual intercourse," "simulated intercourse," and "masturbatory contact" and revises Utah's Romeo and Juliet law, Section 76-5-401.3, to exclude biological siblings and 17-year-olds having relations with 12-year-olds.

### HB 68

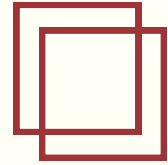
#### DRUG SENTENCING MODIFICATIONS

Rep. Stoddard | Sen. Grover

This bill establishes a presumptive indeterminate prison term for an individual convicted with the distribution of a controlled substance if they used, drew, or exhibited a dangerous weapon or used or had a firearm accessible while committing the crime. A judge can opt to suspend the indeterminate prison term if they find it in the interest of justice not to impose such a sentence or find that the individual does not pose a significant safety risk to the public. This bill is designed to promote the effective prosecution of drug-trafficking in Utah, though it is unclear whether the "dangerous weapon" clause will have unintended consequences for individuals with behavioral health needs.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 84

#### SCHOOL SAFETY AMENDMENTS

Rep. Wilcox | Sen. Ipson

This bill introduces several provisions designed to improve safety outcomes in the case of an active shooter event, including new building safety standards, school resource officer training protocols, additional threat reporting requirements, and a mandatory school safety needs assessment. The bill also creates the school guardian program, through which school employees will be authorized to carry weapons and trained by county sheriffs to intervene in the case of an active shooter event. These provisions represent a substantial body of work for county sheriffs and require a high degree of coordination between local education and law enforcement agencies.

### HB 203

#### INVOLUNTARY COMMITMENT AMENDMENTS

Rep. Abbott | Sen. Pitcher

This bill mandates court-ordered civil commitment in certain cases where an individual who has been charged with a criminal offense is found incompetent to stand trial because of a mental illness and has persistent unawareness of their illness and the negative consequences thereof. This may expand the availability of civil commitment to many who are currently found incompetent in multiple cases. However, it should not increase the burden on the local mental health authority beyond their capacity because one requirement of a civil commitment under this new provision is that the local mental health authority can provide treatment adequate and appropriate to the patient's needs. If the local mental health authority does not have the capacity to assist the individual in question, that individual is ineligible for civil commitment under this provision.

### HB 248

#### INMATE AMENDMENTS

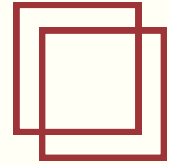
Rep. Ballard | Sen. Owens

This bill directs State agencies to facilitate postsecondary education for inmates in county jails. It also creates a reentry division within the Department of Corrections that is focused on the successful reentry and reintegration of inmates into the community. This bill may improve opportunities and outcomes for justice-involved individuals.



# LEGISLATION

## CRIMINAL JUSTICE



### HB 259

#### JUVENILE INTERROGATION MODIFICATIONS

Rep. Judkins | Sen. Weiler

This bill adds specific requirements for the interrogation of a child, including the mandate to record all juvenile interrogations and criteria regarding the admissibility of evidence obtained through such an interrogation. This bill protects the rights of justice-involved youth and may increase transparency of law enforcement and legal processes for youth and their parents/guardians. It also clarifies that a parent or guardian may be present in person or via video. For non-English speakers, an interpreter must also be present.

### HB 273

#### SENTENCING MODIFICATION FOR CERTAIN DUI OFFENSES

Rep. Stoddard | Sen. Weiler

This bill renames the offense of “negligently operating a vehicle resulting in death” as “automobile homicide” and introduces a presumptive minimum 5-year prison sentence for the offense. It includes a clause that allows for judicial discretion to lower that minimum to three years or to decline to impose a prison sentence.

### HB 308

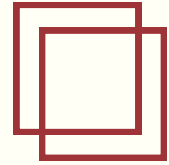
#### CRIME VICTIM AMENDMENTS

Rep. Clancy | Sen. McKell

This bill introduces several new policies and programs focused on improving crime victims’ experience and outcomes within the criminal justice system. Among other things, the bill mandates that law enforcement agencies be provided with educational materials regarding sexual assault and creates a process for victims to submit a complaint alleging a violation of their rights. In sum, this bill may create more opportunities for victims to engage productively with the criminal justice system, though several of the new processes may create additional delays and bottlenecks.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 316

#### INMATE ASSIGNMENT AMENDMENTS

Rep. Lisonbee | Sen. Balderree

This bill mandates that prison and jail inmates be assigned only to housing areas corresponding with their biological sex at birth, with limited exceptions for transgender individuals. To qualify for an exception to this rule, a transgender inmate must request assignment to a new housing area, which triggers a safety review. If all conditions are met, the transgender inmate may be reassigned to a housing area corresponding with their gender identity.

### HB 322

#### SEXUAL ASSAULT INVESTIGATION AMENDMENTS

Rep. Romero | Sen. Escamilla

This bill requires the State to establish a model sexual assault investigation policy to be used by law enforcement agencies. It also requires law enforcement agencies to report their compliance with statutory requirements regarding sexual assault investigations to the State Commission on Criminal and Juvenile Justice. This bill is likely to improve the quality and transparency of sexual assault investigations.

### HB 328

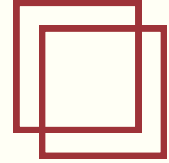
#### VICTIMS OF SEXUAL OFFENSES AMENDMENTS

Rep. Romero | Sen. Harper

This bill clarifies the rights of victims of sexual offenses, including their rights related to retaining and disposing of sexual assault kits. The bill also allows for the termination of parental rights in a case where a child was conceived as a result of a sexual offense. Together, these provisions are likely to improve the experiences and outcomes of victims of sexual offenses, and their children where applicable, within the criminal justice system.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 338

#### MENTALLY ILL OFFENDERS AMENDMENTS

Rep. Nelson | Sen. Weiler

This bill adds bipolar I disorder and post-traumatic stress disorder to the definition of “mental illness” and introduces additional requirements for the treatment assessments, competency evaluations, hearings, and sentencing for defendants who plead Guilty with a Mental Condition (GMC). Together, these provisions aim to create a more nuanced process for justice-involved individuals with schizophrenia, bipolar I, PTSD, and other severe mental health conditions.

### HB 352

#### AMENDMENTS TO EXPUNGEMENT

Rep. Lisonbee | Sen. Kennedy

This bill attempts to address challenges related to automatic expungement. It creates a one-year working group to study issues related to automatic expungement and temporarily pauses the process. The bill also allows a court to issue an order of expungement for a plea in abeyance when the defendant has completed a problem-solving court program and mandates the expungement of traffic offenses that resulted in an acquittal, were dismissed, or are older than five years for class C misdemeanors or infractions or six years for class B misdemeanors. From October 2024 through December 2025, the automatic expungement process will be paused. During that time, people interested in an automatic expungement may proactively request an automatic expungement and any eligible cases for that person will be processed. Additionally, the working group may develop a sustainable long-term version of the practice that addresses current system inefficiencies, incongruencies, and bottlenecks.

### HB 362

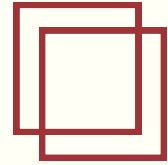
#### JUVENILE JUSTICE REVISIONS

Rep. Lisonbee | Sen. Cullimore

This bill introduces provisions that facilitate school districts and charter schools playing a more collaborative role with the courts, juvenile justice system, and law enforcement. It also adds handguns to the list of dangerous weapons not allowed on school grounds and clarifies the procedures and processes for student reintegration plans. The bill restricts the definition of and creates several new processes involving the term “habitual truant”. It also separates criminal solicitation into two offenses: solicitation of an adult with existing penalties, and solicitation of a minor with increased penalties. The bill increases penalties for juveniles found in possession of a firearm while creating an exemption for those with parental permission or supervision. In all, these provisions increase the level of interaction between the juvenile justice and education systems and may improve the ability of law enforcement, education officials, and judges to combat on-campus violence and prevent further juvenile-justice involvement for youth.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 366

CRIMINAL JUSTICE AMENDMENTS

Rep. Lisonbee | Sen. Cullimore

This bill mandates that the chair of a Criminal Justice Coordinating Council be an elected county official, makes changes to the crime of escape and associated penalties, and addresses risk assessment tools and their use in pretrial release, diversion, sentencing, probation, and parole determination processes. This bill may cause individuals convicted with the crime of escape to serve longer sentences, and it will prevent courts and the Board of Pardons and Parole from relying solely on an algorithm or risk assessment tool score in making relevant determinations. It will not impact the composition, leadership, or processes of the Salt Lake County Criminal Justice Advisory Council (CJAC).

### HB 395

DUI OFFENSE AMENDMENTS

Rep. Eliason | Sen. Bramble

This bill creates stricter requirements around DUI charges and sentencing. It clarifies higher penalties apply to drivers with a higher blood alcohol content by creating the term “extreme DUI,” clarifies that a DUI while driving the wrong way down a one-way highway is at least a class A misdemeanor, reduces the blood alcohol concentration level under which an individual can plea down to “impaired driving,” and introduces new requirements and penalties regarding the use of ignition interlock systems. In addition, the bill requires the waiving of some fees for indigent individuals participating in the 24-7 sobriety program and requires pretrial detention for individuals arrested for DUI while an earlier DUI is pending under certain circumstances. In sum, these changes may improve the efficacy of programs involving the use of ignition interlock systems and increase participation in the 24-7 program.

### HB 532

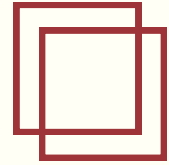
STATE BOARDS AND COMMISSIONS MODIFICATIONS

Rep. Musselman | Sen. McKay

This bill repeals several issue area workgroups, including the Domestic Violence Task Force, Crime Victims Reparations Board, Utah Council on Victims of Crime, and Opioid and Overdose Fatality Review Committee. It also shrinks the Utah Victim Services Commission and adds a sunset date for the same body in July 2029. Additionally, the bill modifies the duties of the Commission on Criminal and Juvenile Justice (CCJJ), adding requirements to study victims’ rights and restitution and removing a requirement to study data on domestic and sexual violence. All together, these changes will limit the ability of the State to establish stakeholder consensus and develop effective policy and strategic plans around these issues.

# LEGISLATION

## CRIMINAL JUSTICE



### HB 584

ECONOMIC INTERRUPTION AMENDMENTS

Rep. MacPherson | Sen. Escamilla

This bill criminalizes certain behavior that results in the economic interruption of a business or government entity and introduces a sentencing enhancement for subsequent convictions under the same offense. It is unclear how these new statutes will be enforced or what impact they will have on the justice-involvement of individuals otherwise involved in the homeless services or behavioral health systems.

### HJR 13

JOINT RESOLUTION AMENDING COURT RULES OF PROCEDURE AND EVIDENCE REGARDING PRELIMINARY HEARINGS

Rep. Clancy | Sen. McKell

This bill is in response to last year's legislation ([SJR 6](#) and [SB 87](#)) to clarify that victims are not required to testify at preliminary hearings and may be able to use 1102 statements in place of taking the stand. It also expands the potential scope of questioning for non-victim witnesses who do testify at a preliminary hearing.

### SB 50

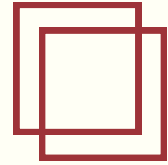
AGGRAVATED ASSAULT MODIFICATIONS

Sen. Kennedy | Rep. Brammer

This bill modifies the circumstances under strangulation counts as aggravated assault. Language according to which the act must be "likely to produce a loss of consciousness" is removed, and language requiring proof the actor "knowingly or intentionally" impedes breathing or circulation is added. This change is intended to address ambiguity that can arise in cases of attempted strangulation and use of headlocks in domestic violence scenarios and may result in defendants charged with aggravated assault being convicted more often in such cases.

# LEGISLATION

## CRIMINAL JUSTICE



### SB 60

DRUG PARAPHERNALIA AMENDMENTS

Sen. Plumb | Rep. Eliason

This bill allows the dismissal of a charge of possession of a hypodermic needle (as drug paraphernalia) when the defendant can establish that the needle was properly stored, that they were participating in an approved syringe exchange program, and that they demonstrated an intent to engage with substance use treatment.

### SB 63

BOARD OF PARDONS AND PAROLE AMENDMENTS

Rep. Clancy | Sen. McKell

This bill clarifies the ability of the Board of Pardons and Parole to play a role in criminal proceedings, including granting an individual credit for time served, correcting or clarifying an order that impacts the board's jurisdiction, appropriately scheduling and communicating hearing dates, and appointing legal or lay representation for offenders unable to participate in hearings. Together, these provisions aim to improve the board's ability to properly administer criminal sentences and clarify ambiguities regarding the board's interaction with judicial authority.

### SB 70

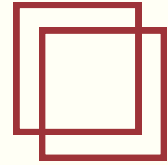
JUDICIARY AMENDMENTS

Sen Weiler | Rep. King

This bill adds one additional district court judge to the Third Judicial District, which includes Salt Lake County, Tooele, and Summit Counties, and one additional juvenile court judge to the Fourth Judicial District, which includes Millard, Juab, Utah, and Wasatch Counties. This addition may increase the volume or rate of cases heard at each of the respective courts.

# LEGISLATION

## CRIMINAL JUSTICE



### SB 109

CORRECTIONS MODIFICATIONS

Sen. Owens | Rep. Burton

This bill clarifies the role of county sheriffs and the Department of Corrections regarding the detention of probationers and parolees, explicates that the Department of Health and Human Services must provide comprehensive health care to State owned and operated detention facilities, and directs the Department of Corrections to create a reentry division to improve community reintegration outcomes for formerly incarcerated individuals. In sum, the bill aims to resolve ambiguities as to how to handle the detention of individuals with alleged parole and probation violations and devotes resources towards the improvement of the health and long-term success of incarcerated individuals.

### SB 139

COMPETENCY AMENDMENTS

Sen. Pitcher | Rep. Nelson

This bill articulates a process through which a court may order the ongoing administration of antipsychotic medication so that a defendant's competency to stand trial may be maintained. These provisions may improve criminal justice outcomes for individuals with severe mental health conditions.

### SB 163

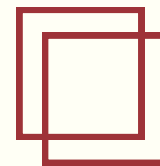
EXPUNGEMENT REVISIONS

Sen. Stevenson | Rep. Clancy

This bill clarifies multiple statutes regarding expungement with the goal of resolving ambiguity, improving transparency, and improving process functionality. When a petition for expungement is filed, the burden of proof is placed on the petitioner to show that all necessary conditions are met. Together, these changes may improve the efficiency and efficacy of the expungement process, though the burden of proof requirement may result in fewer successful petitions.

# LEGISLATION

## CRIMINAL JUSTICE



### SB 200

STATE COMMISSION ON CRIMINAL AND JUVENILE JUSTICE AMENDMENTS

Sen. McKell | Rep. Lisonbee

This bill reduces the sizes of the Commission on Criminal and Juvenile Justice (CCJJ) and the Sentencing Commission. Notably, the positions reserved for the chair of the Utah Substance Use and Mental Health Advisory Council (USAAV+), the executive director of the Salt Lake Legal Defender Association, and the Salt Lake County District Attorney are removed from CCJJ. This reduces the representation of key local stakeholders which could limit communication of potential policy impacts on Salt Lake County behavioral health and criminal justice systems

### SB 212

SUBSTANCE USE TREATMENT IN CORRECTIONAL FACILITIES

Sen. Plumb | Rep. Watkins

This bill allows the Department of Corrections to cooperate with medical personnel to continue a medication assisted treatment plan for prison inmates who had an active plan in place prior to incarceration. This change may increase the likelihood of consistent medical treatment for justice-involved individuals and may improve health and recovery outcomes for those individuals during and after incarceration.

### SB 213

CRIMINAL JUSTICE MODIFICATIONS

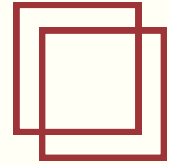
Sen. Cullimore | Rep. Lisonbee

This bill directs the Sentencing Commission to update probation and parole supervision guidelines and requires the Department of Corrections to create a program that incentivizes employment for offenders on probation or parole, including but not limited to credit towards a reduced sentence. The bill also expands the criteria for certain unlawful adolescent sexual activity to include individuals who are 18 and enrolled in high school. Additionally, there are several measures within the bill to address the prevalence of “habitual offenders”—individuals with six (6) or more felony convictions in the last five (5) years—within the criminal justice system, including directing the Sentencing Commission to develop specific sentencing guidelines, adjusting sentencing procedures, and modifying the requirements for pretrial release. The bill also allows for the consideration of victim statements in lieu of in-person testimony at parole hearings and clarifies and codifies best practices for eligibility criteria for participation in drug court. The total impact of this bill will be myriad and largely determined by implementation decisions. Measures targeting “habitual offenders” may increase levels of incarceration for individuals in the homeless services and behavioral health systems, depending on the degree to which population-characteristic crimes are increasingly convicted at the felony level.



# LEGISLATION

## CRIMINAL JUSTICE

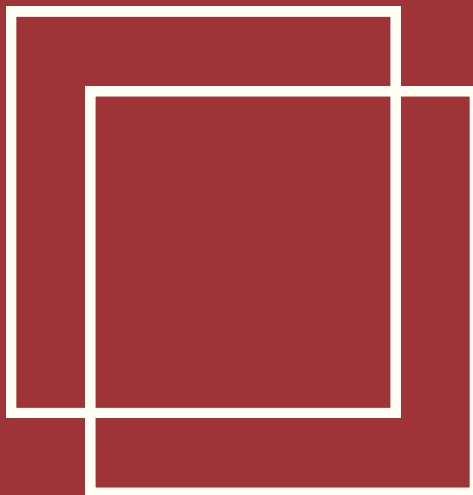


### SB 273

AMENDMENTS RELATED TO DISTRICT ATTORNEY IN COUNTY OF THE FIRST CLASS

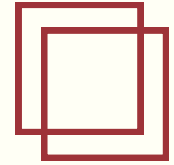
Sen. Stevenson | Rep. Lisonbee

This bill requires the Salt Lake County District Attorney to track staff time down to fifteen (15) minute intervals from July 1, 2025, to July 1, 2029, and report performance data to the Law Enforcement and Criminal Justice Interim Committee. It also allows the Governor to recommend that the Supreme Court replace the Salt Lake County District Attorney within the county's major urban areas if the Governor determines that the District Attorney has failed or refused to adequately prosecute crimes, though this is likely already an implied power from Utah's Constitution. Though discussion of the bill on the Senate side cited a need to understand challenges and bottlenecks that create delays in criminal justice system, the House suggested the bill was needed because cases are not being prosecuted at all. Regardless of the rationale behind the bill, it is unknown if asymmetric requirements of the bill will generate findings that substantively improve the State's understanding of system shortcomings. However, it will require a diversion of resources away from prosecution and toward tracking minutes per case.



# LEGISLATION

## BEHAVIORAL HEALTH



### HB 44

SOCIAL WORK LICENSURE COMPACT

Rep. Hollins | Sen. Weiler

This bill enacts the Social Work Licensure Compact, which allows eligible and licensed clinical-level, master's-level, and bachelor's-level social workers in participating states to practice without having to apply for licensure in each new state. This measure may contribute to an increased supply of behavioral health professionals working statewide.

### HB 67

FIRST RESPONDER MENTAL HEALTH SERVICES GRANT PROGRAM AMENDMENTS

Rep. Wilcox | Sen. Ipson

This bill modifies a grant program to support first responders seeking to become mental health professionals. It expands eligibility for the program and adds additional institutions at which a recipient may use grant funding. Together, these changes may increase opportunities for certain individuals to enter the behavioral health workforce.

### HB 501

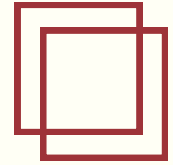
HEALTH AMENDMENTS

Rep. Dunnigan | Sen. Kennedy

This bill modifies the previously submitted 1115 waiver request to the Center of Medicare & Medicaid Services (CMS) to amend the prerelease enrollment from 30 days to 90 days and adds additional covered services. DHHS has until July 1st, 2024, to amend the current waiver and resubmit it to CMS for approval. The bill also modifies the waiver request to allow recently incarcerated individuals to receive a Medicaid Housing Supports Waiver and clarifies the circumstances under which health insurance companies must fulfill State and local claims for services provided. The bill also includes crucial funding for the Salt Lake County behavioral health system in the form of Medicaid Match Assistance to Counties. Taken together, these provisions begin to fill gaps in the local behavioral health system and create new opportunities to provide care and improve reentry and reintegration outcomes for justice-involved individuals.

# LEGISLATION

## BEHAVIORAL HEALTH



### SB 26

BEHAVIORAL HEALTH LICENSING AMENDMENTS

Sen. Bramble | Rep. Maloy

This bill implements recommendations from the Utah Office of Professional Licensure Review (OPLR) to improve behavioral health licensing procedures and advance other workforce indicatives. Together these changes may contribute to an increase in the available behavioral health workforce, though modifications to licensing requirement may contribute to a lower quality of care in certain cases.

### SB 27

BEHAVIORAL HEALTH SYSTEM AMENDMENTS

Sen. Vickers | Rep. Eliason

This bill creates the Utah Behavioral Health Commission and relocates the Utah Substance Use and Mental Health Advisory Committee (USAHV+) under its supervision. The bill focuses on implementing the provisions of the Utah Behavioral Health Master Plan and creates a sunset date for the commission of July 1, 2029.

### SB 130

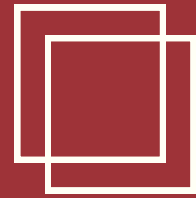
OVERDOSE OUTREACH PROVIDER AMENDMENTS

Sen. Plumb | Rep. C Moss

This bill adds peer support specialists, social workers, and substance use disorder counselors to the definition of overdose outreach provider. This change may increase the quality of care associated with substance use and overdose outreach services.



# CONCLUSION



The Salt Lake County Office of Homelessness and Criminal Justice Reform recognizes the immense volume of time and effort that went into this legislative session. We have so much gratitude for the community members, stakeholders, staff, and elected officials who worked tirelessly to bring about positive policy and funding outcomes across the homelessness, criminal justice, and behavioral health systems.

For questions and additional information, please reach out to:

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