

Representative Eric K. Hutchings proposes the following substitute bill:

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Eric K. Hutchings

Senate Sponsor: _____

LONG TITLE

General Description:

This bill makes changes to the membership and duties of certain committees and councils.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ changes the membership of the Commission on Criminal and Juvenile Justice; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-202, as last amended by Laws of Utah 2017, Chapter 163

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



26 Section 1. Section 63M-7-202 is amended to read:

27 **63M-7-202. Composition -- Appointments -- Ex officio members -- Terms --**

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

29 (1) The commission on criminal and juvenile justice shall be composed of [21] 25
30 voting members as follows:

31 (a) the chief justice of the supreme court, as the presiding officer of the judicial
32 council, or a judge designated by the chief justice;

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

34 (c) the executive director of the Department of Corrections or the executive director's
35 designee;

36 [~~(d) the director of the Division of Juvenile Justice Services;~~]

37 (d) the executive director of the Department of Human Services or the executive
38 director's designee;

39 (e) the commissioner of the Department of Public Safety or the commissioner's
40 designee;

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

42 (g) the president of the chiefs of police association or a chief of police designated by
43 the association's president;

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

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

48 (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing
49 Commission designated by the chair;

50 (k) the chair of the Utah Substance Use and Mental Health Advisory Council or a
51 member of the Utah Substance Use and Mental Health Advisory Council designated by the
52 chair;

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

55 (m) the chair of the Utah Council on Victims of Crime or the chair's designee or a
56 member of the Utah Council on Victims of Crime designated by the chair;

- 57 ~~[(n) the director of the Division of Substance Abuse and Mental Health; and]~~
 58 (n) the executive director of the Salt Lake Legal Defender Association or an attorney
 59 designated by the executive director;
 60 (o) the chair of the Utah Indigent Defense Commission or a member of the Indigent
 61 Defense Commission designated by the chair;
 62 (p) the Salt Lake County District Attorney or an attorney designated by the district
 63 attorney; and
 64 ~~[(o)]~~ (q) the following members designated to serve four-year terms:
 65 (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the
 66 Judicial Council;
 67 (ii) a representative of the statewide association of public attorneys designated by the
 68 association's officers;
 69 (iii) one member of the House of Representatives who is appointed by the speaker of
 70 the House of Representatives; and
 71 (iv) one member of the Senate who is appointed by the president of the Senate.
 72 (2) The governor shall appoint the remaining ~~Ĥ~~ **Ĥ** ~~[three]~~ **five** ~~Ĥ~~ members to four-year
 72a staggered
 73 terms as follows:
 74 (a) one criminal defense attorney appointed from a list of three nominees submitted by
 75 the Utah State Bar Association;
 76 (b) one attorney who primarily represents juveniles in delinquency matters appointed
 77 from a list of three nominees submitted by the Utah Bar Association;
 78 ~~[(b)]~~ (c) one representative of public education; ~~[and]~~
 79 ~~[(c)]~~ (d) one citizen representative[-]; and
 80 (e) a representative from a local faith ~~Ĥ~~ **Ĥ** ~~→~~ **who has experience with the criminal justice**
 80a system ~~Ĥ~~ .
 81 (3) In addition to the members designated under Subsections (1) and (2), the United
 82 States Attorney for the district of Utah or an attorney designated by the United States Attorney
 83 may serve as a nonvoting member.
 84 (4) In appointing the members under Subsection (2), the governor shall take into
 85 account the geographical makeup of the commission.
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