

# HB0342S01 compared with HB0342

~~{deleted text}~~ shows text that was in HB0342 but was deleted in HB0342S01.

inserted text shows text that was not in HB0342 but was inserted into HB0342S01.

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Representative Melissa G. Ballard proposes the following substitute bill:

## BEHAVIORAL HEALTH SERVICES ACCESS AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill addresses access to behavioral health resources and services.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ {renames}requires the {Utah}Office of Substance Use and Mental Health ~~{~~  
~~Advisory Council as the Utah Behavioral Health Advisory Commission~~  
~~(commission);~~

→ ~~amends the duties of the commission;~~

→ ~~requires the commission} to:~~

- study issues related to public access to behavioral health resources and services;
- create and maintain a website to improve public access to behavioral health

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resources and services;

- establish certain goals and metrics; and
- report annually to the Health and Human Services Interim Committee;
- ▶ amends provisions relating to the duties of the Education and Mental Health Coordinating Council; and
- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

- ~~{ 17-22-32, as last amended by Laws of Utah 2022, Chapter 187~~
- ~~— 26-7-10, as last amended by Laws of Utah 2022, Chapter 255~~
- ~~— 26-18-427, as enacted by Laws of Utah 2022, Chapter 394~~
- ~~— 32B-2-210, as last amended by Laws of Utah 2022, Chapter 447~~
- ~~— 32B-2-306, as last amended by Laws of Utah 2021, Chapter 291~~
- ~~— 32B-2-402, as last amended by Laws of Utah 2022, Chapter 255~~
- ~~— 32B-2-404, as last amended by Laws of Utah 2014, Chapter 119~~
- ~~— 32B-2-405, as last amended by Laws of Utah 2016, Chapter 144~~
- ~~— 32B-7-305, as last amended by Laws of Utah 2022, Chapter 447~~
- ~~— 62A-1-121, as last amended by Laws of Utah 2022, Chapter 447~~
- ~~— 62A-15-403, as renumbered and amended by Laws of Utah 2022, Chapter 211~~
- ~~— 62A-15-605, as last amended by Laws of Utah 2020, Chapter 304~~
- ~~— 62A-15-1100, as enacted by Laws of Utah 2018, Chapter 414~~
- ~~— 62A-15-1101, as last amended by Laws of Utah 2022, Chapter 149~~
- ~~— 63C-23-201, as enacted by Laws of Utah 2021, Chapter 171~~
- ‡ 63C-23-202, as enacted by Laws of Utah 2021, Chapter 171
- ~~{ 63I-1-232, as last amended by Laws of Utah 2022, Chapter 34~~
- ~~— 63I-1-262, as last amended by Laws of Utah 2022, Chapters 34, 35, 149, 257, and 335~~
- ~~— 63I-1-263, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236;~~

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~~249, 274, 296, 313, 361, 362, 417, 419, and 472~~

- ~~63M-7-202, as last amended by Laws of Utah 2020, Chapter 354~~
- ~~63M-7-301, as last amended by Laws of Utah 2022, Chapter 255~~
- ~~63M-7-302, as last amended by Laws of Utah 2019, Chapter 246~~
- ~~63M-7-303, as last amended by Laws of Utah 2022, Chapter 211~~
- ~~63M-7-304, as last amended by Laws of Utah 2010, Chapters 39, 286~~
- ~~63M-7-305, as last amended by Laws of Utah 2021, Chapter 260~~
- ~~63M-7-306, as last amended by Laws of Utah 2010, Chapter 39~~
- ~~64-13-45, as last amended by Laws of Utah 2019, Chapters 311, 385~~
- ~~77-18-104, as renumbered and amended by Laws of Utah 2021, Chapter 260~~

ENACTS:

~~{63M-7-307};~~ 62A-15-125, Utah Code Annotated 1953

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

Section 1. Section ~~{17-22-32 is amended to read:~~

- ~~17-22-32. County jail reporting requirements:~~
- ~~(1) As used in this section:~~
- ~~(a) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.~~
- ~~(b) (i) "In-custody death" means an inmate death that occurs while the inmate is in the custody of a county jail.~~
- ~~(ii) "In-custody death" includes an inmate death that occurs while the inmate is:~~
- ~~(A) being transported for medical care; or~~
- ~~(B) receiving medical care outside of a county jail.~~
- ~~(c) "Inmate" means an individual who is processed or booked into custody or housed in a county jail in the state.~~
- ~~(d) "Opiate" means the same as that term is defined in Section 58-37-2.~~
- ~~(2) Each county jail shall submit a report to the commission before June 15 of each year that includes, for the preceding calendar year:~~
- ~~(a) the average daily inmate population each month;~~
- ~~(b) the number of inmates in the county jail on the last day of each month who~~

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~~identify as each race or ethnicity included in the Standards for Transmitting Race and Ethnicity published by the United States Federal Bureau of Investigation;~~

~~—— (c) the number of inmates booked into the county jail;~~

~~—— (d) the number of inmates held in the county jail each month on behalf of each of the following entities:~~

~~—— (i) the Bureau of Indian Affairs;~~

~~—— (ii) a state prison;~~

~~—— (iii) a federal prison;~~

~~—— (iv) the United States Immigration and Customs Enforcement; and~~

~~—— (v) any other entity with which a county jail has entered a contract to house inmates on the entity's behalf;~~

~~—— (e) the number of inmates that are denied pretrial release and held in the custody of the county jail while the inmate awaited final disposition of the inmate's criminal charges;~~

~~—— (f) for each inmate booked into the county jail:~~

~~—— (i) the name of the agency that arrested the inmate;~~

~~—— (ii) the date and time the inmate was booked into and released from the custody of the county jail;~~

~~—— (iii) if the inmate was released from the custody of the county jail, the reason the inmate was released from the custody of the county jail;~~

~~—— (iv) if the inmate was released from the custody of the county jail on a financial condition, whether the financial condition was set by a bail commissioner or a court;~~

~~—— (v) the number of days the inmate was held in the custody of the county jail before disposition of the inmate's criminal charges;~~

~~—— (vi) whether the inmate was released from the custody of the county jail before final disposition of the inmate's criminal charges; and~~

~~—— (vii) the state identification number of the inmate;~~

~~—— (g) the number of in-custody deaths that occurred at the county jail;~~

~~—— (h) for each in-custody death;~~

~~—— (i) the name, gender, race, ethnicity, age, and known or suspected medical diagnosis or disability, if any, of the deceased;~~

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- ~~—— (ii) the date, time, and location of death;~~
- ~~—— (iii) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and~~
- ~~—— (iv) a brief description of the circumstances surrounding the death;~~
- ~~—— (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of each of the in-custody deaths described in Subsection (2)(g);~~
- ~~—— (j) the county jail's policy for notifying an inmate's next of kin after the inmate's in-custody death;~~
- ~~—— (k) the county jail policies, procedures, and protocols:~~
  - ~~—— (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use, including use of opiates;~~
  - ~~—— (ii) that relate to the county jail's provision, or lack of provision, of medications used to treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all forms of buprenorphine and naltrexone; and~~
  - ~~—— (iii) that relate to screening, assessment, and treatment of an inmate for a substance use or mental health disorder; and~~
  - ~~—— (l) any report the county jail provides or is required to provide under federal law or regulation relating to inmate deaths.~~
- ~~—— (3) (a) Subsection (2) does not apply to a county jail if the county jail:~~
  - ~~—— (i) collects and stores the data described in Subsection (2); and~~
  - ~~—— (ii) enters into a memorandum of understanding with the commission that allows the commission to access the data described in Subsection (2).~~
- ~~—— (b) The memorandum of understanding described in Subsection (3)(a)(ii) shall include a provision to protect any information related to an ongoing investigation and comply with all applicable federal and state laws.~~
- ~~—— (c) If the commission accesses data from a county jail in accordance with Subsection (3)(a), the commission may not release a report prepared from that data, unless:~~
  - ~~—— (i) the commission provides the report for review to:~~
    - ~~—— (A) the county jail; and~~
    - ~~—— (B) any arresting agency that is named in the report; and~~

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- ~~—— (ii) (A) the county jail approves the report for release;~~
- ~~—— (B) the county jail reviews the report and prepares a response to the report to be published with the report; or~~
- ~~—— (C) the county jail fails to provide a response to the report within four weeks after the day on which the commission provides the report to the county jail.~~
- ~~—— (4) The commission shall:~~
  - ~~—— (a) compile the information from the reports described in Subsection (2);~~
  - ~~—— (b) omit or redact any identifying information of an inmate in the compilation to the extent omission or redaction is necessary to comply with state and federal law;~~
  - ~~—— (c) submit the compilation to the Law Enforcement and Criminal Justice Interim Committee and the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission before November 1 of each year; and~~
  - ~~—— (d) submit the compilation to the protection and advocacy agency designated by the governor before November 1 of each year.~~
- ~~—— (5) The commission may not provide access to or use a county jail's policies, procedures, or protocols submitted under this section in a manner or for a purpose not described in this section.~~
- ~~—— (6) A report including only the names and causes of death of deceased inmates and the facility in which they were being held in custody shall be made available to the public.~~
- ~~—— Section 2. Section 26-7-10 is amended to read:~~
- ~~—— 26-7-10. Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program:~~
  - ~~—— (1) As used in this section:~~
    - ~~—— (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee created in Section 26B-1-204.~~
    - ~~—— (b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program created in this section.~~
  - ~~—— (2) (a) There is created within the department the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program.~~
  - ~~—— (b) In consultation with the committee, the department shall:~~

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- ~~—— (i) establish guidelines for the use of funds appropriated to the program;~~
- ~~—— (ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based and appropriate for the population targeted by the program; and~~
- ~~—— (iii) subject to appropriations from the Legislature, fund statewide initiatives to prevent use of electronic cigarettes, nicotine products, marijuana, and other drugs by youth.~~
- ~~—— (3) (a) The committee shall advise the department on:~~
  - ~~—— (i) preventing use of electronic cigarettes, marijuana, and other drugs by youth in the state;~~
  - ~~—— (ii) developing the guidelines described in Subsection (2)(b)(i); and~~
  - ~~—— (iii) implementing the provisions of the program.~~
- ~~—— (b) The executive director shall:~~
  - ~~—— (i) appoint members of the committee; and~~
  - ~~—— (ii) consult with the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301 when making the appointments under Subsection (3)(b)(i).~~
- ~~—— (c) The committee shall include, at a minimum:~~
  - ~~—— (i) the executive director of a local health department as defined in Section 26A-1-102, or the local health department executive director's designee;~~
  - ~~—— (ii) one designee from the department;~~
  - ~~—— (iii) one representative from the Department of Public Safety;~~
  - ~~—— (iv) one representative from the behavioral health community; and~~
  - ~~—— (v) one representative from the education community.~~
- ~~—— (d) A member of the committee may not receive compensation or benefits for the member's service on the committee, 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 under Sections 63A-3-106 and 63A-3-107.~~
- ~~—— (e) The department shall provide staff support to the committee.~~

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- ~~—— (4) On or before October 31 of each year, the department shall report to:~~
- ~~—— (a) the Health and Human Services Interim Committee regarding:~~
- ~~—— (i) the use of funds appropriated to the program;~~
- ~~—— (ii) the impact and results of the program, including the effectiveness of each program funded under Subsection (2)(b)(iii), during the previous fiscal year;~~
- ~~—— (iii) a summary of the impacts and results on reducing youth use of electronic cigarettes and nicotine products by entities represented by members of the committee, including those entities who receive funding through the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account created in Section 59-14-807; and~~
- ~~—— (iv) any recommendations for legislation; and~~
- ~~—— (b) the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301, regarding:~~
- ~~—— (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in preventing youth use of electronic cigarettes, nicotine products, marijuana, and other drugs; and~~
- ~~—— (ii) any collaborative efforts and partnerships established by the program with public and private entities to prevent youth use of electronic cigarettes, marijuana, and other drugs.~~
- ~~—— Section 3. Section 26-18-427 is amended to read:~~
- ~~—— 26-18-427. Behavioral health delivery working group.~~
- ~~—— (1) As used in this section, "targeted adult Medicaid program" means the same as that term is defined in Section 26-18-411.~~
- ~~—— (2) On or before May 31, 2022, the department shall convene a working group to collaborate with the department on:~~
- ~~—— (a) establishing specific and measurable metrics regarding:~~
- ~~—— (i) compliance of managed care organizations in the state with federal Medicaid managed care requirements;~~
- ~~—— (ii) timeliness and accuracy of authorization and claims processing in accordance with Medicaid policy and contract requirements;~~
- ~~—— (iii) reimbursement by managed care organizations in the state to providers to maintain adequacy of access to care;~~



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- ~~—— (iv) availability of care management services to meet the needs of Medicaid-eligible individuals enrolled in the plans of managed care organizations in the state; and~~
- ~~—— (v) timeliness of resolution for disputes between a managed care organization and the managed care organization's providers and enrollees;~~
- ~~—— (b) improving the delivery of behavioral health services in the Medicaid program;~~
- ~~—— (c) proposals to implement the delivery system adjustments authorized under Subsection 26-18-428(3); and~~
- ~~—— (d) issues that are identified by managed care organizations, behavioral health service providers, and the department.~~
- ~~—— (3) The working group convened under Subsection (2) shall:~~
  - ~~—— (a) meet quarterly; and~~
  - ~~—— (b) consist of at least the following individuals:~~
    - ~~—— (i) the executive director or the executive director's designee;~~
    - ~~—— (ii) for each Medicaid accountable care organization with which the department contracts, an individual selected by the accountable care organization;~~
    - ~~—— (iii) five individuals selected by the department to represent various types of behavioral health services providers, including, at a minimum, individuals who represent providers who provide the following types of services:~~
      - ~~—— (A) acute inpatient behavioral health treatment;~~
      - ~~—— (B) residential treatment;~~
      - ~~—— (C) intensive outpatient or partial hospitalization treatment; and~~
      - ~~—— (D) general outpatient treatment;~~
    - ~~—— (iv) a representative of an association that represents behavioral health treatment providers in the state, designated by the Utah Behavioral Healthcare Council convened by the Utah Association of Counties;~~
    - ~~—— (v) a representative of an organization representing behavioral health organizations;~~
    - ~~—— (vi) the chair of the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301;~~
    - ~~—— (vii) a representative of an association that represents local authorities who~~

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~~provide public behavioral health care, designated by the department;~~

~~—— (viii) one member of the Senate, appointed by the president of the Senate; and~~

~~—— (ix) one member of the House of Representatives, appointed by the speaker of the House of Representatives.~~

~~—— (4) The working group convened under this section shall recommend to the department:~~

~~—— (a) specific and measurable metrics under Subsection (2)(a);~~

~~—— (b) how physical and behavioral health services may be integrated for the targeted adult Medicaid program, including ways the department may address issues regarding:~~

~~—— (i) filing of claims;~~

~~—— (ii) authorization and reauthorization for treatment services;~~

~~—— (iii) reimbursement rates; and~~

~~—— (iv) other issues identified by the department, behavioral health services providers, or Medicaid managed care organizations;~~

~~—— (c) ways to improve delivery of behavioral health services to enrollees, including changes to statute or administrative rule; and~~

~~—— (d) wraparound service coverage for enrollees who need specific, nonclinical services to ensure a path to success.~~

~~—— Section 4. Section 32B-2-210 is amended to read:~~

~~—— 32B-2-210. Alcoholic Beverage Services Advisory Board:~~

~~—— (1) There is created within the department an advisory board known as the "Alcoholic Beverage Services Advisory Board."~~

~~—— (2) The advisory board shall consist of eight voting members and one nonvoting member as follows:~~

~~—— (a) four voting members appointed by the commission:~~

~~—— (i) one of whom represents the retail alcohol industry;~~

~~—— (ii) one of whom represents the wholesale alcohol industry;~~

~~—— (iii) one of whom represents the alcohol manufacturing industry; and~~

~~—— (iv) one of whom represents the restaurant industry;~~

~~—— (b) two voting members appointed by the commission, each of whom represents~~

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~~an organization that addresses alcohol or drug abuse prevention, alcohol or drug-related enforcement, or alcohol or drug-related education;~~

~~—— (c) the director of the Division of Substance Abuse and Mental Health or the director's designee who serves as a voting member;~~

~~—— (d) the chair of the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission, or the chair's designee, who serves as a voting member; and~~

~~—— (e) the chair of the commission or the chair's designee from the members of the commission, who serves as a nonvoting member.~~

~~—— (3) (a) Except as required by Subsection (3)(b), as terms of current voting members of the advisory board expire, the commission shall appoint each new member or reappointed member to a four-year term beginning July 1 and ending June 30.~~

~~—— (b) Notwithstanding the requirements of Subsection (3)(a), the commission shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of voting advisory board members are staggered so that approximately half of the advisory board is appointed every two years.~~

~~—— (c) No two members of the board may be employed by the same company or nonprofit organization.~~

~~—— (4) (a) When a vacancy occurs in the membership for any reason, the commission shall appoint a replacement for the unexpired term.~~

~~—— (b) The commission shall terminate the term of a voting advisory board member who ceases to be representative as designated by the member's original appointment.~~

~~—— (5) The advisory board shall meet as called by the chair for the purpose of advising the commission and the department, with discussion limited to administrative rules made under this title.~~

~~—— (6) The chair of the commission or the chair's designee shall serve as the chair of the advisory board and call the necessary meetings.~~

~~—— (7) (a) Five members of the board constitute a quorum of the board.~~

~~—— (b) An action of the majority when a quorum is present is the action of the board.~~

~~—— (8) The department shall provide staff support to the advisory board.~~

~~—— (9) A member may not receive compensation or benefits for the member's service;~~

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~~but may receive per diem and travel expenses in accordance with:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

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

~~—— Section 5. Section 32B-2-306 is amended to read:~~

~~—— 32B-2-306. Underage drinking prevention media and education campaign:~~

~~—— (1) As used in this section:~~

~~—— (a) ["Advisory council"] "Commission" means the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301.~~

~~—— (b) "Restricted account" means the Underage Drinking Prevention Media and Education Campaign Restricted Account created in this section.~~

~~—— (2) (a) There is created a restricted account within the General Fund known as the "Underage Drinking Prevention Media and Education Campaign Restricted Account."~~

~~—— (b) The restricted account consists of:~~

~~—— (i) deposits made under Subsection (3); and~~

~~—— (ii) interest earned on the restricted account.~~

~~—— (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor with the state treasurer, as determined by the total gross revenue collected for the fiscal year two years preceding the fiscal year for which the deposit is made, to be credited to the restricted account and to be used by the department as provided in Subsection (5).~~

~~—— (4) The [advisory council] commission shall:~~

~~—— (a) provide ongoing oversight of a media and education campaign funded under this section;~~

~~—— (b) create an underage drinking prevention workgroup consistent with guidelines proposed by the [advisory council] commission related to the membership and duties of the underage drinking prevention workgroup;~~

~~—— (c) create guidelines for how money appropriated for a media and education~~

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~~campaign can be used;~~

~~—— (d) include in the guidelines established pursuant to this Subsection (4) that a media and education campaign funded under this section is carefully researched and developed, and appropriate for target groups; and~~

~~—— (e) approve plans submitted by the department in accordance with Subsection (5).~~

~~—— (5) (a) Subject to appropriation from the Legislature, the department shall expend money from the restricted account to direct and fund one or more media and education campaigns designed to reduce underage drinking in cooperation with the [advisory council] commission.~~

~~—— (b) The department shall:~~

~~—— (i) in cooperation with the underage drinking prevention workgroup created under Subsection (4), prepare and submit a plan to the [advisory council] commission detailing the intended use of the money appropriated under this section;~~

~~—— (ii) upon approval of the plan by the [advisory council] commission, conduct the media and education campaign in accordance with the guidelines made by the [advisory council] commission; and~~

~~—— (iii) submit to the [advisory council] commission annually by no later than October 1, a written report detailing the use of the money for the media and education campaigns conducted under this Subsection (5) and the impact and results of the use of the money during the prior fiscal year ending June 30.~~

~~—— Section 6. Section 32B-2-402 is amended to read:~~

~~—— 32B-2-402. Definitions -- Calculations.~~

~~—— (1) As used in this part:~~

~~—— (a) "Account" means the Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account created in Section 32B-2-403.~~

~~—— [(b) "Advisory council" means the Utah Substance Use and Mental Health Advisory Council created in Section 63M-7-301.]~~

~~—— [(c)] (b) "Alcohol-related offense" means:~~

~~—— (i) a violation of:~~

~~—— (A) Section 41-6a-502; or~~

~~—— (B) an ordinance that complies with the requirements of:~~

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- ~~—— (I) Subsection 41-6a-510(1); or~~
- ~~—— (H) Section 76-5-207; or~~
- ~~—— (ii) an offense involving the illegal:~~
  - ~~—— (A) sale of an alcoholic product;~~
  - ~~—— (B) consumption of an alcoholic product;~~
  - ~~—— (C) distribution of an alcoholic product;~~
  - ~~—— (D) transportation of an alcoholic product; or~~
  - ~~—— (E) possession of an alcoholic product.~~
- ~~—— [(d)] (c) "Annual conviction time period" means the time period that:~~
  - ~~—— (i) begins on July 1 and ends on June 30; and~~
  - ~~—— (ii) immediately precedes the fiscal year for which an appropriation under this part is made.~~
- ~~—— (d) "Commission" means the Utah Behavioral Health Advisory Commission created in Section 63M-7-301.~~
- ~~—— (e) "Municipality" means:~~
  - ~~—— (i) a city;~~
  - ~~—— (ii) a town; or~~
  - ~~—— (iii) a metro township.~~
- ~~—— (f) (i) "Prevention" is as defined by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, by the Division of Integrated Healthcare within the Department of Health and Human Services.~~
  - ~~—— (ii) In defining the term "prevention," the Division of Substance Abuse and Mental Health shall:~~
    - ~~—— (A) include only evidence-based or evidence-informed programs; and~~
    - ~~—— (B) provide for coordination with local substance abuse authorities designated to provide substance abuse services in accordance with Section 17-43-201.~~
- ~~—— (2) For purposes of Subsection 32B-2-404(1)(b)(iii), the number of premises located within the limits of a municipality or county:~~
  - ~~—— (a) is the number determined by the department to be so located;~~
  - ~~—— (b) includes the aggregate number of premises of the following:~~
    - ~~—— (i) a state store;~~

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~~—— (ii) a package agency; and~~

~~—— (iii) a retail licensee; and~~

~~—— (c) for a county, consists only of the number located within an unincorporated area of the county.~~

~~—— (3) The department shall determine:~~

~~—— (a) a population figure according to the most current population estimate prepared by the Utah Population Committee;~~

~~—— (b) a county's population for the 25% distribution to municipalities and counties under Subsection 32B-2-404(1)(b)(i) only with reference to the population in the unincorporated areas of the county; and~~

~~—— (c) a county's population for the 25% distribution to counties under Subsection 32B-2-404(1)(b)(iv) only with reference to the total population in the county, including that of a municipality.~~

~~—— (4) (a) A conviction occurs in the municipality or county that actually prosecutes the offense to judgment.~~

~~—— (b) If a conviction is based upon a guilty plea, the conviction is considered to occur in the municipality or county that, except for the guilty plea, would have prosecuted the offense.~~

~~—— Section 7. Section 32B-2-404 is amended to read:~~

~~—— 32B-2-404. Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account distribution:~~

~~—— (1) (a) The money deposited into the account under Section 32B-2-403 shall be distributed to municipalities and counties:~~

~~—— (i) to the extent appropriated by the Legislature, except that the Legislature shall appropriate each fiscal year an amount equal to at least the amount deposited in the account in accordance with Section 59-15-109; and~~

~~—— (ii) as provided in this Subsection (1):~~

~~—— (b) The amount appropriated from the account shall be distributed as follows:~~

~~—— (i) 25% to municipalities and counties on the basis of the percentage of the state population residing in each municipality and county;~~

~~—— (ii) 30% to municipalities and counties on the basis of each municipality's and~~

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~~county's percentage of the statewide convictions for all alcohol-related offenses;~~

~~—— (iii) 20% to municipalities and counties on the basis of the percentage of the following in the state that are located in each municipality and county:~~

~~—— (A) state stores;~~

~~—— (B) package agencies;~~

~~—— (C) retail licensees; and~~

~~—— (D) off-premise beer retailers; and~~

~~—— (iv) 25% to the counties for confinement and treatment purposes authorized by this part on the basis of the percentage of the state population located in each county:~~

~~—— (c) (i) Except as provided in Subsection (1)(c)(ii), if a municipality does not have a law enforcement agency:~~

~~—— (A) the municipality may not receive money under this part; and~~

~~—— (B) the State Tax Commission:~~

~~—— (I) may not distribute the money the municipality would receive but for the municipality not having a law enforcement agency to that municipality; and~~

~~—— (II) shall distribute the money that the municipality would have received but for it not having a law enforcement agency to the county in which the municipality is located for use by the county in accordance with this part.~~

~~—— (ii) If the [advisory council] commission finds that a municipality described in Subsection (1)(c)(i) demonstrates that the municipality can use the money that the municipality is otherwise eligible to receive in accordance with this part, the [advisory council] commission may direct the State Tax Commission to distribute the money to the municipality:~~

~~—— (2) To determine the distribution required by Subsection (1)(b)(ii), the State Tax Commission shall annually:~~

~~—— (a) for an annual conviction time period:~~

~~—— (i) multiply by two the total number of convictions in the state obtained during the annual conviction time period for violation of:~~

~~—— (A) Section 41-6a-502; or~~

~~—— (B) an ordinance that complies with the requirements of Subsection 41-6a-510(1) or Section 76-5-207; and~~



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- ~~—— (ii) add to the number calculated under Subsection (2)(a)(i) the number of convictions obtained during the annual conviction time period for the alcohol-related offenses other than the alcohol-related offenses described in Subsection (2)(a)(i);~~
- ~~—— (b) divide an amount equal to 30% of the appropriation for that fiscal year by the sum obtained in Subsection (2)(a); and~~
- ~~—— (c) multiply the amount calculated under Subsection (2)(b), by the number of convictions obtained in each municipality and county during the annual conviction time period for alcohol-related offenses.~~
- ~~—— (3) By [not] no later than September 1 of each year:~~
- ~~—— (a) the state court administrator shall certify to the State Tax Commission the number of convictions obtained for alcohol-related offenses in each municipality or county in the state during the annual conviction time period; and~~
- ~~—— (b) the [advisory council] commission shall notify the State Tax Commission of any municipality that does not have a law enforcement agency.~~
- ~~—— (4) By [not] no later than December 1 of each year, the [advisory council] commission shall notify the State Tax Commission for the fiscal year of appropriation of:~~
- ~~—— (a) a municipality that may receive a distribution under Subsection (1)(c)(ii);~~
- ~~—— (b) a county that may receive a distribution allocated to a municipality described in Subsection (1)(c)(i);~~
- ~~—— (c) a municipality or county that may not receive a distribution because the [advisory council] commission has suspended the payment under Subsection 32B-2-405(2)(a); and~~
- ~~—— (d) a municipality or county that receives a distribution because the suspension of payment has been cancelled under Subsection 32B-2-405(2).~~
- ~~—— (5) (a) By [not] no later than January 1 of the fiscal year of appropriation, the State Tax Commission shall annually distribute to each municipality and county the portion of the appropriation that the municipality or county is eligible to receive under this part, except for any municipality or county that the [advisory council] commission notifies the State Tax Commission in accordance with Subsection (4) may not receive a distribution in that fiscal year.~~
- ~~—— (b) (i) The [advisory council] commission shall prepare forms for use by a~~

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~~municipality or county in applying for a distribution under this part.~~

~~—— (ii) A form described in this Subsection (5) may require the submission of information the [advisory council] commission considers necessary to enable the State Tax Commission to comply with this part.~~

~~—— Section 8. Section 32B-2-405 is amended to read:~~

~~—— 32B-2-405. Reporting by municipalities and counties -- Grants.~~

~~—— (1) A municipality or county that receives money under this part during a fiscal year shall by no later than October 1 following the fiscal year:~~

~~—— (a) report to the [advisory council] commission:~~

~~—— (i) the programs or projects of the municipality or county that receive money under this part;~~

~~—— (ii) if the money for programs or projects were exclusively used as required by Subsection 32B-2-403(2);~~

~~—— (iii) indicators of whether the programs or projects that receive money under this part are effective; and~~

~~—— (iv) if money received under this part was not expended by the municipality or county; and~~

~~—— (b) provide the [advisory council] commission a statement signed by the chief executive officer of the county or municipality attesting that the money received under this part was used in addition to money appropriated or otherwise available for the county's or municipality's law enforcement and was not used to supplant that money.~~

~~—— (2) The [advisory council] commission may, by a majority vote:~~

~~—— (a) suspend future payments under Subsection 32B-2-404(4) to a municipality or county that:~~

~~—— (i) does not file a report that meets the requirements of Subsection (1); or~~

~~—— (ii) the [advisory council] commission finds does not use the money as required by Subsection 32B-2-403(2) on the basis of the report filed by the municipality or county under Subsection (1); and~~

~~—— (b) cancel a suspension under Subsection (2)(a).~~

~~—— (3) The State Tax Commission shall notify the [advisory council] commission of the balance of any undistributed money after the annual distribution under Subsection~~

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~~32B-2-404(5).~~

~~———— (4) (a) Subject to the requirements of this Subsection (4), the [advisory council] commission shall award the balance of undistributed money under Subsection (3):~~

~~———— (i) as prioritized by majority vote of the [advisory council] commission; and~~

~~———— (ii) as grants to:~~

~~———— (A) a county;~~

~~———— (B) a municipality;~~

~~———— (C) the department;~~

~~———— (D) the Department of Health and Human Services;~~

~~———— (E) the Department of Public Safety; or~~

~~———— (F) the State Board of Education.~~

~~———— (b) By not later than May 30 of the fiscal year of the appropriation, the [advisory council] commission shall notify the State Tax Commission of grants awarded under this Subsection (4).~~

~~———— (c) The State Tax Commission shall make payments of a grant:~~

~~———— (i) upon receiving notice as provided under Subsection (4)(b); and~~

~~———— (ii) by not later than June 30 of the fiscal year of the appropriation.~~

~~———— (d) An entity that receives a grant under this Subsection (4) shall use the grant money exclusively for programs or projects described in Subsection 32B-2-403(2).~~

~~———— Section 9. Section 32B-7-305 is amended to read:~~

~~———— 32B-7-305. Tracking of enforcement actions — Costs of enforcement actions.~~

~~———— (1) The Department of Public Safety shall administer a program to reimburse a municipal or county law enforcement agency:~~

~~———— (a) for the actual costs of an alcohol-related compliance check investigation conducted pursuant to Section 77-39-101 on the premises of an off-premise beer retailer;~~

~~———— (b) for administrative costs associated with reporting the compliance check investigation described in Subsection (1)(a);~~

~~———— (c) if the municipal or county law enforcement agency completes and submits to the Department of Public Safety a report within 90 days after the day on which the compliance check investigation described in Subsection (1)(a) occurs in a format required by the Department of Public Safety; and~~

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~~—— (d) in the order that the municipal or county law enforcement agency submits the report required by Subsection (1)(c) until the amount allocated by the Department of Public Safety to reimburse a municipal or county law enforcement agency is spent.~~

~~—— (2) By no later than October 1 of each year, the Department of Public Safety shall report to the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission on the compliance check investigations:~~

~~—— (a) funded during the previous fiscal year; and~~

~~—— (b) reimbursed under Subsection (1).~~

~~—— Section 10. Section 62A-1-121 is amended to read:~~

~~—— 62A-1-121. Tracking effects of abuse of alcoholic products:~~

~~—— (1) There is created a committee within the department known as the "Alcohol Abuse Tracking Committee" that consists of:~~

~~—— (a) the executive director or the executive director's designee;~~

~~—— (b) the executive director of the Department of Health and Human Services or that executive director's designee;~~

~~—— (c) the commissioner of the Department of Public Safety or the commissioner's designee;~~

~~—— (d) the director of the Department of Alcoholic Beverage Services or that director's designee;~~

~~—— (e) the executive director of the Department of Workforce Services or that executive director's designee;~~

~~—— (f) the chair of the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission or the chair's designee;~~

~~—— (g) the state court administrator or the state court administrator's designee; and~~

~~—— (h) the director of the Division of Technology Services or that director's designee.~~

~~—— (2) The executive director or the executive director's designee shall chair the committee:~~

~~—— (3) (a) Four members of the committee constitute a quorum.~~

~~—— (b) A vote of the majority of the committee members present when a quorum is present is an action of the committee.~~

~~—— (4) The committee shall meet at the call of the chair, except that the chair shall~~

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~~call a meeting at least twice a year:~~

~~—— (a) with one meeting held each year to develop the report required under Subsection (7); and~~

~~—— (b) with one meeting held to review and finalize the report before the report is issued.~~

~~—— (5) The committee may adopt additional procedures or requirements for:~~

~~—— (a) voting, when there is a tie of the committee members;~~

~~—— (b) how meetings are to be called; and~~

~~—— (c) the frequency of meetings.~~

~~—— (6) The committee shall establish a process to collect for each calendar year the following information:~~

~~—— (a) the number of individuals statewide who are convicted of, plead guilty to, plead no contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a violation related to underage drinking of alcohol;~~

~~—— (b) the number of individuals statewide who are convicted of, plead guilty to, plead no contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a violation related to driving under the influence of alcohol;~~

~~—— (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act, related to over-serving or over-consumption of an alcoholic product;~~

~~—— (d) the cost of social services provided by the state related to abuse of alcohol, including services provided by the Division of Child and Family Services;~~

~~—— (e) the location where the alcoholic products that result in the violations or costs described in Subsections (6)(a) through (d) are obtained; and~~

~~—— (f) any information the committee determines can be collected and relates to the abuse of alcoholic products.~~

~~—— (7) The committee shall report the information collected under Subsection (6) annually to the governor and the Legislature by no later than the July 1 immediately following the calendar year for which the information is collected.~~

~~—— Section 11. Section 62A-15-403 is amended to read:~~

~~—— 62A-15-403. Drinking while pregnant prevention media and education campaign.~~

~~—— (1) As used in this section:~~

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~~—— (a) ["Advisory council"] "Commission" means the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301.~~

~~—— (b) "Restricted account" means the Drinking While Pregnant Prevention Media and Education Campaign Restricted Account created in Section 32B-2-308.~~

~~—— (2) The [advisory council] commission shall:~~

~~—— (a) provide ongoing oversight of each media and education campaign funded through the restricted account;~~

~~—— (b) create a drinking while pregnant prevention workgroup consistent with guidelines the [advisory council] commission proposes related to the workgroup's membership and duties;~~

~~—— (c) create guidelines for how money appropriated for a media and education campaign can be used;~~

~~—— (d) include in the guidelines created under this Subsection (2) that a media and education campaign funded through the restricted account shall be:~~

~~—— (i) carefully researched;~~

~~—— (ii) developed for target groups; and~~

~~—— (iii) appropriate for target groups; and~~

~~—— (e) approve or deny each plan the division submits in accordance with Subsection (3):~~

~~—— (3) (a) Subject to appropriation from the Legislature and in accordance with this section, the division shall expend money from the restricted account to direct and fund one or more media and education campaigns designed to reduce the consumption of alcohol while pregnant.~~

~~—— (b) Before the division expends money from the restricted account for a media and education campaign, the division shall, in cooperation with the drinking while pregnant prevention workgroup created in accordance with Subsection (2), prepare and submit a plan to the [advisory council] commission that:~~

~~—— (i) describes the media and education campaign; and~~

~~—— (ii) details how the division intends to use money from the restricted account to fund the media and education campaign.~~

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~~—— (c) If the [advisory council] commission approves the plan described in Subsection (3)(b), the division shall conduct the media and education campaign in accordance with the guidelines described in Subsection (2).~~

~~—— (4) The division shall submit to the Health and Human Services Interim Committee and the [advisory council] commission annually by no later than October 1, a written report detailing:~~

~~—— (a) the use of the money for the media and education campaigns conducted in accordance with Subsection (3); and~~

~~—— (b) the impact and result of the use of the money during the previous fiscal year ending June 30.~~

~~—— Section 12. Section 62A-15-605 is amended to read:~~

~~—— 62A-15-605. Forensic Mental Health Coordinating Council -- Establishment and purpose:~~

~~—— (1) There is established the Forensic Mental Health Coordinating Council composed of the following members:~~

~~—— (a) the director of the Division of Substance Abuse and Mental Health or the director's appointee;~~

~~—— (b) the superintendent of the state hospital or the superintendent's appointee;~~

~~—— (c) the executive director of the Department of Corrections or the executive director's appointee;~~

~~—— (d) a member of the Board of Pardons and Parole or its appointee;~~

~~—— (e) the attorney general or the attorney general's appointee;~~

~~—— (f) the director of the Division of Services for People with Disabilities or the director's appointee;~~

~~—— (g) the director of the Division of Juvenile Justice Services or the director's appointee;~~

~~—— (h) the director of the Commission on Criminal and Juvenile Justice or the director's appointee;~~

~~—— (i) the state court administrator or the administrator's appointee;~~

~~—— (j) the state juvenile court administrator or the administrator's appointee;~~

~~—— (k) a representative from a local mental health authority or an organization;~~

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~~excluding the state hospital that provides mental health services under contract with the Division of Substance Abuse and Mental Health or a local mental health authority, as appointed by the director of the division;~~

~~—— (l) the executive director of the Utah Developmental Disabilities Council or the director's appointee; and~~

~~—— (m) other individuals, including individuals from appropriate advocacy organizations with an interest in the [mission] purpose described in Subsection (3), as appointed by the members described in Subsections (1)(a) through (l).~~

~~—— (2) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

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

~~—— (3) The purpose of the Forensic Mental Health Coordinating Council is to:~~

~~—— (a) advise the director regarding the state hospital admissions policy for individuals in the custody of the Department of Corrections;~~

~~—— (b) develop policies for coordination between the division and the Department of Corrections;~~

~~—— (c) advise the executive director of the Department of Corrections regarding department policy related to the care of individuals in the custody of the Department of Corrections who are mentally ill;~~

~~—— (d) promote communication between and coordination among all agencies dealing with individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system;~~

~~—— (e) study, evaluate, and recommend changes to laws and procedures relating to individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system;~~

~~—— (f) identify and promote the implementation of specific policies and programs to deal fairly and efficiently with individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice~~



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system;

~~—— (g) promote judicial education relating to individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system; and~~

~~—— (h) in consultation with the Utah [Substance Abuse Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301, study the long-term need for adult patient beds at the state hospital, including:~~

~~—— (i) the total number of beds currently in use in the adult general psychiatric unit of the state hospital;~~

~~—— (ii) the current bed capacity at the state hospital;~~

~~—— (iii) the projected total number of beds needed in the adult general psychiatric unit of the state hospital over the next three, five, and 10 years based on:~~

~~—— (A) the state's current and projected population growth;~~

~~—— (B) current access to mental health resources in the community; and~~

~~—— (C) any other factors the Forensic Mental Health Coordinating Council finds relevant to projecting the total number of beds; and~~

~~—— (iv) the cost associated with the projected total number of beds described in Subsection (3)(h)(iii):~~

~~—— (4) The Forensic Mental Health Coordinating Council shall report the results of the study described in Subsection (3)(h) and any recommended changes to laws or procedures based on the results to the Health and Human Services Interim Committee before November 30 of each year.~~

~~—— Section 13. Section 62A-15-1100 is amended to read:~~

~~—— 62A-15-1100. Definitions.~~

~~—— As used in this part:~~

~~—— [(1) "Advisory Council" means the Utah Substance Use and Mental Health Advisory Council created in Section 63M-7-301.]~~

~~—— [(2) (1) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201 within the Department of Public Safety.~~

~~—— [(3) (2) "Coalition" means the Statewide Suicide Prevention Coalition created under Subsection 62A-15-1101(2):~~

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~~—— (3) "Commission" means the Utah Behavioral Health Advisory Commission created in Section 63M-7-301.~~

~~—— (4) "Coordinator" means the state suicide prevention coordinator appointed under Subsection 62A-15-1101(1).~~

~~—— (5) "Division" means the Division of Substance Abuse and Mental Health.~~

~~—— (6) "Fund" means the Governor's Suicide Prevention Fund created in Section 62A-15-1103.~~

~~—— (7) "Intervention" means an effort to prevent a person from attempting suicide.~~

~~—— (8) "Legal intervention" means an incident in which an individual is shot by another individual who has legal authority to use deadly force.~~

~~—— (9) "Postvention" means intervention after a suicide attempt or a suicide death to reduce risk and promote healing.~~

~~—— (10) "Shooter" means an individual who uses a gun in an act that results in the death of the actor or another individual, whether the act was a suicide, homicide, legal intervention, act of self-defense, or accident.~~

~~—— Section 14. Section 62A-15-1101 is amended to read:~~

~~—— 62A-15-1101. Suicide prevention -- Reporting requirements.~~

~~—— (1) The division shall appoint a state suicide prevention coordinator to administer a state suicide prevention program composed of suicide prevention, intervention, and postvention programs, services, and efforts.~~

~~—— (2) The coordinator shall:~~

~~—— (a) establish a Statewide Suicide Prevention Coalition with membership from public and private organizations and Utah citizens; and~~

~~—— (b) appoint a chair and co-chair from among the membership of the coalition to lead the coalition.~~

~~—— (3) The state suicide prevention program may include the following components:~~

~~—— (a) delivery of resources, tools, and training to community-based coalitions;~~

~~—— (b) evidence-based suicide risk assessment tools and training;~~

~~—— (c) town hall meetings for building community-based suicide prevention strategies;~~

~~—— (d) suicide prevention gatekeeper training;~~

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- ~~—— (e) training to identify warning signs and to manage an at-risk individual's crisis;~~
- ~~—— (f) evidence-based intervention training;~~
- ~~—— (g) intervention skills training;~~
- ~~—— (h) postvention training; or~~
- ~~—— (i) a public education campaign to improve public awareness about warning signs of suicide and suicide prevention resources.~~
- ~~—— (4) The coordinator shall coordinate with the following to gather statistics, among other duties:~~
  - ~~—— (a) local mental health and substance abuse authorities;~~
  - ~~—— (b) the State Board of Education, including the public education suicide prevention coordinator described in Section 53G-9-702;~~
  - ~~—— (c) the Department of Health and Human Services;~~
  - ~~—— (d) health care providers, including emergency rooms;~~
  - ~~—— (e) federal agencies, including the Federal Bureau of Investigation;~~
  - ~~—— (f) other unbiased sources; and~~
  - ~~—— (g) other public health suicide prevention efforts.~~
- ~~—— (5) The coordinator shall provide a written report to the Health and Human Services Interim Committee, at or before the October meeting every year, on:~~
  - ~~—— (a) implementation of the state suicide prevention program, as described in Subsections (1) and (3);~~
  - ~~—— (b) data measuring the effectiveness of each component of the state suicide prevention program;~~
  - ~~—— (c) funds appropriated for each component of the state suicide prevention program; and~~
  - ~~—— (d) five-year trends of suicides in Utah, including subgroups of youths and adults and other subgroups identified by the state suicide prevention coordinator.~~
- ~~—— (6) The coordinator shall, in consultation with the bureau, implement and manage the operation of the firearm safety program described in Subsection 62A-15-103(3).~~
- ~~—— (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules:~~
  - ~~—— (a) governing the implementation of the state suicide prevention program;~~

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~~consistent with this section; and~~

~~—— (b) in conjunction with the bureau, defining the criteria for employers to apply for grants under the Suicide Prevention Education Program described in Section 62A-15-103.1, which shall include:~~

~~—— (i) attendance at the suicide prevention education course described in Subsection 62A-15-103(3); and~~

~~—— (ii) distribution of the firearm safety brochures or packets created in Subsection 62A-15-103(3), but does not require the distribution of a cable-style gun lock with a firearm if the firearm already has a trigger lock or comparable safety mechanism.~~

~~—— (8) As funding by the Legislature allows, the coordinator shall award grants, not to exceed a total of \$100,000 per fiscal year, to suicide prevention programs that focus on the needs of children who have been served by the Division of Juvenile Justice Services.~~

~~—— (9) The coordinator and the coalition shall submit to the [advisory council] commission, no later than October 1 of each year, a written report detailing the previous fiscal year's activities to fund, implement, and evaluate suicide prevention activities described in this section.~~

~~—— Section 15. Section 63C-23-201 is amended to read:~~

~~—— 63C-23-201. Education and Mental Health Coordinating Council -- Membership -- Quorum and voting requirements -- Compensation -- Staff support.~~

~~—— (1) There is created the Education and Mental Health Coordinating Council to:~~

~~—— (a) provide action-oriented guidance to legislative and other state leaders on how to meet the behavioral health needs, including mental health and substance use issues, facing youth and families within the state; and~~

~~—— (b) ensure close collaboration and alignment with existing statewide behavioral health efforts and groups, including:~~

~~—— (i) the Behavioral Health Crisis Response Commission created in Section 63C-18-202; and~~

~~—— (ii) the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in Section 63M-7-301.~~

~~—— (2) The council consists of the following members:~~

~~—— (a) a member of the House of Representatives whom the speaker of the House of~~

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~~Representatives appoints;~~

- ~~—— (b) a member of the Senate whom the president of the Senate appoints;~~
  - ~~—— (c) an individual with expertise in behavioral health whom the governor appoints;~~
  - ~~—— (d) the state superintendent of public instruction appointed under Section 53E-3-301 or the state superintendent's designee;~~
  - ~~—— (e) the chief executive officer of the Huntsman Mental Health Institute at the University of Utah or the chief executive officer's designee;~~
  - ~~—— (f) the director of the Division of Substance Abuse and Mental Health or the director's designee;~~
  - ~~—— (g) the commissioner of higher education appointed under Section 53B-1-408 or the commissioner's designee; and~~
  - ~~—— (h) the following individuals whom the president of the Senate and the speaker of the House of Representatives jointly appoint:~~
    - ~~—— (i) a community-oriented behavioral health leader from the private sector;~~
    - ~~—— (ii) the president or chief executive officer of an association that represents hospitals within the state;~~
    - ~~—— (iii) a community health executive from an academic medical system;~~
    - ~~—— (iv) a community health executive from an integrated healthcare system;~~
    - ~~—— (v) the president or chief executive officer of a nonprofit organization that provides comprehensive mental health care to children and families across the socioeconomic spectrum; and~~
    - ~~—— (vi) a mental health research expert.~~
  - ~~—— (3) (a) The members described in Subsections (2)(a) and (2)(h)(i) shall serve as co-chairs of the council:~~
    - ~~—— (b) A council member whom the speaker of the House of Representatives and the president of the Senate jointly appoint under Subsection (2)(h), and the council member whom the governor appoints under Subsection (2)(c), shall serve a term of two years.~~
    - ~~—— (c) The speaker of the House of Representatives, the president of the Senate, and the governor shall:~~
      - ~~—— (i) make the initial appointments described in Subsection (2) before July 1, 2021;~~
- ~~and~~

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~~—— (ii) make appointments for subsequent terms for the council positions described in Subsection (2)(b) before July 1 of each odd-numbered year, by:~~

~~—— (A) reappointing the council member whose term expires under Subsection (3)(b);~~

~~or~~

~~—— (B) appointing a new council member.~~

~~—— (d) The speaker of the House of Representatives and the president of the Senate may change the appointment described in Subsections (2)(a) and (b) at any time.~~

~~—— (4) (a) The salary and expenses of a council member who is a legislator shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.~~

~~—— (b) A council member who is not a legislator:~~

~~—— (i) may not receive compensation or benefits for the member's service on the council; and~~

~~—— (ii) may receive per diem and reimbursement for travel expenses that the council member incurs as a council member at the rates that the Division of Finance establishes under:~~

~~—— (A) Sections 63A-3-106 and 63A-3-107; and~~

~~—— (B) rules that the Division of Finance makes under Sections 63A-3-106 and 63A-3-107.~~

~~—— (5) (a) A majority of the council members constitutes a quorum.~~

~~—— (b) The action of a majority of a quorum constitutes an action of the council.~~

~~—— (6) The Office of Legislative Research and General Counsel shall provide staff support to the council.~~

~~—— Section 16. Section 63C-23-202 is amended to read:~~

~~—— 63C-23-202. Council duties -- Reporting requirements.~~

~~—— (1) The council shall:~~

~~—— (a) meet at least [twice per quarter] four times per year and may hold additional meetings if approved by the co-chairs; and~~

~~—— (b) make findings and recommendations to:~~

~~—— (i) generate a common framework for preventing and addressing mild, moderate, and serious behavioral health concerns that youth within the state face;~~

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~~—— (ii) clarify roles among LEAs, local mental health authorities, local substance abuse authorities, and other behavioral health partners regarding the practical and legal obligations of screening, assessment, and the provision of care; and~~

~~—— (iii) facilitate joint development of state and local plans among LEAs, local mental health authorities, local substance abuse authorities, and other behavioral health partners that:~~

~~—— (A) describe how the entities will collaborate to meet the behavioral health needs of youth within the state; and~~

~~—— (B) provide clarity and consistency in the standardization, collection, analysis, and application of behavioral health-related data to drive improvement.~~

~~—— (2) At least once per quarter, the council co-chairs shall report to the speaker of the House of Representatives and the president of the Senate regarding the findings and recommendations described in Subsection (1)(b).~~

~~—— (3) At or before the November interim meeting, the council shall report the council's findings and recommendations described in Subsection (1)(b) to the Education Interim Committee and the Health and Human Services Interim Committee.~~

~~—— Section 17. Section 63I-1-232 is amended to read:~~

~~—— 63I-1-232. Repeal dates: Titles 32A through 32B.~~

~~—— In relation to the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission, on January 1, 2033:~~

~~—— (1) Subsection 32B-2-306(1)(a) is repealed;~~

~~—— (2) Subsection 32B-2-306(4), the language that states ["advisory council"] "commission" is repealed and replaced with "department";~~

~~—— (3) Subsections 32B-2-306(4)(b) and (c) are repealed;~~

~~—— (4) Subsection 32B-2-306(5)(a), the language that states "in cooperation with the [advisory council] commission" is repealed;~~

~~—— (5) Subsection 32B-2-306(5)(b) is amended to read:~~

~~—— "(b) The department shall:~~

~~—— (i) prepare a plan detailing the intended use of the money appropriated under this section; and~~

~~—— (ii) conduct the media and education campaign in accordance with the guidelines~~

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created by the department under Subsection (4)(c).";

—— (6) Subsection [32B-2-402(1)(b)] 32B-2-402(1)(d) is repealed;

—— (7) Sections 32B-2-404 and 32B-2-405, the language that states ["advisory council"] "commission" is repealed and replaced with "department";

—— (8) Subsection 32B-2-405(2), the language that states "by a majority vote" is repealed; and

—— (9) Subsection 32B-2-405(4)(a)(i), the language that states "majority vote of" is repealed;

—— Section 18. Section 63I-1-262 is amended to read:

—— ~~63I-1-262.~~ Repeal dates: Title 62A.

—— (1) Section 62A-3-209 is repealed July 1, 2023.

—— (2) Sections 62A-5a-101, 62A-5a-102, 62A-5a-103, and 62A-5a-104, which create the Coordinating Council for Persons with Disabilities, are repealed July 1, 2027.

—— (3) Subsections 62A-15-116(1) and (5), the language that states "In consultation with the Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is repealed January 1, 2023.

—— (4) Section 62A-15-118 is repealed December 31, 2023.

—— (5) Section 62A-15-124 is repealed December 31, 2024.

—— (6) Section 62A-15-605, which creates the Forensic Mental Health Coordinating Council, is repealed July 1, 2023.

—— (7) Subsections [62A-15-1100(1)] 62A-15-1100(3) and 62A-15-1101(9), in relation to the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission, are repealed January 1, 2033.

—— (8) In relation to the Behavioral Health Crisis Response Commission, on July 1, 2023:

—— (a) Subsections 62A-15-1301(2) and 62A-15-1401(1) are repealed;

—— (b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with the commission" is repealed;

—— (c) Subsection 62A-15-1303(1), the language that states "In consultation with the commission," is repealed;

—— (d) Subsection 62A-15-1402(2)(a), the language that states "With



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~~recommendations from the commission," is repealed; and~~

~~—— (e) Subsection 62A-15-1702(6) is repealed.~~

~~—— Section 19. Section 63I-1-263 is amended to read:~~

~~—— 63I-1-263. Repeal dates: Titles 63A to 63N.~~

~~—— (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital improvement funding, is repealed July 1, 2024.~~

~~—— (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1, 2023.~~

~~—— (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review Committee, are repealed July 1, 2023.~~

~~—— (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:~~

~~—— (a) Section 63A-18-102 is repealed;~~

~~—— (b) Section 63A-18-201 is repealed; and~~

~~—— (c) Section 63A-18-202 is repealed.~~

~~—— (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2028.~~

~~—— (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.~~

~~—— (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1, 2024.~~

~~—— (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2023.~~

~~—— (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed July 1, 2023.~~

~~—— (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is repealed July 1, 2026.~~

~~—— (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.~~

~~—— (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.~~

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

~~—— (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July~~

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~~1, 2028.~~

~~—— (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2024.~~

~~—— (16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.~~

~~—— (17) Subsection 63J-1-602.1(17), relating to the Nurse Home Visiting Restricted Account, is repealed July 1, 2026.~~

~~—— (18) Subsection 63J-1-602.2(6), referring to dedicated credits to the Utah Marriage Commission, is repealed July 1, 2023.~~

~~—— (19) Subsection 63J-1-602.2(7), referring to the Trip Reduction Program, is repealed July 1, 2022.~~

~~—— (20) Subsection 63J-1-602.2(26), related to the Utah Seismic Safety Commission, is repealed January 1, 2025.~~

~~—— (21) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is repealed July 1, 2027.~~

~~—— (22) In relation to the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission, on January 1, 2033:~~

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

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

~~—— [(c)] (b) Subsection 63M-7-305(1)(a) is repealed and replaced with:~~

~~—— "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and~~

~~—— [(d)] (c) Subsection 63M-7-305(2) is repealed and replaced with:~~

~~—— "(2) The commission shall:~~

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

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

~~—— (23) The Crime Victim Reparations and Assistance Board, created in Section~~

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~~63M-7-504, is repealed July 1, 2027.~~

~~—— (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.~~

~~—— (25) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed January 1, 2025.~~

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

~~—— (27) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July 1, 2028.~~

~~—— (28) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July 1, 2027.~~

~~—— (29) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is repealed July 1, 2025.~~

~~—— (30) In relation to the Rural Employment Expansion Program, on July 1, 2023:~~

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

~~—— (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion Program, is repealed.~~

~~—— (31) In relation to the Board of Tourism Development, on July 1, 2025:~~

~~—— (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;~~

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

~~—— (c) Subsection 63N-7-101(1), which defines "board," is repealed;~~

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

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

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

~~—— Section 20. Section 63M-7-202 is amended to read:~~

~~—— 63M-7-202. Composition -- Appointments -- Ex officio members -- Terms -- United States Attorney as nonvoting member.~~

~~—— (1) The [commission on criminal and juvenile justice] Commission on Criminal~~

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~~and Juvenile Justice shall be composed of 25 voting members as follows:~~

- ~~—— (a) the chief justice of the supreme court, as the presiding officer of the judicial council, or a judge designated by the chief justice;~~
- ~~—— (b) the state court administrator or the state court administrator's designee;~~
- ~~—— (c) the executive director of the Department of Corrections or the executive director's designee;~~
- ~~—— (d) the executive director of the Department of Health and Human Services or the executive director's designee;~~
- ~~—— (e) the commissioner of the Department of Public Safety or the commissioner's designee;~~
- ~~—— (f) the attorney general or an attorney designated by the attorney general;~~
- ~~—— (g) the president of the chiefs of police association or a chief of police designated by the association's president;~~
- ~~—— (h) the president of the sheriffs' association or a sheriff designated by the association's president;~~
- ~~—— (i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons and Parole designated by the chair;~~
- ~~—— (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing Commission designated by the chair;~~
- ~~—— (k) the chair of the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission or a member of the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission designated by the chair;~~
- ~~—— (l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of Juvenile Justice designated by the chair;~~
- ~~—— (m) the chair of the Utah Council on Victims of Crime or a member of the Utah Council on Victims of Crime designated by the chair;~~
- ~~—— (n) the executive director of the Salt Lake Legal Defender Association or an attorney designated by the executive director;~~
- ~~—— (o) the chair of the Utah Indigent Defense Commission or a member of the Indigent Defense Commission designated by the chair;~~

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~~—— (p) the Salt Lake County District Attorney or an attorney designated by the district attorney; and~~

~~—— (q) the following members designated to serve four-year terms:~~

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

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

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

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

~~—— (2) The governor shall appoint the remaining five members to four-year staggered terms as follows:~~

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

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

~~—— (c) one representative of public education;~~

~~—— (d) one citizen representative; and~~

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

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

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

~~—— Section 21. Section 63M-7-301 is amended to read:~~

### ~~Part 3. Utah Behavioral Health Advisory Commission~~

~~—— 63M-7-301. Definitions -- Creation of commission -- Membership -- Terms.~~

~~—— (1) (a) As used in this part, ["council"] "commission" means the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission created in this section.~~

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~~—— (b) There is created within the governor's office the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission.~~

~~—— (2) The [council] commission shall be comprised of the following voting members:~~

~~—— (a) the attorney general or the attorney general's designee;~~

~~—— (b) one elected county official appointed by the Utah Association of Counties;~~

~~—— (c) the commissioner of public safety or the commissioner's designee;~~

~~—— (d) the director of the Division of Integrated Healthcare or the director's designee;~~

~~—— (e) the state superintendent of public instruction or the superintendent's designee;~~

~~—— (f) the executive director of the Department of Health and Human Services or the executive director's designee;~~

~~—— (g) the executive director of the Commission on Criminal and Juvenile Justice or the executive director's designee;~~

~~—— (h) the executive director of the Department of Corrections or the executive director's designee;~~

~~—— (i) the director of the Division of Juvenile Justice Services or the director's designee;~~

~~—— (j) the director of the Division of Child and Family Services or the director's designee;~~

~~—— (k) the chair of the Board of Pardons and Parole or the chair's designee;~~

~~—— (l) the director of the Office of Multicultural Affairs or the director's designee;~~

~~—— (m) the director of the Division of Indian Affairs or the director's designee;~~

~~—— (n) the state court administrator or the state court administrator's designee;~~

~~—— (o) one district court judge who presides over a drug court and who is appointed by the chief justice of the Utah Supreme Court;~~

~~—— (p) one district court judge who presides over a mental health court and who is appointed by the chief justice of the Utah Supreme Court;~~

~~—— (q) one juvenile court judge who presides over a drug court and who is appointed by the chief justice of the Utah Supreme Court;~~

~~—— (r) one prosecutor appointed by the Statewide Association of Prosecutors;~~

~~—— (s) the chair or co-chair of each committee established by the [council]~~

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### commission;

~~—— (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under Subsection 62A-15-1101(2);~~

~~—— (u) one representative appointed by the Utah League of Cities and Towns to serve a four-year term;~~

~~—— (v) the following members appointed by the governor to serve four-year terms:~~

~~—— (i) one resident of the state who has been personally affected by a substance use or mental health disorder; and~~

~~—— (ii) one citizen representative; and~~

~~—— (w) in addition to the voting members described in Subsections (2)(a) through (v), the following voting members appointed by a majority of the members described in Subsections (2)(a) through (v) to serve four-year terms:~~

~~—— (i) one resident of the state who represents a statewide advocacy organization for recovery from substance use disorders;~~

~~—— (ii) one resident of the state who represents a statewide advocacy organization for recovery from mental illness;~~

~~—— (iii) one resident of the state who represents a statewide advocacy organization for protection of rights of individuals with a disability;~~

~~—— (iv) one resident of the state who represents prevention professionals;~~

~~—— (v) one resident of the state who represents treatment professionals;~~

~~—— (vi) one resident of the state who represents the physical health care field;~~

~~—— (vii) one resident of the state who is a criminal defense attorney;~~

~~—— (viii) one resident of the state who is a military servicemember or military veteran under Section 53B-8-102;~~

~~—— (ix) one resident of the state who represents local law enforcement agencies;~~

~~—— (x) one representative of private service providers that serve youth with substance use disorders or mental health disorders; and~~

~~—— (xi) one resident of the state who is certified by the Division of Integrated Healthcare as a peer support specialist as described in Subsection 62A-15-103(2)(h).~~

~~—— (3) An individual other than an individual described in Subsection (2) may not be appointed as a voting member of the [council] commission.~~

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~~Section 22. Section 63M-7-302 is amended to read:~~

~~63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.~~

~~(1) The [Utah Substance Use and Mental Health Advisory Council] commission shall annually select one of its members to serve as chair and one of its members to serve as vice chair.~~

~~(2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the position was originally filled.~~

~~(3) A majority of the members of the [council] commission constitutes a quorum.~~

~~(4) A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:~~

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

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

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

~~(5) The [council] commission may establish committees as needed to assist in accomplishing its duties under Section 63M-7-303.~~

~~Section 23. Section 63M-7-303 is amended to read:~~

~~63M-7-303. Duties of commission.~~

~~(1) The [Utah Substance Use and Mental Health Advisory Council] commission shall:~~

~~(a) provide leadership and generate unity for Utah's ongoing efforts to reduce and eliminate the impact of substance use and mental health disorders in Utah through a comprehensive and evidence-based prevention, treatment, and justice strategy;~~

~~(b) recommend and coordinate the creation, dissemination, and implementation of statewide policies to address substance use and mental health disorders;~~

~~(c) facilitate planning for a balanced continuum of substance use and mental health disorder prevention, treatment, and justice services;~~

~~(d) promote collaboration and mutually beneficial public and private partnerships;~~

~~(e) coordinate recommendations made by any committee created under Section~~



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~~63M-7-302;~~

~~—— (f) analyze and provide an objective assessment of all proposed legislation concerning substance use, mental health, and related issues;~~

~~—— (g) coordinate the implementation of Section 77-18-104 and related provisions in Subsections 77-18-103(2)(c) and (d), as provided in Section 63M-7-305;~~

~~—— (h) comply with Sections 32B-2-306 [and 62A-15-403; and], 62A-15-403, and 63M-7-307;~~

~~—— (i) oversee coordination for the funding, implementation, and evaluation of suicide prevention efforts described in Section 62A-15-1101[.]; and~~

~~—— (j) promote the behavioral health resources and services that are available to individuals in the state;~~

~~—— (2) The [council] commission shall meet quarterly or more frequently as determined necessary by the chair.~~

~~—— (3) The [council] commission shall report the [council's] commission's recommendations annually to the [commission] Commission on Criminal and Juvenile Justice, governor, the Legislature, and the Judicial Council.~~

~~—— Section 24. Section 63M-7-304 is amended to read:~~

~~—— 63M-7-304. Committee chair -- Vacancies -- Quorum -- Expenses.~~

~~—— (1) The members of each committee established by the [council] commission shall annually select a chair or co-chairs from among the members of the committee.~~

~~—— (2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the position was originally filled.~~

~~—— (3) A majority of the members of a committee constitutes a quorum for the transaction of business by the committee.~~

~~—— (4) A member of a committee established by the commission may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

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

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~~63A-3-107.~~

~~Section 25. Section 63M-7-305 is amended to read:~~

~~63M-7-305. Drug-Related Offenses Reform Act -- Coordination.~~

~~(1) As used in this section:~~

~~(a) ["Council"] "Commission" means the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission.~~

~~(b) "Drug-Related Offenses Reform Act" [and "act" mean] means the screening, assessment, substance use disorder treatment, and supervision provided to convicted persons under Subsection 77-18-104(2) to:~~

~~(i) determine a person's specific substance use disorder treatment needs as early as possible in the judicial process;~~

~~(ii) expand treatment resources for persons in the community;~~

~~(iii) integrate a person's treatment with supervision by the Department of Corrections; and~~

~~(iv) reduce the incidence of substance use disorders and related criminal conduct.~~

~~(c) "Substance abuse authority" means the same as that term is defined in Section 17-43-201.~~

~~(2) The [council] commission shall provide ongoing oversight of the implementation, functions, and evaluation of the Drug-Related Offenses Reform Act.~~

~~(3) (a) The [council] commission shall develop an implementation plan for the Drug-Related Offenses Reform Act.~~

~~(b) The plan described in Subsection (3)(a) shall:~~

~~[(a)] (i) identify local substance abuse authority areas where the [act] Drug-Related Offenses Reform Act will be implemented, in cooperation with the Division of Substance Abuse and Mental Health, the Department of Corrections, and the local substance abuse authorities;~~

~~[(b)] (ii) include guidelines for local substance abuse authorities and the [Utah] Department of Corrections on how funds appropriated under the [act] Drug-Related Offenses Reform Act should be used, including eligibility requirements for convicted persons who participate in services funded by the [act] Drug-Related Offenses Reform Act, that are consistent with the recommendations of the Commission on Criminal and~~

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~~Juvenile Justice for reducing recidivism; and~~

~~— [(c)] (iii) require that treatment plans under the act are appropriate for persons involved in the criminal justice system.~~

~~— Section 26. Section 63M-7-306 is amended to read:~~

~~— 63M-7-306. Staffing.~~

~~— The Commission on Criminal and Juvenile Justice shall provide staff to the [council] commission and any committee established by the [council] commission.~~

~~— Section 27. Section 63M-7-307; 62A-15-125 is enacted to read:~~

~~63M-7-307; 62A-15-125. Access to mental health and substance use {services} service.~~

(1) As used in this section ~~{,;}~~:

~~(a) "{website} Office" means the Office of Substance Use and Mental Health.~~

~~(b) "Website" means the website or other equivalent electronic platform described in~~

~~Subsection (4).~~

~~(2) The {commission} office shall study public needs regarding access to mental health and substance use resources and services, including:~~

~~(a) the challenges that an individual may encounter when trying to determine:~~

~~(i) what mental health and substance use resources or services are needed in a particular situation; and~~

~~(ii) how individuals with public insurance, private insurance, and no insurance coverage can access needed mental health and substance use resources and services;~~

~~(b) cultural, linguistic, equity, and accessibility needs and challenges related to accessing mental health and substance use resources and services;~~

~~(c) the different needs and challenges facing insured, underinsured, and uninsured individuals related to mental health and substance use resources and services; and~~

~~(d) how to develop and build public engagement with the website.~~

~~(3) The {commission} office shall use the data and information gained from studies conducted pursuant to Subsection (2) to establish, maintain, and improve the website.~~

~~(4) The {commission} office shall establish and maintain a publicly accessible website or other electronic platform designed to simplify and increase the public's access to mental health and substance use resources and services.~~

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(5) The website shall:

(a) provide a means by which an individual may be directed to mental health and substance use resources or services appropriate to the individual's particular situation and location;

(b) include mental health and substance use resources and services for individuals in need of all levels of care, including promotion, prevention, assessment, diagnosis, treatment, and crisis;

(c) ~~include information about~~ assist the public in determining whether each resource or service listed on the site requires payment, accepts insurance, or is free;

(d) include information and resources for family members of an individual who is experiencing a mental health or substance use crisis or would benefit from prevention, assessment, diagnosis, or non-crisis treatment services;

(e) include information about mental health and substance use response trainings that are available to the public;

(f) coordinate with and incorporate existing mental health and substance use resources and services, including the SafeUT Crisis Line, the 211 network, and the statewide 988 Suicide and Crisis Lifeline; and

(g) based on statewide needs, include information about mental health and substance use resources and services that are responsive to different cultural and linguistic needs.

(6) To fulfill the duties described in this section, the ~~commission~~ office shall coordinate and collaborate with public and private mental health and substance use stakeholders, including:

~~{~~ ~~(a) the Department of Health and Human Services;~~

~~}~~ ~~(b)~~a the State Board of Education;

~~(c)~~b the Utah System of Higher Education;

~~(d)~~c the Huntsman Mental Health Institute;

(d) the Utah Substance Use and Mental Health Advisory Council;

(e) the Education and Mental Health Coordinating Council;

(f) the Behavioral Health Crisis Response Commission;

(g) the Statewide Suicide Prevention Coalition;

(h) local mental health authorities;

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(i) local substance abuse authorities;

(j) public and private insurers;

(k) public and private mental healthcare providers and facilities; and

(l) mental health professionals with expertise in early childhood, childhood, adolescence, adulthood, and older adulthood.

(7) The ~~commission~~office shall establish and track goals and metrics to identify:

(a) ~~the commission's~~ progress on fulfilling the duties described in this section; and

(b) the impact of the website on the public's access to mental health and substance use resources and services.

(8) ~~The commission~~In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the office may contract with ~~public~~one or ~~private individuals~~more providers to provide goods or services related to the duties described in this section.

(9) Before August 1 of each year, the ~~commission~~office shall provide a report to the Health and Human Services Interim Committee that includes:

(a) an update on the status of the website;

(b) an update on the status of studies conducted pursuant to Subsection (2);

(c) an update on the ~~commission's~~ goals and metrics established pursuant to Subsection (7); and

(d) any recommended legislative changes related to the duties described in this section.

Section ~~{28}~~2. Section ~~{64-13-45}~~63C-23-202 is amended to read:

~~{64-13-45}~~63C-23-202. ~~Department reporting~~Council duties -- Reporting requirements.

(1) ~~As used in this section:~~

~~—— (a) (i) "In-custody death" means an inmate death that occurs while the inmate is in the custody of the department.~~

~~—— (ii) "In-custody death" includes an inmate death that occurs while the inmate is:~~

~~—— (A) being transported for medical care; or~~

~~—— (B) receiving medical care outside of a correctional facility, other than a county jail.~~

~~—— (b) "Inmate" means an individual who is processed or booked into custody or housed in the department or a correctional facility other than a county jail.~~

~~—— (c) "Opiate" means the same as that term is defined in Section 58-37-2.~~

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~~—— (2) The department shall submit a report to the Commission on Criminal and Juvenile Justice, created in Section 63M-7-201, before June 15 of each year that includes:~~

~~—— (a) the number of in-custody deaths that occurred during the preceding calendar year, including:~~

~~—— (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of each of the in-custody deaths described in Subsection (2)(a); and~~

~~—— (ii) the department's policy for notifying an inmate's next of kin after the inmate's in-custody death;~~

~~—— (b) the department policies, procedures, and protocols:~~

~~—— (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use, including use of opiates;~~

~~—— (ii) that relate to the department's provision, or lack of provision, of medications used to treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all forms of buprenorphine and naltrexone; and~~

~~—— (iii) that relate to screening, assessment, and treatment of an inmate for a substance use disorder or mental health disorder;~~

~~—— (c) the number of inmates who gave birth and were restrained in accordance with Section 64-13-46, including:~~

~~—— (i) the types of restraints used; and~~

~~—— (ii) whether the use of restraints was to prevent escape or to ensure the safety of the inmate, medical or corrections staff, or the public; and~~

~~—— (d) any report the department provides or is required to provide under federal law or regulation relating to inmate deaths.~~

~~—— (3) The Commission on Criminal and Juvenile Justice shall:~~

~~—— (a) compile the information from the reports described in Subsection (2);~~

~~—— (b) omit or redact any identifying information of an inmate in the compilation to the extent omission or redaction is necessary to comply with state and federal law; and~~

~~—— (c) submit the compilation to the Law Enforcement and Criminal Justice Interim Committee and the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission before November 1 of each year.~~

~~—— (4) The Commission on Criminal and Juvenile Justice may not provide access to or use~~

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~~the department's policies, procedures, or protocols submitted under this section in a manner or for a purpose not described in this section:~~

~~Section 29. Section 77-18-104 is amended to read:~~

~~77-18-104. Screening, assessment, and treatment.~~

~~(1) As used in this section:~~

~~(a) "Assessment" has the same meaning as in Section 41-6a-501.~~

~~(b) "Screening" has the same meaning as in Section 41-6a-501.~~

~~(2) In coordination with the } The council shall:~~

~~(a) meet at least [twice per quarter] four times per year and may hold additional meetings if approved by the co-chairs; and~~

~~(b) make findings and recommendations to:~~

~~(i) generate a common framework for preventing and addressing mild, moderate, and serious behavioral health concerns that youth within the state face;~~

~~(ii) clarify roles among LEAs, local mental health authorities, local substance abuse {authority regarding available resources, a court in which the Drug-Related Offenses Reform Act under Section 63M-7-305 is implemented shall order a convicted defendant, who is determined to be eligible in accordance with the implementation plan developed by the Utah [Substance Use and Mental Health Advisory Council] Behavioral Health Advisory Commission under Section 63M-7-305, to:~~

~~(a) participate in a screening before sentencing;~~

~~(b) participate in an assessment before sentencing if the screening indicates an assessment to be appropriate; and~~

~~(c) participate in substance use disorder treatment if:~~

~~(i) the assessment indicates treatment to be appropriate;~~

~~(ii) the court finds treatment to be appropriate for the convicted defendant; and~~

~~(iii) the court finds the convicted defendant to be an appropriate candidate for community-based supervision.~~

~~(3) The findings from any screening and any assessment conducted under this section shall be part of the presentence investigation report submitted to the court under Section 77-18-103.~~

~~(4) Money appropriated by the Legislature to assist in the funding of the screening,~~

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~~assessment, substance use disorder treatment, and supervision provided under this section is not subject to any requirement regarding matching funds from a state or local governmental entity.~~

authorities, and other behavioral health partners regarding the practical and legal obligations of screening, assessment, and the provision of care; and

(iii) facilitate joint development of state and local plans among LEAs, local mental health authorities, local substance abuse authorities, and other behavioral health partners that:

(A) describe how the entities will collaborate to meet the behavioral health needs of youth within the state; and

(B) provide clarity and consistency in the standardization, collection, analysis, and application of behavioral health-related data to drive improvement.

(2) At least once per quarter, the council co-chairs shall report to the speaker of the House of Representatives and the president of the Senate regarding the findings and recommendations described in Subsection (1)(b).

(3) At or before the November interim meeting, the council shall report the council's findings and recommendations described in Subsection (1)(b) to the Education Interim Committee and the Health and Human Services Interim Committee.