

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CAMPUS SAFETY AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Val L. Peterson
Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill removes language that exists in federal law.

Highlighted Provisions:

This bill:

- removes language that exists in federal law; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-28-401, as last amended by Laws of Utah 2021, Chapter 332

REPEALS:

53B-28-402, as last amended by Laws of Utah 2023, Chapter 16

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

Section 1. Section **53B-28-401** is amended to read:

53B-28-401 . Campus safety plans and training -- Institution duties -- Governing board duties.

(1) As used in this section:

- (a) "Covered offense" means:
 - (i) sexual assault;
 - (ii) domestic violence;
 - (iii) dating violence; or

- 29 (iv) stalking.
- 30 (b) "Institution" means an institution of higher education described in Section 53B-1-102.
- 31 (c) "Student organization" means a club, group, sports team, fraternity or sorority, or
32 other organization:
- 33 (i) of which the majority of members is composed of students enrolled in an
34 institution; and
- 35 (ii) (A) that is officially recognized by the institution; or
36 (B) seeks to be officially recognized by the institution.
- 37 (2) An institution shall develop a campus safety plan that addresses:
- 38 (a) where an individual can locate the institution's policies and publications related to a
39 covered offense;
- 40 (b) institution and community resources for a victim of a covered offense;
- 41 (c) the rights of a victim of a covered offense, including the measures the institution
42 takes to ensure, unless otherwise provided by law, victim confidentiality throughout
43 all steps in the reporting and response to a covered offense;
- 44 (d) how the institution informs the campus community of a crime that presents a threat
45 to the campus community;
- 46 (e) availability, locations, and methods for requesting assistance of security personnel on
47 the institution's campus;
- 48 (f) guidance on how a student may contact law enforcement for incidents that occur off
49 campus;
- 50 (g) institution efforts related to increasing campus safety, including efforts related to the
51 institution's increased response in providing services to victims of a covered offense,
52 that:
- 53 (i) the institution made in the preceding 18 months; and
54 (ii) the institution expects to make in the upcoming 24 months;
- 55 (h) coordination and communication between institution resources and organizations,
56 including campus law enforcement;
- 57 (i) institution coordination with local law enforcement or community resources,
58 including coordination related to a student's safety at an off-campus location; and
- 59 (j) how the institution requires a student organization to provide the campus safety
60 training as described in Subsection (5).
- 61 (3) An institution shall:
- 62 (a) prominently post the institution's campus safety plan on the institution's website and

63 each of the institution's campuses; and

64 (b) annually update the institution's campus safety plan.

65 (4) An institution shall develop a campus safety training curriculum that addresses:

66 (a) awareness and prevention of covered offenses, including information on institution
67 and community resources for a victim of a covered offense;

68 (b) bystander intervention; and

69 (c) sexual consent.

70 (5) An institution shall require a student organization, in order for the student organization
71 to receive or maintain official recognition by the institution, to annually provide campus
72 safety training, using the curriculum described in Subsection (4), to the student
73 organization's members.

74 [~~(6) The board shall:~~]

75 [~~(a) on or before July 1, 2019, establish minimum requirements for an institution's campus
76 safety plan described in Subsection (2);]~~

77 [~~(b) identify resources an institution may use to develop a campus safety training
78 curriculum as described in Subsection (4); and]~~

79 [~~(c) report annually to the Education Interim Committee and the Law Enforcement and
80 Criminal Justice Interim Committee, at or before the committees' November meetings,
81 on:~~]

82 [~~(i) the implementation of the requirements described in this section; and]~~

83 [~~(ii) crime statistics aggregated by housing facility as described in Subsection 53B-28-403
84 (2).]~~

85 (6) An institution shall report annually to the Education Interim Committee and the Law
86 Enforcement and Criminal Justice Interim Committee, at or before the committees'
87 November meetings, on crime statistics aggregated by housing facility as described in
88 Subsection 53B-28-403(2).

89 Section 2. **Repealer.**

90 This bill repeals:

91 Section **53B-28-402, Campus safety study -- Report to Legislature.**

92 Section 3. **Effective date.**

93 This bill takes effect on May 1, 2024.