

BEHAVIORAL HEALTH SERVICES ACCESS AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses access to behavioral health resources and services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ renames the Utah 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 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:



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

- 31 **17-22-32**, as last amended by Laws of Utah 2022, Chapter 187
- 32 **26-7-10**, as last amended by Laws of Utah 2022, Chapter 255
- 33 **26-18-427**, as enacted by Laws of Utah 2022, Chapter 394
- 34 **32B-2-210**, as last amended by Laws of Utah 2022, Chapter 447
- 35 **32B-2-306**, as last amended by Laws of Utah 2021, Chapter 291
- 36 **32B-2-402**, as last amended by Laws of Utah 2022, Chapter 255
- 37 **32B-2-404**, as last amended by Laws of Utah 2014, Chapter 119
- 38 **32B-2-405**, as last amended by Laws of Utah 2016, Chapter 144
- 39 **32B-7-305**, as last amended by Laws of Utah 2022, Chapter 447
- 40 **62A-1-121**, as last amended by Laws of Utah 2022, Chapter 447
- 41 **62A-15-403**, as renumbered and amended by Laws of Utah 2022, Chapter 211
- 42 **62A-15-605**, as last amended by Laws of Utah 2020, Chapter 304
- 43 **62A-15-1100**, as enacted by Laws of Utah 2018, Chapter 414
- 44 **62A-15-1101**, as last amended by Laws of Utah 2022, Chapter 149
- 45 **63C-23-201**, as enacted by Laws of Utah 2021, Chapter 171
- 46 **63C-23-202**, as enacted by Laws of Utah 2021, Chapter 171
- 47 **63I-1-232**, as last amended by Laws of Utah 2022, Chapter 34
- 48 **63I-1-262**, as last amended by Laws of Utah 2022, Chapters 34, 35, 149, 257, and 335
- 49 **63I-1-263**, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236,
- 50 249, 274, 296, 313, 361, 362, 417, 419, and 472
- 51 **63M-7-202**, as last amended by Laws of Utah 2020, Chapter 354
- 52 **63M-7-301**, as last amended by Laws of Utah 2022, Chapter 255
- 53 **63M-7-302**, as last amended by Laws of Utah 2019, Chapter 246
- 54 **63M-7-303**, as last amended by Laws of Utah 2022, Chapter 211
- 55 **63M-7-304**, as last amended by Laws of Utah 2010, Chapters 39, 286
- 56 **63M-7-305**, as last amended by Laws of Utah 2021, Chapter 260
- 57 **63M-7-306**, as last amended by Laws of Utah 2010, Chapter 39
- 58 **64-13-45**, as last amended by Laws of Utah 2019, Chapters 311, 385

59 [77-18-104](#), as renumbered and amended by Laws of Utah 2021, Chapter 260

60 ENACTS:

61 [63M-7-307](#), Utah Code Annotated 1953



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

64 Section 1. Section **17-22-32** is amended to read:

65 **17-22-32. County jail reporting requirements.**

66 (1) As used in this section:

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

69 (b) (i) "In-custody death" means an inmate death that occurs while the inmate is in the
70 custody of a county jail.

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

72 (A) being transported for medical care; or

73 (B) receiving medical care outside of a county jail.

74 (c) "Inmate" means an individual who is processed or booked into custody or housed in
75 a county jail in the state.

76 (d) "Opiate" means the same as that term is defined in Section [58-37-2](#).

77 (2) Each county jail shall submit a report to the commission before June 15 of each
78 year that includes, for the preceding calendar year:

79 (a) the average daily inmate population each month;

80 (b) the number of inmates in the county jail on the last day of each month who identify
81 as each race or ethnicity included in the Standards for Transmitting Race and Ethnicity
82 published by the United States Federal Bureau of Investigation;

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

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

86 (i) the Bureau of Indian Affairs;

87 (ii) a state prison;

88 (iii) a federal prison;

89 (iv) the United States Immigration and Customs Enforcement; and

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

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

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

95 (i) the name of the agency that arrested the inmate;

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

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

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

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

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

106 (vii) the state identification number of the inmate;

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

108 (h) for each in-custody death;

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

111 (ii) the date, time, and location of death;

112 (iii) the law enforcement agency that detained, arrested, or was in the process of
113 arresting the deceased; and

114 (iv) a brief description of the circumstances surrounding the death;

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

117 (j) the county jail's policy for notifying an inmate's next of kin after the inmate's
118 in-custody death;

119 (k) the county jail policies, procedures, and protocols:

120 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,

121 including use of opiates;

122 (ii) that relate to the county jail's provision, or lack of provision, of medications used to
123 treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all
124 forms of buprenorphine and naltrexone; and

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

127 (l) any report the county jail provides or is required to provide under federal law or
128 regulation relating to inmate deaths.

129 (3) (a) Subsection (2) does not apply to a county jail if the county jail:

130 (i) collects and stores the data described in Subsection (2); and

131 (ii) enters into a memorandum of understanding with the commission that allows the
132 commission to access the data described in Subsection (2).

133 (b) The memorandum of understanding described in Subsection (3)(a)(ii) shall include
134 a provision to protect any information related to an ongoing investigation and comply with all
135 applicable federal and state laws.

136 (c) If the commission accesses data from a county jail in accordance with Subsection
137 (3)(a), the commission may not release a report prepared from that data, unless:

138 (i) the commission provides the report for review to:

139 (A) the county jail; and

140 (B) any arresting agency that is named in the report; and

141 (ii) (A) the county jail approves the report for release;

142 (B) the county jail reviews the report and prepares a response to the report to be
143 published with the report; or

144 (C) the county jail fails to provide a response to the report within four weeks after the
145 day on which the commission provides the report to the county jail.

146 (4) The commission shall:

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

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

150 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim

151 Committee and the Utah [~~Substance Use and Mental Health Advisory Council~~] Behavioral

152 Health Advisory Commission before November 1 of each year; and

153 (d) submit the compilation to the protection and advocacy agency designated by the
154 governor before November 1 of each year.

155 (5) The commission may not provide access to or use a county jail's policies,
156 procedures, or protocols submitted under this section in a manner or for a purpose not
157 described in this section.

158 (6) A report including only the names and causes of death of deceased inmates and the
159 facility in which they were being held in custody shall be made available to the public.

160 Section 2. Section **26-7-10** is amended to read:

161 **26-7-10. Youth Electronic Cigarette, Marijuana, and Other Drug Prevention**
162 **Program.**

163 (1) As used in this section:

164 (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug
165 Prevention Committee created in Section [26B-1-204](#).

166 (b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug
167 Prevention Program created in this section.

168 (2) (a) There is created within the department the Youth Electronic Cigarette,
169 Marijuana, and Other Drug Prevention Program.

170 (b) In consultation with the committee, the department shall:

171 (i) establish guidelines for the use of funds appropriated to the program;

172 (ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based and
173 appropriate for the population targeted by the program; and

174 (iii) subject to appropriations from the Legislature, fund statewide initiatives to prevent
175 use of electronic cigarettes, nicotine products, marijuana, and other drugs by youth.

176 (3) (a) The committee shall advise the department on:

177 (i) preventing use of electronic cigarettes, marijuana, and other drugs by youth in the
178 state;

179 (ii) developing the guidelines described in Subsection (2)(b)(i); and

180 (iii) implementing the provisions of the program.

181 (b) The executive director shall:

182 (i) appoint members of the committee; and

- 183 (ii) consult with the Utah [~~Substance Use and Mental Health Advisory Council~~]
184 Behavioral Health Advisory Commission created in Section 63M-7-301 when making the
185 appointments under Subsection (3)(b)(i).
- 186 (c) The committee shall include, at a minimum:
- 187 (i) the executive director of a local health department as defined in Section 26A-1-102,
188 or the local health department executive director's designee;
- 189 (ii) one designee from the department;
- 190 (iii) one representative from the Department of Public Safety;
- 191 (iv) one representative from the behavioral health community; and
- 192 (v) one representative from the education community.
- 193 (d) A member of the committee may not receive compensation or benefits for the
194 member's service on the committee, but may receive per diem and travel expenses in
195 accordance with:
- 196 (i) Section 63A-3-106;
- 197 (ii) Section 63A-3-107; and
- 198 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 199 (e) The department shall provide staff support to the committee.
- 200 (4) On or before October 31 of each year, the department shall report to:
- 201 (a) the Health and Human Services Interim Committee regarding:
- 202 (i) the use of funds appropriated to the program;
- 203 (ii) the impact and results of the program, including the effectiveness of each program
204 funded under Subsection (2)(b)(iii), during the previous fiscal year;
- 205 (iii) a summary of the impacts and results on reducing youth use of electronic cigarettes
206 and nicotine products by entities represented by members of the committee, including those
207 entities who receive funding through the Electronic Cigarette Substance and Nicotine Product
208 Tax Restricted Account created in Section 59-14-807; and
- 209 (iv) any recommendations for legislation; and
- 210 (b) the Utah [~~Substance Use and Mental Health Advisory Council~~] Behavioral Health
211 Advisory Commission created in Section 63M-7-301, regarding:
- 212 (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in preventing
213 youth use of electronic cigarettes, nicotine products, marijuana, and other drugs; and

214 (ii) any collaborative efforts and partnerships established by the program with public
215 and private entities to prevent youth use of electronic cigarettes, marijuana, and other drugs.

216 Section 3. Section **26-18-427** is amended to read:

217 **26-18-427. Behavioral health delivery working group.**

218 (1) As used in this section, "targeted adult Medicaid program" means the same as that
219 term is defined in Section [26-18-411](#).

220 (2) On or before May 31, 2022, the department shall convene a working group to
221 collaborate with the department on:

222 (a) establishing specific and measurable metrics regarding:

223 (i) compliance of managed care organizations in the state with federal Medicaid
224 managed care requirements;

225 (ii) timeliness and accuracy of authorization and claims processing in accordance with
226 Medicaid policy and contract requirements;

227 (iii) reimbursement by managed care organizations in the state to providers to maintain
228 adequacy of access to care;

229 (iv) availability of care management services to meet the needs of Medicaid-eligible
230 individuals enrolled in the plans of managed care organizations in the state; and

231 (v) timeliness of resolution for disputes between a managed care organization and the
232 managed care organization's providers and enrollees;

233 (b) improving the delivery of behavioral health services in the Medicaid program;

234 (c) proposals to implement the delivery system adjustments authorized under
235 Subsection [26-18-428\(3\)](#); and

236 (d) issues that are identified by managed care organizations, behavioral health service
237 providers, and the department.

238 (3) The working group convened under Subsection (2) shall:

239 (a) meet quarterly; and

240 (b) consist of at least the following individuals:

241 (i) the executive director or the executive director's designee;

242 (ii) for each Medicaid accountable care organization with which the department
243 contracts, an individual selected by the accountable care organization;

244 (iii) five individuals selected by the department to represent various types of behavioral

245 health services providers, including, at a minimum, individuals who represent providers who
246 provide the following types of services:

- 247 (A) acute inpatient behavioral health treatment;
- 248 (B) residential treatment;
- 249 (C) intensive outpatient or partial hospitalization treatment; and
- 250 (D) general outpatient treatment;

251 (iv) a representative of an association that represents behavioral health treatment
252 providers in the state, designated by the Utah Behavioral Healthcare Council convened by the
253 Utah Association of Counties;

254 (v) a representative of an organization representing behavioral health organizations;

255 (vi) the chair of the Utah ~~[Substance Use and Mental Health Advisory Council]~~
256 Behavioral Health Advisory Commission created in Section [63M-7-301](#);

257 (vii) a representative of an association that represents local authorities who provide
258 public behavioral health care, designated by the department;

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

260 (ix) one member of the House of Representatives, appointed by the speaker of the
261 House of Representatives.

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

264 (a) specific and measurable metrics under Subsection (2)(a);

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

267 (i) filing of claims;

268 (ii) authorization and reauthorization for treatment services;

269 (iii) reimbursement rates; and

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

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

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

276 Section 4. Section **32B-2-210** is amended to read:

277 **32B-2-210. Alcoholic Beverage Services Advisory Board.**

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

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

282 (a) four voting members appointed by the commission:

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

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

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

286 (iv) one of whom represents the restaurant industry;

287 (b) two voting members appointed by the commission, each of whom represents an
288 organization that addresses alcohol or drug abuse prevention, alcohol or drug related
289 enforcement, or alcohol or drug related education;

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

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

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

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

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

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

306 (4) (a) When a vacancy occurs in the membership for any reason, the commission shall

307 appoint a replacement for the unexpired term.

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

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

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

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

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

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

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

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

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

322 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
323 63A-3-107.

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

325 **32B-2-306. Underage drinking prevention media and education campaign.**

326 (1) As used in this section:

327 (a) [~~"Advisory council"~~] "Commission" means the Utah [~~Substance Use and Mental~~
328 ~~Health Advisory Council~~] Behavioral Health Advisory Commission created in Section
329 63M-7-301.

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

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

334 (b) The restricted account consists of:

335 (i) deposits made under Subsection (3); and

336 (ii) interest earned on the restricted account.

337 (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor

338 with the state treasurer, as determined by the total gross revenue collected for the fiscal year
339 two years preceding the fiscal year for which the deposit is made, to be credited to the
340 restricted account and to be used by the department as provided in Subsection (5).

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

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

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

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

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

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

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

357 (b) The department shall:

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

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

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

368 Section 6. Section **32B-2-402** is amended to read:

369 **32B-2-402. Definitions -- Calculations.**

370 (1) As used in this part:

371 (a) "Account" means the Alcoholic Beverage and Substance Abuse Enforcement and
372 Treatment Restricted Account created in Section [32B-2-403](#).373 [~~(b)~~ "Advisory council" means the Utah Substance Use and Mental Health Advisory
374 Council created in Section [63M-7-301](#).]375 [~~(c)~~ (b) "Alcohol-related offense" means:

376 (i) a violation of:

377 (A) Section [41-6a-502](#); or

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

379 (I) Subsection [41-6a-510](#)(1); or380 (II) Section [76-5-207](#); or

381 (ii) an offense involving the illegal:

382 (A) sale of an alcoholic product;

383 (B) consumption of an alcoholic product;

384 (C) distribution of an alcoholic product;

385 (D) transportation of an alcoholic product; or

386 (E) possession of an alcoholic product.

387 [~~(d)~~ (c) "Annual conviction time period" means the time period that:

388 (i) begins on July 1 and ends on June 30; and

389 (ii) immediately precedes the fiscal year for which an appropriation under this part is
390 made.391 (d) "Commission" means the Utah Behavioral Health Advisory Commission created in
392 Section [63M-7-301](#).

393 (e) "Municipality" means:

394 (i) a city;

395 (ii) a town; or

396 (iii) a metro township.

397 (f) (i) "Prevention" is as defined by rule, in accordance with Title 63G, Chapter 3, Utah
398 Administrative Rulemaking Act, by the Division of Integrated Healthcare within the
399 Department of Health and Human Services.

400 (ii) In defining the term "prevention," the Division of Substance Abuse and Mental
401 Health shall:

402 (A) include only evidence-based or evidence-informed programs; and

403 (B) provide for coordination with local substance abuse authorities designated to
404 provide substance abuse services in accordance with Section 17-43-201.

405 (2) For purposes of Subsection 32B-2-404(1)(b)(iii), the number of premises located
406 within the limits of a municipality or county:

407 (a) is the number determined by the department to be so located;

408 (b) includes the aggregate number of premises of the following:

409 (i) a state store;

410 (ii) a package agency; and

411 (iii) a retail licensee; and

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

414 (3) The department shall determine:

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

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

420 (c) a county's population for the 25% distribution to counties under Subsection
421 32B-2-404(1)(b)(iv) only with reference to the total population in the county, including that of
422 a municipality.

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

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

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

428 **32B-2-404. Alcoholic Beverage and Substance Abuse Enforcement and**
429 **Treatment Restricted Account distribution.**

430 (1) (a) The money deposited into the account under Section 32B-2-403 shall be

431 distributed to municipalities and counties:

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

435 (ii) as provided in this Subsection (1).

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

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

439 (ii) 30% to municipalities and counties on the basis of each municipality's and county's
440 percentage of the statewide convictions for all alcohol-related offenses;

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

443 (A) state stores;

444 (B) package agencies;

445 (C) retail licensees; and

446 (D) off-premise beer retailers; and

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

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

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

452 (B) the State Tax Commission:

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

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

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

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

464 (a) for an annual conviction time period:

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

467 (A) Section 41-6a-502; or

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

470 (ii) add to the number calculated under Subsection (2)(a)(i) the number of convictions
471 obtained during the annual conviction time period for the alcohol-related offenses other than
472 the alcohol-related offenses described in Subsection (2)(a)(i);

473 (b) divide an amount equal to 30% of the appropriation for that fiscal year by the sum
474 obtained in Subsection (2)(a); and

475 (c) multiply the amount calculated under Subsection (2)(b), by the number of
476 convictions obtained in each municipality and county during the annual conviction time period
477 for alcohol-related offenses.

478 (3) By ~~not~~ no later than September 1 of each year:

479 (a) the state court administrator shall certify to the State Tax Commission the number
480 of convictions obtained for alcohol-related offenses in each municipality or county in the state
481 during the annual conviction time period; and

482 (b) the ~~[advisory council]~~ commission shall notify the State Tax Commission of any
483 municipality that does not have a law enforcement agency.

484 (4) By ~~not~~ no later than December 1 of each year, the ~~[advisory council]~~ commission
485 shall notify the State Tax Commission for the fiscal year of appropriation of:

486 (a) a municipality that may receive a distribution under Subsection (1)(c)(ii);

487 (b) a county that may receive a distribution allocated to a municipality described in
488 Subsection (1)(c)(i);

489 (c) a municipality or county that may not receive a distribution because the ~~[advisory~~
490 ~~council]~~ commission has suspended the payment under Subsection 32B-2-405(2)(a); and

491 (d) a municipality or county that receives a distribution because the suspension of
492 payment has been cancelled under Subsection 32B-2-405(2).

493 (5) (a) By ~~[not]~~ no later than January 1 of the fiscal year of appropriation, the State Tax
494 Commission shall annually distribute to each municipality and county the portion of the
495 appropriation that the municipality or county is eligible to receive under this part, except for
496 any municipality or county that the ~~[advisory council]~~ commission notifies the State Tax
497 Commission in accordance with Subsection (4) may not receive a distribution in that fiscal
498 year.

499 (b) (i) The ~~[advisory council]~~ commission shall prepare forms for use by a municipality
500 or county in applying for a distribution under this part.

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

504 Section 8. Section **32B-2-405** is amended to read:

505 **32B-2-405. Reporting by municipalities and counties -- Grants.**

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

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

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

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

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

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

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

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

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

- 524 (i) does not file a report that meets the requirements of Subsection (1); or
- 525 (ii) the [~~advisory council~~] commission finds does not use the money as required by
- 526 Subsection 32B-2-403(2) on the basis of the report filed by the municipality or county under
- 527 Subsection (1); and
- 528 (b) cancel a suspension under Subsection (2)(a).
- 529 (3) The State Tax Commission shall notify the [~~advisory council~~] commission of the
- 530 balance of any undistributed money after the annual distribution under Subsection
- 531 32B-2-404(5).
- 532 (4) (a) Subject to the requirements of this Subsection (4), the [~~advisory council~~]
- 533 commission shall award the balance of undistributed money under Subsection (3):
- 534 (i) as prioritized by majority vote of the [~~advisory council~~] commission; and
- 535 (ii) as grants to:
- 536 (A) a county;
- 537 (B) a municipality;
- 538 (C) the department;
- 539 (D) the Department of Health and Human Services;
- 540 (E) the Department of Public Safety; or
- 541 (F) the State Board of Education.
- 542 (b) By not later than May 30 of the fiscal year of the appropriation, the [~~advisory~~
- 543 ~~council~~] commission shall notify the State Tax Commission of grants awarded under this
- 544 Subsection (4).
- 545 (c) The State Tax Commission shall make payments of a grant:
- 546 (i) upon receiving notice as provided under Subsection (4)(b); and
- 547 (ii) by not later than June 30 of the fiscal year of the appropriation.
- 548 (d) An entity that receives a grant under this Subsection (4) shall use the grant money
- 549 exclusively for programs or projects described in Subsection 32B-2-403(2).
- 550 Section 9. Section **32B-7-305** is amended to read:
- 551 **32B-7-305. Tracking of enforcement actions -- Costs of enforcement actions.**
- 552 (1) The Department of Public Safety shall administer a program to reimburse a
- 553 municipal or county law enforcement agency:
- 554 (a) for the actual costs of an alcohol-related compliance check investigation conducted

555 pursuant to Section ~~77-39-101~~ on the premises of an off-premise beer retailer;

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

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

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

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

568 (a) funded during the previous fiscal year; and

569 (b) reimbursed under Subsection (1).

570 Section 10. Section **62A-1-121** is amended to read:

571 **62A-1-121. Tracking effects of abuse of alcoholic products.**

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

574 (a) the executive director or the executive director's designee;

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

577 (c) the commissioner of the Department of Public Safety or the commissioner's
578 designee;

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

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

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

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

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

587 (2) The executive director or the executive director's designee shall chair the
588 committee.

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

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

592 (4) The committee shall meet at the call of the chair, except that the chair shall call a
593 meeting at least twice a year:

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

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

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

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

599 (b) how meetings are to be called; and

600 (c) the frequency of meetings.

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

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

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

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

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

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

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

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

620 Section 11. Section **62A-15-403** is amended to read:

621 **62A-15-403. Drinking while pregnant prevention media and education campaign.**

622 (1) As used in this section:

623 (a) [~~"Advisory council"~~] "Commission" means the Utah [~~Substance Use and Mental~~
624 ~~Health Advisory Council~~] Behavioral Health Advisory Commission created in Section
625 [63M-7-301](#).

626 (b) "Restricted account" means the Drinking While Pregnant Prevention Media and
627 Education Campaign Restricted Account created in Section [32B-2-308](#).

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

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

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

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

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

637 (i) carefully researched;

638 (ii) developed for target groups; and

639 (iii) appropriate for target groups; and

640 (e) approve or deny each plan the division submits in accordance with Subsection (3).

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

645 (b) Before the division expends money from the restricted account for a media and
646 education campaign, the division shall, in cooperation with the drinking while pregnant
647 prevention workgroup created in accordance with Subsection (2), prepare and submit a plan to

648 the [~~advisory council~~] commission that:

- 649 (i) describes the media and education campaign; and
- 650 (ii) details how the division intends to use money from the restricted account to fund
- 651 the media and education campaign.

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

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

- 658 (a) the use of the money for the media and education campaigns conducted in
- 659 accordance with Subsection (3); and
- 660 (b) the impact and result of the use of the money during the previous fiscal year ending
- 661 June 30.

662 Section 12. Section **62A-15-605** is amended to read:

663 **62A-15-605. Forensic Mental Health Coordinating Council -- Establishment and**
664 **purpose.**

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

- 667 (a) the director of the Division of Substance Abuse and Mental Health or the director's
- 668 appointee;
- 669 (b) the superintendent of the state hospital or the superintendent's appointee;
- 670 (c) the executive director of the Department of Corrections or the executive director's
- 671 appointee;
- 672 (d) a member of the Board of Pardons and Parole or its appointee;
- 673 (e) the attorney general or the attorney general's appointee;
- 674 (f) the director of the Division of Services for People with Disabilities or the director's
- 675 appointee;
- 676 (g) the director of the Division of Juvenile Justice Services or the director's appointee;
- 677 (h) the director of the Commission on Criminal and Juvenile Justice or the director's
- 678 appointee;

679 (i) the state court administrator or the administrator's appointee;
680 (j) the state juvenile court administrator or the administrator's appointee;
681 (k) a representative from a local mental health authority or an organization, excluding
682 the state hospital that provides mental health services under contract with the Division of
683 Substance Abuse and Mental Health or a local mental health authority, as appointed by the
684 director of the division;

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

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

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

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

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

694 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
695 63A-3-107.

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

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

699 (b) develop policies for coordination between the division and the Department of
700 Corrections;

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

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

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

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

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

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

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

721 (ii) the current bed capacity at the state hospital;

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

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

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

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

728 (iv) the cost associated with the projected total number of beds described in Subsection
729 (3)(h)(iii).

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

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

735 **62A-15-1100. Definitions.**

736 As used in this part:

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

739 [(2)] (1) "Bureau" means the Bureau of Criminal Identification created in Section
740 53-10-201 within the Department of Public Safety.

741 ~~[(3)]~~ (2) "Coalition" means the Statewide Suicide Prevention Coalition created under
742 Subsection [62A-15-1101\(2\)](#).

743 (3) "Commission" means the Utah Behavioral Health Advisory Commission created in
744 Section [63M-7-301](#).

745 (4) "Coordinator" means the state suicide prevention coordinator appointed under
746 Subsection [62A-15-1101\(1\)](#).

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

748 (6) "Fund" means the Governor's Suicide Prevention Fund created in Section
749 [62A-15-1103](#).

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

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

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

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

758 Section 14. Section [62A-15-1101](#) is amended to read:

759 **[62A-15-1101](#). Suicide prevention -- Reporting requirements.**

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

763 (2) The coordinator shall:

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

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

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

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

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

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

- 772 (d) suicide prevention gatekeeper training;
- 773 (e) training to identify warning signs and to manage an at-risk individual's crisis;
- 774 (f) evidence-based intervention training;
- 775 (g) intervention skills training;
- 776 (h) postvention training; or
- 777 (i) a public education campaign to improve public awareness about warning signs of
- 778 suicide and suicide prevention resources.

779 (4) The coordinator shall coordinate with the following to gather statistics, among
780 other duties:

- 781 (a) local mental health and substance abuse authorities;
- 782 (b) the State Board of Education, including the public education suicide prevention
- 783 coordinator described in Section [53G-9-702](#);
- 784 (c) the Department of Health and Human Services;
- 785 (d) health care providers, including emergency rooms;
- 786 (e) federal agencies, including the Federal Bureau of Investigation;
- 787 (f) other unbiased sources; and
- 788 (g) other public health suicide prevention efforts.

789 (5) The coordinator shall provide a written report to the Health and Human Services
790 Interim Committee, at or before the October meeting every year, on:

- 791 (a) implementation of the state suicide prevention program, as described in Subsections
- 792 (1) and (3);
- 793 (b) data measuring the effectiveness of each component of the state suicide prevention
- 794 program;
- 795 (c) funds appropriated for each component of the state suicide prevention program; and
- 796 (d) five-year trends of suicides in Utah, including subgroups of youths and adults and
- 797 other subgroups identified by the state suicide prevention coordinator.

798 (6) The coordinator shall, in consultation with the bureau, implement and manage the
799 operation of the firearm safety program described in Subsection [62A-15-103\(3\)](#).

800 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
801 division shall make rules:

- 802 (a) governing the implementation of the state suicide prevention program, consistent

803 with this section; and

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

807 (i) attendance at the suicide prevention education course described in Subsection
808 62A-15-103(3); and

809 (ii) distribution of the firearm safety brochures or packets created in Subsection
810 62A-15-103(3), but does not require the distribution of a cable-style gun lock with a firearm if
811 the firearm already has a trigger lock or comparable safety mechanism.

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

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

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

820 **63C-23-201. Education and Mental Health Coordinating Council -- Membership**
821 **-- Quorum and voting requirements -- Compensation -- Staff support.**

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

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

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

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

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

832 (2) The council consists of the following members:

833 (a) a member of the House of Representatives whom the speaker of the House of

- 834 Representatives appoints;
- 835 (b) a member of the Senate whom the president of the Senate appoints;
- 836 (c) an individual with expertise in behavioral health whom the governor appoints;
- 837 (d) the state superintendent of public instruction appointed under Section 53E-3-301 or
- 838 the state superintendent's designee;
- 839 (e) the chief executive officer of the Huntsman Mental Health Institute at the
- 840 University of Utah or the chief executive officer's designee;
- 841 (f) the director of the Division of Substance Abuse and Mental Health or the director's
- 842 designee;
- 843 (g) the commissioner of higher education appointed under Section 53B-1-408 or the
- 844 commissioner's designee; and
- 845 (h) the following individuals whom the president of the Senate and the speaker of the
- 846 House of Representatives jointly appoint:
- 847 (i) a community-oriented behavioral health leader from the private sector;
- 848 (ii) the president or chief executive officer of an association that represents hospitals
- 849 within the state;
- 850 (iii) a community health executive from an academic medical system;
- 851 (iv) a community health executive from an integrated healthcare system;
- 852 (v) the president or chief executive officer of a nonprofit organization that provides
- 853 comprehensive mental health care to children and families across the socioeconomic spectrum;
- 854 and
- 855 (vi) a mental health research expert.
- 856 (3) (a) The members described in Subsections (2)(a) and (2)(h)(i) shall serve as
- 857 co-chairs of the council.
- 858 (b) A council member whom the speaker of the House of Representatives and the
- 859 president of the Senate jointly appoint under Subsection (2)(h), and the council member whom
- 860 the governor appoints under Subsection (2)(c), shall serve a term of two years.
- 861 (c) The speaker of the House of Representatives, the president of the Senate, and the
- 862 governor shall:
- 863 (i) make the initial appointments described in Subsection (2) before July 1, 2021; and
- 864 (ii) make appointments for subsequent terms for the council positions described in

865 Subsection (2)(b) before July 1 of each odd-numbered year, by:

866 (A) reappointing the council member whose term expires under Subsection (3)(b); or

867 (B) appointing a new council member.

868 (d) The speaker of the House of Representatives and the president of the Senate may

869 change the appointment described in Subsections (2)(a) and (b) at any time.

870 (4) (a) The salary and expenses of a council member who is a legislator shall be paid in

871 accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator

872 Compensation.

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

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

875 and

876 (ii) may receive per diem and reimbursement for travel expenses that the council

877 member incurs as a council member at the rates that the Division of Finance establishes under:

878 (A) Sections 63A-3-106 and 63A-3-107; and

879 (B) rules that the Division of Finance makes under Sections 63A-3-106 and

880 63A-3-107.

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

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

883 (6) The Office of Legislative Research and General Counsel shall provide staff support

884 to the council.

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

886 **63C-23-202. Council duties -- Reporting requirements.**

887 (1) The council shall:

888 (a) meet at least [~~twice per quarter~~] four times per year and may hold additional

889 meetings if approved by the co-chairs; and

890 (b) make findings and recommendations to:

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

893 (ii) clarify roles among LEAs, local mental health authorities, local substance abuse
894 authorities, and other behavioral health partners regarding the practical and legal obligations of

895 screening, assessment, and the provision of care; and

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

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

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

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

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

908 Section 17. Section **63I-1-232** is amended to read:

909 **63I-1-232. Repeal dates: Titles 32A through 32B.**

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

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

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

915 (3) Subsections 32B-2-306(4)(b) and (e) are repealed;

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

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

919 "(b) The department shall:

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

922 (ii) conduct the media and education campaign in accordance with the guidelines
923 created by the department under Subsection (4)(c).";

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

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

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

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

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

932 **63I-1-262. Repeal dates: Title 62A.**

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

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

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

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

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

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

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

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

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

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

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

952 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations
 953 from the commission," is repealed; and

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

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

956 **63I-1-263. Repeal dates: Titles 63A to 63N.**

957 (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital

- 958 improvement funding, is repealed July 1, 2024.
- 959 (2) Section [63A-5b-1003](#), State Facility Energy Efficiency Fund, is repealed July 1,
960 2023.
- 961 (3) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review
962 Committee, are repealed July 1, 2023.
- 963 (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 964 (a) Section [63A-18-102](#) is repealed;
- 965 (b) Section [63A-18-201](#) is repealed; and
- 966 (c) Section [63A-18-202](#) is repealed.
- 967 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
968 1, 2028.
- 969 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
970 2025.
- 971 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
972 2024.
- 973 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
974 repealed July 1, 2023.
- 975 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
976 July 1, 2023.
- 977 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
978 repealed July 1, 2026.
- 979 (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 980 (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 981 (13) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities
982 Advisory Board, is repealed July 1, 2026.
- 983 (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
984 2028.
- 985 (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
986 2024.
- 987 (16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 988 (17) Subsection [63J-1-602.1\(17\)](#), relating to the Nurse Home Visiting Restricted

- 989 Account, is repealed July 1, 2026.
- 990 (18) Subsection [63J-1-602.2\(6\)](#), referring to dedicated credits to the Utah Marriage
991 Commission, is repealed July 1, 2023.
- 992 (19) Subsection [63J-1-602.2\(7\)](#), referring to the Trip Reduction Program, is repealed
993 July 1, 2022.
- 994 (20) Subsection [63J-1-602.2\(26\)](#), related to the Utah Seismic Safety Commission, is
995 repealed January 1, 2025.
- 996 (21) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
997 repealed July 1, 2027.
- 998 (22) In relation to the Utah [~~Substance Use and Mental Health Advisory Council~~]
999 Behavioral Health Advisory Commission, on January 1, 2033:
- 1000 (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are
1001 repealed;
- 1002 [~~(b) Section [63M-7-305](#), the language that states "council" is replaced with~~
1003 ~~"commission";~~]
- 1004 [(~~e~~) (b) Subsection [63M-7-305\(1\)\(a\)](#) is repealed and replaced with:
1005 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
1006 [(~~d~~) (c) Subsection [63M-7-305\(2\)](#) is repealed and replaced with:
1007 "(2) The commission shall:
1008 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
1009 Drug-Related Offenses Reform Act; and
1010 (b) coordinate the implementation of Section [77-18-104](#) and related provisions in
1011 Subsections [77-18-103\(2\)\(c\)](#) and (d).".
- 1012 (23) The Crime Victim Reparations and Assistance Board, created in Section
1013 [63M-7-504](#), is repealed July 1, 2027.
- 1014 (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 1015 (25) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed
1016 January 1, 2025.
- 1017 (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 1018 (27) Section [63N-2-512](#), related to the Hotel Impact Mitigation Fund, is repealed July
1019 1, 2028.

1020 (28) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed
1021 July 1, 2027.

1022 (29) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
1023 repealed July 1, 2025.

1024 (30) In relation to the Rural Employment Expansion Program, on July 1, 2023:

1025 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;
1026 and

1027 (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion
1028 Program, is repealed.

1029 (31) In relation to the Board of Tourism Development, on July 1, 2025:

1030 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

1031 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is
1032 repealed and replaced with "Utah Office of Tourism";

1033 (c) Subsection 63N-7-101(1), which defines "board," is repealed;

1034 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive
1035 approval from the Board of Tourism Development, is repealed; and

1036 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

1037 (32) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic
1038 Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed
1039 on July 1, 2024.

1040 Section 20. Section 63M-7-202 is amended to read:

1041 **63M-7-202. Composition -- Appointments -- Ex officio members -- Terms --**
1042 **United States Attorney as nonvoting member.**

1043 (1) The [~~commission on criminal and juvenile justice~~] Commission on Criminal and
1044 Juvenile Justice shall be composed of 25 voting members as follows:

1045 (a) the chief justice of the supreme court, as the presiding officer of the judicial
1046 council, or a judge designated by the chief justice;

1047 (b) the state court administrator or the state court administrator's designee;

1048 (c) the executive director of the Department of Corrections or the executive director's
1049 designee;

1050 (d) the executive director of the Department of Health and Human Services or the

- 1051 executive director's designee;
- 1052 (e) the commissioner of the Department of Public Safety or the commissioner's
1053 designee;
- 1054 (f) the attorney general or an attorney designated by the attorney general;
- 1055 (g) the president of the chiefs of police association or a chief of police designated by
1056 the association's president;
- 1057 (h) the president of the sheriffs' association or a sheriff designated by the association's
1058 president;
- 1059 (i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons
1060 and Parole designated by the chair;
- 1061 (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing
1062 Commission designated by the chair;
- 1063 (k) the chair of the Utah [~~Substance Use and Mental Health Advisory Council~~]
1064 Behavioral Health Advisory Commission or a member of the Utah [~~Substance Use and Mental~~
1065 ~~Health Advisory Council~~] Behavioral Health Advisory Commission designated by the chair;
- 1066 (l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of
1067 Juvenile Justice designated by the chair;
- 1068 (m) the chair of the Utah Council on Victims of Crime or a member of the Utah
1069 Council on Victims of Crime designated by the chair;
- 1070 (n) the executive director of the Salt Lake Legal Defender Association or an attorney
1071 designated by the executive director;
- 1072 (o) the chair of the Utah Indigent Defense Commission or a member of the Indigent
1073 Defense Commission designated by the chair;
- 1074 (p) the Salt Lake County District Attorney or an attorney designated by the district
1075 attorney; and
- 1076 (q) the following members designated to serve four-year terms:
- 1077 (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the
1078 Judicial Council;
- 1079 (ii) a representative of the statewide association of public attorneys designated by the
1080 association's officers;
- 1081 (iii) one member of the House of Representatives who is appointed by the speaker of

1082 the House of Representatives; and

1083 (iv) one member of the Senate who is appointed by the president of the Senate.

1084 (2) The governor shall appoint the remaining five members to four-year staggered
1085 terms as follows:

1086 (a) one criminal defense attorney appointed from a list of three nominees submitted by
1087 the Utah State Bar Association;

1088 (b) one attorney who primarily represents juveniles in delinquency matters appointed
1089 from a list of three nominees submitted by the Utah State Bar Association;

1090 (c) one representative of public education;

1091 (d) one citizen representative; and

1092 (e) a representative from a local faith who has experience with the criminal justice
1093 system.

1094 (3) In addition to the members designated under Subsections (1) and (2), the United
1095 States Attorney for the district of Utah or an attorney designated by the United States Attorney
1096 may serve as a nonvoting member.

1097 (4) In appointing the members under Subsection (2), the governor shall take into
1098 account the geographical makeup of the commission.

1099 Section 21. Section **63M-7-301** is amended to read:

1100 **Part 3. Utah Behavioral Health Advisory Commission**

1101 **63M-7-301. Definitions -- Creation of commission -- Membership -- Terms.**

1102 (1) (a) As used in this part, [~~"council"~~] "commission" means the Utah [~~Substance Use~~
1103 ~~and Mental Health Advisory Council~~] Behavioral Health Advisory Commission created in this
1104 section.

1105 (b) There is created within the governor's office the Utah [~~Substance Use and Mental~~
1106 ~~Health Advisory Council~~] Behavioral Health Advisory Commission.

1107 (2) The [~~council~~] commission shall be comprised of the following voting members:

1108 (a) the attorney general or the attorney general's designee;

1109 (b) one elected county official appointed by the Utah Association of Counties;

1110 (c) the commissioner of public safety or the commissioner's designee;

1111 (d) the director of the Division of Integrated Healthcare or the director's designee;

1112 (e) the state superintendent of public instruction or the superintendent's designee;

- 1113 (f) the executive director of the Department of Health and Human Services or the
1114 executive director's designee;
- 1115 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
1116 executive director's designee;
- 1117 (h) the executive director of the Department of Corrections or the executive director's
1118 designee;
- 1119 (i) the director of the Division of Juvenile Justice Services or the director's designee;
- 1120 (j) the director of the Division of Child and Family Services or the director's designee;
- 1121 (k) the chair of the Board of Pardons and Parole or the chair's designee;
- 1122 (l) the director of the Office of Multicultural Affairs or the director's designee;
- 1123 (m) the director of the Division of Indian Affairs or the director's designee;
- 1124 (n) the state court administrator or the state court administrator's designee;
- 1125 (o) one district court judge who presides over a drug court and who is appointed by the
1126 chief justice of the Utah Supreme Court;
- 1127 (p) one district court judge who presides over a mental health court and who is
1128 appointed by the chief justice of the Utah Supreme Court;
- 1129 (q) one juvenile court judge who presides over a drug court and who is appointed by
1130 the chief justice of the Utah Supreme Court;
- 1131 (r) one prosecutor appointed by the Statewide Association of Prosecutors;
- 1132 (s) the chair or co-chair of each committee established by the [~~council~~] commission;
- 1133 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under
1134 Subsection [62A-15-1101\(2\)](#);
- 1135 (u) one representative appointed by the Utah League of Cities and Towns to serve a
1136 four-year term;
- 1137 (v) the following members appointed by the governor to serve four-year terms:
- 1138 (i) one resident of the state who has been personally affected by a substance use or
1139 mental health disorder; and
- 1140 (ii) one citizen representative; and
- 1141 (w) in addition to the voting members described in Subsections (2)(a) through (v), the
1142 following voting members appointed by a majority of the members described in Subsections
1143 (2)(a) through (v) to serve four-year terms:

- 1144 (i) one resident of the state who represents a statewide advocacy organization for
1145 recovery from substance use disorders;
- 1146 (ii) one resident of the state who represents a statewide advocacy organization for
1147 recovery from mental illness;
- 1148 (iii) one resident of the state who represents a statewide advocacy organization for
1149 protection of rights of individuals with a disability;
- 1150 (iv) one resident of the state who represents prevention professionals;
- 1151 (v) one resident of the state who represents treatment professionals;
- 1152 (vi) one resident of the state who represents the physical health care field;
- 1153 (vii) one resident of the state who is a criminal defense attorney;
- 1154 (viii) one resident of the state who is a military servicemember or military veteran
1155 under Section [53B-8-102](#);
- 1156 (ix) one resident of the state who represents local law enforcement agencies;
- 1157 (x) one representative of private service providers that serve youth with substance use
1158 disorders or mental health disorders; and
- 1159 (xi) one resident of the state who is certified by the Division of Integrated Healthcare
1160 as a peer support specialist as described in Subsection [62A-15-103\(2\)\(h\)](#).
- 1161 (3) An individual other than an individual described in Subsection (2) may not be
1162 appointed as a voting member of the ~~[council]~~ commission.
- 1163 Section 22. Section **63M-7-302** is amended to read:
- 1164 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**
- 1165 (1) The ~~[Utah Substance Use and Mental Health Advisory Council]~~ commission shall
1166 annually select one of its members to serve as chair and one of its members to serve as vice
1167 chair.
- 1168 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
1169 appointed for the unexpired term in the same manner as the position was originally filled.
- 1170 (3) A majority of the members of the ~~[council]~~ commission constitutes a quorum.
- 1171 (4) A member of the commission may not receive compensation or benefits for the
1172 member's service, but may receive per diem and travel expenses as allowed in:
- 1173 (a) Section [63A-3-106](#);
- 1174 (b) Section [63A-3-107](#); and

1175 (c) rules made by the Division of Finance according to Sections [63A-3-106](#) and
1176 [63A-3-107](#).

1177 (5) The [~~council~~] commission may establish committees as needed to assist in
1178 accomplishing its duties under Section [63M-7-303](#).

1179 Section 23. Section **63M-7-303** is amended to read:

1180 **63M-7-303. Duties of commission.**

1181 (1) The [~~Utah Substance Use and Mental Health Advisory Council~~] commission shall:

1182 (a) provide leadership and generate unity for Utah's ongoing efforts to reduce and
1183 eliminate the impact of substance use and mental health disorders in Utah through a
1184 comprehensive and evidence-based prevention, treatment, and justice strategy;

1185 (b) recommend and coordinate the creation, dissemination, and implementation of
1186 statewide policies to address substance use and mental health disorders;

1187 (c) facilitate planning for a balanced continuum of substance use and mental health
1188 disorder prevention, treatment, and justice services;

1189 (d) promote collaboration and mutually beneficial public and private partnerships;

1190 (e) coordinate recommendations made by any committee created under Section
1191 [63M-7-302](#);

1192 (f) analyze and provide an objective assessment of all proposed legislation concerning
1193 substance use, mental health, and related issues;

1194 (g) coordinate the implementation of Section [77-18-104](#) and related provisions in
1195 Subsections [77-18-103](#)(2)(c) and (d), as provided in Section [63M-7-305](#);

1196 (h) comply with Sections [32B-2-306](#) [~~and [62A-15-403](#); and~~], [62A-15-403](#), and
1197 [63M-7-307](#);

1198 (i) oversee coordination for the funding, implementation, and evaluation of suicide
1199 prevention efforts described in Section [62A-15-1101](#)[~~-~~]; and

1200 (j) promote the behavioral health resources and services that are available to
1201 individuals in the state.

1202 (2) The [~~council~~] commission shall meet quarterly or more frequently as determined
1203 necessary by the chair.

1204 (3) The [~~council~~] commission shall report the [~~council's~~] commission's
1205 recommendations annually to the [~~commission~~] Commission on Criminal and Juvenile Justice,

1206 governor, the Legislature, and the Judicial Council.

1207 Section 24. Section **63M-7-304** is amended to read:

1208 **63M-7-304. Committee chair -- Vacancies -- Quorum -- Expenses.**

1209 (1) The members of each committee established by the [~~council~~] commission shall
1210 annually select a chair or co-chairs from among the members of the committee.

1211 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
1212 appointed for the unexpired term in the same manner as the position was originally filled.

1213 (3) A majority of the members of a committee constitutes a quorum for the transaction
1214 of business by the committee.

1215 (4) A member of a committee established by the commission may not receive
1216 compensation or benefits for the member's service, but may receive per diem and travel
1217 expenses in accordance with:

1218 (a) Section [63A-3-106](#);

1219 (b) Section [63A-3-107](#); and

1220 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
1221 [63A-3-107](#).

1222 Section 25. Section **63M-7-305** is amended to read:

1223 **63M-7-305. Drug-Related Offenses Reform Act -- Coordination.**

1224 (1) As used in this section:

1225 (a) [~~"Council"~~] "Commission" means the Utah [~~Substance Use and Mental Health~~
1226 ~~Advisory Council~~] Behavioral Health Advisory Commission.

1227 (b) "Drug-Related Offenses Reform Act" [~~and "act" mean~~] means the screening,
1228 assessment, substance use disorder treatment, and supervision provided to convicted persons
1229 under Subsection [77-18-104](#)(2) to:

1230 (i) determine a person's specific substance use disorder treatment needs as early as
1231 possible in the judicial process;

1232 (ii) expand treatment resources for persons in the community;

1233 (iii) integrate a person's treatment with supervision by the Department of Corrections;

1234 and

1235 (iv) reduce the incidence of substance use disorders and related criminal conduct.

1236 (c) "Substance abuse authority" means the same as that term is defined in Section

1237 17-43-201.

1238 (2) The [council] commission shall provide ongoing oversight of the implementation,
1239 functions, and evaluation of the Drug-Related Offenses Reform Act.

1240 (3) (a) The [council] commission shall develop an implementation plan for the
1241 Drug-Related Offenses Reform Act.

1242 (b) The plan described in Subsection (3)(a) shall:

1243 ~~(a)~~ (i) identify local substance abuse authority areas where the [act] Drug-Related
1244 Offenses Reform Act will be implemented, in cooperation with the Division of Substance
1245 Abuse and Mental Health, the Department of Corrections, and the local substance abuse
1246 authorities;

1247 ~~(b)~~ (ii) include guidelines for local substance abuse authorities and the [Utah]
1248 Department of Corrections on how funds appropriated under the [act] Drug-Related Offenses
1249 Reform Act should be used, including eligibility requirements for convicted persons who
1250 participate in services funded by the [act] Drug-Related Offenses Reform Act, that are
1251 consistent with the recommendations of the Commission on Criminal and Juvenile Justice for
1252 reducing recidivism; and

1253 ~~(c)~~ (iii) require that treatment plans under the act are appropriate for persons involved
1254 in the criminal justice system.

1255 Section 26. Section **63M-7-306** is amended to read:

1256 **63M-7-306. Staffing.**

1257 The Commission on Criminal and Juvenile Justice shall provide staff to the [council]
1258 commission and any committee established by the [council] commission.

1259 Section 27. Section **63M-7-307** is enacted to read:

1260 **63M-7-307. Access to mental health and substance use services.**

1261 (1) As used in this section, "website" means the website or other equivalent electronic
1262 platform described in Subsection (4).

1263 (2) The commission shall study public needs regarding access to mental health and
1264 substance use resources and services, including:

1265 (a) the challenges that an individual may encounter when trying to determine:

1266 (i) what mental health and substance use resources or services are needed in a
1267 particular situation; and

- 1268 (ii) how individuals with public insurance, private insurance, and no insurance
1269 coverage can access needed mental health and substance use resources and services;
- 1270 (b) cultural, linguistic, equity, and accessibility needs and challenges related to
1271 accessing mental health and substance use resources and services;
- 1272 (c) the different needs and challenges facing insured, underinsured, and uninsured
1273 individuals related to mental health and substance use resources and services; and
- 1274 (d) how to develop and build public engagement with the website.
- 1275 (3) The commission shall use the data and information gained from studies conducted
1276 pursuant to Subsection (2) to establish, maintain, and improve the website.
- 1277 (4) The commission shall establish and maintain a publicly accessible website or other
1278 electronic platform designed to simplify and increase the public's access to mental health and
1279 substance use resources and services.
- 1280 (5) The website shall:
- 1281 (a) provide a means by which an individual may be directed to mental health and
1282 substance use resources or services appropriate to the individual's particular situation and
1283 location;
- 1284 (b) include mental health and substance use resources and services for individuals in
1285 need of all levels of care, including promotion, prevention, assessment, diagnosis, treatment,
1286 and crisis;
- 1287 (c) include information about whether each resource or service listed on the site
1288 requires payment, accepts insurance, or is free;
- 1289 (d) include information and resources for family members of an individual who is
1290 experiencing a mental health or substance use crisis or would benefit from prevention,
1291 assessment, diagnosis, or non-crisis treatment services;
- 1292 (e) include information about mental health and substance use response trainings that
1293 are available to the public;
- 1294 (f) coordinate with and incorporate existing mental health and substance use resources
1295 and services, including the SafeUT Crisis Line, the 211 network, and the statewide 988 Suicide
1296 and Crisis Lifeline; and
- 1297 (g) based on statewide needs, include information about mental health and substance
1298 use resources and services that are responsive to different cultural and linguistic needs.

1299 (6) To fulfill the duties described in this section, the commission shall coordinate and
1300 collaborate with public and private mental health and substance use stakeholders, including:

1301 (a) the Department of Health and Human Services;

1302 (b) the State Board of Education;

1303 (c) the Utah System of Higher Education;

1304 (d) the Huntsman Mental Health Institute;

1305 (e) the Education and Mental Health Coordinating Council;

1306 (f) the Behavioral Health Crisis Response Commission;

1307 (g) the Statewide Suicide Prevention Coalition;

1308 (h) local mental health authorities;

1309 (i) local substance abuse authorities;

1310 (j) public and private insurers;

1311 (k) public and private mental healthcare providers and facilities; and

1312 (l) mental health professionals with expertise in early childhood, childhood,

1313 adolescence, adulthood, and older adulthood.

1314 (7) The commission shall establish and track goals and metrics to identify:

1315 (a) the commission's progress on fulfilling the duties described in this section; and

1316 (b) the impact of the website on the public's access to mental health and substance use
1317 resources and services.

1318 (8) The commission may contract with public or private individuals to provide goods
1319 or services related to the duties described in this section.

1320 (9) Before August 1 of each year, the commission shall provide a report to the Health
1321 and Human Services Interim Committee that includes:

1322 (a) an update on the status of the website;

1323 (b) an update on the status of studies conducted pursuant to Subsection (2);

1324 (c) an update on the commission's goals and metrics established pursuant to Subsection
1325 (7); and

1326 (d) any recommended legislative changes related to the duties described in this section.

1327 Section 28. Section **64-13-45** is amended to read:

1328 **64-13-45. Department reporting requirements.**

1329 (1) As used in this section:

1330 (a) (i) "In-custody death" means an inmate death that occurs while the inmate is in the
1331 custody of the department.

1332 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:

1333 (A) being transported for medical care; or

1334 (B) receiving medical care outside of a correctional facility, other than a county jail.

1335 (b) "Inmate" means an individual who is processed or booked into custody or housed in
1336 the department or a correctional facility other than a county jail.

1337 (c) "Opiate" means the same as that term is defined in Section [58-37-2](#).

1338 (2) The department shall submit a report to the Commission on Criminal and Juvenile
1339 Justice, created in Section [63M-7-201](#), before June 15 of each year that includes:

1340 (a) the number of in-custody deaths that occurred during the preceding calendar year,
1341 including:

1342 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
1343 each of the in-custody deaths described in Subsection (2)(a); and

1344 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
1345 in-custody death;

1346 (b) the department policies, procedures, and protocols:

1347 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
1348 including use of opiates;

1349 (ii) that relate to the department's provision, or lack of provision, of medications used
1350 to treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all
1351 forms of buprenorphine and naltrexone; and

1352 (iii) that relate to screening, assessment, and treatment of an inmate for a substance use
1353 disorder or mental health disorder;

1354 (c) the number of inmates who gave birth and were restrained in accordance with
1355 Section [64-13-46](#), including:

1356 (i) the types of restraints used; and

1357 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
1358 inmate, medical or corrections staff, or the public; and

1359 (d) any report the department provides or is required to provide under federal law or
1360 regulation relating to inmate deaths.

- 1361 (3) The Commission on Criminal and Juvenile Justice shall:
- 1362 (a) compile the information from the reports described in Subsection (2);
- 1363 (b) omit or redact any identifying information of an inmate in the compilation to the
- 1364 extent omission or redaction is necessary to comply with state and federal law; and
- 1365 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
- 1366 Committee and the Utah [~~Substance Use and Mental Health Advisory Council~~] Behavioral
- 1367 Health Advisory Commission before November 1 of each year.
- 1368 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use
- 1369 the department's policies, procedures, or protocols submitted under this section in a manner or
- 1370 for a purpose not described in this section.

1371 Section 29. Section ~~77-18-104~~ is amended to read:

1372 **77-18-104. Screening, assessment, and treatment.**

1373 (1) As used in this section:

1374 (a) "Assessment" has the same meaning as in Section [41-6a-501](#).

1375 (b) "Screening" has the same meaning as in Section [41-6a-501](#).

1376 (2) In coordination with the local substance abuse authority regarding available

1377 resources, a court in which the Drug-Related Offenses Reform Act under Section [63M-7-305](#) is

1378 implemented shall order a convicted defendant, who is determined to be eligible in accordance

1379 with the implementation plan developed by the Utah [~~Substance Use and Mental Health~~

1380 ~~Advisory Council~~] Behavioral Health Advisory Commission under Section [63M-7-305](#), to:

1381 (a) participate in a screening before sentencing;

1382 (b) participate in an assessment before sentencing if the screening indicates an

1383 assessment to be appropriate; and

1384 (c) participate in substance use disorder treatment if:

1385 (i) the assessment indicates treatment to be appropriate;

1386 (ii) the court finds treatment to be appropriate for the convicted defendant; and

1387 (iii) the court finds the convicted defendant to be an appropriate candidate for

1388 community-based supervision.

1389 (3) The findings from any screening and any assessment conducted under this section

1390 shall be part of the presentence investigation report submitted to the court under Section

1391 [77-18-103](#).

1392 (4) Money appropriated by the Legislature to assist in the funding of the screening,
1393 assessment, substance use disorder treatment, and supervision provided under this section is
1394 not subject to any requirement regarding matching funds from a state or local governmental
1395 entity.