

1 **INVOLUNTARY FEEDING AND HYDRATION OF INMATES**

2 **AMENDMENTS**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Richard A. Greenwood**

6 Senate Sponsor: Mark B. Madsen

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Code of Criminal Procedure regarding the authority of the
11 Division of Juvenile Justice Services.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ amends definitions so that the Division of Juvenile Justice Services may petition the
15 court for an order to administer food or fluids to a prisoner by involuntary means,
16 consistent with the process and requirements already established for adult inmates
17 in state and county correctional facilities.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **77-16b-102**, as enacted by Laws of Utah 2012, Chapter 355

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

27 Section 1. Section **77-16b-102** is amended to read:

28 **77-16b-102. Definitions.**

29 As used in this chapter:

- 30 (1) "Correctional facility" means:
- 31 (a) a county jail [~~or~~];
- 32 (b) a secure correctional facility as defined by Section [64-13-1](#)[-]; or
- 33 (c) a secure facility as defined by Section [62A-7-101](#).
- 34 (2) "Correctional facility administrator" means:
- 35 (a) a county sheriff in charge of a county jail [~~or~~];
- 36 (b) a designee of the executive director of the Utah Department of Corrections[-]; or
- 37 (c) a designee of the director of the Division of Juvenile Justice Services.
- 38 (3) "Medical supervision" means under the direction of a licensed physician, physician
- 39 assistant, or nurse practitioner.
- 40 (4) "Mental health therapist" has the same definition as in Section [58-60-102](#).
- 41 (5) "Prisoner" means:
- 42 (a) any person who is a pretrial detainee or who has been committed to the custody of a
- 43 sheriff or the Utah Department of Corrections, and who is physically in a correctional
- 44 facility[-]; and
- 45 (b) any person older than 18 years of age and younger than 21 years of age who has
- 46 been committed to the custody of the Division of Juvenile Justice Services.