#### Representative Mark A. Wheatley proposes the following substitute bill:

1	<b>COMMUNITY AND POLICE RELATIONS COMMISSION</b>
2	2021 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Mark A. Wheatley
5	Senate Sponsor: Jacob L. Anderegg
6	
7	LONG TITLE
8	General Description:
9	This bill creates the Community and Police Relations Commission.
10	Highlighted Provisions:
11	This bill:
12	<ul> <li>defines terms;</li> </ul>
13	<ul> <li>creates the Community and Police Relations Commission;</li> </ul>
14	<ul> <li>provides for the appointment of members of the commission;</li> </ul>
15	<ul> <li>establishes procedures for the commission;</li> </ul>
16	<ul> <li>requires the commission to:</li> </ul>
17	<ul> <li>discuss and report on improved relations between police and the community,</li> </ul>
18	data collection, law enforcement transparency, and addressing systemic issues of
19	inequality and racial disparities; and
20	• provide a forum for citizens to voice concerns and comments about police
21	service, practices, and policies;
22	<ul> <li>requires the commission to provide a report to the governor and the Law</li> </ul>
23	Enforcement and Criminal Justice Interim Committee; and
24	<ul> <li>provides a sunset date for the commission.</li> </ul>
25	Money Appropriated in this Bill:

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26	None
27	Other Special Clauses:
28	None
29	Utah Code Sections Affected:
30	AMENDS:
31	63I-1-253, as last amended by Laws of Utah 2020, Chapters 154, 174, 214, 234, 242,
32	269, 335, and 354
33	ENACTS:
34	53-6a-101, Utah Code Annotated 1953
35	53-6a-102, Utah Code Annotated 1953
36	53-6a-103, Utah Code Annotated 1953
37	53-6a-104, Utah Code Annotated 1953
38	
39	Be it enacted by the Legislature of the state of Utah:
40	Section 1. Section <b>53-6a-101</b> is enacted to read:
41	<b>CHAPTER 6a. COMMUNITY AND POLICE RELATIONS COMMISSION</b>
42	<u>53-6a-101.</u> Title.
43	This chapter is known as the "Community and Police Relations Commission."
44	Section 2. Section <b>53-6a-102</b> is enacted to read:
45	<u>53-6a-102.</u> Definitions.
46	As used in this chapter, "commission" means the Community and Police Relations
47	Commission created in Section 53-6a-103.
48	Section 3. Section <b>53-6a-103</b> is enacted to read:
49	53-6a-103. Creation of Community and Police Relations Commission Purpose
50	Membership Quorum Meetings Compensation.
51	(1) There is created the Community and Police Relations Commission.
52	(2) The commission comprises the following members:
53	(a) the commissioner or the commissioner's designee;
54	(b) the director of the Utah Commission on Criminal and Juvenile Justice or the
55	director's designee;
56	(c) the director of the Utah Division of Multicultural Affairs or the director's designee;

57	(d) five members nominated by community, minority, or civil rights organizations and
58	appointed by the director of the Utah Division of Multicultural Affairs, one of which shall be
59	between 15 and 18 years old at the time of appointment;
60	(e) two members of the House of Representatives, appointed by the speaker of the
61	House of Representatives, no more than one of whom may be from the same political party;
62	(f) two members of the Senate, appointed by the president of the Senate, no more than
63	one of whom may be from the same political party;
64	(g) two members from the Utah Chiefs of Police Association, one representing an
65	urban area and one representing a rural area, appointed by the president of the Utah Chiefs of
66	Police Association;
67	(h) two members from the Utah Sheriffs' Association, one representing an urban area
68	and one representing a rural area, appointed by the president of the Utah Sheriffs' Association;
69	(i) one representative of the substance abuse or mental health community, appointed by
70	the executive director of the Department of Human Services;
71	(j) one representative of the faith community, appointed by the chair;
72	(k) one representative of the refugee community, appointed by the director of the Utah
73	Division of Multicultural Affairs;
74	(1) the director of the Utah Division of Indian Affairs or the director's designee;
75	(m) the president of the Utah Statewide Association of Prosecutors and Public
76	Attorneys or the president's designee;
77	(n) the president of the Utah Association of Criminal Defense Lawyers or the
78	president's designee;
79	(o) one member who represents the Office of the Attorney General, appointed by the
80	attorney general;
81	(p) the president of the Utah Association of Counties or the president's designee;
82	(q) an elected official who represents the Utah League of Cities and Towns, appointed
83	by the president of the Utah League of Cities and Towns;
84	(r) the director of the Peace Officer Standards and Training Division or the director's
85	designee;
86	(s) one non-administrative law enforcement officer, appointed by the president of the
87	Utah Chiefs of Police Association;

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88	(t) one non-administrative law enforcement deputy, appointed by the president of the
89	Utah Sheriffs' Association; and
90	(u) the executive director of the Department of Corrections or the executive director's
91	designee.
92	(3) (a) Members of the commission shall be appointed to two-year terms.
93	(b) A member may be appointed for additional terms.
94	(c) When a vacancy occurs in the membership of the commission, the replacement
95	shall be appointed for the unexpired term.
96	(4) A member of the commission ceases to be a member:
97	(a) immediately upon the termination of the member's holding the office, membership,
98	or employment that was the basis for eligibility to membership on the board; or
99	(b) upon two unexcused absences in one year from regularly scheduled commission
100	meetings.
101	(5) (a) The commissioner or the commissioner's designee shall serve as chair of the
102	commission.
103	(b) The chair shall set the agenda for commission meetings.
104	(6) Attendance of a majority of the members constitutes a quorum for the transaction of
105	official commission business.
106	(7) Formal action by the commission requires a majority vote of a quorum present.
107	(8) (a) Meetings may be called by the chair and shall be called by the chair upon the
108	written request of six members.
109	(b) Meetings shall be held at the times and places determined by the commission.
110	(9) The commission shall meet at least four times per year.
111	(10) (a) Except as provided in Subsection (10)(b), a member may not receive
112	compensation, benefits, per diem, or travel expenses for the member's service.
113	(b) Compensation and expenses of a member who is a legislator are governed by
114	Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
115	(11) Membership on the commission does not disqualify any member from holding any
116	other public office or employment.
117	(12) The department shall provide staff support to the commission.
118	Section 4. Section <b>53-6a-104</b> is enacted to read:

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119	<u>53-6a-104.</u> Commission duties Reports.
120	(1) The commission shall:
121	(a) discuss and report on the following:
122	(i) improved relations between police and the community;
123	(ii) data collection and sharing;
124	(iii) transparency in law enforcement; and
125	(iv) addressing systemic issues of inequality and racial disparities; and
126	(b) provide a forum for citizens to voice concerns and comments about police service,
127	practices, and policies.
128	(2) On or before November 30, 2022, the commission shall report on the commission's
129	progress to:
130	(a) the governor; and
131	(b) the Law Enforcement and Criminal Justice Interim Committee.
132	(3) On or before November 30, 2024, the commission shall provide a report, including
133	a summary of the commission's findings and recommendations with regard to the subjects
134	described in Subsection (1), to:
135	(a) the governor; and
136	(b) the Law Enforcement and Criminal Justice Interim Committee.
137	Section 5. Section 63I-1-253 is amended to read:
138	63I-1-253. Repeal dates, Titles 53 through 53G.
139	(1) Section 53-2a-105, which creates the Emergency Management Administration
140	Council, is repealed July 1, 2021.
141	(2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory
142	Board, are repealed July 1, 2022.
143	(3) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed
144	July 1, 2023.
145	(4) Subsection 53-6-203(1)(b)(ii), regarding being 19 years old at certification, is
146	repealed July 1, 2027.
147	(5) Title 53, Chapter 6a, Community and Police Relations Commission, is repealed
148	January 1, 2025.
149	[(5)] (6) Subsection 53-13-104(6)(a), regarding being 19 years old at certification, is

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150	repealed July 1, 2027.
151	[(6)] (7) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board,
152	is repealed July 1, 2024.
153	[(7)] (8) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
154	[(8)] (9) Section 53B-17-1203, which creates the SafeUT and School Safety
155	Commission, is repealed January 1, 2025.
156	[ <del>(9)</del> ] <u>(10)</u> Section 53B-18-1501 is repealed July 1, 2021.
157	[(10)] (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,
158	2028.
159	[(11)] (12) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is
160	repealed July 1, 2025.
161	[(12)] (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of
162	money from the Land Exchange Distribution Account to the Geological Survey for test wells
163	and other hydrologic studies in the West Desert, is repealed July 1, 2030.
164	[(13)] (14) Section 53E-3-515 is repealed January 1, 2023.
165	[(14)] (15) In relation to a standards review committee, on January 1, 2023:
166	(a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
167	recommendations of a standards review committee established under Section 53E-4-203" is
168	repealed; and
169	(b) Section 53E-4-203 is repealed.
170	[(15)] (16) Subsections 53E-3-503(5) and (6), which create coordinating councils for
171	youth in custody, are repealed July 1, 2027.
172	[(16)] (17) Section 53E-4-402, which creates the State Instructional Materials
173	Commission, is repealed July 1, 2022.
174	[(17)] (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory
175	Commission, is repealed July 1, 2023.
176	[(18)] (19) Subsection 53E-8-204(4), which creates the advisory council for the Utah
177	Schools for the Deaf and the Blind, is repealed July 1, 2021.
178	[(19) Section 53F-2-514 is repealed July 1, 2020.]
179	(20) Section 53F-5-203 is repealed July 1, 2024.
180	(21) Section 53F-5-212 is repealed July 1, 2024.

- 181 (22) Section 53F-5-213 is repealed July 1, 2023.
- 182 (23) Section 53F-5-214, in relation to a grant for professional learning, is repealed July
  183 1, 2025.
- 184 (24) Section 53F-5-215, in relation to an elementary teacher preparation grant is
- repealed July 1, 2025.
- 186 (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
- 187 Committee, is repealed July 1, 2024.
- 188 (26) Section 53F-9-501 is repealed January 1, 2023.
- 189 (27) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
- 190 Commission, are repealed January 1, 2025.
- 191 (28) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class C
- 192 misdemeanor, is repealed July 1, 2022.