

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Victim Rights Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Verona Mauga
Senate Sponsor:

LONG TITLE

Committee Note:

The Judiciary Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 3 absent

General Description:

This bill amends provisions related to victim rights.

Highlighted Provisions:

This bill:

- defines terms;
- provides that the executive director of the State Commission on Criminal and Juvenile Justice designate a coordinator for the victim rights committees;
- provides the duties of the coordinator for the victim rights committees;
- modifies the complaint process for the victim rights committees;
- requires a criminal justice agency to provide a policy for addressing a complaint alleging a violation of a victim's right to the coordinator for the victim rights committees; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-1001, as enacted by Laws of Utah 2024, Chapter 160

63M-7-1003, as enacted by Laws of Utah 2024, Chapter 160

ENACTS:

63M-7-1002.5, Utah Code Annotated 1953

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

31 Section 1. Section **63M-7-1001** is amended to read:

32 **63M-7-1001 . Definitions for part.**

33 As used in this part:

34 (1) "Committee" means a victim rights committee established in each judicial district as
35 described in Section 63M-7-1002.

36 [~~(2) "Victim Services Commission" means the Utah Victim Services Commission
37 established in Section 63M-7-902.~~]

38 (2) "Coordinator" means the individual designated by the executive director of the
39 commission as described in Section 63M-7-1002.5.

40 (3)(a) "Criminal justice agency" means an agency that is directly involved in the
41 apprehension, prosecution, incarceration, or supervision of an individual involved in [
42 ~~eriminal conduct~~] an offense.

43 (b) "Criminal justice agency" includes:

44 (i) a law enforcement agency as defined in Section 63M-7-502;

45 (ii) a prosecuting agency;

46 (iii) the Department of Corrections created in Section 64-13-2; or

47 (iv) the Board of Pardons and Parole created in Section 77-27-2.

48 (4) "Member" means an individual appointed to a committee.

49 (5) "Representative of a victim" means the same as that term is defined in Section 77-38-2.

50 (6)(a) "Victim" means an individual against whom [~~eriminal conduct has allegedly been
51 committed~~] an offense has been committed or is alleged to have been committed.

52 (b) "Victim" includes an individual who is younger than 18 years old against whom an
53 offense has been committed or is alleged to have been committed.

54 [~~(b)~~] (c) "Victim" does not include [an individual who is an accomplice or codefendant to
55 eriminal conduct] an individual who is, or appears, to be accountable or responsible
56 for the offense that has been committed or is alleged to have been committed.

57 (7) "Victim advocate" means the same as that term is defined in Section 77-37-403.

58 (8) [~~"Victim's rights"~~] "Victim's right" means:

59 (a) [~~the rights~~] a right afforded to a victim under Title 77, Chapter 37, Victims' Rights,
60 Title 77, Chapter 38, Crime Victims, and Utah Constitution, Article I, Section 28[-] ;
61 or

62 (b) an obligation that a prosecuting agency or prosecuting attorney owes to a victim
63 under Rule 35 of the Utah Rules of Criminal Procedure.

64 (9) "Victim Services Commission" means the Utah Victim Services Commission

65 established in Section 63M-7-902.

66 Section 2. Section **63M-7-1002.5** is enacted to read:

67 **63M-7-1002.5 . Coordinator for victim rights committees.**

68 The executive director of the commission shall designate an individual to:

69 (1) provide administrative assistance to each committee; and

70 (2) receive and process complaints as described in Section 63M-7-1003.

71 Section 3. Section **63M-7-1003** is amended to read:

72 **63M-7-1003 . Complaint of violation of a victim right -- Criminal justice agency**
 73 **policy about complaints.**

74 ~~[(1)(a) When a committee receives a complaint, the committee shall review the~~
 75 ~~complaint to determine whether the complaint alleges a violation of a victim's rights.]~~

76 ~~[(b) If a complaint alleges a violation of a victim's rights in another judicial district, the~~
 77 ~~committee shall forward the complaint to the judicial district where the violation~~
 78 ~~allegedly occurred.]~~

79 ~~[(2)(a) If the committee receives a complaint that does not allege a violation of a~~
 80 ~~victim's rights, the committee shall send a letter to the victim, or the representative of~~
 81 ~~a victim:]~~

82 ~~[(i) explaining that the committee may only address a violation of the victim's rights;~~
 83 ~~and]~~

84 ~~[(ii) describing any other resources that may be available to the victim or the~~
 85 ~~representative of the victim:]~~

86 ~~[(b) The committee shall send the letter described in Subsection (2)(a) within 30 days~~
 87 ~~after the day on which the committee receives the complaint.]~~

88 ~~[(3) If the complaint does allege a violation of a victim's rights, the committee shall forward~~
 89 ~~a copy of the complaint to the person that is the subject of the complaint.]~~

90 ~~[(4) The committee shall schedule a meeting for the committee to review the complaint as~~
 91 ~~soon as practicable.]~~

92 (1)(a) A victim may submit a complaint to the Victim Services Commission if the
 93 complaint alleges a violation of the victim's right.

94 (b) Notwithstanding Subsection (1)(a), a victim may not submit a complaint if the
 95 complaint alleges substantially the same facts that were raised in a prior complaint.

96 (2) The coordinator shall notify the victim of the receipt of the complaint within 30 days
 97 after the day on which the coordinator receives the complaint.

98 (3)(a) The coordinator may dismiss a complaint from a victim if the complaint does not

99 comply with the requirements for a complaint as described in Subsection (1).

100 (b) If the coordinator dismisses a complaint under Subsection (3)(a), the coordinator
101 shall notify the victim within 30 days after the day on which the coordinator receives
102 the complaint.

103 (4)(a) If a complaint is not dismissed under Subsection (3), the coordinator shall:

104 (i) subject to Subsection (4)(b), send a copy of the complaint to the subject of the
105 complaint and the subject's employer;

106 (ii) notify the victim and the subject of the complaint that:

107 (A) the complaint will be considered as soon as practicable by the committee; and

108 (B) the victim or the subject of the complaint may attend the committee meeting at
109 which the complaint will be discussed and submit additional information for
110 the committee's consideration; and

111 (iii) schedule a meeting for the appropriate committee to review the complaint.

112 (b) If the subject of a complaint is a judge or court employee, the coordinator shall send
113 a copy of the complaint to the state court administrator described in Section
114 78A-2-105 or the state court administrator's designee.

115 (5) The committee shall review a complaint as soon as practicable to determine if a
116 violation of a victim's right has occurred.

117 (6)(a) Upon receiving a complaint, the committee may:

118 (i) consider any relevant information;

119 (ii) request information from:

120 (A) the victim, or a representative of the victim, who submitted the complaint;

121 (B) the subject of the complaint;

122 (C) a criminal justice agency; or

123 (D) any other person that may have information related to the complaint; and

124 (iii) make findings as to whether there has been a violation of a victim's right.

125 (b) The committee may request records from a governmental entity as described in
126 Section 63G-2-206.

127 ~~[(5)]~~ (7) If a criminal justice agency investigates a complaint regarding a violation of a
128 victim's rights and the committee receives a complaint about the same violation, the
129 criminal justice agency shall provide the criminal justice agency's investigative findings
130 related to the complaint to the committee.

131 ~~[(6) After reviewing the complaint and any findings submitted by a criminal justice agency~~
132 ~~under Subsection (5), the committee may:]~~

- 133 ~~[(a) inform the person of a victim's rights and the obligations required by law;]~~
134 ~~[(b) refer the victim, or the representative of a victim, to other resources in the~~
135 ~~community; or]~~
136 ~~[(c) inform the victim, or the representative of a victim, of the victim's rights and~~
137 ~~remedies described in Title 77, Chapter 37, Victims' Rights, Title 77, Chapter 38,~~
138 ~~Crime Victims, and Utah Constitution, Article I, Section 28.]~~
139 ~~[(7) Within 30 days after the day on which the committee meeting is held, the chair of the~~
140 ~~committee shall send a letter to the victim, or the representative of a victim, describing~~
141 ~~any action taken by the committee.]~~
142 (8)(a) If the committee finds that the subject of a complaint did not violate a victim's
143 right:
144 (i) the committee shall send a letter to the victim, or the representative of the victim,
145 that:
146 (A) states the findings of the committee;
147 (B) explains that the committee may only address a violation of a victim's right;
148 and
149 (C) describes any resources that may be available to the victim or the
150 representative of the victim; and
151 (ii) subject to Subsection (10), the committee may send a letter to the subject of the
152 complaint and the subject's employer that states the findings of the committee.
153 (b) The committee may include recommendations in the letter described in Subsection
154 (8)(a)(ii) to ensure a better response by the subject and the subject's employer to a
155 victim exercising the victim's right.
156 (9)(a) If the committee finds that the subject of the complaint violated a victim's right,
157 the committee shall send a letter to:
158 (i) the victim, or the representative of the victim, that:
159 (A) states the findings of the committee;
160 (B) informs the victim, or the representative of the victim, of the victim's right and
161 any remedy available to the victim;
162 (C) refers the victim, or the representative of the victim, to other resources in the
163 community; and
164 (D) informs the victim, or the representative of the victim, of any other person that
165 has authority to receive a complaint regarding a violation of a victim's right;
166 and

167 (ii) subject to Subsection (10), the subject of the complaint and the subject's employer
168 that states the findings of the committee.

169 (b) The committee may include recommendations in the letter described in Subsection
170 (9)(a)(ii) to ensure a better response by the subject and the subject's employer to a
171 victim exercising the victim's right.

172 (10) If the subject of a complaint is a judge or court employee, the committee shall send a
173 letter described in Subsection (8) or (9) to the state court administrator described in
174 Section 78A-2-105 or the state court administrator's designee.

175 (11) The committee shall send a letter described in Subsection (8), (9), or (10) within 30
176 days after the day on which the committee makes a finding.

177 [(8)] (12) A criminal justice agency shall:

178 (a) establish a policy for addressing a complaint alleging a violation of a [victim's rights.]
179 victim's right; and

180 (b) upon request, provide a copy of the policy to the coordinator.

181 Section 4. **Effective Date.**

182 This bill takes effect on May 6, 2026.