

Evan J. Vickers proposes the following substitute bill:

Behavioral Health, Mental Health, and Social Services Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill addresses social services interventions, including for behavioral health, mental health, and homelessness.

Highlighted Provisions:

This bill:

- changes the entity that administers and reports on the Governor's Suicide Prevention Fund from the governor to the Office of Substance Use and Mental Health (office);
- requires the Office of Licensing within the Department of Health and Human Services (department) to make rules related to a behavioral health receiving center's communication with prosecutors and law enforcement regarding a justice involved individual's participation in the behavioral health receiving center's treatment program;
- requires the department to provide a list of mental health and substance use disorder screening tools used in jails;
- requires the department to create a standard form for justice involved individuals to consent to disclosure of a mental health disorder or substance use disorder to certain persons, including health care providers, first responders, courts, local health authorities, county pretrial and parole services, and the Division of Adult Probation and Parole;
- permits first responders to provide an electronic list of local mental health services to certain individuals under certain circumstances;
- creates a community-based peer support specialist program;
- amends provisions related to involuntary commitment and court ordered assisted outpatient treatment for mental illness;
- requires the department to maintain a database of involuntary commitments;
- amends the duties of the Behavioral Health Commission (commission), including adding certain duties that were previously assigned to the Utah Substance Use and Mental

- 29 Health Advisory Committee;
- 30 ▸ changes the name of the Utah Substance Use and Mental Health Advisory Committee to
- 31 the Utah Behavioral Health Policy Review Committee and amends the committee's
- 32 duties and other related provisions;
- 33 ▸ requires the commission's Legislative Policy Committee to form a working group to
- 34 investigate and make recommendations to the Legislature regarding a statewide central
- 35 authority for coordinating behavioral health initiatives;
- 36 ▸ creates a family outreach specialist within the department to:
- 37 • engage with the family of an individual who has recently died by suicide or overdose;
- 38 and
- 39 • assist the medical examiner with suicide intervention, prevention, and postvention;
- 40 ▸ permits a service provider to expand a congregate shelter's bed capacity limit under
- 41 certain conditions;
- 42 ▸ changes provisions related to participating local government tax revenue distributions for
- 43 homeless shelters;
- 44 ▸ makes changes to responsibilities related to the Underage Drinking Prevention Media and
- 45 Education Campaign Restricted Account;
- 46 ▸ amends the duties and membership of the Behavioral Health Crisis Response Committee;
- 47 ▸ defines terms; and
- 48 ▸ makes technical and conforming changes.

49 **Money Appropriated in this Bill:**

50 This bill appropriates \$750,000 in operating and capital budgets for fiscal year 2027, all of

51 which is from the General Fund.

52 **Other Special Clauses:**

53 This bill provides a special effective date.

54 **Utah Code Sections Affected:**

55 AMENDS:

56 **17-72-408 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

57 First Special Session, Chapter 13

58 **26B-1-325 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 33 and

59 renumbered and amended by Laws of Utah 2023, Chapter 305

60 **26B-1-425 (Effective 05/06/26) (Repealed 07/01/27)**, as last amended by Laws of Utah

61 2024, Chapter 245

62 **26B-1-427 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 494

63 **26B-1-428 (Effective 05/06/26) (Repealed 07/01/30)**, as last amended by Laws of Utah
64 2025, Chapter 366

65 **26B-2-135 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 499

66 **26B-5-121 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
67 Session, Chapter 16

68 **26B-5-331 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 118,
69 277, 340, and 470

70 **26B-5-332 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 46, 118

71 **26B-5-351 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
72 Chapter 308

73 **26B-5-611 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
74 250

75 **26B-5-703 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
76 Chapter 245

77 **26B-5-704 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
78 Chapter 245

79 **26B-5-705 (Effective 05/06/26) (Repealed 07/01/29)**, as enacted by Laws of Utah 2024,
80 Chapter 245

81 **26B-5-801 (Effective 05/06/26) (Repealed 01/01/33)**, as last amended by Laws of Utah
82 2025, First Special Session, Chapter 9

83 **26B-5-802 (Effective 05/06/26) (Repealed 01/01/33)**, as renumbered and amended by
84 Laws of Utah 2024, Chapter 245

85 **26B-5-803 (Effective 05/06/26) (Repealed 01/01/33)**, as renumbered and amended by
86 Laws of Utah 2024, Chapter 245

87 **32B-2-306 (Effective 05/06/26) (Partially Repealed 01/01/33)**, as last amended by Laws
88 of Utah 2024, Chapters 245, 385

89 **32B-2-402 (Effective 05/06/26) (Partially Repealed 01/01/33)**, as last amended by Laws
90 of Utah 2025, First Special Session, Chapter 16

91 **32B-2-404 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
92 385

93 **32B-2-405 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245,
94 385

95 **32B-7-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 245

96 **35A-16-212 (Effective 05/06/26) (Repealed 07/01/28)**, as enacted by Laws of Utah 2025,

97 Chapter 41
 98 **35A-16-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 204,
 99 338 and 438
 100 **59-12-205 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 490,
 101 495
 102 **63C-18-202 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
 103 2024, Chapter 245
 104 **63C-18-203 (Effective 05/06/26) (Repealed 12/31/26)**, as last amended by Laws of Utah
 105 2025, Chapter 277
 106 **63I-1-226 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 47, 277
 107 and 366
 108 **63I-1-232 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Third Special
 109 Session, Chapter 5
 110 **63I-1-263 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 391,
 111 512
 112 **64-13-45 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245, 341

113 ENACTS:

114 **26B-4-1103 (Effective 05/06/26)**, Utah Code Annotated 1953
 115 **26B-4-1104 (Effective 05/06/26)**, Utah Code Annotated 1953
 116 **26B-5-122 (Effective 05/06/26)**, Utah Code Annotated 1953
 117 **26B-5-384 (Effective 05/06/26)**, Utah Code Annotated 1953
 118 **26B-8-233 (Effective 05/06/26)**, Utah Code Annotated 1953
 119 **35A-16-1301 (Effective 05/06/26)**, Utah Code Annotated 1953

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

122 Section 1. Section **17-72-408** is amended to read:

123 **17-72-408 (Effective 05/06/26). County jail reporting requirements.**

- 124 (1) Each county jail shall submit a report to the commission before June 15 of each year
 125 that includes, for the preceding calendar year:
- 126 (a) the average daily prisoner population each month;
 - 127 (b) the number of prisoners in the county jail on the last day of each month who identify
 128 as each race or ethnicity included in the Standards for Transmitting Race and
 129 Ethnicity published by the United States Federal Bureau of Investigation;
 - 130 (c) the number of prisoners booked into the county jail;

- 131 (d) the number of prisoners held in the county jail each month on behalf of each of the
132 following entities:
- 133 (i) the Bureau of Indian Affairs;
 - 134 (ii) a state prison;
 - 135 (iii) a federal prison;
 - 136 (iv) the United States Immigration and Customs Enforcement; and
 - 137 (v) any other entity with which a county jail has entered a contract to house inmates
138 on the entity's behalf;
- 139 (e) the number of prisoners that are denied pretrial release and held in the custody of the
140 county jail while the prisoner awaited final disposition of the prisoner's criminal
141 charges;
- 142 (f) for each prisoner booked into the county jail:
- 143 (i) the name of the agency that arrested the prisoner;
 - 144 (ii) the date and time the prisoner was booked into and released from the custody of
145 the county jail;
 - 146 (iii) if the prisoner was released from the custody of the county jail, the reason the
147 inmate was released from the custody of the county jail;
 - 148 (iv) if the prisoner was released from the custody of the county jail on a financial
149 condition, whether the financial condition was set by a county sheriff or a court;
 - 150 (v) the number of days the prisoner was held in the custody of the county jail before
151 disposition of the prisoner's criminal charges;
 - 152 (vi) whether the prisoner was released from the custody of the county jail before final
153 disposition of the prisoner's criminal charges; and
 - 154 (vii) the prisoner's state identification number;
- 155 (g) the number of in-custody deaths that occurred at the county jail;
- 156 (h) for each in-custody death:
- 157 (i) the deceased's name, gender, race, ethnicity, age, and known or suspected medical
158 diagnosis or disability, if any;
 - 159 (ii) the date, time, and location of death;
 - 160 (iii) the law enforcement agency that detained, arrested, or was in the process of
161 arresting the deceased; and
 - 162 (iv) a brief description of the circumstances surrounding the death;
- 163 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
164 each of the in-custody deaths described in Subsection (2)(g);

- 165 (j) the county jail's policy for notifying an inmate's next of kin after the prisoner's
166 in-custody death;
- 167 (k) the county jail policies, procedures, and protocols:
- 168 (i) for treatment of a prisoner experiencing withdrawal from alcohol or substance use,
169 including use of opiates;
- 170 (ii) that relate to the county jail's provision, or lack of provision, of medications used
171 to treat, mitigate, or address a prisoner's symptoms of withdrawal, including
172 methadone and all forms of buprenorphine and naltrexone; and
- 173 (iii) that relate to screening, assessment, and treatment of a prisoner for a substance
174 use or mental health disorder, including the policies, procedures, and protocols
175 that implement the requirements described in Section 17-72-501;
- 176 (l)(i) the number of prisoners whose screening described in Section 17-72-501
177 indicated the presence of a substance use disorder; and
- 178 (ii) of the prisoners whose screening indicated the presence of a substance use
179 disorder, the number of prisoners who received medication under a medication
180 assisted treatment plan; and
- 181 (m) any report the county jail provides or is required to provide under federal law or
182 regulation relating to prisoner deaths.
- 183 (2)(a) Subsection (1) does not apply to a county jail if the county jail:
- 184 (i) collects and stores the data described in Subsection (1); and
- 185 (ii) enters into a memorandum of understanding with the commission that allows the
186 commission to access the data described in Subsection (1).
- 187 (b) The memorandum of understanding described in Subsection (2)(a)(ii) shall include a
188 provision to protect any information related to an ongoing investigation and comply
189 with all applicable federal and state laws.
- 190 (c) If the commission accesses data from a county jail in accordance with Subsection
191 (2)(a), the commission may not release a report prepared from that data, unless:
- 192 (i) the commission provides the report for review to:
- 193 (A) the county jail; and
- 194 (B) any arresting agency that is named in the report; and
- 195 (ii)(A) the county jail approves the report for release;
- 196 (B) the county jail reviews the report and prepares a response to the report to be
197 published with the report; or
- 198 (C) the county jail fails to provide a response to the report within four weeks after

- 199 the day on which the commission provides the report to the county jail.
- 200 (3) The commission shall:
- 201 (a) compile the information from the reports described in Subsection (1);
- 202 (b) omit or redact any identifying information of an inmate in the compilation to the
- 203 extent omission or redaction is necessary to comply with state and federal law;
- 204 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
- 205 Committee and the [~~Utah Substance Use and Mental Health Advisory Committee~~]
- 206 Utah Behavioral Health Commission before November 1 of each year; and
- 207 (d) submit the compilation to the protection and advocacy agency designated by the
- 208 governor before November 1 of each year.
- 209 (4) The commission may not provide access to or use a county jail's policies, procedures, or
- 210 protocols submitted under this section in a manner or for a purpose not described in this
- 211 section.
- 212 (5) Upon request, a county jail shall make a report, including only the names and causes of
- 213 death of deceased inmates and the facility in which the deceased inmates were being
- 214 held in custody, available to the public.

215 Section 2. Section **26B-1-325** is amended to read:

216 **26B-1-325 (Effective 05/06/26). Governor's Suicide Prevention Fund.**

- 217 (1) There is created an expendable special revenue fund known as the Governor's Suicide
- 218 Prevention Fund.
- 219 (2) The fund shall consist of donations, gifts, grants, and bequests of real property or
- 220 personal property made to the fund.
- 221 (3) A donor to the fund may designate a specific purpose for the use of the donor's
- 222 donation, if the designated purpose is described in Subsection (4).
- 223 (4)(a) Subject to Subsection (3), money in the fund shall be used for the following
- 224 activities:
- 225 (i) efforts to directly improve mental health crisis response;
- 226 (ii) efforts that directly reduce risk factors associated with suicide; and
- 227 (iii) efforts that directly enhance known protective factors associated with suicide
- 228 reduction.
- 229 (b) Efforts described in Subsections (4)(a)(ii) and (iii) include the components of the
- 230 state suicide prevention program described in Subsection [~~26B-5-611(3)~~]
- 231 26B-5-611(4).
- 232 (5) The Office of Substance Use and Mental Health shall establish a grant application and

- 233 review process for the expenditure of money from the fund.
- 234 (6) The grant application and review process shall describe:
- 235 (a) requirements to complete a grant application;
- 236 (b) requirements to receive funding;
- 237 (c) criteria for the approval of a grant application;
- 238 (d) standards for evaluating the effectiveness of a project proposed in a grant
- 239 application; and
- 240 (e) support offered by the office to complete a grant application.
- 241 (7) The Office of Substance Use and Mental Health shall:
- 242 (a) review a grant application for completeness;
- 243 (b) make a recommendation to the governor or the governor's designee regarding a grant
- 244 application;
- 245 (c) send a grant application to the governor or the governor's designee for evaluation and
- 246 approval or rejection;
- 247 (d) inform a grant applicant of the governor or the governor's designee's determination
- 248 regarding the grant application; and
- 249 (e) direct the fund administrator to release funding for grant applications approved by
- 250 the governor or the governor's designee.
- 251 (8) The state treasurer shall invest the money in the fund under Title 51, Chapter 7, State
- 252 Money Management Act, except that all interest or other earnings derived from money
- 253 in the fund shall be deposited into the fund.
- 254 (9) Money in the fund may not be used for the Office of the Governor's administrative
- 255 expenses that are normally provided for by legislative appropriation.
- 256 (10) ~~The [governor or the governor's designee may authorize the expenditure of fund money]~~
- 257 Office of Substance Use and Mental Health shall administer the fund in accordance with
- 258 this section.
- 259 (11) ~~The [governor]~~ Office of Substance Use and Mental Health shall make an annual report
- 260 to the Legislature regarding the status of the fund, including a report on the contributions
- 261 received, expenditures made, and programs and services funded.

262 Section 3. Section **26B-1-425** is amended to read:

263 **26B-1-425 (Effective 05/06/26) (Repealed 07/01/27). Utah Health Workforce**

264 **Advisory Council -- Creation and membership.**

- 265 (1) There is created within the department the Utah Health Workforce Advisory Council.
- 266 (2) The council shall be comprised of at least 14 but not more than 19 members.

- 267 (3) The following are members of the council:
- 268 (a) the executive director or that individual's designee;
- 269 (b) the executive director of the Department of Workforce Services or that individual's
- 270 designee;
- 271 (c) the commissioner of higher education of the Utah System of Higher Education or
- 272 that individual's designee;
- 273 (d) the state superintendent of the State Board of Education or that individual's designee;
- 274 (e) the executive director of the Department of Commerce or that individual's designee;
- 275 (f) the director of the Division of Multicultural Affairs or that individual's designee;
- 276 (g) the ~~[director]~~ chair of the ~~[Utah Substance Use and Mental Health Advisory~~
- 277 ~~Committee]~~ Utah Behavioral Health Commission or that individual's designee;
- 278 (h) the chair of the Utah Indian Health Advisory Board; and
- 279 (i) the chair of the Utah Medical Education Council created in Section 26B-4-706.
- 280 (4) The executive director shall appoint at least five but not more than ten additional
- 281 members that represent diverse perspectives regarding Utah's health workforce as
- 282 defined in Section 26B-4-705.
- 283 (5)(a) A member appointed by the executive director under Subsection (4) shall serve a
- 284 four-year term.
- 285 (b) Notwithstanding Subsection (5)(a) for the initial appointments of members described
- 286 in Subsection (4) the executive director shall appoint at least three but not more than
- 287 five members to a two-year appointment to ensure that approximately half of the
- 288 members appointed by the executive director rotate every two years.
- 289 (6) The executive director or the executive director's designee shall chair the council.
- 290 (7)(a) As used in this Subsection (7), "health workforce" means the same as that term is
- 291 defined in Section 26B-4-705.
- 292 (b) The council shall:
- 293 (i) meet at least once each quarter;
- 294 (ii) study and provide recommendations to an entity described in Subsection (8)
- 295 regarding:
- 296 (A) health workforce supply;
- 297 (B) health workforce employment trends and demand;
- 298 (C) options for training and educating the health workforce; and
- 299 (D) the implementation or improvement of strategies that entities in the state are
- 300 using or may use to address health workforce needs including shortages,

- 301 recruitment, retention, and other Utah health workforce priorities as determined
302 by the council;
- 303 (iii) provide guidance to an entity described in Subsection (8) regarding health
304 workforce related matters;
- 305 (iv) review and comment on legislation relevant to Utah's health workforce; and
306 (v) advise the Utah Board of Higher Education and the Legislature on the status and
307 needs of the health workforce who are in training.
- 308 (8) The council shall provide information described in Subsections (7)(b)(ii) and (iii) to:
- 309 (a) the Legislature;
- 310 (b) the department;
- 311 (c) the Department of Workforce Services;
- 312 (d) the Department of Commerce;
- 313 (e) the Utah Medical Education Council; and
314 (f) any other entity the council deems appropriate upon the entity's request.
- 315 (9)(a) The Utah Medical Education Council created in Section 26B-4-706 is a
316 subcommittee of the council.
- 317 (b) The council may establish subcommittees to support the work of the council.
318 (c) A member of the council shall chair a subcommittee created by the council.
319 (d) Except for the Utah Medical Education Council, the chair of the subcommittee may
320 appoint any individual to the subcommittee.
- 321 (10) For any report created by the council that pertains to any duty described in Subsection
322 (7), the council shall:
- 323 (a) provide the report to:
- 324 (i) the department; and
325 (ii) any appropriate legislative committee; and
326 (b) post the report on the council's website.
- 327 (11) The executive director shall:
- 328 (a) ensure the council has adequate staff to support the council and any subcommittee
329 created by the council; and
330 (b) provide any available information upon the council's request if:
- 331 (i) that information is necessary for the council to fulfill a duty described in Subs
332 ection (7); and
333 (ii) the department has access to the information.
- 334 (12) A member of the council or a subcommittee created by the council may not receive

335 compensation or benefits for the member's service but may receive per diem and travel
336 expenses as allowed in:

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

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

339 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
340 63A-3-107.

341 Section 4. Section **26B-1-427** is amended to read:

342 **26B-1-427 (Effective 05/06/26). Alcohol Abuse Tracking Committee --Tracking**
343 **effects of abuse of alcoholic products.**

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

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

347 (b) the commissioner of the Department of Public Safety or the commissioner's designee;

348 (c) the director of the Department of Alcoholic Beverage Services or that director's
349 designee;

350 (d) the executive director of the Department of Workforce Services or that executive
351 director's designee;

352 (e) the chair of the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah
353 Behavioral Health Commission or the chair's designee;

354 (f) the state court administrator or the state court administrator's designee; and

355 (g) the director of the Division of Technology Services or that director's designee.

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

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

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

360 (4) The committee shall meet at the call of the chair.

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

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

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

364 (c) the frequency of meetings.

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

367 (a) the number of individuals statewide who are convicted of, plead guilty to, plead no
368 contest to, plead guilty in a similar manner to, or resolve by diversion or its

- 369 equivalent to a violation related to underage drinking of alcohol;
- 370 (b) the number of individuals statewide who are convicted of, plead guilty to, plead no
371 contest to, plead guilty in a similar manner to, or resolve by diversion or its
372 equivalent to a violation related to driving under the influence of alcohol;
- 373 (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act,
374 related to over-serving or over-consumption of an alcoholic product;
- 375 (d) the cost of social services provided by the state related to abuse of alcohol, including
376 services provided by the Division of Child and Family Services;
- 377 (e) the location where the alcoholic products that result in the violations or costs
378 described in Subsections (6)(a) through (d) are obtained; and
- 379 (f) any information the committee determines can be collected and relates to the abuse of
380 alcoholic products.

381 Section 5. Section **26B-1-428** is amended to read:

382 **26B-1-428 (Effective 05/06/26) (Repealed 07/01/30). Youth Electronic Cigarette,**
383 **Marijuana, and Other Drug Prevention Committee and Program -- Creation --**
384 **Membership -- Duties.**

385 (1) As used in this section:

- 386 (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug
387 Prevention Committee created in Section 26B-1-204.
- 388 (b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug
389 Prevention Program created in this section.

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

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

- 393 (i) establish guidelines for the use of funds appropriated to the program under Subs
394 ection 59-14-807(3)(a)(vi);
- 395 (ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based
396 and appropriate for the population targeted by the program; and
- 397 (iii) subject to appropriations from the Legislature under Subsection
398 59-14-807(3)(a)(vi), fund statewide initiatives to prevent use of electronic
399 cigarettes, nicotine products, marijuana, and other drugs by youth.

400 (3)(a) The committee shall:

401 (i) advise the department on:

- 402 (A) preventing use of electronic cigarettes, marijuana, and other drugs by youth in

- 403 the state;
- 404 (B) developing the guidelines described in Subsection (2)(b)(i); and
- 405 (C) implementing the provisions of the program; and
- 406 (ii) meet quarterly or more frequently as determined necessary by the department's
- 407 designee under Subsection (3)(c)(ii).
- 408 (b) The executive director shall:
- 409 (i) appoint members of the committee; and
- 410 (ii) consult with the [~~Utah Substance Use and Mental Health Advisory Committee~~]
- 411 Utah Behavioral Health Commission created in Section [~~26B-5-801~~] 26B-5-702
- 412 when making the appointments under Subsection (3)(b)(i).
- 413 (c) The committee shall include, at a minimum:
- 414 (i) the executive director of a local health department as defined in Section 26A-1-102,
- 415 or the local health department executive director's designee;
- 416 (ii) one designee from the department;
- 417 (iii) one representative from the Department of Public Safety;
- 418 (iv) one representative from the behavioral health community; and
- 419 (v) one representative from the education community.
- 420 (d) A member of the committee may not receive compensation or benefits for the
- 421 member's service on the committee, but may receive per diem and travel expenses in
- 422 accordance with:
- 423 (i) Section 63A-3-106;
- 424 (ii) Section 63A-3-107; and
- 425 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 426 (e) The department shall provide staff support to the committee.
- 427 (4) On or before October 31 of each year, the department shall report to:
- 428 (a) the Health and Human Services Interim Committee regarding:
- 429 (i) the use of funds appropriated to the program;
- 430 (ii) the impact and results of the program, including the effectiveness of each
- 431 program funded under Subsection (2)(b)(iii), during the previous fiscal year;
- 432 (iii) a summary of the impacts and results on reducing youth use of electronic
- 433 cigarettes and nicotine products by entities represented by members of the
- 434 committee, including those entities who receive funding through the Electronic
- 435 Cigarette Substance and Nicotine Product Proceeds Restricted Account created in
- 436 Section 59-14-807; and

- 437 (iv) any recommendations for legislation; and
- 438 (b) the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah Behavioral
- 439 Health Commission created in Section [~~26B-5-801~~] 26B-5-702, regarding:
- 440 (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in
- 441 preventing youth use of electronic cigarettes, nicotine products, marijuana, and
- 442 other drugs; and
- 443 (ii) any collaborative efforts and partnerships established by the program with public
- 444 and private entities to prevent youth use of electronic cigarettes, marijuana, and
- 445 other drugs.

446 Section 6. Section **26B-2-135** is amended to read:

447 **26B-2-135 (Effective 05/06/26). Licensing behavioral health receiving centers.**

448 (1) As used in this section:

- 449 (a) "Diversion" means referral to a licensed center by a law enforcement agency, a law
- 450 enforcement officer, or by court order:
- 451 (i) under the terms of a diversion agreement described in Section 77-2-5;
- 452 (ii) as a voluntary referral as described in Section 26B-5-121;
- 453 (iii) as an alternative to penalties for a violation of probation or parole; or
- 454 (iv) by any other court ordered or law enforcement facilitated alternative to criminal
- 455 penalties.
- 456 (b) "Diversion contact" means the prosecuting attorney that is a party to a diversion
- 457 agreement or the law enforcement agency or officer that facilitates the diversion.
- 458 (c) "Justice involved individual" means an individual who enters a treatment program
- 459 through diversion.
- 460 (d) "Licensed center" means a behavioral health receiving center licensed under this part.
- 461 (e) "Local mental health authority" means a local mental health authority described in
- 462 Section 17-77-301.
- 463 (f) "Responsible law enforcement agency" means the law enforcement agency that
- 464 employs a law enforcement officer that facilitates an individual's connection with a
- 465 licensed center as described in Section 26B-5-121.
- 466 (g) "Treatment program" means a licensed center's program for providing mental health
- 467 services to an individual experiencing a mental health crisis.

468 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and

469 Section 63J-1-504, the office:

- 470 [(+) (a) shall [adopt] make and enforce rules to establish the process for initial and

- 471 renewal applications to operate a behavioral health receiving center;
- 472 [(2)] (b) may assess and collect application and renewal fees for behavioral health
473 receiving center licenses;[-and]
- 474 [(3)] (c) shall deposit any fees collected under Subsection [(2)] (2)(b) into the General
475 Fund as a dedicated credit to be used solely to pay for or offset the office's costs
476 incurred in performing the duties under this section[-] ; and
- 477 (d) shall make rules that:
- 478 (i) identify circumstances under which a licensed center shall notify a responsible law
479 enforcement agency or diversion contacts of a justice involved individual's status
480 in a treatment program, including to provide notification:
- 481 (A) of treatment recommendations for the justice involved individual;
482 (B) if the justice involved individual is actively participating in the treatment
483 program;
- 484 (C) if the justice involved individual is resisting participation in the treatment
485 program;
- 486 (D) if applicable, if the justice involved individual violates the terms of a
487 diversion agreement related to the justice involved individual's participation in
488 the treatment program;
- 489 (E) within 24 hours after the justice involved individual leaves the treatment
490 program, if the justice involved individual leaves the treatment program against
491 the licensed center's advice; and
- 492 (F) if applicable, of the name of the health care provider to whom the licensed
493 center referred the justice involved individual for further treatment; and
- 494 (ii) require a licensed center to adopt a policy to implement the notification
495 requirements described in Subsection (2)(d)(i).
- 496 (3)(a) Rules the office makes in accordance with Subsection (2)(d) may not require the
497 licensed center to notify a responsible law enforcement agency or diversion contact
498 of the status of a justice involved individual after the licensed center has referred the
499 justice involved individual to another health care provider.
- 500 (b) The office shall make the rules described in this Subsection (2) in coordination with
501 licensed centers, local mental health authorities, law enforcement agencies, and
502 diversion contacts.

503 Section 7. Section **26B-4-1103** is enacted to read:

504 **26B-4-1103** (Effective 05/06/26). **Mental health and substance use disorder**

505 **screening -- Study -- Recommendations -- Report.**506 (1) As used in this section:507 (a) "Commission" means the State Commission on Criminal and Juvenile Justice created
508 in Section 63M-7-201.509 (b) "Screening tool" means the evidence-based screening tool to screen an inmate for
510 substance use disorders described in Subsection 17-72-501(2)(e).511 (2)(a) In collaboration with the commission, the department shall provide a list of
512 screening tools.513 (b) The department shall ensure that a recommended screening tool described in Subs
514 ection (2)(a) is:515 (i) evidence-based, standardized, and validated; and516 (ii) able to screen for substance use and mental health disorders and risk of substance
517 use and mental health disorders.518 Section 8. Section **26B-4-1104** is enacted to read:519 **26B-4-1104 (Effective 05/06/26). Mental health and substance use disorder**
520 **disclosure -- Standard form -- Consent -- Sharing.**521 (1) As used in this section:522 (a) "Board of Pardons and Parole" means the Board of Pardons and Parole created in
523 Section 77-27-2.524 (b) "Commission" means the State Commission on Criminal and Juvenile Justice created
525 in Section 63M-7-201.526 (c) "County pretrial and probation services" means county-provided probation services
527 as described in Section 17-72-601.528 (d) "Defendant" means an individual who has been charged with a criminal offense, or
529 been convicted of, or entered into a plea disposition for, criminal conduct.530 (e) "Department of Corrections" means the Department of Corrections created in Section
531 64-13-2.532 (f) "Division of Adult Probation and Parole" means the Division of Adult Probation and
533 Parole created in Section 64-14-202.534 (g) "First responder" means the same as that term is defined in Section 26B-5-121.535 (h) "Health care provider" means the same as that term is defined in Section 78B-3-403.536 (i) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996,
537 Pub. L. No. 104-191, 110 Stat. 1936, as amended.538 (j) "Parolee" means an individual on parole under the supervision of the Division of

- 539 Adult Probation and Parole.
- 540 (k) "Probationer" means an individual on probation under the supervision of the
- 541 Division of Adult Probation and Parole or county pretrial and probation services.
- 542 (2) Before December 31, 2026, the department shall create a standard form that:
- 543 (a) is compliant with HIPAA and 42 C.F.R. Part 2; and
- 544 (b) a defendant, an inmate, a parolee, or a probationer may use to consent to the
- 545 disclosure of the individual's mental health disorder or substance use disorder
- 546 diagnosis to:
- 547 (i) health care providers;
- 548 (ii) first responders;
- 549 (iii) the courts;
- 550 (iv) the Board of Pardons and Parole;
- 551 (v) the Department of Corrections;
- 552 (vi) the Division of Adult Probation and Parole;
- 553 (vii) county pretrial and probation services;
- 554 (viii) local mental health authorities; or
- 555 (ix) other persons the department, in consultation with the commission, identifies in
- 556 rules made in accordance with Subsection (5).
- 557 (3) The form described in Subsection (2) shall:
- 558 (a) include fields for the inmate's name, date of birth, signature, and date of signature;
- 559 (b) identify each person described in Subsection (2)(b) to whom the individual's
- 560 diagnosis information will be disclosed;
- 561 (c) describe the circumstances under which the individual's diagnosis information will
- 562 be disclosed; and
- 563 (d) identify the duration of time that the consent to disclosure is valid.
- 564 (4) The department shall make the form available for use by health care providers, first
- 565 responders, courts, the Board of Pardons and Parole, the Department of Corrections, and
- 566 the Division of Adult Probation and Parole.
- 567 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 568 department, in consultation with the commission, shall make rules to:
- 569 (a) develop and implement standards and processes that comply with applicable state
- 570 and federal laws and regulations for creating a release waiver that allows an
- 571 individual's records to be used and disclosed in civil, criminal, administrative, or
- 572 legislative proceedings;

573 (b) define and restrict a person's access to the information disclosed in the form, which
 574 shall be based on:

575 (i) the person's need to access the information to provide treatment or services to an
 576 individual;

577 (ii) the person's contact with the individual;

578 (iii) the individual's consent; and

579 (iv) applicable law; and

580 (c) identify additional persons for inclusion on the disclosure form as described in Subs
 581 ection (2)(b)(ix).

582 Section 9. Section **26B-5-121** is amended to read:

583 **26B-5-121 (Effective 05/06/26). Voluntary referrals to substance use and mental**
 584 **health services by first responders -- Immunity from liability -- Reporting -- Rulemaking.**

585 (1) As used in this section:

586 (a) "First responder" means:

587 (i) a law enforcement officer, as that term is defined in Section 53-13-103;

588 (ii) emergency medical service personnel, as that term is defined in Section 53-2d-101;

589 (iii) an emergency medical technician, as that term is defined in Section 53-2e-101;

590 (iv) an advanced emergency medical technician, as that term is defined in Section
 591 53-2e-101;

592 (v) a firefighter, as that term is defined in Section 53H-11-306; or

593 (vi) a dispatcher, as that term is defined in Section 53-6-102.

594 (b) "Local services list" means a comprehensive list of local substance use or mental
 595 health services, as described in Subsections 17-77-201(5)(b)(iii) and 17-77-301(5)(c).

596 (2) As and when appropriate, a first responder is encouraged to offer a referral to substance
 597 use or mental health services to an individual who experiences an intentional or
 598 accidental overdose.

599 (3) If an individual expresses interest in substance use or mental health services, a first
 600 responder may, as appropriate:

601 (a) facilitate a real-time connection with an appropriate local service provider;

602 (b) contact the statewide 988 crisis line for assistance; or

603 (c) if the individual does not wish to speak with a service provider at that time, provide
 604 the individual with a physical copy or electronic copy of a local services list.

605 (4)(a) This section does not create a duty for a first responder to offer or provide a
 606 referral to substance use or mental health services.

- 607 (b) A first responder and an employer of a first responder are not liable under this
608 section for a first responder's action or failure to act in regards to offering or
609 providing a referral to substance use or mental health services as described in this
610 section.
- 611 (c) This section does not affect any privilege or immunity from liability, exemption from
612 law, ordinance, or rule, or any other benefit that applies to a first responder or an
613 employer of a first responder.
- 614 (5)(a) If a first responder offers a referral to substance use or mental health services as
615 described in this section, the first responder's employer shall report annually to the
616 division the total number of individuals who accepted a referral from all first
617 responders employed by the employer.
- 618 (b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
619 Administrative Rulemaking Act, specifying how the reports required by Subsection
620 (5)(a) shall be submitted.

621 Section 10. Section **26B-5-122** is enacted to read:

622 **26B-5-122 (Effective 05/06/26). Community-based peer support services grant**
623 **program.**

624 (1) As used in this section:

- 625 (a) "Commission" means the Utah Behavioral Health Commission created in Section
626 26B-5-702.
- 627 (b) "Peer support services" means non-clinical, low-barrier, community-based support to
628 individuals recovering from mental health or substance use disorders, delivered by
629 individuals with similar lived experiences.
- 630 (c) "Recovery support organization" means a community-based organization that
631 provides peer support services.

632 (2) Subject to appropriations from the Legislature for this purpose, in consultation with the
633 commission and in accordance with the requirements of this section, the division shall
634 award grants to recovery support organizations to provide peer support services.

635 (3) The division shall prioritize the award of a grant described in Subsection (2) based on
636 the extent to which providing the grant to the applicant will increase the provision of
637 peer support services in areas with frequent mental health or behavioral health provider
638 shortages.

639 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
640 division, in consultation with the commission, shall make rules for the application and

641 award of a grant described in Subsection (2).

642 Section 11. Section **26B-5-331** is amended to read:

643 **26B-5-331 (Effective 05/06/26). Temporary commitment -- Requirements and**
644 **procedures -- Rights.**

645 (1) An adult shall be temporarily, involuntarily committed to a local mental health authority
646 upon:

647 (a) a written application that:

648 (i) is completed by a responsible individual who has reason to know, stating a belief
649 that the adult, due to mental illness, is likely to pose substantial danger to self or
650 others if not restrained and stating the personal knowledge of the adult's condition
651 or circumstances that lead to the individual's belief; and

652 (ii) includes a certification by a licensed physician, licensed physician assistant,
653 licensed nurse practitioner, or designated examiner stating that the physician,
654 physician assistant, nurse practitioner, or designated examiner has examined the
655 adult within a three-day period immediately preceding the certification, and that
656 the physician, physician assistant, nurse practitioner, or designated examiner is of
657 the opinion that, due to mental illness, the adult poses a substantial danger to self
658 or others; or

659 (b) a peace officer or a mental health officer:

660 (i) observing an adult's conduct that gives the peace officer or mental health officer
661 probable cause to believe that:

662 (A) the adult has a mental illness; and

663 (B) because of the adult's mental illness and conduct, the adult poses a substantial
664 danger to self or others; and

665 (ii) completing a temporary commitment application that:

666 (A) is on a form prescribed by the division;

667 (B) states the peace officer's or mental health officer's belief that the adult poses a
668 substantial danger to self or others;

669 (C) states the specific nature of the danger;

670 (D) provides a summary of the observations upon which the statement of danger is
671 based; and

672 (E) provides a statement of the facts that called the adult to the peace officer's or
673 mental health officer's attention.

674 (2) If at any time a patient committed under this section no longer meets the commitment

- 675 criteria described in Subsection (1), the local mental health authority's designee shall:
- 676 (a) document the change and release the patient; and
- 677 (b) if the patient was admitted under Subsection (1)(b), notify the local mental health
- 678 authority of the patient's release if deemed appropriate by a licensed health care
- 679 provider or if the patient consents to the information being shared.
- 680 (3) A patient committed under this section may be held for a maximum of 72 hours after
- 681 commitment, excluding Saturdays, Sundays, and state holidays, unless:
- 682 (a) as described in Section 26B-5-332, an application for involuntary commitment is
- 683 commenced, which may be accompanied by an order of detention described in Sub
- 684 section 26B-5-332(4); or
- 685 (b) the patient makes a voluntary application for admission.
- 686 (4) Upon a written application described in Subsection (1)(a) or the observation and belief
- 687 described in Subsection (1)(b)(i), the adult shall be:
- 688 (a) taken into a peace officer's protective custody, by reasonable means, if necessary for
- 689 public safety; and
- 690 (b) transported for temporary commitment to a facility designated by the local mental
- 691 health authority, by means of:
- 692 (i) an ambulance, if the adult meets any of the criteria described in Section 53-2d-405;
- 693 (ii) an ambulance, if a peace officer is not necessary for public safety, and
- 694 transportation arrangements are made by a physician, physician assistant, nurse
- 695 practitioner, designated examiner, or mental health officer;
- 696 (iii) the city, town, or municipal law enforcement authority with jurisdiction over the
- 697 location where the adult is present, if the adult is not transported by ambulance;
- 698 (iv) the county sheriff, if the designated facility is outside of the jurisdiction of the
- 699 law enforcement authority described in Subsection (4)(b)(iii) and the adult is not
- 700 transported by ambulance; or
- 701 (v) nonemergency secured behavioral health transport as that term is defined in
- 702 Section 53-2d-101.
- 703 (5) Notwithstanding Subsection (4):
- 704 (a) an individual shall be transported by ambulance to an appropriate medical facility for
- 705 treatment if the individual requires physical medical attention;
- 706 (b) if an officer has probable cause to believe, based on the officer's experience and
- 707 de-escalation training that taking an individual into protective custody or transporting
- 708 an individual for temporary commitment would increase the risk of substantial

- 709 danger to the individual or others, a peace officer may exercise discretion to not take
710 the individual into custody or transport the individual, as permitted by policies and
711 procedures established by the officer's law enforcement agency and any applicable
712 federal or state statute, or case law; and
- 713 (c) if an officer exercises discretion under Subsection (4)(b) to not take an individual
714 into protective custody or transport an individual, the officer shall document in the
715 officer's report the details and circumstances that led to the officer's decision.
- 716 (6)(a) The local mental health authority or the local mental health authority's designee
717 shall inform an adult patient committed under this section of the reason for
718 commitment.
- 719 (b) An adult patient committed under this section has the right to:
- 720 (i) within three hours after arrival at the local mental health authority, make a
721 telephone call, at the expense of the local mental health authority, to an individual
722 of the patient's choice; and
- 723 (ii) see and communicate with an attorney.
- 724 (7)(a) Title 63G, Chapter 7, Governmental Immunity Act of Utah, applies to this section.
- 725 (b) This section does not create a special duty of care.
- 726 (8)(a) A local mental health authority or the local mental health authority's designee
727 shall provide discharge instructions to each individual committed under this section
728 at or before the time the individual is discharged from the local mental health
729 authority's custody, regardless of whether the individual is discharged by being
730 released, taken into a peace officer's protective custody, transported to a medical
731 facility or other facility, or other circumstances.
- 732 (b) Discharge instructions provided under Subsection (8)(a) shall include:
- 733 (i) a safety plan for the individual based on the individual's mental illness or mental
734 or emotional state, if applicable;
- 735 (ii) notification to the individual's primary care provider, if applicable;
- 736 (iii) if the individual is discharged without food, housing, or economic security, a
737 referral to appropriate services, if such services exist in the individual's
738 community;
- 739 (iv) the phone number to call or text for a crisis services hotline, and information
740 about the availability of peer support services;
- 741 (v) a copy of any psychiatric advance directive, if applicable;
- 742 (vi) information about how to establish a psychiatric advance directive if one has not

- 743 been completed;
- 744 (vii) as applicable, information about medications that were changed or discontinued
- 745 during the commitment;
- 746 (viii) information about how to contact the local mental health authority if needed;
- 747 and
- 748 (ix) information about how to request a copy of the individual's medical record and
- 749 how to access the electronic patient portal for the individual's medical record.
- 750 (c) If an individual's medications were changed, or if an individual was prescribed new
- 751 medications while committed under this section, discharge instructions provided
- 752 under Subsection (8)(a) shall include a clinically appropriate supply of medications,
- 753 as determined by a licensed health care provider, to allow the individual time to
- 754 access another health care provider or follow-up appointment.
- 755 (d) Discharge instructions shall be provided in paper or electronic format based on the
- 756 individual's preference.
- 757 (e) If an individual refuses to accept discharge instructions, the local mental health
- 758 authority or the local mental health authority's designee shall document the refusal in
- 759 the individual's medical record.
- 760 (f) If an individual's discharge instructions include referrals to services under Subsection
- 761 (8)(b)(iii), the local mental health authority or the local mental health authority's
- 762 designee shall document those referrals in the individual's medical record.
- 763 (g) The local mental health authority shall attempt to follow up with a discharged
- 764 individual at least 48 hours after discharge, when appropriate, and may use peer
- 765 support professionals when performing follow-up care or developing a continuing
- 766 care plan.

767 Section 12. Section **26B-5-332** is amended to read:

768 **26B-5-332 (Effective 05/06/26). Involuntary commitment under court order --**

769 **Examination -- Hearing -- Power of court -- Findings required -- Costs.**

- 770 (1) A responsible individual who has credible knowledge of an adult's mental illness and
- 771 the condition or circumstances that have led to the adult's need to be involuntarily
- 772 committed may initiate an involuntary commitment court proceeding by filing, in the
- 773 court in the county where the proposed patient resides or is found, a written application
- 774 that includes:
- 775 (a) unless the court finds that the information is not reasonably available, the proposed
- 776 patient's:

- 777 (i) name;
- 778 (ii) date of birth; and
- 779 (iii) social security number;
- 780 (b)(i) a certificate of a licensed physician or a designated examiner stating that within
- 781 the seven-day period immediately preceding the certification, the physician or
- 782 designated examiner examined the proposed patient and is of the opinion that the
- 783 proposed patient has a mental illness and should be involuntarily committed; or
- 784 (ii) a written statement by the applicant that:
- 785 (A) the proposed patient has been requested to, but has refused to, submit to an
- 786 examination of mental condition by a licensed physician or designated
- 787 examiner;
- 788 (B) is sworn to under oath; and
- 789 (C) states the facts upon which the application is based; and
- 790 (c) a statement whether the proposed patient has previously been under an assisted
- 791 outpatient treatment order, if known by the applicant.
- 792 (2) Before issuing a judicial order, the court:
- 793 (a) shall require the applicant to consult with the appropriate local mental health
- 794 authority at or before the hearing; and
- 795 (b) may direct a mental health professional from the local mental health authority to
- 796 interview the applicant and the proposed patient to determine the existing facts and
- 797 report the existing facts to the court.
- 798 (3) The court may issue an order, directed to a mental health officer or peace officer, to
- 799 immediately place a proposed patient in the custody of a local mental health authority or
- 800 in a temporary emergency facility, as described in Section 26B-5-334, to be detained for
- 801 the purpose of examination if:
- 802 (a) the court finds from the application, any other statements under oath, or any reports
- 803 from a mental health professional that there is a reasonable basis to believe that the
- 804 proposed patient has a mental illness that poses a danger to self or others and requires
- 805 involuntary commitment pending examination and hearing; or
- 806 (b) the proposed patient refuses to submit to an interview with a mental health
- 807 professional as directed by the court or to go to a treatment facility voluntarily.
- 808 (4)(a) The court shall provide notice of commencement of proceedings for involuntary
- 809 commitment, setting forth the allegations of the application and any reported facts,
- 810 together with a copy of any official order of detention, to a proposed patient before,

811 or upon, placement of the proposed patient in the custody of a local mental health
812 authority or, with respect to any proposed patient presently in the custody of a local
813 mental health authority whose status is being changed from voluntary to involuntary,
814 upon the filing of an application for that purpose with the court.

815 (b) The place of detention shall maintain a copy of the order of detention.

816 (5)(a) The court shall provide notice of commencement of proceedings for involuntary
817 commitment as soon as practicable to the applicant, any legal guardian, any
818 immediate adult family members, legal counsel for the parties involved, the local
819 mental health authority or the local mental health authority's designee, and any other
820 persons whom the proposed patient or the court designates.

821 (b) Except as provided in Subsection (5)(c), the notice under Subsection (5)(a) shall
822 advise the persons that a hearing may be held within the time provided by law.

823 (c) If the proposed patient refuses to permit release of information necessary for
824 provisions of notice under this subsection, the court shall determine the extent of
825 notice.

826 (6) Proceedings for commitment of an individual under 18 years old to a local mental health
827 authority may be commenced in accordance with Part 4, Commitment of Persons Under
828 Age 18.

829 (7)(a) The court may, in the court's discretion, transfer the case to any other district court
830 within this state, if the transfer will not be adverse to the interest of the proposed
831 patient.

832 (b) If a case is transferred under Subsection (7)(a), the parties to the case may be
833 transferred and the local mental health authority may be substituted in accordance
834 with Utah Rules of Civil Procedure, Rule 25.

835 (8) Within 24 hours, excluding Saturdays, Sundays, and legal holidays, of the issuance of a
836 judicial order, or after commitment of a proposed patient to a local mental health
837 authority or the local mental health authority's designee under court order for detention
838 or examination, the court shall appoint two designated examiners:

839 (a) who did not sign the civil commitment application nor the civil commitment
840 certification under Subsection (1);

841 (b) one of whom is:

842 (i) a licensed physician; or

843 (ii) a psychiatric mental health nurse practitioner or a psychiatric mental health
844 clinical nurse specialist who:

- 845 (A) is nationally certified;
- 846 (B) is doctorally trained; and
- 847 (C) has at least two years of inpatient mental health experience, regardless of the
- 848 license the individual held at the time of that experience; and
- 849 (c) one of whom may be designated by the proposed patient or the proposed patient's
- 850 counsel, if that designated examiner is reasonably available.
- 851 (9) The court shall schedule a hearing to be held within 10 calendar days after the day on
- 852 which the designated examiners are appointed.
- 853 (10)(a) The designated examiners shall conduct the examinations separately.
- 854 (b) The designated examiners shall conduct the examinations:
- 855 (i) through telehealth unless the designated examiner determines that:
- 856 (A) a telehealth examination would not be sufficient to properly assess the
- 857 proposed patient;
- 858 (B) a telehealth examination would have a harmful effect on the proposed patient's
- 859 health; or
- 860 (C) an in-person examination can be conducted as effectively, conveniently, and
- 861 timely as an examination through telehealth; and
- 862 (ii) if the designated examiner determines, [~~pursuant to~~] in accordance with Subs
- 863 ection (10)(b)(i), that the examination should be conducted in person, at the home
- 864 of the proposed patient, at a hospital or other medical facility, or at any other
- 865 suitable place that is not likely to have a harmful effect on the proposed patient's
- 866 health.
- 867 (c) The designated examiners shall inform the proposed patient, if not represented by an
- 868 attorney:
- 869 (i) that the proposed patient does not have to say anything;
- 870 (ii) of the nature and reasons for the examination;
- 871 (iii) that the examination was ordered by the court;
- 872 (iv) that any information volunteered could form part of the basis for the proposed
- 873 patient's involuntary commitment;
- 874 (v) that findings resulting from the examination will be made available to the court;
- 875 and
- 876 (vi) that the designated examiner may, under court order, obtain the proposed
- 877 patient's mental health records.
- 878 (d) Within 24 hours of examining the proposed patient, a designated examiner shall

- 879 report to the court, orally or in writing, whether the proposed patient is mentally ill,
880 has agreed to voluntary commitment, as described in Section 26B-5-360, or has
881 acceptable programs available to the proposed patient without court proceedings.
- 882 (e) If a designated examiner reports orally under Subsection (10)(d), the designated
883 examiner shall immediately send a written report to the clerk of the court.
- 884 (11) If a designated examiner is unable to complete an examination on the first attempt
885 because the proposed patient refuses to submit to the examination, the court shall fix a
886 reasonable compensation to be paid to the examiner.
- 887 (12) If the local mental health authority, the local mental health authority's designee, or a
888 medical examiner determines before the court hearing that the conditions justifying the
889 findings leading to a commitment hearing no longer exist, the local mental health
890 authority, the local mental health authority's designee, or the medical examiner shall
891 immediately report the determination to the court.
- 892 (13)(a) The court shall terminate the proceedings and dismiss the application before the
893 hearing if both designated examiners inform the court that the proposed patient does
894 not meet the criteria in Subsection (16).
- 895 (b) The court may terminate the proceedings and dismiss the application at any time,
896 including before the hearing, if the designated examiners or the local mental health
897 authority or the local mental health authority's designee informs the court that the
898 proposed patient:
- 899 (i) has agreed to voluntary commitment, as described in Section 26B-5-360;
900 (ii) has acceptable options for treatment programs that are available without court
901 proceedings; or
902 (iii) meets the criteria for assisted outpatient treatment described in Section
903 26B-5-351.
- 904 (14)(a) Before the hearing, the court shall provide the proposed patient an opportunity to
905 be represented by counsel, and if neither the proposed patient nor others provide
906 counsel, the court shall appoint counsel and allow counsel sufficient time to consult
907 with the proposed patient before the hearing.
- 908 (b) In the case of an indigent proposed patient, the county in which the proposed patient
909 resides or is found shall make payment of reasonable attorney fees for counsel, as
910 determined by the court.
- 911 (15)(a)(i) The court shall afford the proposed patient, the applicant, and any other
912 person to whom notice is required to be given an opportunity to appear at the

- 913 hearing, to testify, and to present and cross-examine witnesses.
- 914 (ii) The court may, in the court's discretion, receive the testimony of any other person.
- 915 (iii) The court may allow a waiver of the proposed patient's right to appear for good
916 cause, which cause shall be set forth in the record, or an informed waiver by the
917 patient, which shall be included in the record.
- 918 (b) The court is authorized to exclude any person not necessary for the conduct of the
919 proceedings and may, upon motion of counsel, require the testimony of each
920 designated examiner to be given out of the presence of any other designated
921 examiners.
- 922 (c) The court shall:
- 923 (i) conduct the hearing in as informal a manner as may be consistent with orderly
924 procedure; and
- 925 (ii) while preserving the due process rights of the proposed patient:
- 926 (A) conduct the hearing remotely, in accordance with Utah Rules of Civil
927 Procedure, Rule 87, unless the court finds good cause under Rule 87 not to
928 conduct the hearing remotely; or
- 929 (B) if the court finds good cause under Rule 87 not to conduct the hearing
930 remotely, conduct the hearing in a physical setting that is not likely to have a
931 harmful effect on the mental health of the proposed patient.
- 932 (d) The court shall consider any relevant historical and material information that is
933 offered, subject to the rules of evidence, including reliable hearsay under Utah Rules
934 of Evidence, Rule 1102.
- 935 (e)(i) A local mental health authority or the local mental health authority's designee
936 or the physician in charge of the proposed patient's care shall, at the time of the
937 hearing, provide the court with the following information:
- 938 (A) the detention order;
- 939 (B) admission notes;
- 940 (C) the diagnosis;
- 941 (D) any doctors' orders;
- 942 (E) progress notes;
- 943 (F) nursing notes;
- 944 (G) medication records pertaining to the current commitment; and
- 945 (H) whether the proposed patient has previously been civilly committed or under
946 an order for assisted outpatient treatment.

947 (ii) The local mental health authority or the local mental health authority's designee
948 or the physician in charge of the proposed patient's care shall also supply the
949 information described in Subsection (15)(e)(i) to the proposed patient's counsel at
950 the time of the hearing, and at any time prior to the hearing upon request by the
951 proposed patient's counsel.

952 (16)(a) The court shall order commitment of an adult proposed patient to a local mental
953 health authority if, upon completion of the hearing and consideration of the
954 information presented, the court finds by clear and convincing evidence that:

955 (i)(A) the proposed patient has a mental illness;

956 (B) because of the proposed patient's mental illness the proposed patient poses a
957 substantial danger to self or others;

958 (C) the proposed patient lacks the ability to engage in a rational decision-making
959 process regarding the acceptance of mental treatment as demonstrated by
960 evidence of inability to weigh the possible risks of accepting or rejecting
961 treatment;

962 (D) there is no appropriate less-restrictive alternative to a court order of
963 commitment; and

964 (E) the local mental health authority can provide the proposed patient with
965 treatment that is adequate and appropriate to the proposed patient's conditions
966 and needs; or

967 (ii)(A) the proposed patient has been charged with a criminal offense;

968 (B) with respect to the charged offense, the proposed patient is found incompetent
969 to proceed as a result of a mental illness;

970 (C) the proposed patient has a mental illness;

971 (D) the proposed patient has a persistent unawareness of their mental illness and
972 the negative consequences of that illness, or within the preceding six months
973 has been requested or ordered to undergo mental health treatment but has
974 unreasonably refused to undergo that treatment;

975 (E) there is no appropriate less-restrictive alternative to a court order of
976 commitment; and

977 (F) the local mental health authority can provide the proposed patient with
978 treatment that is adequate and appropriate to the proposed patient's conditions
979 and needs.

980 (b)(i) If, at the hearing, the court determines that the proposed patient has a mental

981 illness but does not meet the other criteria described in Subsection (16)(a), the
982 court may consider whether the proposed patient meets the criteria for assisted
983 outpatient treatment under Section 26B-5-351.

984 (ii) The court may order the proposed patient to receive assisted outpatient treatment
985 in accordance with Section 26B-5-351 if, at the hearing, the court finds the
986 proposed patient meets the criteria for assisted outpatient treatment under Section
987 26B-5-351.

988 (iii) If the court determines that neither the criteria for commitment under Subsection
989 (16)(a) nor the criteria for assisted outpatient treatment under Section 26B-5-351
990 are met, the court shall dismiss the proceedings after the hearing.

991 (17)(a)(i) The court shall notify the appropriate mental health authority and the
992 division no later than two business days after the day on which the court enters an
993 order of commitment, including an order to extend the patient's treatment period.

994 [(i)] (ii) The order of commitment shall designate the period for which the patient
995 shall be treated.

996 [(ii)] (iii) If the patient is not under an order of commitment at the time of the hearing,
997 the patient's treatment period may not exceed six months without a review hearing.

998 [(iii)] (iv) Upon a review hearing, to be commenced before the expiration of the
999 previous order of commitment, an order for commitment may be for an
1000 indeterminate period, if the court finds by clear and convincing evidence that the
1001 criteria described in Subsection (16) will last for an indeterminate period.

1002 (b)(i) The court shall maintain a current list of all patients under the court's order of
1003 commitment and review the list to determine those patients who have been under
1004 an order of commitment for the court designated period.

1005 (ii) At least two weeks before the expiration of the designated period of any order of
1006 commitment still in effect, the court that entered the original order of commitment
1007 shall inform the appropriate local mental health authority or the local mental
1008 health authority's designee of the expiration.

1009 (iii) Upon receipt of the information described in Subsection (17)(b)(ii), the local
1010 mental health authority or the local mental health authority's designee shall
1011 immediately reexamine the reasons upon which the order of commitment was
1012 based.

1013 (iv) If, after reexamination under Subsection (17)(b)(iii), the local mental health
1014 authority or the local mental health authority's designee determines that the

1015 conditions justifying commitment no longer exist, the local mental health
1016 authority or the local mental health authority's designee shall discharge the patient
1017 from involuntary commitment and immediately report the discharge to the court
1018 and the division.

1019 (v) If, after reexamination under Subsection (17)(b)(iii), the local mental health
1020 authority or the local mental health authority's designee determines that the
1021 conditions justifying commitment continue to exist, the court shall immediately
1022 appoint two designated examiners and proceed under Subsections (8) through (14).

1023 (c)(i) The local mental health authority or the local mental health authority's designee
1024 responsible for the care of a patient under an order of commitment for an
1025 indeterminate period shall, at six-month intervals, reexamine the reasons upon
1026 which the order of indeterminate commitment was based.

1027 (ii) If the local mental health authority or the local mental health authority's designee
1028 determines that the conditions justifying commitment no longer exist, the local
1029 mental health authority or the local mental health authority's designee shall
1030 discharge the patient from the local mental health authority's or the local mental
1031 health authority designee's custody and immediately report the discharge to the
1032 court and the division.

1033 (iii) If the local mental health authority or the local mental health authority's designee
1034 determines that the conditions justifying commitment continue to exist, the local
1035 mental health authority or the local mental health authority's designee shall send a
1036 written report of the findings to the court.

1037 (iv) The local mental health authority or the local mental health authority's designee
1038 shall notify the patient and the patient's counsel of record in writing that the
1039 involuntary commitment will be continued under Subsection (17)(c)(iii), the
1040 reasons for the decision to continue, and that the patient has the right to a review
1041 hearing by making a request to the court.

1042 (v) Upon receiving a request under Subsection (17)(c)(iv), the court shall
1043 immediately appoint two designated examiners and proceed under Subsections (8)
1044 through (14).

1045 (18)(a) Any patient committed as a result of an original hearing or a patient's legally
1046 designated representative who is aggrieved by the findings, conclusions, and order of
1047 the court entered in the original hearing has the right to a new hearing upon filing a
1048 petition with the court within 30 days after the day on which the court entered the

- 1049 order.
- 1050 (b) The petition shall allege error or mistake in the findings, in which case the court shall
1051 appoint three impartial designated examiners previously unrelated to the case to
1052 conduct an additional examination of the patient.
- 1053 (c) Except as provided in Subsection (18)(b), the court shall, in all other respects,
1054 conduct the new hearing in the manner otherwise permitted.
- 1055 (19) The county in which the proposed patient resides or is found shall pay the costs of all
1056 proceedings under this section.
- 1057 (20)(a) A local mental health authority or the local mental health authority's designee
1058 shall provide discharge instructions to each individual committed under this section
1059 at or before the time the individual is discharged from the local mental health
1060 authority's custody, regardless of the circumstances under which the individual is
1061 discharged.
- 1062 (b) Discharge instructions provided under Subsection (20)(a) shall include:
- 1063 (i) a safety plan for the individual based on the individual's mental illness or mental
1064 or emotional state, if applicable;
- 1065 (ii) notification to the individual's primary care provider, if applicable;
- 1066 (iii) if the individual is discharged without food, housing, or economic security, a
1067 referral to appropriate services, if such services exist in the individual's
1068 community;
- 1069 (iv) the phone number to call or text for a crisis services hotline, and information
1070 about the availability of peer support services;
- 1071 (v) a copy of any psychiatric advance directive, if applicable;
- 1072 (vi) information about how to establish a psychiatric advance directive if one has not
1073 been completed;
- 1074 (vii) as applicable, information about medications that were changed or discontinued
1075 during the commitment;
- 1076 (viii) information about how to contact the local mental health authority or
1077 established provider as appropriate; and
- 1078 (ix) information about how to request a copy of the individual's medical record and
1079 how to access the electronic patient portal for the individual's medical record.
- 1080 (c) If an individual's medications were changed, or if an individual was prescribed new
1081 medications while committed under this section, discharge instructions provided
1082 under Subsection (20)(a) shall include a clinically appropriate supply of medications,

- 1083 as determined by a licensed health care provider, to allow the individual time to
1084 access another health care provider or follow-up appointment.
- 1085 (d) Discharge instructions shall be provided in paper or electronic format based on the
1086 individual's preference.
- 1087 (e) If an individual refuses to accept discharge instructions, the local mental health
1088 authority shall document the refusal in the individual's medical record.
- 1089 (f) If an individual's discharge instructions include referrals to services under Subsection
1090 (20)(b)(iii), the local mental health authority shall document those referrals in the
1091 individual's medical record.
- 1092 (g) The local mental health authority shall attempt to follow up with a discharged
1093 individual at least 48 hours after discharge, when appropriate, and may use peer
1094 support professionals when performing follow-up care or developing a continuing
1095 care plan.
- 1096 (21) If any provision of Subsection (16)(a)(ii) or the application of any provision of
1097 Subsection (16)(a)(ii) to any person or circumstance is held invalid by a court with
1098 jurisdiction, the remainder of Subsection (16)(a)(ii) shall be given effect without the
1099 invalid provision or application. The provisions of Subsection (16)(a)(ii) are severable.
1100 Section 13. Section **26B-5-351** is amended to read:
- 1101 **26B-5-351 (Effective 05/06/26). Assisted outpatient treatment proceedings.**
- 1102 (1) A responsible individual who has credible knowledge of an adult's mental illness and
1103 the condition or circumstances that have led to the adult's need for assisted outpatient
1104 treatment may file, in the court in the county where the proposed patient resides or is
1105 found, a written application that includes:
- 1106 (a) unless the court finds that the information is not reasonably available, the proposed
1107 patient's:
- 1108 (i) name;
- 1109 (ii) date of birth; and
- 1110 (iii) social security number; and
- 1111 (b)(i) a certificate of a licensed physician or a designated examiner stating that within
1112 the seven-day period immediately preceding the certification, the physician or
1113 designated examiner examined the proposed patient and is of the opinion that the
1114 proposed patient has a mental illness and should be involuntarily committed; or
- 1115 (ii) a written statement by the applicant that:
- 1116 (A) the proposed patient has been requested to, but has refused to, submit to an

1117 examination of mental condition by a licensed physician or designated
1118 examiner;

1119 (B) is sworn to under oath; and

1120 (C) states the facts upon which the application is based.

1121 (2)(a) Subject to Subsection (2)(b), before issuing a judicial order, the court may require
1122 the applicant to consult with the appropriate local mental health authority, and the
1123 court may direct a mental health professional from that local mental health authority
1124 to interview the applicant and the proposed patient to determine the existing facts and
1125 report them to the court.

1126 (b) The consultation described in Subsection (2)(a):

1127 (i) may take place at or before the hearing; and

1128 (ii) is required if the local mental health authority appears at the hearing.

1129 (3) If the proposed patient refuses to submit to an interview described in Subsection (2)(a)
1130 or an examination described in Subsection (8), the court may issue an order, directed to
1131 a mental health officer or peace officer, to immediately place the proposed patient into
1132 the custody of a local mental health authority or in a temporary emergency facility, as
1133 provided in Section 26B-5-334, to be detained for the purpose of examination.

1134 (4) Notice of commencement of proceedings for assisted outpatient treatment, setting forth
1135 the allegations of the application and any reported facts, together with a copy of any
1136 official order of detention, shall:

1137 (a) be provided by the court to a proposed patient before, or upon, placement into the
1138 custody of a local mental health authority or, with respect to any proposed patient
1139 presently in the custody of a local mental health authority;

1140 (b) be maintained at the proposed patient's place of detention, if any;

1141 (c) be provided by the court as soon as practicable to the applicant, any legal guardian,
1142 any immediate adult family members, legal counsel for the parties involved, the local
1143 mental health authority or its designee, and any other person whom the proposed
1144 patient or the court shall designate; and

1145 (d) advise that a hearing may be held within the time provided by law.

1146 (5) The court may, in its discretion, transfer the case to any other court within this state,
1147 provided that the transfer will not be adverse to the interest of the proposed patient.

1148 (6) Within 24 hours, excluding Saturdays, Sundays, and legal holidays, of the issuance of a
1149 judicial order, or after commitment of a proposed patient to a local mental health
1150 authority or its designee under court order for detention in order to complete an

- 1151 examination, the court shall appoint two designated examiners:
- 1152 (a) who did not sign the assisted outpatient treatment application nor the certification
- 1153 described in Subsection (1);
- 1154 (b) one of whom is a licensed physician; and
- 1155 (c) one of whom may be designated by the proposed patient or the proposed patient's
- 1156 counsel, if that designated examiner is reasonably available.
- 1157 (7) The court shall schedule a hearing to be held within 10 calendar days of the day on
- 1158 which the designated examiners are appointed.
- 1159 (8)(a) The designated examiners shall:
- 1160 [~~(a)~~] (i) conduct their examinations separately;
- 1161 [~~(b)~~] (ii) conduct the examinations at the home of the proposed patient, at a hospital or
- 1162 other medical facility, or at any other suitable place that is not likely to have a
- 1163 harmful effect on the proposed patient's health;
- 1164 [~~(c)~~] (iii) inform the proposed patient, if not represented by an attorney:
- 1165 [~~(i)~~] (A) that the proposed patient does not have to say anything;
- 1166 [~~(ii)~~] (B) of the nature and reasons for the examination;
- 1167 [~~(iii)~~] (C) that the examination was ordered by the court;
- 1168 [~~(iv)~~] (D) that any information volunteered could form part of the basis for the
- 1169 proposed patient to be ordered to receive assisted outpatient treatment; and
- 1170 [~~(v)~~] (E) that findings resulting from the examination will be made available to the
- 1171 court; and
- 1172 [~~(d)~~] (iv) within 24 hours of examining the proposed patient, report to the court, orally
- 1173 or in writing, whether the proposed patient is mentally ill.
- 1174 (b) If the designated examiner reports orally under Subsection (8)(a)(iv), the designated
- 1175 examiner shall immediately send a written report to the clerk of the court.
- 1176 (9) If a designated examiner is unable to complete an examination on the first attempt
- 1177 because the proposed patient refuses to submit to the examination, the court shall fix a
- 1178 reasonable compensation to be paid to the examiner.
- 1179 (10) If the local mental health authority, its designee, or a medical examiner determines
- 1180 before the court hearing that the conditions justifying the findings leading to an assisted
- 1181 outpatient treatment hearing no longer exist, the local mental health authority, its
- 1182 designee, or the medical examiner shall immediately report that determination to the
- 1183 court.
- 1184 (11) The court may terminate the proceedings and dismiss the application at any time,

1185 including prior to the hearing, if the designated examiners or the local mental health
1186 authority or its designee informs the court that the proposed patient does not meet the
1187 criteria in Subsection (14).

1188 (12) Before the hearing, an opportunity to be represented by counsel shall be afforded to the
1189 proposed patient, and if neither the proposed patient nor others provide counsel, the
1190 court shall appoint counsel and allow counsel sufficient time to consult with the
1191 proposed patient before the hearing. In the case of an indigent proposed patient, the
1192 payment of reasonable attorney fees for counsel, as determined by the court, shall be
1193 made by the county in which the proposed patient resides or is found.

1194 (13)(a) All persons to whom notice is required to be given shall be afforded an
1195 opportunity to appear at the hearing, to testify, and to present and cross-examine
1196 witnesses. The court may, in its discretion, receive the testimony of any other
1197 individual. The court may allow a waiver of the proposed patient's right to appear for
1198 good cause, which cause shall be set forth in the record, or an informed waiver by the
1199 patient, which shall be included in the record.

1200 (b) The court is authorized to exclude all individuals not necessary for the conduct of the
1201 proceedings and may, upon motion of counsel, require the testimony of each
1202 examiner to be given out of the presence of any other examiners.

1203 (c) The hearing shall be conducted in as informal a manner as may be consistent with
1204 orderly procedure, and in a physical setting that is not likely to have a harmful effect
1205 on the mental health of the proposed patient.

1206 (d) The court shall consider all relevant historical and material information that is
1207 offered, subject to the rules of evidence, including reliable hearsay under Rule 1102,
1208 Utah Rules of Evidence.

1209 (e)(i) A local mental health authority or its designee, or the physician in charge of the
1210 proposed patient's care shall, at the time of the hearing, provide the court with the
1211 following information:

1212 (A) the detention order, if any;

1213 (B) admission notes, if any;

1214 (C) the diagnosis, if any;

1215 (D) doctor's orders, if any;

1216 (E) progress notes, if any;

1217 (F) nursing notes, if any; and

1218 (G) medication records, if any.

- 1219 (ii) The information described in Subsection (13)(e)(i) shall also be provided to the
1220 proposed patient's counsel:
- 1221 (A) at the time of the hearing; and
1222 (B) at any time prior to the hearing, upon request.
- 1223 (14) The court shall order a proposed patient to assisted outpatient treatment if, upon
1224 completion of the hearing and consideration of the information presented, the court finds
1225 by clear and convincing evidence that:
- 1226 (a) the proposed patient has a mental illness;
1227 (b) there is no appropriate less-restrictive alternative to a court order for assisted
1228 outpatient treatment; and
1229 (c)(i) the proposed patient lacks the ability to engage in a rational decision-making
1230 process regarding the acceptance of mental health treatment, as demonstrated by
1231 evidence of inability to weigh the possible risks of accepting or rejecting
1232 treatment; or
1233 (ii) the proposed patient needs assisted outpatient treatment in order to prevent
1234 relapse or deterioration that is likely to result in the proposed patient posing a subs
1235 tantial danger to self or others.
- 1236 (15) The court may order the applicant or a close relative of the patient to be the patient's
1237 personal representative, as described in 45 C.F.R. Sec. 164.502(g), for purposes of the
1238 patient's mental health treatment.
- 1239 (16) In the absence of the findings described in Subsection (14), the court, after the hearing,
1240 shall dismiss the proceedings.
- 1241 (17)(a) The court shall notify the appropriate mental health authority and the division no
1242 later than two business days after the day on which the court enters an assisted
1243 outpatient treatment order, including an order extending the duration of an assisted
1244 outpatient treatment order.
- 1245 ~~[(a)]~~ (b) The assisted outpatient treatment order shall designate the period for which the
1246 patient shall be treated, which may not exceed 12 months without a review hearing.
- 1247 ~~[(b)]~~ (c) At a review hearing, the court may extend the duration of an assisted outpatient
1248 treatment order by up to 12 months, if:
- 1249 (i) the court finds by clear and convincing evidence that the patient meets the
1250 conditions described in Subsection (14); or
1251 (ii)(A) the patient does not appear at the review hearing;
1252 (B) notice of the review hearing was provided to the patient's last known address

1253 by the applicant described in Subsection (1) or by a local mental health
1254 authority; and

1255 (C) the patient has appeared in court or signed an informed waiver within the
1256 previous 18 months.

1257 ~~[(e)]~~ (d) The court shall maintain a current list of all patients under its order of assisted
1258 outpatient treatment.

1259 ~~[(d)]~~ (e) At least two weeks prior to the expiration of the designated period of any
1260 assisted outpatient treatment order still in effect, the court that entered the original
1261 order shall inform the appropriate local mental health authority or its designee.

1262 (18) Costs of all proceedings under this section shall be paid by the county in which the
1263 proposed patient resides or is found.

1264 (19) A court may not hold an individual in contempt for failure to comply with an assisted
1265 outpatient treatment order.

1266 (20) As provided in Section 31A-22-651, a health insurance provider may not deny an
1267 insured the benefits of the insured's policy solely because the health care that the insured
1268 receives is provided under a court order for assisted outpatient treatment.

1269 Section 14. Section **26B-5-384** is enacted to read:

1270 **26B-5-384** (Effective 05/06/26). **Statewide commitment database -- Restricted use**
1271 **and access.**

1272 (1) As used in this section:

1273 (a) "Committed individual" means an individual who has been committed under Section
1274 26B-5-331, 26B-5-332, or 26B-5-351.

1275 (b) "Committee" means the Health and Human Services Interim Committee.

1276 (2) The department shall establish by December 31, 2026, and shall maintain, a database of
1277 individuals committed under Sections 26B-5-331, 26B-5-332, and 26B-5-351.

1278 (3) The database shall include:

1279 (a) the name and identifying information of a committed individual;

1280 (b) the type of commitment and statute authorizing the commitment;

1281 (c) the status of the committed individual; and

1282 (d) any other information the department deems necessary to carry out the requirements
1283 of this section.

1284 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
1285 Administrative Rulemaking Act, to:

1286 (a) implement this section;

- 1287 (b) ensure the privacy of committed individuals, including by:
 1288 (i) establishing and restricting the permissible uses of the information in the database;
 1289 (ii) defining and restricting access to the database, including by identifying persons
 1290 who may have access to the database; and
 1291 (iii) ensuring the system contains tools for:
 1292 (A) logging;
 1293 (B) data loss prevention;
 1294 (C) identity management; and
 1295 (D) access management, including role-based access; and
 1296 (c) permit local mental health authorities to access civil commitments within the local
 1297 mental health authority's authority area.
 1298 (5) At or before the committee's November 2026 meeting, the department shall report to the
 1299 committee on the department's rules made in accordance with Subsection (4)(b) to
 1300 ensure the privacy of committed individuals.

1301 Section 15. Section **26B-5-611** is amended to read:

1302 **26B-5-611 (Effective 05/06/26). Suicide prevention -- Reporting requirements.**

- 1303 (1) As used in this section:
- 1304 (a) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201
 1305 within the Department of Public Safety.
- 1306 (b) "Coalition" means the Statewide Suicide Prevention [~~Coalition~~] Committee created
 1307 under Subsection (3).
- 1308 (c) "Commission" means the Utah Behavioral Health Commission created in Section
 1309 26B-5-702.
- 1310 (d) "Coordinator" means the state suicide prevention coordinator appointed under Subs
 1311 ection (2).
- 1312 (e) "Fund" means the Governor's Suicide Prevention Fund created in Section 26B-1-325.
- 1313 (f) "Intervention" means an effort to prevent a person from attempting suicide.
- 1314 (g) "Legal intervention" means an incident in which an individual is shot by another
 1315 individual who has legal authority to use deadly force.
- 1316 (h) "Postvention" means intervention after a suicide attempt or a suicide death to reduce
 1317 risk and promote healing.
- 1318 (i) "Shooter" means an individual who uses a gun in an act that results in the death of the
 1319 actor or another individual, whether the act was a suicide, homicide, legal
 1320 intervention, act of self-defense, or accident.

- 1321 (2) The ~~[division]~~ office shall appoint a state suicide prevention coordinator to~~[, under the~~
1322 ~~direction of the commission,]~~ administer a state suicide prevention program composed
1323 of suicide prevention, intervention, and postvention programs, services, and efforts.
- 1324 (3) The coordinator shall:
- 1325 (a) establish a Statewide Suicide Prevention Committee with membership from public
1326 and private organizations and Utah citizens; and
- 1327 (b) appoint a chair and co-chair from among the membership of the coalition to lead the
1328 coalition.
- 1329 (4) The state suicide prevention program may include the following components:
- 1330 (a) delivery of resources, tools, and training to community-based coalitions;
- 1331 (b) evidence-based suicide risk assessment tools and training;
- 1332 (c) town hall meetings for building community-based suicide prevention strategies;
- 1333 (d) suicide prevention gatekeeper training;
- 1334 (e) training to identify warning signs and to manage an at-risk individual's crisis;
- 1335 (f) evidence-based intervention training;
- 1336 (g) intervention skills training;
- 1337 (h) postvention training; or
- 1338 (i) a public education campaign to improve public awareness about warning signs of
1339 suicide and suicide prevention resources.
- 1340 (5) The coordinator shall coordinate with the following to gather statistics, among other
1341 duties:
- 1342 (a) local mental health and substance abuse authorities;
- 1343 (b) the State Board of Education, including the public education suicide prevention
1344 coordinator described in Section 53G-9-702;
- 1345 (c) applicable divisions and offices within the department;
- 1346 (d) health care providers, including emergency rooms;
- 1347 (e) federal agencies, including the Federal Bureau of Investigation;
- 1348 (f) other unbiased sources; and
- 1349 (g) other public health suicide prevention efforts.
- 1350 (6) The coordinator shall, in consultation with the bureau, implement and manage the
1351 operation of the firearm safety program described in Subsection 26B-5-102(3).
- 1352 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1353 division shall make rules:
- 1354 (a) governing the implementation of the state suicide prevention program, consistent

- 1355 with this section; and
- 1356 (b) in conjunction with the bureau, defining the criteria for employers to apply for grants
- 1357 under the Suicide Prevention Education Program described in Section 26B-5-110,
- 1358 which shall include:
- 1359 (i) attendance at the suicide prevention education course described in Subsection
- 1360 26B-5-102(3); and
- 1361 (ii) distribution of the firearm safety brochures or packets created in Subsection
- 1362 26B-5-102(3), but does not require the distribution of a cable-style gun lock with a
- 1363 firearm if the firearm already has a trigger lock or comparable safety mechanism.
- 1364 (8) As funding by the Legislature allows, the coordinator shall award grants, not to exceed a
- 1365 total of \$100,000 per fiscal year, to suicide prevention programs that focus on the needs
- 1366 of children who have been served by the Division of Juvenile Justice and Youth Services.
- 1367 Section 16. Section **26B-5-703** is amended to read:
- 1368 **26B-5-703 (Effective 05/06/26) (Repealed 07/01/29). Purpose -- Duties --**
- 1369 **Reporting.**
- 1370 (1) The purpose of the commission is to be the central authority for coordinating behavioral
- 1371 health initiatives between state and local governments, health systems, and other
- 1372 interested persons, to ensure that Utah's behavioral health systems are comprehensive,
- 1373 aligned, effective, and efficient.
- 1374 (2) To fulfill the commission's purpose, the commission shall:
- 1375 (a) establish a shared vision across public and private sectors for improving Utah's
- 1376 behavioral health systems;
- 1377 (b) make recommendations, including policy recommendations, and advise the
- 1378 governor, executive branch agencies, and the Legislature on matters pertaining to
- 1379 behavioral health;
- 1380 (c) provide feedback on proposed bills, rules, policies, and budgets relating to behavioral
- 1381 health;
- 1382 (d) encourage participation in the commission's work by individuals and populations
- 1383 directly impacted by behavioral health issues, including family members of
- 1384 individuals with behavioral health issues;
- 1385 (e) engage private sector payers, providers, and business and employer groups in the
- 1386 commission's work;
- 1387 (f) continually review and revise the master plan as appropriate;
- 1388 (g) identify priorities and lead efforts to implement and advance those priorities by

- 1389 coordinating and collaborating closely with public and private persons throughout the
1390 state;
- 1391 (h) identify areas where innovation is necessary to improve behavioral health access and
1392 care;
- 1393 (i) cooperate with the Utah System of Higher Education, the State Board of Education,
1394 the Division of Professional Licensing, the Utah Health Workforce Advisory
1395 Council, and the department to oversee the creation and implementation of
1396 behavioral health workforce initiatives for the state;
- 1397 (j) collaborate with the Utah State Hospital, the Department of Corrections, county jails,
1398 and the department;
- 1399 (k) regarding the interaction between an individual with a mental illness or an
1400 intellectual disability and the civil commitment system, criminal justice system, or
1401 juvenile justice system:
- 1402 (i) promote communication between and coordination among all agencies interacting
1403 with the individual;
- 1404 (ii) study, evaluate, and recommend changes to laws and procedures;
- 1405 (iii) identify and promote the implementation of specific policies and programs to
1406 deal fairly and efficiently with the individual; and
- 1407 (iv) promote judicial education;
- 1408 (l) study the long-term need for adult patient staffed beds at the state hospital, including:
- 1409 (i) the total number of staffed beds currently in use at the state hospital;
- 1410 (ii) the current staffed bed capacity at the state hospital;
- 1411 (iii) the projected total number of staffed beds needed in the adult general psychiatric
1412 unit of the state hospital over the next three, five, and 10 years based on:
- 1413 (A) the state's current and projected population growth;
- 1414 (B) current access to mental health resources in the community; and
- 1415 (C) any other factors the committee finds relevant to projecting the total number
1416 of staffed beds; and
- 1417 (iv) the cost associated with the projected total number of staffed beds described in
1418 Subsection (2)(l)(iii);
- 1419 ~~(k)~~ (m) oversee coordination for the funding, implementation, and evaluation of suicide
1420 prevention efforts described in Section 26B-5-611;
- 1421 ~~(l)~~ (n) develop methods or models for implementing and coherently communicating
1422 cross-sector strategies;

1423 ~~[(m)]~~ (o) hold the state's behavioral health systems accountable for clear, measurable
1424 outcomes; and

1425 ~~[(n)]~~ (p) maintain independence from the department and the governor such that the
1426 commission and its committees are able to provide independent advice and
1427 recommendations, especially regarding proposed bills and policy considerations.

1428 (3) The commission may delegate responsibilities to the commission's committees and
1429 subcommittees as the commission deems appropriate.

1430 ~~[(3)]~~ (4)(a) The commission shall meet at least quarterly, but may meet at other times as
1431 scheduled by the chair.

1432 (b) The chair of the commission shall set the agenda for each commission meeting with
1433 input from commission members and staff.

1434 (c) Notice of the time and place of a commission meeting shall be given to each member
1435 and to the public in compliance with Title 52, Chapter 4, Open and Public Meetings
1436 Act.

1437 (d) A commission meeting is open to the public unless the meeting or a portion of a
1438 meeting is closed by the commission pursuant to Section 52-4-204 or Section
1439 52-4-205.

1440 ~~[(4)]~~ (5) On or before December 31, 2024, the commission shall provide a report to the
1441 Legislature that includes:

1442 (a) recommendations for behavioral health measures and targets to be included in the
1443 next update to the master plan;

1444 (b) recommendations for consolidating into the commission other commissions,
1445 committees, subcommittees, task forces, working groups, or other bodies pertaining
1446 to behavioral health;

1447 (c) recommendations on the next steps for reviewing and potentially redefining state law
1448 and program options regarding county-based behavioral health services; and

1449 (d) recommendations on key budget priorities and key legislative policies for the 2025
1450 General Session and thereafter.

1451 ~~[(5)]~~ (6)(a) Beginning in 2025, by no later than September 30 of each year, the
1452 commission shall provide a report to the Health and Human Services Interim
1453 Committee that describes the commission's work during the preceding year and
1454 includes, in accordance with Section 26B-5-705, any legislative recommendations
1455 from the commission.

1456 (b) Before the commission submits a legislative recommendation to the Health and

1457 Human Services Interim Committee or the Legislature, the Legislative Policy
1458 Committee created in Section 26B-5-705 shall review the recommendation.
1459 [(6)] (7) Neither the commission nor a committee of the commission may obtain any
1460 individual's health or medical information, whether identifiable or deidentified, without
1461 first obtaining the consent of the individual or the individual's legal representative.

1462 Section 17. Section **26B-5-704** is amended to read:

1463 **26B-5-704 (Effective 05/06/26) (Repealed 07/01/29). Committees -- Creation --**
1464 **Duties.**

- 1465 (1) Each committee created under this part or formed by the commission in accordance
1466 with this section serves under the direction of the commission.
- 1467 (2) In addition to the committees created under this part or formed by the commission, the
1468 following are committees of the commission and shall serve under the direction of the
1469 commission to assist the commission in performing the commission's duties:
- 1470 (a) the Behavioral Health Crisis Response Committee created in Section 63C-18-202;
1471 (b) the Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health Policy
1472 Review Committee created in Section 26B-5-801; and
1473 (c) the Statewide Suicide Prevention Committee created under Section 26B-5-611.
- 1474 (3)(a) In addition to the committees described in Subsection (2) or created under this
1475 part, the commission may form committees to support the commission in fulfilling
1476 the commission's duties.
- 1477 (b) When forming a committee, the commission shall, except as provided in Subsection
1478 (4):
- 1479 (i) appoint members to the committee who represent a range of views and expertise;
1480 and
1481 (ii) adopt procedures and directives for the committee.
- 1482 (c) Unless otherwise provided for in statute, a member of a committee may not receive
1483 compensation or benefits for the member's service on the committee, but may receive
1484 per diem and travel expenses in accordance with:
- 1485 (i) Section 63A-3-106;
1486 (ii) Section 63A-3-107; and
1487 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 1488 (d) Compensation and expenses of a committee member who is a legislator are governed
1489 by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
1490 Expenses.

1491 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 1492 department may make rules, in consultation with the commission, to establish the
 1493 membership, procedures, and directives of a committee the commission forms.

1494 Section 18. Section **26B-5-705** is amended to read:

1495 **26B-5-705 (Effective 05/06/26) (Repealed 07/01/29). Legislative Policy**

1496 **Committee -- Creation -- Duties -- Staff.**

1497 (1) As used in this section, "committee" means the Legislative Policy Committee created in
 1498 Subsection (2).

1499 (2) Under the commission, there is created the Legislative Policy Committee.

1500 (3)(a) The committee is composed of five legislators, appointed as follows:

1501 (i) the speaker of the House of Representatives shall appoint one member of the
 1502 House of Representatives;

1503 (ii) the minority leader of the House of Representatives shall appoint one member of
 1504 the House of Representatives;

1505 (iii) the president of the Senate shall appoint one member of the Senate;

1506 (iv) the minority leader of the Senate shall appoint one member of the Senate; and

1507 (v) the speaker of the House of Representatives and the president of the Senate shall
 1508 jointly appoint one legislator.

1509 (b) The speaker, president, and minority leaders:

1510 (i) shall make the appointments described in Subsection (3)(a) after consulting with
 1511 the chairs of the Health and Human Services Interim Committee and the chairs of
 1512 the Social Services Appropriations Subcommittee; and

1513 (ii) are encouraged but not required to appoint to the committee legislators who are
 1514 members of one or more of the following:

1515 (A) the Health and Human Services Interim Committee; or

1516 (B) the Social Services Appropriations Subcommittee.

1517 (4) The speaker of the House of Representatives and the president of the Senate shall each
 1518 designate one of their appointees as a co-chair of the committee.

1519 (5) The individual who appoints a member of the committee may change the appointment
 1520 at any time.

1521 (6) The committee shall:

1522 (a) assist the commission and any of the commission's other committees with developing
 1523 policy and legislative recommendations; and

1524 (b) review any legislative recommendation proposed by the commission before the

1525 legislative recommendation is provided to the Health and Human Services Interim
1526 Committee or the Legislature.

1527 (7)(a) As used in this Subsection (7), "working group" means the working group the
1528 committee convenes as described in Subsection (7)(b).

1529 (b) The committee shall convene a working group to investigate, study, and make
1530 recommendations to the Legislature regarding the entity in the best position to serve
1531 as the central authority for coordinating behavioral health initiatives between state
1532 and local governments, health systems, and other interested persons to ensure that
1533 Utah's behavioral health systems are comprehensive, aligned, effective, and efficient.

1534 (c) In carrying out the duties described in Subsection (7)(b), the working group shall
1535 consider:

1536 (i) an entity's ability to gather and analyze data; and

1537 (ii) the most effective duties and governance structure for the central authority.

1538 (d) The working group shall make the recommendations described in Subsection (7)(b)
1539 to the Health and Human Services Interim Committee on or before the date of the
1540 committee's November 2026 interim meeting.

1541 [(7)] (8) The committee may:

1542 (a) submit its own proposed legislation to the commission for consideration; and

1543 (b) provide other services as requested by the commission.

1544 [(8)] (9)(a) A majority of the members of the committee constitutes a quorum.

1545 (b) The action of a majority of a quorum constitutes the action of the committee.

1546 [(9)] (10) The Office of Legislative Research and General Counsel shall provide staff
1547 support to the committee.

1548 Section 19. Section **26B-5-801** is amended to read:

1549 **Part 8. Utah Behavioral Health Policy Review Committee**

1550 **26B-5-801 (Effective 05/06/26) (Repealed 01/01/33). Definitions -- Creation of**
1551 **committee -- Membership -- Terms.**

1552 (1)(a) As used in this part, "committee" means the Utah [~~Substance Use and Mental~~
1553 ~~Health Advisory~~] Behavioral Health Policy Review Committee created in this section.

1554 (b) There is created within the department the Utah [~~Substance Use and Mental Health~~
1555 ~~Advisory~~] Behavioral Health Policy Review Committee, which serves under the
1556 direction of the Utah Behavioral Health Commission created in Section 26B-5-702.

1557 [(2) The committee shall be comprised of the following voting members:]

1558 [(a) the attorney general or the attorney general's designee;]

- 1559 [~~(b) one elected county official appointed by the Utah Association of Counties;~~]
1560 [~~(c) the commissioner of public safety or the commissioner's designee;~~]
1561 [~~(d) the director of the Division of Integrated Healthcare or the director's designee;~~]
1562 [~~(e) the state superintendent of public instruction or the superintendent's designee;~~]
1563 [~~(f) the executive director of the Department of Health and Human Services or the
1564 executive director's designee;~~]
1565 [~~(g) the executive director of the State Commission on Criminal and Juvenile Justice or
1566 the executive director's designee;~~]
1567 [~~(h) the executive director of the Department of Corrections or the executive director's
1568 designee;~~]
1569 [~~(i) the director of the Division of Juvenile Justice and Youth Services or the director's
1570 designee;~~]
1571 [~~(j) the director of the Division of Child and Family Services or the director's designee;~~]
1572 [~~(k) the chair of the Board of Pardons and Parole or the chair's designee;~~]
1573 [~~(l) the director of the Office of Multicultural Affairs or the director's designee;~~]
1574 [~~(m) the director of the Division of Indian Affairs or the director's designee;~~]
1575 [~~(n) the state court administrator or the state court administrator's designee;~~]
1576 [~~(o) one district court judge who presides over a drug court and who is appointed by the
1577 chief justice of the Utah Supreme Court;~~]
1578 [~~(p) one district court judge who presides over a mental health court and who is
1579 appointed by the chief justice of the Utah Supreme Court;~~]
1580 [~~(q) one juvenile court judge who presides over a drug court and who is appointed by the
1581 chief justice of the Utah Supreme Court;~~]
1582 [~~(r) one prosecutor appointed by the Statewide Association of Prosecutors;~~]
1583 [~~(s) the chair or co-chair of each subcommittee established by the committee;~~]
1584 [~~(t) the chair or co-chair of the Statewide Suicide Prevention Committee created under
1585 Subsection 26B-5-611(3);~~]
1586 [~~(u) one representative appointed by the Utah League of Cities and Towns to serve a
1587 four-year term;~~]
1588 [~~(v) the chair of the Utah Victim Services Commission or the chair's designee;~~]
1589 [~~(w) the superintendent of the Utah State Hospital or the superintendent's designee;~~]
1590 [~~(x) the following members appointed by the governor to serve four-year terms:~~]
1591 [~~(i) one resident of the state who has been personally affected by a substance use or
1592 mental health disorder; and]~~

1593 ~~[(ii) one citizen representative; and]~~
 1594 ~~[(y) in addition to the voting members described in Subsections (2)(a) through (x), the~~
 1595 ~~following voting members appointed by a majority of the members described in~~
 1596 ~~Subsections (2)(a) through (x) to serve four-year terms:]~~
 1597 ~~[(i) one resident of the state who represents a statewide advocacy organization for~~
 1598 ~~recovery from substance use disorders;]~~
 1599 ~~[(ii) one resident of the state who represents a statewide advocacy organization for~~
 1600 ~~recovery from mental illness;]~~
 1601 ~~[(iii) one resident of the state who represents a statewide advocacy organization for~~
 1602 ~~protection of rights of individuals with a disability;]~~
 1603 ~~[(iv) one resident of the state who represents prevention professionals;]~~
 1604 ~~[(v) one resident of the state who represents treatment professionals;]~~
 1605 ~~[(vi) one resident of the state who represents the physical health care field;]~~
 1606 ~~[(vii) one resident of the state who is a criminal defense attorney;]~~
 1607 ~~[(viii) one resident of the state who is a military servicemember or military veteran~~
 1608 ~~under Section 53H-11-202;]~~
 1609 ~~[(ix) one resident of the state who represents local law enforcement agencies;]~~
 1610 ~~[(x) one representative of private service providers that serve youth with substance~~
 1611 ~~use disorders or mental health disorders; and]~~
 1612 ~~[(xi) one resident of the state who is certified by the Division of Integrated~~
 1613 ~~Healthcare as a peer support specialist as described in Subsection~~
 1614 ~~26B-5-102(2)(gg).]~~

1615 ~~[(3) An individual other than an individual described in Subsection (2) may not be~~
 1616 ~~appointed as a voting member of the committee.]~~

1617 ~~(2) The department, in consultation with the Behavioral Health Commission, shall make~~
 1618 ~~rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to~~
 1619 ~~establish the members of the committee.~~

1620 Section 20. Section **26B-5-802** is amended to read:

1621 **26B-5-802 (Effective 05/06/26) (Repealed 01/01/33). Chair -- Vacancies --**

1622 **Quorum -- Expenses.**

1623 (1) The Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health Policy Review
 1624 Committee shall annually select one of [its] the committee's members to serve as chair
 1625 and [~~one of its~~] two of the committee's members to serve as [~~vice chair~~] vice chairs.

1626 (2) When a vacancy occurs in the membership for any reason, the replacement shall be

1627 appointed for the unexpired term in the same manner as the position was originally filled.

1628 (3) A majority of the members of the committee constitutes a quorum.

1629 (4) A member may not receive compensation or benefits for the member's service, but may
1630 receive per diem and travel expenses as allowed in:

1631 (a) Section 63A-3-106;

1632 (b) Section 63A-3-107; and

1633 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
1634 63A-3-107.

1635 (5) The committee may establish subcommittees as needed to assist in accomplishing [its]
1636 the committee's duties under Section 26B-5-803.

1637 Section 21. Section **26B-5-803** is amended to read:

1638 **26B-5-803 (Effective 05/06/26) (Repealed 01/01/33). Duties of committee.**

1639 (1) Under the direction of the Utah Behavioral Health Commission created in Section
1640 26B-5-702, the Utah [~~Substance Use and Mental Health Advisory~~] Behavioral Health
1641 Policy Review Committee shall:

1642 [~~(a) provide leadership and generate unity for Utah's ongoing efforts to reduce and~~
1643 ~~eliminate the impact of substance use and mental health disorders in Utah through a~~
1644 ~~comprehensive and evidence-based prevention, treatment, and justice strategy;]~~

1645 [~~(b) recommend and coordinate the creation, dissemination, and implementation of~~
1646 ~~statewide policies to address substance use and mental health disorders;]~~

1647 [~~(c) facilitate planning for a balanced continuum of substance use and mental health~~
1648 ~~disorder prevention, treatment, and justice services;]~~

1649 [~~(d) promote collaboration and mutually beneficial public and private partnerships;]~~

1650 [(e)] (a) coordinate recommendations made by any subcommittee created under Section
1651 26B-5-802;

1652 [(f)] (b) analyze and provide an objective assessment of all proposed legislation
1653 concerning substance use, mental health, forensic mental health, and related issues;
1654 and

1655 (c) advise the commission on behavioral health policy, proposed legislation, and
1656 procedures.

1657 [(g) comply with Section 32B-2-306;]

1658 [(h) advise the Department of Health and Human Services regarding the state hospital
1659 admissions policy for individuals in the custody of the Department of Corrections;]

1660 [(i) regarding the interaction between an individual with a mental illness or an

- 1661 intellectual disability and the civil commitment system, criminal justice system, or
 1662 juvenile justice system;]
- 1663 [~~(i) promote communication between and coordination among all agencies interacting~~
 1664 ~~with the individual;]~~
- 1665 [~~(ii) study, evaluate, and recommend changes to laws and procedures;]~~
- 1666 [~~(iii) identify and promote the implementation of specific policies and programs to~~
 1667 ~~deal fairly and efficiently with the individual; and]~~
- 1668 [~~(iv) promote judicial education;]~~
- 1669 [~~(j) study the long-term need for adult patient staffed beds at the state hospital, including:]~~
- 1670 [~~(i) the total number of staffed beds currently in use at the state hospital;]~~
- 1671 [~~(ii) the current staffed bed capacity at the state hospital;]~~
- 1672 [~~(iii) the projected total number of staffed beds needed in the adult general~~
 1673 ~~psychiatric unit of the state hospital over the next three, five, and 10 years based~~
 1674 ~~on:]~~
- 1675 [~~(A) the state's current and projected population growth;]~~
- 1676 [~~(B) current access to mental health resources in the community; and]~~
- 1677 [~~(C) any other factors the committee finds relevant to projecting the total number~~
 1678 ~~of staffed beds; and]~~
- 1679 [~~(iv) the cost associated with the projected total number of staffed beds described in~~
 1680 ~~Subsection (1)(j)(iii); and]~~
- 1681 [~~(k) each year report on whether the pay of the state hospital's employees is adequate~~
 1682 ~~based on market conditions.]~~
- 1683 (2) The committee shall meet quarterly or more frequently as determined necessary by the
 1684 chair.
- 1685 (3) The committee shall report~~[:]~~ any recommendations annually to the commission, the
 1686 governor, and the Legislature.
- 1687 [~~(a) with the assistance and staff support from the state hospital, regarding the items~~
 1688 ~~described in Subsections (1)(j) and (k), including any recommendations, to the Utah~~
 1689 ~~Behavioral Health Commission on or before July 31 of each year; and]~~
- 1690 [~~(b) any other recommendations annually to the commission, the governor, the~~
 1691 ~~Legislature, and the Judicial Council.]~~
- 1692 Section 22. Section **26B-8-233** is enacted to read:
- 1693 **26B-8-233 (Effective 05/06/26). Family outreach specialist.**
- 1694 (1) With funds appropriated by the Legislature for this purpose, the department shall

1695 provide compensation, at a standard rate determined by the department, to a family
 1696 outreach specialist.

1697 (2) The family outreach specialist shall:

1698 (a) engage with relatives or the legal guardian of an individual who has recently died by
 1699 suicide or overdose to better understand the circumstances that precede a suicide or
 1700 drug-related death, including by:

1701 (i) contacting next of kin;

1702 (ii) collecting information in an interview;

1703 (iii) assessing next of kin; and

1704 (iv) providing targeted bereavement care; and

1705 (b) assist the medical examiner with suicide intervention, prevention, and postvention,
 1706 including:

1707 (i) mortality surveillance;

1708 (ii) research coordination;

1709 (iii) data management and analysis; and

1710 (iv) epidemiological surveillance.

1711 Section 23. Section **32B-2-306** is amended to read:

1712 **32B-2-306 (Effective 05/06/26) (Partially Repealed 01/01/33). Underage drinking**
 1713 **prevention media and education campaign.**

1714 (1) As used in this section[;], "restricted account" means the Underage Drinking Prevention
 1715 Media and Education Campaign Restricted Account created in this section.

1716 [~~(a) "Advisory committee" means the Utah Substance Use and Mental Health Advisory~~
 1717 ~~Committee created in Section 26B-5-801.]~~

1718 [~~(b) "Restricted account" means the Underage Drinking Prevention Media and~~
 1719 ~~Education Campaign Restricted Account created in this section.]~~

1720 (2)(a) There is created a restricted account within the General Fund known as the

1721 "Underage Drinking Prevention Media and Education Campaign Restricted Account."

1722 (b) The restricted account consists of:

1723 (i) deposits made under Subsection (3); and

1724 (ii) interest earned on the restricted account.

1725 (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor with
 1726 the state treasurer, as determined by the total gross revenue collected for the fiscal year
 1727 two years preceding the fiscal year for which the deposit is made, to be credited to the
 1728 restricted account and to be used by the department as provided in Subsection (5).

- 1729 (4)(a) ~~Before January 1, 2033, the advisory committee shall:]~~
- 1730 ~~[(i) provide ongoing oversight of a media and education campaign funded under this~~
- 1731 ~~section;]~~
- 1732 ~~[(ii) create an underage drinking prevention workgroup consistent with guidelines~~
- 1733 ~~proposed by the advisory committee related to the membership and duties of the~~
- 1734 ~~underage drinking prevention workgroup;]~~
- 1735 ~~[(iii) create guidelines for how money appropriated for a media and education~~
- 1736 ~~campaign can be used;]~~
- 1737 ~~[(iv) include in the guidelines established pursuant to this Subsection (4) that a media~~
- 1738 ~~and education campaign funded under this section is carefully researched and~~
- 1739 ~~developed, and appropriate for target groups; and]~~
- 1740 ~~[(v) approve plans submitted by the department in accordance with Subsection (5).]~~
- 1741 ~~[(b) On or after January 1, 2033, the] The department shall:~~
- 1742 ~~[(i)] (a) provide ongoing oversight of a media and education campaign funded under this~~
- 1743 ~~section;~~
- 1744 ~~[(ii)] (b) create guidelines for how money appropriated for a media and education~~
- 1745 ~~campaign can be used; and~~
- 1746 ~~[(iii)] (c) include in the guidelines [established pursuant to this Subsection (4)] that a~~
- 1747 ~~media and education campaign funded under this section is carefully researched and~~
- 1748 ~~developed, and appropriate for target groups.~~
- 1749 (5)(a) Subject to appropriation from the Legislature, the department shall expend money
- 1750 from the restricted account to direct and fund one or more media and education
- 1751 campaigns designed to reduce underage drinking ~~[in cooperation with the advisory~~
- 1752 ~~committee, subject to the advisory committee being in effect under Section 63I-1-232].~~
- 1753 (b)(i) ~~Before January 1, 2033, the department shall:]~~
- 1754 ~~[(A) in cooperation with the underage drinking prevention workgroup created~~
- 1755 ~~under Subsection (4), prepare and submit a plan to the advisory committee~~
- 1756 ~~detailing the intended use of the money appropriated under this section;]~~
- 1757 ~~[(B) upon approval of the plan by the advisory committee, conduct the media and~~
- 1758 ~~education campaign in accordance with the guidelines made by the advisory~~
- 1759 ~~committee; and]~~
- 1760 ~~[(C) submit to the advisory committee annually by no later than October 1, a~~
- 1761 ~~written report detailing the use of the money for the media and education~~
- 1762 ~~campaigns conducted under this Subsection (5) and the impact and results of~~

1763 the use of the money during the prior fiscal year ending June 30.]

1764 [~~(ii)~~ On or after January 1, 2033, the] The department shall:

1765 [~~(A)~~] (i) prepare a plan detailing the intended use of the money appropriated under
1766 this section; [~~and~~]

1767 [~~(B)~~] (ii) conduct the media and education campaign in accordance with the
1768 guidelines created by the department under Subsection (4)(b) [~~;~~] and

1769 (iii) coordinate and maintain ongoing communications and collaboration with public
1770 entities and private organizations to reduce underage drinking.

1771 (c) The department shall annually, no later than October 1 for the fiscal year ending on
1772 June 30 of that calendar year, report to the Utah Behavioral Health Commission on:

1773 (i) the media and education campaign, including the campaign's impact; and

1774 (ii) the results of the efforts to reduce underage drinking.

1775 Section 24. Section **32B-2-402** is amended to read:

1776 **32B-2-402 (Effective 05/06/26) (Partially Repealed 01/01/33). Definitions --**

1777 **Calculations.**

1778 (1) As used in this part:

1779 (a) "Account" means the Alcoholic Beverage and Substance Abuse Enforcement and
1780 Treatment Restricted Account created in Section 32B-2-403.

1781 [~~(b)~~] "Advisory committee" ~~means the Utah Substance Use and Mental Health Advisory~~
1782 ~~Committee created in Section 26B-5-801.]~~

1783 [~~(e)~~] (b) "Alcohol-related offense" means:

1784 (i) a violation of:

1785 (A) Section 41-6a-502; or

1786 (B) an ordinance that complies with the requirements of:

1787 (I) Subsection 41-6a-510(1); or

1788 (II) Section 76-5-207; or

1789 (ii) an offense involving the illegal:

1790 (A) sale of an alcoholic product;

1791 (B) consumption of an alcoholic product;

1792 (C) distribution of an alcoholic product;

1793 (D) transportation of an alcoholic product; or

1794 (E) possession of an alcoholic product.

1795 [~~(d)~~] (c) "Annual conviction time period" means the time period that:

1796 (i) begins on July 1 and ends on June 30; and

- 1797 (ii) immediately precedes the fiscal year for which an appropriation under this part is
1798 made.
- 1799 (d) "Behavioral Health Commission" means the Utah Behavioral Health Commission
1800 created in Section 26B-5-702.
- 1801 (e) "Municipality" means a city or town.
- 1802 (f)(i) "Prevention" is as defined by rule, in accordance with Title 63G, Chapter 3,
1803 Utah Administrative Rulemaking Act, by the Division of Integrated Healthcare
1804 within the Department of Health and Human Services.
- 1805 (ii) In defining the term "prevention," the Division of Substance Abuse and Mental
1806 Health shall:
- 1807 (A) include only evidence-based or evidence-informed programs; and
1808 (B) provide for coordination with local substance abuse authorities designated to
1809 provide substance abuse services in accordance with Section 17-77-201.
- 1810 (2) For purposes of Subsection 32B-2-404(1)(b)(iii), the number of premises located within
1811 the limits of a municipality or county:
- 1812 (a) is the number determined by the department to be so located;
1813 (b) includes the aggregate number of premises of the following:
1814 (i) a state store;
1815 (ii) a package agency; and
1816 (iii) a retail licensee; and
1817 (c) for a county, consists only of the number located within an unincorporated area of
1818 the county.
- 1819 (3) The department shall determine:
- 1820 (a) a population figure according to the most current population estimate prepared by the
1821 Utah Population Committee;
1822 (b) a county's population for the 25% distribution to municipalities and counties under
1823 Subsection 32B-2-404(1)(b)(i) only with reference to the population in the
1824 unincorporated areas of the county; and
1825 (c) a county's population for the 25% distribution to counties under Subsection
1826 32B-2-404(1)(b)(iv) only with reference to the total population in the county,
1827 including that of a municipality.
- 1828 (4)(a) A conviction occurs in the municipality or county that actually prosecutes the
1829 offense to judgment.
1830 (b) If a conviction is based upon a guilty plea, the conviction is considered to occur in

1831 the municipality or county that, except for the guilty plea, would have prosecuted the
1832 offense.

1833 Section 25. Section **32B-2-404** is amended to read:

1834 **32B-2-404 (Effective 05/06/26). Alcoholic Beverage and Substance Abuse**
1835 **Enforcement and Treatment Restricted Account distribution.**

1836 (1)(a) The money deposited into the account under Section 32B-2-403 shall be
1837 distributed to municipalities and counties:

1838 (i) to the extent appropriated by the Legislature, except that the Legislature shall
1839 appropriate each fiscal year an amount equal to at least the amount deposited in
1840 the account in accordance with Section 59-15-109; and

1841 (ii) as provided in this Subsection (1).

1842 (b) The amount appropriated from the account shall be distributed as follows:

1843 (i) 25% to municipalities and counties on the basis of the percentage of the state
1844 population residing in each municipality and county;

1845 (ii) 30% to municipalities and counties on the basis of each municipality's and
1846 county's percentage of the statewide convictions for all alcohol-related offenses;

1847 (iii) 20% to municipalities and counties on the basis of the percentage of the
1848 following in the state that are located in each municipality and county:

1849 (A) state stores;

1850 (B) package agencies;

1851 (C) retail licensees; and

1852 (D) off-premise beer retailers; and

1853 (iv) 25% to the counties for confinement and treatment purposes authorized by this
1854 part on the basis of the percentage of the state population located in each county.

1855 (c)(i) Except as provided in Subsection (1)(c)(ii), if a municipality does not have a
1856 law enforcement agency:

1857 (A) the municipality may not receive money under this part; and

1858 (B) the State Tax Commission:

1859 (I) may not distribute the money the municipality would receive but for the
1860 municipality not having a law enforcement agency to that municipality; and

1861 (II) shall distribute the money that the municipality would have received but
1862 for it not having a law enforcement agency to the county in which the
1863 municipality is located for use by the county in accordance with this part.

1864 (ii) If the [~~advisory committee, before January 1, 2033~~] Behavioral Health

1865 Commission, before July 1, 2029, or the department, on or after [January 1, 2033]
 1866 July 1, 2029, finds that a municipality described in Subsection (1)(c)(i)
 1867 demonstrates that the municipality can use the money that the municipality is
 1868 otherwise eligible to receive in accordance with this part, the [advisory committee,
 1869 before January 1, 2033] Behavioral Health Commission, before July 1, 2029, or
 1870 the department, on or after [January 1, 2033] July 1, 2029, may direct the State Tax
 1871 Commission to distribute the money to the municipality.

1872 (2) To determine the distribution required by Subsection (1)(b)(ii), the State Tax
 1873 Commission shall annually:

1874 (a) for an annual conviction time period:

1875 (i) multiply by two the total number of convictions in the state obtained during the
 1876 annual conviction time period for violation of:

1877 (A) Section 41-6a-502; or

1878 (B) an ordinance that complies with the requirements of Subsection 41-6a-510(1)
 1879 or Section 76-5-207; and

1880 (ii) add to the number calculated under Subsection (2)(a)(i) the number of
 1881 convictions obtained during the annual conviction time period for the
 1882 alcohol-related offenses other than the alcohol-related offenses described in
 1883 Subsection (2)(a)(i);

1884 (b) divide an amount equal to 30% of the appropriation for that fiscal year by the sum
 1885 obtained in Subsection (2)(a); and

1886 (c) multiply the amount calculated under Subsection (2)(b), by the number of
 1887 convictions obtained in each municipality and county during the annual conviction
 1888 time period for alcohol-related offenses.

1889 (3) By not later than September 1 each year:

1890 (a) the state court administrator shall certify to the State Tax Commission the number of
 1891 convictions obtained for alcohol-related offenses in each municipality or county in
 1892 the state during the annual conviction time period; and

1893 (b) the ~~[advisory committee, before January 1, 2033]~~ Behavioral Health Commission,
 1894 before July 1, 2029, or the department, on or after [January 1, 2033] July 1, 2029,
 1895 shall notify the State Tax Commission of any municipality that does not have a law
 1896 enforcement agency.

1897 (4) By not later than December 1 of each year, the ~~[advisory committee, before January 1,~~
 1898 2033] Behavioral Health Commission, before July 1, 2029, or the department, on or after [

- 1899 January 1, 2033] July 1, 2029, shall notify the State Tax Commission for the fiscal year
 1900 of appropriation of:
- 1901 (a) a municipality that may receive a distribution under Subsection (1)(c)(ii);
- 1902 (b) a county that may receive a distribution allocated to a municipality described in Subs
 1903 ection (1)(c)(i);
- 1904 (c) a municipality or county that may not receive a distribution because the [~~advisory~~
 1905 ~~committee, before January 1, 2033]~~ Behavioral Health Commission, before July 1,
 1906 2029, or the department, on or after [~~January 1, 2033]~~ July 1, 2029, has suspended the
 1907 payment under Subsection 32B-2-405(2)(a); and
- 1908 (d) a municipality or county that receives a distribution because the suspension of
 1909 payment has been cancelled under Subsection 32B-2-405(2).
- 1910 (5)(a) By not later than January 1 of the fiscal year of appropriation, the State Tax
 1911 Commission shall annually distribute to each municipality and county the portion of
 1912 the appropriation that the municipality or county is eligible to receive under this part,
 1913 except for any municipality or county that the [~~advisory committee, before January 1,~~
 1914 ~~2033]~~ Behavioral Health Commission, before July 1, 2029, or the department, on or
 1915 after [~~January 1, 2033]~~ July 1, 2029, notifies the State Tax Commission in accordance
 1916 with Subsection (4) may not receive a distribution in that fiscal year.
- 1917 (b)(i) The [~~advisory committee, before January 1, 2033]~~ Behavioral Health
 1918 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033]~~
 1919 July 1, 2029, shall prepare forms for use by a municipality or county in applying
 1920 for a distribution under this part.
- 1921 (ii) A form described in this Subsection (5) may require the submission of
 1922 information the [~~advisory committee, before January 1, 2033]~~ Behavioral Health
 1923 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033]~~
 1924 July 1, 2029, considers necessary to enable the State Tax Commission to comply
 1925 with this part.

1926 Section 26. Section **32B-2-405** is amended to read:

1927 **32B-2-405 (Effective 05/06/26). Reporting by municipalities and counties --**
 1928 **Grants.**

- 1929 (1) A municipality or county that receives money under this part during a fiscal year shall
 1930 by no later than October 1 following the fiscal year:
- 1931 (a) report to the [~~advisory committee, before January 1, 2033]~~ Behavioral Health
 1932 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033]~~

- 1933 July 1, 2029:
- 1934 (i) the programs or projects of the municipality or county that receive money under
- 1935 this part;
- 1936 (ii) if the money for programs or projects were exclusively used as required by Subs
- 1937 ection 32B-2-403(2);
- 1938 (iii) indicators of whether the programs or projects that receive money under this part
- 1939 are effective; and
- 1940 (iv) if money received under this part was not expended by the municipality or
- 1941 county; and
- 1942 (b) provide the [~~advisory committee, before January 1, 2033~~] Behavioral Health
- 1943 Commission, before July 1, 2029, or the department, on or after [~~January 1, 2033~~]
- 1944 July 1, 2029, a statement signed by the chief executive officer of the county or
- 1945 municipality attesting that the money received under this part was used in addition to
- 1946 money appropriated or otherwise available for the county's or municipality's law
- 1947 enforcement and was not used to supplant that money.
- 1948 (2) The [~~advisory committee, before January 1, 2033~~] Behavioral Health Commission,
- 1949 before July 1, 2029, may, by a majority vote, or the department, on or after [~~January 1,~~
- 1950 ~~2033~~] July 1, 2029, may:
- 1951 (a) suspend future payments under Subsection 32B-2-404(4) to a municipality or county
- 1952 that:
- 1953 (i) does not file a report that meets the requirements of Subsection (1); or
- 1954 (ii) the [~~advisory committee, before January 1, 2033~~] Behavioral Health Commission,
- 1955 before July 1, 2029, or the department, on or after [~~January 1, 2033~~] July 1, 2029,
- 1956 finds does not use the money as required by Subsection 32B-2-403(2) on the basis
- 1957 of the report filed by the municipality or county under Subsection (1); and
- 1958 (b) cancel a suspension under Subsection (2)(a).
- 1959 (3) The State Tax Commission shall notify the [~~advisory committee, before January 1, 2033~~]
- 1960 Behavioral Health Commission, before July 1, 2029, or the department, on or after [~~January 1,~~
- 1961 ~~2033~~] July 1, 2029, of the balance of any undistributed money after the annual
- 1962 distribution under Subsection 32B-2-404(5).
- 1963 (4)(a) Subject to the requirements of this Subsection (4), the [~~advisory committee, before~~
- 1964 ~~January 1, 2033~~] Behavioral Health Commission, before July 1, 2029, or the
- 1965 department, on or after [~~January 1, 2033~~] July 1, 2029, shall award the balance of
- 1966 undistributed money under Subsection (3):

- 1967 (i) as prioritized by majority vote of the [~~advisory committee, before January 1, 2033]~~
 1968 Behavioral Health Commission, before July 1, 2029, or by the department, on or
 1969 after [~~January 1, 2033]~~ July 1, 2029; and
- 1970 (ii) as grants to:
- 1971 (A) a county;
- 1972 (B) a municipality;
- 1973 (C) the department;
- 1974 (D) the Department of Health and Human Services;
- 1975 (E) the Department of Public Safety; or
- 1976 (F) the State Board of Education.
- 1977 (b) By not later than May 30 of the fiscal year of the appropriation, the [~~advisory~~
 1978 ~~committee, before January 1, 2033]~~ Behavioral Health Commission, before July 1,
 1979 2029, or the department, on or after [~~January 1, 2033]~~ July 1, 2029, shall notify the
 1980 State Tax Commission of grants awarded under this Subsection (4).
- 1981 (c) The State Tax Commission shall make payments of a grant:
- 1982 (i) upon receiving notice as provided under Subsection (4)(b); and
- 1983 (ii) by not later than June 30 of the fiscal year of the appropriation.
- 1984 (d) An entity that receives a grant under this Subsection (4) shall use the grant money
 1985 exclusively for programs or projects described in Subsection 32B-2-403(2).
- 1986 Section 27. Section **32B-7-305** is amended to read:
- 1987 **32B-7-305 (Effective 05/06/26). Tracking of enforcement actions -- Costs of**
 1988 **enforcement actions.**
- 1989 (1) The Department of Public Safety shall administer a program to reimburse a municipal
 1990 or county law enforcement agency:
- 1991 (a) for the actual costs of an alcohol-related compliance check investigation conducted [
 1992 ~~pursuant to]~~ in accordance with Section 77-39-101 on the premises of an off-premise
 1993 beer retailer;
- 1994 (b) for administrative costs associated with reporting the compliance check investigation
 1995 described in Subsection (1)(a);
- 1996 (c) if the municipal or county law enforcement agency completes and submits to the
 1997 Department of Public Safety a report within 90 days after the day on which the
 1998 compliance check investigation described in Subsection (1)(a) occurs in a format
 1999 required by the Department of Public Safety; and
- 2000 (d) in the order that the municipal or county law enforcement agency submits the report

2001 required by Subsection (1)(c) until the amount allocated by the Department of Public
 2002 Safety to reimburse a municipal or county law enforcement agency is spent.

2003 (2) By no later than October 1 of each year, the Department of Public Safety shall report to
 2004 the [~~Utah Substance Use and Mental Health Advisory Committee~~] Utah Behavioral
 2005 Health Commission on the compliance check investigations:

2006 (a) funded during the previous fiscal year; and

2007 (b) reimbursed under Subsection (1).

2008 Section 28. Section **35A-16-212** is amended to read:

2009 **35A-16-212 (Effective 05/06/26) (Repealed 07/01/28). Property Loss Related to**
 2010 **Homelessness Compensation Enterprise Fund.**

2011 (1) As used in this part:

2012 (a) "Fund" means the Property Loss Related to Homelessness Compensation Enterprise
 2013 Fund created in Subsection (3).

2014 (b) "Homeless services facility" means an eligible shelter under Subsection [
 2015 ~~35A-16-401(5)(a) or (5)(b)~~] 35A-16-401(5)(a), (b), or (c).

2016 (c) "Property loss" means:

2017 (i) documented damage to or theft of personal property; or

2018 (ii) documented cost of cleaning, sanitizing, repairing, or restoring real property.

2019 (2) Documentation required for Subsection (1)(c) shall include closed insurance claim
 2020 information with any settlement amount.

2021 (3) There is created an enterprise fund known as the Property Loss Related to
 2022 Homelessness Compensation Enterprise Fund.

2023 (4) The fund shall consist of:

2024 (a) gifts, grants, donations, and loan repayments or any other conveyance of money that
 2025 may be made to the fund from private sources; and

2026 (b) additional amounts as appropriated by the Legislature.

2027 (5) The fund shall be administered by the office.

2028 (6) Funds may be used to:

2029 (a) provide a no-interest loan to a business that:

2030 (i) meets the requirements of Subsection (6)(b); and

2031 (ii) enters into an agreement with the department to:

2032 (A) use loan funds for documented costs for property loss or for documented costs
 2033 to mitigate property loss as a direct result of the presence of the homeless
 2034 services facility; and

- 2035 (B) repay the loan no later than one year from the day on which the loan is
2036 disbursed to the business;
- 2037 (b) except as provided in Subsection (12), compensate a business that:
2038 (i) is located within 1/5 of a mile of a homeless services facility; and
2039 (ii) experiences property loss as a direct result of the presence of the homeless
2040 services facility; or
- 2041 (c) compensate an individual who:
2042 (i) lives within 1/5 of a mile from a homeless services facility; and
2043 (ii) experiences property loss as a direct result of the presence of the homeless
2044 services facility.
- 2045 (7) An individual who receives compensation from the fund shall:
2046 (a) be a resident of Utah; and
2047 (b) have a need that meets the requirements of this section.
- 2048 (8)(a) A business that receives compensation or a loan from the fund shall be in good
2049 standing with the State Tax Commission and Department of Commerce.
2050 (b) The State Tax Commission and Department of Commerce may charge a business
2051 described in Subsection (8)(a) a nominal fee to obtain a certificate of good standing
2052 to meet the requirements under this section.
- 2053 (9)(a) The fund may not duplicate or supplant a service or support mechanism provided
2054 to an individual or business by another government entity or private agency.
2055 (b) The fund may supplement a service or support mechanism provided to an individual
2056 or business by another government entity or private agency, if the service or support
2057 mechanism does not fully cover the cost of the individual's or business's property loss.
- 2058 (10) Administrative and operating expenses for the fund shall be paid from the fund.
- 2059 (11) The executive director may expend up to 4% of the revenues of the fund, including any
2060 appropriations to the fund, for administrative expenses.
- 2061 (12) A business located at parcel record number 15-26-326-016-0000 is not eligible to
2062 receive compensation for property loss as a direct result of the presence of a homeless
2063 services facility.
- 2064 (13) The office shall:
2065 (a) administer the loan program, including:
2066 (i) in each calendar year that money is available from the fund for distribution by the
2067 office, announcing, at least once in that year, a loan application period by sending
2068 notice to interested persons;

- 2069 (ii) accepting applications received in a timely manner;
- 2070 (iii) reviewing loan applications;
- 2071 (iv) determining eligibility in accordance with this section; and
- 2072 (v) distributing loan money to an approved loan recipient; and
- 2073 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 2074 make rules to administer the program, including:
- 2075 (i) loan application requirements;
- 2076 (ii) procedures to approve a loan;
- 2077 (iii) procedures for distributing money to loan recipients;
- 2078 (iv) criteria for confirming the amount of property loss; and
- 2079 (v) criteria prioritizing disbursements in the event of limited funds.
- 2080 (14) The office may do any act necessary or convenient to the exercise of the powers
- 2081 granted by this part or reasonably implied from those granted powers, including:
- 2082 (a) service or contract, under Title 63G, Chapter 6a, Utah Procurement Code, for the
- 2083 servicing of loans made by the fund;
- 2084 (b) make or execute contracts and other instruments necessary or convenient for the
- 2085 performance of the office's duties and exercise of the office's powers and functions
- 2086 under this part, including contracts or agreements for the servicing and originating of
- 2087 loans; and
- 2088 (c) selling, at a public or private sale, with public bidding, an obligation held by the fund.
- 2089 (15) Any money returned to the department under this section from a person that received a
- 2090 loan from the fund shall be deposited into the fund.
- 2091 Section 29. Section **35A-16-401** is amended to read:
- 2092 **35A-16-401 (Effective 05/06/26). Definitions.**
- 2093 As used in this part:
- 2094 (1) "Account" means the Homeless Shelter Cities Mitigation Restricted Account created in
- 2095 Section 35A-16-402.
- 2096 (2) "Authorized provider" means a nonprofit provider of homeless services that is
- 2097 authorized by a third-tier eligible municipality to operate a temporary [~~winter response~~]
- 2098 emergency shelter within the municipality[~~in accordance with Part 5, Winter Response~~
- 2099 ~~Plan Requirements~~].
- 2100 (3) "Eligible municipality" means:
- 2101 (a) a first-tier eligible municipality;
- 2102 (b) a second-tier eligible municipality; or

- 2103 (c) a third-tier eligible municipality.
- 2104 (4) "Eligible services" means any activities or services that mitigate the impacts of the
 2105 location of an eligible shelter, including direct services, public safety services, and
 2106 emergency services, as further defined by rule made by the office in accordance with
 2107 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 2108 (5) "Eligible shelter" means:
- 2109 (a) for a first-tier eligible municipality, a homeless shelter that:
- 2110 (i) has the capacity to provide temporary shelter to at least 80 individuals per night,
 2111 as verified by the office;
- 2112 (ii) operates year-round; and
- 2113 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
 2114 operation;
- 2115 (b) for a second-tier municipality, a homeless shelter that:
- 2116 (i) has the capacity to provide temporary shelter to at least 25 individuals per night,
 2117 as verified by the office;
- 2118 (ii) operates year-round; and
- 2119 (iii) is not subject to restrictions that limit the hours, days, weeks, or months of
 2120 operation;[~~and~~]
- 2121 (c) an eligible shelter under Subsection (5)(a) or (b), if the homeless shelter operates for
 2122 more than 365 continuous days, regardless of whether the homeless shelter is
 2123 intended to operate as an emergency shelter, as long as the homeless shelter meets the
 2124 requirements of an eligible shelter defined in Subsection (5)(a) or (b); and
- 2125 [~~(d)~~] (d) for a third-tier eligible municipality, a homeless shelter that:
- 2126 [~~(i)(A) has the capacity to provide temporary shelter to at least 50 individuals per~~
 2127 ~~night, as verified by the office; and]~~
- 2128 [~~(B) operates for no less than three months during the period beginning October 1~~
 2129 ~~and ending April 30 of the following year; or]~~
- 2130 [~~(ii)(A) meets the definition of a homeless shelter under Section 35A-16-501; and]~~
- 2131 [~~(B) contains beds that are utilized as part of a county's winter response plan under~~
 2132 ~~Section 35A-16-502.]~~
- 2133 (i) has the capacity to provide temporary shelter to at least 50 individuals per night,
 2134 as verified by the office; and
- 2135 (ii) operates for no less than three months during the period beginning October 1 and
 2136 ending April 30 of the following year.

- 2137 (6) "Homeless shelter" means a facility that provides or is proposed to provide temporary
2138 shelter to individuals experiencing homelessness.
- 2139 (7) "Municipality" means a city or town.
- 2140 (8) "Public safety services" means law enforcement, emergency medical services, or fire
2141 protection.
- 2142 (9) "Third-tier eligible municipality" means a municipality that:
- 2143 (a) as determined by the office, has or is proposed to have an eligible shelter within the
2144 municipality's geographic boundaries within the following fiscal year; and
- 2145 (b) due to the location of an eligible shelter within the municipality's geographic
2146 boundaries, requires eligible services.

2147 Section 30. Section **35A-16-1301** is enacted to read:

2148 **Part 13. Temporary Shelter Expansion**

2149 **35A-16-1301 (Effective 05/06/26). Temporary shelter expansion -- Definitions --**
2150 **Requirements -- Mitigation.**

- 2151 (1) As used in this part, "municipal consent" means the written approval from a
2152 municipality in which a congregate shelter is located to the office and to a service
2153 provider for temporary expansion of a congregate shelter's designated bed capacity.
- 2154 (2) A service provider may expand the capacity limit of a congregate shelter up to 135% of
2155 the shelter's designated bed capacity to provide temporary shelter to individuals
2156 experiencing homelessness if:
- 2157 (a) the service provider informs the office of the need to temporarily expand the capacity
2158 limit of the shelter;
- 2159 (b) the service provider requests approval from the municipality in which the congregate
2160 shelter is located to expand the shelter's capacity;
- 2161 (c) the municipality in which the congregate shelter is located provides municipal
2162 consent to the service provider and the office; and
- 2163 (d) the congregate shelter remains in compliance with the applicable state and local
2164 building and fire codes.
- 2165 (3) Municipal consent under this section may include reasonable conditions related to
2166 public safety, coordination, or neighborhood mitigation.
- 2167 (4) The authorization provided under this section does not modify any other applicable
2168 licensing, health, or safety requirements.
- 2169 (5) For purposes of formula distributions made under this chapter, the number of beds
2170 operated under Subsection (2) may be counted as tier three beds.

2171 (6) Additional bed capacity authorized under this section may be mitigated using funds
 2172 appropriated under this chapter as determined in rule made by the office in accordance
 2173 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

2174 (7)(a) A congregate shelter may not operate at the expanded capacity limit described in
 2175 Subsection (2) after April 30, 2027.

2176 (b) On or after May 1, 2027, a congregate shelter shall return to the congregate shelter's
 2177 capacity limit as determined by the congregate shelter's conditional use permit unless
 2178 otherwise authorized by the relevant municipality.

2179 Section 31. Section **59-12-205** is amended to read:

2180 **59-12-205 (Effective 01/01/27). Ordinances to conform with statutory**
 2181 **amendments -- Distribution of tax revenue -- Determination of population.**

2182 (1) To maintain in effect sales and use tax ordinances adopted [~~pursuant to~~] in accordance
 2183 with Section 59-12-204, a county, city, or town shall adopt amendments to the county's,
 2184 city's, or town's sales and use tax ordinances:

2185 (a) within 30 days of the day on which the state makes an amendment to an applicable
 2186 provision of Part 1, Tax Collection; and

2187 (b) as required to conform to the amendments to Part 1, Tax Collection.

2188 (2)(a) Except as provided in Subsections (3), (4), and (5) and subject to Subsection (6):

2189 (i) 50% of each dollar collected from the sales and use tax authorized by this part
 2190 shall be distributed to each county, city, and town on the basis of the percentage
 2191 that the population of the county, city, or town bears to the total population of all
 2192 counties, cities, and towns in the state; and

2193 (ii)(A) except as provided in Subsections (2)(a)(ii)(B), (C), (D), (E), and (F), 50%
 2194 of each dollar collected from the sales and use tax authorized by this part shall
 2195 be distributed to each county, city, and town on the basis of the location of the
 2196 transaction as determined under Sections 59-12-211 through 59-12-215;

2197 (B) except as provided in Subsections (10) through (13), 50% of each dollar
 2198 collected from the sales and use tax authorized by this part within a project
 2199 area described in a project area plan adopted by the military installation
 2200 development authority under Title 63H, Chapter 1, Military Installation
 2201 Development Authority Act, shall be distributed to the military installation
 2202 development authority created in Section 63H-1-201;

2203 (C) except as provided in Subsections (10) through (13), beginning July 1, 2024,
 2204 20% of each dollar collected from the sales and use tax authorized by this part

2205 within a project area under Title 11, Chapter 58, Utah Inland Port Authority
2206 Act, shall be distributed to the Utah Inland Port Authority, created in Section
2207 11-58-201;

2208 (D) except as provided in Subsections (10) through (13), 50% of each dollar
2209 collected from the sales and use tax authorized by this part within the lake
2210 authority boundary, as defined in Section 11-65-101, shall be distributed to the
2211 Utah Lake Authority, created in Section 11-65-201, beginning the next full
2212 calendar quarter following the creation of the Utah Lake Authority; ~~and~~

2213 (E) except as provided in Subsections (10) through (13), beginning January 1,
2214 2026, 50% of each dollar collected from the sales and use tax authorized by
2215 this part within the boundary of an eligible basic special district, as that term is
2216 defined in Section 17B-1-1405, and if applicable, the boundary of a public
2217 infrastructure district created by the eligible basic special district, shall be
2218 distributed to the eligible basic special district~~[-]~~ ; and

2219 (F) except as provided in Subsections (10) through (13), beginning the first day of
2220 a calendar quarter after the sales and use tax boundary for a major sporting
2221 event venue zone is established, the commission, at least annually, shall
2222 transfer an amount equal to 50% of the sales and use tax increment, as defined
2223 in Section 63N-3-1701, from the sales and use tax imposed under this part on
2224 transactions occurring within a sales and use tax boundary, as described in
2225 Section 63N-3-1710, to the creating entity of the major sporting event venue
2226 zone.

2227 (b) Subsection (2)(a)(ii)(C) does not apply to sales and use tax revenue collected before
2228 July 1, 2022.

2229 (3) Beginning no sooner than January 1, 2026, and before application of Subsections (2), (4),
2230 (5), and (6), and except as provided in Subsections (8) and (9), and as described in
2231 Section 63N-3-610.1, beginning the first day of a calendar quarter after the year set in
2232 the proposal and after the sales and use tax boundary for a convention center
2233 reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing and Transit
2234 Reinvestment Zone Act, the commission, at least annually, shall transfer an amount
2235 equal to 100% of the sales and use tax increment, as defined in Section 63N-3-602, from
2236 the sales and use tax imposed under this part on transactions occurring within an
2237 established sales and use tax boundary, as defined in Section 63N-3-602, to the entity
2238 specified in the convention center reinvestment zone proposal submitted [~~pursuant to~~] in

2239 accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone
 2240 Act.

2241 (4)(a) As used in this Subsection (4):

2242 (i) "Eligible county, city, or town" means a county, city, or town that:

2243 (A) for fiscal year 2012-13, received a tax revenue distribution under Subsection
 2244 (4)(b) equal to the amount described in Subsection (4)(b)(ii); and

2245 (B) does not impose a sales and use tax under Section 59-12-2103 on or before
 2246 July 1, 2016.

2247 (ii) "Minimum tax revenue distribution" means the total amount of tax revenue
 2248 distributions an eligible county, city, or town received from a tax imposed in
 2249 accordance with this part for fiscal year 2004-05.

2250 (b) An eligible county, city, or town shall receive a tax revenue distribution for a tax
 2251 imposed in accordance with this part equal to the greater of:

2252 (i) the payment required by Subsection (2); or

2253 (ii) the minimum tax revenue distribution.

2254 (c) For an eligible county, city, or town that qualifies to receive a distribution described
 2255 in this Subsection (4), the commission shall apply the provisions of this Subsection
 2256 (4) after the commission applies the provisions of Subsection (3).

2257 (5)(a) For purposes of this Subsection (5):

2258 (i)(A) "Annual local contribution" means, for a calendar year beginning on
 2259 January 1, 2027, the lesser of \$316,250 or an amount equal to 2.93% of the
 2260 participating local government's tax revenue distribution amount under Subs
 2261 ection (2)(a)(i) for a previous fiscal year.

2262 (B) "Annual local contribution" means, for a calendar year beginning on or after
 2263 January 1, 2028, the lesser of \$275,000 or an amount equal to 2.55% of the
 2264 participating local government's tax revenue distribution amount under Subs
 2265 ection (2)(a)(i) for the previous fiscal year.

2266 (ii) "Participating local government" means a county or municipality, as defined in
 2267 Section 10-1-104, that is not an eligible municipality certified in accordance with
 2268 Section 35A-16-404.

2269 (b) For revenue collected from the tax authorized by this part that is distributed on or
 2270 after January 1, 2019, the commission, before making a tax revenue distribution
 2271 under Subsection (2)(a)(i) to a participating local government, shall:

2272 (i) adjust a participating local government's tax revenue distribution under Subsection

- 2273 (2)(a)(i) by:
- 2274 (A) subtracting an amount equal to one-twelfth of the annual local contribution for
- 2275 each participating local government from the participating local government's
- 2276 tax revenue distribution; and
- 2277 (B) if applicable, reducing the amount described in Subsection (5)(b)(i)(A) by an
- 2278 amount equal to one-twelfth of \$250 for each bed that is available at all
- 2279 homeless shelters located within the boundaries of the participating local
- 2280 government, as reported to the commission by the Office of Homeless Services
- 2281 in accordance with Section 35A-16-405; and
- 2282 (ii) deposit the resulting amount described in Subsection (5)(b)(i) into the Homeless
- 2283 Shelter Cities Mitigation Restricted Account created in Section 35A-16-402.
- 2284 (c) For a participating local government that qualifies to receive a distribution described
- 2285 in Subsection (4), the commission shall apply the provisions of this Subsection (5)
- 2286 after the commission applies the provisions of Subsections (3) and (4).
- 2287 (6)(a) As used in this Subsection (6):
- 2288 (i) "Annual dedicated sand and gravel sales tax revenue" means an amount equal to
- 2289 the total revenue an establishment described in NAICS Code 327320, Ready-Mix
- 2290 Concrete Manufacturing, of the 2022 North American Industry Classification
- 2291 System of the federal Executive Office of the President, Office of Management
- 2292 and Budget, collects and remits under this part for a calendar year.
- 2293 (ii) "Sand and gravel" means sand, gravel, or a combination of sand and gravel.
- 2294 (iii) "Sand and gravel extraction site" means a pit, quarry, or deposit that:
- 2295 (A) contains sand and gravel; and
- 2296 (B) is assessed by the commission in accordance with Section 59-2-201.
- 2297 (iv) "Ton" means a short ton of 2,000 pounds.
- 2298 (v) "Tonnage ratio" means the ratio of:
- 2299 (A) the total amount of sand and gravel, measured in tons, sold during a calendar
- 2300 year from all sand and gravel extraction sites located within a county, city, or
- 2301 town; to
- 2302 (B) the total amount of sand and gravel, measured in tons, sold during the same
- 2303 calendar year from sand and gravel extraction sites statewide.
- 2304 (b) For purposes of calculating the ratio described in Subsection (6)(a)(v), the
- 2305 commission shall:
- 2306 (i) use the gross sales data provided to the commission as part of the commission's

- 2307 property tax valuation process; and
- 2308 (ii) if a sand and gravel extraction site operates as a unit across municipal or county
 2309 lines, apportion the reported tonnage among the counties, cities, or towns based on
 2310 the percentage of the sand and gravel extraction site located in each county, city,
 2311 or town, as approximated by the commission.
- 2312 (c)(i) Each July, the commission shall distribute from total collections under this part
 2313 an amount equal to the annual dedicated sand and gravel sales tax revenue for the
 2314 preceding calendar year to each county, city, or town in the same proportion as the
 2315 county's, city's, or town's tonnage ratio for the preceding calendar year.
- 2316 (ii) The commission shall ensure that the revenue distributed under this Subsection
 2317 (6)(c) is drawn from each jurisdiction's collections in proportion to the
 2318 jurisdiction's share of total collections for the preceding 12-month period.
- 2319 (d) A county, city, or town shall use revenue described in Subsection (6)(c) for class B
 2320 or class C roads.
- 2321 (7)(a) Population figures for purposes of this section shall be based on, to the extent not
 2322 otherwise required by federal law:
- 2323 (i) the most recent estimate from the Utah Population Committee created in Section
 2324 63C-20-103; or
- 2325 (ii) if the Utah Population Committee estimate is not available for each municipality
 2326 and unincorporated area, the adjusted sub-county population estimate provided by
 2327 the Utah Population Committee in accordance with Section 63C-20-104.
- 2328 (b) The population of a county for purposes of this section shall be determined only
 2329 from the unincorporated area of the county.
- 2330 (8)(a) As used in Subsections (8) and (9):
- 2331 (i) "Applicable percentage" means, for a convention center reinvestment zone created
 2332 under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act,
 2333 for sales occurring within the qualified development zone described in Subsection
 2334 (8)(a)(ii), 100% of the sales and use tax increment, as that term is defined in
 2335 Section 63N-3-602, from the sales and use tax:
- 2336 (A) imposed by a city of the first class in a county of the first class under this part;
- 2337 (B) imposed by a city of the first class in a county of the first class under Section
 2338 59-12-402.1;
- 2339 (C) imposed by a county of the first class under Section 59-12-1102; and
- 2340 (D) imposed by a county of the first class under Part 22, Local Option Sales and

- 2341 Use Taxes for Transportation Act.
- 2342 (ii) "Qualified development zone" means the sales and use tax boundary of a
2343 convention center reinvestment zone created under Title 63N, Chapter 3, Part 6,
2344 Housing and Transit Reinvestment Zone Act.
- 2345 (iii) "Qualifying construction materials" means construction materials that are:
2346 (A) delivered to a delivery outlet within a qualified development zone; and
2347 (B) intended to be permanently attached to real property within the qualified
2348 development zone.
- 2349 (b) For a sale of qualifying construction materials, the commission shall distribute the
2350 product calculated in Subsection (8)(c) to a qualified development zone if the seller
2351 of the construction materials:
- 2352 (i) establishes a delivery outlet with the commission within the qualified development
2353 zone;
- 2354 (ii) reports the sales of the construction materials to the delivery outlet described in
2355 Subsection (8)(b)(i); and
- 2356 (iii) does not report the sales of the construction materials on a simplified electronic
2357 return.
- 2358 (c) For the purposes of Subsection (8)(b), the product is equal to:
- 2359 (i) the sales price or purchase price of the qualifying construction materials; and
2360 (ii) the applicable percentage.
- 2361 (9)(a) As used in this Subsection (9), "Schedule J sale" means a sale reported on State
2362 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
2363 designated by the commission.
- 2364 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
2365 qualified development zone shall be distributed into the jurisdiction that would have
2366 received the revenue in the absence of the qualified development zone.
- 2367 (10)(a) As used in this Subsection (10):
- 2368 (i) "Applicable percentage" means:
- 2369 (A) for a project area adopted by the military installation development authority
2370 under Title 63H, Chapter 1, Military Installation Development Authority Act,
2371 for sales occurring within a qualified development zone described in Subs
2372 ection (10)(a)(iii)(A):
- 2373 (I) 50% of the revenue from the sales and use tax imposed under this part;
2374 (II) 100% of the revenue from the sales and use tax imposed by the military

- 2375 installation development authority under Section 59-12-401; and
 2376 (III) 100% of the revenue from the sales and use tax imposed by the military
 2377 installation development authority under Section 59-12-402;~~and~~
 2378 (B) for a project area under Title 11, Chapter 58, Utah Inland Port Authority Act,
 2379 for sales occurring within a qualified development zone described in Subs
 2380 ection (10)(a)(iii)(B), 20% of the revenue from the sales and use tax under this
 2381 part;
 2382 (C) for the lake authority boundary, as defined in Section 11-65-101, for sales
 2383 occurring within the qualified development zone described in Subsection
 2384 (10)(a)(ii)(C), 50% of the revenue from the sales and use tax under this part;
 2385 (D) for the Utah Fairpark Area Investment and Restoration District, created in
 2386 Section 11-70-201, for sales occurring within the qualified development zone
 2387 described in Subsection (10)(a)(iii)(D), 100% of the revenue from the sales and
 2388 use tax imposed by the Utah Fairpark Area Investment and Restoration District
 2389 under Sections 59-12-401 and 59-12-402; and
 2390 (E) for an eligible basic special district created under Title 17B, Chapter 1, Part
 2391 14, Basic Special District, for sales occurring within a qualified development
 2392 zone described in Subsection (10)(a)(iii)(E), 50% of the revenue from the sales
 2393 and use tax imposed under this part[;] .
 2394 (ii) "Eligible basic special district" means the same as that term is defined in Section
 2395 17B-1-1405.
 2396 (iii) "Qualified development zone" means the sales and use tax boundary of:
 2397 (A) a project area adopted by the military installation development authority under
 2398 Title 63H, Chapter 1, Military Installation Development Authority Act;
 2399 (B) a project area under Title 11, Chapter 58, Utah Inland Port Authority Act;
 2400 (C) the lake authority boundary, as defined in Section 11-65-101;
 2401 (D) the Utah Fairpark Investment and Restoration District, created in Section
 2402 11-70-201; or
 2403 (E) the area within the boundary of an eligible basic special district, and if
 2404 applicable, the boundary of a public infrastructure district created by the basic
 2405 special district[;] .
 2406 (iv) "Qualifying construction materials" means construction materials that are:
 2407 (A) delivered to a delivery outlet within a qualified development zone; and
 2408 (B) intended to be permanently attached to real property within the qualified

- 2409 development zone.
- 2410 (b) For a sale of qualifying construction materials, the commission shall distribute the
- 2411 product calculated in Subsection (10)(c) to a qualified development zone if the seller
- 2412 of the construction materials:
- 2413 (i) establishes a delivery outlet with the commission within the qualified development
- 2414 zone;
- 2415 (ii) reports the sales of the construction materials to the delivery outlet described in
- 2416 Subsection (10)(b)(i); and
- 2417 (iii) does not report the sales of the construction materials on a simplified electronic
- 2418 return[; or] .
- 2419 (c) For the purposes of Subsection (10)(b), the product is equal to:
- 2420 (i) the sales price or purchase price of the qualifying construction materials; and
- 2421 (ii) the applicable percentage.
- 2422 (11)(a) As used in this Subsection (11):
- 2423 (i) "Applicable percentage" means the same as that term is defined in Subsection (10).
- 2424 (ii) "Qualified development zone" means the same as that term is defined in Subs
- 2425 ection (10).
- 2426 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
- 2427 TC-62M, Schedule J or a substantially similar form as designated by the
- 2428 commission.
- 2429 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
- 2430 qualified development zone shall be distributed to the jurisdiction that would have
- 2431 received the revenue in the absence of the qualified development zone.
- 2432 (12)(a) As used in this Subsection (12):
- 2433 (i) "Applicable percentage" means, for a major sporting event venue zone created
- 2434 under Title 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act, for
- 2435 sales occurring within the qualified development zone described in Subsection
- 2436 (12)(a)(ii):
- 2437 (A) 50% of the sales and use tax increment, as that term is defined in Section
- 2438 63N-3-601, from the sales and use tax imposed under this part;
- 2439 (B) 100% of the revenue from the sales and use tax imposed by the creating entity
- 2440 of a major sporting event venue zone under Section 59-12-401; and
- 2441 (C) 100% of the revenue from the sales and use tax imposed by the creating entity
- 2442 of a major sporting event venue zone under Section 59-12-402.

2443 (ii) "Qualified development zone" means the sales and use tax boundary, as described
 2444 in Section 63N-3-1710, of a major sporting event venue zone created under Title
 2445 63N, Chapter 3, Part 17, Major Sporting Event Venue Zone Act.

2446 (iii) "Qualifying construction materials" means construction materials that are:
 2447 (A) delivered to a delivery outlet within a qualified development zone; and
 2448 (B) intended to be permanently attached to real property within the qualified
 2449 development zone.

2450 (b) For a sale of qualifying construction materials, the commission shall distribute the
 2451 product calculated in Subsection (12)(c) to the creating entity of a qualified
 2452 development zone if the seller of the construction materials:

2453 (i) establishes a delivery outlet with the commission within the qualified development
 2454 zone;

2455 (ii) reports the sales of the construction materials to the delivery outlet described in
 2456 Subsection (12)(b)(i); and

2457 (iii) does not report the sales of the construction materials on a simplified electronic
 2458 return[; or] .

2459 (c) For the purposes of Subsection (12)(b), the product is equal to:

2460 (i) the sales price or purchase price of the qualifying construction materials; and

2461 (ii) the applicable percentage.

2462 (13)(a) As used in this Subsection (13):

2463 (i) "Applicable percentage" means the same as that term is defined in Subsection (12).

2464 (ii) "Qualified development zone" means the same as that term is defined in Subs
 2465 ection (12).

2466 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
 2467 TC-62M, Schedule J or a substantially similar form as designated by the
 2468 commission.

2469 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
 2470 qualified development zone shall be distributed to the jurisdiction that would have
 2471 received the revenue in the absence of the qualified development zone.

2472 Section 32. Section **63C-18-202** is amended to read:

2473 **63C-18-202 (Effective 05/06/26) (Repealed 12/31/26). Committee established --**

2474 **Members.**

2475 (1) As used in this section, "department" means the Department of Health and Human
 2476 Services created in Section 26B-1-201.

2477 ~~[(1)]~~ (2) Under the Utah Behavioral Health Commission created in Section 26B-5-702, there
 2478 is created the Behavioral Health Crisis Response Committee~~[-, composed of the~~
 2479 ~~following members:]~~ .

2480 [(a) the executive director of the Huntsman Mental Health Institute;]
 2481 [(b) the governor or the governor's designee;]
 2482 [(c) the director of the Office of Substance Use and Mental Health;]
 2483 [(d) one representative of the Office of the Attorney General, appointed by the attorney
 2484 general;]
 2485 [(e) the executive director of the Department of Health and Human Services or the
 2486 executive director's designee;]
 2487 [(f) one member of the public, appointed by the chair of the committee and approved by
 2488 the committee;]
 2489 [(g) two individuals who are mental or behavioral health clinicians licensed to practice
 2490 in the state, appointed by the chair of the committee and approved by the committee,
 2491 at least one of whom is an individual who:]
 2492 [(i) is licensed as a physician under:]
 2493 [(A) Title 58, Chapter 67, Utah Medical Practice Act;]
 2494 [(B) Title 58, Chapter 67b, Interstate Medical Licensure Compact; or]
 2495 [(C) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and]
 2496 [(ii) is board eligible for a psychiatry specialization recognized by the American
 2497 Board of Medical Specialists or the American Osteopathic Association's Bureau of
 2498 Osteopathic Specialists;]
 2499 [(h) one individual who represents a county of the first or second class, appointed by the
 2500 Utah Association of Counties;]
 2501 [(i) one individual who represents a county of the third, fourth, or fifth class, appointed
 2502 by the Utah Association of Counties;]
 2503 [(j) one individual who represents the Utah Hospital Association, appointed by the chair
 2504 of the committee;]
 2505 [(k) one individual who represents law enforcement, appointed by the chair of the
 2506 committee;]
 2507 [(l) one individual who has lived with a mental health disorder, appointed by the chair of
 2508 the committee;]
 2509 [(m) one individual who represents an integrated health care system that:]
 2510 [(i) is not affiliated with the chair of the committee; and]

- 2511 (ii) provides inpatient behavioral health services and emergency room services to
2512 individuals in the state;]
- 2513 ~~[(n) one individual who represents a Medicaid accountable care organization, as defined
2514 in Section 26B-3-219, with a statewide membership base;]~~
- 2515 ~~[(o) one individual who represents 911 call centers and public safety answering points,
2516 appointed by the chair of the committee;]~~
- 2517 ~~[(p) one individual who represents Emergency Medical Services, appointed by the chair
2518 of the committee;]~~
- 2519 ~~[(q) one individual who represents the mobile wireless service provider industry,
2520 appointed by the chair of the committee;]~~
- 2521 ~~[(r) one individual who represents rural telecommunications providers, appointed by the
2522 chair of the committee;]~~
- 2523 ~~[(s) one individual who represents voice over internet protocol and land line providers,
2524 appointed by the chair of the committee; and]~~
- 2525 ~~[(t) one individual who represents the Utah League of Cities and Towns, appointed by
2526 the Utah League of Cities and Towns.]~~
- 2527 (3) The department, in consultation with the Utah Behavioral Health Commission, shall
2528 make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
2529 Act, to establish the membership of the committee.
- 2530 ~~[(2)]~~ (4)(a) ~~[Except as provided in Subsection (2)(d), the executive director of the~~
2531 Huntsman Mental Health Institute is the chair of the committee.] The committee shall
2532 annually select one of the committee's members to serve as chair and two of the
2533 committee's members to serve as vice chairs.
- 2534 ~~[(b) The chair of the committee shall appoint a member of the committee to serve as the~~
2535 vice chair of the committee, with the approval of the committee.]
- 2536 ~~[(e)]~~ (b) The chair of the committee shall set the agenda for each committee meeting.
- 2537 ~~[(d) If the executive director of the Huntsman Mental Health Institute is not available to~~
2538 serve as the chair of the committee, the committee shall elect a chair from among the
2539 committee's members.]
- 2540 ~~[(3)]~~ (5)(a) A majority of the members of the committee constitutes a quorum.
- 2541 (b) The action of a majority of a quorum constitutes the action of the committee.
- 2542 ~~[(4)]~~ (6) A member may not receive compensation, benefits, per diem, or travel expenses for
2543 the member's service on the committee.
- 2544 ~~[(5)]~~ (7) The [Office of the Attorney General] Office of Substance Use and Mental Health

2545 shall provide staff support to the committee.

2546 Section 33. Section **63C-18-203** is amended to read:

2547 **63C-18-203 (Effective 05/06/26) (Repealed 12/31/26). Committee duties.**

2548 [(1) Under the direction of the Utah Behavioral Health Commission created in Section
2549 26B-5-702, the committee shall:]

2550 [(a) identify a method to integrate existing local mental health crisis lines to ensure each
2551 individual who accesses a local mental health crisis line is connected to a qualified
2552 mental or behavioral health professional, regardless of the time, date, or number of
2553 individuals trying to simultaneously access the local mental health crisis line;]

2554 [(b) study how to establish and implement a statewide mental health crisis line and a
2555 statewide warm line, including identifying:]

2556 [(i) a statewide phone number or other means for an individual to easily access the
2557 statewide mental health crisis line, including a short code for text messaging and a
2558 three-digit number for calls;]

2559 [(ii) a statewide phone number or other means for an individual to easily access the
2560 statewide warm line, including a short code for text messaging and a three-digit
2561 number for calls;]

2562 [(iii) a supply of:]

2563 [(A) qualified mental or behavioral health professionals to staff the statewide
2564 mental health crisis line; and]

2565 [(B) qualified mental or behavioral health professionals or certified peer support
2566 specialists to staff the statewide warm line; and]

2567 [(iv) a funding mechanism to operate and maintain the statewide mental health crisis
2568 line and the statewide warm line;]

2569 [(e) coordinate with local mental health authorities in fulfilling the committee's duties
2570 described in Subsections (1)(a) and (b);]

2571 [(d) recommend standards for the certifications described in Section 26B-5-610; and]

2572 [(e) coordinate services provided by local mental health crisis lines and mobile crisis
2573 outreach teams, as defined in Section 62A-15-1401.]

2574 [(2)] (1) The committee shall study and make recommendations regarding:

2575 [(a) crisis line practices and needs, including:]

2576 [(i) quality and timeliness of service;]

2577 [(ii) service volume projections;]

2578 [(iii) a statewide assessment of crisis line staffing needs, including required

2579 certifications; and]

2580 [~~(iv)~~ a statewide assessment of technology needs;]

2581 [~~(b)~~ primary duties performed by crisis line workers;]

2582 [~~(e)~~ coordination or redistribution of secondary duties performed by crisis line workers,

2583 including responding to non-emergency calls;]

2584 [~~(d)~~ (a) operating the statewide 988 hotline:

2585 (i) in accordance with federal law;

2586 (ii) to ensure the efficient and effective routing of calls to an appropriate crisis center;

2587 and

2588 (iii) to directly respond to calls with trained personnel and the provision of acute

2589 mental health, crisis outreach, and stabilization services;

2590 [~~(e)~~ (b) opportunities to increase operational and technological efficiencies and

2591 effectiveness between 988 and 911, utilizing current technology;

2592 [~~(f)~~ (c) needs for interoperability partnerships and policies related to 911 call transfers

2593 and public safety responses;

2594 [~~(g)~~ (d) standards for statewide mobile crisis outreach teams, including:

2595 (i) current models and projected needs;

2596 (ii) quality and timeliness of service;

2597 (iii) hospital and jail diversions; and

2598 (iv) staffing and certification;

2599 [~~(h)~~ (e) resource centers, including:

2600 (i) current models and projected needs; and

2601 (ii) quality and timeliness of service;

2602 [~~(i)~~ (f) policy considerations related to whether the state should:

2603 (i) manage, operate, and pay for a complete behavioral health system; or

2604 (ii) create partnerships with private industry; and

2605 [~~(j)~~ (g) sustainable funding source alternatives, including:

2606 (i) charging a 988 fee, including a recommendation on the fee amount;

2607 (ii) General Fund appropriations;

2608 (iii) other government funding options;

2609 (iv) private funding sources;

2610 (v) grants;

2611 (vi) insurance partnerships, including coverage for support and treatment after initial

2612 call and triage; and

- 2613 (vii) other funding resources.
- 2614 (2) The committee shall monitor the effectiveness, quality, volume, and efficiency of the
 2615 statewide 988 crisis line.
- 2616 (3) The committee shall monitor crisis services throughout the state and make
 2617 recommendations for strategies for the expansion and continuous improvement of
 2618 quality standards for crisis services.
- 2619 [~~3~~] (4) The committee may conduct other business related to the committee's duties
 2620 described in this section.
- 2621 [~~4~~] (5) The committee shall consult with the Office of Substance Use and Mental Health
 2622 and make recommendations to the Utah Behavioral Health Commission regarding:
 2623 (a) the standards and operation of the statewide mental health crisis line and the
 2624 statewide warm line, in accordance with Section 26B-5-610; and
 2625 (b) the incorporation of the statewide mental health crisis line and the statewide warm
 2626 line into behavioral health systems throughout the state.
- 2627 Section 34. Section **63I-1-226** is amended to read:
 2628 **63I-1-226 (Effective 05/06/26). Repeal dates: Titles 26 through 26B.**
- 2629 (1) Subsection 26B-1-204(2)(g), regarding the Youth Electronic Cigarette, Marijuana, and
 2630 Other Drug Prevention Committee, is repealed July 1, 2030.
- 2631 (2) Subsection 26B-1-204(2)(h), regarding the Primary Care Grant Committee, is repealed
 2632 July 1, 2035.
- 2633 (3) Section 26B-1-315, Medicaid ACA Fund, is repealed July 1, 2034.
- 2634 (4) Section 26B-1-318, Brain and Spinal Cord Injury Fund, is repealed July 1, 2029.
- 2635 (5) Section 26B-1-402, Rare Disease Advisory Council Grant Program -- Creation --
 2636 Reporting, is repealed July 1, 2026.
- 2637 (6) Section 26B-1-409, Utah Digital Health Service Commission -- Creation -- Membership
 2638 -- Duties, is repealed July 1, 2025.
- 2639 (7) Section 26B-1-410, Primary Care Grant Committee, is repealed July 1, 2035.
- 2640 (8) Section 26B-1-417, Brain and Spinal Cord Injury Advisory Committee -- Membership
 2641 -- Duties, is repealed July 1, 2029.
- 2642 (9) Section 26B-1-422, Early Childhood Utah Advisory Council -- Creation --
 2643 Compensation -- Duties, is repealed July 1, 2029.
- 2644 (10) Section 26B-1-425, Utah Health Workforce Advisory Council -- Creation and
 2645 membership, is repealed July 1, 2027.
- 2646 (11) Section 26B-1-428, Youth Electronic Cigarette, Marijuana, and Other Drug Prevention

- 2647 Committee and Program -- Creation -- Membership -- Duties, is repealed July 1, 2030.
- 2648 (12) Section 26B-1-430, Coordinating Council for Persons with Disabilities -- Policy
2649 regarding services to individuals with disabilities -- Creation -- Membership --
2650 Expenses, is repealed July 1, 2027.
- 2651 (13) Section 26B-1-432, Newborn Hearing Screening Committee, is repealed July 1, 2026.
- 2652 (14) Section 26B-2-407, Drinking water quality in child care centers, is repealed July 1,
2653 2027.
- 2654 (15) Subsection 26B-3-107(9), regarding reimbursement for dental hygienists, is repealed
2655 July 1, 2028.
- 2656 (16) Section 26B-3-136, Children's Health Care Coverage Program, is repealed July 1, 2025.
- 2657 (17) Section 26B-3-137, Reimbursement for diabetes prevention program, is repealed June
2658 30, 2027.
- 2659 (18) Subsection 26B-3-213(2)(b), regarding consultation with the Behavioral Health Crisis
2660 Response Committee, is repealed December 31, 2026.
- 2661 (19) Section 26B-3-302, DUR Board -- Creation and membership -- Expenses, is repealed
2662 July 1, 2027.
- 2663 (20) Section 26B-3-303, DUR Board -- Responsibilities, is repealed July 1, 2027.
- 2664 (21) Section 26B-3-304, Confidentiality of records, is repealed July 1, 2027.
- 2665 (22) Section 26B-3-305, Drug prior approval program, is repealed July 1, 2027.
- 2666 (23) Section 26B-3-306, Advisory committees, is repealed July 1, 2027.
- 2667 (24) Section 26B-3-307, Retrospective and prospective DUR, is repealed July 1, 2027.
- 2668 (25) Section 26B-3-308, Penalties, is repealed July 1, 2027.
- 2669 (26) Section 26B-3-309, Immunity, is repealed July 1, 2027.
- 2670 (27) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2034.
- 2671 (28) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed
2672 July 1, 2034.
- 2673 (29) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 2674 (30) Section 26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility
2675 Expendable Revenue Fund, is repealed July 1, 2028.
- 2676 (31) Section 26B-4-710, Rural residency training program, is repealed July 1, 2025.
- 2677 (32) Subsection 26B-5-112(1)(b), regarding consultation with the Behavioral Health Crisis
2678 Response Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2679 (33) Subsection 26B-5-112(5)(b), regarding consultation with the Behavioral Health Crisis
2680 Response Committee, is repealed [~~December 31, 2026~~] July 1, 2029.

- 2681 (34) Section 26B-5-112.5, Mobile Crisis Outreach Team Grant Program, is repealed
 2682 December 31, 2026.
- 2683 (35) Section 26B-5-114, Behavioral Health Receiving Center Grant Program, is repealed [
 2684 ~~December 31, 2026~~] July 1, 2029.
- 2685 (36) Section 26B-5-118, Collaborative care grant program, is repealed December 31, 2024.
- 2686 (37) Section 26B-5-120, Virtual crisis outreach team grant program, is repealed December
 2687 31, 2026.
- 2688 (38) Subsection 26B-5-609(1)(a), regarding the Behavioral Health Crisis Response
 2689 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2690 (39) Subsection 26B-5-609(3)(b), regarding the Behavioral Health Crisis Response
 2691 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2692 (40) Subsection 26B-5-610(1)(b), regarding the Behavioral Health Crisis Response
 2693 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2694 (41) Subsection 26B-5-610(2)(b)(ii), regarding the Behavioral Health Crisis Response
 2695 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2696 (42) Section 26B-5-612, Integrated behavioral health care grant programs, is repealed
 2697 December 31, 2025.
- 2698 (43) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed July 1,
 2699 2029.
- 2700 (44) Subsection 26B-5-704(2)(a), regarding the Behavioral Health Crisis Response
 2701 Committee, is repealed [~~December 31, 2026~~] July 1, 2029.
- 2702 (45) Title 26B, Chapter 5, Part 8, Utah [~~Substance Use and Mental Health Advisory~~]
 2703 Behavioral Health Policy Review Committee, is repealed [~~January 1, 2033~~] July 1, 2029.
- 2704 (46) Section 26B-7-119, Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 2705 (47) Section 26B-7-122, Communication Habits to reduce Adolescent Threats Pilot
 2706 Program, is repealed July 1, 2029.
- 2707 (48) Section 26B-7-123, Report on CHAT campaign, is repealed July 1, 2029.
- 2708 (49) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, 2026.
- 2709 Section 35. Section **63I-1-232** is amended to read:
 2710 **63I-1-232 (Effective 05/06/26). Repeal dates: Title 32B.**
- 2711 [(1) Subsection 32B-2-306(1)(a), regarding the Utah Substance Use and Mental Health
 2712 Advisory Committee, is repealed January 1, 2033.]
- 2713 [(2) Subsection 32B-2-306(4)(a), regarding a duty of the Utah Substance Use and Mental
 2714 Health Advisory Committee, is repealed January 1, 2033.]

- 2715 [~~(3) Subsection 32B-2-306(5)(b), regarding a submission to the Utah Substance Use and~~
 2716 ~~Mental Health Advisory Committee, is repealed January 1, 2033.~~]
- 2717 [~~(4) Subsection 32B-2-402(1)(b), regarding the Utah Substance Use and Mental Health~~
 2718 ~~Advisory Committee, is repealed January 1, 2033.~~] Reserved.
- 2719 Section 36. Section **63I-1-263** is amended to read:
- 2720 **63I-1-263 (Effective 05/06/26). Repeal dates: Titles 63A to 63O.**
- 2721 (1) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1,
 2722 2028.
- 2723 (2) Title 63C, Chapter 18, Behavioral Health Crisis Response Committee, is repealed [
 2724 ~~December 31, 2026~~] July 1, 2029.
- 2725 (3) Title 63C, Chapter 25, State Finance Review Commission, is repealed July 1, 2027.
- 2726 (4) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 2727 (5) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 2728 (6) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is repealed July
 2729 1, 2028.
- 2730 (7) Section 63G-6a-805, Purchase from community rehabilitation programs, is repealed
 2731 July 1, 2026.
- 2732 (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2028.
- 2733 (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2029.
- 2734 (10) Subsection 63J-1-602.2(16), related to the Communication Habits to reduce
 2735 Adolescent Threats (CHAT) Pilot Program, is repealed July 1, 2029.
- 2736 (11) Subsection 63J-1-602.2(26), regarding the Utah Seismic Safety Commission, is
 2737 repealed January 1, 2025.
- 2738 (12) Section 63L-11-204, Canyon resource management plan, is repealed July 1, 2027.
- 2739 (13) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
 2740 repealed July 1, 2027.
- 2741 (14) Title 63M, Chapter 7, Part 7, Domestic Violence Offender Treatment Board, is
 2742 repealed July 1, 2027.
- 2743 (15) Section 63M-7-902, Creation -- Membership -- Terms -- Vacancies -- Expenses, is
 2744 repealed July 1, 2029.
- 2745 (16) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 2746 (17) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 2747 (18) Subsection 63N-2-511(1)(b), regarding the Board of Tourism Development, is
 2748 repealed July 1, 2030.

- 2749 (19) Section 63N-2-512, Hotel Impact Mitigation Fund, is repealed July 1, 2028.
- 2750 (20) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed July
2751 1, 2027.
- 2752 (21) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
2753 repealed July 1, 2028.
- 2754 (22) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed July
2755 1, 2028.
- 2756 (23) Section 63N-4-804, Rural Opportunity Advisory Committee, is repealed July 1, 2027.
- 2757 (24) Subsection 63N-4-805(5)(b), regarding the Rural Employment Expansion Program, is
2758 repealed July 1, 2028.
- 2759 (25) Subsection 63N-7-101(1), regarding the Board of Tourism Development, is repealed
2760 July 1, 2030.
- 2761 (26) Subsection 63N-7-102(3)(c), regarding a requirement for the Utah Office of Tourism
2762 to receive approval from the Board of Tourism Development, is repealed July 1, 2030.
- 2763 (27) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed July 1, 2030.
2764 Section 37. Section **64-13-45** is amended to read:
- 2765 **64-13-45 (Effective 05/06/26). Department reporting requirements.**
- 2766 (1) As used in this section:
- 2767 (a) "Biological sex at birth" means the same as that term is defined in Section 26B-8-101.
- 2768 (b)(i) "In-custody death" means an inmate death that occurs while the inmate is in the
2769 custody of the department.
- 2770 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:
- 2771 (A) being transported for medical care; or
- 2772 (B) receiving medical care outside of a correctional facility, other than a county
2773 jail.
- 2774 (c) "Inmate" means an individual who is processed or booked into custody or housed in
2775 the department or a correctional facility other than a county jail.
- 2776 (d) "Opiate" means the same as that term is defined in Section 58-37-2.
- 2777 (e) "Transgender inmate" means the same as that term is defined in Section 64-13-7.
- 2778 (2) The department shall submit a report to the Commission on Criminal and Juvenile
2779 Justice created in Section 63M-7-201 before June 15 of each year that includes:
- 2780 (a) the number of in-custody deaths that occurred during the preceding calendar year,
2781 including:
- 2782 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors

- 2783 of each of the in-custody deaths described in this Subsection (2)(a); and
2784 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
2785 in-custody death;
- 2786 (b) the department policies, procedures, and protocols:
- 2787 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
2788 including use of opiates;
- 2789 (ii) that relate to the department's provision, or lack of provision, of medications used
2790 to treat, mitigate, or address an inmate's symptoms of withdrawal, including
2791 methadone and all forms of buprenorphine and naltrexone; and
- 2792 (iii) that relate to screening, assessment, and treatment of an inmate for a substance
2793 use disorder or mental health disorder;
- 2794 (c) the number of inmates who gave birth and were restrained in accordance with
2795 Section 64-13-46, including:
- 2796 (i) the types of restraints used; and
2797 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
2798 inmate, medical or corrections staff, or the public;
- 2799 (d) the number of transgender inmates that are assigned to a living area with inmates
2800 whose biological sex at birth do not correspond with the transgender inmate's
2801 biological sex at birth in accordance with Section 64-13-7, including:
- 2802 (i) the results of the individualized security analysis conducted for each transgender
2803 inmate in accordance with Subsection 64-13-7(5)(a); and
2804 (ii) a detailed explanation regarding how the security conditions described in Subs
2805 ection 64-13-7(5)(b) are met for each transgender inmate;
- 2806 (e) the number of transgender inmates that were:
- 2807 (i) assigned to a living area with inmates whose biological sex at birth do not
2808 correspond with the transgender inmate's biological sex at birth; and
2809 (ii) removed and assigned to a living area with inmates whose biological sex at birth
2810 corresponds with the transgender inmate's biological sex at birth in accordance
2811 with Subsection 64-13-7(6); and
- 2812 (f) any report the department provides or is required to provide under federal law or
2813 regulation relating to inmate deaths.
- 2814 (3) The Commission on Criminal and Juvenile Justice shall:
- 2815 (a) compile the information from the reports described in Subsection (2);
2816 (b) omit or redact any identifying information of an inmate in the compilation to the

2817 extent omission or redaction is necessary to comply with state and federal law[-]; and
 2818 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
 2819 Committee and the [~~Utah Substance Use and Mental Health Advisory Committee~~]
 2820 Utah Behavioral Health Commission before November 1 of each year.

2821 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use the
 2822 department's policies, procedures, or protocols submitted under this section in a manner
 2823 or for a purpose not described in this section.

2824 **Section 38. FY 2027 Appropriations.**

2825 The following sums of money are appropriated for the fiscal year beginning July 1,
 2826 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
 2827 fiscal year 2027.

2828 **Subsection 38(a). Operating and Capital Budgets**

2829 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 2830 Legislature appropriates the following sums of money from the funds or accounts indicated for
 2831 the use and support of the government of the state of Utah.

2832 ITEM 1 To Department of Health and Human Services - Clinical Services

2833 From General Fund 300,000

2834 Schedule of Programs:

2835 Medical Examiner 300,000

2836 The Legislature intends that the Department of
 2837 Health and Human Services use the appropriation in this
 2838 item to fund a family outreach specialist at the Office of
 2839 the Medical Examiner.

2840 ITEM 2 To Department of Health and Human Services - Integrated Health Care Services

2841 From General Fund 450,000

2842 Schedule of Programs:

2843 Non-Medicaid Behavioral Health Treatment and
 2844 Crisis Response 450,000

2845 The Legislature intends that the Department of
 2846 Health and Human Services use:
 2847 (1) \$200,000 ongoing appropriation for the
 2848 Behavioral Health Receiving Center Grant Program
 2849 described in Section 26B-5-114.

2850 (2) \$100,000 ongoing appropriation for the

2851 community-based peer support services grant program
2852 created in Section 26B-5-122.
2853 (3) \$50,000 ongoing appropriation for suicide
2854 prevention training under Section 26B-5-611.
2855 (4) \$100,000 ongoing appropriation to increase
2856 Medicaid rates for collaborative care codes.

2857 Section 39. **Effective Date.**

2858 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

2859 (2) The actions affecting Section 59-12-205 (Effective 01/01/27) take effect on January 1,
2860 2027.