

NASW Utah Chapter Legislative Agenda

2019 General Session of the Utah Legislature

Bill Number and Title	Sponsor(s)	Summary	Position
<p>H.B. 153 Utah Vital Statistics Amendment</p>	<p>Rep. Merrill Nelson Sen. Ralph Okerlund</p>	<p>This bill: defines terms; amends provisions regarding the completion of a birth certificate; amends provisions regarding amending a birth certificate; and makes technical and conforming changes.</p> <p>Notable changes to definitions of the following terms for purpose of death or birth certificates:</p> <p>“Female” means an individual with ovaries who is confirmed before or at birth to have external anatomical characteristics that appear to have the purpose of performing the natural reproductive function of providing eggs and receiving sperm from a male donor.</p> <p>“Male” means an individual with testes who is confirmed before or at birth to have external anatomical characteristics that appear to have the purpose of performing the natural reproductive function of providing and delivering sperm to a female recipient.</p>	<p>Oppose</p> <p>Failed or withdrawn</p>
<p>H.B. 17 – Firearm Violence and Suicide Prevention Amendments</p>	<p>Rep. Steve Eliason</p>	<p>Health and Human Services Interim Committee Bill</p> <p>This bill: reenacts and modifies previously sunsetted provisions relating to a voluntary firearm safety program and a suicide prevention education course; requires the Division of Substance Abuse and Mental Health (DSAMH), in consultation with the Bureau of Criminal Identification, to implement and manage a firearm safety program and a suicide prevention education program by: producing a firearm safety brochure and firearm safety packet;</p>	<p>Support</p>

		<p>procuring cable-style gun locks; distributing firearm safety packets; administering a program in which a Utah resident who has filed an application for a concealed firearm permit receives a redeemable coupon toward the purchase of a firearm safe and receives a firearm safety brochure; and creating a suicide prevention education course; creates a restricted account known as the Firearm Safety Account; modifies the administration of a grant program to provide suicide prevention education opportunities for firearm dealers; requires a federal firearm dealer to provide a cable-style gun lock supplied by the DSAMH to an individual purchasing a certain firearm; and appropriates \$100,000 ongoing and \$500,000 one-time to the DSAMH.</p>	
<p>H.B. 20 Human Trafficking Amendments</p>	<p>Rep. Angela Romero</p>	<p>This bill clarifies that human trafficking of a child is an offense for which no statute of limitations applies; clarifies that those who knowingly benefit from human trafficking of a child can be charged as perpetrators; clarifies that victims of human trafficking may pursue civil actions against anyone who knowingly benefitted from the trafficking; replaces references to "children engaged in prostitution" with "children engaged in commercial sex"; directs law enforcement to investigate possible human trafficking of a child when they encounter a child engaged in commercial sex; and creates a first degree felony offense for trafficking a vulnerable adult.</p>	<p>Support</p>
<p>H.B. 36 – Bureau of Criminal Identification Reporting Amendments</p>	<p>Rep. Raymond Ward</p>	<p>Law Enforcement and Criminal Justice Interim Committee Bill This bill: requires the clerk of the district court to report information on individuals mentally unfit to purchase firearms to the Bureau of Criminal Identification (BCI); requires the BCI to submit information reported by the courts on individuals mentally unfit to purchase firearms to the National Instant Criminal Background Check System;</p>	<p>Hold Clarify criteria for determining the level of “unfit” And when and how can rights be restored</p>

		<p>requires the clerk of the district court to report information on individuals subject to a protective order to the BCI; and requires the BCI to submit information reported by the courts on individuals subject to a protective order to the National Crime Information Center. The bill creates a definition of “mental defective” as “an individual who, by a court, board, commission, or other lawful authority is found: to be a danger to himself or others; to lack the mental capacity to contract or manage the individual’s own affairs; to be incompetent by a court in a criminal case; or to be incompetent to stand trial or found not guilty by reason or lack of mental responsibility”.</p> <p>Fiscal Note: Enactment of this legislation likely will not materially impact state</p>	
H.B. 58 – Opioid Fatality Review Amendments	Rep. Steve Eliason	<p>Health and Human Services Interim Committee Bill</p> <p>This bill: creates the position of an opioid fatality examiner within the Office of the Medical Examiner; and creates the Opioid and Overdose Fatality Review Committee within the Utah Department of Health.</p>	Support
H.B. 87 – Safe Storage of Firearms Amendments	Rep. Elizabeth Weight	<p>This bill: makes it a criminal offense (class B misdemeanor) to store a loaded firearm in a place that the firearm owner knows or has reason to believe a minor or person legally restricted from possessing a firearm has access; requires a firearm dealer to post written notice of possible prosecution for negligent storage of a firearm as follows: “AN ADULT MAY BE PROSECUTED FOR LEAVING A FIREARM IN A PLACE EASILY ACCESSIBLE BY A MINOR. A FIREARM SHOULD BE SECURED WITH A LOCKING DEVICE OR STORED IN A LOCKED CONTAINER OR LOCATION.”; and provides a penalty (class C misdemeanor) for failure to post the notice.</p>	Support

<p>H.B. 90 – Occupational Licensing Modifications</p>	<p>Rep. Eric Hutchings</p>	<p>This bill: provides for an individual with a criminal conviction to apply to the Division of Occupational and Professional Licensing (DOPL) for a determination of whether the individual’s criminal history would disqualify the individual from receiving a specific occupational or professional license if all other requirements were met.</p>	<p>Support</p>
<p>H.B. 92 – Violence Data Study</p>	<p>Rep. Susan Pulsipher</p>	<p>This bill: requires the state suicide prevention coordinator to award a grant to conduct a comprehensive violence data study that will consider all forms of violence including domestic violence, violence in schools, suicide, and rampage violence; requires the suicide prevention coordinator and the recipient of the grant award to submit a report, including proposed legislation and recommendations, to the Health and Human Services Interim Committee before October 1, 2021; and appropriates \$100,000, one-time, to the Division of Substance Abuse and Mental Health.</p>	<p>Support</p>
<p>H.B. 104 – Private Counselors in Third Through Sixth Class Counties</p>	<p>Rep. Christine Watkins</p>	<p>This bill: requires the Division of Substance Abuse and Mental Health to exempt licensed private mental health therapists from also having to be licensed by the Department of Human Services Office of Licensing in order to be certified to provide mental health and substance use disorder screening, assessment, treatment, or recovery support services to individuals who reside in certain rural areas (counties of the third, fourth, fifth, or sixth classes) and who are incarcerated or who are required to participate in treatment by a court or the Board of Pardons and Parole.</p>	<p>Hold</p> <p>What this means is that these clinicians do not need to be JRI certified, and do not have to go thru local mental health authority – extending wait lists.</p>
<p>H.B. 115 – Limitations on Family Services</p>	<p>Rep. Christine Watkins</p>	<p>This bill: prohibits the Division of Child and Family Services from providing certain voluntary in-home services for the preservation of families when the health and safety of the</p>	<p>OPPOSE</p> <p>The bill would restrict services</p>

		child is not immediately endangered; and requires the Division of Child and Family Services to provide a referral to a family seeking voluntary in-home services (the Division shall maintain a statewide inventory of in-home services available through public and private agencies or individuals for use by caseworkers).	that could help kids remain with their families (vs. foster care), would jeopardize federal funding, and conflicts with evidence-based practices.
H.B. 373– Student Support Amendments	Rep. Raymond Ward	This bill: defines terms; authorizes the State Board of Education (board) to distribute money to local education agencies (LEAs) for personnel who provide school-based mental health support; requires the board to establish a formula for distribution of money to LEAs; enacts requirements on LEAs to receive money; requires the board to make rules related to money for the personnel; and enacts other provisions related to student mental health support. Department of Public Safety, and \$150,000 ongoing to the Division of Substance Abuse and Mental Health. \$32 million	Support
H.B. 132 – Occupational and Professional Licensing Amendments	Rep. Karen Kwan	This bill: allows DOPL to offer required examinations in languages in addition to English; and to adopt necessary rules to implement this provision.	Support
H.B. 152 – Voluntary Commitment of a Firearm Amendments	Rep. Cory Maloy	This bill: defines “owner cohabitant” as any individual residing in the home who has an ownership interest in the firearm in the home; and amends current statute as follows: “An owner cohabitant may voluntarily commit a firearm to a law enforcement agency for safekeeping if the owner cohabitant believes that the owner cohabitant or another cohabitant with access to the firearm is an immediate threat to: himself or herself; the owner cohabitant; or any other person.”	Support

<p>H.B. 154 – Mental Health Protections for First Responders</p>	<p>Rep. Karen Kwan</p>	<p>This bill: defines “first responder” as a law enforcement officer, an emergency medical technician, an advanced emergency medical technician, a paramedic, a firefighter, a dispatcher, or a correctional officer; and establishes a temporary working group to study a first responder’s workers’ compensation claim due to mental stress.</p>	<p>Support Expand definitions to include CPS workers?</p>
<p>H.J.R. 008 Proposal to Amend Utah Constitution - Slavery and Involuntary Servitude Prohibition</p>	<p>Rep. Sandra Hollins</p>	<p>This resolution proposes to amend the Utah Constitution to eliminate an exception (“...except as a punishment for crime, whereof the party shall have been duty convicted”) to the prohibition against slavery and involuntary servitude. This resolution directs the lieutenant governor to submit this proposal to voters - contingent effective date of January 1, 2021 if voted.</p>	<p>Support This bill is directed at the foundation of the culture of our state. If passed it will ask of every Utahan to decide and express their disposition regarding slavery. This bill may produce rich dialogue about what do WE as Utahns believe.</p>
<p>H.C.R. 1 – Concurrent Resolution Urging the United States Drug Enforcement Administration to Approve a Pharmaceutical Drop Box Pilot Program</p>	<p>Rep. Brad Daw</p>	<p>Health and Human Services Interim Committee Bill This concurrent resolution: highlights the impact of the opioid epidemic on the state of Utah; describes previous actions to place law enforcement-controlled pharmaceutical drop boxes in local pharmacies; and urges the United States Drug Enforcement Administration to approve a pilot program for pharmaceutical drop boxes that are controlled by local law enforcement agencies.</p>	<p>Support</p>

		Fiscal Note: Enactment of this legislation likely will not materially impact state revenue or expenditures. Enactment of this legislation likely will not result in direct, measurable costs for local governments. Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses. Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.	
H.C.R. 4 – Concurrent Resolution Supporting Utah’s Every Kid Outdoors Initiative	Rep. Patrice Arent Sen. Lincoln Fillmore	This resolution: describes the benefits of children spending time outdoors (including behavioral health benefits); expresses support for Utah’s E very Kid Outdoors Initiative; and describes Utah’s Every Kid Outdoors Initiative. Fiscal Note: Enactment of this legislation likely will not materially impact state revenue or expenditures. Enactment of this legislation likely will not result in direct, measurable costs for local governments. Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses. Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.	Support Passed house introduced in senate
S.B. 32 – Indigent Defense Act Amendments	Sen. Todd Weiler Rep. Michael McKell	This bill: recodifies the Indigent Defense Act, including: <ul style="list-style-type: none"> • defining terms; • addressing right to counsel; • determining indigency; • ordering indigent defense services; • establishing standards for indigent defense systems; • addressing compensation and reimbursement for indigent defense services; • addressing the Utah Indigent Defense Commission; • addressing the Indigent Defense Funds Board and duties of the board; • providing for defense of indigent inmates, including providing for the Indigent Inmate Trust Fund; 	Support

		<ul style="list-style-type: none"> • addressing the Indigent Aggravated Murder Defense Trust Fund and the roles of counties and the state; • updating cross references; and • repealing language outdated because of changes made in the bill; and makes technical changes. • \$5million for defense fund for juveniles 	
S.B. 38 – Mental Health Amendments	Sen. Lincoln Fillmore Rep. Brad Daw	<p>Health and Human Services Interim Committee Bill</p> <p>This bill: amends provisions of the civil commitment code and the definition of “unprofessional conduct” applied to mental health professionals; requires that a mental health professional provide a patient the opportunity to waive the patient's privacy rights; requires a designated examiner to consider a proposed patient's mental health history when evaluating the proposed patient for civil commitment; allows a designated examiner to request a court order to obtain a proposed patient's mental health history; requires a designated examiner to disclose to an unrepresented proposed patient the fact that the designated examiner may, by court order, obtain the proposed patient's mental health history; and limits the circumstances under which a court may terminate a civil commitment.</p>	Support
S.C.R. 1 – Concurrent Resolution on the Payment for Treatment in an Institution for Mental Illness	Sen. Lincoln Fillmore Rep. Brad Daw	<p>Health and Human Services Interim Committee Bill</p> <p>This concurrent resolution: urges Congress to extend Medicaid coverage beyond 15 days for services provided in certain settings (Institutions for Mental Disease/IMDs – inpatient residential facilities having more than 16 beds) to adults with serious mental illness.</p> <p>Fiscal Note: Enactment of this legislation likely will not materially impact state revenue or expenditures. Enactment of this legislation likely will not result in direct, measurable costs for local governments. Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses. Enactment of this</p>	Support

		legislation likely will not change the regulatory burden for Utah residents or businesses.	
H.B. 15 Victim Rights Amendments	Rep. Steve Eliason Sen. Todd Weiler	The Law Enforcement and Criminal Justice Committee bill. This bill allows investigations to be reviewed at the request of a victim or victim's family.	Support
H.B. 399 Prohibition of the Practice of Conversion Therapy Upon Minors	Rep. Craig Hall	This bill prohibits certain health care professionals from providing conversion therapy to a minor; and adds a violation of the prohibition to the list of conduct that constitutes unprofessional conduct for licensing purposes.	Support