

SUICIDE PREVENTION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends and creates programs to address suicide.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ changes a program that helps Utah residents purchase a firearm safe from a coupon program to a rebate program;
- ▶ requires the Division of Substance Abuse and Mental Health to administer a program to provide training to health care organizations related to reducing suicides;
- ▶ eliminates a grant application requirement for an individual to receive funds for clean-up and bereavement services; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2022:

- ▶ to the Department of Human Services -- Division of Substance Abuse and Mental Health, as an ongoing appropriation:
 - from the General Fund, \$350,000.

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53-5-707**, as last amended by Laws of Utah 2019, Chapter 440

31 **62A-15-103**, as last amended by Laws of Utah 2020, Chapter 193

32 **62A-15-1501**, as enacted by Laws of Utah 2019, Chapter 447

33 **62A-15-1502**, as enacted by Laws of Utah 2019, Chapter 447

34 **76-10-526**, as last amended by Laws of Utah 2019, Chapters 386 and 440

35 ENACTS:

36 **62A-15-120**, Utah Code Annotated 1953



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

39 Section 1. Section **53-5-707** is amended to read:

40 **53-5-707. Concealed firearm permit -- Fees -- Concealed Weapons Account.**

41 (1) (a) An applicant for a concealed firearm permit shall pay a fee of \$25 at the time of
42 filing an application.

43 (b) A nonresident applicant shall pay an additional \$10 for the additional cost of
44 processing a nonresident application.

45 (c) The bureau shall waive the initial fee for an applicant who is a law enforcement
46 officer under Section **53-13-103**.

47 (d) Concealed firearm permit renewal fees for active duty service members and the
48 spouse of an active duty service member shall be waived.

49 (2) The renewal fee for the permit is \$20. A nonresident shall pay an additional \$5 for
50 the additional cost of processing a nonresidential renewal.

51 (3) The replacement fee for the permit is \$10.

52 (4) (a) The late fee for the renewal permit is \$7.50.

53 (b) As used in this section, "late fee" means the fee charged by the bureau for a renewal
54 submitted on a permit that has been expired for more than 30 days but less than one year.

55 (5) (a) There is created a restricted account within the General Fund known as the
56 "Concealed Weapons Account."

57 (b) The account shall be funded from fees collected under this section and Section
58 **53-5-707.5**.

59 (c) Funds in the account may only be used to cover costs relating to:
60 (i) the issuance of concealed firearm permits under this part; or
61 (ii) the programs described in [~~Subsections~~] Subsection 62A-15-103(3) and
62 [~~76-10-526(15) and~~] Section 62A-15-1101.

63 (6) (a) The bureau may collect any fees charged by an outside agency for additional
64 services required by statute as a prerequisite for issuance of a permit.

65 (b) The bureau shall promptly forward any fees collected under Subsection (6)(a) to the
66 appropriate agency.

67 (7) The bureau shall make an annual report in writing to the Legislature's Law
68 Enforcement and Criminal Justice Interim Committee on the amount and use of the fees
69 collected under this section and Section 53-5-707.5.

70 Section 2. Section **62A-15-103** is amended to read:

71 **62A-15-103. Division -- Creation -- Responsibilities.**

72 (1) (a) There is created the Division of Substance Abuse and Mental Health within the
73 department, under the administration and general supervision of the executive director.

74 (b) The division is the substance abuse authority and the mental health authority for
75 this state.

76 (2) The division shall:

77 (a) (i) educate the general public regarding the nature and consequences of substance
78 abuse by promoting school and community-based prevention programs;

79 (ii) render support and assistance to public schools through approved school-based
80 substance abuse education programs aimed at prevention of substance abuse;

81 (iii) promote or establish programs for the prevention of substance abuse within the
82 community setting through community-based prevention programs;

83 (iv) cooperate with and assist treatment centers, recovery residences, and other
84 organizations that provide services to individuals recovering from a substance abuse disorder,
85 by identifying and disseminating information about effective practices and programs;

86 (v) except as provided in Section 62A-15-103.5, make rules in accordance with Title
87 63G, Chapter 3, Utah Administrative Rulemaking Act, to develop, in collaboration with public
88 and private programs, minimum standards for public and private providers of substance abuse
89 and mental health programs licensed by the department under Title 62A, Chapter 2, Licensure

90 of Programs and Facilities;

91 (vi) promote integrated programs that address an individual's substance abuse, mental
92 health, physical health, and criminal risk factors;

93 (vii) establish and promote an evidence-based continuum of screening, assessment,
94 prevention, treatment, and recovery support services in the community for individuals with
95 substance use disorder and mental illness that addresses criminal risk factors;

96 (viii) evaluate the effectiveness of programs described in this Subsection (2);

97 (ix) consider the impact of the programs described in this Subsection (2) on:

98 (A) emergency department utilization;

99 (B) jail and prison populations;

100 (C) the homeless population; and

101 (D) the child welfare system; and

102 (x) promote or establish programs for education and certification of instructors to
103 educate persons convicted of driving under the influence of alcohol or drugs or driving with
104 any measurable controlled substance in the body;

105 (b) (i) collect and disseminate information pertaining to mental health;

106 (ii) provide direction over the state hospital including approval of the state hospital's
107 budget, administrative policy, and coordination of services with local service plans;

108 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
109 Rulemaking Act, to educate families concerning mental illness and promote family
110 involvement, when appropriate, and with patient consent, in the treatment program of a family
111 member; and

112 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
113 Rulemaking Act, to direct that an individual receiving services through a local mental health
114 authority or the Utah State Hospital be informed about and, if desired by the individual,
115 provided assistance in the completion of a declaration for mental health treatment in
116 accordance with Section [62A-15-1002](#);

117 (c) (i) consult and coordinate with local substance abuse authorities and local mental
118 health authorities regarding programs and services;

119 (ii) provide consultation and other assistance to public and private agencies and groups
120 working on substance abuse and mental health issues;

- 121 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,
122 medical and social agencies, public health authorities, law enforcement agencies, education and
123 research organizations, and other related groups;
- 124 (iv) promote or conduct research on substance abuse and mental health issues, and
125 submit to the governor and the Legislature recommendations for changes in policy and
126 legislation;
- 127 (v) receive, distribute, and provide direction over public funds for substance abuse and
128 mental health services;
- 129 (vi) monitor and evaluate programs provided by local substance abuse authorities and
130 local mental health authorities;
- 131 (vii) examine expenditures of local, state, and federal funds;
- 132 (viii) monitor the expenditure of public funds by:
- 133 (A) local substance abuse authorities;
- 134 (B) local mental health authorities; and
- 135 (C) in counties where they exist, a private contract provider that has an annual or
136 otherwise ongoing contract to provide comprehensive substance abuse or mental health
137 programs or services for the local substance abuse authority or local mental health authority;
- 138 (ix) contract with local substance abuse authorities and local mental health authorities
139 to provide a comprehensive continuum of services that include community-based services for
140 individuals involved in the criminal justice system, in accordance with division policy, contract
141 provisions, and the local plan;
- 142 (x) contract with private and public entities for special statewide or nonclinical
143 services, or services for individuals involved in the criminal justice system, according to
144 division rules;
- 145 (xi) review and approve each local substance abuse authority's plan and each local
146 mental health authority's plan in order to ensure:
- 147 (A) a statewide comprehensive continuum of substance abuse services;
- 148 (B) a statewide comprehensive continuum of mental health services;
- 149 (C) services result in improved overall health and functioning;
- 150 (D) a statewide comprehensive continuum of community-based services designed to
151 reduce criminal risk factors for individuals who are determined to have substance abuse or

152 mental illness conditions or both, and who are involved in the criminal justice system;

153 (E) compliance, where appropriate, with the certification requirements in Subsection

154 (2)(j); and

155 (F) appropriate expenditure of public funds;

156 (xii) review and make recommendations regarding each local substance abuse

157 authority's contract with the local substance abuse authority's provider of substance abuse

158 programs and services and each local mental health authority's contract with the local mental

159 health authority's provider of mental health programs and services to ensure compliance with

160 state and federal law and policy;

161 (xiii) monitor and ensure compliance with division rules and contract requirements;

162 and

163 (xiv) withhold funds from local substance abuse authorities, local mental health

164 authorities, and public and private providers for contract noncompliance, failure to comply

165 with division directives regarding the use of public funds, or for misuse of public funds or

166 money;

167 (d) ensure that the requirements of this part are met and applied uniformly by local

168 substance abuse authorities and local mental health authorities across the state;

169 (e) require each local substance abuse authority and each local mental health authority,

170 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(6)(a)(ii), to submit a plan to

171 the division on or before May 15 of each year;

172 (f) conduct an annual program audit and review of each local substance abuse authority

173 and each local substance abuse authority's contract provider, and each local mental health

174 authority and each local mental health authority's contract provider, including:

175 (i) a review and determination regarding whether:

176 (A) public funds allocated to the local substance abuse authority or the local mental

177 health authorities are consistent with services rendered by the authority or the authority's

178 contract provider, and with outcomes reported by the authority's contract provider; and

179 (B) each local substance abuse authority and each local mental health authority is

180 exercising sufficient oversight and control over public funds allocated for substance use

181 disorder and mental health programs and services; and

182 (ii) items determined by the division to be necessary and appropriate; [~~and~~]

183 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4,
184 Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;

185 (h) (i) train and certify an adult as a peer support specialist, qualified to provide peer
186 supports services to an individual with:

187 (A) a substance use disorder;

188 (B) a mental health disorder; or

189 (C) a substance use disorder and a mental health disorder;

190 (ii) certify a person to carry out, as needed, the division's duty to train and certify an
191 adult as a peer support specialist;

192 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
193 Rulemaking Act, that:

194 (A) establish training and certification requirements for a peer support specialist;

195 (B) specify the types of services a peer support specialist is qualified to provide;

196 (C) specify the type of supervision under which a peer support specialist is required to
197 operate; and

198 (D) specify continuing education and other requirements for maintaining or renewing
199 certification as a peer support specialist; and

200 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
201 Rulemaking Act, that:

202 (A) establish the requirements for a person to be certified to carry out, as needed, the
203 division's duty to train and certify an adult as a peer support specialist; and

204 (B) specify how the division shall provide oversight of a person certified to train and
205 certify a peer support specialist;

206 (i) except as provided in Section [62A-15-103.5](#), establish by rule, in accordance with
207 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, minimum standards and
208 requirements for the provision of substance use disorder and mental health treatment to an
209 individual who is incarcerated or who is required to participate in treatment by a court or by the
210 Board of Pardons and Parole, including:

211 (i) collaboration with the Department of Corrections and the Utah Substance Use and
212 Mental Health Advisory Council to develop and coordinate the standards, including standards
213 for county and state programs serving individuals convicted of class A and class B

214 misdemeanors;

215 (ii) determining that the standards ensure available treatment, including the most
216 current practices and procedures demonstrated by recognized scientific research to reduce
217 recidivism, including focus on the individual's criminal risk factors; and

218 (iii) requiring that all public and private treatment programs meet the standards
219 established under this Subsection (2)(i) in order to receive public funds allocated to the
220 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice
221 for the costs of providing screening, assessment, prevention, treatment, and recovery support;

222 (j) except as provided in Section [62A-15-103.5](#), establish by rule, in accordance with
223 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the requirements and procedures
224 for the certification of licensed public and private providers, including individuals licensed by
225 the Division of Occupational and Professional Licensing, programs licensed by the department,
226 and health care facilities licensed by the Department of Health, who provide, as part of their
227 practice, substance use disorder and mental health treatment to an individual involved in the
228 criminal justice system, including:

229 (i) collaboration with the Department of Corrections, the Utah Substance Use and
230 Mental Health Advisory Council, and the Utah Association of Counties to develop, coordinate,
231 and implement the certification process;

232 (ii) basing the certification process on the standards developed under Subsection (2)(i)
233 for the treatment of an individual involved in the criminal justice system; and

234 (iii) the requirement that a public or private provider of treatment to an individual
235 involved in the criminal justice system shall obtain certification on or before July 1, 2016, and
236 shall renew the certification every two years, in order to qualify for funds allocated to the
237 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice
238 on or after July 1, 2016;

239 (k) collaborate with the Commission on Criminal and Juvenile Justice to analyze and
240 provide recommendations to the Legislature regarding:

241 (i) pretrial services and the resources needed to reduce recidivism;

242 (ii) county jail and county behavioral health early-assessment resources needed for an
243 offender convicted of a class A or class B misdemeanor; and

244 (iii) the replacement of federal dollars associated with drug interdiction law

245 enforcement task forces that are reduced;

246 (l) (i) establish performance goals and outcome measurements for all treatment
247 programs for which minimum standards are established under Subsection (2)(i), including
248 recidivism data and data regarding cost savings associated with recidivism reduction and the
249 reduction in the number of inmates, that are obtained in collaboration with the Administrative
250 Office of the Courts and the Department of Corrections; and

251 (ii) collect data to track and determine whether the goals and measurements are being
252 attained and make this information available to the public;

253 (m) in the division's discretion, use the data to make decisions regarding the use of
254 funds allocated to the division, the Administrative Office of the Courts, and the Department of
255 Corrections to provide treatment for which standards are established under Subsection (2)(i);

256 (n) annually, on or before August 31, submit the data collected under Subsection (2)(k)
257 to the Commission on Criminal and Juvenile Justice, which shall compile a report of findings
258 based on the data and provide the report to the Judiciary Interim Committee, the Health and
259 Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim
260 Committee, and the related appropriations subcommittees; and

261 (o) consult and coordinate with the Department of Health and the Division of Child
262 and Family Services to develop and manage the operation of a program designed to reduce
263 substance abuse during pregnancy that includes:

264 (i) providing education and resources to health care providers and individuals in the
265 state regarding prevention of substance abuse during pregnancy;

266 (ii) providing training to health care providers in the state regarding screening of a
267 pregnant woman or pregnant minor to identify a substance abuse disorder; and

268 (iii) providing referrals to pregnant women or pregnant minors in need of substance use
269 treatment services to a facility that has the capacity to provide the treatment services.

270 (3) In addition to the responsibilities described in Subsection (2), the division shall,
271 within funds appropriated by the Legislature for this purpose, implement and manage the
272 operation of a firearm safety and suicide prevention program, in consultation with the Bureau
273 of Criminal Identification created in Section [53-10-201](#), including:

274 (a) coordinating with the Department of Health, local mental health and substance
275 abuse authorities, a nonprofit behavioral health advocacy group, and a representative from a

276 Utah-based nonprofit organization with expertise in the field of firearm use and safety that
277 represents firearm owners, to:

278 (i) produce and periodically review and update a firearm safety brochure and other
279 educational materials with information about the safe handling and use of firearms that
280 includes:

281 (A) information on safe handling, storage, and use of firearms in a home environment;
282 (B) information about at-risk individuals and individuals who are legally prohibited
283 from possessing firearms;

284 (C) information about suicide prevention awareness; and
285 (D) information about the availability of firearm safety packets;

286 (ii) procure cable-style gun locks for distribution pursuant to this section;
287 (iii) produce a firearm safety packet that includes the firearm safety brochure and the
288 cable-style gun lock described in this Subsection (3); and

289 (iv) create a suicide prevention education course that:

290 (A) provides information for distribution regarding firearm safety education;
291 (B) incorporates current information on how to recognize suicidal behaviors and
292 identify individuals who may be suicidal; and

293 (C) provides information regarding crisis intervention resources;

294 (b) distributing, free of charge, the firearm safety packet to the following persons, who
295 shall make the firearm safety packet available free of charge:

296 (i) health care providers, including emergency rooms;
297 (ii) mobile crisis outreach teams;
298 (iii) mental health practitioners;
299 (iv) other public health suicide prevention organizations;
300 (v) entities that teach firearm safety courses;
301 (vi) school districts for use in the seminar, described in Section 53G-9-702, for parents
302 of students in the school district; and

303 (vii) firearm dealers to be distributed in accordance with Section 76-10-526;

304 (c) creating and administering a [~~redeemable coupon program described in this~~
305 ~~Subsection (3) and Section 76-10-526 that includes: (i) producing a redeemable coupon] rebate
306 program that includes a rebate that offers between \$10 and \$200 off the purchase price of a~~

307 firearm safe from a participating firearms dealer or a person engaged in the business of selling
308 firearm safes in Utah, by a Utah resident [~~who has filed an application for a concealed firearm~~
309 ~~permit, and~~];

310 [~~(ii) collecting the receipts described in Section 76-10-526 from the participating~~
311 ~~dealers and persons and reimbursing the dealers and persons;~~]

312 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
313 making rules that establish procedures for:

314 (i) producing and distributing the suicide prevention education course and the firearm
315 safety brochures and packets;

316 (ii) procuring the cable-style gun locks for distribution; and

317 (iii) administering the [~~redeemable coupon~~] rebate program; and

318 (e) reporting to the Health and Human Services Interim Committee regarding
319 implementation and success of the firearm safety program and suicide prevention education
320 course at or before the November meeting each year.

321 (4) (a) The division may refuse to contract with and may pursue legal remedies against
322 any local substance abuse authority or local mental health authority that fails, or has failed, to
323 expend public funds in accordance with state law, division policy, contract provisions, or
324 directives issued in accordance with state law.

325 (b) The division may withhold funds from a local substance abuse authority or local
326 mental health authority if the authority's contract provider of substance abuse or mental health
327 programs or services fails to comply with state and federal law or policy.

328 (5) (a) Before reissuing or renewing a contract with any local substance abuse authority
329 or local mental health authority, the division shall review and determine whether the local
330 substance abuse authority or local mental health authority is complying with the oversight and
331 management responsibilities described in Sections 17-43-201, 17-43-203, 17-43-303, and
332 17-43-309.

333 (b) Nothing in this Subsection (5) may be used as a defense to the responsibility and
334 liability described in Section 17-43-303 and to the responsibility and liability described in
335 Section 17-43-203.

336 (6) In carrying out the division's duties and responsibilities, the division may not
337 duplicate treatment or educational facilities that exist in other divisions or departments of the

338 state, but shall work in conjunction with those divisions and departments in rendering the
339 treatment or educational services that those divisions and departments are competent and able
340 to provide.

341 (7) The division may accept in the name of and on behalf of the state donations, gifts,
342 devises, or bequests of real or personal property or services to be used as specified by the
343 donor.

344 (8) The division shall annually review with each local substance abuse authority and
345 each local mental health authority the authority's statutory and contract responsibilities
346 regarding:

- 347 (a) use of public funds;
- 348 (b) oversight of public funds; and
- 349 (c) governance of substance use disorder and mental health programs and services.

350 (9) The Legislature may refuse to appropriate funds to the division upon the division's
351 failure to comply with the provisions of this part.

352 (10) If a local substance abuse authority contacts the division under Subsection
353 [17-43-201](#)(10) for assistance in providing treatment services to a pregnant woman or pregnant
354 minor, the division shall:

- 355 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the
356 capacity to provide the treatment services; or
- 357 (b) otherwise ensure that treatment services are made available to the pregnant woman
358 or pregnant minor.

359 (11) The division shall employ a school-based mental health specialist to be housed at
360 the State Board of Education who shall work with the State Board of Education to:

- 361 (a) provide coordination between a local education agency and local mental health
362 authority;
- 363 (b) recommend evidence-based and evidence informed mental health screenings and
364 intervention assessments for a local education agency; and
- 365 (c) coordinate with the local community, including local departments of health, to
366 enhance and expand mental health related resources for a local education agency.

367 Section 3. Section **62A-15-120** is enacted to read:

368 **62A-15-120. Suicide technical assistance program.**

369 (1) As used in this section, "technical assistance" means training for the prevention of
370 suicide.

371 (2) (a) Before July 1, 2021, and each subsequent July 1, the division shall solicit
372 applications from health care organizations to receive technical assistance provided by the
373 division.

374 (b) The division shall approve at least one but not more than six applications each year.

375 (c) The division shall determine which applicants receive the technical assistance
376 before December 31 of each year.

377 (3) An application for technical assistance under this section shall:

378 (a) identify the population to whom the health care organization will provide suicide
379 prevention services;

380 (b) identify how the health care organization plans to implement the skills and
381 knowledge gained from the technical assistance;

382 (c) identify the health care organization's current resources used for the prevention of
383 suicide;

384 (d) explain how the population described in Subsection (3)(a) will benefit from the
385 health care organization receiving technical assistance;

386 (e) provide details regarding:

387 (i) how the health care organization will provide timely and effective suicide
388 prevention services;

389 (ii) any existing or planned contracts or partnerships between the health care
390 organization and other persons that are related to suicide prevention;

391 (iii) the methods the health care organization will use to:

392 (A) protect the privacy of each individual to whom the health care organization
393 provides suicide prevention services; and

394 (B) collect non-identifying data; and

395 (f) provide other information requested by the division for the division to evaluate the
396 application.

397 (4) In evaluating an application for technical assistance, the division shall consider:

398 (a) the extent to which providing technical assistance to the health care organization
399 will fulfill the purpose of preventing suicides in the state;

400 (b) the extent to which the population described in Subsection (3)(a) is likely to benefit
401 from the health care organization receiving the technical assistance;

402 (c) the cost of providing the technical assistance to the health care organization; and

403 (d) the extent to which any of the following are likely to benefit the health care

404 organization's ability to assist in preventing suicides in the state:

405 (i) existing or planned contracts or partnerships between the applicant and other
406 persons to develop and implement other initiatives; or

407 (ii) additional funding sources available to the applicant for suicide prevention
408 services.

409 (5) Before June 30, 2022, and each subsequent June 30, the division shall submit a
410 written report to the Health and Human Services Interim Committee regarding each health care
411 organization the division provided technical assistance to in the preceding year under this
412 section.

413 (6) Before June 30, 2024, the division shall submit a written report to the Health and
414 Human Services Interim Committee regarding:

415 (a) data gathered in relation to providing technical assistance to a health care
416 organization;

417 (b) knowledge gained relating to providing technical assistance;

418 (c) recommendations for the future regarding how the state can better prevent suicides;
419 and

420 (d) obstacles encountered when providing technical assistance.

421 Section 4. Section **62A-15-1501** is amended to read:

422 **62A-15-1501. Definitions.**

423 As used in this part:

424 (1) "Account" means the Survivors of Suicide Loss Account created in Section
425 **62A-15-1502.**

426 (2) (a) "Cohabitant" means an individual who lives with another individual.

427 (b) "Cohabitant" does not include a relative.

428 [(2)] (3) "Relative" means father, mother, husband, wife, son, daughter, sister, brother,
429 grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin,
430 mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

431 Section 5. Section **62A-15-1502** is amended to read:

432 **62A-15-1502. Survivors of Suicide Loss Account.**

433 (1) There is created a restricted account within the General Fund known as the
434 "Survivors of Suicide Loss Account."

435 (2) The division shall administer the account in accordance with this part.

436 (3) The account shall consist of:

437 (a) money appropriated to the account by the Legislature; and

438 (b) interest earned on money in the account.

439 (4) Upon appropriation, the division shall award grants from the account to ~~[(a) a~~
440 ~~relative, legal guardian, or cohabitant of an individual who dies by suicide as reimbursement~~
441 ~~for costs incurred by the relative, legal guardian, or cohabitant for mental health treatment or~~
442 ~~therapy as a result of the suicide; and (b)]~~ a person who provides, for no or minimal cost:

443 [(i) (a) clean-up of property affected or damaged by an individual's suicide, as
444 reimbursement for the costs incurred for the clean-up; and

445 [(ii) (b) bereavement services to a relative, legal guardian, or cohabitant of an
446 individual who dies by suicide.

447 ~~[(5) The division shall establish a grant application and review process for the~~
448 ~~expenditure of money from the account.]~~

449 ~~[(6) The grant application and review process shall describe:]~~

450 ~~[(a) requirements to complete the grant application;]~~

451 ~~[(b) requirements for receiving funding;]~~

452 ~~[(c) criteria for the approval of a grant application; and]~~

453 ~~[(d) support offered by the division to complete a grant application.]~~

454 ~~[(7) Upon receipt of a grant application, the division shall:]~~

455 ~~[(a) review the grant application for completeness;]~~

456 ~~[(b) make a determination regarding the grant application;]~~

457 ~~[(c) inform the grant applicant of the division's determination regarding the grant~~
458 ~~application; and]~~

459 ~~[(d) if approved, award grants from the account to the grant applicant.]~~

460 ~~[(8) (5) Before November 30 of each year, the division shall report to the Health and~~
461 ~~Human Services Interim Committee regarding the status of the account and expenditures made~~

462 from the account.

463 Section 6. Section **76-10-526** is amended to read:

464 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**
465 **Exemption for concealed firearm permit holders and law enforcement officers.**

466 (1) For purposes of this section, "valid permit to carry a concealed firearm" does not
467 include a temporary permit issued under Section [53-5-705](#).

468 (2) (a) To establish personal identification and residence in this state for purposes of
469 this part, a dealer shall require an individual receiving a firearm to present one photo
470 identification on a form issued by a governmental agency of the state.

471 (b) A dealer may not accept a driving privilege card issued under Section [53-3-207](#) as
472 proof of identification for the purpose of establishing personal identification and residence in
473 this state as required under this Subsection (2).

474 (3) (a) A criminal history background check is required for the sale of a firearm by a
475 licensed firearm dealer in the state.

476 (b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms
477 Licensee.

478 (4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a
479 criminal background check, on a form provided by the bureau.

480 (b) The form shall contain the following information:

481 (i) the dealer identification number;

482 (ii) the name and address of the individual receiving the firearm;

483 (iii) the date of birth, height, weight, eye color, and hair color of the individual
484 receiving the firearm; and

485 (iv) the social security number or any other identification number of the individual
486 receiving the firearm.

487 (5) (a) The dealer shall send the information required by Subsection (4) to the bureau
488 immediately upon its receipt by the dealer.

489 (b) A dealer may not sell or transfer a firearm to an individual until the dealer has
490 provided the bureau with the information in Subsection (4) and has received approval from the
491 bureau under Subsection (7).

492 (6) The dealer shall make a request for criminal history background information by

493 telephone or other electronic means to the bureau and shall receive approval or denial of the
494 inquiry by telephone or other electronic means.

495 (7) When the dealer calls for or requests a criminal history background check, the
496 bureau shall:

497 (a) review the criminal history files, including juvenile court records, to determine if
498 the individual is prohibited from purchasing, possessing, or transferring a firearm by state or
499 federal law;

500 (b) inform the dealer that:

501 (i) the records indicate the individual is prohibited; or

502 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

503 (c) provide the dealer with a unique transaction number for that inquiry; and

504 (d) provide a response to the requesting dealer during the call for a criminal
505 background check, or by return call, or other electronic means, without delay, except in case of
506 electronic failure or other circumstances beyond the control of the bureau, the bureau shall
507 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the
508 delay.

509 (8) (a) The bureau may not maintain any records of the criminal history background
510 check longer than 20 days from the date of the dealer's request, if the bureau determines that
511 the individual receiving the firearm is not prohibited from purchasing, possessing, or
512 transferring the firearm under state or federal law.

513 (b) However, the bureau shall maintain a log of requests containing the dealer's federal
514 firearms number, the transaction number, and the transaction date for a period of 12 months.

515 (9) (a) If the criminal history background check discloses information indicating that
516 the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or
517 transferring a firearm, the bureau shall inform the law enforcement agency in the jurisdiction
518 where the individual resides.

519 (b) A law enforcement agency that receives information from the bureau under
520 Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that
521 includes:

522 (i) based on the information the bureau provides to the law enforcement agency under
523 Subsection (9)(a), the number of cases that involve an individual who is prohibited from

524 purchasing, possessing, or transferring a firearm as a result of a conviction for an offense
525 involving domestic violence; and

526 (ii) of the cases described in Subsection (9)(b)(i):

527 (A) the number of cases the law enforcement agency investigates; and

528 (B) the number of cases the law enforcement agency investigates that result in a
529 criminal charge.

530 (c) The bureau shall:

531 (i) compile the information from the reports described in Subsection (9)(b);

532 (ii) omit or redact any identifying information in the compilation; and

533 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim
534 Committee before November 1 of each year.

535 (10) If an individual is denied the right to purchase a firearm under this section, the
536 individual may review the individual's criminal history information and may challenge or
537 amend the information as provided in Section [53-10-108](#).

538 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah
539 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all
540 records provided by the bureau under this part are in conformance with the requirements of the
541 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

542 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a
543 firearm under this section.

544 (b) The fee described under Subsection (12)(a) remains in effect until changed by the
545 bureau through the process described in Section [63J-1-504](#).

546 (c) (i) The dealer shall forward at one time all fees collected for criminal history
547 background checks performed during the month to the bureau by the last day of the month
548 following the sale of a firearm.

549 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover
550 the cost of administering and conducting the criminal history background check program.

551 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,
552 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee
553 required in this section for the purchase of a firearm if:

554 (a) the individual presents the individual's concealed firearm permit to the dealer prior

555 to purchase of the firearm; and

556 (b) the dealer verifies with the bureau that the individual's concealed firearm permit is
557 valid.

558 (14) (a) A law enforcement officer, as defined in Section 53-13-103, is exempt from
559 the background check fee required in this section for the purchase of a personal firearm to be
560 carried while off-duty if the law enforcement officer verifies current employment by providing
561 a letter of good standing from the officer's commanding officer and current law enforcement
562 photo identification.

563 (b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a
564 personal firearm once in a 24-month period.

565 ~~[(15) (a) A dealer or a person engaged in the business of selling firearm safes in Utah
566 may participate in the redeemable coupon program described in this Subsection (15) and
567 Subsection 62A-15-103(3).]~~

568 ~~[(b) A participating dealer or person shall:]~~

569 ~~[(i) apply the coupon only toward the purchase of a gun safe;]~~

570 ~~[(ii) collect the receipts from the purchase of a firearm safe using the redeemable
571 coupons and send the receipts to the Division of Substance Abuse and Mental Health for
572 redemption; and]~~

573 ~~[(iii) make the firearm safety brochure described in Subsection 62A-15-103(3)
574 available to a customer free of charge.]~~

575 ~~[(16)]~~ (15) A dealer engaged in the business of selling, leasing, or otherwise
576 transferring any firearm shall:

577 (a) make the firearm safety brochure described in Subsection 62A-15-103(3) available
578 to a customer free of charge; and

579 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer
580 under Subsection 62A-15-103(3) to a customer purchasing a shotgun, short barreled shotgun,
581 short barreled rifle, rifle, or another firearm that federal law does not require be accompanied
582 by a gun lock at the time of purchase.

583 Section 7. **Appropriation.**

584 The following sums of money are appropriated for the fiscal year beginning July 1,
585 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for

586 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedure
587 Act, the Legislature appropriates the following sums of money from the funds or accounts
588 indicated for the use and support of the government of the state of Utah.

589 ITEM 1

590 To Department of Human Services -- Division of Substance Abuse and Mental Health

591 From General Fund \$350,000

592 Schedule of Programs:

593 Community Mental Health Services \$350,000

594 The Legislature intends that the Division of Substance Abuse and Mental Health
595 expend appropriations provided under this item for providing suicide prevention training to
596 health care organizations under Section [62A-15-120](#).