

Thursday, January 18, 2024 [2:00 p.m.] 30 House Building

Members Present: Rep. Ryan D. Wilcox, Chair Rep. Melissa G. Ballard Rep. Jefferson S. Burton Rep. Katy Hall Rep. Sahara Hayes Rep. Sandra Hollins Rep. Trevor Lee Rep. Karianne Lisonbee

Rep. Val L. Peterson Rep. Andrew Stoddard Rep. Stephen L. Whyte

Members Absent: Rep. Matthew H. Gwynn, Vice Chair

Staff Present: John Feinauer, Managing Policy Analyst An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Wilcox called the meeting to order at 2:09 p.m.

MOTION: Rep. Hollins moved to approve the minutes of February 28, 2023. The motion passed with a vote of 6 - 0 - 6.

Yeas - 6 Navs - 0 Rep. M. Ballard Rep. J. Burton Rep. S. Hayes Rep. S. Hollins Rep. A. Stoddard Rep. R. Wilcox

Absent - 6 Rep. M. Gwvnn Rep. K. Hall Rep. T. Lee Rep. K. Lisonbee Rep. V. Peterson Rep. S. Whyte

1. H.B. 83 Criminal Threat or Interference Amendments (Stoddard, A.)

Rep. Stoddard presented the bill.

Wade Cook, Legislative Director, Utah Eagle Forum, spoke in opposition to the bill.

Steve Burton, Utah Association of Criminal Defense Attorneys, spoke in opposition to the bill.

Rep. Burton assumed the chair.

Will Carlson, Chief Policy Advisor, Salt Lake County District Attorney's Office, spoke in support of the bill.

Dan Strong, Chair, Sentencing Commission, spoke in support of the bill.

Jason Chipman, Director of Utah Government Affairs, Libertas Institute, spoke in opposition the bill.

MOTION: Rep. Lisonbee moved to replace H.B. 83 with 1st Substitute H.B. 83. The motion passed with a vote of 9 - 0 - 3.

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE

Yeas - 9 Nays - 0 Absent - 3 Rep. M. Ballard Rep. M. Gwynn Rep. J. Burton Rep. V. Peterson Rep. K. Hall Rep. R. Wilcox Rep. S. Hayes Rep. S. Hollins Rep. T. Lee Rep. K. Lisonbee Rep. A. Stoddard Rep. S. Whyte Rep. Ballard moved to pass 1st Substitute H.B. 83 out favorably. The motion passed with a vote of MOTION: 9-0-3. Yeas - 9 Nays - 0 Absent - 3 Rep. M. Ballard Rep. M. Gwynn Rep. J. Burton Rep. V. Peterson Rep. K. Hall Rep. R. Wilcox Rep. S. Haves Rep. S. Hollins Rep. T. Lee Rep. K. Lisonbee Rep. A. Stoddard

Rep. S. Whyte

2. H.B. 68 Firearm Modifications (Stoddard, A.)

Rep. Stoddard presented the bill.

Mark Moffatt, criminal defense attorney, spoke in opposition to the bill.

Jeff Buhman, Director, Statewide Association of Prosecutors, spoke in support of the bill.

Dan Strong spoke in support of the bill.

Nate Mutter, Co-chair, Law Enforcement Legislative Committee, spoke in support of the bill.

Steve Burton spoke in opposition to the bill.

Will Carlson answered questions from the committee.

MOTION: Rep. Ballard moved to pass H.B. 68 out favorably. The motion passed with a vote of 7 - 2 - 3.

<u>Yeas - 7</u> Rep. M. Ballard Rep. J. Burton Rep. K. Hall Rep. S. Hayes Rep. K. Lisonbee Rep. A. Stoddard Rep. S. Whyte

Nays - 2 Rep. S. Hollins Rep. T. Lee

Absent - 3 Rep. M. Gwynn Rep. V. Peterson Rep. R. Wilcox

Rep. Lisonbee assumed the chair.

3. H.B. 26 Correctional Facility Amendments (Burton, J.)

Rep. Burton presented the bill.

Tyler Johnson, Chief of Professional Standards Bureau, Department of Corrections, spoke in support of the bill.

MOTION: Rep. Lee moved to replace H.B. 26 with 1st Substitute H.B. 26. The motion passed with a vote of 7 - 0 - 5.

Absent - 5

Rep. M. Gwynn

Rep. S. Hollins

Rep. R. Wilcox

Rep. V. Peterson

Rep. A. Stoddard

Yeas - 7 Rep. M. Ballard Rep. J. Burton Rep. K. Hall Rep. S. Hayes Rep. T. Lee Rep. K. Lisonbee Rep. S. Whyte

<u>Nays - 0</u>

MOTION: Rep. Lee moved to amend 1st Substitute H.B. 26 with Amendment #1. The motion passed with a vote of 7 - 0 - 5.

Amendment 1 1st Sub. H.B. 26

- 1. Page 8, Lines 235 through 237:
- 235 (b) A correctional facility may prohibit a communication device from being:
- 236 (i) transported { to or } within the correctional facility for the purpose of being sold to an
- 237 offender in the correctional facility;
- 2. Page 12, Lines 344 through 345:

344 (ii) knowingly possesses a communication device {-at-} in the correctional facility.

345 (3)(a) A violation of Subsection (2)(a), (b), or (c) is a third degree felony.

<u>Yeas - 7</u> Rep. M. Ballard Rep. J. Burton Rep. K. Hall Rep. S. Hayes	<u>Nays - 0</u>	<u>Absent - 5</u> Rep. M. Gwynn Rep. S. Hollins Rep. V. Peterson Rep. A. Stoddard
Rep. 5. Hayes Rep. T. Lee Rep. K. Lisonbee		Rep. A. Stoddard Rep. R. Wilcox
Rep. S. Whyte		

MOTION: Rep. Lee moved to pass 1st Substitute H.B. 26 out favorably as amended. The motion passed with a vote of 8 - 0 - 4.

<u>Yeas - 8</u>	<u>Nays - 0</u>	<u>Absent - 4</u>
Rep. M. Ballard		Rep. M. Gwynn
Rep. J. Burton		Rep. S. Hollins
Rep. K. Hall		Rep. A. Stoddard
Rep. S. Hayes		Rep. R. Wilcox
Rep. T. Lee		
Rep. K. Lisonbee		
Rep. V. Peterson		
Rep. S. Whyte		

MOTION: Rep. Burton moved to adjourn. The motion passed with a vote of 7 - 0 - 5.

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING

Yeas - 7 Rep. M. Ballard Rep. J. Burton Rep. K. Hall Rep. S. Hayes Rep. T. Lee Rep. K. Lisonbee Rep. S. Whyte <u>Nays - 0</u>

Absent - 5 Rep. M. Gwynn Rep. S. Hollins Rep. V. Peterson Rep. A. Stoddard Rep. R. Wilcox

Chair Pro-Tempore Lisonbee adjourned the meeting at 3:12 p.m.