



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Friday, January 26, 2024 | 2:00 p.m. | 210 Senate Building

Members Present:

Sen. Todd D. Weiler, Chair
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Jerry W Stevenson

Members Absent:

Sen. Kirk A. Cullimore
Sen. Daniel W. Thatcher

Staff Present:

Lacey Johnson, Policy Analyst
Nancy Skidmore, Committee Secretary

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

Chair Weiler called the meeting to order at 2:02 p.m.

MOTION: Sen. Kennedy moved to approve the minutes of the January 23, 2024 meeting. The motion passed with a vote of 2 - 0 - 4.

Yeas - 2

Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. D. Thatcher

1. S.B. 50 Aggravated Assault Modifications (Kennedy, M.)

Sen. Kennedy presented the bill with the assistance of Will Carlson, Deputy District Attorney, Salt Lake County District Attorney's Office.

MOTION: Sen. Kennedy moved to amend S.B. 50 with Amendment #1. The motion passed with a vote of 2 - 0 - 4.

Amendment 1
S.B. 50

1 . Page , Line 28 through Page 2, Line 41:

28 (2) An actor commits aggravated assault if the actor:

29 (a) (i) attempts, with unlawful force or violence, to do bodily injury to another;

30 (ii) makes a threat, accompanied by a show of immediate force or violence, to do
31 bodily injury to another; or

32 (iii) commits an act, committed with unlawful force or violence, that causes bodily
33 injury to another or creates a substantial risk of bodily injury to another; and

34 (b) includes in the actor's conduct under Subsection (2)(a) the use of:

35 (i) a dangerous weapon;

36 (ii) any act that intentionally or knowingly impedes the breathing or the circulation of blood of another
individual

37 by the actor's use of unlawful force or violence [~~that is likely to produce a loss of~~
38 ~~consciousness~~] by:

39 (A) applying pressure to the neck or throat of an individual; or

40 (B) obstructing the nose, mouth, or airway of an individual; or

41 (iii) other means or force likely to produce death or serious bodily injury.

Yeas - 2

Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. D. Thatcher

Kristin Zimmerman, Assistant Attorney General, Utah Attorney General's Office, spoke to the bill.

Mark Moffat, Criminal Defense Lawyers Association, spoke in favor of the bill.

Adam Crayk, Criminal Defense Lawyers Association, spoke in favor of the bill

Daniel Strong, Director, Sentencing Committee, Commission on Juvenile and Criminal Justice, spoke in favor of the bill.

Marlesse Jones, Executive Director, Victim Services Commission, spoke in favor the bill.

Jackie Warren, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass S.B. 50 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

2. S.J.R. 5 Joint Resolution Condemning Communism and Socialism (Kennedy, M.)

Sen. Kennedy presented the bill with the assistance of Carlos Mirano, citizen.

Alvin Guo, citizen, spoke in favor of the bill.

Gabriela Puckett, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass S.J.R. 5 out favorably. The motion passed with a vote of 3 - 1 - 2.

Yeas - 3

Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 1

Sen. L. Escamilla

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

3. H.B. 81 Domestic Violence Modifications (Gwynn, M.)

Rep. Gwynn presented the bill.

Daniel Strong, Director, Utah Sentencing Commission, spoke in favor of the bill.

Marlesse Jones, Executive Director, Victims Services Commission, spoke in favor of the bill.

MOTION: Sen. Stevenson moved to pass H.B. 81 out favorably. The motion passed with a vote of 4 - 0 - 2.



Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

MOTION: Sen. Stevenson moved to adjourn. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 3

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Thatcher

Chair Weiler adjourned the meeting at 2:53 p.m.

NOTE: S.B. 0128, S.B. 0131 were not discussed in the meeting.