

**MINUTES OF THE
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
ROOM 225, STATE CAPITOL BUILDING
Tuesday, February 10, 1998**

MEMBERS PRESENT: Rep. Jack A. Seitz, Vice Chair
 Rep. Perry L. Buckner
 Rep. Blake D. Chard
 Rep. Gary Cox
 Rep. David L. Gladwell
 Rep. Neal B. Hendrickson
 Rep. David L. Hogue
 Rep. Susan Koehn
 Rep. Carl R. Saunders

MEMBERS ABSENT: Rep. Robert H. M. Killpack, Chair
 Rep. John E. Swallow

STAFF PRESENT: Chyleen Arbon, Research Analyst
 Sylvia Newton, Secretary

OTHERS PRESENT: (List of visitors on file)

Vice Chair Seitz called the meeting to order at 4:15 p.m.

MOTION: Rep. Hogue moved to approve the minutes of the Friday, February 6, 1998 meeting. The motion passed unanimously with Rep. Gladwell, Rep. Killpack, Rep. Koehn, and Rep. Swallow absent for the vote.

H.B. 124 Bail Bond Agent Licensure Act - Rep. Susan Koehn

Explained the bill: Rep. Koehn
 Ryan Benson, Attorney General's Office

Spoke against the bill: Gary Walton, Bail Bond Licensing Board

MOTION: Rep. Koehn moved to amend the bill as follows:

1. Page 1, Line 10: After Line 10 insert:
 "AMENDS:
 77-20-8.5, as enacted by Chapter 160, Laws of Utah 1988"
2. Page 2, Line 30: After "surety" delete rest of line.
3. Page 2, Line 31: Delete "bonds in connection with judicial proceedings"
4. Page 5, Line 1: Delete "all bonds and"

5. Page 5, Line 21: Delete "seven" and insert "five"
6. Page 5, Line 27: Delete "two" and insert "one"
7. Page 5, Line 30: Delete entire line.
8. Page 5, Line 31: Delete "(e)" and insert "(d)"
9. Page 6, Line 2: Delete "(f)" and insert "(e)"
10. Page 7, Line 19: Delete "four" and insert "three"
11. Page 7, Line 20: After "chapter" delete "one member who is a district court judge,"
12. Page 9, Line 15: Delete "concealed" and insert "carried"
13. Page 10, Line 19: Delete entire line.
14. Page 10, Line 20: Delete "(h)" and insert "(g)"
15. Page 10, Line 21: Delete "(i)" and insert "(h)"
16. Page 10, Line 22: Delete Lines 22 through 31.
17. Page 11, Line 1: Delete Lines 1 through 5.
18. Page 11, Line 6: Delete "(4)" and insert "(2)"
19. Page 13, Line 4: After "accompanied by" delete ":",
20. Page 13, Line 5: Delete "(a)"
Delete ";and" and insert ":",
21. Page 13, Line 6: Delete entire line.
22. Page 16, Line 5: After "agency" insert "who are licensed under this chapter"
23. Page 21, Line 21: After Line 21 insert:
"Section 25. Section **77-20-8.5** is amended to read:
77-20-8.5. Sureties -- Surrender of defendant -- Arrest of defendant.
(1) (a) The sureties may at any time prior to a forfeiture of their bail surrender the defendant and obtain exoneration of their bail by filing written requests at the time of the surrender.

(b) To effect surrender, certified duplicate copies of the undertaking shall be delivered to a peace officer, who shall detain the defendant in his custody as upon a commitment, and shall in writing acknowledge the surrender upon one copy of the undertaking. This certified copy of the undertaking upon which the acknowledgment of surrender is endorsed shall be filed with the court. The court may then, upon proper application, order the undertaking exonerated and may order a refund of any paid premium, or part of a premium, as it finds just.

(2) For the purpose of surrendering the defendant, the sureties may arrest him at any time before they are finally exonerated and at any place within the state.

(3) A surety acting under this section is subject to the provisions of Title 53, Chapter 10, Bail Bond Recovery."

The motion passed unanimously with Rep. Cox, Rep. Gladwell, Rep. Killpack, and Rep. Swallow absent for the vote.

MOTION: Rep. Hogue moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Gladwell, Rep. Killpack, and Rep. Swallow absent for the vote.

H.B. 163 Public Access to Accident Reports - Rep. Dave Hogue

Explained the bill: Rep. Hogue
Ken McGuire, West Jordan Police Department
Bob Wright, Sandy City Police Department

Spoke for the bill: Craig Allred, Department of Public Safety
Bobbie Atkins, Mothers Against Drunk Driving
Christopher Purcell, State Farm Insurance

Rep. Cox declared a conflict of interest.

MOTION: Rep. Hogue moved to amend the bill as follows:

1. Page 2, Line 31: Delete "and" and insert:
"(iv) a member of the press or broadcast news media;

(v) a state or federal agency that uses the records for official governmental, investigative, or accident prevention purposes; and"
2. Page 3, Line 1: Delete "(iv)" and insert "(vi)"

3. Page 9, Line 27: After line 27 insert:
"(iv) a member of the press or broadcast news media;
(v) a state or federal agency that uses the records for official
governmental, investigative, or accident prevention purposes; and"
4. Page 9, Line 28: Delete "(iv)" and insert "(vi)"

The motion passed unanimously with Rep. Gladwell, Rep. Koehn, Rep. Killpack, and Rep. Swallow absent for the vote.

MOTION: Rep. Cox moved to amend the amended bill as follows:

1. Page 2, Line 19: After "state" insert ", local,"
2. Page 2, Line 31: After "state" insert ", local,"
3. Page 9, Line 16: After "state" insert ", local,"
4. Page 9, Line 27: After "state" insert ", local,"

The motion passed with Rep. Koehn, Rep. Killpack, and Rep. Swallow absent for the vote.

MOTION: Rep. Hendrickson moved to pass the bill out favorably as amended. The motion passed with Rep. Chard voting in opposition and Rep. Koehn, Rep. Killpack, and Rep. Swallow absent for the vote.

S.B. 100 Radar Jamming Devices - Sen. Joseph Hull

Explained the bill: Sen. Hull
Richard Greenwood, Utah Highway Patrol

MOTION: Rep. Saunders moved to pass the bill out favorably. The motion passed unanimously with Rep. Koehn, Rep. Killpack, and Rep. Swallow absent for the vote.

MOTION: Rep. Saunders moved to adjourn the meeting. The motion passed unanimously with Rep. Koehn, Rep. Killpack, and Rep. Swallow absent for the vote.

Vice Chair Seitz adjourned the meeting at 5:05 p.m.