



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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January 31, 2011

Mr. President:

The Health and Human Services Committee reports a favorable recommendation on **S.B. 124**, LEAVING A CHILD UNATTENDED IN A MOTOR VEHICLE, by Senator B. McAdams, with the following amendments:

1. *Page 1, Lines 9 through 10:*

9 This bill amends the Utah Criminal Code by making it an infraction to leave a child
10 unattended in an enclosed compartment of a motor vehicle.

2. *Page 1, Lines 14 through 22:*

14 ▶ makes it a class C misdemeanor for a person who is responsible for a child under
15 nine years of age to intentionally, recklessly, knowingly, or with criminal negligence
16 leave a child in an enclosed compartment of a motor vehicle if:

- 17 • the child is not supervised by a person who is at least 12 years old; and
18 • the conditions present a risk to the child's health or safety {~~-, the engine is~~
running,
19 or the keys are in the passenger compartment of the motor vehicle} ; and

20 ▶ provides that this bill does not apply if the person's conduct that constitutes a
21 violation of this bill is {~~punishable as a class B misdemeanor, a class A~~
22 misdemeanor, or a felony.} subject to a greater penalty under another provision
of state law.

Bill Number



SB0124

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3. Page 2, Lines 36 through 47:

(b) "Enclosed compartment" means any enclosed area of a motor vehicle, including the passenger compartment, regardless of whether a door, window, or hatch is left open.

36 ~~{(b)}~~ (c) "Motor vehicle" means an automobile, truck, truck tractor, bus, or
any other

37 self-propelled vehicle.

38 (2) A person who is responsible for a child is guilty of a class C misdemeanor if:

39 (a) the person intentionally, recklessly, knowingly, or with criminal negligence leaves
40 the child in ~~{a}~~ an enclosed compartment of a motor vehicle;

41 (b) the child is not supervised by a person who is at least 12 years old; and

42 (c) ~~{(i)}~~ the conditions present a risk to the child's health or safety ~~{i}~~ .

43 ~~{(ii) the engine of the motor vehicle is running; or~~

44 ~~—(iii) the keys to the motor vehicle are in the passenger compartment of the motor~~
45 ~~vehicle.}~~

46 (3) This section does not apply if the person's conduct that constitutes a violation of
47 this section is ~~{punishable as a class B misdemeanor, a class A misdemeanor, or a~~
~~felony}~~ subject to a greater penalty under another provision of state law .

Respectfully,

D. Chris Buttar
Committee Chair

Voting: 5-1-0

3 SB0124.SCI.WPD /MDA TRV/MDA 2/1/11 9:32 am

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