

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
February 7, 2012

Members Present: Rep. Curt Oda, Chair
 Rep. Richard Greenwood, Vice Chair
 Rep. Patrice Arent
 Rep. David Butterfield
 Rep. Craig Frank
 Rep. Keith Grover
 Rep. Greg Hughes
 Rep. Don Ipson
 Rep. David Litvack
 Rep. Daniel McCay
 Rep. Lee Perry
 Rep. Jennifer Seelig
 Rep. Bill Wright

Staff Present: Mr. Nathan Brady, Policy Analyst
 Ms. Linda Error, Committee Secretary

note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Ipson called the meeting to order at 2:07 p.m.

MOTION: Rep. Arent moved to approve the minutes of the February 3, 2012 meeting. The motion passed unanimously, with Rep. Greenwood, Rep. Hughes, Rep. Litvack, Rep. Oda, Rep. Seelig, and Rep. Wright absent for the vote.

H.B. 223 Retention of Evidence Amendments (*Rep. B. Wilson*)

Rep. Wilson introduced and explained the bill to the committee with the assistance of Mr. Paul Boyden, Statewide Association of Prosecutors.

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

1. *Page 2, Line 56:*

56 76-5-404.1, the peace officer's employing agency shall retain a copy of the recording for
 ~~{15}~~ 18

The motion to amend passed unanimously, with Rep. Greenwood, Rep. Hughes, Rep. Litvack, Rep. McCay, Rep. Oda, and Rep. Seelig absent for the vote.

MOTION: Rep. Perry moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Greenwood, Rep. Hughes, Rep. Litvack, Rep. McCay, and Rep. Oda absent for the vote.

H.B. 239 Pawnshop Record Amendments (*Rep. R. Greenwood*)

Rep. Greenwood introduced and explained the bill to the committee.

Spoke to the bill: Mr. Ron Fox, Utah Coin Association

MOTION: Rep. Frank moved to pass the bill out favorably. The motion passed unanimously, with Rep. Butterfield, Rep. Hughes, Rep. Litvack, Rep. McCay, and Rep. Oda absent for the vote.

S.C.R. 1 Concurrent Resolution Supporting Establishment of a Fund for Assistance to Families of Fallen Officers (*Sen. K. Van Tassell*)

Sen. Van Tassell introduced and explained the resolution to the committee.

MOTION: Rep. Arent moved to pass the resolution out favorably. The motion passed unanimously, with Rep. Butterfield, Rep. Greenwood, Rep. Hughes, Rep. McCay, and Rep. Oda absent for the vote.

S.B. 109 Assault Amendments (*Sen. A. Osmond*)

Sen. Osmond introduced and explained the bill to the committee with the assistance of Ms. Jacey Skinner, Utah Sentencing Commission. (handout)

MOTION: Rep. Arent moved to pass the bill out favorably. The motion passed unanimously, with Rep. Greenwood, Rep. Hughes, Rep. McCay, and Rep. Oda absent for the vote.

Rep. Ipson relinquished the chair to Rep. Greenwood.

H.B. 108 Internet Gambling (*Rep. S. Sandstrom*)

Rep. Sandstrom introduced and explained the bill to the committee.

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

1. *Page 1, Line 18:*

18 {~~None~~} **This bill takes effect on July 1, 2012.**

2. *Page 3, Line 85:*

85 misdemeanor. =

(3) An Internet service provider as defined in Section 13-40-102 who is operating within the state shall apply available technology to intercept, block, or otherwise prevent the transmission, relay, or receipt of gambling information or activity that allows or facilitates gambling within this state.

Section 3. Effective date.
This bill takes effect on July 1, 2012.

1. *Page 1, Line 18:*

18 {~~None~~} **This bill takes effect July 1, 2012.**

2. *Page 3, Line 85:*

85 misdemeanor.

(3)(a) A law enforcement agency who is enforcing this section may use available technology to disable the transmission, relay, or receipt of gambling activity or information.

(b)(i) Internet service providers as defined in Section 13-40-102 shall provide assistance to a enforcement agency in its efforts to enforce this section by implementing, at the request of the law enforcement agency, available technology to disable the transmission, relay, or receipt of gambling activity or information.

(ii) Costs incurred by an Internet service provider to implement technology under Subsection (3)(b)(i) shall be reimbursed by the law enforcement agency requesting implementation of the technology.

Section 3. Effective date.
The effective date of this bill is July 1, 2011.

SUBSTITUTE

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

1. Page 1, Line 18:

18 {~~None~~} **This bill takes effect on July 1, 2012.**

2. Page 3, Line 85:

85 misdemeanor. =

(3) An Internet service provider as defined in Section 13-40-102 who is operating within the state shall apply available technology to intercept, block, or otherwise prevent the transmission, relay, or receipt of gambling information or activity that allows or facilitates gambling within this state.

Section 3. Effective date.

This bill takes effect on July 1, 2012.

The substitute motion to amend passed, with Rep. Arent voting in opposition. Rep. McCay and Rep. Wright were absent for the vote.

Spoke for the bill: Ms. Gayle Ruzicka, Utah Eagle Forum

MOTION: Rep. Wright moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Arent moved to proceed to the next item on the agenda. The motion passed, with Rep. Greenwood, Rep. Grover, and Rep. Wright voting in opposition. Rep. McCay was absent for the vote.

H.B. 221 Sexual Trafficking (Rep. K. Grover)

This bill was not considered.

H.B. 227 Sex Trafficking - Penalties (Rep. K. Grover)

This bill was not considered.

H.B. 228 **Criminal Gang Amendments** (*Rep. C. Oda*)

This bill was not considered.

MOTION: Rep.Litvack moved to adjourn the meeting. The motion passed unanimously,
with Rep. McCay absent for the vote.

Rep. Greenwood adjourned the meeting at 3:50 p.m.

Rep. Curtis Oda, Chair