

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 20, West Office Building
February 4, 2013**

MEMBERS PRESENT: Rep. Kay McIff, Chair
Rep. Lee Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian Greene
Rep. Craig Hall
Rep. Eric Hutchings
Rep. Brian King
Rep. V. Lowry Snow

STAFF PRESENT: Ms. Chelsea Lloyd, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Chair McIff called the meeting to order at 2:10 p.m.

MOTION: Rep. Arent moved to approve the minutes of January 31, 2013.

The motion passed unanimously with Rep. Christensen, Rep. Hutchings, and Rep. Perry absent for the vote.

H.B. 64 Felon's Right to Hold Office (*Rep. C. Moss*)

Rep. Moss presented the bill to the committee.

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

1. *Page 1, Lines 8 through 14:*

- 8 General Description:
9 This bill prohibits {~~a felon~~} an individual convicted of certain
{~~crimes~~} sexual offenses from holding certain offices.
10 Highlighted Provisions:
11 This bill:
12 ▶ prohibits {~~a felon~~} an individual who is convicted of {~~a sexual~~
~~offense~~} certain sexual offenses from holding the office of

- 13 State Board of Education member or local school board member; and
14 ▶ makes conforming and technical changes.

2. *Page 2, Lines 44 through 45:*

- 44 (4) { ~~A convicted felon who is a sex offender, as defined in Section~~
~~77-41-102~~} An individual who has been convicted of a grievous sexual offense, as
defined in Section 76-1-601. may not
45 hold the office of State Board of Education member or local school board member.

The motion passed unanimously with Rep. Christensen, Rep. Hutchings, and Rep. Perry absent for the vote.

MOTION: Rep. Arent moved to further amend the bill as follows:

1. *Page 2, Line 44:*
After Section 76-1-601,
Insert: "against a child"

The motion passed unanimously.

Spoke to the bill : Mr. Thomas Vaughn, Office of Legislative Research and General Counsel

MOTION: Rep. Arent moved to pass the bill out favorably as amended. The motion passed with Rep. Greene voting in opposition.

H.B. 27 Threat of Terrorism Penalty Amendments (*Rep. E. Hutchings*)

Rep. Hutchings presented the bill to the committee.

Rep. Hutchings moved to amend the bill as follows:

1. *Page 1, Line 16:*
16 misdemeanor; ~~{-and-}~~
2. *Page 1, Line 18:*
18 affecting government conduct, or affecting the use of any building or public carrier ; and
▶ modifies the elements of the offense of engaging in conduct that causes action
by an emergency response agency .

3. Page 2, Line 42:

42 (iii) cause ~~{-action of any nature by-}~~ an official or volunteer agency organized
to deal with

4. Page 2, Line 43:

43 emergencies to take action due to the person's conduct posing a serious and
substantial risk to the general public .

The motion passed unanimously.

MOTION: Rep. Arent moved to pass the bill out favorably as amended. The motion passed unanimously.

H.B. 80 Family Expenses Amendments (Rep. Johnny Anderson)

Rep. Johnny Anderson presented the bill to the committee with the assistance of Mr. Quinn Kofford, Utah Collection Association. (handout)

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

1. Page 1, Line 25 through Page 2, Line 28:

25 ~~30-2-9.~~ Family expenses -- Joint and several liability.

26 (1) A husband and wife may be jointly or individually responsible for expenses of the

27 family members for reasonable and necessary medical ~~{-and-}~~ dental

~~{-expenses-}~~ , and ~~{-other~~

28 necessities, including-} education expenses of the minor children.

2. Page 2, Lines 29 through 36:

(2) ~~{-In addition to-}~~ For the expenses described in Subsection (1), a creditor
shall be entitled

30 to recover from the husband and wife, jointly and severally, the following additional
amounts if

31 the amounts are provided for in a written contract signed by either the husband or wife:

32 (a) a collection fee;

33 (b) interest at the rate specified in the contract;

34 (c) court costs;

35 (d) reasonable attorney fees; and

36 (e) any other amounts provided for in the contract.

The motion passed unanimously.

MOTION: Rep. Christensen moved to amend the bill.

SUBSTITUTE

MOTION: Rep. Perry moved to move to the next item on the agenda. The motion passed unanimously.

H.B. 286 Disposition of Personal Property on Vacated Property *(Rep. G. Froerer)*

Rep. Froerer presented the bill to the committee.

MOTION: Rep. Perry moved to replace H.B. 286 with 1st Substitute H.B. 286. The motion passed unanimously.

MOTION: Rep. Christensen moved to adjourn the meeting. The motion passed unanimously.

Chair McIff adjourned the meeting at 3:50 p.m.

Rep. Kay L. McIff, Chair