

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
March 7, 2013

Members Present: Rep. Curt Oda, Chair
 Rep. Richard Greenwood, Vice Chair
 Rep. Derek Brown
 Rep. Keith Grover
 Rep. Dana Layton
 Rep. Paul Ray
 Rep. Edward Redd
 Rep. Jennifer Seelig
 Rep. Keven Stratton
 Rep. Mark Wheatley

Members Excused: Rep. Don Ipson

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. Greenwood called the meeting to order at 4:30 p.m.

MOTION: Rep. Ray moved to approve the minutes of the March 4, 2013 meeting. The motion passed unanimously, with Rep. Brown, Rep. Layton, Rep. Redd, Rep. Seelig and Rep. Stratton absent for the vote.

H.B. 386 Bail Bond Amendments (*Rep. C. Oda*)

Rep. Oda introduced and explained the bill to the committee with the assistance of Mr. Carlos Gallegos, President, Utah Bail Enforcement Association.

MOTION: Rep. Oda moved to adopt 1st Substitute H.B. 386. The motion passed unanimously, with Rep. Brown, Rep. Layton, Rep. Redd, and Rep. Stratton absent for the vote.

Spoke in favor of the bill: Mr. Mark Kramer, Utah Bail Enforcement Association
 Mr. Clark Aposhian, Utah Bail Enforcement Association
 Mr. Peter Minneno, Utah Bail Enforcement Association

Spoke in opposition to the bill: Sheriff Jim Winder, Salt Lake County Sheriff,
 Law Enforcement Legislative Committee
 Mr. Lance Davenport, Utah Department of Public Safety

MOTION: Rep. Oda moved to pass 1st Substitute H.B. 386 with a favorable recommendation. The motion passed unanimously, with Rep. Grover absent for the vote.

Rep. Greenwood relinquished the chair to Rep. Oda.

H.B. 408 Criminal Suspect Photographs (Rep. P. Ray)

Rep. Ray introduced and explained the bill to the committee with the assistance of Sheriff Jim Winder, Salt Lake County Sheriff.

MOTION: Rep. Ray moved to pass H.B. 408 with a favorable recommendation. The motion passed unanimously, with Rep. Grover absent for the vote.

MOTION: Rep. Ray moved to place H.B. 408 on the Consent Calendar. The motion passed unanimously, with Rep. Grover absent for the vote.

H.B. 163 Human Trafficking Amendments (Rep. J. Seelig)

Rep. Seelig introduced and explained the bill to the committee with the assistance of Mr. Gregory Ferbrache, Utah Attorney General's Office. A handout was distributed to the committee.

Spoke in favor of the bill: Ms. Madi Palmer, Station Chief, Backyard Broadcast

MOTION: Rep. Seelig moved to pass H.B. 163 with a favorable recommendation. The motion passed unanimously, with Rep. Grover and Rep. Ray absent for the vote.

H.B. 170 Deoxyribonucleic Acid Collection and Retention Amendments (Rep. S. Eliason)

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

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

1. Page 2, Lines 49 through 50:

- 49 (v) a felony violation of enticing a minor over the Internet, Section 76-4-401;
- 50 (vi) a felony violation of propelling a substance or object at a correctional or peace officer, Section

2. *Page 2, Lines 54 through 55:*

54 (viii) a felony violation of unlawful sexual activity with a minor, Section 76-5-401;

55 (ix) a felony violation of sexual abuse of a minor, Section 76-5-401.1;

3. *Page 3, Line 59:*

59 (xiii) a felony violation of assault on an elected official, Section 76-8-315;

4. *Page 3, Lines 64 through 66:*

64 (xvii) a felony violation of sexual battery, Section 76-9-702.1;

65 (xviii) a felony violation of lewdness involving a child, Section 76-9-702.5;

66 (xix) a felony violation of abuse or desecration of a dead human body, Section 76-9-704;

5. *Page 3, Line 76:*

76 (xxv) a felony violation of failure to register as a sex or kidnap offender, Section 77-41-107;

The motion to amend passed unanimously, with Rep. Grover and Rep. Ray absent for the vote.

Spoke in opposition of the bill: Ms. Jacey Skinner, Utah Sentencing Commission

Spoke to the bill: Mr. Nathan Brady, Office of Legislative Research and General Counsel

MOTION: Rep. Brown moved to pass H.B. 170 with a favorable recommendation. The motion passed unanimously, with Rep. Greenwood, Rep. Grover, Rep. Layton, and Rep Ray absent for the vote.

H.B. 385 Duties and Withdrawal of Trustee (*Rep. V. L. Snow*)

Rep. Snow introduced and explained the bill to the committee with the assistance of Mr. James Seamon, Utah Land Title Association.

MOTION: Rep. Brown moved to adopt 1st Substitute H.B. 385. The motion passed unanimously, with Rep. Greenwood, Rep. Grover, Rep. Layton, and Rep. Ray absent for the vote.

MOTION: Rep. Stratton moved to pass 1st. Substitute H.B. 385 with a favorable recommendation. The motion passed unanimously, with Rep. Grover and Rep. Layton absent for the vote.

MOTION: Rep. Stratton moved to place 1st Substitute H.B. 385 on the consent calendar. The motion passed unanimously, with Rep. Greenwood, Rep. Grover and Rep. Layton absent for the vote.

Rep. Curtis Oda, Chair