

# H.B. 155

## FEDERAL LAW ENFORCEMENT AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 27, 2013 7:39 PM

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 2, Line 30:*

- 30                   •     the offense is a violation of an enacted federal law that is not an assimilation of a state law and that is also consistent with the federal

2. *Page 2, Line 32:*

- 32                   •     there is an emergency, and state or local officers are not reasonably available , and the employee is acting under constitutional federal law that is not an assimilation of state law ;

3. *Page 2, Lines 37 through 38:*

- 37                 ▶     provides that ~~{state and}~~ local law enforcement agencies may enter into agreements  
38 with federal agencies, but with limited, rather than concurrent, authority , and provides that state authorities may enter into agreements with the consent of the local county sheriff ; and

4. *Page 6, Line 167:*

- 167 Utah Administrative Rules, or county or municipal ordinances as a basis to stop, detain, arrest , or cite

5. *Page 6, Line 175:*

- 175 as a basis to stop, detain, arrest , or cite persons for prosecution in the federal criminal justice system, is not

6. *Page 6, Lines 180 through 181:*

- 180                 (b) (i) the offense is an emergency ~~{or}~~ and poses an immediate risk of bodily injury or  
181 damage to property; ~~{and}~~

7. *Page 7, Line 183:*

- 183 take action ; and  
(iii)(A) the action is within the scope of the employee's or official's law enforcement power under a federal law that is enacted and that is not an assimilation of a state law or ordinance; and  
(B) the authorizing federal law is consistent with the Constitution of the United States .

8. Page 7, Line 188:

188            [(7)] (8)    {~~State and local~~}    (a) Local law enforcement agencies may enter into agreements  
with

9. Page 7, Line 192:

(b) State law enforcement agencies may, with the consent of the local county sheriff, enter into agreements as described in Subsection (8)(a), provided that the agreements may not exceed a duration of two years.

192            [(8)] (9)    {~~(a)~~}    County sheriffs shall regularly review the duties and activities of federal

10. Page 7, Lines 196 through 197:

196            {~~(b) County sheriffs shall annually report to the county attorney or district attorney of~~  
197    ~~their jurisdiction the results of all reviews conducted under this Subsection [(8)](9).~~}