

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING**
20 House Building, Utah State Capitol Complex
February 10, 2014

Members Present: Rep. Kay L. McIff, Chair
Rep. Lee B. Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Eric K. Hutchings
Rep. Brian S. 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 8:10 a.m.

MOTION: Rep. Hall moved to approve the minutes of February 4, 2014 meeting. The motion passed unanimously with Rep. Christensen, Rep. Greene, Rep. Hutchings, and Rep. King absent for the vote.

MOTION: Rep. Arent moved to approve the minutes of February 6, 2014 meeting. The motion passed unanimously with Rep. Greene, Rep. Hutchings, and Rep. King absent for the vote.

H.B. 248 **Crime Victims Restitution Act Amendments** (*Rep. M. McKell*)

MOTION: Rep. Perry moved to replace H.B. 248 with 1st Substitute H.B. 248. The motion passed unanimously with Rep. Greene absent for the vote.

Rep. McKell explained the bill to the committee.

MOTION: Rep. Arent moved to pass 1st Substitute H.B. 248 out favorably. The motion passed unanimously with Rep. Christensen and Rep. Greene absent for the vote.

S.B. 33 **Reauthorization of Veterans Reintegration Task Force** (*Sen. P. Knudson*)
(*Rep. T. Cosgrove*)

Rep. Cosgrove introduced the bill to the committee.

Sen. Knudson further explained the bill to the committee.

- 74 ~~to be executed at night, which is the time between one hour after sunset on one day~~
~~and one~~
75 ~~hour before sunrise on the following day; and }~~
76 {~~(c)~~} (b) describes:

The motion passed unanimously.

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

1. Page 2, Line 58 through Page 3, Line 59:

- 58 (d) The officer { ~~shall use the least amount of force necessary~~ } may use
only that force which is reasonable and necessary to effectuate forcible entry
59 under this section.

2. Page 3, Lines 81 through 82:

- 81 { ~~(4) Any information or property obtained in violation of this section is~~
~~inadmissible in~~
82 ~~any judicial proceedings.~~ }

The motion passed unanimously.

Spoke to the bill: Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors
Mr. Rick Schwermer, Utah Administrative Office of the Courts
Mr. Kelly Atkinson, Utah State Fraternal Order of the Police
Mr. Ken Wallentine, Chief of Law Enforcement, Utah Attorney General

Spoke for the bill: Mr. Connor Boyack, Libertas Institute
Ms. Marina Lowe, legal policy counsel, American Civil Liberties Union
Mr. Kent Hart, Director, Utah Association of Criminal Defense Lawyers
Ms. Erna Stewart, citizen

MOTION: Rep. Perry moved to hold the bill. The motion passed unanimously with Rep. King and Rep. Snow absent for the vote.

H.B. 213 **Criminal Penalties for Sexual Contact with a Student** (*Rep. L. Christensen*)

At the request of the sponsor, the bill was not heard.

MOTION: Rep. Perry moved to adjourn the meeting. The motion passed unanimously with Rep. King and Rep. Snow absent for the vote.

Chair McIff adjourned the meeting at 9:45 a.m.

Kay L. McIff, Chair