

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING**  
20 House Building, Utah State Capitol Complex  
February 25, 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. Brian S. King  
Rep. V. Lowry Snow

**Members Absent:** Rep. Eric K. Hutchings

**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 8:15 a.m.

**MOTION:** Rep. Snow moved to approve the minutes of the February 21, 2014, meeting. The motion passed unanimously with Rep. Perry absent for the vote.

Chair McIff asked Rep. King to conduct the meeting.

**H.B. 251 Unsworn Declaration Amendments (Rep. K. McIff)**

Rep. McIff explained the bill to the committee.

**MOTION:** Rep. McIff moved to replace H.B. 251 1st Substitute H.B. 251. The motion passed unanimously with Rep. Perry absent for the vote.

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

1. *Page 2, Lines 31 through 35:*

31 (Signature)".

32 (2) In any court {~~action~~} filing, if a statute or court rule permits an affidavit  
or other declaration

33 upon oath, an individual may, with like force and effect, provide an unsworn written

34 declaration in the form listed in Subsection (1) {~~, as long as the individual files the  
declaration~~} including

35 using the court's efilng system.

The motion passed unanimously with Rep. Perry absent for the vote.

Spoke to the bill: Mr. Rick Schwermer, Administrative Office of the Courts

**MOTION:** Rep. Arent moved to pass 1st Substitute H.B. 251 out favorably as amended. The motion passed unanimously with Rep. Perry absent for the vote.

**H.B. 118 Personal Injury Damages Amendments (Rep. K. McIff)**

Rep. McIff explained the bill to the committee.

**MOTION:** Rep. McIff moved to replace H.B. 118 with 1st Substitute H.B. 118. The motion passed unanimously with Rep. Perry absent for the vote.

Spoke for the bill: Mr. Steve Sullivan, attorney

**MOTION:** Rep. Arent moved to pass 1st Substitute H.B. 118 out favorably as amended. The motion passed unanimously.

Vice Chair Perry assumed the chair.

**H.B. 265 Probate Code Amendments (Rep. V. L. Snow)**

Rep. Snow explained the bill to the committee.

**MOTION:** Rep. Snow moved to replace H.B. 265 with 1st Substitute H.B. 265. The motion passed unanimously with Rep. McIff absent for the vote.

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

*1. Page 7, Lines 189 through 191:*

189 (2) Unless the allegedly incapacitated person has already obtained counsel in this  
190 proceeding or an attorney has been already appointed for the person, the court  
{~~may~~} ~~shall~~ appoint an  
191 attorney to represent the person in the proceeding.

The motion passed unanimously.

Spoke to the bill: Mr. Michael Jensen, attorney

Mr. Andrew Riggle, public policy analyst

**MOTION:** Rep. Arent moved to pass 1st Substitute H.B. 265 out favorably as amended. The motion passed unanimously.

**H.B. 147 Peace Officer Agreements with Federal Agencies** (*Rep. R. Greenwood*)

Rep. Greenwood explained the bill to the committee.

Spoke to the bill: Mr. Reed Richards, Weber County Attorney

**MOTION:** Rep. Christensen moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 351 Birth Certificate Amendments** (*Rep. Johnny Anderson*)

At the request of the sponsor, Vice Chair Perry announced this bill will not be heard today.

**H.J.R. 12 Joint Resolution on Appointment of Legal Counsel for Executive Officers**  
(*Rep. M. McKell*)

At the request of the sponsor, Vice Chair Perry announced this resolution will not be heard today.

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

Vice Chair Perry adjourned the meeting at 9:30 a.m.