

**JOINT RESOLUTION AMENDING RULES OF EVIDENCE**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This joint resolution modifies the Utah Rules of Evidence.

**Highlighted Provisions:**

This resolution:

- ▶ amends the Utah Rules of Evidence to include a rule that relates to the admissibility of certain evidence at a criminal trial in which the defendant is charged with committing a hate crime.

**Special Clauses:**

This resolution provides a special effective date.

**Utah Rules of Evidence Affected:**

ENACTS:

**Rule 413**, Utah Rules of Evidence

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*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

As provided in Utah Constitution Article VIII, Section 4, the Legislature may amend rules of procedure and evidence adopted by the Utah Supreme Court upon a two-thirds vote of all members of both houses of the Legislature:

Section 1. **Rule 413**, Utah Rules of Evidence is enacted to read:

**Rule 413. Admissibility of Evidence of the Actor's Expression or Association in**



28 **Criminal Trials for Hate Crimes.**

29 (1) In a criminal trial in which the defendant is charged with committing a hate crime,  
30 evidence of the defendant's expressions or associations may not be introduced as substantive  
31 evidence unless the evidence specifically relates to the crime charged.

32 (2) This rule does not affect the Utah Rules of Evidence governing impeachment of a  
33 witness.

34 **Section 2. Effective date.**

35 This resolution takes effect upon approval by a constitutional two-thirds vote of all  
36 members elected to each house.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**