

**REVISED MINUTES OF THE HOUSE  
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE**

Room 450, State Capitol

February 22, 2016

**Members Present:** Rep. Ken Ivory, Chair  
Rep. Stephen G. Handy, Vice Chair  
Rep. Patrice M. Arent  
Rep. Scott H. Chew  
Rep. Kay J. Christofferson  
Rep. Rebecca P. Edwards  
Rep. Lynn N. Hemingway  
Rep. Keven J. Stratton  
Rep. Earl D. Tanner

**Members Absent:** Rep. Brad L. Dee  
Rep. Keith Grover

**Staff Present:** Mr. Adam J. Sweet, Policy Analyst  
Ms. Lisa Jones, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Vice Chair Handy called the meeting to order at 8:06 a.m.

**MOTION:** Rep. Christofferson moved to approve the minutes of February 11, 2016, and February 16, 2016. The motion passed unanimously.

**HB0340 Telehealth Revisions (Rep. K. Ivory)**

Rep. Ivory explained the bill, assisted by Lou Theaur, Department of Telemedicine, University of Utah, and Justin Kahn, Founder, TruClinic. "Two Words About Strokes" from the Moab Times-Independent was distributed to the committee.

Spoke to the bill: Kelly Atkinson, Executive Director, Utah Health Insurance Providers  
Brian Allen, Lobbyist, America's Health Insurance Plans

Spoke for the bill: Mark Brinton, Director of Public Affairs, American Medical Association  
Emma Chacon, Assistant Division Director, Medicaid

**MOTION:** Rep. Ivory moved to replace H.B. 340 with 1 Sub. H.B. 340. The motion passed unanimously, with Rep. Stratton absent for the vote.

**MOTION:** Rep. Stratton moved to pass 1st Sub. H.B. 340 out favorably.

**SUBSTITUTE**

**MOTION:** Rep. Arent moved to return 1st Sub H.B. 340 to the Rules Committee with a recommendation that it be studied further during the interim. The motion failed with Rep. Chew, Rep. Christofferson, Rep. Stratton, Rep. Tanner, Rep. Handy, and Rep. Ivory voting in opposition.

**PENDING ORIGINAL**

**MOTION:** Rep. Stratton's original motion to pass 1st Sub. H.B. 340 out favorably passed with Rep. Arent and Rep. Hemingway voting in opposition.

**HB0225 Cybercrime Amendments (Rep. D. Lifferth)**

Rep. Lifferth explained the bill, assisted by Major Brian Redd, Director, State Bureau of Investigation.

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

1. *Page 1, Lines 19 through 20:*

19       ▶     modifies an element of computer crimes to include a person who acts {  
                  ~~with~~}     without  
20     authorization . or whose acts exceed authorization , {~~but then~~}     and who  
                  commits a crime;

2. *Page 1, Line 21:*

21       ▶     modifies the reporting procedure for computer crime offenses . including  
                  reporting by state agencies ; and

3. *Page 2, Line 55:*

55       (ii) computers and remote terminals; {~~or~~}  
                  (iii) network connected devices; or

4. *Page 3, Line 88:*

88       [~~(10)~~] (13) "Security system" means a computer, computer system, network,  
                  network connected device, or

5. *Page 4, Line 102:*

102       (1) A person who {~~with or~~} . acting without authorization or whose  
                  acts exceed authorization, gains or attempts to gain access to any

6. Page 5, Lines 140 through 141:

140 (4) A person who ~~{intentionally or knowingly, and with or}~~ . acting  
without authorization, or whose acts exceed authorization,  
141 interferes with or interrupts computer services to another authorized to receive the  
services is

7. Page 5, Line 144:

144 computer system, computer program, computer data or software ~~{intentionally or~~  
~~knowingly}~~ unlawfully

8. Page 5, Line 145:

145 interferes with or interrupts critical infrastructure is guilty of a ~~{third degree~~  
~~felony}~~ class A misdemeanor .

9. Page 6, Line 154:

154 (1) Every person, except [those] a person to whom a statutory or common law  
privilege

10. Page 6, Line 157:

157 ~~{(f)}~~ (a) the attorney general[;] or county attorney, or, if within a  
prosecution district, the

11. Page 6, Line 160:

160 ~~{(2)}~~ (b) a state or local law enforcement agency .  
(2) Every state agency that has reason to believe that any provision of Section  
76-6-703 is being or has been violated within the agency's computer system or  
network shall report the suspected violation to the Utah Department of Public  
Safety, State Bureau of Investigation.

12. Page 6, Lines 171 through 172:

171 that causes or threatens to cause bodily harm, serious bodily injury, or death against  
another  
172 person is a ~~{third degree felony}~~ class A misdemeanor .

13. Page 7, Lines 190 through 192:

190 (d) "Minor" means a person who is younger than 18 years of age.  
191 ~~{(e) "Personal identifying information" means the same as that term is~~  
~~defined in~~  
192 ~~Section 76-6-1102.}~~

14. Page 7, Lines 194 through 196:

194 prosecution in the jurisdiction where the communication originated or was received if  
~~the person, or a party whom the person has encouraged to act in violation of this~~  
~~Subsection (2), acts~~ with  
195 intent to ~~{annoy,}~~ alarm, intimidate, ~~{offend,}~~ abuse, threaten, harass,  
~~{frighten,}~~ or disrupt the  
196 electronic communications of another ~~{, the person}~~ and :

15. Page 7, Line 208 through Page 8, Line 214:

208 physical harm, or damage to any person or the property of any person;  
~~{+}~~ or ~~{+}~~  
209 (d) causes disruption, jamming, or overload of an electronic communication system  
210 through excessive message traffic or other means utilizing an electronic communication  
211 device ~~{+}~~ . ~~{+}~~ ~~{, or}~~  
212 ~~(e) electronically publishes, posts, or otherwise makes available personal~~  
~~identifying~~  
213 ~~information in a public online site or forum.}~~  
214 (3) (a) (i) Electronic communication harassment committed against an adult is a  
class

16. Page 9, Lines 261 through 264:

261 (d) A violation of Subsection (2)(d) ~~{,}~~  
262 ~~(i) is a third degree felony; or~~  
263 ~~(ii)}~~ is a second degree felony ~~{if the emergency responders while acting in~~  
~~response to~~  
264 ~~the report cause physical injury to any resident or other person at the reported~~  
~~location}~~ .

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

**MOTION:** Rep. Tanner moved to make a verbal amendment to the adopted amendment as follows:

1. *Page 9, Lines 261 through 264:*

261 (d) A violation of Subsection (2)(d) {  
262 ~~(i) is a third degree felony; or~~  
263 ~~(ii) is a second degree felony if the emergency responders while acting in~~  
~~response to~~  
264 ~~the report cause physical injury to any resident or other person at the reported~~  
~~location}~~ is a class A misdemeanor .

The motion passed unanimously with Rep. Handy and Rep. Stratton absent for the vote.

Spoke for the bill: Brie Taylor, Salt Lake City resident

**MOTION:** Rep. Christofferson moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Stratton and Rep. Handy absent for the vote.

**HB0341 Interlocal Cooperation Act Amendments (Rep. M. Nelson)**

At the request of the sponsor the bill was not considered.

**MOTION:** Rep. Christofferson moved to adjourn the meeting. The motion passed unanimously, with Sen. Stratton and Rep. Handy absent for the vote.