

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
STANDING COMMITTEE**

Wednesday, January 25, 2017 • 2:00 p.m. • 250 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Sen. Gene Davis
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Ralph Okerlund
Sen. Daniel W. Thatcher

Members Absent:

President Wayne L. Niederhauser

Staff Present:

Mr. Gregg A. Girvan, Policy Analyst
Ms. Nancy Skidmore, Legislative Session Worker

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Chair Weiler called the meeting to order 2:08 p.m.

1. S.B. 70 Asset Forfeiture Transparency Amendments (*Stephenson, H.*)

Sen. Howard A. Stephenson explained the bill.

Mr. Lincoln Shurtz, Utah Association of Counties, spoke to the bill.

Ms. Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union, spoke in favor of the bill.

Chief Tom Ross, Bountiful Chief of Police, spoke to the bill.

MOTION: Sen. Thatcher moved to pass S.B. 70 out favorably. The motion passed with a vote of 5-0-2.

Voting in the affirmative were:

Weiler T, Davis G, Escamilla L, Hillyard L, Thatcher D

Absent or not voting were:

Niederhauser W, Okerlund R

2. S.B. 29 Utah Marriage Commission Amendments (*Christensen, A.*)

Sen. Allen M. Christensen explained the bill.

Mr. Alan J. Hawkins, Chair, Utah Marriage Commission, spoke in favor of the bill.

Ms. Jacalyn S. Leavitt, Honorary Chair, Utah Marriage Commission, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to amend S.B. 29 with Amendment #2. The motion failed with a vote of 2-3-2.

Voting in the affirmative were:

Escamilla L, Davis G

Voting in the negative was:

Weiler T, Hillyard L, Thatcher D

Absent or not voting were:

Niederhauser W, Okerlund R

1. *Page 5, Lines 134 through 146:*

134 (4) (a) The premarital education or counseling shall include, as a minimum, the

135 following topics:

136 (i) commitment in marriage;

137 (ii) the importance of providing a safe and nurturing environment for children;

138 (iii) effective communication and problem-solving skills, including avoiding
violence

139 and abuse in the relationship; and

140 (iv) effective financial management.

141 (b) At least six hours of premarital education or three hours of counseling are
required

142 to fulfill the requirements of this section.

143 { ~~(c) Religious organizations offering formal premarital education or~~
~~counseling;~~

144 ~~including religious principles related to marriage, are exempt from the content~~
~~requirements in~~

145 ~~Subsection (4)(a), but shall adhere to the length-of-time requirement.~~

146 ~~(d) }~~ (c) Providers are encouraged to make use of research-based
relationship inventories.

Ms. Chelsea Hicken, Organizing Member, Utah Women Unite, spoke to the bill.

MOTION: Sen. Thatcher moved to amend S.B. 29 with Amendment #4. The motion passed with a vote of 3-1-3.

Voting in the affirmative were:

Weiler T, Escamilla L, Thatcher D

Voting in the negative was:

Hillyard L

Absent or not voting were:

Davis G, Niederhauser W, Okerlund R

1. *Page 8, Lines 239 through 240:*

239 (e) actively promote measures designed to maintain and strengthen marriage, family,
240 and the relationships between { ~~husband and wife~~ spouses and parents and
children; [and]

Mr. Arie Van De Graaff, Legislative Analyst, Utah Association of Counties, spoke to the bill .

MOTION: Sen. Thatcher moved to pass S.B. 29 out favorably. The motion passed with a vote of 3-1-3.
Voting in the affirmative were:
Weiler T, Hillyard L, Thatcher D
Voting in the negative was:
Escamilla L
Absent or not voting were:
Davis G, Niederhauser W, Okerlund R

3. S.B. 71 Criminal Accounts Receivable Amendments (*Thatcher, D.*)

MOTION: Sen. Thatcher moved to replace S.B. 71 with 1st Substitute S.B. 71. The motion passed with a vote of 4-0-3.
Voting in the affirmative were:
Weiler T, Escamilla L, Hillyard L, Thatcher D
Absent or not voting were:
Davis G, Niederhauser W, Okerlund R

Sen. Daniel W. Thatcher explained the bill.

Ms. Jennifer Valencia, Director, Sentencing Commission, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass S.B. 71 out favorably. The motion passed with a vote of 4-0-3.
Voting in the affirmative were:
Weiler T, Escamilla L, Hillyard L, Thatcher D
Absent or not voting were:
Davis G, Niederhauser W, Okerlund R

Sen. Hillyard assumed the chair.

4. S.B. 53 LIS Pendens Amendments (*Weiler, T.*)

Sen. Todd Weiler explained the bill.

MOTION: Sen. Thatcher moved to pass S.B. 53 out favorably. The motion passed with a vote of 4-0-3.

Voting in the affirmative were:

Weiler T, Escamilla L, Hillyard L, Thatcher D

Absent or not voting were:

Davis G, Niederhauser W, Okerlund R

5. S.C.R. 1 Concurrent Resolution on Increasing Pay for Certain Public Safety Officers and Firefighters (*Weiler, T.*)

Sen. Todd Weiler explained the bill.

MOTION: Sen. Thatcher moved to pass S.C.R. 1 out favorably. The motion passed with a vote of 4-0-3.

Voting in the affirmative were:

Weiler T, Escamilla L, Hillyard L, Thatcher D

Absent or not voting were:

Davis G, Niederhauser W, Okerlund R

Sen. Weiler resumed the chair.

6. S.B. 87 Civil Asset Forfeiture Revisions (*Thatcher, D.*)

Sen. Daniel W. Thatcher explained the bill.

Ms. Darcy Goddard, Attorney, Salt Lake County District Attorney's Office, spoke in favor of the bill at 3:34 p.m.

Mr. Connor Boyack, President, Libertas Institute, spoke to the bill.

Chief Tom Ross, Bountiful Police Chief, spoke in favor of the bill.

Ms. Marina Lowe, American Civil Liberties Union, spoke to the bill.

Mr. Christopher Crockett, Deputy County Attorney, Weber County Attorney's Office, spoke to the bill.

MOTION: Sen. Thatcher moved to pass S.B. 87 out favorably. The motion passed with a vote of 5-0-2.
Voting in the affirmative were:
Weiler T, Escamilla L, Hillyard L, Okerlund R, Thatcher D
Absent or not voting were:
Davis G, Niederhauser W

Sen. Escamilla assumed the chair.

7. S.B. 54 Adoption Revisions (*Weiler, T.*)

Sen. Todd Weiler explained the bill.

Mr. Larry Jenkins, Utah Adoption Council, spoke in favor of the bill.

MOTION: Chair Weiler moved to pass S.B. 54 out favorably. The motion passed with a vote of 3-0-4.
Voting in the affirmative were:
Weiler T, Escamilla L, Thatcher D
Absent or not voting were:
Davis G, Hillyard L, Niederhauser W, Okerlund R

MOTION: Sen. Thatcher moved to adjourn. The motion passed with a vote of 3-0-4.
Voting in the affirmative were:
Weiler T, Escamilla L, Thatcher D
Absent or not voting were:
Davis G, Hillyard L, Niederhauser W, Okerlund R

Sen. Weiler adjourned the meeting 4:13 p.m.

Sen. Todd Weiler, Chair