

**MINUTES OF THE  
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE  
STANDING COMMITTEE**

Tuesday, January 31, 2017 • 2:00 pm • 450 State Capitol

**Members Present:**

Rep. Lee B. Perry, Chair  
Rep. Edward H. Redd, Vice Chair  
Rep. Rebecca P. Edwards  
Rep. Steve Eliason  
Rep. Adam Gardiner  
Rep. Sandra Hollins  
Rep. Eric K. Hutchings  
Rep. Kelly B. Miles  
Rep. Angela Romero

Rep. Elizabeth Weight  
Rep. Mike Winder

**Members Absent:**

Rep. Paul Ray

**Staff Present:**

Mr. Gregg A. Girvan, Policy Analyst  
Ms. Wendy Hill, Committee Secretary

**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](http://le.utah.gov).

Vice Chair Redd called the meeting to order at 2:08 p.m.

**1. H.B. 161 Pedestrian Safety Amendments (*Eliason, S.*)**

Rep. Eliason explained the bill.

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

**MOTION:** Rep. Miles moved to pass H.B. 161 out favorably. The motion passed with a vote of 10-0-2.

Yeas:

Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Edwards  
Rep. Ray

## 2. S.B. 12 Expungement Amendments (*Thatcher, D.*)

Sen. Daniel W. Thatcher explained the bill with the assistance of Ms. Jennifer Valencia, Director, Utah Sentencing Commission.

Mr. Will Carlson, Statewide Association of Prosecutors, spoke in favor of the bill.

**MOTION:** Rep. Perry moved to replace S.B. 12 with 1st Substitute S.B. 12. The motion passed with a vote of 9-0-3.

Yeas:

Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Edwards  
Rep. Eliason  
Rep. Ray

**MOTION:** Rep. Hutchings moved to amend 1st Substitute S.B. 12 with Amendment #2 as follows:

1. *Page 13, Line 395 through Page 14, Line 400:*

395        [~~Any person who willfully violates any prohibition in this chapter~~] An employee or  
396        agent of an agency that is prohibited from disseminating information from expunged or  
397        pardoned records under Section { ~~77-40-5.1~~ 77-27-5.1 or 77-40-109 who  
             knowingly or intentionally  
398        discloses identifying information from the expunged or pardoned record that has been  
             pardoned  
399        or expunged, unless allowed by law, is guilty of a class A misdemeanor [unless the  
             prohibition  
400        specifically indicates a different penalty].

The motion passed with a vote of 9-0-3.

Yeas:

Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Edwards  
Rep. Eliason  
Rep. Ray

**MOTION:** Rep. Perry moved to pass 1st Substitute S.B. 12 out favorably as amended.  
The motion passed with a vote of 9-0-3.

Yeas:

Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Edwards  
Rep. Eliason  
Rep. Ray

**3. H.J.R. 11 Joint Resolution Calling for Reform of the International Traffic in Arms Regulations (*Lisonbee, K.*)**

Rep. Karianne Lisonbee presented the resolution with the assistance of Mr. Curt Oda, former Utah Legislator, and Mr. Clark Aposhian, Chairman, Utah Shooting Sports Council.

Mr. James Alder, National Firearms Act Freedom Alliance, spoke in favor of the bill.

**MOTION:** Rep. Perry moved to pass H.J.R. 11 out favorably. The motion passed with a vote of 5-3-4.

Yeas:

Rep. Gardiner  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Winder

Nays:

Rep. Hollins  
Rep. Romero  
Rep. Weight

Abs:

Rep. Edwards  
Rep. Eliason  
Rep. Hutchings  
Rep. Ray

**4. H.B. 174 Firearm Records Protection Amendments (*Potter, V.*)**

Rep. Val K. Potter explained the bill with the assistance of Mr. Clark Aposhian, Chairman, Utah Shooting Sports Council, and Mr. Curt Oda, former Utah Legislator.

Mr. James Alder, National Firearms Act Freedom Alliance, spoke in favor of the bill.

**MOTION:** Rep. Gardiner moved to amend H.B. 174 with Amendment #1 as follows:

1. *Page 2, Lines 35 through 38:*

35 (b) "Chief law enforcement officer" means any official that the Bureau of  
Alcohol,  
36 Tobacco, Firearms and Explosives, or any successor agency, { } ~~identifies~~ ~~+~~  
identified} by  
37 regulation or otherwise as eligible to provide any required certification for the making or  
38 transfer of a firearm.

2. *Page 3, Line 65:*

65 (6) A chief law enforcement officer { ~~who~~ or local law enforcement  
agency that receives a certification or notification shall

3. *Page 3, Line 68:*

68 which the chief law enforcement officer or local law enforcement agency receives  
the certification or notification.

The motion passed with a vote of 8-1-3.

Yeas:

Rep. Edwards  
Rep. Gardiner  
Rep. Hollins  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Weight  
Rep. Winder

Nays:

Rep. Romero

Abs:

Rep. Eliason  
Rep. Hutchings  
Rep. Ray

**MOTION:** Rep. Winder moved to pass H.B. 174 out favorably as amended. The motion passed with a vote of 8-1-3.

Yeas:

Rep. Edwards  
Rep. Gardiner  
Rep. Hollins  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Weight  
Rep. Winder

Nays:

Rep. Romero

Abs:

Rep. Eliason  
Rep. Hutchings  
Rep. Ray

**5. H.B. 184 Contraband Device Destruction (*Fawson, J.*)**

Rep. Justin L. Fawson explained the bill with the assistance of Ms. Jessica Farnsworth, Commander, Internet Crimes Against Children Task Force, Utah Attorney General's Office, and Ms. Shelly Coudreau, Section Director, Internet Crimes Against Children Task Force, Utah Attorney General's Office.

**MOTION:** Rep. Romero moved to pass H.B. 184 out favorably. The motion passed with a vote of 9-0-3.

Yeas:

Rep. Edwards  
Rep. Gardiner  
Rep. Hollins  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Eliason  
Rep. Hutchings  
Rep. Ray

**MOTION:** Rep. Gardiner moved to adjourn. The motion passed with a vote of 9-0-3.

Yeas:

Rep. Edwards  
Rep. Gardiner  
Rep. Hollins  
Rep. Miles  
Rep. Perry  
Rep. Redd  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Abs:

Rep. Eliason  
Rep. Hutchings  
Rep. Ray

Vice Chair Redd adjourned the meeting at 3:38 p.m.

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Rep. Lee B. Perry, Chair