

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

Tuesday, February 7, 2017 • 3:40 p.m. • 30 House Building

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. Paul Ray
Rep. Angela Romero
Rep. Elizabeth Weight
Rep. Mike Winder

Staff Present:

Mr. Gregg A. Girvan, Policy Analyst
Karen C. Allred, 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.

Chair Perry called the meeting to order at 3:56 p.m.

MOTION: Rep. Winder moved to approve the minutes. The motion passed with a vote of 6-0-6.

Yeas:

Rep. Hollins
Rep. Perry
Rep. Ray
Rep. Redd
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Edwards
Rep. Eliason
Rep. Gardiner
Rep. Hutchings
Rep. Miles
Rep. Romero

1. H.B. 149 Child Abuse Offender Registry (*Owens, D.*)

Rep. Derrin Owens presented the bill with the assistance of Ms. JoAnn Otten, representing the family of Miley White.

Ms. JenaV Adams, representing the family of Miley White, spoke in favor of the bill.

MOTION: Rep. Ray moved to replace H.B. 149 with 1st Substitute H.B. 149. The motion passed with a vote of 7-0-5.

Yeas:

Rep. Hollins
Rep. Hutchings
Rep. Perry
Rep. Ray
Rep. Redd
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Edwards
Rep. Eliason
Rep. Gardiner
Rep. Miles
Rep. Romero

MOTION: Rep. Redd moved to pass 1st Substitute H.B. 149 out favorably. The motion passed with a vote of 8-0-4.

Yeas:

Rep. Edwards
Rep. Hollins
Rep. Hutchings
Rep. Perry
Rep. Ray
Rep. Redd
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Eliason
Rep. Gardiner
Rep. Miles
Rep. Romero

2. H.B. 124 Assault on a Peace Officer Amendments (*Maloy, A.C.*)

Rep. A. Cory Maloy presented the bill with the assistance of Mr. Steven Miese, Ogden City Constable's Office.

Mr. Tucker Marriott, Ogden Constable's Office spoke in favor of the bill.

Mr. Scott Stephenson, Director, Peace Officers Standards and Training, spoke in favor of the bill.

MOTION: Rep. Miles moved to replace H.B. 124 with 2nd Substitute H.B. 124. The motion passed with a vote of 10-0-2.

Yeas:

Rep. Edwards
Rep. Hollins
Rep. Hutchings
Rep. Miles
Rep. Perry
Rep. Ray
Rep. Redd
Rep. Romero
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Eliason
Rep. Gardiner

MOTION: Rep. Ray moved to pass 2nd Substitute H.B. 124 out favorably. The motion passed with a vote of 10-0-2.

Yeas:

Rep. Edwards
Rep. Hollins
Rep. Hutchings
Rep. Miles
Rep. Perry
Rep. Ray
Rep. Redd
Rep. Romero
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Eliason
Rep. Gardiner

3. H.B. 222 Criminal Offenses Modifications (*Handy, S.*)

Rep. Stephen Handy presented the bill with the assistance of Steve Burton, Utah Association of Criminal Defense Lawyers.

Mr. Wade Farraway, Attorney General's Office spoke in opposition to the bill.

Ms. Deondra Brown, President, Foundation for Survivors of Abuse, spoke in opposition to the bill.

Mr. Kyler Ovard, Defense Lawyer, Member Utah Association of Defense Lawyers spoke in favor of the bill.

Rep. Redd assumed the chair.

Ms. Teresa Warwick spoke in favor of the bill.

Gary Scheller, Director, Utah Office of Victim's of Crime spoke in opposition to the bill.

Julie Smith, Director, Domestic Rape Crisis in Ogden spoke in opposition to the bill.

Mr. Turner Bitten, Executive. Director, Utah Coalition Against Sexual Assault spoke in opposition to the bill.

Mr. Tom Barrington, Vice President, Southeast Chapter of Bikers Against Child Abuse spoke in opposition to the bill.

MOTION: Rep. Romero moved to hold H.B. 222. The motion passed with a vote of 9-1-2.

Yeas:

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

Nays:

Rep. Hutchings

Abs:

Rep. Eliason
Rep. Perry

4. S.B. 42 DUI Impound Fee Refund Amendments (*Harper, W.*)

Sen. Wayne Harper presented the bill.

MOTION: Rep. Winder moved to pass S.B. 42 out favorably. The motion passed with a vote of 8-0-4.

Yeas:

Rep. Edwards
Rep. Gardiner
Rep. Hollins
Rep. Hutchings
Rep. Redd
Rep. Romero
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Eliason
Rep. Miles
Rep. Perry
Rep. Ray

5. H.B. 187 Costs for Aggravated Murder Offenses (*Handy, S.*)

Rep. Stephen Handy presented the bill.

Mr. Ron Gordon, Executive Director, Commission on Criminal and Juvenile Justice spoke in favor of the bill.

Mr. John Schaff, Legislative Auditor General spoke to the bill.

MOTION: Rep. Ray moved to pass H.B. 187 out favorably.

SUBSTITUTE MOTION: Rep. Eliason reserved the right to make a substitute motion.

Rep. Eliason withdrew the motion.

Rep. Ray's original motion to pass H.B. 187 out favorably passed with a vote of 8-2-2.

Yeas:

Rep. Eliason
Rep. Gardiner
Rep. Hollins
Rep. Hutchings
Rep. Ray
Rep. Romero
Rep. Weight
Rep. Winder

Nays:

Rep. Edwards
Rep. Redd

Abs:

Rep. Miles
Rep. Perry

MOTION: Rep. Winder moved to adjourn. The motion passed with a vote of 10-0-2.

Yeas:

Rep. Edwards
Rep. Eliason
Rep. Gardiner
Rep. Hollins
Rep. Hutchings
Rep. Ray
Rep. Redd
Rep. Romero
Rep. Weight
Rep. Winder

Nays:

Abs:

Rep. Miles
Rep. Perry

Vice Chair Redd adjourned the meeting at 6:15 p.m.

Rep. Lee B. Perry, Chair