

**MINUTES OF THE  
HOUSE JUDICIARY  
STANDING COMMITTEE**

Thursday, February 16, 2017 • 8:00 am • 20 House Building

**Members Present:**

Rep. Mike K. McKell, Chair  
Rep. V. Lowry Snow, Vice Chair  
Rep. Kim F. Coleman  
Rep. Bruce R. Cutler  
Rep. Brian M. Greene  
Rep. Ken Ivory  
Rep. Brian S. King  
Rep. Karianne Lisonbee

Rep. Dixon M. Pitcher  
Rep. Susan Pulsipher  
Rep. Tim Quinn  
Rep. Mark A. Wheatley

**Staff Present:**

Mr. Joseph T. Wade, Policy Analyst  
Mr. Steve Benard, 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).

Chair McKell called the meeting to order at 8:00 a.m.

**MOTION:** Rep. Pulsipher moved to approve the minutes of the Tuesday, February 7, Friday, February 10, and Tuesday, February 14, 2017, meetings. The motion passed with a vote of 7-0-5.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. V. Snow

**1. H.B. 199 High Needs Children Adoption Amendments (*Nelson, M.*)**

Rep. Merrill F. Nelson presented the bill with the assistance of Utah Attorney General Sean D. Reyes.

Mr. David Carlson, Child Protection Division, Utah Attorney General's Office, spoke in favor of the bill.

Mr. Ronald Mortensen spoke in favor the bill.

**MOTION:** Rep. Snow moved to report a favorable recommendation on H.B. 199.

**SUBSTITUTE MOTION:** Rep. Cutler moved to hold H.B. 199. The motion failed with a vote of 3-9-0.

Yeas:

Rep. B. Cutler  
Rep. B. King  
Rep. T. Quinn

Nays:

Rep. K. Coleman  
Rep. B. Greene  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow  
Rep. M. Wheatley

Abs:

Rep. Snow's motion to report a favorable recommendation on H.B. 199 passed with a vote of 8-3-1.

Yeas:

Rep. K. Coleman  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow  
Rep. M. Wheatley

Nays:

Rep. B. Cutler  
Rep. B. King  
Rep. T. Quinn

Abs:

Rep. B. Greene

**2. H.B. 54 Campus Free Speech Amendments (Coleman, K.)**

Rep. Kim Coleman presented the bill.

Mr. Spencer Jenkins, Board of Regents, spoke to the bill.

Ms. Marina Lowe, Legislative and Policy Counsel, ACLU of Utah, spoke in favor of the bill.

Mr. Brad Asay, AFT Utah, spoke in favor of the bill.

**MOTION:** Rep. King moved to report a favorable recommendation on H.B. 54.

**SUBSTITUTE MOTION:** Rep. Lisonbee moved to amend H.B. 54 with Amendment #1.

1. *Page 3, Lines 87 through 89:*

87 (i) at least \$500 for an initial violation; and

88 (ii) if the person notifies the institution of the violation, \$50 for each day the  
violation continues after the { ~~initial violation~~ notification ; and

89 (c) may award a prevailing plaintiff:

The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Rep. V. Snow

**MOTION:** Rep. King moved to report a favorable recommendation on H.B. 54, as amended. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

**3. H.B. 68 Crime Victims Reparation Board Sunset Extension (*Christensen, L.*)**

Rep. LaVar Christensen presented the bill.

**MOTION:** Rep. Cutler moved to report a favorable recommendation on H.B. 68. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

**MOTION:** Rep. Cutler moved to place H.B. 68 on the Consent Calendar. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

**4. H.B. 248 Domestic Violence Related Amendments (*Christensen, L.*)**

Rep. LaVar Christensen presented the bill with the assistance of Ms. Heather Wolsey.

Ms. Amie Curtis, victim advocate, spoke in favor of the bill.

Mr. Stewart Ralphs, Legal Aid Society, spoke to the bill.

**MOTION:** Rep. Ivory moved to replace H.B. 248 with 1st Substitute H.B. 248. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

**MOTION:** Rep. Pitcher moved to amend 1st Substitute H.B. 248 with Amendment #1.

1. *Page 11, Lines 307 through 311:*

307 domestic violence, it is the finding of the Legislature that domestic violence crimes  
warrant the  
308 issuance of continuous protective orders under this Subsection (6) because of the need to  
309 provide ongoing protection for the victim and to be consistent with the purposes of  
protecting  
310 victims' rights under Chapter 37, Victims' Rights, and Chapter 38, Rights of Crime  
Victims  
311 Act **, and Article I, Section 28 of the Utah Constitution** .

The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Rep. V. Snow

**MOTION:** Rep. King moved to report a favorable recommendation on 1st Substitute H.B. 248, as amended. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

**MOTION:** Rep. King moved to adjourn. The motion passed with a vote of 11-0-1.

Yeas:

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Nays:

Abs:

Rep. V. Snow

Chair McKell adjourned the meeting at 9:57 a.m.