

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

Wednesday, March 1, 2017 • 4:10 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, Standing 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 4:26 p.m.

**1. H.B. 250 Driving Under the Influence Program Amendments (*Fawson, J.*)**

Rep. Justin L. Fawson presented the bill.

Mr. Michael Rapich, Utah Highway Patrol, Department of Public Safety, spoke to the bill.

Ms. Kim Gibb, Department of Public Safety, spoke to the bill.

**MOTION:** Rep. Winder moved to replace H.B. 250 with 2nd Substitute H.B. 250. The motion passed with a vote of 8-0-4.

Yeas:

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

Nays:

Absent:

Rep. Edwards  
Rep. Eliason  
Rep. Hutchings  
Rep. Perry

**MOTION:** Rep. Romero moved to pass 2nd Substitute H.B. 250 out favorably. The motion passed with a vote of 8-0-4.

Yeas:

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

Nays:

Absent:

Rep. Edwards  
Rep. Eliason  
Rep. Hutchings  
Rep. Perry

**2. H.B. 433 Penalty for Targeting Law Enforcement Officer (*Ray, P.*)**

Rep. Perry assumed the chair.

Rep. Ray presented the bill.

Chief Tom Ross, Bountiful City Police Chief, Utah Chiefs of Police Association, spoke in favor of the bill.

Ms. Anna Thomas, American Civil Liberties Union of Utah, spoke in opposition to the bill.

**MOTION:** Rep. Miles moved to replace H.B. 433 with 1st Substitute H.B. 433. The motion passed with a vote of 11-0-1.

Yeas:

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

Nays:

Absent:

Rep. Hutchings

**MOTION:** Rep. Miles moved to pass 1st Substitute H.B. 433 out favorably. The motion passed with a vote of 8-3-1.

Yeas:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Miles  
Rep. Perry  
Rep. Ray  
Rep. Redd  
Rep. Winder

Nays:

Rep. Hollins  
Rep. Romero  
Rep. Weight

Absent:

Rep. Hutchings

**3. H.B. 428 Felony Fleeing Amendments (Ray, P.)**

Rep. Ray presented the bill with the assistance of Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors.

Vice Chair Redd resumed the chair.

Chair Perry resumed the chair.

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

**MOTION:** Rep. Eliason moved to replace H.B. 428 with 1st Substitute H.B. 428. The motion passed with a vote of 9-0-3.

Yeas:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Miles  
Rep. Perry  
Rep. Ray  
Rep. Weight  
Rep. Winder

Nays:

Absent:

Rep. Hutchings  
Rep. Redd  
Rep. Romero

**MOTION:** Rep. Gardiner moved to pass 1st Substitute H.B. 428 out favorably. The motion passed with a vote of 9-1-2.

Yeas:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Perry  
Rep. Ray  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Rep. Miles

Absent:

Rep. Hutchings  
Rep. Redd

**4. S.B. 232 Cyber Exploitation Amendments (*Bramble, C.*)**

Sen. Curtis S. Bramble presented the bill.

**MOTION:** Rep. Eliason moved to pass S.B. 232 out favorably. The motion passed with a vote of 11-0-1.

Yeas:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Ray  
Rep. Romero  
Rep. Weight  
Rep. Winder

Nays:

Absent:

Rep. Redd

**5. H.B. 382 Deoxyribonucleic Acid Amendments (*Eliason, S.*)**

Rep. Eliason presented the bill.

**MOTION:** Rep. Hutchings moved to replace H.B. 382 with 1st Substitute H.B. 382. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Absent:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Ray  
Rep. Romero  
Rep. Weight  
Rep. Winder

Rep. Redd

**MOTION:** Rep. Romero moved to pass 1st Substitute H.B. 382 out favorably. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Absent:

Rep. Edwards  
Rep. Eliason  
Rep. Gardiner  
Rep. Hollins  
Rep. Hutchings  
Rep. Miles  
Rep. Perry  
Rep. Ray  
Rep. Romero  
Rep. Weight  
Rep. Winder

Rep. Redd

**6. H.B. 412 Inmate Education Amendments (*Wheatley, M.*)**

Rep. Mark A. Wheatley presented the bill with the assistance of Dr. Larry Bench, Sociology Department, University of Utah; and Hadley Hege, University of Utah.

Rep. Ray assumed the chair.

Chair Perry resumed the chair.

Ms. Kaycee Haney, Student, University of Utah, spoke in favor of the bill.

Ms. Emma Balls, Student, University of Utah, spoke in favor of the bill.

Ms. Jenny Larsen, Student, University of Utah, spoke in favor of the bill.

Mr. Mike Haddon, Deputy Director, Utah Department of Corrections, spoke to the bill.

**MOTION:** Rep. Hutchings moved to amend H.B. 412 with Amendment #1 as follows:

*1. Page 3, Lines 79 through 81:*

79           (5) The department shall make the program available on a schedule for selected  
                  women  
80           inmates who are incarcerated for more than 30 consecutive days to attend the class within  
                  30  
81           days { ~~of~~           prior to           their release from incarceration.

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

Yeas:

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

Nays:

Absent:

Rep. Miles

**MOTION:** Rep. Redd moved to amend H.B. 375 with a verbal amendment.

Rep. Redd withdrew his motion.

**MOTION:** Rep. Hollins moved to pass H.B. 412 out favorably.

**SUBSTITUTE MOTION:** Rep. Ray moved to hold H.B. 412. The motion passed with a vote of 7-4-1.

Yeas:

Rep. Eliason  
Rep. Gardiner  
Rep. Hutchings  
Rep. Perry  
Rep. Ray  
Rep. Redd  
Rep. Winder

Nays:

Rep. Edwards  
Rep. Hollins  
Rep. Romero  
Rep. Weight

Absent:

Rep. Miles

**7. H.B. 375 Asset Forfeiture Grants Amendments (*Hutchings, E.*)**

Rep. Hutchings presented the bill.

**MOTION:** Rep. Ray moved to pass H.B. 375 out favorably. The motion passed with a vote of 11-0-1.

Yeas:

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

Nays:

Absent:

Rep. Miles

**MOTION:** Rep. Ray moved to place H.B. 375 on the Consent Calendar. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Absent:

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

Rep. Miles

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

Yeas:

Nays:

Absent:

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

Rep. Miles

Chair Perry adjourned the meeting at 5:58 p.m.

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Rep. Lee B. Perry, Chair