

**MINUTES OF THE  
HOUSE JUDICIARY  
STANDING COMMITTEE**

Friday, March 3, 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).

Vice Chair Snow called the meeting to order at 8:05 a.m.

**1. 2nd Sub. S.B. 54 Adoption Revisions (*Weiler, T.*)**

Sen. Todd Weiler presented the bill.

Dan Deuel, National Parents Organization of Utah, spoke to the bill.

**MOTION:** Rep. Pitcher moved to report a favorable recommendation on 2nd Substitute S.B. 54.

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

Yeas:

Rep. B. Cutler  
Rep. B. Greene  
Rep. B. King  
Rep. K. Lisonbee  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow  
Rep. M. Wheatley

Nays:

Abs:

Rep. K. Coleman  
Rep. K. Ivory  
Rep. M. McKell

**2. S.B. 202 Parent-Time Amendments (*Adams, J. S.*)**

Sen. J. Stuart Adams presented the bill.

**MOTION:** Rep. Pitcher moved to report a favorable recommendation on S.B. 202.  
The motion passed with a vote of 7-0-5.

Yeas:

Rep. B. Cutler  
Rep. B. Greene  
Rep. B. King  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow  
Rep. M. Wheatley

Nays:

Abs:

Rep. K. Coleman  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. T. Quinn

**MOTION:** Rep. Pulsipher moved to place S.B. 202 on the Consent Calendar.  
The motion failed with a vote of 6-1-5.

Yeas:

Rep. B. Cutler  
Rep. B. Greene  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow  
Rep. M. Wheatley

Nays:

Rep. B. King

Abs:

Rep. K. Coleman  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. T. Quinn

**3. 1st Sub. S.B. 193 Judicial Performance Evaluation Commission Modifications  
(Weiler, T.)**

Sen. Todd Weiler presented the bill.

Ms. Jennifer Yim, Judicial Evaluation Performance Commission, answered questions regarding the bill.

**MOTION:** Rep. King moved to report a favorable recommendation on 1st Substitute S.B. 193.

The motion passed with a vote of 10-0-2.

Yeas:

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

Nays:

Abs:

Rep. K. Coleman  
Rep. M. McKell

**4. 1st Sub. S.B. 185 Cause of Action for Minors Injured by Pornography (*Weiler, T.*)**

Sen. Todd Weiler presented the bill.

Ms. Rachel Peterson, Utah PTA, spoke in favor of the bill.

Ms. Maryann Christensen, Utah Eagle Forum, spoke in favor of the bill.

Mr. Kaleb Brimhall spoke in favor of the bill.

Ms. Krisana Finlay spoke in favor of the bill.

**MOTION:** Rep. Quinn moved to amend 1st Substitute S.B. 185 with Amendment #1.

1. Page 3, Lines 72 through 78:

72 (1) A person who predominately distributes or otherwise predominately provides  
73 pornographic material to { ~~another person~~ consumers is liable to ~~the~~  
-} a person if:  
74 (a) at the time the pornographic material is viewed by the person, the person is a  
minor;  
75 and  
76 (b) the pornographic material is the proximate cause for the person being harmed  
77 physically or psychologically, or by emotional or medical illnesses as a result of that

78 pornographic material.

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

Yeas:

Nays:

Abs:

Rep. K. Coleman  
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. V. Snow  
Rep. M. Wheatley

Rep. B. Cutler

**MOTION:** Rep. Quinn moved to report a favorable recommendation on 1st Substitute S.B. 185, as amended.

**SUBSTITUTE MOTION:** Rep. McKell moved to amend with Amendment #2 and to report a favorable recommendation on 1st Substitute S.B. 185, as amended.

1. *Page 4, Lines 99 through 102:*

99 { ~~-(2) In an action brought under this part, the court may award the prevailing party~~

100 ~~attorney fees and costs.~~

101 ~~-(3)-~~ } (2) A class action may be brought under this part in accordance with

Utah Rules of

102 Civil Procedure, Rule 23.

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

Yeas:

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

Nays:

Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. M. Wheatley

Abs:

Rep. B. Cutler

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

Yeas:

Rep. K. Coleman  
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. V. Snow  
Rep. M. Wheatley

Nays:

Abs:

Rep. B. Cutler

Vice Chair Snow adjourned the meeting at 10:01 a.m.

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Rep. Michael K. McKell, Chair