

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE  
STANDING COMMITTEE**

Monday, March 6, 2017 • 8:00 a.m. • 25 House Building

**Members Present:**

Sen. Todd Weiler, Chair  
Sen. Luz Escamilla  
Sen. Lyle W. Hillyard  
Sen. Daniel W. Thatcher

Sen. Gene Davis  
President Wayne L. Niederhauser  
Sen. Ralph Okerlund

**Members Absent:**

**Staff Present:**

Mr. Gregg A. Girvan, Policy Analyst  
Ms. Nancy Skidmore, 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).

Chair Weiler called the meeting to order at 8:16 a.m.

**MOTION:** Sen. Hillyard moved to approve the minutes of the March 2, 2017 meeting. The motion passed with a vote of 2-0-5.

Yeas:

Sen. Hillyard  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Escamilla  
Pres. Niederhauser  
Sen. Okerlund  
Sen. Thatcher

**1. 2nd Sub. H.B. 149 Child Abuse Offender Registry (*Owens, D.*)**

Rep. Derrin R. Owens presented the bill with the assistance of Ms. JoAnn Otten.

Mr. Ralph Dellapiana spoke to the bill.

Mr. Dan Deuel spoke in opposition to the bill.

Mr. Brian Nielson, Sheriff, Sanpete County, spoke in favor of the bill.

Ms. Linda Zenger, Family Life Commission, Utah Parent Teacher Association, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass 2nd Substitute H.B. 149 out favorably. The motion passed with a vote of 2-1-4.

Yeas:

Sen. Escamilla  
Sen. Weiler

Nays:

Sen. Thatcher

Abs:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**2. 4th Sub. H.B. 274 Human Trafficking Modifications (*Romero, A.*)**

Rep. Angela Romero presented the bill with the assistance of Mr. Daniel Strong, Attorney General's Office.

**MOTION:** Sen. Thatcher moved to pass 4th Substitute H.B. 274 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

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

Rep. Kim F. Coleman presented the bill with the assistance of Mr. Jeff Lambert, Assistant Commissioner for Higher Education, Board of Regents.

**MOTION:** Sen. Escamilla moved to pass H.B. 54 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

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

Rep. Stephen G. Handy explained the bill.

**MOTION:** Sen. Thatcher moved to pass H.B. 187 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. Escamilla  
Sen. Hillyard  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Pres. Niederhauser  
Sen. Okerlund

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

Rep. Merrill F. Nelson presented the bill with the assistance of Mr. David Carlson, Director, Child Protection, Attorney General's Office.

Ms. Linda Zenger, Family Life Commission, Utah Parent Teacher Association, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass H.B. 199 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. Escamilla  
Sen. Hillyard  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Pres. Niederhauser  
Sen. Okerlund

**6. 1st Sub. H.B. 173 Parental Kidnapping Amendments (*Potter, V.*)**

Rep. Val K. Potter presented the bill with the assistance of Ms. Terryl Warner, Director, Cache County Attorney's Office.

Mr. Stewart Ralphs, Legislative Representative, Family Law Section, spoke in opposition to the bill.

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

**MOTION:** Sen. Thatcher moved to go to the next item on the agenda.

**SUBSTITUTE MOTION:** Sen. Hillyard moved to pass 1st Substitute H.B. 173 out favorably.  
The motion failed with a vote of 2-2-3.

Yeas:

Sen. Hillyard  
Sen. Weiler

Nays:

Sen. Escamilla  
Sen. Thatcher

Absent:

Sen. Davis  
Pres. Niederhauser  
Sen. Okerlund

**MOTION:** Sen. Thatcher's moved to go to the next item on the agenda. The motion passed with a vote of 4-0-3.

Yeas:

Sen. Escamilla  
Sen. Hillyard  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Pres. Niederhauser  
Sen. Okerlund

**7. 1st Sub. H.B. 259 Duty to Retreat Amendments (*Maloy, A.C.*)**

Rep. A. Cory Maloy explained the bill.

Mr. Clark Aposhian, Chairman, Utah Shooting Sports Council, spoke in favor of the bill.

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

Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors, spoke to the bill.

Ms. Marina Lowe, Legislative Council, American Civil Liberties Union of Utah, spoke in opposition to the bill.

**MOTION:** Sen. Hillyard moved to go to the next item on the agenda. The motion passed with a vote of 3-1-3.

Yeas:

Sen. Escamilla  
Sen. Hillyard  
Sen. Thatcher

Nays:

Sen. Weiler

Absent:

Sen. Davis  
Pres. Niederhauser  
Sen. Okerlund

**8. H.B. 321 Parenting Plan Amendments (*Snow, V. L.*)**

Rep. V. Lowry Snow explained the bill.

**MOTION:** Sen. Escamilla moved to pass H.B. 321 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**9. 1st Sub. H.B. 278 Expenses of Minor Children Amendments (*Chavez-Houck, R.*)**

Rep. Rebecca Chavez-Houck explained the bill.

**MOTION:** Sen. Escamilla moved to pass 1st Substitute H.B. 278 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**MOTION:** Sen. Escamilla moved to place 1st Substitute H.B. 278 on the Consent Calendar. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**10. H.B. 379 Classification of Theft Amendments (*King, B. S.*)**

Rep. Brian S. King explained the bill.

**MOTION:** Sen. Thatcher moved to pass H.B. 379 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Escamilla  
Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**11. H.B. 386 Attorney General Amendments (*Hutchings, E.*)**

Rep. Eric K. Hutchings explained the bill.

**MOTION:** Sen. Thatcher moved to pass H.B. 386 out favorably. The motion passed with a vote of 2-0-5.

Yeas:

Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Escamilla  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**MOTION:** Sen. Thatcher moved to place H.B. 386 on the Consent Calendar. The motion passed with a vote of 2-0-5.

Yeas:

Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Escamilla  
Sen. Hillyard  
Pres. Niederhauser  
Sen. Okerlund

**MOTION:** Sen. Thatcher moved to adjourn. The motion passed with a vote of 2-0-5.

Yeas:

Sen. Thatcher  
Sen. Weiler

Nays:

Absent:

Sen. Davis  
Sen. Escamilla  
Sen. Hillyard  
Sen. Niederhauser  
Sen. Okerlund

Chair Weiler adjourned the meeting at 10:01 a.m.

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Sen. Todd Weiler, Chair