

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

Tuesday , February 6, 2018 • 3:40 p.m. • 450 State Capitol

**Members Present:**

Rep. Lee B. Perry, Chair  
Rep. Edward H. Redd, Vice Chair  
Rep. Cheryl K. Acton  
Rep. Rebecca P. Edwards  
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. John Feinauer, Policy Analyst  
Ms. Katiemarie Harmon, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Redd called the meeting to order at 3:46 p.m.

**MOTION:** Rep. Miles moved to approve the minutes from February 2nd, 2018. The motion passed with a vote of 6 - 0 - 5 .

Yeas-6

Rep. C. Acton  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. E. Redd  
Rep. M. Winder

Nays-0

Absent-5

Rep. R. Edwards  
Rep. E. Hutchings  
Rep. P. Ray  
Rep. A. Romero  
Rep. E. Weight

**1 . H.B. 70 Costs for Aggravated Murder Offenses (*Handy, S.*)**

Rep. Stephen G. Handy presented the bill.

Rep. Perry assumed the chair.

**MOTION:** Rep. Miles moved to pass H.B. 70 out favorably. The motion passed with a vote of 7 - 0 - 4 .

Yeas-7

Rep. C. Acton  
Rep. R. Edwards  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. E. Weight  
Rep. M. Winder

Nays-0

Absent-4

Rep. E. Hutchings  
Rep. P. Ray  
Rep. E. Redd  
Rep. A. Romero

**2 . H.B. 209 Mental Health Protections for First Responders (*Kwan, K.*)**

Rep. Karen Kwan presented the bill.

**MOTION:** Rep. Miles moved to amend H.B. 209 with Amendment #2. The motion passed with a vote of 8 - 0 - 3 .

Amendment 2

H.B. 209

1 Page 2, Lines 53 through 58

53 (h) "First responder" means:

54 (i) a law enforcement officer, as defined in Section 53-13-103;

55 (ii) an emergency medical technician, as defined in Section 26-8c-102;

56 (iii) an advanced emergency medical technician, as defined in Section 26-8c-102;

57 (iv) a paramedic, as defined in Section 26-8c-102; ~~{or}~~

58 (v) a firefighter, as defined in Section 34A-3-113 ~~{.}~~ ;

**(vi) a correctional officer, as defined in Section 53-13-104; or**

**(vii) an emergency dispatch operator.**

2 Page 4, Lines 99 through 100

99 (7) The legal and medical causal connection described in Subsection (1) is satisfied if

100 an individual is :

**(a) a first responder ~~{.}~~ ; and**

**(b) after the individual becomes a first responder, the individual is diagnosed with a mental health condition by a licensed physician or other licensed health care professional.**

Yeas-8

Rep. C. Acton

Rep. R. Edwards

Rep. S. Hollins

Rep. K. Miles

Rep. L. Perry

Rep. P. Ray

Rep. E. Weight

Rep. M. Winder

Nays-0

Absent-3

Rep. E. Hutchings

Rep. E. Redd

Rep. A. Romero

Mr. Jack Tidrow, President, Professional Firefighters of Utah, spoke in favor of the bill.

Rep. Redd assumed the chair.

Mr. Jeff Rowley, Risk Manager, Salt Lake County, spoke in opposition to the bill.

Ms. Christy Cushing, Field Services Manager, Utah Public Employees Association, spoke in favor of the bill.

Mr. Karson Eilers, Utah League of Cities and Towns, spoke in opposition to the bill.

Mr. Mike Brown, Chief of Polices, Salt Lake City, spoke in favor of the bill.

Mr. Mike Hadden, Deputy Director, Department of Corrections, spoke in favor of the bill.

Mr. Chad Bennion, Executive Director, Utah Fraternal Order of Police, spoke in favor of the bill.

Mr. Tom Ross, Bountiful City Police, Utah Chief of Police, spoke in opposition to the bill.

Mr. Ryan Andrus, WCF Mutual Insurance Company, spoke in opposition to the bill.

Ms. Lisa Bagley, Citizen, spoke in favor of the bill.

Mr. Dan Petersen, Fire Chief, United Fire Authority, spoke to the bill.

Mr. Dave Davis, President, Utah Retail Merchants Association, spoke to the bill.

Mr. Brian Allen, Director, Cottonwood Height City, spoke in opposition to the bill.

**MOTION:** Rep. Ray moved to pass H.B. 209 out favorably. The motion passed with a vote of 9 - 1 - 1 .

Yeas-9

Rep. S. Hollins  
Rep. E. Hutchings  
Rep. K. Miles  
Rep. L. Perry  
Rep. P. Ray  
Rep. E. Redd  
Rep. A. Romero  
Rep. E. Weight  
Rep. M. Winder

Nays-1

Rep. C. Acton

Absent-1

Rep. R. Edwards

**3 . H.B. 269 Identity Theft Paraphernalia Provisions (*Arent, P.*)**

Rep. Patrice M. Arent presented the bill with the assistance of Mr. William Carlson, Deputy District Attorney, Salt Lake County, and Ms. Kelly Shafto, Detective, Utah Identity Passport.

Mr. Jeff Silvestrini, Mayor, Millcreek, spoke in favor of the bill.

Mr. Steve Burton, President, Utah Association of Defense Lawyers, spoke in opposition to the bill.

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

Mr. Stanton VanWagoner, Detective Sergeant, Millcreek City, spoke in favor of the bill.

Mr. Jared Bingham, Head, U.S. Postal Inspection Service, spoke in favor of the bill.

**MOTION:** Rep. Hutchings moved to replace H.B. 269 with 1st Substitute H.B. 269. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Nays-0

Absent-2

Rep. C. Acton  
Rep. S. Hollins  
Rep. E. Hutchings  
Rep. K. Miles  
Rep. L. Perry  
Rep. P. Ray  
Rep. E. Redd  
Rep. A. Romero  
Rep. E. Weight

Rep. R. Edwards  
Rep. M. Winder

**MOTION:** Rep. Hutchings moved to pass 1st Substitute H.B. 269 out favorably. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Nays-0

Absent-2

Rep. C. Acton  
Rep. S. Hollins  
Rep. E. Hutchings  
Rep. K. Miles  
Rep. L. Perry  
Rep. P. Ray  
Rep. E. Redd  
Rep. A. Romero  
Rep. E. Weight

Rep. R. Edwards  
Rep. M. Winder

**4 . H.B. 248 Compensatory Service in Lieu of Fine Amendments (*King, B. S.*)**

Rep. Brian King presented the bill.

Ms. Christensen spoke in favor of the bill.

Mr. William Carlson, Deputy District Attorney, Salt Lake County District Attorney's Office, spoke in opposition to the bill.

Mr. Marshall Thompson, Director, Utah Sentencing Commission, spoke in favor of the bill.

Mr. Gary Scheller, Director, Office of Victims and Crime, spoke in opposition to the bill.

Ms. Molly Davis, Libertas Institute, spoke in favor of the bill.

Mr. David Brickey, League of Cities and Towns, spoke in opposition to the bill.

Ms. Jacey Skinner, Administrative Offices of the Courts, spoke to the bill.

Mr. Burton, spoke in favor of the bill.

**MOTION:** Rep. Hutchings moved to adjourn.

**SUBSTITUTE** Rep. Romero moved to pass H.B. 248 out favorably, and then withdrew the motion.

**MOTION:**

Rep. Hutchings' motion to adjourn passed with a vote of 8 - 0 - 3 .

Yeas-8

Rep. C. Acton  
Rep. R. Edwards  
Rep. S. Hollins  
Rep. E. Hutchings  
Rep. K. Miles  
Rep. E. Redd  
Rep. A. Romero  
Rep. E. Weight

Nays-0

Absent-3

Rep. L. Perry  
Rep. P. Ray  
Rep. M. Winder

Chair Redd adjourned the meeting at 6:38 p.m.