

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

Thursday , February 15, 2018 • 8:00 a.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.

Chair Perry called the meeting to order at 8:06 a.m.

MOTION: Rep. Winder moved to approve the minutes of February 13, 2018. The motion passed with a vote of 6 - 0 - 5 .

Yeas-6

Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-5

Rep. C. Acton
Rep. R. Edwards
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles

1 . H.B. 334 Human Trafficking Amendments (Romero, A.)

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

Ms. Rachel Peterson, Safety Commissioner, Utah Parent Teacher Association (PTA), spoke in favor of the bill.

MOTION: Rep. Redd moved to pass H.B. 334 out favorably. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

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

Nays-0

Absent-3

Rep. C. Acton
Rep. R. Edwards
Rep. E. Hutchings

2 . H.B. 132 Juvenile Justice Modifications (Snow, V. L.)

Rep. V. Lowry Snow presented the bill.

Mr. Terry Shoemaker, Utah School Boards Association, spoke in favor of the bill.

Ms. Kathy Abarca, Executive Director, Racially Just Utah, spoke to the bill.

Ms. Kim Gibb, Vice Chair, Utah Substance Use and Mental Health DUI Committee, spoke in opposition to the bill.

Ms. Mindi Holmdahl, Director, Student Services and Counseling, Salt Lake City School District, spoke in favor of the bill.

Mr. Ben Horsley, Communications Director, Granite School District, spoke in favor of the bill.

Mr. John Zurbuchen, Assistant Superintendent, Davis School District, spoke in favor of the bill.

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

Mr. Art Brown, President, Utah Chapter of Mothers Against Drunk Driving (MADD), spoke to the bill.

Ms. Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union (ACLU) of Utah, spoke to the bill.

MOTION: Rep. Ray moved to replace H.B. 132 with 2nd Substitute H.B. 132. The motion passed with a vote of 11 - 0 - 0 .

Yeas-11

Nays-0

Absent-0

Rep. C. Acton

Rep. R. Edwards

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

MOTION: Rep. Redd moved to amend 2nd Substitute H.B. 132 with Amendment #1. The motion was later withdrawn.

Amendment 1
2nd Sub. H.B. 132

273 (A) the results of the assessment indicate the youth is high risk; ~~{-or-}~~

274 (B) the results of the assessment indicate the youth is moderate risk and the referral is

275 for a class A misdemeanor violation under Title 76, Chapter 5, Offenses Against the Person, or

276 Title 76, Chapter 9, Part 7, Miscellaneous Provisions~~{-}~~.

(C) the results of the assessment indicate the youth is moderate risk and the referral is for the second class A misdemeanor violation within a 12-month period of time that is not described in Subsection (2)(d)(i)(B); or (D) the offense involves a crime against a person and, in the judgment of the probation department, a non-judicial adjustment would likely result in an ongoing significant risk of harm to the victim.

2 Page 11, Lines 332 through 334

332 ~~[(+)-A]~~ (j) Notwithstanding Subsection (2)~~{-(h)-}~~ **(i)**, a violation of Section 76-10-105 that is

333 subject to the jurisdiction of the juvenile court may include a fine or penalty and participation

334 in a court-approved tobacco education program, which may include a participation fee.

3 Page 12, Lines 346 through 347

346 (vi) Section 41-6a-502, driving under the influence ~~{-}~~ **if the driver license of the minor is**

347 **not suspended or revoked by the Driver License Division**.

SUBSTITUTE Rep. Miles moved to pass 2nd Substitute H.B. 132 out favorably. The Substitute motion passed
MOTION: with a vote of 11 - 0 - 0 .

Yeas-11

Nays-0

Absent-0

Rep. C. Acton

Rep. R. Edwards

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

3 . H.B. 260 Professional Licensing Revisions (*Ward, R.*)

Rep. Raymond P. Ward presented the bill.

Mr. Scott Reed, Assistant Attorney, Utah Office of the Attorney General, spoke in favor of the bill.

Ms. Lowe, spoke in opposition to the bill.

Mr. Connor Boyack, President, Libertas Institute, spoke in opposition to the bill.

Mr. Nate Mutter, Vice Chair, Law Enforcement Legislative Committee, spoke in favor of the bill.

MOTION: Rep. Redd moved to adjourn. The motion passed with a vote of 9 - 2 - 0 .

Yeas-9

Rep. C. Acton
Rep. R. Edwards
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-2

Rep. S. Hollins
Rep. P. Ray

Absent-0

Chair Perry adjourned the meeting at 10:00 a.m.