

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE**  
Friday, February 16, 2018 • 8:00 a.m. • 250 State Capitol

**Members Present:**

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

**Members Absent:**

President Wayne L. Niederhauser  
Sen. Ralph Okerlund

**Staff Present:**

Mr. John Feinauer, Policy Analyst  
Ms. Nancy Skidmore, 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 Weiler called the meeting to order at 8:05 a.m.

**MOTION:** Sen. Hillyard moved to approve the minutes of the February 14, 2018 meeting. The motion passed with a vote of 2-0-5.

Yeas-2

Sen. L. Hillyard  
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis  
Sen. L. Escamilla  
Sen. W. Niederhauser  
Sen. R. Okerlund  
Sen. D. Thatcher

Sen. Hillyard assumed the chair.

**1. S.B. 177 Bicycle and Electric Assisted Bicycle Amendments (Weiler, T.)**

Sen Weiler explained the bill with the assistance of Linda Hull, Policy and Legislative Services Director, Department of Transportation.

**MOTION:** Sen. Weiler moved to amend S.B. 177 with Amendment #1. The motion passed with a vote of 3-0-4.

Amendment 1  
S.B. 177

1 Page 3, Line 68

68 (2) A person {~~over the age of~~} 18 years of age or older may not operate a bicycle or a vehicle or device

Yeas-3

Sen. G. Davis  
Sen. L. Hillyard  
Sen. T. Weiler

Nays-0

Absent-4

Sen. L. Escamilla  
Sen. W. Niederhauser  
Sen. R. Okerlund  
Sen. D. Thatcher

**MOTION:** Sen. Weiler moved to pass S.B. 177 out favorably. The motion passed with a vote of 3-0-4.

Yeas-3

Sen. G. Davis

Nays-0

Absent-4

Sen. L. Escamilla

Sen. L. Hillyard  
Sen. T. Weiler

Sen. W. Niederhauser  
Sen. R. Okerlund  
Sen. D. Thatcher

Sen. Weiler resumed the chair.

**2. S.B. 91 Animal Welfare Amendments (Davis, G.)**

Sen. Davis explained the bill.

**MOTION:** Sen. Davis moved to replace S.B. 91 with 1st Substitute S.B. 91. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. G. Davis  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. W. Niederhauser  
Sen. R. Okerlund

Mr. Sterling Brown, Vice President-Public Policy, Utah Farm Bureau, spoke in opposition to the bill.

Mr. Justin Hatch, President, Utah Animal Control Association, spoke in favor of the bill.

Mr. Dan Cockayne, President, Utah Houndsmen Association, spoke in opposition to the bill.

Ms. Randee Lneker, Community Coordinator, Salt Lake County Animal Service Shelter, spoke in favor of the bill.

Mr. Aaron Johnson, Vice President, Utah Houndsmen Association, spoke in opposition to the bill.

Mr. Gene Baierschmidt, Executive Director, Humane Society of Utah, spoke in favor of the bill.

Mr. Dan Deuel spoke in opposition to the bill.

Ms. Deann Shepherd, Director of Communications, Humane Society of Utah, spoke to the bill.

**MOTION:** Sen. Davis moved to pass 1st Substitute S.B. 91 out favorably.

**SUBSTITUTE MOTION:** Sen. Thatcher moved to move to next agenda item. The Substitute motion passed with a vote of 3-2-2.

Yeas-3

Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-2

Sen. G. Davis  
Sen. L. Escamilla

Absent-2

Sen. W. Niederhauser  
Sen. R. Okerlund

**3. S.B. 182 Guardianship Amendments (*Adams, J. S.*)**

Sen. Adams explained the bill.

Ms. Shannon Alvey, Director, Office of Public Guardian, spoke to the bill.

Mr. Andrew Riggle, Public Policy Advocate, Disability Law Center, spoke in favor of the bill.

**MOTION:** Sen. Davis moved to pass S.B. 182 out favorably. The motion passed with a vote of 5-0-2.

Yeas-5

Sen. G. Davis  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. W. Niederhauser  
Sen. R. Okerlund

**4. S.B. 90 Hit and Run Penalties Amendments (*Thatcher, D.*)**

Sen. Thatcher explained the bill.

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

Mr. Marshall Thompson, Director, Utah Sentencing Commission, spoke to the bill.

**MOTION:** Sen. Thatcher moved to pass S.B. 90 out favorably. The motion passed with a vote of 5-0-2.

Yeas-5

Sen. G. Davis  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. W. Niederhauser  
Sen. R. Okerlund

**5. 1st Sub. H.B. 86 Manslaughter Amendments (*McKell, M.*)**

Rep. McKell explained the bill.

Ms. Kathryn Fitzgerald, Director, League of Women's Voters, spoke in opposition to the bill.

**MOTION:** Sen. Hillyard moved to pass 1st Substitute H.B. 86 out favorably. The motion passed with a vote of 3-2-2.

Yeas-3

Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-2

Sen. G. Davis  
Sen. L. Escamilla

Absent-2

Sen. W. Niederhauser  
Sen. R. Okerlund

**6. 1st Sub. H.B. 77 Criminal Code Amendments (McKell, M.)**

Rep. McKell explained the bill.

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

**MOTION:** Sen. Thatcher moved to move to next agenda item. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**7. S.B. 180 Offense Reduction Modifications (Thatcher, D.)**

Sen. Thatcher explained the bill.

**MOTION:** Sen. Thatcher moved to replace S.B. 180 with 1st Substitute S.B. 180. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

Mr. Daniel O'Bannon, Director, Division of Consumer Protection, spoke to the bill.

Mr. Marshall Thompson, Director, Utah Sentencing Commission, spoke to the bill.

**MOTION:** Sen. Thatcher moved to replace 1st Substitute S.B. 180 with 2nd Substitute S.B. 180. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**MOTION:** Sen. Thatcher moved to pass 2nd Substitute S.B. 180 out favorably. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**8. 1st Sub. H.B. 75 Child Sexual Abuse Amendments (*Nelson, M.*)**

Rep. Nelson explained the bill.

Ms. Sherry Brummer, Deputy Director, Children and Family Services, spoke in favor of the bill.

**MOTION:** Sen. Thatcher moved to pass 1st Substitute H.B. 75 out favorably. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**9. 1st Sub. H.B. 177 Trauma-informed Justice Provisions (*Ivory, K.*)**

Rep. Ivory explained the bill with the Jennifer Livsey.

**MOTION:** Sen. Thatcher moved to pass 1st Substitute H.B. 177 out favorably. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**10. 1st Sub. H.B. 126 Offender Housing Amendments (*Peterson, J.*)**

Rep. Peterson explained the bill.

**MOTION:** Sen. Thatcher moved to replace 1st Substitute H.B. 126 with 3rd Substitute H.B. 126. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

Mr. Andrew Riggle, Public Policy Advocate, Disability Law Center, spoke in opposition to the bill.

**MOTION:** Sen. Thatcher moved to pass 3rd Substitute H.B. 126 out favorably. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**11. 1st Sub. H.B. 178 Power of Attorney Amendments (*Stratton, K.*)**

Sen. Stratton explained the bill.

**MOTION:** Sen. Thatcher moved to pass 1st Substitute H.B. 178 out favorably. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

**MOTION:** Sen. Thatcher moved to adjourn. The motion passed with a vote of 4-0-3.

Yeas-4

Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. G. Davis  
Sen. W. Niederhauser  
Sen. R. Okerlund

Chair Weiler adjourned the meeting at 9:55 a.m.