

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

Tuesday , February 20, 2018 • 4:00 p.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.

Chair Weiler called the meeting to order at 4:20 p.m.

MOTION: Sen. Hillyard moved to approve the minutes of the February 16, 2018 meeting. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. T. Weiler

Nays-0

Absent-4

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

1 . S.B. 66 Emergency Vehicle Operator Duty of Care Amendments (*Anderegg, J.*)

Sen. Anderegg explained the bill.

MOTION: Sen. Hillyard moved to replace S.B. 66 with 1st Substitute S.B. 66. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. T. Weiler

Nays-0

Absent-4

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

Tom Ross, Bountiful Police Chief, Utah Chiefs of Police Association, spoke to the bill.

Mr. Reed Richards, Weber County Attorneys Office, spoke to the bill.

Mr. Karson Eiler, Utah League of Cities and Towns, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to pass 1st Substitute S.B. 66 out favorably. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-3

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

Sen. T. Weiler

2 . S.B. 187 Parent Time Amendments (*Escamilla (Robles), L.*)

Sen. Escamilla explained the bill with the assistance of Jennifer Lucau.

Mr. Stewart Ralphs, Director, Legal Aid Society of Salt Lake, spoke to the bill.

Ms. Leslie Gerj spoke to the bill.

Mr. Dan Duel, PTA spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass S.B. 187 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

3 . S.B. 188 Uniform Unsworn Declarations Act (*Hillyard, L.*)

Sen. Hillyard explained the bill.

MOTION: Sen. Hillyard moved to pass S.B. 188 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. Hillyard moved to place S.B. 188 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-3

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

Sen. T. Weiler

Sen. Thatcher assumed the chair.

4 . S.B. 186 Indigent Defense Amendments (*Weiler, T.*)

Sen. Weiler explained the bill with the assistance Joanne Landau, Director, Utah Indigent Defence Commission.

MOTION: Sen. Weiler moved to replace S.B. 186 with 1st Substitute S.B. 186. 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. Adam Troope, Association of Counties, spoke in favor of the bill.

MOTION: Sen. Weiler moved to pass 1st Substitute S.B. 186 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

5 . S.B. 193 Persons with Disabilities Amendments (*Dayton, M.*)

Sen. Dayton explained the bill with the assistance of Ken Merrill.

Ms. Kris Fossum, Coalition of disabilites spoke in favor of the bill.

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

Sen. Weiler resumed the chair.

MOTION: Sen. Thatcher moved to pass S.B. 193 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

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

Rep. McKell explained the bill.

MOTION: Sen. Thatcher moved to replace 1st Substitute H.B. 77 with 2nd Substitute H.B. 77. 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 amend 2nd Substitute H.B. 77 with Amendment #1. The motion passed with a vote of 4 - 0 - 3 .

Amendment 1
2nd Sub. H.B. 77

1 Page 2, Lines 30 through 32

30 As used in this part, "indecent liberties" means conduct as serious as touching, over clothing, of the anus,
31 buttocks, or genitals of another individual, or touching, over clothing, of the breast of a female
32 individual.

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

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

MOTION: Sen. Thatcher moved to pass 2nd Substitute H.B. 77 as amended out favorably. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

Nays-0

Absent-3

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

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

7 . H.B. 222 Peace Officer Amendments (*Maloy, A.C.*)

Rep. Maloy explained the bill.

Mr. Cameron, Sheriff spoke to the bill.

MOTION: Sen. Thatcher moved to pass H.B. 222 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 5:35 p.m.