

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE**

Friday , February 23, 2018 • 8:00 a.m. • 20 House Building

Members Present:

Rep. Michael K. McKell, Chair
Rep. V. Lowry Snow, Vice Chair
Rep. Kim F. Coleman
Rep. Bruce R. Cutler
Rep. Brian M. Greene
Rep. Ken Ivory
Rep. Brian S. King
Rep. Karianne Lisonbee

Rep. Dixon M. Pitcher
Rep. Susan Pulsipher
Rep. Tim Quinn

Members Absent:

Rep. Mark A. Wheatley

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Mr. Steve Benard, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Vice Chair Snow called the meeting to order at 8:04 a.m.

MOTION: Rep. Pitcher moved to approve the minutes of the February 21, 2018, meeting. The motion passed with a vote of 6 - 0 - 6 .

Yeas-6

Rep. B. Cutler
Rep. B. Greene
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Nays-0

Absent-6

Rep. K. Coleman
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. M. Wheatley

1 . H.B. 333 Domestic Violence Response Amendments (*Spendlove, R.*)

Rep. Robert M. Spendlove explained the bill with the assistance of Heather Wolsey and Darin Derby, Utah County Sheriff's Office.

Chair McKell assumed the chair.

Mr. Robert Church, Director, Utah Prosecution Council, spoke to the language of the bill.

Vice Chair Snow assumed the chair.

Mr. Steve Burton, President, Utah Association of Criminal Defense Lawyers, spoke against the bill.

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

Ms. Julie Adkison spoke to the bill.

Ms. Andrea Hunziker spoke in favor of the bill.

Ms. Martha Burkett Fallis, President, Utah Association for Domestic Violence Treatment, spoke in favor of the bill.

MOTION: Rep. McKell moved to report a favorable recommendation on H.B. 333. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Nays-0

Absent-1

Rep. M. Wheatley

2 . H.B. 298 Victim Advocate Confidentiality Amendments (McKell, M.)

Rep. Michael K. McKell explained the bill with the assistance of Craig Johnson, Utah County Attorney's Office, and Gary Sheller, Utah Office for Victims of Crime.

Ms. Terry Mitchell spoke against the bill.

Ms. Heather Wolsey spoke in favor of the bill.

Ms. Ronni Adams, Stop Abuse Campaign of Utah, spoke in favor of the bill.

MOTION: Rep. Ivory moved to replace H.B. 298 with 1st Substitute H.B. 298. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher

Nays-0

Absent-2

Rep. B. King
Rep. M. Wheatley

Rep. T. Quinn
Rep. V. Snow

MOTION: Rep. Ivory moved to report a favorable recommendation on 1st Substitute H.B. 298. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Nays-0

Absent-2

Rep. B. King
Rep. M. Wheatley

3 . H.B. 343 Youth and Child Welfare Amendments (*Brooks, W.*)

Rep. Walt Brooks explained the bill with the assistance of Scott Howell.

Ms. Shirlee Draper spoke to the bill.

Ms. LuAnn Cooper spoke in favor of the bill.

Ms. Diane Moore, Utah Division of Child and Family Services, spoke to the bill.

Mr. Dan Deuel, National Parents' Organization, spoke in favor of the bill.

Ms. Ronni Adams spoke in favor of the bill.

MOTION: Rep. Quinn moved to replace H.B. 343 with 1st Substitute H.B. 343. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory

Nays-0

Absent-2

Rep. B. King
Rep. M. Wheatley

Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

MOTION: Rep. Lisonbee moved to report a favorable recommendation on 1st Substitute H.B. 343. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Nays-0

Absent-2

Rep. B. King
Rep. M. Wheatley

4 . H.B. 392 Search and Seizure Amendments (*Greene, B.*)

Rep. Brian M. Greene explained the bill.

Mr. John Mejia, ACLU of Utah, spoke in favor of the bill.

Mr. Tyler Green, Utah Attorney General's Office, spoke against the bill.

Mr. Reed Richards, Weber County Attorney's Office, speaking on behalf of prosecutors throughout the State of Utah, spoke against the bill.

Mr. Connor Boyack, Libertas Institute, spoke in favor of the bill.

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

Mr. Tyler Green explained a rule regarding officers violating people's rights.

Ms. Skinner spoke to the bill.

MOTION: Rep. McKell moved to replace H.B. 392 with 1st Substitute H.B. 392. The motion passed with a vote of 6 - 0 - 6 .

Yeas-6

Rep. K. Coleman
Rep. B. Greene
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. V. Snow

Nays-0

Absent-6

Rep. B. Cutler
Rep. K. Ivory
Rep. B. King
Rep. S. Pulsipher
Rep. T. Quinn
Rep. M. Wheatley

MOTION: Rep. McKell moved to report a favorable recommendation on 1st Substitute H.B. 392. No action taken.

MOTION: Rep. McKell move to adjourn. The motion passed with a vote of 6 - 0 - 6 .

Yeas-6

Rep. K. Coleman
Rep. B. Greene
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. V. Snow

Nays-0

Absent-6

Rep. B. Cutler
Rep. K. Ivory
Rep. B. King
Rep. S. Pulsipher
Rep. T. Quinn
Rep. M. Wheatley

Vice Chair Snow adjourned the meeting at 10:11 a.m.