

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

Tuesday , February 27, 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 Redd called the meeting to order at 8:06 a.m.

MOTION: Rep. Miles moved to approve the minutes of the February 23, 2018 meeting. The motion passed with a vote of 5 - 0 - 6 .

Yeas-5

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

Nays-0

Absent-6

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

1 . H.B. 458 Jail Beds Amendments (Noel, M.)

Rep. Michael E. Noel presented the bill with the assistance of Mr. Reed Richards, Utah Association of Counties, Mr. Steve White, President, Utah Sheriffs' Association, and Mr. Mike Haddon, Deputy Director, Utah Department of Corrections.

MOTION: Rep. Perry moved to pass H.B. 458 out favorably. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

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

Nays-0

Absent-3

Rep. R. Edwards
Rep. E. Hutchings
Rep. E. Weight

2 . S.B. 125 Child Welfare Amendments (Harper, W.)

Sen. Wayne A. Harper presented the bill.

MOTION: Rep. Perry moved to amend S.B. 125 with Amendment #3. The motion passed with a vote of 8 - 0 - 3 .

Amendment 3

S.B. 125

1 Page 48, Line 1482 through Page 49, Line 1490

1482 (7) When a court issues a warrant under Subsection (6) ~~{, the court}~~:

1483 (a) the division shall notify the child's parent or guardian who has a right to parent-time with the
1484 child;

1485 (b) the court shall order :

(i) the law enforcement agency that has jurisdiction over the location from

1486 which the child ran away to enter a record of the warrant into the National Crime Information

1487 Center database within 24 hours after the time when the law enforcement agency receives a

1488 copy of the warrant; and

(ii) the division to notify the law enforcement agency described in Subsection (7)(b)(i) of the order described in Subsection (7)(b)(i); and

1489 (c) the court shall specify the location to which the child welfare worker or peace officer shall

1490 transport the child.

2 Page 50, Lines 1516 through 1518

1516 (d) (i) A court may temporarily place in a detention facility , as provided in Subsection (4), a child
who is taken into

1517 custody based upon a warrant issued under Subsection 78A-6-106(6), if the court finds that

1518 detention is the least restrictive placement available to ensure the immediate safety of the child.

(ii) A child placed in detention under Subsection (1)(d)(i) may not be held in detention longer than is necessary for the division to identify a less restrictive, available, and appropriate placement for the child.

3 Page 53, Lines 1622 through 1624

1622 (c) (i) A court may temporarily place in a detention facility , as provided in Subsection (4), a child
who is taken into

1623 custody based upon a warrant issued under Subsection 78A-6-106(6), if the court finds that

1624 detention is the least restrictive placement available to ensure the immediate safety of the child.

(ii) A child placed in detention under Subsection (1)(c)(i) may not be held in detention longer than is necessary for the division to identify a less restrictive, available, and appropriate placement for the child.

Yeas-8

Rep. C. Acton

Rep. S. Hollins

Rep. K. Miles

Rep. L. Perry

Rep. P. Ray

Rep. E. Redd

Rep. A. Romero

Nays-0

Absent-3

Rep. R. Edwards

Rep. E. Hutchings

Rep. E. Weight

Rep. M. Winder

MOTION: Rep. Miles moved to pass S.B. 125, as amended, out favorably. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

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

Nays-0

Absent-3

Rep. R. Edwards
Rep. E. Hutchings
Rep. E. Weight

3 . H.B. 415 Catastrophic Wildfire Revisions (*Ivory, K.*)

Rep. Ken Ivory presented the bill with the assistance of Rep. Noel, and Mr. Darin Bushman, Commissioner, Piute County.

Mr. Michael Dodge, Assistant Attorney General, Utah Attorney General's Office, Public Lands Section, spoke to the bill.

MOTION: Rep. Winder moved to pass H.B. 415 out favorably. The motion passed with a vote of 7 - 1 - 3 .

Yeas-7

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

Nays-1

Rep. A. Romero

Absent-3

Rep. E. Hutchings
Rep. P. Ray
Rep. E. Weight

4 . S.B. 105 Crime Statistics Reporting Amendments (*Ipson, D.*)

Rep. Perry presented the bill.

MOTION: Rep. Miles moved to pass S.B. 105 out favorably. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

Nays-0

Absent-3

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

Rep. E. Hutchings
Rep. P. Ray
Rep. E. Weight

MOTION: Rep. Miles moved to place S.B. 105 on the Consent Calendar. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

Nays-0

Absent-3

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

Rep. E. Hutchings
Rep. P. Ray
Rep. E. Weight

5 . H.B. 410 Alcohol and Substance Use Withdrawal in County Jails (*Moss, C.*)

Rep. Carol Spackman Moss presented the bill.

Ms. Darcy Goddard, Chief Policy Adviser, Salt Lake County District Attorney's Office, spoke in favor of the bill.

Mr. Cameron Noel, Utah Sheriffs' Association, spoke in favor of the bill.

MOTION: Rep. Perry moved to amend H.B. 410 with Amendment #1. The motion passed with a vote of 9 - 0 - 2 .

Amendment 1
H.B. 410

1 Page 2, Lines 35 through 36

35 (e) { ~~the Utah Department of Corrections;~~ } a district attorney or a county attorney actively engaged in the practice of civil or constitutional law from:

(i) a county of the first class described in Section 17-50-501; and

(ii) one county of the second, third, fourth, fifth, or sixth class described in Section 17-50-501;

36 (f) the { ~~Utah~~ } Department of Health;

House Law Enforcement and Criminal Justice Standing Committee

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Yeas-9

Rep. C. Acton
Rep. R. Edwards
Rep. S. Hollins
Rep. E. Hutchings
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. M. Winder

Nays-0

Absent-2

Rep. K. Miles
Rep. E. Weight

MOTION: Rep. Perry moved to pass H.B. 410 out favorably. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Rep. C. Acton
Rep. R. Edwards
Rep. S. Hollins
Rep. E. Hutchings
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. M. Winder

Nays-0

Absent-2

Rep. K. Miles
Rep. E. Weight

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

Yeas-9

Rep. C. Acton
Rep. R. Edwards
Rep. S. Hollins
Rep. E. Hutchings
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. M. Winder

Nays-0

Absent-2

Rep. K. Miles
Rep. E. Weight

Chair Redd adjourned the meeting at 9:18 a.m.