

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

Wednesday , February 28, 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.

Chair Weiler called the meeting to order at 8:12 a.m.

MOTION: Sen. Hillyard moved to approve the minutes of the February 26, 2018 meeting. The motion passed with a vote of 3 - 0 - 4 .

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

1 . 1st Sub. H.B. 265 Body Camera Amendments (McCay, D.)

Rep. McCay explained the bill.

MOTION: Sen. Hillyard moved to replace 1st Substitute H.B. 265 with 2nd Substitute H.B. 265. The motion passed with a vote of 3 - 0 - 4 .

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

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

MOTION: Sen. Hillyard moved to pass 2nd Substitute H.B. 265 out favorably. 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

MOTION: Sen. Hillyard moved to place 2nd Substitute H.B. 265 on the Consent Calendar. 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

2 . H.B. 79 Private Attorney General Doctrine (*Greene, B.*)

Rep. Greene explained the bill.

Ms. Jami Brackin, Deputy Summit County Attorney, Chair, CivLac Legislatvie Group, spoke in opposition to the bill.

Mr. Karson Eilers, Analyst, Utah League of Cities and Towns, spoke in opposition to the bill.

Ms. Molly Davis, Policy Analyst, Libertas Institute, spoke in favor of the bill.

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

Yeas-3

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

Nays-2

Sen. L. Escamilla
Sen. T. Weiler

Absent-2

Sen. W. Niederhauser
Sen. R. Okerlund

3 . 1st Sub. H.B. 252 DUI Program Amendments (*Fawson, J.*)

Rep. Fawson explained the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 252 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

MOTION: Sen. Thatcher moved to place 1st Substitute H.B. 252 on the Consent Calendar. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

4 . H.B. 312 Concealed Carry Amendments (*Lisonbee, K.*)

Rep. Lisonbee explained the bill.

MOTION: Sen. Thatcher moved to pass H.B. 312 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

5 . 1st Sub. H.B. 295 Driving Under the Influence Modifications (*Eliason, S.*)

Rep. Eliason explained the bill with the assistance of Colonel Michael Rapich, Utah Highway Patrol.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 295 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

6 . H.B. 321 Arrest Amendments (*Miles, K.*)

Rep. Miles explained the bill.

Mr. Reed Richards, Utah Sheriff's Association, spoke in favor of the bill.

Mr. Gary Williams, City Attorney, Ogden, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 321 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 place H.B. 321 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
Sen. T. Weiler

Nays-0

Absent-3

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

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

Rep. Romero explained the bill.

Mr. Dave Carlson, Director, Justice Division, Utah Attorney General's Office, spoke to the bill.

Sen. Thatcher assumed the chair.

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

Mr. Richard Mauro, Executive Director, Salt Lake County Legal Defenders Office, spoke to the bill.

MOTION: Sen. Hillyard moved to pass H.B. 334 out favorably. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

Sen. G. Davis

Nays-0

Absent-3

Sen. W. Niederhauser

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

Sen. R. Okerlund
Sen. T. Weiler

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

Yeas-4

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

Nays-0

Absent-3

Sen. W. Niederhauser
Sen. R. Okerlund
Sen. T. Weiler

Acting Chair Thatcher adjourned the meeting at 9:38 a.m.