



# MINUTES

## HOUSE JUDICIARY STANDING COMMITTEE

LEGISLATURE

Friday, February 15, 2019 | 3:40 p.m. | 20 House Building

**Members Present:**

Rep. Karianne Lisonbee, Chair  
Rep. Craig Hall, Vice Chair  
Rep. Cheryl K. Acton  
Rep. Brady Brammer  
Rep. Jon Hawkins  
Rep. Eric K. Hutchings  
Rep. Brian S. King  
Rep. Stephanie Pitcher

Rep. V. Lowry Snow  
Rep. Steve Waldrip

**Members Absent:**

Rep. Travis M. Seegmiller  
Rep. Mark A. Wheatley

**Staff Present:**

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

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 Lisonbee called the meeting to order at 3:46 p.m.

**MOTION:** Rep. Hawkins moved to approve the minutes of the February 8 and February 12, 2019, meetings. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-4

Rep. E. Hutchings  
Rep. B. King  
Rep. T. Seegmiller  
Rep. M. Wheatley

**1 . H.B. 214 Office for Victims of Crime Amendments (Andersen, K.)**

Rep. Kyle R. Andersen explained the 1st substitute bill with the assistance of Mr. Gary Scheller, Director of the Office of Victims of Crime.

Ms. Tonia Tewell, Holding Out Help, spoke in favor of the bill.

Mr. Larry Beall, Director of the Trauma Awareness and Treatment Center, spoke in favor of the bill.

Ms. LuAnn Cooper spoke in favor of the bill.

Ms. Briell Decker Blanchart spoke in favor of the bill.

Ms. Melissa Ellis spoke in favor of the bill.

Ms. Emily Tucker spoke in favor of the bill.

Rep. Snow assumed the chair.

Ms. Nicole Van Tassel Henderson spoke in favor of the bill.

Ms. Angela Kelly, Director, Sound Choices Coalition, spoke in favor of the bill.

Ms. Tatiana Martin spoke in favor of the bill.

**MOTION:** Rep. Hawkins moved to replace H.B. 214 with 1st Substitute H.B. 214. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. J. Hawkins  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. E. Hutchings  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**MOTION:** Rep. Hawkins moved to report a favorable recommendation on 1st Substitute H.B. 214. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. J. Hawkins  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. E. Hutchings  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**2 . H.B. 233 Grand Jury Process Revisions (Nelson, M.)**

Rep. Merrill F. Nelson explained the bill with the assistance of Will Carlson, Chief Policy Adviser, Salt Lake County District Attorney's Office.

Rep. Hall assumed the chair.

Mr. Jeff Buhman, Statewide Association of Public Attorneys and Prosecutors, spoke in favor of the bill.

Mr. Richard Mauro, Executive Director, Salt Lake Legal Defender Association, spoke against the bill.

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

Mr. Jeff Buhman, Statewide Association of Public Attorneys and Prosecutors, spoke to the bill.

Mr. Ed Brass, attorney, spoke against the bill.

**MOTION:** Rep. Hutchings moved to hold H.B. 233. The motion passed with a vote of 8 - 1 - 3.

Yeas-8

Rep. B. Brammer  
Rep. C. Hall  
Rep. J. Hawkins  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-1

Rep. C. Acton

Absent-3

Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**3 . H.B. 253 Domestic Violence Response Amendments (Spendlove, R.)**

Rep. Robert M. Spendlove explained the bill with the assistance of Ms. Heather Woolsey.

Mr. Ned Searl, Director of the Office on Domestic and Sexual Violence at the Commission On Criminal and Juvenile Justice, spoke to the bill.

Ms. Andrea Hunsaker spoke in favor of the bill.

Mr. Richard Mauro, Executive Director, Salt Lake Legal Defender Association, spoke to the bill.

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

Ms. Erin Jemison, Public Policy Director, YWCA Utah, spoke in favor of the bill.

**MOTION:** Rep. Brammer moved to amend H.B. 253 with Amendment #1. The motion passed with a vote of 9 - 0 - 3.

Amendment 1  
H.B. 253

1. Page 17, Lines 514 through 522:

514 (6) The Administrative Office of the Courts shall provide a report to the Law  
515 Enforcement and Criminal Justice Interim Committee before November 30, 2020, that  
516 includes:  
517 (a) the number of cases opened in the state during the preceding fiscal year that involve  
518 a domestic violence offense;

(b) for each case described in Subsection (6)(a), the section under which the offender was charged or convicted;  
519 ~~{(b)}~~ (c) the number of court orders in cases described in Subsection (6)(a) that require the  
520 defendant to participate in an electronic or another type of monitoring program; and  
521 ~~{(c)}~~ (d) for each order described in Subsection (6) ~~{(b)}~~ (c) , whether the order was made under  
522 Section 77-20-3.5, 77-36-2.6, or 77-36-5, or another provision of state law.

Yeas-9

Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. J. Hawkins  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-3

Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**MOTION:** Rep. Brammer moved to hold H.B. 253. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. J. Hawkins  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-3

Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**4 . 2nd Sub. H.B. 100 Sexual Violence Protective Orders (Snow, V. L.)**

Rep. Lowry Snow explained 3rd Substitute H.B. 100.

Rep. Hutchings assumed the chair.

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

Mr. Clark Aposhian, Utah Shooting Sports Council, spoke to the bill.

**MOTION:** Rep. Waldrip moved to replace 2nd Substitute H.B. 100 with 3rd Substitute H.B. 100. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**MOTION:** Rep. Waldrip moved to report a favorable recommendation on 3rd Substitute H.B. 100. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**5 . H.B. 53 Victim Communications Amendments (Snow, V. L.)**

**MOTION:** Rep. Snow moved to replace H.B. 53 with 1st Substitute H.B. 53. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

Rep. Snow explained the bill.

Mr. Craig Johnson, Utah County Deputy Attorney, spoke in favor of the bill.

Mr. Ed Brass, defense attorney, spoke against the bill.

Ms. Heather Woolsey spoke in favor of the bill.

Mr. Richard Mauro, Salt Lake Legal Defender Association, spoke against the bill.

Mr. Will Carlson, Salt Lake County District Attorney's Office, spoke in favor of the bill.

**MOTION:** Rep. King moved to report a favorable recommendation on 1st Substitute H.B. 53. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**6 . H.J.R. 3 Joint Resolution Adopting Privilege Under Rules of Evidence (Snow, V. L.)**

**MOTION:** Rep. Snow moved to replace H.J.R. 3 with 1st Substitute H.J.R. 3. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**MOTION:** Rep. Snow moved to report a favorable recommendation on 1st Substitute H.J.R. 3. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

**MOTION:** Rep. King moved to adjourn. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. C. Acton  
Rep. B. Brammer  
Rep. E. Hutchings  
Rep. B. King  
Rep. S. Pitcher  
Rep. V. Snow  
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Hall  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

Acting Chair Hutchings adjourned the meeting at 7:19 p.m.