



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Monday, February 25, 2019 | 4:00 p.m. | 450 State Capitol

**Members Present:**

Rep. Lee B. Perry, Chair  
Rep. Kim F. Coleman, Vice Chair  
Rep. Sandra Hollins  
Rep. Kelly B. Miles  
Rep. Val K. Potter  
Rep. Paul Ray  
Rep. Angela Romero  
Rep. Casey Snider

Rep. Andrew Stoddard  
Rep. Mark A. Strong

**Members Absent:**

Rep. Mike Schultz

**Staff Present:**

Mr. John Feinauer, Policy Analyst  
Ms. An Bradshaw, Committee Secretary

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 Coleman called the meeting to order at 4:06 a.m.

**MOTION:** Rep. Perry moved to approve the minutes of the February 22, 2019 meeting. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman  
Rep. S. Hollins  
Rep. L. Perry  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard

Nays-0

Absent-5

Rep. K. Miles  
Rep. V. Potter  
Rep. A. Romero  
Rep. M. Schultz  
Rep. M. Strong

**1 . S.B. 54 Board of Pardons Amendments (Thatcher, D.)**

Sen. Thatcher presented the bill to the committee.

**MOTION:** Rep. Ray moved to pass S.B. 54 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard

Nays-0

Absent-4

Rep. K. Miles  
Rep. A. Romero  
Rep. M. Schultz  
Rep. M. Strong

**2 . H.B. 335 Criminal Code Task Force Changes (Ray, P.)**

Rep. Ray presented the bill to the committee.

**MOTION:** Rep. Perry moved to pass H.B. 335 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard

Nays-0

Absent-4

Rep. K. Miles  
Rep. A. Romero  
Rep. M. Schultz  
Rep. M. Strong

**MOTION:** Rep. Ray moved to place H.B. 335 on the Consent Calendar. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard

Nays-0

Absent-4

Rep. K. Miles  
Rep. A. Romero  
Rep. M. Schultz  
Rep. M. Strong

Rep. Perry assumed the chair.

**3 . H.B. 346 Higher Education Responses to Allegations (Coleman, K.)**

Rep. Coleman presented the bill to the committee.

Mr. James Swink, Utah Council on Victims of Crimes, spoke in support of the bill.

Ms. Reyna Villegas, student, spoke in support of the bill.

Ms. Jessica Huerta, student, spoke in support of the bill.

**MOTION:** Rep. Potter moved to pass H.B. 346 out favorably. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Rep. K. Coleman  
Rep. S. Hollins  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-3

Rep. K. Miles  
Rep. A. Romero  
Rep. M. Schultz

**4 . H.B. 293 Plea in Abeyance Amendments (Shurtliff, L.)**

Rep. Shurtliff presented the bill with the assistance of Mr. Ryan Robinson, Statewide Association of Prosecutors.

Mr. Travis Wood, Utah Behavioral Health Council, spoke in opposition to the bill.

Mr. Ed Montgomery, South Jordan City Prosecutor, spoke in support of the bill.

Mr. Adam Cohen, Utah Association of Addiction Treatment Providers, spoke in opposition to the bill.

Mr. Steve Burton, Utah Association of Criminal Defense Lawyers, spoke in opposition to the bill.

Mr. Jason Groth, ACLU, spoke in opposition to the bill.

Mr. Will Carlson, Chief Policy Adviser, Salt Lake County District Attorney's Office, spoke in opposition to the bill.

Ms. Kim Cordova, Executive Director, Commission on Criminal and Juvenile Justice, spoke in opposition to the bill.

**MOTION:** Rep. Potter moved to table H.B. 293.

The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. C. Snider  
Rep. M. Strong

Nays-0

Absent-5

Rep. K. Coleman  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. A. Stoddard

**5 . H.B. 179 Road Closure Amendments (Lyman, P.)**

Rep. Lyman presented the bill to the committee utilizing a slide presentation.

Ms. Renae Cowley, Union Pacific, spoke in support of the bill.

Mr. Gavin Noyes, Utah Dine Bikeya, spoke in opposition to the bill and provided a handout.

Mr. Carl Moore, PANDOS, spoke in opposition to the bill.

**MOTION:** Rep. Snider moved to replace H.B. 179 with 1st Substitute H.B. 179. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. P. Ray  
Rep. A. Romero  
Rep. C. Snider  
Rep. M. Strong

Nays-0

Absent-4

Rep. K. Coleman  
Rep. V. Potter  
Rep. M. Schultz  
Rep. A. Stoddard

**MOTION:** Rep. Snider moved to amend 1st Substitute H.B. 179 with Amendment #2. The motion passed with a vote of 7 - 0 - 4.

Amendment 2  
1st Sub. H.B. 179

1. Page 2, Lines 29 through 31:

29 (2) This section does not apply to a road closure:

30 (a) by firefighters or peace officers responding to an emergency; ~~{-or}~~

31 ~~{(b) of a public or private railroad crossing for railroad repair or maintenance.}~~

(b) that may result from a permanent or temporary closure of a public or private railroad crossing; or

(c) on an R.S. 2477 right-of-way across private land if a perpetual public right-of-way has not been granted through a settlement or court order.



Yeas-7

Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. P. Ray  
Rep. A. Romero  
Rep. C. Snider  
Rep. M. Strong

Nays-0

Absent-4

Rep. K. Coleman  
Rep. V. Potter  
Rep. M. Schultz  
Rep. A. Stoddard

**MOTION:**

Rep. Snider moved to pass 1st Substitute H.B. 179 out favorably as amended. The motion passed with a vote of 6 - 2 - 3.

Yeas-6

Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. M. Strong

Nays-2

Rep. S. Hollins  
Rep. A. Romero

Absent-3

Rep. K. Coleman  
Rep. M. Schultz  
Rep. A. Stoddard

**MOTION:**

Rep. Potter moved to adjourn. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. C. Snider  
Rep. M. Strong

Nays-0

Absent-3

Rep. K. Coleman  
Rep. M. Schultz  
Rep. A. Stoddard

Chair Perry adjourned the meeting at 5:18 p.m.