



# MINUTES

## SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Wednesday, March 6, 2019 | 8:00 a.m. | 250 State Capitol

**Members Present:**

Sen. Todd Weiler, Chair  
Sen. Kirk A. Cullimore  
Sen. Luz Escamilla  
Sen. Lyle W. Hillyard  
Sen. Derek L. Kitchen  
Sen. Daniel W. Thatcher

**Members Absent:**

Sen. Daniel Hemmert  
Sen. Ann Millner

**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](http://www.le.utah.gov).

Chair Weiler called the meeting to order at 8:05 a.m.

**MOTION:** Sen. Hillyard moved to approve the minutes of the March 4, 2019 meeting. The motion passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner  
Sen. D. Thatcher

**1 . S.B. 183 Uniform Criminal Records Accuracy Act (Hillyard, L.)**

**MOTION:** Sen. Hillyard moved to return S.B. 183 to the Rules Committee The motion passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner  
Sen. D. Thatcher

Sen. Hillyard assumed the chair.

**2 . S.B. 230 Child Protection Registry Amendments (Weiler, T.)**

Sen. Weiler presented the bill.

**MOTION:** Sen. Weiler moved to pass S.B. 230 out favorably.

Mr. Daniel O'Bannon, Director, Division of Consumer Protection, spoke to the bill.

Sen. Weiler's motion to pass S.B. 230 out favorably passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner  
Sen. D. Thatcher

Sen. Weiler resumed the chair.

**3 . 2nd Sub. H.B. 53 Victim Communications Amendments (Snow, V. L.)**

**4 . 2nd Sub. H.J.R. 3 Joint Resolution Adopting Privilege Under Rules of Evidence (Snow, V. L.)**

Sen. Snow presented 1st Sub H.B. 53 and H.J.R. 3 together.

Ms. Erin Jemison, Director of Public Policy, Young Women's Christian Association (YWCA), spoke in favor of the bill.

Mr. Richard Morrow, Executive Director, Utah Defenders Association, spoke to the bill.

Mr. William Carlson, Chief Policy Analyst, Salt Lake County District Attorney's Office, spoke in favor of the bill.

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

Mr. Stewart Ralphs, Legal Aid Society of Salt Lake, spoke to the bill.

Mr. Reed Richards, Statewide Association of Prosecutors, spoke to the bill.

**5 . 2nd Sub. H.B. 53 Victim Communications Amendments (Snow, V. L.)**

**MOTION:** Sen. Hillyard moved to pass 2nd Substitute H.B. 53 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**6 . 2nd Sub. H.J.R. 3 Joint Resolution Adopting Privilege Under Rules of Evidence (Snow, V. L.)**

**MOTION:** Sen. Hillyard moved to pass 2nd Substitute H.J.R. 3 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**7 . 3rd Sub. H.B. 100 Sexual Violence Protective Orders (Snow, V. L.)**

Rep. Snow presented the bill.

Mr. Stewart Ralphs, Legal Aid Society of Salt Lake, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass 3rd Substitute H.B. 100 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**8 . 2nd Sub. H.B. 137 Domestic Violence Enhancement Amendments (*Pitcher, S.*)**

Sen. Pitcher presented the bill with the assistance of Mr. William Carlson, Chief Policy Analyst, Salt Lake County District Attorney's Office.

[HB137S02 DV Enhancement Power Point](#)

Mr. Rob Van Dyke, President, Utah County District Attorneys Association, spoke in favor of the bill.

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

**MOTION:** Sen. Thatcher moved to pass 2nd Substitute H.B. 137 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**9 . 1st Sub. H.B. 214 Office for Victims of Crime Amendments (*Andersen, K.*)**

Sen. Buxton presented the bill with the assistance of Gary Scheller, Director, Office for Victims of Crimes.

[HB214S01handout Why Victims of This Crime](#)

**MOTION:** Sen. Thatcher moved to pass 1st Substitute H.B. 214 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**10 . H.B. 328 General Damages Amendments (*Waldrip, S.*)**

Rep. Waldrip presented the bill.

**MOTION:** Sen. Thatcher moved to pass H.B. 328 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

**11 . H.J.R. 20 Joint Resolution on Drone Safety (*Robertson, A.*)**

Rep. Robertson presented the bill.

[HJR20 handout - know before you fly](#)

**MOTION:** Sen. Hillyard moved to pass H.J.R. 20 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. A. Millner  
Sen. D. Thatcher

**MOTION:** Sen. Hillyard moved to adjourn. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. A. Millner  
Sen. D. Thatcher

Chair Weiler adjourned the meeting at 9:56 a.m.