



# MINUTES

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

LEGISLATURE

Thursday, March 7, 2019 | 4:00 p.m. | 250 State Capitol

**Members Present:**

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

Sen. Daniel W. Thatcher

**Members Absent:**

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 4:09 p.m.

**MOTION:** Sen. Hillyard moved to approve the minutes of the March 6, 2019 meeting. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

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

Nays-0

Absent-3

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. A. Millner

### 1 . 2nd Sub. H.B. 234 Marriage Amendments (*Romero, A.*)

Sen. Romero presented the bill with the assistance of Mark Brasher, Deputy Director, Department of Human Services.

Ms. Gayle Ruzicka, Utah Eagle Forum, spoke to the bill.

**MOTION:** Sen. Kitchen moved to pass 2nd Substitute H.B. 234 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

### 2 . S.B. 215 Adoption Service Agencies Amendments (*Escamilla (Robles), L.*)

Sen. Escamilla presented the bill.

**MOTION:** Sen. Hillyard moved to replace S.B. 215 with 2nd Substitute S.B. 215. 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

Mr. Derek Williams, Attorney, spoke to the bill.

Ms. Jessalynn Spelght, spoke in favor of the bill.

Ms. Stacia Shipp spoke to the bill.

Mr. Ray Johnson, spoke in favor of the bill.

**MOTION:** Sen. Kitchen moved to pass 2nd Substitute S.B. 215 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

**3 . 1st Sub. H.B. 311 Governmental Immunity Revisions (McKell, M.)**

Rep. McKell presented the bill.

**MOTION:** Sen. Hillyard moved to pass 1st Substitute H.B. 311 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

Sen. Thatcher assumed the chair.

**4 . S.B. 243 Adoption Amendments (Weiler, T.)**

Sen. Weiler presented the bill with the assistance of Derek Williams, Adoption Attorney.

Mr. Lance Rich, Adoption Attorney, spoke to the bill.

Mr. Dan Duel, Utah Chair, National Parents Origination, spoke to the bill.

Mr. David Hardy spoke in favor of the bill.

Mr Jason Barnes, Adoption Attorney, spoke to the bill.

**MOTION:** Sen. Weiler moved to pass S.B. 243 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

**5 . S.B. 198 Human Trafficking Prevention Education Commission (Weiler, T.)**

Sen Weiler presented the bill with the assistance of Missy Larsen.

Mr. Daniel Strong, Assistant Attorney General, spoke in favor of the bill.

Ms. Linda Cox, Volunteer, Operation Underground Railroad, spoke in favor of the bill.

**MOTION:** Sen. Weiler moved to pass S.B. 198 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

Sen. Weiler resumed the chair.

**6 . 1st Sub. H.B. 136 Abortion Amendments (Acton, C.K.)**

[HB136S01 Handouts - Abortion Amendment](#)

Rep. Acton presented the bill with the assistance of Kristy Nielsen, Social Media Director, Pro-Life Utah.

Mr. Sean Esplin, Maternal Fetal Medicine, Intermountain Health Care, spoke in opposition to the bill.

Ms. Mary Taylor, President, Pro-Life Utah, spoke in favor of the bill.

[Handout HB136S01 - ProLife OB/GYN](#)

Ms. Jessica Sanders, PhD Researcher, University of Utah, spoke in opposition to the bill.

Ms. Laura Bunker, Family Policy Resource, spoke in favor of the bill.

Ms. Marina Lowe, Legislative Counsel, ACLU Utah, spoke in opposition to the bill.

Ms. Kris Kimball, United Women's Forum, spoke in favor of the bill.

Ms. Marcela Smid, Maternal Fetal Medicine, Intermountain Health Care, spoke in opposition to the bill.

Ms. Gayle Ruzicka, Utah Eagle Forum, spoke in favor of the bill.

Ms. Cory Ward spoke in opposition to the bill.

Ms. Maryanne Christensen, Director, Citizens for Strong Families, spoke in favor of the bill.

Mr. Deanna Holland, Vice President, Pro-Life Utah, spoke in favor of the bill.

Mr. Bruce Rigby spoke in favor of the bill.

Mr. Matthew Bell spoke in favor of the bill.

Mr. Sean Esplin, Maternal Fetal Medicine, Intermountain Health Care, spoke to the bill.

**MOTION:** Sen. Kitchen moved to move to next agenda item.

**SUBSTITUTE MOTION:** Sen. Thatcher moved to pass 1st Substitute H.B. 136 out favorably. The substitute motion passed with a vote of 5 - 2 - 1.

Yeas-5

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

Nays-2

Sen. L. Escamilla  
Sen. D. Kitchen

Absent-1

Sen. A. Millner

Sen. Weiler announced that the committee would recess for 10 minutes.

**7 . H.B. 318 Inmate Restrictions Standards Amendments (*Pitcher, S.*)**

Rep. Pitcher presented the bill with the assistance of Dr. Jennifer Kaiser, Obstetrics & Gynecology, University of Utah and Ms. Marina Lowe, Legislative Counsel, ACLU Utah.

Mr. Ben Aldana spoke in favor of the bill.

Mr. Mike Haddon, Executive Director, Utah Department of Corrections, spoke in favor of the bill.

Ms. Shannon Cox, Executive Director, Journey of Hope, spoke in favor of the bill.

Dr. Katie Peacock, Obstetrics & Gynecology, University of Utah, spoke in favor of the bill.

Ms. MeyKela Cox spoke in favor of the bill.

Ms. Marcela Smid, Maternal Fetal Medicine, Intermountain Health Care, spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to pass H.B. 318 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

**8 . H.B. 223 Unlawful Installation of a Tracking Device (*Poulson, M.*)**

Rep. Poulson presented the bill with the assistance of Robby Russo, Police Chief, Cottonwood Heights and Mindi Wallenda.

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

Ms. Michelle Palmer, Legislative Chair, Private Investigators of Utah, spoke in opposition to the bill.

Mr. Chris Bertram, Private Investigator, Bertram and Associates, spoke in opposition to the bill.

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

**MOTION:** Sen. Thatcher moved to pass H.B. 223 out favorably. The motion passed with a vote of 5 - 1 - 2.

Yeas-5

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

Nays-1

Sen. T. Weiler

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

**9 . 2nd Sub. H.B. 298 Offender Registry Amendments (Dunnigan, J.)**

Rep. Dunnigan presented the bill.

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

**MOTION:** Sen. Hillyard moved to pass 2nd Substitute H.B. 298 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

**MOTION:** Sen. Hillyard moved to place 2nd Substitute H.B. 298 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

**10 . H.B. 314 Trust Provisions Amendments (Miles, K.)**

Rep. Miles presented the bill.

**MOTION:** Sen. Hillyard moved to pass H.B. 314 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

**MOTION:** Sen. Hillyard moved to place H.B. 314 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

**11 . 2nd Sub. H.B. 156 Search Amendments (Coleman, K.)**

Rep. Coleman presented the bill.

Ms. Marina Lowe, Legislative Counsel, ACLU Utah, spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to pass 2nd Substitute H.B. 156 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

**MOTION:** Sen. Hillyard moved to place 2nd Substitute H.B. 156 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

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

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

Rep. Coleman presented the bill.

**MOTION:** Sen. Cullimore moved to pass H.B. 346 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

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

Nays-0

Absent-4

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. D. Kitchen  
Sen. A. Millner

**13 . H.B. 243 Domestic Violence Modifications (Watkins, C.)**

Rep. Watkins presented the bill.

Mr. Dan Duel spoke in favor of the bill.

Mr. Greg Willmore, Department of Public Safety, spoke in opposition to the bill.

Ms. Rana Williams, Utah Eagle Forum, spoke in favor of the bill.

Mr. Clark Aposhian, Utah Shooting Sports Council, spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to pass H.B. 243 out favorably. The motion passed with a vote of 4 - 1 - 3.

Yeas-4

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

Nays-1

Sen. L. Escamilla

Absent-3

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

**14 . 1st Sub. H.B. 287 Sex Offense Amendments (Ivory, K.)**

Rep. Ivory presented the bill.

[Handout HB287S01 Sex Offense Amendments](#)

**MOTION:** Sen. Hillyard moved to pass 1st Substitute H.B. 287 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

**MOTION:** Sen. Escamilla moved to place 1st Substitute H.B. 287 on the Consent Calendar. 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

**MOTION:** Sen. Escamilla 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. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

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

Chair Weiler adjourned the meeting.