



MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Wednesday, February 5, 2020 | 4:00 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. Travis M. Seegmiller
Rep. V. Lowry Snow
Rep. Steve Waldrip
Rep. Mark A. Wheatley

Staff Present:

Joseph T. Wade, Policy Analyst
Christopher Vizcardo, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Vice Chair Hall called the meeting to order at 4:16 p.m.

1 . H.B. 159 Insurance Coverage Revisions (McKell, M.)

Rep. McKell presented the bill with support from Steve Sullivan, Robert J. DeBry & Associates.

Duffy Pingree, President/CEO of Bear River Mutual Insurance, spoke against the bill.

Brian Allen, American Family Insurance, spoke against the bill.

MOTION: Rep. Hawkins moved to replace H.B. 159 with 1st Substitute H.B. 159. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-2

Rep. K. Lisonbee
Rep. V. Snow

MOTION: Rep. King moved to favorably recommend 1st Substitute H.B. 159. The motion passed with a vote of 9 - 1 - 2.

Yeas-9

Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-1

Rep. C. Acton

Absent-2

Rep. E. Hutchings
Rep. K. Lisonbee

2 . H.B. 169 Exemptions Amendments (Miles, K.)

Rep. Miles presented the bill with the support from Steve Dixon, estate planner.

MOTION: Rep. Brammer moved to favorably recommend H.B. 169. The motion passed with a vote of 9 - 1 - 2.

Yeas-9

Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-1

Rep. B. King

Absent-2

Rep. E. Hutchings
Rep. K. Lisonbee

3 . H.B. 83 Expungement Amendments (Stoddard, A.)

Rep. Stoddard presented the bill.

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

Erin Jemison, YWCA Utah, spoke in favor of the bill.

Michael Drechsel, Administrative Office of the Courts, spoke to the bill.

MOTION: Rep. Waldrip moved to replace H.B. 83 with 1st Substitute H.B. 83. 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. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-3

Rep. E. Hutchings
Rep. K. Lisonbee
Rep. V. Snow

MOTION: Rep. Waldrip moved to favorably recommend 1st Substitute H.B. 83. 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. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-3

Rep. E. Hutchings
Rep. K. Lisonbee
Rep. V. Snow

4 . H.B. 142 Criminal Proceeding Amendments (*Pitcher, S.*)

Rep. Pitcher presented the bill.

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

Mark Moffat, criminal defense attorney, spoke in favor of the bill.

MOTION: Rep. Hutchings moved to replace H.B. 142 with 1st Substitute H.B. 142. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. C. Acton
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-2

Rep. B. Brammer
Rep. K. Lisonbee

MOTION: Rep. Hutchings moved to favorably recommend 1st Substitute H.B. 142. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. C. Acton
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. B. King
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-2

Rep. B. Brammer
Rep. K. Lisonbee

5 . H.B. 104 911 Responsibilities in an Emergency (*King, B. S.*)

Rep. King presented the bill.

Amus Guiora, resident, spoke in favor of the bill.

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

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

Pamela Vicker, Executive of Utah Juvenile Defendant Attorneys, spoke to the bill.

Heather Anderson, Utah Association of Special Districts, spoke in favor of the bill.

MOTION: Rep. Hutchings moved to amend H.B. 104 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1
H.B. 104

1. Page 2, Line 45:

45 (d) "Serious bodily injury" means injury that involves a substantial risk of death , unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty .

2. Page 3, Lines 63 through 65:

63 (6) The fact that an individual is charged with or convicted of a crime under this section may not be
64 used to establish that the individual violated a duty on which a claim for personal injuries may
65 be based.

Yeas-11

- Rep. C. Acton
- Rep. B. Brammer
- Rep. C. Hall
- Rep. J. Hawkins
- Rep. E. Hutchings
- Rep. B. King
- Rep. K. Lisonbee
- Rep. S. Pitcher
- Rep. V. Snow
- Rep. S. Waldrip
- Rep. M. Wheatley

Nays-0

Absent-1

- Rep. T. Seegmiller

MOTION: Rep. Hutchings moved to favorably recommend H.B. 104, as amended. The motion passed with a vote of 8 - 3 - 1.

Yeas-8

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

Nays-3

- Rep. C. Hall
- Rep. J. Hawkins
- Rep. K. Lisonbee

Absent-1

- Rep. T. Seegmiller

MOTION: Rep. Waldrip moved to approve the minutes of the February 4, 2020, meeting. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

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

Nays-0

Absent-1

Rep. T. Seegmiller

MOTION: Rep. Brammer moved to adjourn. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

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

Nays-0

Absent-1

Rep. T. Seegmiller

Vice Chair Hall adjourned the meeting at 6:30 p.m.