



MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Tuesday, February 11, 2020 | 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. Travis M. Seegmiller

Rep. V. Lowry Snow
Rep. Steve Waldrip
Rep. Mark A. Wheatley

Members Absent:
Rep. Stephanie Pitcher

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.

Chair Lisonbee called the meeting to order at 4:08 p.m.

1 . H.B. 243 Warning Labels Amendments (*Brammer, B.*)

[2016 S.C.R. 9 Concurrent Resolution on the Public Health Crisis](#)

[Constitutionality of a Pornographic Warning Label Law Summary](#)

Rep. Brammer presented the bill with support from David Green, Certified Information Systems Security Professional.

Vice Chair Hall assumed the chair.

Chair Lisonbee assumed the chair.

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

Marina Lowe, American Civil Liberties Union of Utah, spoke to the bill.

MOTION: Rep. Hawkins moved to replace H.B. 243 with 1st Substitute H.B. 243. 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. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-2

Rep. S. Pitcher
Rep. S. Waldrip

MOTION: Rep. Hawkins moved to favorably recommend 1st Substitute H.B. 243.

SUBSTITUTE MOTION: Rep. King moved to hold 1st Substitute H.B. 243. The substitute motion failed with a vote of 2 - 9 - 1.

Yeas-2

Rep. B. King
Rep. M. Wheatley

Nays-9

Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Absent-1

Rep. S. Pitcher

Rep. Hawkins' motion to favorably recommend 1st Substitute H.B. 243 passed with a vote of 9 - 2 - 1.

Yeas-9

Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. J. Hawkins
Rep. E. Hutchings
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-2

Rep. B. King
Rep. M. Wheatley

Absent-1

Rep. S. Pitcher

Vice Chair Hall assumed the chair.

2 . H.B. 197 Fishing and Hunting Restrictions for Nonpayment of Child Support (*Lisonbee, K.*)

Rep. Lisonbee presented the bill with support from Mike Fowlks, Director of the Division of Wildlife Resources, Department of Natural Resources.

Lauren Barrus, Family Law Section, Utah State Bar, spoke in favor of the bill.

MOTION: Rep. Wheatley moved to replace H.B. 197 with 1st Substitute H.B. 197. 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. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-1

Rep. S. Pitcher

MOTION: Rep. Wheatley moved to favorably recommend 1st Substitute H.B. 197. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

Nays-0

Absent-1

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

Rep. S. Pitcher

3 . H.B. 33 Abuse, Neglect, and Dependency Proceedings Amendments (Lisonbee, K.)

Rep. Lisonbee presented the bill.

Jody Robinson, resident, spoke in favor of the bill.

LaVar Christensen, resident, spoke in favor of the bill.

MOTION: Rep. Brammer moved to replace H.B. 33 with 1st Substitute H.B. 33. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

Nays-0

Absent-1

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

Rep. S. Pitcher

MOTION: Rep. Brammer moved to amend 1st Substitute H.B. 33 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1
1st Sub. H.B. 33

1. Page 6, Lines 155 through 158:

155 (5) If a petition is filed under this section, and a petition for termination of parental
156 rights is filed under Section 78A-6-504 before a dispositional hearing, a party may request a
157 hearing on whether reunification services are appropriate in accordance with the factors
158 described in { ~~Subsection 78A-6-312(23)~~ Subsections 78A-6-312(21) and (23) .

Yeas-11

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

Nays-0

Absent-1

Rep. S. Pitcher

MOTION: Rep. Brammer moved to favorably recommend 1st Substitute H.B. 33, as amended. 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. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip
Rep. M. Wheatley

Nays-0

Absent-1

Rep. S. Pitcher

Chair Lisonbee assumed the chair.

4 . H.B. 64 Custody and Visitation Rights Amendments (Andersen, K.)

Rep. Andersen presented the bill.

Julie Anderson, resident, spoke in favor of the bill.

Lauren Barrus, Family Law Section, Utah State Bar, spoke in favor of the bill.

MOTION: Rep. Seegmiller moved to replace H.B. 64 with 2nd Substitute H.B. 64. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Seegmiller moved to amend 2nd Substitute H.B. 64 with Amendment #1. The motion passed with a vote of 7 - 0 - 5.

Amendment 1
2nd Sub. H.B. 64

1. Page 5, Line 133 through Page 6, Line 150:

133 (2) A court may find the presumption in Subsection (1) rebutted and grant custodial or
134 visitation rights to [a person] an individual other than a parent who, by clear and convincing

135 evidence, [~~has established all of the following~~] establishes that:
136 (a) the [~~person~~] individual has intentionally assumed the role and obligations of a
137 parent;
138 (b) the [~~person~~] individual and the child have formed [~~an~~] a substantial emotional bond
139 and created a parent-child type relationship;
140 (c) the [~~person~~] individual substantially contributed emotionally {+}or{+}{~~and~~} financially to
14 the child's well being;
142 (d) the assumption of the parental role is not the result of a financially compensated
143 surrogate care arrangement;
144 (e) the continuation of the relationship between the [~~person~~] individual and the child
145 [~~would be~~] is in the child's best [~~interests~~] interest;
146 (f) the loss or cessation of the relationship between the [~~person~~] individual and the
147 child would [~~be detrimental to~~] substantially harm the child; and
148 (g) the parent:
149 (i) is absent; or
150 (ii) is found by a court to have abused or neglected the child.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Seegmiller moved to favorably recommend 2nd Substitute H.B. 64, as amended. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

5 . H.B. 144 Modifications to Human Trafficking Provisions (Andersen, K.)

Rep. Andersen presented the bill.

Angela Kelly, resident, spoke in favor of the bill.

MOTION: Rep. Brammer moved to replace H.B. 144 with 1st Substitute H.B. 144. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Brammer moved to favorably recommend 1st Substitute H.B. 144. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Hawkins moved to approve the minutes of the February 7, 2020, meeting. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

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

Yeas-7

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. S. Waldrip

Nays-0

Absent-5

Rep. C. Acton
Rep. C. Hall
Rep. E. Hutchings
Rep. S. Pitcher
Rep. M. Wheatley

Chair Lisonbee adjourned the meeting at 6:17 p.m.