



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

STANDING COMMITTEE

LEGISLATURE

Wednesday, March 4, 2020 | 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. Paul Ray
 Rep. Casey Snider
 Rep. Andrew Stoddard
 Rep. Mark A. Strong

Members Absent:

Rep. Val K. Potter
 Rep. Angela Romero
 Rep. Mike Schultz

Staff Present:

John Feinauer, Policy Analyst
 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.

Chair Coleman called the meeting to order at 4:07 p.m.

1 . H.B. 411 Assault Against Health Providers Amendments (Stoddard, A.)

MOTION: Rep. Miles moved to lift H.B. 411 from the table. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman
 Rep. K. Miles
 Rep. L. Perry
 Rep. C. Snider
 Rep. A. Stoddard
 Rep. M. Strong

Nays-0

Absent-5

Rep. S. Hollins
 Rep. V. Potter
 Rep. P. Ray
 Rep. A. Romero
 Rep. M. Schultz

Rep. Stoddard explained the bill.

MOTION: Rep. Miles moved to replace H.B. 411 with 2nd Substitute H.B. 411. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman
 Rep. K. Miles
 Rep. L. Perry
 Rep. C. Snider
 Rep. A. Stoddard
 Rep. M. Strong

Nays-0

Absent-5

Rep. S. Hollins
 Rep. V. Potter
 Rep. P. Ray
 Rep. A. Romero
 Rep. M. Schultz

MOTION: Rep. Miles moved to pass 2nd Substitute H.B. 411 out favorably. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman
 Rep. K. Miles
 Rep. L. Perry
 Rep. C. Snider
 Rep. A. Stoddard
 Rep. M. Strong

Nays-0

Absent-5

Rep. S. Hollins
 Rep. V. Potter
 Rep. P. Ray
 Rep. A. Romero
 Rep. M. Schultz

2 . H.B. 441 Criminal Charge Reduction Amendments (*Hutchings, E.*)

Rep. Eric Hutchings presented the bill with the assistance of Will Carlson, Chief Policy Adviser, Salt Lake County District Attorney's Office.

Ben Aldana, public defense attorney, spoke in support of the bill.

Jason Groth, American Civil Liberties Union, spoke in support of the bill.

MOTION: Rep. Miles moved to replace H.B. 441 with 1st Substitute H.B. 441. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. C. Snider
Rep. A. Stoddard
Rep. M. Strong

Nays-0

Absent-4

Rep. S. Hollins
Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz

MOTION: Rep. Miles moved to pass 1st Substitute H.B. 441 out favorably.

Rep. Miles' motion to pass 1st Substitute H.B. 441 out favorably passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. C. Snider
Rep. A. Stoddard
Rep. M. Strong

Nays-0

Absent-4

Rep. S. Hollins
Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz

3 . H.B. 433 Mail Theft Amendments (*Brooks, W.*)

Rep. Walt Brooks presented the bill.

Will Carlson answered questions from the committee.

MOTION: Rep. Miles moved to pass H.B. 433 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

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

Nays-0

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

4 . H.B. 416 Penalties for Misconduct with Students (*Pierucci, C.*)

Rep. Candice Pierucci presented the bill with the assistance of Ben Rasmussen, Director of Law and Professional Practices, State Board of Education, who spoke in support of the bill.

MOTION: Rep. Perry moved to amend H.B. 416 with Amendment #1. The motion passed with a vote of 7 - 0 - 4.

Amendment 1
H.B. 416

1. Page 1, Lines 11 through 17:

11 This bill:

- 12 ▶ ~~{in addition to existing penalties, creates}~~ imposes penalties for an educator or license
13 applicant who engages in sexually explicit conduct with a student who is not a
14 minor and who:
15 • ~~{was}~~ is enrolled at a school where a license applicant or educator is ~~{or was}~~
16 employed; or
17 • is a participant in an extracurricular activity in which the educator is involved.

2. Page 2, Lines 48 through 53:

48 (g) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a
49 student who [is]:

50 (i) is enrolled in an LEA;

51 ~~[(+)]~~ (ii) is not a minor; and

52 ~~[(+)]~~ (iii) (A) is ~~{or was}~~ enrolled in ~~[a school]~~ an LEA where the license applicant or
53 educator is ~~{or was}~~ employed; or

3. Page 4, Lines 95 through 100:

95 (h) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a
96 student who [is]:

97 (i) is enrolled in an LEA;

98 ~~[(+)]~~ (ii) is not a minor; and

99 ~~[(+)]~~ (iii) (A) is ~~{or was}~~ enrolled in ~~[a school]~~ an LEA where the educator is ~~{or was}~~
100 employed[-]; or

4. Page 5, Lines 131 through 135:

131 (vii) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a
132 student enrolled in an LEA who is not a minor, and:

133 ~~[(A)]~~ not a minor; and]

134 ~~[(B)]~~ enrolled in a school where the educator is or was employed; or]

135 (A) is ~~{or was}~~ enrolled in an LEA where the educator is ~~{or was}~~ employed; or

Yeas-7

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

Nays-0

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

Brad Asay, American Federation of Teachers - Utah, spoke to the bill.

MOTION: Rep. Snider moved to pass H.B. 416 out favorably as amended.

Angie Stallings, Deputy Superintendent of Policy, State Board of Education, spoke to the bill.

Rep. Snider's motion to pass H.B. 416 out favorably as amended passed with a vote of 7 - 0 - 4.

Yeas-7

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

Nays-0

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

5 . H.B. 429 Contraception for Inmates (*Dailey-Provost, J.*)

Rep. Jennifer Dailey-Provost presented the bill.

Matt Dumont, Chief Deputy, Salt Lake County Sheriff's Office and representing Utah Sheriffs Association, spoke in support of the bill.

Maryann Martindale, Utah Academy of Family Physicians, spoke in support of the bill.

MOTION: Rep. Perry moved to pass H.B. 429 out favorably.

Rep. Perry's motion to pass H.B. 429 out favorably passed with a vote of 6 - 1 - 4.

Yeas-6

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

Nays-1

Rep. P. Ray

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

6 . H.B. 419 Substance Use and Violence Prevention Reporting Amendments (*Perry, L.*)

Rep. Perry presented the bill.

MOTION: Rep. Ray moved to replace H.B. 419 with 1st Substitute H.B. 419. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

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

Nays-0

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

MOTION: Rep. Ray moved to pass 1st Substitute H.B. 419 out favorably. The motion passed with a vote of 7 - 0 - 4.



Yeas-7

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

Nays-0

Absent-4

Rep. V. Potter
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

MOTION: Rep. Perry moved to approve the minutes of March 3, 2020. 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. M. Strong

Nays-0

Absent-5

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

MOTION: Rep. Strong moved to adjourn. 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. M. Strong

Nays-0

Absent-5

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

Chair Coleman adjourned the meeting at 5:28 p.m.