



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Friday, January 22, 2021 | 2:00 p.m. | 30 House Building

**Members Present:**

Rep. Ryan D. Wilcox, Chair  
Rep. Jefferson S. Burton, Vice Chair  
Rep. Francis D. Gibson  
Rep. Matthew H. Gwynn  
Rep. Sandra Hollins  
Rep. Marsha Judkins  
Rep. Kelly B. Miles  
Rep. Paul Ray

Rep. Angela Romero  
Rep. Andrew Stoddard

**Members Absent:**

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

Chair Wilcox called the meeting to order at 2:00 p.m.

Chair Wilcox invited the committee members to introduce themselves.

**MOTION:** Rep. Miles moved to approve the minutes of March 9, 2020. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-2

Rep. P. Ray  
Rep. M. Schultz

**1 . H.B. 57 Armed Forces Amendments (*Burton, J.*)**

Rep. Burton presented the bill to the committee.

**MOTION:** Rep. Romero moved to replace H.B. 57 with 1st Substitute H.B. 57. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to pass 1st Substitute H.B. 57 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**2 . H.J.R. 2 Joint Resolution Encouraging Discussion on the Effects of Child Sexual Abuse (Stoddard, A.)**

Rep. Stoddard explained the resolution to the committee.

**MOTION:** Rep. Judkins moved to replace H.J.R. 2 with 1st Substitute H.J.R. 2. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**MOTION:** Rep. Miles moved to pass 1st Substitute H.J.R. 2 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**3 . H.B. 20 Driving Under the Influence Sentencing Amendments (Eliason, S.)**

[Bill Summary](#)

Rep. Eliason explained the bill to the committee with the assistance of Ryan Robinson, President, Statewide Association of Prosecutors. A handout was provided.

Mark Moffat, criminal defense attorney, spoke in opposition to the bill.

Robert Brown, President, MADD Utah, spoke in support of the bill.

Will Carlson, Deputy District Attorney, Office of the Salt Lake County Attorney, spoke in support of the bill.

Richard Mauro, Executive Director, Salt Lake Legal Defender Association, spoke in opposition to the bill.

Will Carlson answered questions from the committee.

Monica Diaz, Director, Utah Sentencing Commission, spoke in opposition to the bill on behalf of the commission.

Carlos Braceras, Executive Director, Department of Transportation, spoke in opposition to the bill.

Jonathan Jemming, defense attorney, spoke in opposition to the bill.

Steven Burton, President, Utah Association of Criminal Defense Lawyers, spoke in opposition to the bill.

**MOTION:** Rep. Ray moved to replace H.B. 20 with 1st Substitute H.B. 20.

Rep. Ray's motion to replace H.B. 20 with 1st Substitute H.B. 20 passed with a vote of 8 - 2 - 1.

Yeas-8

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard

Nays-2

Rep. K. Miles  
Rep. R. Wilcox

Absent-1

Rep. M. Schultz

**MOTION:** Rep. Ray moved to pass 1st Substitute H.B. 20 out favorably.

**MOTION:** Rep. Miles moved to hold 1st Substitute H.B. 20.

The substitute motion failed with a vote of 2 - 8 - 1.

Yeas-2

Rep. K. Miles  
Rep. A. Stoddard

Nays-8

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. P. Ray  
Rep. A. Romero  
Rep. R. Wilcox

Absent-1

Rep. M. Schultz

Rep. Ray's motion to pass 1st Substitute H.B. 20 out favorably passed with a vote of 9 - 1 - 1.

Yeas-9

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-1

Rep. K. Miles

Absent-1

Rep. M. Schultz

**4 . H.B. 33 Community Correctional Center Amendments (*Musselman, C.R.*)**

Rep. Calvin Musselman presented the bill to the committee.

**MOTION:** Rep. Romero moved to replace H.B. 33 with 1st Substitute H.B. 33. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**MOTION:** Rep. Miles moved to pass 1st Substitute H.B. 33 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**5 . H.B. 156 National Guard Pay and Benefits Amendments (*Burton, J.*)**

Rep. Burton presented the bill to the committee with the assistance of Mike Norton, Utah National Guard.

**MOTION:** Rep. Judkins moved to pass H.B. 156 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**6 . H.B. 168 Sale of Sexual Assault Test Kits Prohibited (Romero, A.)**

[Sale of Sexual Assault Test Kits Prohibited](#)

Rep. Romero presented the bill to the committee with the assistance of Julie Valentine, PhD. A handout was provided.

Madison Campbell, Leda Health, spoke in opposition to the bill.

Gary Scheller, Director of the Office for Victims of Crime, spoke in support of the bill.

Sonya Martinez-Ortiz, Utah Rape Recovery Center, spoke in support of the bill.

Jeanlee Carver, nurse practitioner, spoke in opposition to the bill.

Will Carlson answered questions from the committee and spoke in support of the bill.

Jane Mason, PRESERVEkit, spoke in opposition to the bill.

Jiadai Lin, attorney for Leda Health, spoke in opposition to the bill.

Liliana Olvera-Arbon, Coalition Against Sexual Assault, spoke in support of the bill.

**MOTION:** Rep. Ray moved to pass H.B. 168 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

**MOTION:** Rep. Romero moved to adjourn. The motion passed with a vote of 10 - 0 - 1.



Yeas-10

Rep. J. Burton  
Rep. F. Gibson  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. P. Ray  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

Chair Wilcox adjourned the meeting at 4:44 p.m.