



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Thursday, January 21, 2021 | 2:00 p.m. | 110 Senate Building

Members Present:

Sen. Todd D. Weiler, Chair
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Derek L. Kitchen

Sen. Jerry W. Stevenson
Sen. Daniel W. Thatcher

Staff Present:

Kristina King, Policy Analyst
Rachel Boe, Committee Secretary

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

Chair Weiler called the meeting to order at 2:20 p.m.

MOTION: Sen. Thatcher moved to approve the minutes of the March 9, 2020 meeting. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-0

1 . S.B. 17 Criminal Code Evaluation Task Force Extension (Mayne, K.)

Sen. Mayne explained the bill.

Will Carlson, Chief Policy Advisor, Salt Lake County District Attorney's Office spoke to the bill.

Steve Burton, Executive Director, Utah Association of Criminal Defense Lawyers, spoke to the bill.

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass S.B. 17 out favorably. The motion passed with a vote of 5 - 2 - 0.

Yeas-5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher

Nays-2

Sen. K. Cullimore
Sen. T. Weiler

Absent-0

2 . S.B. 50 Juvenile Offender Penalty Amendments (Thatcher, D.)

Sen. Cullimore assumed the chair.

Sen. Thatcher presented the bill with the assistance of Monica Diaz, lawyer, Juvenile Defender Attorneys.

MOTION: Sen. Thatcher moved to pass S.B. 50 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher

Nays-0

Absent-1

Sen. T. Weiler

3 . S.B. 51 Group Gang Enhancement Amendments (*Thatcher, D.*)

Sen. Thatcher presented the bill with the assistance of Monica Diaz, lawyer, Juvenile Defender Attorneys.

Sen. Weiler resumed the chair.

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

Branden Miles, prosecuting attorney, Weaver County Attorney's Office, spoke in opposition to the bill.

Pam Vickey, Utah Juvenile Defender Attorneys, spoke in favor of the bill.

Joe Rummel, citizen, spoke in opposition to the bill.

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

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in opposition to the bill.

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

MOTION: Sen. Thatcher moved to pass S.B. 51 out favorably. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-0

4 . S.B. 64 Domestic Violence Amendments (*Iwamoto, J.*)

Sen. Jani Iwamoto explained the bill with the assistance of Will Carlson, Chief Policy Advisor, Salt Lake County District Attorney's Office, Monica Diaz, lawyer, Juvenile Defender Attorneys, and Jenn Oxborrow, Executive Director, Utah Domestic Violence Coalition.

Ryan Robinson, President, Statewide Association of Prosecutors, spoke in favor of the bill.

Brandon Merrill, Executive Director, Utah Homicide Survivors, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass S.B. 64 out favorably. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Nays-0

Absent-0

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Sen. Cullimore assumed the chair.

5 . S.B. 76 Controlled Substance Database Access (Weiler, T.)

Sen. Weiler explained the bill with the assistance of Kaye Lynn Wootton, Director, Medicaid Fraud Control Unit.

MOTION: Chair Weiler moved to amend S.B. 76 with Amendment #1. The motion passed with a vote of 7 - 0 - 0.

Amendment 1
S.B. 76

1. Page 8, Lines 216 through 218:

216 (u) the Utah Medicaid Fraud Control Unit of the attorney general's office for the purpose of investigating
active cases, in exercising
217 the unit's authority to investigate and prosecute Medicaid fraud, abuse, neglect, or exploitation
218 under 42 U.S.C. Sec. 1396b(q).

Yeas-7

Nays-0

Absent-0

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

MOTION: Chair Weiler moved to pass S.B. 76 out favorably. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Nays-0

Absent-0

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

6 . S.B. 85 Disinheritance Following Crimes Against Vulnerable Adults (Weiler, T.)

Sen. Weiler presented the bill with the assistance of Kaye Lynn Wootton, Director, Medicaid Fraud Control Unit.

MOTION: Chair Weiler moved to replace S.B. 85 with 1st Substitute S.B. 85. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Nays-0

Absent-0

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Brandon Merrill, Executive Director, Utah Homicide Survivors, spoke in favor of the bill.

MOTION: Chair Weiler moved to pass 1st Substitute S.B. 85 out favorably. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Nays-0

Absent-0

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Sen. Weiler resumed the chair.

7 . S.J.R. 3 Joint Resolution Dissolving Smithfield City Justice Court (*Wilson, C.*)

Sen. Wilson explained the bill.

MOTION: Sen. Kennedy moved to pass S.J.R. 3 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Nays-0

Absent-1

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Sen. L. Escamilla

MOTION: Sen. Kitchen moved to adjourn. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Nays-0

Absent-1

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. J. Stevenson
Sen. D. Thatcher
Sen. T. Weiler

Sen. L. Escamilla