



MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

LEGISLATURE

Thursday, February 4, 2021 | 3:40 p.m. | 2110 State Office Building

Members Present:

Rep. Karianne Lisonbee, Chair
Rep. Nelson T. Abbott
Rep. Cheryl K. Acton
Rep. Kera Birkeland
Rep. Brady Brammer
Rep. Craig Hall
Rep. Brian S. King
Rep. Stephanie Pitcher

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

Members Absent:

Rep. Jon Hawkins, Vice Chair
Rep. Travis M. Seegmiller

Staff Present:

Kristina King, Policy Analyst
Jordan Gage, 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 4:01p.m.

MOTION: Rep. Hall moved to approve the minutes from the January 27, 2021, and February 1, 2021, meetings. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. B. Brammer
Rep. J. Hawkins
Rep. S. Pitcher
Rep. T. Seegmiller

1 . H.B. 239 Online Impersonation Prohibition (*Lisonbee, K.*)

Rep. Hall assumed the chair.

Rep. Lisonbee presented the bill.

Committee discussion took place on the bill.

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

Ryan Holtan, attorney, Utah Attorney General's Office, spoke in favor of the bill.

Brandie Page, private citizen, spoke in favor of the bill.

Amber Criddle, private citizen, spoke in favor of the bill.

MOTION: Rep. Acton moved to replace H.B. 239 with 2nd Substitute H.B. 239. The motion passed with a vote of 7 - 0 - 5.

Yeas-7
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow

Nays-0

Absent-5
Rep. B. Brammer
Rep. J. Hawkins
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. M. Wheatley

MOTION: Rep. Acton moved to amend 2nd Substitute H.B. 239 with an amendment. The motion passed with a vote of 7 - 0 - 5.

Yeas-7
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow

Nays-0

Absent-5
Rep. B. Brammer
Rep. J. Hawkins
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. M. Wheatley

MOTION: Rep. Acton moved to pass 2nd Substitute H.B. 239 out favorably. The motion passed with a vote of 7 - 0 - 5.

Yeas-7
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow

Nays-0

Absent-5
Rep. B. Brammer
Rep. J. Hawkins
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. M. Wheatley

Note: The action taken on HB239 was reconsidered later in the meeting.

2 . H.B. 158 Juvenile Interrogation Amendments (*Judkins, M.*)

[HB158 - Juvenile Interrogation Amendments Talking Points Hand-out](#)

Rep. Judkins presented the bill with the assistance of Monica Diaz, Director, Utah Sentencing Commission and Pam Vickrey, Executive Director, Utah Juvenile Defender Attorneys.

Rep. Lisonbee assumed the chair.

Committee discussion took place on the bill.

Nicholeen Peck, President, Worldwide Organization for Women, spoke in favor of the bill.

Brian Gwilliam, Chief of Police, Lone Peak Police Department, spoke to the bill.

Adam Trupp, Assistant Director, Indigent Defense Commission, spoke in favor of the bill.

Nike Peterson, private citizen, spoke in favor of the bill.

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

Jason Groth, Smart Justice Attorney, ACLU, spoke in favor of the bill.

Sheri Mattle, Safety Commissioner, Utah Parent Teacher Association, spoke in favor of the bill.

Joanna Landau, Director, Utah Indigent Defense Commission, spoke in favor of the bill.

MOTION: Rep. Snow moved to replace H.B. 158 with 3rd Substitute H.B. 158. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-3

Rep. J. Hawkins
Rep. T. Seegmiller
Rep. M. Wheatley

MOTION: Rep. Snow moved to pass 3rd Substitute H.B. 158 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-3

Rep. J. Hawkins
Rep. T. Seegmiller
Rep. M. Wheatley

MOTION: Rep. Brammer moved to reconsider action taken on HB239. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-3

Rep. J. Hawkins
Rep. T. Seegmiller
Rep. M. Wheatley

Rep. Hall assumed the chair.

3 . H.B. 239 Online Impersonation Prohibition (*Lisonbee, K.*)

Rep. Lisonbee explained the reason for reconsidering the bill.

MOTION: Rep. Brammer moved to replace H.B. 239 with 2nd Substitute H.B. 239. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-3

Rep. J. Hawkins
Rep. T. Seegmiller
Rep. M. Wheatley

MOTION: Rep. Brammer moved to pass 2nd Substitute H.B. 239 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-4

Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. M. Wheatley

Rep. Lisonbee assumed the chair.

Chair Lisonbee announced that HB38 would not be heard in this meeting and would be heard in a later meeting.

4 . H.B. 179 Private Cause of Action for Referral Fees (*Abbott, N.*)

Rep. Abbott presented the bill.

Committee discussion took place on the bill.

Mike Sonntag, Property and Casualty Insurance Association of America, spoke in favor of the bill.

Steve Sullivan, attorney, Utah Association for Justice, spoke in favor of the bill.

MOTION: Rep. Brammer moved to replace H.B. 179 with 1st Substitute H.B. 179. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher

Nays-0

Absent-5

Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Brammer moved to amend 1st Substitute H.B. 179 with Amendment #1. The motion passed with a vote of 7 - 0 - 5.

Amendment 1
1st Sub. H.B. 0179

1. Page 1, Line 1:

1 PRIVATE CAUSE OF ACTION FOR UNDISCLOSED REFERRAL FEES

Yeas-7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher

Nays-0

Absent-5

Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Brammer moved to pass 1st Substitute H.B. 179 out favorably. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher

Nays-0

Absent-5

Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

5 . H.B. 191 Adoption Amendments (Nelson, M.)

Rep. Nelson presented the bill with the assistance of Larry Jenkins, Utah Adoption Council.

Committee discussion took place on the bill.

MOTION: Rep. Abbott moved to replace H.B. 191 with 2nd Substitute H.B. 191. The motion passed with a vote of 6 - 0 - 6.

Yeas-6

Rep. N. Abbott
Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher

Nays-0

Absent-6

Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Abbott moved to pass 2nd Substitute H.B. 191 out favorably. The motion passed with a vote of 6 - 0 - 6.

Yeas-6

Rep. N. Abbott
Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher

Nays-0

Absent-6

Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

6 . H.B. 87 Electronic Information and Data Privacy Amendments (Hall, C.)

Rep. Hall presented the bill.

Committee discussion took place on the bill.

Daniel Burton, Utah Attorney General's Office, spoke in favor of the bill.

Jason Groth, Smart Justice Attorney, ACLU, spoke in favor of the bill.

Nate Mutter, Vice Chair, Utah Law Enforcement Legislative Committee, spoke in favor of the bill.

MOTION: Rep. Hall moved to pass H.B. 87 out favorably. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. N. Abbott
Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-5

Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. M. Wheatley

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

Yeas-7

Rep. N. Abbott
Rep. C. Acton
Rep. B. Brammer
Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow

Nays-0

Absent-5

Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. T. Seegmiller
Rep. M. Wheatley

Chair Lisonbee adjourned the meeting at 5:35p.m.