



DRAFT MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Friday, February 12, 2021 | 8:00 a.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. Travis M. Seegmiller
Rep. V. Lowry Snow
Rep. Mark A. Wheatley

Members Absent:

Rep. Jon Hawkins, Vice Chair

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.

Acting Chair Hall called the meeting to order at 8:04 a.m.

MOTION: Rep. Snow moved to approve the minutes from the February 9, 2021, meeting. The motion passed with a vote of 6 - 0 - 6.

Yeas-6

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. C. Hall
Rep. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-6

Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. M. Wheatley

1 . H.B. 286 Juvenile Code Recodification Cross References (Snow, V. L.)

2 . H.B. 285 Juvenile Recodification (Snow, V. L.)

Rep. Snow presented the bills with the assistance of Bret Peterson, Director, Division of Juvenile Justice, Utah Department of Human Services, and Jim Bauer, Trial Court Executive, 3rd District Juvenile Court, Salt Lake City, Utah, and Ericka Evans, attorney, Office of Legislative Research and General Counsel, and Jacqueline Carlton, attorney, Office of Legislative Research and General Counsel.

[HB285 and HB286 Presentation Materials](#)

[HB285 and HB286 Presentation Materials](#)

Rep. Lisonbee assumed the chair.

Committee discussion took place on the bill.

Pam Vickrey, Executive Director, Utah Juvenile Defender Attorneys, spoke in favor of the bill.

MOTION: Rep. Brammer moved to replace H.B. 285 with 1st Substitute H.B. 285. 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. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-4

Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Brammer moved to pass 1st Substitute H.B. 285 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. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-4

Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Brammer moved to replace H.B. 286 with 1st Substitute H.B. 286. 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. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-4

Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. M. Wheatley

MOTION: Rep. Brammer moved to pass 1st Substitute H.B. 286 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. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-4

Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. M. Wheatley

3 . H.B. 38 School Technology Amendments (Seegmiller, T.)

Rep. Seegmiller presented the bill with the assistance of Nicholeen Peck, President, Worldwide Organization for Women, and Linda Zenger, Utah Parent Teacher Association, and Michelle Boulter, former board member, Utah State Board of Education.

Committee discussion took place on the bill.

Yvonne Averett, board member, Worldwide Organization for Women, spoke in favor of the bill.

Peter Bromberg, Utah Library Association, spoke to the bill.

Richard Genck, private citizen, spoke in favor of the bill.

Maryann Christensen, Citizens for Strong Families, spoke in favor of the bill.

Nicholas Pond, private citizen, spoke in favor of the bill.

Bridget Rees, Utah Educational Library Media Association, spoke to the bill.

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

MOTION: Rep. Snow moved to pass H.B. 38 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. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-5

Rep. C. Hall
Rep. J. Hawkins
Rep. B. King
Rep. S. Pitcher
Rep. M. Wheatley

4 . H.B. 282 Right of Survivorship Amendments (Miles, K.)

Rep. Miles presented the bill with the assistance of Steven Dixon, estate planning attorney.

Committee discussion took place on the bill.

MOTION: Rep. Brammer moved to pass H.B. 282 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. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow

Nays-0

Absent-4

Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher
Rep. M. Wheatley

5 . H.B. 101 Protected Persons Amendments (Stoddard, A.)

Rep. Stoddard presented the bill with the assistance of Ryan Robinson, President, Statewide Association of Prosecutors, and Jenn Oxborrow, Executive Director, Allies for Families.

Committee discussion took place on the bill.

Dan Reid, Western Regional Director, National Rifle Association, spoke against the bill.

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

Steven Burton, Executive Director, Utah Association of Criminal Defense Lawyers, spoke against the bill.

MOTION: Rep. Brammer moved to replace H.B. 101 with 2nd Substitute H.B. 101. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-3

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins

MOTION: Rep. Brammer moved to pass 2nd Substitute H.B. 101 out favorably. The motion passed with a vote of 8 - 1 - 3.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. V. Snow
Rep. M. Wheatley

Nays-1

Rep. T. Seegmiller

Absent-3

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins

Rep. Snow assumed the chair.

6 . H.B. 260 Criminal Justice Modifications (*Lisonbee, K.*)

Rep. Lisonbee presented the bill with the assistance of Amanda Montague, Deputy Division Director, State Agency Division, Utah Attorney General's Office, and Monica Diaz, Director, Utah Sentencing Commission.

Committee discussion took place on the bill.

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

Cory Weeks, Office of State Debt Collection, Department of Administrative Services, spoke in favor of the bill.

MOTION: Rep. Acton moved to replace H.B. 260 with 1st Substitute H.B. 260. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

MOTION: Rep. Acton moved to pass 1st Substitute H.B. 260 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

7 . H.B. 289 Victim Services Amendments (Lisonbee, K.)

Rep. Lisonbee presented the bill with the assistance of James Swink, Cache County Attorney's Office, and Reed Richards, attorney.

Committee discussion took place on the bill.

Gabriella Archuleta, Public Policy Analyst, YWCA Utah, spoke against the bill.

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

Claire Mosby, Prevention Coordinator, Utah Domestic Violence Coalition, spoke to the bill.

MOTION: Rep. Seegmiller moved to replace H.B. 289 with 1st Substitute H.B. 289. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

MOTION: Rep. Seegmiller moved to amend 1st Substitute H.B. 289 with Amendment #1. The motion passed with a vote of 8 - 0 - 4.

Amendment 1
1st Sub. H.B. 0289

1. Page 4, Lines 114 through 115:

114 (c) perform any duties assigned by the council or a subcommittee to fulfill the council's
115 duties described in Section {~~67-5d-203~~} 63M-7-603.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

MOTION: Rep. Seegmiller moved to amend 1st Substitute H.B. 289 with Amendment #2. The motion passed with a vote of 8 - 0 - 4.

Amendment 2
1st Sub. H.B. 0289

1. Page 2, Lines 31 through 32:
31 (2) The [~~Utah Council on Victims of Crime~~] council shall be composed of {~~25~~} 26 voting
32 members as follows:
2. Page 3, Lines 60 through 64:
60 [(iv)] (o) a representative of a Children's Justice Center appointed by the attorney
61 general; {~~and~~}
(p) the director of the Division of Child and Family Services or that individual's designee; and
62 [(v) a citizen representative appointed by the governor; and]
63 [(m)]{~~(p)~~} (q) the following members appointed by the members in Subsections (2)(a)
64 through (2){~~(k)~~}{~~(o)~~} (p) to serve four-year terms:

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

MOTION: Rep. Seegmiller moved to amend 1st Substitute H.B. 289 with Amendment #3. The motion passed with a vote of 8 - 0 - 4.

Amendment 3
1st Sub. H.B. 0289

1. Page 3, Line 65:
65 (i) an individual who {~~works professionally with victims of crime~~} engages in community based advocacy;
[and]

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. B. King
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

MOTION: Rep. Seegmiller moved to pass 1st Substitute H.B. 289 out favorably. The motion passed with a vote of 6 - 2 - 4.

Yeas-6

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. K. Lisonbee
Rep. T. Seegmiller
Rep. V. Snow

Nays-2

Rep. B. King
Rep. M. Wheatley

Absent-4

Rep. N. Abbott
Rep. C. Hall
Rep. J. Hawkins
Rep. S. Pitcher

Rep. Lisonbee assumed the chair.

8 . 3rd Sub. S.B. 90 Parental Defense Amendments (Harper, W.)

Sen. Harper presented the bill.

MOTION: Rep. Brammer moved to replace 3rd Substitute S.B. 90 with 4th Substitute S.B. 90. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller

Nays-0

Absent-4

Rep. N. Abbott
Rep. J. Hawkins
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Brammer moved to pass 4th Substitute S.B. 90 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller

Nays-0

Absent-4

Rep. N. Abbott
Rep. J. Hawkins
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Brammer moved to adjourn. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller

Nays-0

Absent-4

Rep. N. Abbott
Rep. J. Hawkins
Rep. V. Snow
Rep. M. Wheatley

Chair Lisonbee adjourned the meeting at 10:08 a.m.