



# MINUTES

## HOUSE JUDICIARY STANDING COMMITTEE

Thursday, February 18, 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. Mark A. Wheatley

**Members Absent:**

Rep. Jon Hawkins, Vice Chair  
Rep. V. Lowry Snow

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

Acting Chair Hall called the meeting to order at 8:06 a.m.

**MOTION:** Rep. Acton moved to approve the minutes from the February 16, 2021, meeting. The motion passed with a vote of 6 - 0 - 6.

Yeas-6

Rep. N. Abbott  
Rep. C. Acton  
Rep. C. Hall  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. M. Wheatley

Nays-0

Absent-6

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

**1 . H.B. 227 Self Defense Amendments (Lisonbee, K.)**

Rep. Lisonbee presented the bill with the assistance of Rep. Watkins, and Mitch Vilos, criminal defense attorney.

Committee discussion took place on the bill.

Clark Aposhian, Chair, Utah Shooting Sports Counsel, spoke in favor of the bill.

Michael Clara, private citizen, spoke in favor of the bill.

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

Darcy Goddard, Chief Policy Advisor, Salt Lake County District Attorney's Office, spoke against the bill.

Jeff Buhman, private citizen, spoke against the bill.

Brett Webster, private citizen, spoke against the bill.

**MOTION:** Rep. Abbott moved to replace H.B. 227 with 3rd Substitute H.B. 227. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. N. Abbott  
Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. K. Birkeland  
Rep. J. Hawkins  
Rep. B. King  
Rep. V. Snow

**MOTION:** Rep. Abbott moved to pass 3rd Substitute H.B. 227 out favorably. The motion passed with a vote of 7 - 2 - 3.

Yeas-7

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. B. Brammer  
Rep. C. Hall  
Rep. K. Lisonbee  
Rep. T. Seegmiller

Nays-2

Rep. S. Pitcher  
Rep. M. Wheatley

Absent-3

Rep. J. Hawkins  
Rep. B. King  
Rep. V. Snow

**2 . H.J.R. 7 Joint Resolution Amending Rules of Criminal Procedure on Preliminary Examinations  
(Watkins, C.)**

Rep. Watkins presented the bill with the assistance of Rep. Lisonbee.

Committee discussion took place on the bill.

William Carlson, Salt Lake County District Attorney's Office, spoke against the bill.

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

**MOTION:** Rep. Brammer moved to replace H.J.R. 7 with 3rd Substitute H.J.R. 7. 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. K. Lisonbee  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Hawkins  
Rep. B. King  
Rep. V. Snow

**MOTION:** Rep. Brammer moved to pass 3rd Substitute H.J.R. 7 out favorably. The motion passed with a vote of 7 - 2 - 3.

Yeas-7

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. B. Brammer  
Rep. C. Hall  
Rep. K. Lisonbee  
Rep. T. Seegmiller

Nays-2

Rep. S. Pitcher  
Rep. M. Wheatley

Absent-3

Rep. J. Hawkins  
Rep. B. King  
Rep. V. Snow

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

Sen. Weiler presented the bill.

Committee discussion took place on the bill.

Kaye Lynn Wooten, Director, Medicaid Fraud Control Unit, spoke in favor of the bill.

**MOTION:** Rep. King moved to amend S.B. 76 with Amendment #2. The motion passed with a vote of 9 - 0 - 3.  
Amendment 2  
S.B. 76

1. Page 10, Lines 289 through 291:

289 (c) to make the database more useful and helpful to a person accessing the database  
290 under Subsections (2)(h), (2)(i), (2)(j), and (4)(c), especially in high usage locations such as an  
291 emergency department.

(9) Any person who knowingly and intentionally accesses the database without express authorization under this section is guilty of a class A misdemeanor.

Yeas-9

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. B. Brammer  
Rep. C. Hall  
Rep. B. King  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. V. Snow

**MOTION:** Rep. King moved to pass S.B. 76 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. S. Pitcher  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. V. Snow

**4 . 1st Sub. S.B. 85 Disinheritance Following Crimes Against Vulnerable Adults (Weiler, T.)**

Sen. Weiler presented the bill.

Committee discussion took place on the bill.

**MOTION:** Rep. Acton moved to go to the next item on the agenda. 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. S. Pitcher  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. V. Snow

**5 . S.B. 98 Asset Forfeiture Amendments (Weiler, T.)**

Sen. Weiler presented the bill.

Committee discussion took place on the bill.

Connor Boyack, Lobbyist, Libertas Institute, spoke in favor of the bill.

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

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

**MOTION:** Rep. Brammer moved to pass S.B. 98 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

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. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-2

Rep. J. Hawkins  
Rep. V. Snow

Rep. Lisonbee assumed the chair.

**6 . H.B. 324 Alimony Amendments (Teuscher, J.)**

Rep. Teuscher presented the bill with the assistance of Julie Nelson, Executive Committee of the Family Section, Utah Bar.

Committee discussion took place on the bill.

**MOTION:** Rep. Brammer moved to pass H.B. 324 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. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Hawkins  
Rep. S. Pitcher  
Rep. V. Snow

**7 . H.B. 290 Probation and Parole Amendments (Stratton, K.)**

Rep. Stratton Presented bill to committee with the assistance of Monica Diaz, Director, Utah Sentencing Commission.

Committee discussion took place on the bill.

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

Nickelis DeJong, Smart Justice Policy Fellow, ACLU Utah, spoke in favor of the bill.

**MOTION:** Rep. Acton moved to replace H.B. 290 with 1st Substitute H.B. 290. 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. B. King  
Rep. K. Lisonbee  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. V. Snow

**MOTION:** Rep. Acton moved to pass 1st Substitute H.B. 290 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. B. King  
Rep. K. Lisonbee  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Rep. S. Pitcher  
Rep. T. Seegmiller  
Rep. V. Snow

**8 . 1st Sub. S.B. 124 Parole Amendments (McKell, M.)**

Sen. McKell presented the bill with the assistance of Jeff Buhman, former Utah County attorney.

Committee discussion took place on the bill.

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

**MOTION:** Rep. Brammer moved to pass 1st Substitute S.B. 124 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. N. Abbott  
Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. B. King  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. K. Birkeland  
Rep. J. Hawkins  
Rep. S. Pitcher  
Rep. V. Snow

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

Yeas-8

Rep. N. Abbott  
Rep. C. Acton  
Rep. B. Brammer  
Rep. C. Hall  
Rep. B. King  
Rep. K. Lisonbee  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. K. Birkeland  
Rep. J. Hawkins  
Rep. S. Pitcher  
Rep. V. Snow

Chair Lisonbee adjourned the meeting at 9:35 a.m.