



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Monday, February 7, 2022 | 3:40 p.m. | 210 Senate Building

Members Present:

Sen. Todd D. Weiler, Chair
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Derek L. Kitchen
Sen. Daniel W. Thatcher

Members Absent:

Sen. Kirk A. Cullimore
Sen. Jerry W. Stevenson

Staff Present:

Jonathan Adams, Policy Analyst
Shandra Mutchie, 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 3:50 p.m.

Sen. Weiler assumed the chair.

MOTION: Sen. Kennedy moved to approve the minutes. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 3

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson

1. S.B. 156 Protection Against Extortion Amendments (*Thatcher, D.*)

Sen. Thatcher presented the bill with the assistance of Ryan Holtan, prosecutor, Utah Attorney General's Office.

MOTION: Sen. Thatcher moved to amend S.B. 156 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
S.B. 156

1. Page 2, Line 58 through Page 3, Line 62:

58 (b) If the actor is a child:

59 (i) sexual extortion is a class A misdemeanor.

60 (ii) aggravated sexual extortion is a third degree felony if there is more than a two-year age gap between the actor and the victim.

61 ~~{(iii) aggravated sexual extortion of a victim under 14 years old is a second degree~~

62 ~~felony.}~~

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

Anna Thomas, policy analyst, Voices For Utah Children, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass S.B. 156 out favorably as amended. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

2. S.B. 150 Criminal Justice Data Management Task Force (*Anderegg, J.*)

Sen. Anderegg presented the bill with the assistance of Tom Ross, Executive Director, Utah Commission of Criminal and Juvenile Justice.

MOTION: Sen. Escamilla moved to replace S.B. 150 with 1st Substitute S.B. 150. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

George Chapman, resident, spoke in favor of the bill.

Mike Haddon, Administrative Services Director, Utah Board of Pardons and Parole, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute S.B. 150 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

3. H.B. 124 Forcible Entry Warrant Modifications (*Gwynn, M.*)

Rep. Gwynn presented the bill.

Nate Mutter, Assistant Chief of Investigation, Co-Chair Utah Law Enforcement Committee, spoke in favor of the bill.

Rachel Terry, Deputy Director, Utah League of City and Towns, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass H.B. 124 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

4. S.B. 158 Statutory Supremacy over Administrative Rules (*Johnson, J.*)

MOTION: Sen. Kennedy moved to amend S.B. 158 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
S.B. 158

1. Page 1, Lines 26 through 27:

26 (1) ~~{Legislative}~~ Administrative rules shall be consistent with, and fulfill the direction given in, state
27 statute.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

Sen. John Johnson presented the bill.

MOTION: Sen. Kennedy moved to pass S.B. 158 out favorably as amended. The motion failed with a vote of 2 - 3 - 2.

Yeas - 2

Sen. M. Kennedy
Sen. D. Kitchen

Nays - 3

Sen. L. Escamilla
Sen. D. Thatcher
Sen. T. Weiler

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

5. S.B. 161 Child Welfare Appeals Amendments (*Harper, W.*)

Sen. Wayne Harper presented the bill.

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

MOTION: Sen. Escamilla moved to pass S.B. 161 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

Sen. Thatcher assumed the chair.

6. S.B. 155 Guardianship and Conservatorship Amendments (*Weiler, T.*)

Sen. Weiler presented the bill with the assistance of Ben Christensen, resident.

MOTION: Chair Weiler moved to pass S.B. 155 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

7. S.B. 179 Criminal Justice Amendments (Weiler, T.)

Sen. Weiler presented the bill.

MOTION: Sen. Weiler moved to replace S.B. 179 with 1st Substitute S.B. 179. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

William Carlson, Deputy District Attorney, Salt Lake County District Attorney's Office, spoke in favor of the bill.

Tom Ross, Executive Director, Utah Commission of Criminal and Juvenile Justice, spoke in favor of the bill.

MOTION: Sen. Weiler moved to pass 1st Substitute S.B. 179 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

8. S.J.R. 8 Joint Resolution Amending Rules of Criminal Procedure on Appointment of Counsel (Weiler, T.)

Sen. Weiler presented the bill.

MOTION: Sen. Weiler moved to replace S.J.R. 8 with 1st Substitute S.J.R. 8. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

MOTION: Sen. Weiler moved to pass 1st Substitute S.J.R. 8 out favorably. The motion passed with a vote of 5 - 0 - 2.



Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

MOTION:

Sen. Kennedy moved to adjourn. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. L. Escamilla
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. J. Stevenson

Acting Chair Thatcher adjourned the meeting.