



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Friday, February 11, 2022 | 8:00 a.m. | 30 House Building

**Members Present:**

Rep. Ryan D. Wilcox, Chair  
Rep. Jefferson S. Burton, Vice Chair  
Rep. Joel Ferry  
Rep. Matthew H. Gwynn  
Rep. Sandra Hollins  
Rep. Marsha Judkins  
Rep. Kelly B. Miles  
Rep. Angela Romero

Rep. Andrew Stoddard  
Rep. Stephen L. Whyte

**Members Absent:**

Rep. Mike Schultz

**Staff Present:**

John Feinauer, Managing Policy Analyst  
An Bradshaw, 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).

Chair Wilcox called the meeting to order at 8:07 a.m.

**MOTION:** Rep. Miles moved to approve the minutes of February 8, 2022. The motion passed with a vote of 6 - 0 - 5.

Yeas - 6

Rep. J. Burton  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. J. Ferry  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. A. Romero  
Rep. M. Schultz

Rep. Burton assumed the chair.

**1. H.B. 293 Ground Ambulance Interfacility Transport Licensing (Wilcox, R.)**

Rep. Wilcox presented the bill to the committee with the assistance of former representative Francis Gibson and Marc Watterson, Director of Legislative and Government Affairs, Department of Health and Human Services.

Kevin Ward, Utah State Fire Chiefs Association President and Layton City Fire Department Chief, commented on the bill.

Jeremy Craft, Lehi Fire Department Chief, commented on the bill.

Chris Dawson, South Jordan Fire Department Chief, commented on the bill.

Rachel Terry, Utah League of Cities and Towns, commented on the bill.

**MOTION:** Rep. Ferry moved to amend H.B. 293 with Amendment #1. The motion passed with a vote of 9 - 0 - 2.

Amendment 1  
H.B. 293

1. Page 8, Lines 231 through 237:

231 (1) As used in this section {, "overlap"} :

(a) "Overlap" means two ground ambulance interfacility

232 transport providers that are licensed at the same level of service in all or part of a single

233 geographic service area.

(b) "Overlay" means two ground ambulance interfacility transport providers that are licensed at a different level of service in all or part of a single geographic service area.

234 ~~[(6)]~~ (2) Notwithstanding the exclusive geographic service requirement of Section  
235 26-8a-402, the department ~~[may amend one or more licenses after a resolution is reached or an~~  
236 ~~adjudicative proceeding has been held to allow:]~~ shall recognize overlap and overlay ground ambulance  
237 interfacility transport licenses that existed on or before May 4, 2022.

2. Page 8, Line 242 through Page 9, Line 245:

242 (3) The department may, without an adjudicative proceeding, amend an existing overlay ground  
243 ambulance interfacility transport license that creates a new overlap if the existing ground  
244 ambulance interfacility transport provider meets the requirements described in Subsection  
245 26-8a-404(4).

Yeas - 9

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Gwynn  
Rep. M. Schultz

**MOTION:** Rep. Ferry moved to pass H.B. 293 out favorably as amended. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Gwynn  
Rep. M. Schultz

## **2. H.B. 123 Use of Force Revisions (*Birkeland, K.*)**

Rep. Kera Birkeland presented the bill to the committee.

Bret Webster, resident, spoke in support of the bill.

Kara Cope, resident, spoke in support of the bill.

Levy Woodruff, resident spoke in support of the bill.

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

Rae Duckworth, resident, spoke in support of the bill.

Leah Hansen, resident, spoke in support of the bill.

**MOTION:** Rep. Hollins moved to amend H.B. 123 with Amendment #1. The motion passed with a vote of 8 - 0 - 3.

Amendment 1  
H.B. 123

1. Page 2, Lines 48 through 51:

48 (3) If feasible, [~~a verbal warning should be given by the officer~~] prior to any use of  
49 deadly force under Subsection (2)(b) or (2)(c), a peace officer ~~{shall}~~ may identify himself or herself  
50 as a peace officer and give a clear oral warning of his or her intent to use a firearm or other  
51 physical force.

2. Page 4, Lines 111 through 118:

111 (6) Once a criminal investigation is turned over from law enforcement, ~~{all~~  
112 ~~investigations}~~ the county or district attorney's findings or analyses into an officer's use of force shall be  
completed within 180 days of the ~~{incident~~  
113 ~~occurring}~~ turnover. If ~~{an investigation}~~ the findings or analyses is not ~~{completed}~~ published within 180  
days of the turnover, the county or district attorney  
114 shall post a public statement on the county or district attorney's website stating a reasonable  
115 estimate when the ~~{investigation}~~ findings or analyses will be complete and the reason for the delay.  
116 (7) Subject to the requirements of Title 63G, Chapter 2, Government Records Access  
117 and Management Act, ~~{all investigative reports and any}~~ the county or district attorney's resulting findings or  
analyses shall be  
118 published on the county or district attorney's website within five business days of completion.

Yeas - 8

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte

Rep. M. Gwynn  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Romero moved to pass H.B. 123 out favorably as amended. The motion passed with a vote of 8 - 0 - 3.

Yeas - 8

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte

Rep. M. Gwynn  
Rep. M. Schultz  
Rep. R. Wilcox

**3. H.B. 325 Mental Health Support and Law Enforcement Co-response (Stoddard, A.)**

Rep. Stoddard presented the bill with the assistance of Sgt. Jodie Sampson, Unified Police Department Metro Mental Health Unit.

Ross VanVranken, Behavioral Health Crisis Commission Chair and Huntsman Mental Health Institute Executive Director, commented on the bill.

Mark Moffitt, criminal defense lawyer, spoke in support of the bill.

Andrew Riggle, Disability Law Center, commented on the bill.

Brett Baker, resident, spoke in support of the bill.

Kara Cope spoke in support of the bill.

John Park, League of Cities and Towns, spoke in support of the bill.

Bret Webster spoke in support of the bill.

Rae Duckworth spoke in support of the bill.

**MOTION:** Rep. Judkins moved to pass H.B. 325 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas - 7

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. M. Gwynn  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. R. Wilcox

**4. S.B. 123 Criminal Code Recodification (Mayne, K.)**

**MOTION:** Rep. Ferry moved to saunter. The motion passed with a vote of 7 - 0 - 4.

Yeas - 7

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. M. Gwynn  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. R. Wilcox

This item was not heard.

**5. S.B. 124 Criminal Code Recodification Cross References (Mayne, K.)**

This item was not heard.

The committee sauntered.

Rep. Wilcox resumed the chair and called the meeting back to order.

**6. H.B. 260 Law Enforcement Recording Release Amendments (Wheatley, M.)**

Rep. Mark Wheatley presented the bill with the assistance of Will Carlson, Salt Lake County District Attorney's Office.

David Spatafore, representing Chiefs of Police Association, spoke in support of the bill.

Levy Woodruff commented on the bill.

Bret Webster spoke in support of the bill.

Rae Duckworth commented on the bill.

Nate Mutter, Law Enforcement Legislative Committee Co-chair, commented on the bill.

Kara Cope commented on the bill.

**MOTION:** Rep. Romero moved to replace H.B. 260 with 1st Substitute H.B. 260. The motion passed with a vote of 8 - 0 - 3.

Yeas - 8

Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. M. Gwynn  
Rep. K. Miles  
Rep. M. Schultz

**MOTION:** Rep. Romero moved to pass 1st Substitute H.B. 260 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

Rep. J. Burton  
Rep. J. Ferry  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. K. Miles  
Rep. M. Schultz

**MOTION:** Rep. Judkins moved to adjourn. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

Rep. J. Burton  
Rep. J. Ferry  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. K. Miles  
Rep. M. Schultz

Chair Wilcox adjourned the meeting at 9:38 a.m.