



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

STANDING COMMITTEE

LEGISLATURE

Wednesday, February 23, 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. Sandra Hollins
Rep. Marsha Judkins
Rep. Kelly B. Miles
Rep. Angela Romero
Rep. Andrew Stoddard

Rep. Stephen L. Whyte

Members Absent:

Rep. Matthew H. Gwynn
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.

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

MOTION: Rep. Miles moved to approve the minutes of February 18, 2022. The motion passed with a vote of 5 - 0 - 6.

Yeas - 5

Rep. J. Burton
Rep. J. Ferry
Rep. M. Judkins
Rep. K. Miles
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. M. Gwynn
Rep. S. Hollins
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. S. Whyte

1. H.J.R. 17 Joint Resolution Amending Rules of Criminal Procedure on Hearings with Contemporaneous Transmission (*Waldrip, S.*)

Rep. Steve Waldrip presented the bill with the assistance of William Hains, Statewide Association of Prosecutors. Steve Burton, Utah Association of Criminal Defense Attorneys, was invited by the bill sponsor to comment and expressed opposition to the bill.

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

Marc Moffitt, criminal defense attorney, spoke in opposition to the bill.

Richard Mauro, Utah Legal Defenders Association, spoke in opposition to the bill.

Robert Van Dyke, Kane County District Attorney, spoke in support of the bill.

Steve Garside, Layton City Assistant Manager, spoke in support of the bill.

Craig Chambers, Utah Municipal Prosecutors Association, spoke in support of the bill.

Robert Cosson, St. George Chief Prosecuting Attorney, spoke in support of the bill.

MOTION: Rep. Miles moved to replace H.J.R. 17 with 1st Substitute H.J.R. 17. 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

MOTION: Rep. Miles moved to amend 1st Substitute H.J.R. 17 with Amendment #1. The motion passed with a vote of 9 - 0 - 2.

Amendment 1
1st Sub. H.J.R. 17

1. Page 2, Lines 46 through 49:
46 may require the forensic toxicologist to testify in person upon a showing of good cause by a
47 party.
48 (d) (2) This paragraph (d) is repealed on January 1, ~~{2025}~~ 2024.
49 [~~(d)~~] (e) Nothing in this rule precludes or affects the procedures in rule 15.5.

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. Stoddard moved to pass 1st Substitute H.J.R. 17 out favorably as amended.

Rep. Stoddard's motion passed with a vote of 6 - 3 - 2.

Yeas - 6

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

Nays - 3

Rep. J. Burton
Rep. S. Whyte
Rep. R. Wilcox

Absent - 2

Rep. M. Gwynn
Rep. M. Schultz

Rep. Burton assumed the chair.

2. H.B. 370 Mental Health Professional Amendments (*Wilcox, R.*)

Rep. Wilcox presented the bill to the committee.

Elizabeth Klc, Utah Substance Use and Mental Health Advisory Council Chair, spoke in support of the bill.

Dee Larsen, Utah Retirement Systems General Counsel, commented on the bill.

Kory Cox, Utah Retirement Systems, commented on the bill.

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

MOTION: Rep. Romero moved to pass H.B. 370 out favorably. 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. K. Miles
Rep. A. Romero
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. M. Schultz
Rep. A. Stoddard

MOTION: Rep. Wilcox moved to adjourn. 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. K. Miles
Rep. A. Romero
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. M. Schultz
Rep. A. Stoddard

Chair Burton adjourned the meeting at 9:20 a.m.