



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Thursday, February 24, 2022 | 8:00 a.m. | 210 Senate Building

Members Present:

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

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

Staff Present:

Jonathan Adams, Policy Analyst
Shandra Mutchie, Committee Secretary

Members Absent:

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Sen. Weiler assumed the chair.

Chair Weiler called the meeting to order at 8:15 a.m.

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

Yeas - 3

Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 4

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

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

Rep. Kera Birkeland presented the bill.

Ilana Raskind, resident, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 123 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 4

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

2. 1st Sub. H.B. 231 Fishing and Hunting Restrictions for Nonpayment of Child Support (*Lisonbee, K.*)

Rep. Karianne Lisonbee presented the bill.

MOTION: Sen. Kitchen moved to pass 1st Substitute H.B. 231 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 4

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

3. 1st Sub. H.B. 132 Uniform Easement Relocation Act (Snow, V. L.)

Rep. Lowry Snow presented the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 132 out favorably. 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

4. 1st Sub. H.B. 320 Guardianship Bill of Rights (Abbott, N.)

MOTION: Sen. Thatcher moved to replace 1st Substitute H.B. 320 with 2nd Substitute H.B. 320. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

Sen. D. Kitchen
Sen. D. Thatcher
Sen. T. Weiler

Nays - 0

Absent - 4

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

Rep. Nelson Abbott presented the bill.

Andrew Riggle, Disability Law Center, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass 2nd Substitute H.B. 320 out favorably. 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

5. H.B. 329 Weapon Possession Penalty Amendments (Teuscher, J.)

Rep. Jordan Teuscher presented the bill.

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

Cynthia Zumwalt, State Director, DC Project, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 329 out favorably. 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

Sen. Kitchen assumed the chair.

6. S.B. 231 Preliminary Hearing Amendments (Weiler, T.)

Sen. Weiler presented the bill with the assistance of Mark Moffat, Criminal Defense Lawyer.

MOTION: Sen. Weiler moved to move to next agenda item. 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

Sen. Weiler resumed the chair.

7. 1st Sub. H.B. 345 Public Safety Employee Personal Data Amendments (Wilcox, R.)

Rep. Ryan Wilcox presented the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 345 out favorably. 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

8. 2nd Sub. H.B. 351 Domestic Violence Modifications (Pierucci, C.)

Rep. Candice Pierucci presented the bill.

MOTION: Sen. Kitchen moved to amend 2nd Substitute H.B. 351 with Amendment #1. The motion passed with a vote of 4 - 0 - 3.

Amendment 1
2nd Sub. H.B. 351

1. Page 4, Lines 88 through 98:

88 (k) the director of the Utah Division of Indian Affairs, or the director's designee;

(l) the chief administrative officer of the Office of Homeless Services, or the officer's designee;

89 ~~{(f)}~~ (m) one individual who represents the Administrative Office of the Courts appointed by
90 the state court administrator;

91 ~~{(m)}~~ (n) one individual appointed jointly by the Utah League of Cities and Towns and the
92 Utah Association of Counties;

93 ~~{(n)}~~ (o) one individual who represents the Statewide Association of Prosecutors appointed
94 by the association;

95 ~~{(o)}~~ (p) one individual who represents the Utah Association of Criminal Defense Lawyers
96 appointed by the association; and

97 ~~{(p)}~~ (q) the following individuals appointed jointly by the president of the Senate and the
98 speaker of the House of Representatives:

2. Page 6, Lines 154 through 157:

154 (2) Before November 30~~{, 2022,}~~ of each year the task force shall provide a written report to the Law
155 Enforcement and Criminal Justice Interim Committee describing:

156 (a) the information gathered under Subsection (1)(a); and

157 (b) the strategic plan described in Subsection (1)~~{(b)}~~ (c).

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

Erin Jemison, Utah Domestic Violence Coalition, spoke in favor of the bill.

MOTION: Sen. Kitchen moved to pass 2nd Substitute H.B. 351 out favorably as amended. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

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

Nays - 0

Absent - 4

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

9. H.B. 309 Process Server Amendments (Stoddard, A.)

Rep. Andrew Stoddard presented the bill with the assistance of Kari Huth, Salt Lake County Sheriff's office.

MOTION: Sen. Kitchen moved to pass H.B. 309 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

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

Nays - 0

Absent - 4

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

MOTION: Sen. Kitchen moved to adjourn. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

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

Nays - 0

Absent - 4

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

Chair Weiler adjourned the meeting at 9:03 a.m.