



MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

LEGISLATURE

Monday, February 28, 2022 | 8:00 a.m. | 110 Senate Building

Members Present:

Rep. Jon Hawkins, Chair
Rep. Karianne Lisonbee, Vice Chair
Rep. Nelson T. Abbott
Rep. Cheryl K. Acton
Rep. Kera Birkeland
Rep. Brady Brammer
Rep. Brian S. King
Rep. Judy Weeks Rohner

Rep. V. Lowry Snow
Rep. Mark A. Wheatley

Members Absent:

Rep. Stephanie Pitcher
Rep. Travis M. Seegmiller

Staff Present:

Jonathan Adams, 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.

Chair Hawkins called the meeting to order at 8:11 a.m.

1. H.B. 458 Adoption Amendments (*Birkeland, K.*)

Rep. Birkeland presented the bill.

Rep. Marsha Judkins spoke in favor of the bill.

MOTION: Rep. Brammer moved to replace H.B. 458 with 1st Substitute H.B. 458. 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. J. Hawkins
Rep. K. Lisonbee
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. B. King
Rep. S. Pitcher
Rep. J. Rohner
Rep. T. Seegmiller

MOTION: Rep. Brammer moved to pass 1st Substitute H.B. 458 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. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. S. Pitcher
Rep. J. Rohner
Rep. T. Seegmiller

MOTION: Rep. Brammer moved to approve the minutes from the February 24, 2022 meeting. 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. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. S. Pitcher
Rep. J. Rohner
Rep. T. Seegmiller

2. H.B. 459 HIV Testing Modifications (*Judkins, M.*)

Rep. Marsha Judkins presented the bill with the assistance of Darcy Goddard, Chief Policy Advisor, Salt Lake County District Attorney's Office.

Mark Moffat, criminal defense attorney, spoke against the bill.

Susan Chasson, sexual assault nurse examiner, spoke in favor of the bill.

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

Ken Wallentine, President, Utah Chiefs of Police Association, spoke in favor of the bill.

Matt Dumont, Chief Deputy, Salt Lake County Sheriff's Office Corrections Bureau, spoke in favor of the bill.

MOTION: Rep. Wheatley moved to amend H.B. 459 with Amendment #1. The motion passed with a vote of 7 - 0 - 5.

Amendment 1
H.B. 459

1. Page 4, Lines 115 through 118:

115 ~~[(5)] (9)~~ The alleged offender who is tested is responsible upon conviction for the costs
116 of testing and any legal proceedings necessary to obtain an order or warrant authorizing the
117 testing, unless the alleged offender is indigent. ~~[The]~~ If the alleged offender is indigent, the
118 costs of testing will ~~[then]~~ be paid by the Department of Health from the General Fund.

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow

MOTION: Rep. Wheatley moved to pass H.B. 459 out favorably. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow

3. H.B. 466 Special Service District Study (Winder, M.)

Rep. Mike Winder presented the bill.

LeGrand Bitter, Utah Association of Special Districts, spoke against the bill.

MOTION: Rep. Acton moved to amend H.B. 466 with Amendment #1. The motion passed with a vote of 7 - 0 - 5.

Amendment 1
H.B. 0466

1. Page 1, Lines 13 through 15:

13 ▸ requires a municipality and a special service district to conduct a feasibility study
14 every ten years if two-thirds or more of the special service district's service area is contained within the
15 municipality's boundaries.

2. Page 1, Line 27 through Page 2, Line 28:

27 (1) If two-thirds or more of the service area of a special service district is contained within the boundaries of
28 a municipality, the special service district and the municipality shall conduct a feasibility study

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow

MOTION: Rep. Acton moved to pass H.B. 466 out favorably. The motion passed with a vote of 4 - 3 - 5.

Yeas - 4

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins

Nays - 3

Rep. B. King
Rep. J. Rohner
Rep. M. Wheatley

Absent - 5

Rep. B. Brammer
Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow

4. H.B. 442 Marijuana Definitions Amendments (Gwynn, M.)

Rep. Matthew Gwynn presented the bill.

Richard Larsen, Statewide Association of Prosecutors, spoke in favor of the bill.

Ryan Peters, Statewide Association of Prosecutors, spoke in favor of the bill.

MOTION: Rep. Acton moved to pass H.B. 442 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. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. K. Lisonbee
Rep. S. Pitcher
Rep. T. Seegmiller
Rep. V. Snow

5. H.C.R. 19 Concurrent Resolution Acknowledging and Highlighting the History, Culture, and Contributions of the Native American Peoples of Utah (*Weight, E.*)

Rep. Elizabeth Weight presented the bill and distributed a handout.

[HCR19 Handout](#)

MOTION: Rep. King moved to pass H.C.R. 19 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. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 2

Rep. S. Pitcher
Rep. T. Seegmiller

SUBSTITUTE MOTION: Rep. Abbott moved to go to the next item on the agenda. The substitute motion failed with a vote of 5 - 5 - 2.

Yeas - 5

Rep. N. Abbott
Rep. K. Birkeland
Rep. B. Brammer
Rep. J. Hawkins
Rep. K. Lisonbee

Nays - 5

Rep. C. Acton
Rep. B. King
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Absent - 2

Rep. S. Pitcher
Rep. T. Seegmiller

6. H.C.R. 20 Concurrent Resolution Encouraging Prevention of Adverse Childhood Experiences (*Acton, C.K.*)

Rep. Acton presented the bill and distributed a handout.

[HCR20 Handout](#)

MOTION: Rep. Abbott moved to pass H.C.R. 20 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. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 2

Rep. S. Pitcher
Rep. T. Seegmiller

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

Sen. Wayne Harper presented the bill.

MOTION: Rep. Brammer moved to pass S.B. 161 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. C. Acton
Rep. K. Birkeland
Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. N. Abbott
Rep. S. Pitcher
Rep. T. Seegmiller

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

Sen. Todd Weiler presented the bill.

MOTION: Rep. Lisonbee moved to pass S.B. 155 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. N. Abbott
Rep. B. Brammer
Rep. S. Pitcher
Rep. T. Seegmiller

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

Yeas - 8

Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. V. Snow
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. N. Abbott
Rep. B. Brammer
Rep. S. Pitcher
Rep. T. Seegmiller

Chair Hawkins adjourned the meeting at 9:53 a.m.