



UTAH STATE

LEGISLATURE

MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

Tuesday, January 24, 2023 | 2:00 p.m. | 210 Senate Building

Members Present:

Sen. Todd D. Weiler, Chair
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Jerry W. Stevenson

Members Absent:

Sen. Daniel W. Thatcher

Staff Present:

Sarah Flanigan, Policy Analyst
Nancy Skidmore, 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 2:00 p.m.

MOTION: Sen. Kennedy moved to approve the minutes of the January 19, 2023, minutes. The motion passed with a vote of 2 - 0 - 4.

Yeas - 2

Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 4

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

1. S.B. 117 Domestic Violence Amendments (*Weiler, T.*)

Sen. Kennedy assumed the chair.

Sen. Weiler presented the bill with the assistance of Deidre Henderson, Lieutenant Governor of Utah, Kent Mayne, father of Mandy Mayne, and Shauna Mayne, mother of Mandy Mayne.

[Domestic Violence Amendments](#)

[Domestic Violence Lethality Screen For First Responders](#)

Whit Cook, Utah Eagle Forum, spoke to the bill.

Rep. Tyler Clancy, Utah State Representative, Provo Police Officer, spoke in favor of the bill.

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

Jeff Buhman, Executive Director, Statewide Association of Prosecutors and Public Attorneys, spoke in favor of the bill.

Adam Osoro, Assistant Chief of Police, Woods Cross, spoke in favor of the bill.

Jill Anderson, Chief Executive Officer, Citizens Against Physical and Sexual Abuse (CAPSA), spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass S.B. 117 out favorably. The motion passed with a vote of 5 - 0 - 1.

Yeas - 5

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

Nays - 0

Absent - 1

Sen. D. Thatcher

Sen. Weiler resumed the chair.

2. S.B. 98 Legal Costs Recovery Amendments (*Pitcher, S.*)

MOTION: Sen. Kennedy moved to replace S.B. 98 with 1st Substitute S.B. 98. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

Sen. Pitcher presented the bill.

Che Arguello, Office of the Attorney General's Office, spoke in opposition to the bill.

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

Sheriff Chad Jensen, Past President, Utah Sheriffs Association, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to amend 1st Substitute S.B. 98 with Amendment #1. The motion passed with a vote of 5 - 0 - 1.

Amendment 1
1st Sub. S.B. 98

1. Page 3, Lines 61 through 64:

61 portions of the indictment or information that were quashed, dismissed, or resulted in a
62 judgment of acquittal is substantially the same alleged misconduct that formed the basis for charges,
63 counts, or portions of the indictment or information of which the officer or employee was
64 found guilty.

Yeas - 5

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

Nays - 0

Absent - 1

Sen. D. Thatcher

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 98 out favorably. The motion passed with a vote of 5 - 0 - 1.

Yeas - 5

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

Nays - 0

Absent - 1

Sen. D. Thatcher

3. S.B. 114 County Correctional Facility Contracting Amendments (Owens, D.R.)

Sen. Owens presented the bill with the assistance of Sheriff Tracy Glover, Vice President, Utah Sheriffs Association.

MOTION: Sen. Kennedy moved to pass S.B. 114 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. J. Stevenson
Sen. D. Thatcher

4. H.B. 28 Arson Amendments (Gwynn, M.)

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

MOTION: Sen. Kennedy moved to pass H.B. 28 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. J. Stevenson
Sen. D. Thatcher

5. H.B. 46 Criminal Code Recodification and Cross References (Gwynn, M.)

Rep. Gwynn presented the bill.

MOTION: Sen. Kennedy moved to replace H.B. 46 with 1st Substitute H.B. 46. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. J. Stevenson
Sen. D. Thatcher

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 46 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. J. Stevenson
Sen. D. Thatcher

MOTION: Sen. Escamilla moved to adjourn. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. J. Stevenson
Sen. D. Thatcher

Chair Weiler adjourned the meeting at 3:21 p.m.