



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Wednesday, January 25, 2023 | 2:05 p.m. | 30 House Building

**Members Present:**

Rep. Ryan D. Wilcox, Chair  
Rep. Matthew H. Gwynn, Vice Chair  
Rep. Melissa G. Ballard  
Rep. Jefferson S. Burton  
Rep. Katy Hall  
Rep. Sahara Hayes  
Rep. Sandra Hollins  
Rep. Trevor Lee  
Rep. Karianne Lisonbee

Rep. Val L. Peterson  
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 2:06 p.m.

**MOTION:** Rep. Peterson moved to approve the minutes of the January 20, 2023 meeting. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. S. Hollins  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. R. Wilcox

**1. H.B. 108 Child Sex Doll Prohibition (Gwynn, M.)**

Rep. Gwynn presented the bill with the assistance of Nate Mutter, Co-chair, Utah Law Enforcement Legislative Committee (ULELC).

Nate Mutter spoke in support of the bill on behalf of ULELC.

Nicholeen Peck, Worldwide Organization for Women, spoke in support of the bill.

Tiffany Parker, Detective, Unified Police Department, spoke in support of the bill.

**MOTION:** Rep. Peterson moved to pass H.B. 108 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas - 10

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. S. Hollins  
Rep. M. Schultz

**2. H.B. 156 Sex and Kidnap Offender Registry and Child Abuse Offender Registry Administration Amendments (Stoddard, A.)**

Rep. Stoddard presented the bill with the assistance of Dan Strong, Chair, Sentencing Commission. A handout was provided.

[Legislative Fact Sheet](#)

Dan Strong spoke in support of the bill on behalf of the Sentencing Commission.

**MOTION:** Rep. Whyte moved to replace H.B. 156 with 2nd Substitute H.B. 156. The motion passed with a vote of 10 - 0 - 3.

Yeas - 10

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. S. Hollins  
Rep. M. Schultz

**MOTION:** Rep. Whyte moved to pass 2nd Substitute H.B. 156 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas - 10

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. S. Hollins  
Rep. M. Schultz

**3. H.B. 120 Weapon Possession Amendments (Lisonbee, K.)**

Rep. Lisonbee presented the bill to the committee.

Neca Allgood, Gun Violence Prevention Center, spoke in support of the bill.

Sam Knight, attorney, spoke in support of the bill.

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

James "Mitch" Vilos, attorney, spoke in support of the bill.

**MOTION:** Rep. Peterson moved to pass H.B. 120 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas - 11

Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Ballard  
Rep. M. Schultz

Rep. Gwynn assumed the chair.

**4. H.B. 225 Firearm Possession Amendments (*Wilcox, R.*)**

Rep. Wilcox presented the bill to the committee.

Michael Drechsel, Assistant Court Administrator, Utah Courts, spoke to the bill.

Will Carlson, Senior Policy Advisor, Salt Lake County District Attorney's Office, spoke in support of the bill, if it is amended.

**MOTION:** Rep. Peterson moved to replace H.B. 225 with 1st Substitute H.B. 225. The motion passed with a vote of 11 - 0 - 2.

Yeas - 11

Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Ballard  
Rep. M. Schultz

**MOTION:** Rep. Peterson moved to pass 1st Substitute H.B. 225 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas - 11

Nays - 0

Absent - 2

Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Rep. M. Ballard  
Rep. M. Schultz

Rep. Wilcox resumed the chair.

### **5. H.B. 226 Sale of a Firearm Amendments (*Maloy, A. Cory*)**

Rep. Cory Maloy presented the bill to the committee.

Jeff Buhman, Statewide Association of Prosecutors, spoke in support of the bill, if it is amended.

Mike Schoenfeld, Lieutenant, Unified Police Department, spoke in support of the bill.

Neca Allgood spoke to the bill.

Clark Aposhian spoke to the bill.

James "Mitch" Vilos spoke in support of the bill.

**MOTION:** Rep. Lisonbee moved to replace H.B. 226 with 1st Substitute H.B. 226. The motion passed with a vote of 12 - 0 - 1.

Yeas - 12

Nays - 0

Absent - 1

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Rep. M. Schultz

**MOTION:** Rep. Lisonbee moved to amend 1st Substitute H.B. 226 with Amendment #1. The motion passed with a vote of 12 - 0 - 1.

Amendment 1  
1st Sub. H.B. 226

1. Page 6, Lines 168 through 173:

168 (7) If an individual uses the process under Subsection (2), the individual is not

169 required, based on the information the individual receives from the bureau, to:

170 (a) make a report to a law enforcement agency; or

171 (b) cancel the sale of the firearm{-.} except as otherwise prohibited by Section 76-10-503(8).

172 (8) Except as provided in Subsection (9), after responding to a request under

173 Subsection (2), the bureau shall immediately dispose of all information related to the request.

Yeas - 12

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 1

Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to pass 1st Substitute H.B. 226 out favorably as amended. The motion passed with a vote of 12 - 0 - 1.

Yeas - 12

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 1

Rep. M. Schultz

**6. H.B. 236 Driving Under the Influence Testing Amendments (*Burton, J.*)**

Rep. Burton presented the bill with the assistance of Colonel Michael Rapich, Department of Public Safety.

Steve Burton, Utah Association of Criminal Defense Attorneys, spoke in support of the bill.

**MOTION:** Rep. Gwynn moved to pass H.B. 236 out favorably. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. V. Peterson  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. S. Whyte

**7. H.B. 223 Drug and Alcohol Enforcement Amendments (*Burton, J.*)**

Rep. Burton presented the bill with the assistance of Michael Rapich.

Amy Pomeroy, Libertas Institute, spoke in opposition to the bill.

Kate Bradshaw, Utah Beer Wholesalers Association, spoke in support of the bill.

**MOTION:** Rep. Gwynn moved to replace H.B. 223 with 1st Substitute H.B. 223. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Gwynn moved to pass 1st Substitute H.B. 223 out favorably. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

Rep. Gwynn assumed the chair.

### **8. H.B. 62 Driving Under the Influence Modifications (*Wilcox, R.*)**

Rep. Wilcox presented the bill to the committee.

Steve Burton spoke in support of the bill.

**MOTION:** Rep. Burton moved to replace H.B. 62 with 1st Substitute H.B. 62. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Burton moved to pass 1st Substitute H.B. 62 out favorably. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**9. H.B. 59 First Responder Mental Health Amendments (*Wilcox, R.*)**

Rep. Wilcox presented the bill to the committee.

Dominic Burchett, Fire Chief, Unified Fire Authority, spoke to the bill.

**MOTION:** Rep. Ballard moved to replace H.B. 59 with 2nd Substitute H.B. 59. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Ballard moved to amend 2nd Substitute H.B. 59 with Amendment #1. The motion passed with a vote of 7 - 0 - 6.

**Amendment 1**  
2nd Sub. H.B. 59

1. Page 3, Lines 59 through 60:

59 (j) a forensic interviewer or victim advocate employed by a children's justice center established in  
60 accordance with Section 67-5b-102;

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Stoddard moved to pass 2nd Substitute H.B. 59 out favorably as amended. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

**10. H.B. 103 Weapon Possession While Under the Influence Amendments (*Kyle, J*)**

H.B. 103 was not heard.

**MOTION:** Rep. Wilcox moved to adjourn. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. K. Hall  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. S. Whyte

Chair Gwynn adjourned the meeting at 4:04 p.m.