



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Wednesday, February 1, 2023 | 3:40 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 at 3:57 p.m.

MOTION: Sen. Escamilla moved to approve the minutes of the January 27, 2023, minutes. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

1. S.B. 124 Law Enforcement Officer Amendments (Escamilla, L.)

[Summary of 1st Sub. S.B. 124](#)

Sen. Escamilla presented the bill with the assistance of Kelly Sparks, Sheriff, Davis County.

Chad Soffe, Police Chief, Woods Cross City, spoke in favor of the bill.

Levy Woodruff, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to replace S.B. 124 with 1st Substitute S.B. 124. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

MOTION: Sen. Kennedy moved to pass 1st Substitute S.B. 124 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

2. S.B. 140 Adult Protective Services Amendments (Kwan, K.)

[SB 140: Adult Protective Services Administrative Subpoenas](#)

Sen. Kwan spoke to the substitute.

MOTION: Sen. Escamilla moved to replace S.B. 140 with 1st Substitute S.B. 140. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

Sen. Kwan presented the bill with the assistance of Nancy Mendenhall, Director, Adult Protective Services.

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

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 140 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

MOTION: Sen. Escamilla moved to place 1st Substitute S.B. 140 on the Consent Calendar. The motion failed with a vote of 2 - 1 - 3.

Yeas - 2

Sen. L. Escamilla
Sen. T. Weiler

Nays - 1

Sen. M. Kennedy

Absent - 3

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

3. H.B. 41 Utah Retirement Systems Revisions (*Brooks, W.*)

Rep. Brooks presented the bill.

MOTION: Sen. Kennedy moved to pass H.B. 41 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

The committee sauntered while waiting for presenters.

4. 1st Sub. H.B. 57 Law Enforcement Investigation Amendments (*Wilcox, R.*)

Rep. Wilcox presented the bill with the assistance of Jeff Mann, Assistant Solicitor General, Attorney General's Office.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 57 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

5. 1st Sub. H.B. 122 Sex Offender Registry Amendments (*Judkins, M.*)

Rep. Judkins presented the bill with the assistance of Amanda Montague, Assistant Attorney General representing Corrections, Attorney General's Office.

Daniel Strong, Director, Sentencing Commission, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 122 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

6. 1st Sub. H.B. 43 Domestic Violence Modifications (*Pierucci, C.*)

Rep. Pierucci spoke to the substitute and the amendment.

MOTION: Sen. Kennedy moved to replace 1st Substitute H.B. 43 with 2nd Substitute H.B. 43. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

MOTION: Sen. Kennedy moved to amend 2nd Substitute H.B. 43 with Amendment #1. The motion passed with a vote of 3 - 0 - 3.

Amendment 1
2nd Sub. H.B. 43

1. Page 5, Lines 133 through 134:

133 (A) the coordination between state, local, and not-for-profit agencies to collect data

134 from lethality assessments and on the prevalence of domestic violence, including the number of voluntary commitments of firearms under Section 53-5c-201;

Yeas - 3

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

Nays - 0

Absent - 3

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

Rep. Pierucci presented the bill.

Steffine Amodt spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass 2nd Substitute H.B. 43 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

7. S.B. 147 Department of Environmental Quality Adjudicative Proceedings Amendments (*McKell, M.*)

Sen. McKell presented the bill with the assistance of Todd Bingham, President/Chief Executive Officer, Utah Manufacturers Association.

MOTION: Sen. Kennedy moved to pass S.B. 147 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

8. 1st Sub. H.B. 114 Theft Defense Amendments (*Albrecht, C.*)

[R. Lynn Carlson: Bill would undermine Utah's jury system](#)

Rep. Albrecht presented the bill with the assistance of Von Christiansen, Beaver County Attorney.

Mary Corporon, Criminal Defense Attorney, spoke in opposition to the bill.

Wade Garrett, Director of Public Policy, Utah Farm Bureau, spoke in favor of the bill.

Lynn Carlson, jury member, spoke in opposition to the bill.

Kelly Pehrson, Deputy Commissioner, Department of Agriculture and Food, spoke in favor of the bill.

Chris Foster, citizen, spoke in opposition to the bill.

Bruce Adams, Commissioner, San Juan County, spoke in favor of the bill.

Corinne Daniel, citizen, spoke in opposition to the bill.

Tammy Pearson, Commissioner, Beaver County, spoke in favor of the bill.

Jacob Evans, citizen, spoke in opposition to the bill.

Tammy Chew, citizen, spoke in favor of the bill.

Max Corwin, citizen, spoke in opposition to the bill.

Greg Miles, Commissioner, Duchesne County, spoke in favor of the bill.

Jeremy Beckham, citizen, spoke in opposition to the bill.

Sierra Nelson, Executive Director, Utah Wool Growers Association, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 114 out favorably. The motion passed with a vote of 3 - 2 - 1.

Yeas - 3

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

Nays - 2

Sen. L. Escamilla
Sen. T. Weiler

Absent - 1

Sen. D. Thatcher

9. 3rd Sub. H.B. 146 Sex Offender Restricted Area Amendments (*Maloy, A. Cory*)

Rep. Maloy presented the bill with the assistance of Darrin Hall, Chief of Police, Lehi City.

Faye Jenkins, citizen, spoke in opposition to the bill.

Michael Jenkins, citizen, spoke in opposition to the bill.

Mark Moffat, Criminal Defense Attorney, spoke to the bill.

Ashley Hemenway, citizen, spoke in favor of the bill.

Megan Stewart, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 3rd Substitute H.B. 146 out favorably. 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

10. 1st Sub. H.B. 174 Conviction Reduction Amendments (*Teuscher, J.*)

[H.B. 174 Conviction Reduction Amendments](#)

Rep. Teuscher presented the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 174 out favorably. 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

11. 1st Sub. H.B. 192 Traffic Violation Amendments (*Teuscher, J.*)

[H.B. 192 Traffic Violation Amendments](#)

Rep. Teuscher presented the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 192 out favorably. 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

MOTION: Sen. Kennedy moved to adjourn. 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

Chair Weiler adjourned the meeting at 6:23 p.m.

NOTE: 02nd Substitute H.B. 0029 was not discussed in the meeting.