



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

Monday, February 6, 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

Members Absent:

Sen. Jerry W. Stevenson
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 3:46 p.m.

MOTION: Sen. Kennedy moved to approve the minutes of the February 1, 2023, meeting. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

1. S.B. 160 Blockchain Liability Amendments (*Cullimore, K. A.*)

Sen. Cullimore presented the bill.

MOTION: Sen. Kennedy moved to pass S.B. 160 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

2. 2nd Sub. H.B. 29 Mental Health Support and Law Enforcement Co-response (*Stoddard, A.*)

Rep. Stoddard spoke to the 3rd Sub and presented the bill.

MOTION: Sen. Kennedy moved to replace 2nd Substitute H.B. 29 with 3rd Substitute H.B. 29. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

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

Nays - 0

Absent - 3

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

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

MOTION: Sen. Cullimore moved to pass 3rd Substitute H.B. 29 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3
Sen. K. Cullimore
Sen. M. Kennedy
Sen. T. Weiler

Nays - 0

Absent - 3
Sen. L. Escamilla
Sen. J. Stevenson
Sen. D. Thatcher

3. H.B. 98 Process Server Amendments (Stoddard, A.)

Rep. Stoddard presented the bill with the assistance of Carrie Huett, Chief Deputy, Salt Lake County Sheriff's Office.

MOTION: Sen. Cullimore moved to pass H.B. 98 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. 2nd Sub. H.B. 156 Sex and Kidnap Offender Registry and Child Abuse Offender Registry Administration Amendments (Stoddard, A.)

Rep. Stoddard spoke to the 3rd Sub.

MOTION: Sen. Cullimore moved to replace 2nd Substitute H.B. 156 with 3rd Substitute H.B. 156. 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

Rep. Stoddard presented the bill.

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

MOTION: Sen. Kennedy moved to pass 3rd Substitute H.B. 156 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. 1st Sub. H.B. 255 Vehicle Accident Reports Amendments (Stoddard, A.)

Rep. Stoddard presented the bill.

David Head, Utah Association for Justice, spoke in favor of the bill.

MOTION: Sen. Cullimore moved to pass 1st Substitute H.B. 255 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

6. 1st Sub. H.B. 33 Water Related Liability Amendments (*Albrecht, C.*)

Rep. Albrecht presented the bill with the assistance of Teresa Wilhemsen, State Engineer, Division of Water Rights.

Wade Garrett, Vice President, Utah Farm Bureau, spoke in favor of the bill.

Ashton Hyde, Utah Association of Justice, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 33 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. Kennedy moved to place 1st Substitute H.B. 33 on the Consent Calendar. 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

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

Rep. Gwynn presented the bill.

Tiffany Parker, Detective, Unified Police Force, spoke in favor of the bill.

Greg Duerden, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass H.B. 108 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. 62 Driving Under the Influence Modifications (*Wilcox, R.*)

Rep. Wilcox presented the bill.

Steve Burton, Association of Criminal Defense Lawyers, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 62 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

9. 1st Sub. H.B. 225 Firearm Possession Amendments (*Wilcox, R.*)

Rep. Wilcox presented the bill.

Tom Ross, Executive Director, Commission of Criminal and Juvenile Justice, spoke in favor of the bill.

Greg Duerden, citizen, spoke to the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 225 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

10. 2nd Sub. H.B. 103 Weapon Possession While Under the Influence Amendments (*Kyle, J*)

Rep. Kyle presented the bill.

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

MOTION: Sen. Kennedy moved to pass 2nd Substitute H.B. 103 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

11. 1st Sub. H.B. 143 Parental Kidnapping Amendments (*Hawkins, J.*)

Rep. Hawkins presented the bill.

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

Tom Ross, Executive Director, Commission of Criminal and Juvenile Justice, spoke in favor of the bill.

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

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 143 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

12. 1st Sub. H.B. 129 Prohibited Correctional Facility Items (*Burton, J.*)

Rep. Burton presented the bill.

Tyler Johnson, Law Enforcement Bureau Chief, Department of Corrections, spoke in favor of the bill.

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

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

Steve Burton, Association of Criminal Defense Lawyers, spoke to the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 129 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

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

Rep. Burton presented the bill.

MOTION: Sen. Kennedy moved to pass H.B. 236 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

14. S.B. 163 Child Welfare Modifications (*Harper, W.*)

Sen. Harper presented the bill.

Martha Pierce, Office of Guardian ad Litem, spoke in opposition to the bill.

[Utah Office of Guardian ad Litem & CASA](#)

Alexandra Mareschal, Division Head, Child Welfare Appellate Division, Indigent Appellate Defense Division, (IHAD), spoke in favor of the bill.

Tanya Myrup, Director, Division of Child and Family Services, spoke in favor of the bill.

The committee sauntered while waiting for a quorum.

MOTION: Sen. Escamilla moved to pass S.B. 163 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

15. S.B. 169 Enticement of a Minor Amendments (*Winterton, R.*)

Sen. Winterton presented the bill with the assistance of Grant Charles, City Attorney, Roosevelt City, Deputy County Attorney, Duchesne County.

MOTION: Sen. Kennedy moved to pass S.B. 169 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

Sen. Escamilla assumed the chair.

16. 2nd Sub. H.B. 50 Criminal Financial Obligation Amendments (*Lisonbee, K.*)

Sen. Weiler presented the bill with the assistance of Daniel Strong, Director, Sentencing Commission.

MOTION: Chair Weiler moved to pass 2nd Substitute H.B. 50 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

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

Sen. Weiler presented the bill.

MOTION: Chair Weiler moved to pass H.B. 120 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

Sen. Weiler resumed the chair.

MOTION: Sen. Escamilla moved to adjourn. 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

Chair Weiler adjourned the meeting at 6:01 p.m.

NOTE: 01st Substitute H.B. 0216 was not discussed in the meeting.