



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Tuesday, February 7, 2023 | 2:20 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).

Vice Chair Gwynn called the meeting to order at 2:20 p.m.

**MOTION:** Rep. Ballard moved to approve the minutes of February 2, 2023. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

Rep. M. Ballard  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. K. Lisonbee  
Rep. V. Peterson

Nays - 0

Absent - 5

Rep. T. Lee  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

**1. H.B. 19 Rape Crisis Center Modifications (Romero, A.)**

Rep. Angela Romero introduced the bill with the assistance of Liliana Olvera-Arbon, Coalition Against Sexual Assault. A handout was provided.

[Rape Crisis Centers in Utah](#)

Kendra Wyckoff, Peace House, spoke for the bill.

Pastor Nolan Ruby, Wasatch Front Baptist Church, spoke against the bill.

Gary Scheller, Director, Office for Victims of Crime, spoke for the bill.

Jennifer Campbell, Utah Domestic Violence Coalition, spoke for the bill.

Tom Ross, Executive Director, Commission on Criminal and Juvenile Justice, spoke for the bill.

Debbie Mayo, New Horizons Crisis Center, spoke for the bill.

**MOTION:** Rep. Ballard moved to pass H.B. 19 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. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. A. Stoddard

Rep. Wilcox assumed the chair.

**2. 2nd Sub. S.B. 117 Domestic Violence Amendments (*Weiler, T.*)**

Sen. Todd Weiler presented the bill with the assistance of Kent and Shauna Mayne, parents of Mandy Mayne, domestic homicide victim.

Jennifer Campbell spoke for the bill.

Tom Ross spoke for the bill.

Kendra Wyckoff spoke for the bill.

Ned Searle, Director, Office of Domestic and Sexual Violence, Commission on Criminal and Juvenile Justice, spoke for the bill.

**MOTION:** Rep. Gwynn moved to replace 2nd Substitute S.B. 117 with 3rd Substitute S.B. 117. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

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

Nays - 0

Absent - 4

Rep. J. Burton  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**MOTION:** Rep. Gwynn moved to pass 3rd Substitute S.B. 117 out favorably.

The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

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

Nays - 0

Absent - 4

Rep. J. Burton  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**3. H.B. 249 Education Related Information Amendments (*Peterson, K.*)**

Rep. Karen Peterson presented the bill with the assistance of James Moss, Chair, State Board of Education.

Monica Wilbur, citizen, spoke against the bill.

**MOTION:** Rep. Hollins moved to replace H.B. 249 with 2nd Substitute H.B. 249. The motion passed with a vote of 8 - 1 - 4.

Yeas - 8

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 1

Rep. T. Lee

Absent - 4

Rep. J. Burton  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**MOTION:** Rep. Ballard moved to pass 2nd Substitute H.B. 249 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. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz

Rep. Gwynn resumed the chair.

**4. H.B. 330 Civil Commitment Amendments (Wilcox, R.)**

Rep. Wilcox presented the bill with the assistance of Darcy Goddard, attorney.

Sam Knight, Utah Association of Criminal Defense Attorneys, spoke to the bill.

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

**MOTION:** Rep. Lee moved to replace H.B. 330 with 1st Substitute H.B. 330. 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. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz

**MOTION:** Rep. Hollins moved to pass 1st Substitute H.B. 330 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. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz

**5. H.B. 362 Criminal Justice Data Management Task Force Sunset Extension (*Wilcox, R.*)**

Rep. Wilcox presented the bill to the committee.

**MOTION:** Rep. Hall moved to pass H.B. 362 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. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz

**6. H.B. 332 Fallen Officer Memorial Scholarship Program (*Clancy, T.*)**

Rep. Wilcox assumed the chair.

Rep. Tyler Clancy presented the bill with the assistance of Emma Skinner, daughter of North Salt Lake Officer Charles Benjamin Skinner, who was killed in the line of duty.

Heather Anderson, representing the Unified Police Department and the Association of Special Districts, spoke for the bill.

Nate Mutter, Co-chair, Law Enforcement Legislative Committee, spoke for the bill.

**MOTION:** Rep. Gwynn moved to pass H.B. 332 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. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz

**7. H.B. 352 Law Enforcement Data Amendments (*Lisonbee, K.*)**

Rep. Lisonbee presented the bill with the assistance of Daniel Strong, Director, Sentencing Commission.

Rep. Gwynn resumed the chair.

**MOTION:** Rep. Whyte moved to amend H.B. 352 with Amendment #1. The motion passed with a vote of 7 - 0 - 6.

**Amendment 1  
H.B. 352**

1. Page 13, Lines 379 through 384:

- 379 (a) the evaluation period described in Subsection (4)(a)(ii) is three years; and  
380 (b) a recidivism-triggering event under Subsection (4)(a)(iii) shall include:  
381 (i) an arrest;  
382 (ii) an admission to prison;  
383 (iii) a criminal charge; ~~{ and }~~ or  
384 (iv) a criminal conviction.

Yeas - 7

Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. M. Ballard  
Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. A. Stoddard  
Rep. R. Wilcox

**MOTION:** Rep. Hall moved to pass H.B. 352 out favorably as amended. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

Rep. M. Gwynn  
Rep. K. Hall  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. K. Lisonbee  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. M. Ballard  
Rep. J. Burton  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. A. Stoddard

Rep. Wilcox assumed the chair.

**8. H.B. 339 Crime Penalty Amendments (*Clancy, T.*)**

Rep. Clancy presented the bill with the assistance of Moroni Benally, Navajo Nation.

Adam Craig, Utah Association of Criminal Defense Attorneys, spoke for the bill.

**MOTION:** Rep. Whyte moved to amend H.B. 339 with Amendment #1. The motion passed with a vote of 9 - 0 - 4.

Amendment 1  
H.B. 339

1. Page 2, Lines 34 through 40:

34 (2) An individual is guilty of public lands vandalism if the individual creates, or assists  
35 in creating, graffiti on any public lands or state-owned object permanently located on public  
36 lands.

37 (3) An individual convicted under Subsection (2) is guilty of :

(a) a class ~~{ }B{ }~~~~{ -A }~~

38 misdemeanor ; or

(b) if previously convicted of violating this section, a class A misdemeanor .

39 (4) If an individual is convicted of public lands vandalism, the court shall sentence the  
40 individual to a term of community service as follows:

Yeas - 9

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

Nays - 0

Absent - 4

Rep. J. Burton  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to pass H.B. 339 out favorably as amended. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

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

Nays - 0

Absent - 4

Rep. J. Burton  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**9. H.B. 313 Suspect Metal Amendments (Jack, C.)**

Rep. Colin Jack presented the bill with the assistance of Rep. Tim Jimenez.

Mark Lewon, Utah Metal Works, spoke for the bill.

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

Will Carlson spoke for the bill.

Mike Smith, Utah County Sheriff and representing Utah Sheriffs' Association and Law Enforcement Legislative Committee, spoke for the bill.

Taz Biesinger, Utah Home Builders, spoke for the bill.

Thom Carter, Rocky Mountain Power, spoke for the bill.

Nathaniel Johnson, Utah Rural Electric Cooperative Association, spoke for the bill.

Mark Moffitt, criminal defense lawyer, spoke against the bill.

**MOTION:** Rep. Gwynn moved to pass H.B. 313 out favorably. The motion passed with a vote of 6 - 2 - 5.

Yeas - 6

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. T. Lee  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 2

Rep. S. Hayes  
Rep. S. Hollins

Absent - 5

Rep. J. Burton  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz

**10. H.B. 199 Voluntary Firearm Safekeeping Amendments (Cutler, P.)**

H.B. 199 was not heard at the request of the sponsor.

**11. H.B. 164 Law Enforcement Training Amendments (Cutler, P.)**

Rep. Paul Cutler presented the bill with the assistance of Chief Jack Carruth, South Salt Lake Police Department.

Rep. Gwynn resumed the chair.

Mike Smith, representing the Utah Sheriffs' Association, spoke against the bill.

Colonel Michael Rapich, Department of Public Safety, answered questions from the committee.

**MOTION:** Rep. Stoddard moved to replace H.B. 164 with 1st Substitute H.B. 164. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. A. Stoddard  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. J. Burton  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Stoddard moved to pass 1st Substitute H.B. 164 out favorably.

The motion passed with a vote of 4 - 3 - 6.

Yeas - 4

Rep. M. Ballard  
Rep. S. Hayes  
Rep. A. Stoddard  
Rep. S. Whyte

Nays - 3

Rep. M. Gwynn  
Rep. S. Hollins  
Rep. T. Lee

Absent - 6

Rep. J. Burton  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. R. Wilcox

**12. S.B. 101 Peace Officer Training Modifications (Kwan, K.)**

Sen. Karen Kwan presented the bill with the assistance of Alex Garcia, Deputy Director, Police Officer Standards and Training.

Nate Mutter spoke in support of the bill.

**MOTION:** Rep. Stoddard moved to pass S.B. 101 out favorably. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. A. Stoddard  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. J. Burton  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. R. Wilcox

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

Yeas - 7

Rep. M. Ballard  
Rep. M. Gwynn  
Rep. S. Hayes  
Rep. S. Hollins  
Rep. T. Lee  
Rep. A. Stoddard  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. J. Burton  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson  
Rep. M. Schultz  
Rep. R. Wilcox

Chair Gwynn adjourned the meeting at 5:17 p.m.