



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

STANDING COMMITTEE

LEGISLATURE

Friday, February 10, 2023 | 8:00 a.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. Andrew Stoddard

Rep. Stephen L. Whyte

Members Absent:

Rep. Karianne Lisonbee
Rep. Val L. Peterson
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.

Chair Gwynn called the meeting to order at 8:17 a.m.

MOTION: Rep. Stoddard moved to approve the minutes of February 7, 2023. The motion passed with a vote of 6 - 0 - 7.

Yeas - 6

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

Nays - 0

Absent - 7

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

1. 1st Sub. S.B. 86 Drug Testing and Paraphernalia Amendments (*Plumb, J.*)

Sen. Jen Plumb presented the bill with the assistance of Heather Bush, HIV Prevention Manager, Department of Health and Human Services. Handouts were provided.

[Fentanyl test strip](#)

[Fentanyl test strip fact sheet](#)

Evan Done, Utah Support Advocates for Recovery Awareness and Utah Substance Use Advisory Council, spoke in support of the bill.

Rep. Steve Eliason spoke in support of the bill.

MOTION: Rep. Stoddard moved to pass 1st Substitute S.B. 86 out favorably. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

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

Nays - 0

Absent - 5

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

2. H.B. 247 Alcohol Control Amendments (*Ivory, K.*)

Rep. Ken Ivory presented the bill with the assistance of: Capt. Troy Denney, Bureau Commander, State Bureau of Investigation; Will Carlson, Chief Policy Advisor, Salt Lake County District's Attorney Office and representing the Statewide Association of Prosecutors; Jan McMillian, mother of Michael McMillian, who was killed by a drunk, wrong-way driver; and Glendon Mitchell, grandfather of 13-year-old Eli Mitchell, who was killed in a crosswalk by a drunk driver. A handout was provided.

[Eli Taylor Mitchell](#)

Mark Brown, Mothers Against Drunk Driving, spoke in support of the bill.

Brooke Miller, Utah Association for Justice, spoke in support of the bill.

Colonel Michael Rapich, Deputy Commissioner, Department of Public Safety, spoke in support of the bill.

Chief Brian Gwilliam, Lone Peak Police Department and representing the Chiefs of Police Association, spoke in support of the bill.

Rhonda Herridge, mother of Levi and wife of Todd, who were struck and killed by a drunk driver, spoke in support of the bill.

MOTION: Rep. Burton moved to replace H.B. 247 with 2nd Substitute H.B. 247. 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. T. Lee
Rep. S. Whyte

Nays - 0

Absent - 5

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

MOTION: Rep. Burton moved to pass 2nd Substitute H.B. 247 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. A. Stoddard
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. K. Lisonbee
Rep. V. Peterson
Rep. M. Schultz
Rep. R. Wilcox

3. 2nd Sub. S.B. 80 Driver License Suspension and Revocation Amendments (*Pitcher, S.*)

Sen. Stephanie Pitcher presented the bill.

MOTION: Rep. Ballard moved to pass 2nd Substitute S.B. 80 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. A. Stoddard
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. K. Lisonbee
Rep. V. Peterson
Rep. M. Schultz
Rep. R. Wilcox

4. 1st Sub. S.B. 70 Victim Amendments (*Pitcher, S.*)

Sen. Pitcher presented the bill.

MOTION: Rep. Ballard moved to pass 1st Substitute S.B. 70 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. A. Stoddard
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. K. Lisonbee
Rep. V. Peterson
Rep. M. Schultz
Rep. R. Wilcox

5. 1st Sub. S.B. 64 Bureau of Emergency Medical Services Amendments (*Owens, D.R.*)

Sen. Derrin Owens presented the bill.

Darin Bushman, Piute County Commissioner, spoke in support of the bill.

David Spatafore, representing the Utah Fire Chiefs Association, spoke in support of the bill.

MOTION: Rep. Burton moved to pass 1st Substitute S.B. 64 out favorably. 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. T. Lee
Rep. A. Stoddard
Rep. S. Whyte

Nays - 0

Absent - 5

Rep. S. Hollins
Rep. K. Lisonbee
Rep. V. Peterson
Rep. M. Schultz
Rep. R. Wilcox

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

Sen. Owens presented the bill with the assistance of Sheriff Tracy Glover, Kane County and representing the Utah Sheriffs' Association.

Brian Nielson, Executive Director, Department of Corrections, spoke in support of the bill.

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

MOTION: Rep. Ballard moved to pass S.B. 114 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas - 10

Rep. M. Ballard
Rep. J. Burton
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 - 3

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

7. H.B. 369 DUI Amendments (Eliason, S.)

Rep. Steve Eliason presented the bill with the assistance of Will Carlson.

MOTION: Rep. Burton moved to replace H.B. 369 with 1st Substitute H.B. 369. 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

MOTION: Rep. Burton moved to pass 1st Substitute H.B. 369 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

MOTION:

Rep. Burton moved to place 1st Substitute H.B. 369 on the Consent Calendar. 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

8. 3rd Sub. S.B. 49 Juvenile Custodial Interrogation Amendments (*Riebe, K.*)

Sen. Kathleen Riebe presented the bill with the assistance of Will Carlson.

Pamela Vickery, representing the Utah Juvenile Defender Attorneys and the Utah Sentencing Commission, spoke in support of the bill.

Kayley Richards, Juvenile Justice Specialist, Commission on Criminal and Juvenile Justice, spoke in support of the bill.

Carrie Bryant, teacher, spoke to the bill.

MOTION:

Rep. Hollins moved to pass 3rd Substitute S.B. 49 out favorably. 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. T. Lee
Rep. R. Wilcox

Nays - 0

Absent - 5

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

MOTION:

Rep. Ballard moved to adjourn. 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

Chair Gwynn adjourned the meeting at 9:50 a.m.