



# MINUTES

## HOUSE JUDICIARY STANDING COMMITTEE

LEGISLATURE

Friday, February 10, 2023 | 2:00 p.m. | 110 Senate Building

**Members Present:**

Rep. Jon Hawkins, Chair  
Rep. Nelson T. Abbott, Vice Chair  
Rep. Cheryl K. Acton  
Rep. Kera Birkeland  
Rep. Tyler Clancy  
Rep. James F. Cobb  
Rep. Brian S. King

Rep. Karianne Lisonbee  
Rep. Judy Weeks Rohner  
Rep. Rex P. Shipp  
Rep. Christine F. Watkins  
Rep. Mark A. Wheatley

**Staff Present:**

Jonathan Adams, Policy Analyst  
Shay Berger, 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 Hawkins called the meeting to order.

**MOTION:** Rep. Acton moved to approve the minutes. The motion passed with a vote of 6 - 0 - 6.

Yeas - 6

Rep. C. Acton  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 6

Rep. N. Abbott  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**1. S.B. 67 Juvenile Commitment Amendments (*Pitcher, S.*)**

Sen. Stephanie Pitcher introduced the bill.

Pamela Vickrey, Executive Director of Utah Juvenile Defender Attorneys, spoke in favor of the bill.

Kayley Richards, Juvenile Justice Specialist from Utah Board of Juvenile Justice, spoke in favor of the bill.

**MOTION:** Rep. Wheatley moved to replace S.B. 67 with 1st Substitute S.B. 67. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

Rep. C. Acton  
Rep. K. Birkeland  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. N. Abbott  
Rep. T. Clancy  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**MOTION:** Rep. Wheatley moved to pass 1st Substitute S.B. 67 out favorably. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 5  
Rep. N. Abbott  
Rep. T. Clancy  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**2. 1st Sub. S.B. 98 Legal Costs Recovery Amendments (*Pitcher, S.*)**

Sen. Stephanie Pitcher introduced the bill.

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

**MOTION:** Rep. Clancy moved to pass 1st Substitute S.B. 98 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4  
Rep. N. Abbott  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**3. H.B. 375 Traffic Violation Exemptions (*Gricius, S.*)**

Rep. Stephanie Gricius introduced the bill.

Rep. Abbott assumed the chair.

**MOTION:** Rep. Clancy moved to pass H.B. 375 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8  
Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4  
Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**4. H.B. 388 Statutes of Limitation Amendments (*Loubet, A.*)**

Rep. Anthony Loubet introduced the bill.

**MOTION:** Rep. Birkeland moved to pass H.B. 388 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**MOTION:** Rep. Birkeland moved to place H.B. 388 on the Consent Calendar. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**5. H.B. 390 Child Custody Amendments (*Birkeland, K.*)**

Rep. Birkeland introduced the bill.

**MOTION:** Rep. Clancy moved to pass H.B. 390 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**6. 2nd Sub. S.B. 56 Child Welfare Amendments (*Harper, W.*)**

Sen. Wayne Harper introduced the bill.

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

Rep. Hawkins assumed the chair.

Martín Muñoz, Kids Count Director at Voices for Utah Children, spoke in favor of this bill.

Adam Trupp, Assistant Director of Utah Indigent Defense Commission, spoke in favor of the bill.

**MOTION:** Rep. Acton moved to replace 2nd Substitute S.B. 56 with 3rd Substitute S.B. 56. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. N. Abbott  
Rep. B. King  
Rep. K. Lisonbee  
Rep. C. Watkins

**MOTION:** Rep. Acton moved to pass 3rd Substitute S.B. 56 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. B. King  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 0

Absent - 2

Rep. N. Abbott  
Rep. K. Lisonbee

**MOTION:** Chair Hawkins moved to recess.

**7. H.B. 380 Competency to Stand Trial Amendments (*Watkins, C.*)**

Rep. Watkins introduced the bill.

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

Sam Knight, Defense Attorneys for Balanced Criminal Justice, spoke against the bill.

Ben Aldana, Utah County public defender, spoke against the bill.

Scott Allen, citizen, spoke to the bill.

**MOTION:** Rep. Abbott moved to hold H.B. 380.

**MOTION:** Chair Hawkins moved to replace H.B. 380 with 1st Substitute H.B. 380. The motion passed with a vote of 11 - 1 - 0.

Yeas - 11

Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 1

Rep. N. Abbott

Absent - 0

**MOTION:** Rep. Birkeland moved to pass 1st Substitute H.B. 380 out favorably.

**SUBSTITUTE MOTION:** Rep. Acton moved to hold 1st Substitute H.B. 380. The substitute motion passed with a vote of 10 - 2 - 0.

Yeas - 10

Rep. N. Abbott  
Rep. C. Acton  
Rep. K. Birkeland  
Rep. J. Cobb  
Rep. B. King  
Rep. K. Lisonbee  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 2

Rep. T. Clancy  
Rep. J. Hawkins

Absent - 0

**MOTION:** Rep. Cobb moved to adjourn. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Rep. N. Abbott  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. B. King  
Rep. K. Lisonbee  
Rep. J. Rohner  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 0

Absent - 1

Rep. C. Acton

NOTE: H.B. 0385 was not discussed in the meeting.