



# MINUTES

## SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Tuesday, February 21, 2023 | 4:00 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](http://www.le.utah.gov).

Chair Weiler called the meeting to order at 4:09 p.m.

**1. 1st Sub. H.B. 352 Law Enforcement Data Amendments (*Lisonbee, K.*)**

Rep. Lisonbee presented the bill.

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

**MOTION:** Sen. Kennedy moved to pass 1st Substitute H.B. 352 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

**2. H.B. 368 Inmate Identification Amendments (*Lisonbee, K.*)**

Rep. Lisonbee presented the bill.

**MOTION:** Sen. Kennedy moved to pass H.B. 368 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

**3. 1st Sub. H.B. 369 DUI Amendments (*Eliason, S.*)**

Rep. Eliason presented the bill with the assistance of Will Carlson, Chief Policy Advisor, Salt Lake County District Attorney's Office.

**MOTION:** Sen. Kennedy moved to pass 1st Substitute H.B. 369 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 place 1st Substitute H.B. 369 on the Consent Calendar. 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

#### **4. S.B. 246 Accident Report Access Amendments (*McKell, M.*)**

Sen. McKell presented the bill with the assistance of Brook Millard, Utah Association for Justice.

**MOTION:** Sen. Kennedy moved to pass S.B. 246 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

#### **5. S.B. 247 Medical Malpractice Amendments (*McKell, M.*)**

Sen. McKell presented the bill.

##### [Alcohol Control Amendments](#)

Steve Sullivan, Utah Association for Justice, spoke in favor of the bill.

Brooke Heath, citizen, spoke in favor of the bill.

**MOTION:** Sen. Kennedy moved to pass S.B. 247 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

#### **6. S.B. 253 Uniform Law Commission Reimbursement Amendments (*McKell, M.*)**

Sen. McKell presented the bill.

**MOTION:** Sen. Kennedy moved to pass S.B. 253 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

**7. 1st Sub. H.B. 330 Civil Commitment Amendments (*Wilcox, R.*)**

Rep. Wilcox presented the bill.

**MOTION:** Sen. Kennedy moved to pass 1st Substitute H.B. 330 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

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

Rep. Wilcox presented the bill.

**MOTION:** Sen. Kennedy moved to pass H.B. 362 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 place H.B. 362 on the Consent Calendar. 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 reconsider the committee's actions on 1st Substitute H.B. 330. 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

**9. 1st Sub. H.B. 330 Civil Commitment Amendments (*Wilcox, R.*)**

**MOTION:** Sen. Kennedy moved to place 1st Substitute H.B. 330 on the Consent Calendar. 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. H.B. 383 Indigent Defense Amendments (*Wilcox, R.*)**

Rep. Wilcox presented the bill.

**MOTION:** Sen. Kennedy moved to pass H.B. 383 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

**11. 2nd Sub. H.B. 370 Utility Infrastructure Amendments (*Albrecht, C.*)**

**MOTION:** Sen. Cullimore moved to replace 2nd Substitute H.B. 370 with 3rd Substitute H.B. 370. 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

[Attacks on the US Power Grid Are Surging](#)

Rep. Albrecht presented the bill.

Nathaniel Johnson, Executive Director, Utah Rural Electric Cooperative Association, spoke in favor of the bill.

Mark Moffat, Criminal Defense Attorney, Criminal Defense Lawyers Association, spoke in opposition to the bill.

Daniel Strong, Director, Sentencing Commission, spoke to the bill.

Steve Burton, Utah Defense Attorneys Association, spoke in opposition to the bill.

Thom Carter, Rocky Mountain Power, spoke in favor of the bill.

Michael Gill, Director of Engineering, Dominion Energy, spoke in favor of the bill.

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

**MOTION:** Sen. Kennedy moved to pass 3rd Substitute H.B. 370 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

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

Rep. Romero presented the bill.

Gary Scheller, Director, Office for Victims of Crime, representing Crime Victims Council, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass H.B. 19 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. 3rd Sub. H.B. 199 Voluntary Firearm Safekeeping Amendments (Cutler, P.)**

#### [Domestic Violence Safety & Firearms Safekeeping](#)

Rep. Cutler presented the bill.

**MOTION:** Sen. Kennedy moved to pass 3rd Substitute H.B. 199 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. 2nd Sub. H.B. 247 Alcohol Control Amendments (Ivory, K.)**

Rep. Ivory presented the bill with the assistance of Glendon Mitchell, citizen, Will Carlson, Chief Policy Advisor, Salt Lake County District Attorney's Office, and Troy Denney, Bureau Commander, State Bureau of Investigation.

Randolph Taylor, citizen, spoke in favor of the bill.

Brook Millard, Utah Association for Justice, spoke in favor of the bill.

Jan McMillian, citizen, spoke in favor of the bill.

**MOTION:** Sen. Kennedy moved to pass 2nd Substitute H.B. 247 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. Kennedy assumed the chair.

### **15. S.B. 254 Drug-induced Homicide Amendments (Weiler, T.)**

Sen. Weiler presented the bill.

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

Mark Moffat, criminal defense lawyer, spoke in opposition to the bill.

William Haynes, Attorney General's Office, Statewide Association of Prosecutors, spoke in favor of the bill.

Evan Done, Community Impact Director, Utah Support Advocates for Recovery Awareness (USARA), spoke in opposition to bill.

Elizabeth Klc, Director, Utah Substance Abuse and Mental Health Advisory Council, spoke in opposition to the bill.

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

Adam Crayk, Utah Association of Criminal Defense Lawyers, spoke in opposition to the bill.

Robert Van Dyke, Kane County Attorney, spoke in favor of the bill.

Mindy Vincent, founder/Executive Director, Utah Harm Reduction Coalition, spoke in opposition to the bill.

**MOTION:** Acting Chair Kennedy moved to pass S.B. 254 out favorably. The motion passed with a vote of 2 - 1 - 3.

Yeas - 2

Sen. M. Kennedy  
Sen. T. Weiler

Nays - 1

Sen. L. Escamilla

Absent - 3

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

Sen. Weiler resumed the chair.

**16. 1st Sub. H.B. 339 Crime Penalty Amendments (Clancy, T.)**

Rep. Clancy presented the bill.

Sam Nye, Defense Attorneys Association, spoke in favor of the bill.

**MOTION:** Sen. Kennedy moved to replace 1st Substitute H.B. 339 with 2nd Substitute H.B. 339. 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 2nd Substitute H.B. 339 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. Kennedy moved to approve the minutes of the February 16, 2023, meeting. 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 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 5:52 p.m.

NOTE: S.B. 0250 was not discussed in the meeting.