



MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Wednesday, February 22, 2023 | 4:00 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 Cobb
Rep. Brian S. King
Rep. Judy Weeks Rohner

Rep. Rex P. Shipp
Rep. Christine F. Watkins
Rep. Mark A. Wheatley

Members Absent:

Rep. Karianne Lisonbee

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.

Chair Hawkins called the meeting to order.

MOTION: Rep. Shipp moved to approve the minutes. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

1. H.B. 350 Adoption Modifications (*Gricius, S.*)

Rep. Stephanie Gricius introduced the bill.

Lance Rich, citizen, spoke to the bill.

MOTION: Rep. Shipp moved to replace H.B. 350 with 1st Substitute H.B. 350. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. Shipp moved to pass 1st Substitute H.B. 350 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. Clancy moved to place 1st Substitute H.B. 350 on the Consent Calendar. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

2. 1st Sub. H.B. 64 Waiver of Punitive Damages Amendments (*King, Brian S.*)

Rep. King introduced the bill.

Mike Sonntag, Property and Casualty Insurance Association, spoke to the bill.

Justin Stewart, Utah Civil Justice League, spoke against the bill.

MOTION: Rep. Abbott moved to pass 1st Substitute H.B. 64 out favorably. The motion failed with a vote of 5 - 6 - 1.

Yeas - 5
Rep. N. Abbott
Rep. C. Acton
Rep. B. King
Rep. C. Watkins
Rep. M. Wheatley

Nays - 6
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. J. Rohner
Rep. R. Shipp

Absent - 1
Rep. K. Lisonbee

3. H.B. 463 High School Sports Amendments (*Birkeland, K.*)

Rep. Birkeland introduced the bill.

David Spatafore, Utah High School Activities Association, spoke in favor of the bill.

Dustin Jansen, Mapleton citizen and parent, spoke to the bill.

Cam Eshler, Salt Lake City resident, spoke against the bill.

Maryann Christiansen, Utah Eagle Forum, spoke in favor of the bill.

Lyla Mahmoud, American Civil Liberties Union Utah, spoke against the bill.

Kevin Burt, Department of Workforce Services, spoke in favor of the bill.

MOTION: Rep. Shipp moved to replace H.B. 463 with 1st Substitute H.B. 463. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

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

Nays - 0

Absent - 3

Rep. T. Clancy
Rep. J. Cobb
Rep. K. Lisonbee

MOTION: Rep. Shipp moved to pass 1st Substitute H.B. 463 out favorably.

SUBSTITUTE MOTION: Rep. Birkeland moved to amend 1st Substitute H.B. 463 with Amendment #1. The substitute motion passed with a vote of 9 - 0 - 3.

Amendment 1
1st Sub. H.B. 463

1. Page 2, Lines 36 through 39:

36 (c) does not require a student to provide the athlete's date of birth and sex as a
37 condition of the registration process for an athletic team, event, or category. { [does not collect and](#)
38 [review each athlete's birth certificate to determine eligibility as a condition of the association's](#)
39 [registration process for an athletic team, event, or category.](#) }

Yeas - 9

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

Nays - 0

Absent - 3

Rep. T. Clancy
Rep. J. Cobb
Rep. K. Lisonbee

MOTION: Rep. Shipp moved to pass 1st Substitute H.B. 463 out favorably. The motion passed with a vote of 7 - 2 - 3.

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Nays - 2

Rep. B. King
Rep. M. Wheatley

Absent - 3

Rep. T. Clancy
Rep. J. Cobb
Rep. K. Lisonbee

4. H.B. 473 Civil Commitment Examiner Requirements (Abbott, N.)

Rep. Abbott introduced the bill with Leslie Miles, Psychiatric-Mental Health Nurse Practitioner.

MOTION: Rep. Acton moved to replace H.B. 473 with 1st Substitute H.B. 473. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. N. Abbott
Rep. C. Acton
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. K. Birkeland
Rep. K. Lisonbee

MOTION: Rep. Acton moved to pass 1st Substitute H.B. 473 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. N. Abbott
Rep. C. Acton
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. K. Birkeland
Rep. K. Lisonbee

5. 1st Sub. H.B. 40 Indian Child Welfare Amendments (Watkins, C.)

Rep. Watkins introduced the bill with Sen. David Hinkins.

Danae Shanidiin, Member of the Diné Tribe and Salt Lake City resident, spoke in favor of the bill.

Taylor Throne, Salt Lake City resident, Voices for Utah Children, spoke in favor of the bill.

Cam Eshler, Salt Lake City resident, spoke in favor of the bill.

Afa 'Aikona, citizen, spoke in favor of the bill.

Ti Tavai, citizen, spoke in favor of the bill.

Sarah Balland, Salt Lake City resident, spoke in favor of the bill.

Jules Marino, Anakbayan Salt Lake City, spoke in favor of the bill.

Kat Nix, Salt Lake City resident, spoke in favor of the bill.

Dominique Talahaftewa, citizen, spoke in favor of the bill.

Nina Sampson, Herriman resident, spoke in favor of the bill.

Tan Hats 'O Lakepa Tavai, Salt Lake City resident, spoke in favor of the bill.

Jessica Wiarda, Salt Lake City resident, spoke in favor of the bill.

Cyan Larson, Salt Lake City resident, spoke in favor of the bill.

MOTION: Rep. Wheatley moved to replace 1st Substitute H.B. 40 with 4th Substitute H.B. 40. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. N. Abbott
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 - 3

Rep. C. Acton
Rep. K. Birkeland
Rep. K. Lisonbee

MOTION: Rep. Wheatley moved to pass 4th Substitute H.B. 40 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. N. Abbott
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 - 3

Rep. C. Acton
Rep. K. Birkeland
Rep. K. Lisonbee

6. H.B. 456 Restitution Revisions (*Eliason, S.*)

Rep. Steve Eliason introduced the bill with Will Carlson, Chief Policy Advisor for Salt Lake County District Attorney's Office, and Tripp Mims.

Mark Moffat, criminal defense attorney, spoke against the bill.

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

Steve Burton, Defense Attorney Association, spoke against the bill.

MOTION: Rep. Rohner moved to pass H.B. 456 out favorably. The motion passed with a vote of 6 - 4 - 2.

Yeas - 6

Rep. C. Acton
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. J. Rohner
Rep. C. Watkins

Nays - 4

Rep. N. Abbott
Rep. K. Birkeland
Rep. B. King
Rep. R. Shipp

Absent - 2

Rep. K. Lisonbee
Rep. M. Wheatley

MOTION: Rep. Shipp moved to adjourn. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. N. Abbott
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

Nays - 0

Absent - 2

Rep. K. Lisonbee
Rep. M. Wheatley