



# MINUTES

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

LEGISLATURE

Friday, February 24, 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  
Sen. Jerry W. Stevenson

**Members Absent:**

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).

Acting Chair Kennedy called the meeting to order at 4:14 p.m.

**MOTION:** Sen. Escamilla moved to approve the minutes of the February 23, 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

**1. S.B. 287 Online Pornography Viewing Age Requirements (Weiler, T.)**

Sen. Weiler presented the bill.

Whit Cook, Utah Eagle Forum, spoke in favor of the bill.

**MOTION:** Chair Weiler moved to pass S.B. 287 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

**2. 1st Sub. H.B. 385 Mentally Ill Offenders Amendments (Abbott, N.)**

Rep. Abbott presented the bill.

Mark Moffat, Criminal Defense Lawyer, Criminal Defense Lawyers Association, spoke in favor of the bill.

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

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in favor of the bill.

**MOTION:** Acting Chair Kennedy moved to replace 1st Substitute H.B. 385 with 3rd Substitute H.B. 385. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. J. Stevenson

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Thatcher  
Sen. T. Weiler

**MOTION:** Acting Chair Kennedy moved to amend 3rd Substitute H.B. 385 with Amendment #1. The motion passed with a vote of 3 - 0 - 3.

Amendment 1  
3rd Sub. H.B. 385

1. Page 24, Lines 723 through 726:

723 (iii) A health insurance company may not deny coverage for court-ordered treatment or  
724 supervision of a defendant with a mental condition {~~that~~} solely based on the fact that the treatment or  
supervision is ordered by a court if the treatment or supervision is medically necessary and would otherwise be a  
covered benefit  
725 under the defendant's insurance plan {~~based on the fact that the treatment or supervision is~~  
726 ordered by a court}.

Yeas - 3  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. J. Stevenson

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Thatcher  
Sen. T. Weiler

**MOTION:** Sen. Escamilla moved to pass 3rd Substitute H.B. 385 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. J. Stevenson

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Thatcher  
Sen. T. Weiler

### **3. 1st Sub. H.B. 304 Juvenile Justice Revisions (*Lisonbee, K.*)**

Rep. Lisonbee presented the bill with the assistance of Ben Horsley, Chief of Staff, Granite School District.

Jenna Nelson, Clearfield City Youth Commission Advisor, spoke in favor of the bill.

Ashlyn Peterson, member, Clearfield City Youth Commission, spoke in favor of the bill.

Dustin Fowler, Sergeant, Metro Gang Unit, Salt Lake County, spoke in favor of the bill.

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

Natalie Clark, citizen, spoke in opposition to the bill.

**MOTION:** Acting Chair Kennedy moved to replace 1st Substitute H.B. 304 with 2nd Substitute H.B. 304. The motion passed with a vote of 5 - 0 - 1.

Yeas - 5  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. J. Stevenson  
Sen. T. Weiler

Nays - 0

Absent - 1  
Sen. D. Thatcher

**MOTION:** Sen. Cullimore moved to pass 2nd Substitute H.B. 304 out favorably. The motion passed with a vote of 4 - 1 - 1.

Yeas - 4  
Sen. K. Cullimore  
Sen. M. Kennedy  
Sen. J. Stevenson  
Sen. T. Weiler

Nays - 1  
Sen. L. Escamilla

Absent - 1  
Sen. D. Thatcher

#### **4. 2nd Sub. H.B. 317 Pretrial Release Modifications (Hall, K.)**

Rep. Hall presented the bill.

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in favor of the bill.

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

Sharmane Gull, SML Strategic Consulting, spoke in favor of the bill.

Ben Aldana, Public Defender, Utah County, spoke to the bill.

**MOTION:** Acting Chair Kennedy moved to pass 2nd Substitute H.B. 317 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

#### **5. S.B. 250 Public Surveillance Amendments (McCay, D.)**

Sen. McCay presented the bill with the assistance of Lincoln Shurtz, owner, Lincoln-Hill Partners.

**MOTION:** Sen. Cullimore moved to replace S.B. 250 with 1st Substitute S.B. 250. 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

**MOTION:** Sen. Cullimore moved to pass 1st Substitute S.B. 250 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

#### **6. S.B. 274 Regulations for Legal Services (McKell, M.)**

Sen. McKell presented the bill with Steve Sullivan, Utah Association of Justice.

Michael Drechsel, Assistant State Court Administrator, Administrative Office of the Courts, spoke to the bill.

**MOTION:** Sen. Escamilla moved to replace S.B. 274 with 1st Substitute S.B. 274. 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

**MOTION:** Sen. Escamilla moved to pass 1st Substitute S.B. 274 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

## **7. 2nd Sub. H.B. 374 County Sheriff Amendments (*Teuscher, J.*)**

Rep. Teuscher presented the bill.

Rosie Rivera, Salt Lake County Sheriff, Chief Executive Officer, Unified Police Department, spoke in favor of the bill.

LeGrand Bitter, Executive Director, Utah Association of Special Districts, spoke in opposition to the bill.

Mike Smith, Utah County Sheriff, President, Utah Sheriffs Association, spoke in favor of the bill.

Marcus Stevenson, Midvale City Mayor, Unified Police Department Board Chair, spoke in opposition to the bill.

Teddy Hodges, member, Herriman City Council, spoke in favor of the bill.

Laurie Stringham, member, Salt Lake County Council, spoke in opposition to the bill.

Daniel Olsson, citizen, spoke in opposition to the bill.

Levy Woodruff, citizen, spoke in opposition to the bill.

Jim Bradley, member, Salt Lake County Council, Chairman, Salt Lake Valley Law Enforcement Service Area (SLVESA), spoke in opposition to the bill.

**MOTION:** Acting Chair Kennedy moved to pass 2nd Substitute H.B. 374 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

## **8. 1st Sub. H.B. 139 Sex and Kidnap Offender Registry Requirements (*Judkins, M.*)**

Rep. Judkins presented the bill.

**MOTION:** Sen. Escamilla moved to pass 1st Substitute H.B. 139 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

**9. 1st Sub. H.B. 404 Juvenile Interrogation Modifications (*Judkins, M.*)**

Rep. Judkins presented the bill.

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

Levy Woodruff, citizen, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass 1st Substitute H.B. 404 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

**10. 3rd Sub. H.B. 380 Competency to Stand Trial Amendments (*Watkins, C.*)**

Rep. Watkins presented the bill.

**MOTION:** Acting Chair Kennedy moved to pass 3rd Substitute H.B. 380 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

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

Rep. Loubet presented the bill with the assistance of Kurt London, Attorney, Utah Association of Justice.

**MOTION:** Sen. Cullimore moved to pass H.B. 388 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

**MOTION:** Sen. Cullimore moved to place H.B. 388 on the Consent Calendar. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3  
Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler



**MOTION:** Sen. Cullimore moved to adjourn. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy

Nays - 0

Absent - 3

Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

Acting Chair Kennedy adjourned the meeting at 5:54 p.m.

NOTE: 01st Substitute H.B. 0254 was not discussed in the meeting.