



# DRAFT MINUTES

## HOUSE JUDICIARY STANDING COMMITTEE

LEGISLATURE

Monday, February 27, 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. 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. Wheatley moved to approve the minutes. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

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

Nays - 0

Absent - 5

Rep. K. Birkeland  
Rep. T. Clancy  
Rep. K. Lisonbee  
Rep. J. Rohner  
Rep. C. Watkins

**1. 2nd Sub. S.B. 57 Sexual Abuse Material Amendments (Wilson, C.)**

Sen. Chris Wilson introduced the bill with Carl Hollan, Assistant Attorney General with the Utah Attorney General's Office.

**MOTION:** Rep. Shipp moved to pass 2nd Substitute S.B. 57 out favorably. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

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  
Rep. M. Wheatley

Nays - 0

Absent - 1

Rep. K. Lisonbee

**2. 1st Sub. S.B. 134 Sex and Kidnap Offender Registry Amendments (Weiler, T.)**

Sen. Todd Weiler introduced the bill.

Steve Burton, Defense Attorney Association, spoke in favor of the bill.

Rep. Abbott assumed the chair.

Adam Craig, Criminal Defense Lawyer Association, spoke in favor of the bill.

Rep. Hawkins assumed the chair.

Dan Strong, Utah Commission on Criminal and Juvenile Justice, spoke to the bill.

Mark Moffat, criminal defense lawyer, spoke in favor of the bill.

**MOTION:** Rep. Acton moved to pass 1st Substitute S.B. 134 out favorably. The motion passed with a vote of 7 - 3 - 2.

Yeas - 7

Rep. N. Abbott  
Rep. C. Acton  
Rep. J. Cobb  
Rep. B. King  
Rep. J. Rohner  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 3

Rep. K. Birkeland  
Rep. J. Hawkins  
Rep. R. Shipp

Absent - 2

Rep. T. Clancy  
Rep. K. Lisonbee

**3. S.B. 220 Juvenile Court Judge Amendments (Weiler, T.)**

Sen. Todd Weiler introduced the bill.

**MOTION:** Rep. Watkins moved to pass S.B. 220 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

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

**4. S.B. 229 Child Support Insurance Coverage Amendments (Weiler, T.)**

Sen. Todd Weiler introduced the bill.

**MOTION:** Rep. Birkeland moved to pass S.B. 229 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

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

**5. S.B. 238 Court Fee Amendments (Weiler, T.)**

Sen. Todd Weiler introduced the bill with Michael Drechsel, Utah Courts.

**MOTION:** Rep. Watkins moved to pass S.B. 238 out favorably. The motion passed with a vote of 6 - 3 - 3.

Yeas - 6

Rep. C. Acton  
Rep. J. Cobb  
Rep. B. King  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 3

Rep. N. Abbott  
Rep. T. Clancy  
Rep. J. Hawkins

Absent - 3

Rep. K. Birkeland  
Rep. K. Lisonbee  
Rep. J. Rohner

**6. S.B. 230 Kickback Prohibition Amendments (Cullimore, K. A.)**

Sen. Kirk Cullimore introduced the bill.

Mark Allen, citizen, spoke against the bill.

Rep. Birkeland assumed the chair.

**MOTION:** Rep. Watkins moved to pass S.B. 230 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. B. King  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. N. Abbott  
Rep. J. Hawkins  
Rep. K. Lisonbee  
Rep. J. Rohner

**7. 3rd Sub. S.B. 129 Judiciary Amendments (Cullimore, K. A.)**

Sen. Kirk Cullimore introduced the bill.

Rep. Hawkins assumed the chair.

Michael Drechsel, Assistant State Court Administrator for Utah State Courts, spoke against the bill.

Traci Gundersen, Utah State Bar Commissioner, spoke against the bill.

Nancy Sylvester, General Counsel for the Utah State Bar, spoke against the bill.

Elizabeth Wright, Executive Director for the Utah State Bar, spoke against the bill.

Will Carlson, Salt Lake County District Attorney's Office, spoke against the bill.

Tom Ross, Utah Commission on Criminal and Juvenile Justice, spoke against the bill.

Carol Funk, attorney, spoke against the bill.

**MOTION:** Rep. Birkeland moved to replace 3rd Substitute S.B. 129 with 4th Substitute S.B. 129. The motion passed with a vote of 7 - 2 - 3.

Yeas - 7

Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. R. Shipp  
Rep. C. Watkins

Nays - 2

Rep. B. King  
Rep. M. Wheatley

Absent - 3

Rep. N. Abbott  
Rep. K. Lisonbee  
Rep. J. Rohner

**MOTION:** Rep. Birkeland moved to pass 4th Substitute S.B. 129 out favorably. The motion passed with a vote of 6 - 4 - 2.

Yeas - 6

Rep. C. Acton  
Rep. K. Birkeland  
Rep. T. Clancy  
Rep. J. Cobb  
Rep. J. Hawkins  
Rep. K. Lisonbee

Nays - 4

Rep. B. King  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Absent - 2

Rep. N. Abbott  
Rep. J. Rohner

**SUBSTITUTE MOTION:** Rep. King moved to hold 4th Substitute S.B. 129. The substitute motion failed with a vote of 5 - 5 - 2.

Yeas - 5

Rep. C. Acton  
Rep. B. King  
Rep. R. Shipp  
Rep. C. Watkins  
Rep. M. Wheatley

Nays - 5

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

Absent - 2

Rep. N. Abbott  
Rep. J. Rohner

**8. S.B. 66 Criminal Citation Dismissals (*Pitcher, S.*)**

Sen. Stephanie Pitcher introduced the bill.

**MOTION:** Rep. Watkins moved to pass S.B. 66 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

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

Nays - 0

Absent - 3

Rep. N. Abbott  
Rep. K. Lisonbee  
Rep. J. Rohner

**9. 2nd Sub. S.B. 186 Juvenile Court Amendments (*Pitcher, S.*)**

Sen. Stephanie Pitcher introduced the bill with Pamela Vickrey, Utah Juvenile Defender Attorneys.

**MOTION:** Rep. Watkins moved to pass 2nd Substitute S.B. 186 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

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

Nays - 0

Absent - 4

Rep. N. Abbott  
Rep. T. Clancy  
Rep. K. Lisonbee  
Rep. J. Rohner

**MOTION:** Rep. Watkins moved to adjourn. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

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

Nays - 0

Absent - 4

Rep. N. Abbott  
Rep. T. Clancy  
Rep. K. Lisonbee  
Rep. J. Rohner