



UTAH STATE

LEGISLATURE

MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Wednesday, January 17, 2024 | 2:00 p.m. | 445 State Capitol

Members Present:

Rep. A. Cory Maloy, Chair
Rep. Stephen L. Whyte, Vice Chair
Rep. Carl R. Albrecht
Rep. Brady Brammer
Rep. Walt Brooks
Rep. Jefferson S. Burton
Rep. James A. Dunnigan
Rep. Jon Hawkins
Rep. Brian S. King

Rep. Ashlee Matthews
Rep. Calvin R. Musselman
Rep. Thomas W. Peterson
Speaker Mike Schultz
Rep. Jordan D. Teuscher
Rep. Norman K Thurston
Rep. Ryan D. Wilcox

Staff Present:

Rohnin Randles, Policy Analyst
An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Maloy called the meeting to order at 2:00 p.m.

MOTION: Rep. Matthews moved to approve the minutes of February 28, 2023. The motion passed with a vote of 12 - 0 - 4.

Yeas - 12

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Schultz
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. J. Teuscher

1. H.B. 44 Social Work Licensure Compact (Hollins, S.)

Rep. Sandra Hollins presented the bill.

Joel Johnson, National Association of Social Workers, spoke in support of the bill.

MOTION: Rep. Brammer moved to amend H.B. 44 with Amendment #2. The motion passed with a vote of 15 - 0 - 1.

Amendment 2
H.B. 44

1. Page 14, Lines 418 through 421:

418 A. Nothing in this Compact, nor any Rule of the Commission, shall be construed to
419 limit, restrict, or in any way reduce the ability of a Member State to enact and enforce laws,
420 regulations, or other rules related to the practice of Social Work in that State~~(, where those laws,~~
421 ~~regulations, or other rules are not inconsistent with the provisions of this Compact~~).

Yeas - 15

Nays - 0

Absent - 1

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Rep. M. Schultz

MOTION: Rep. Matthews moved to amend H.B. 44 with Amendment #1. The motion passed with a vote of 15 - 0 - 1.

Amendment 1
H.B. 44

1. Page 1, Lines 14 through 16:

- 14 This bill:
15 ▶ enacts the Social Work Licensure Compact; ~~{and}~~
16 ▶ provides rulemaking authority~~{-}~~; and
▶ makes technical changes.

2. Page 4, Line 119 through Page 5, Line 123:

- 119 (h) if the applicant is applying to participate in the ~~{Counseling Compact under Chapter~~
120 ~~60a, Counseling Compact, or the}~~ Social Work Licensure Compact under Chapter 60b, Social
121 Work Licensure Compact, consent to a criminal background check in accordance with Section
122 58-60-103.1 and any requirements established by division rule made in accordance with Title
123 63G, Chapter 3, Utah Administrative Rulemaking Act.

Yeas - 15

Nays - 0

Absent - 1

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Rep. M. Schultz

MOTION: Rep. Matthews moved to pass H.B. 44 out favorably.

SUBSTITUTE MOTION: Rep. Musselman moved to hold H.B. 44.

Rep. Musselman withdrew the substitute motion.

Rep. Matthews' motion passed with a vote of 15 - 0 - 1.

Yeas - 15

Nays - 0

Absent - 1

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Rep. M. Schultz

2. H.B. 40 Division of Consumer Protection Amendments (*Maloy, A. Cory*)

H.B. 40 was not heard at the request of the sponsor.

3. H.B. 257 Sex-based Designations for Privacy, Anti-bullying, and Women's Opportunities (*Birkeland, K.*)

Rep. Kira Birkeland presented the bill.

Dea Theodore, citizen, spoke in support of the bill.

Sue Robbins, Equality Utah, spoke in opposition to the bill.

En Canada, citizen, spoke in opposition to the bill.

Candace Duncan, Vice Chair, Utah Gay Straight Coalition, spoke in support of the bill.

[Utah Gay Straight Coalition letter](#)

Bianca Cline, citizen, spoke in opposition to the bill.

Robyn Barnhill, citizen, spoke in support of the bill.

Goud Maragani, Chair, Utah Gay Straight Coalition, spoke in support of the bill.

Colleen Kuhn, psychologist, spoke in opposition to the bill.

Gabriella Archuleta, YWCA Utah, spoke in opposition to the bill.

David Becker, citizen, spoke in support of the bill.

Kayla Aitken, citizen, spoke in opposition to the bill.

Gary Scheller, Director, Office for Victims of Crime, spoke to the bill.

Katherine Herrmann, citizen, spoke in support of the bill.

Natanael David Jones, citizen, spoke in opposition to the bill.

[Natanael David Jones letter](#)

Stewart Robinson, citizen, spoke in opposition to the bill.

Jennifer Campbell, Utah Domestic Violence Coalition, spoke to the bill.

Solstice Harris, citizen, spoke in opposition to the bill.

Greg Duerden, Independent American Party, spoke in support of the bill.

Liliana Olvera-Arbon, Utah Coalition Against Sexual Assault, spoke to the bill.

Alex Williams, citizen, spoke in opposition to the bill.

Martin Kurien, citizen, spoke in opposition to the bill.

Dana Cooper, Secretary, Worldwide Organization for Women, spoke in support of the bill.

Nikki Smith, citizen, spoke in opposition to the bill.

Jessica Black, therapist, spoke to the bill.

Corinne Johnson, Utah Parents United, spoke in support of the bill.

Jakey Sala Siolo, Executive Director, Nuanua Collective, spoke in opposition to the bill.

Rep. Brammer raised a point of order.

Daela Taeoali'li-Tipton, Nuanua Collective, spoke in opposition to the bill.

Elaine Augustine, Utah Republican Liberty Caucus, spoke in support of the bill.

Ermiya Fanaeian, Armed Queers of Salt Lake City, spoke in opposition to the bill.

Crystal Legionaires, citizen, spoke in opposition to the bill.

Abigail Cook, Utah Eagle Forum intern, spoke in support of the bill.

Faith Hain, citizen, spoke in opposition to the bill.

Darby McNutt, citizen, spoke in opposition to the bill.

Ellie Menlove, ACLU of Utah, spoke in opposition to the bill.

Nathan Brimhall, citizen, spoke in opposition to the bill.

William Heinig, citizen, spoke in opposition to the bill.

Chris Zephyr Mango, citizen, spoke in opposition to the bill.

Sid Aguilara, citizen, spoke in opposition to the bill.

Catherine Dillon, citizen, spoke in opposition to the bill.

MOTION: Rep. Thurston moved to amend H.B. 257 with Amendment #2. The motion failed with a vote of 1 - 14 - 1.

Amendment 2
H.B. 257

1. Page 2, Lines 32 through 37:
32 standards regarding distinctions on the basis of sex; and
33 ▸ { ~~establishes elements of the crime of emergency reporting abuse for making repeated~~
34 ~~false reports alleging a violation of a sex designation in a publicly owned or~~
35 ~~publicly funded restroom, shower, or locker room facility where the general public~~
36 ~~has an expectation of privacy; and~~ }
37 ▸ makes technical and conforming changes.

2. Page 2, Lines 48 through 49:
48 76-6-206, as last amended by Laws of Utah 2023, Chapter 111
49 { ~~76-9-202, as last amended by Laws of Utah 2022, Chapter 161~~ }

3. Page 27, Line 815 through Page 29, Line 874:
815 property owner or the owner's assignee.
816 { ~~Section 16. Section 76-9-202 is amended to read:~~
817 ~~—76-9-202. Emergency reporting—Interference—False report.~~
818 ~~—(1) As used in this section:~~
819 ~~—(a) "Emergency" means a situation in which property or human life is in jeopardy and~~
820 ~~the prompt summoning of aid is essential to the preservation of human life or property.~~
821 ~~—(b) "Party line" means a subscriber's line or telephone circuit:~~
822 ~~—(i) that consists of two or more connected main telephone stations; and~~
823 ~~—(ii) where each telephone station has a distinctive ring or telephone number.~~
824 ~~—(2) An actor is guilty of emergency reporting abuse if the actor:~~
825 ~~—(a) intentionally refuses to yield or surrender the use of a party line or a public pay~~
826 ~~telephone to another individual upon being informed that the telephone is needed to report a~~
827 ~~fire or summon police, medical, or other aid in case of emergency, unless the telephone is~~
828 ~~likewise being used for an emergency call;~~
829 ~~—(b) asks for or requests the use of a party line or a public pay telephone on the pretext~~
830 ~~that an emergency exists, knowing that no emergency exists;~~
831 ~~—(c) reports an emergency or causes an emergency to be reported to any public, private,~~
832 ~~or volunteer entity whose purpose is to respond to fire, police, or medical emergencies, when~~
833 ~~the actor knows the reported emergency does not exist; [or]~~
834 ~~—(d) makes a false report, or intentionally aids, abets, or causes a third party to make a~~
835 ~~false report, to an emergency response service, including a law enforcement dispatcher or a 911~~
836 ~~emergency response service, if the false report claims that:~~
837 ~~—(i) an ongoing emergency exists;~~
838 ~~—(ii) the emergency described in Subsection (2)(d)(i) currently involves, or involves an~~
839 ~~imminent threat of, serious bodily injury, serious physical injury, or death; and~~
840 ~~—(iii) the emergency described in Subsection (2)(d)(i) is occurring at a specified~~
841 ~~location[.]; or~~
842 ~~—(e) makes a false report after having previously made a false report, or intentionally~~
843 ~~aides, abets, or causes a third party to make a false report, to an emergency response service,~~
844 ~~including a law enforcement dispatcher or a 911 emergency response service, alleging a~~
845 ~~violation of Section 63G-31-201 regarding a sex-designated restroom facility or locker room~~
846 ~~facility.~~
847 ~~—(3) (a) A violation of Subsection (2)(a) or (b) is a class C misdemeanor.~~
848 ~~—(b) A violation of Subsection (2)(c) is a class B misdemeanor, except as provided~~
849 ~~under Subsection (3)(c).~~
850 ~~—(c) A violation of Subsection (2)(c) is a second degree felony if the report is regarding~~

851 a weapon of mass destruction, as defined in Section 76-10-401.
852 —(d) A violation of Subsection (2)(d):
853 —(i) except as provided in Subsection (3)(d)(ii), is a third degree felony; or
854 —(ii) is a second degree felony if:
855 —(A) while acting in response to the report, the emergency responder causes physical
856 injury to an individual at the location described in Subsection (2)(d)(iii); or
857 —(B) the actor makes the false report or aids, abets, or causes a third party to make the
858 false report with intent to ambush, attack, or otherwise harm a responding law enforcement
859 officer or emergency responder.
860 —(e) A violation of Subsection (2)(e) is a class B misdemeanor.
861 —(4) (a) In addition to any other penalty authorized by law, a court shall order an actor
862 convicted of a violation of this section to reimburse:
863 —(i) any federal, state, or local unit of government, or any private business, organization,
864 individual, or entity for all expenses and losses incurred in responding to the violation; and
865 —(ii) an individual described in Subsection (3)(d)(ii) for the costs for the treatment of the
866 physical injury and any psychological injury caused by the offense.
867 —(b) The court may order that the defendant pay less than the full amount of the costs
868 described in Subsection (4)(a) only if the court states on the record the reasons why the
869 reimbursement would be inappropriate. }
870 Section 17. Effective date.
871 If approved by two-thirds of all the members elected to each house, this bill takes effect
872 upon approval by the governor, or the day following the constitutional time limit of Utah
873 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
874 the date of veto override.

Yeas - 1
Rep. N. Thurston

Nays - 14
Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Schultz
Rep. J. Teuscher
Rep. S. Whyte
Rep. R. Wilcox

Absent - 1
Rep. T. Peterson

Mike Curtis, Office of Legislative Research and General Council, answered questions from the committee.

MOTION: Rep. Matthews moved to amend H.B. 257 by striking lines 275 through 278 and renumbering the remainder of the section. The motion failed with a vote of 2 - 13 - 1.

Yeas - 2
Rep. B. King
Rep. A. Matthews

Nays - 13
Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Absent - 1
Rep. J. Dunnigan

MOTION: Rep. Brammer moved to amend H.B. 257 with Amendment #1. The motion passed with a vote of 15 - 0 - 1.

Amendment 1
H.B. 257

1. Page 21, Lines 625 through 626:
625 (13) "Female" means the characteristic of an individual whose biological reproductive
626 system is of the general type that functions ~~{to}~~ in a way that could produce ova.

Yeas - 15
Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 1
Rep. J. Dunnigan

MOTION: Rep. Brammer moved to pass H.B. 257 out favorably as amended.

Mike Curtis answered additional questions from the committee.

Rep. Brammer's motion passed with a vote of 12 - 3 - 1.

Yeas - 12

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. J. Teuscher
Rep. S. Whyte
Rep. R. Wilcox

Nays - 3

Rep. B. King
Rep. A. Matthews
Rep. N. Thurston

Absent - 1

Rep. J. Dunnigan

MOTION: Rep. Musselman moved to adjourn. The motion passed with a vote of 15 - 0 - 1.

Yeas - 15

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 1

Rep. J. Dunnigan

Chair Maloy adjourned the meeting at 4:10 p.m.