Friday, February 2, 2024 | 3:40 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. Tyler Claricy Rep. Brian S. King

Rep. Karianne Lisonbee

Rep. Judy Weeks Rohner

Rep. Rex P. Shipp

Rep. Christine F. Watkins Rep. Mark A. Wheatley

Members Absent:

Rep. Anthony E. Loubet

Staff Present:

Jonathan Adams, Policy Analyst Tisha Gibby, 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 at 3:52 p.m.

MOTION: Rep. King moved to approve the January 30, 2024 minutes. The motion passed with a vote of 7 - 0

- 5.

Yeas - 7 Navs - 0 Absent - 5

Rep. C. Acton
Rep. J. Hawkins
Rep. B. King
Rep. B. King
Rep. T. Clancy

Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. J. Rohner
Rep. G. Watkins

Rep. R. Shipp

Rep. M. Wheatley

1. H.B. 362 Juvenile Justice Revisions (Lisonbee, K.)

Rep. Lisonbee presented the bill.

Brett Peterson, Director, Division of Juvenile Justice and Youth Services, spoke to the bill.

Susan Edwards, Canyon School District, spoke to the bill.

Dustin Fowler, Lieutenant, Metro Gang Unit, spoke in favor of the bill.

MOTION: Rep. Acton moved to replace H.B. 362 with 1st Substitute H.B. 362. The motion passed with a vote

of 8 - 0 - 4.

<u>Yeas - 8</u> <u>Nays - 0</u> <u>Absent - 4</u>

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

Rep. J. Hawkins

Rep. B. King

Rep. C. Watkins

Rep. K. Lisonbee

Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley



MOTION:

Rep. Birkeland moved to amend 1st Substitute H.B. 362 with Amendment #1. The motion passed

with a vote of 8 - 0 - 4.

Amendment 1 1st Sub. H.B. 362

1. Page 18, Lines 532 through 537:

532 (4) This section does not apply if the actor:

533 (a) possesses a dangerous weapon that is a firearm:

534 (b) has permission from the actor's parent or guardian to possess the dangerous

Navs - 0

535 weapon } firearm; and

(c) is accompanied by the actor's parent or guardian, or a responsible adult, while the 536

537 actor has the { dangerous weapon } firearm in the actor's possession.

Yeas - 8 Rep. C. Acton Rep. K. Birkeland Rep. J. Hawkins Rep. B. King Rep. K. Lisonbee Rep. J. Rohner Rep. R. Shipp Rep. M. Wheatley

MOTION:

Rep. Shipp moved to pass 1st Substitute H.B. 362 out favorably as amended. The motion passed

Absent - 4

Rep. N. Abbott

Rep. T. Clancy

Rep. A. Loubet

Rep. C. Watkins

with a vote of 8 - 0 - 4.

<u>Yeas - 8</u> Nays - 0 Absent - 4 Rep. C. Acton Rep. N. Abbott Rep. K. Birkeland Rep. T. Clancy Rep. J. Hawkins Rep. A. Loubet Rep. B. King Rep. C. Watkins Rep. K. Lisonbee

Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley

2. H.B. 366 Criminal Justice Amendments (Lisonbee, K.)

Rep. Lisonbee presented the bill.

MOTION: Rep. Shipp moved to replace H.B. 366 with 1st Substitute H.B. 366. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8 <u>Nays - 0</u> Absent - 4 Rep. C. Acton Rep. N. Abbott Rep. K. Birkeland Rep. T. Clancy Rep. J. Hawkins Rep. A. Loubet Rep. B. King Rep. C. Watkins

Rep. K. Lisonbee Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley

Rep. Shipp moved to amend 1st Substitute H.B. 366 with Amendment #1. The motion passed with MOTION:

a vote of 8 - 0 - 4.

Amendment 1 1st Sub. H.B. 366

Page 2 of 9



1. Page 3, Lines 79 through 82:

79 {(3) (a) Except as provided in Subsection (3)(b), the chair of a council is the county

commissioner or county council member described in Subsection (2)(a)(i). 80

(b) The county commissioner or county council member may designate a member of 81

82 the council, who is an elected official, to serve as the chair of the council.}

(3) (a) A member who is an elected county official shall serve as the chair of the council.

Nays - 0

(b) The council shall elect the member to serve as chair under Subsection (3)(a).

Yeas - 8 Rep. C. Acton Rep. K. Birkeland Rep. J. Hawkins Rep. B. King

Rep. K. Lisonbee

Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley

MOTION:

Rep. Shipp moved to pass 1st Substitute H.B. 366 out favorably as amended. The motion passed

with a vote of 8 - 0 - 4.

Yeas - 8 Rep. C. Acton Rep. K. Birkeland Rep. J. Hawkins Rep. B. King

Rep. K. Lisonbee Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley

Nays - 0 Absent - 4 Rep. N. Abbott

Rep. T. Clancy Rep. A. Loubet Rep. C. Watkins

Absent - 4

Rep. N. Abbott

Rep. T. Clancy

Rep. A. Loubet

Rep. C. Watkins

3. H.B. 352 Amendments to Expungement (Lisonbee, K.)

MOTION: Chair Hawkins moved to saunter. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8 Rep. C. Acton Rep. K. Birkeland Rep. J. Hawkins Rep. B. King

Rep. K. Lisonbee Rep. J. Rohner Rep. R. Shipp

Rep. M. Wheatley

Nays - 0 Absent - 4 Rep. N. Abbott Rep. T. Clancy Rep. A. Loubet

Rep. C. Watkins

Chair Hawkins called the meeting back to order.

4. H.B. 197 Requirements for Supported Decision-making Agreements (Judkins, M.)

Rep. Marsha Judkins presented the bill with the assistance of Robert Jones, advocate, and Nate Crippes, Disability Law Center of Utah.

Aubrey Snyder, Program Manager, Institute for Disability Research Policy and Practice, spoke in favor of the bill.

Jackie Warren, mother of an autistic son, spoke in favor of the bill.



Mary Urie, Policy Specialist, Utah Developmental Disabilities Council, spoke in favor of the bill.

Rep. Abbott assumed the chair.

Eric Stoker, citizen and advocate, spoke in favor of the bill.

Tamera Dalton, advocate, spoke in favor of the bill.

Rep. Hawkins resumed the chair.

Robert Jones, advocate, spoke in favor of the bill.

MOTION:

Chair Hawkins moved to pass H.B. 197 out favorably. The motion passed with a vote of 9 - 1 - 2.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 1
Rep. B. King
Rep. A. Loubet
Rep. C. Watkins

5. H.B. 334 Warning Label Amendments (Brammer, B.)

Rep. Brady Brammer presented the bill.

Darlene McDonald, advocate, spoke to the bill.

MOTION: Rep. Clancy moved to pass H.B. 334 out favorably. The motion passed with a vote of 9 - 1 - 2.

Yeas - 9 Rep. N. Abbott Rep. C. Acton Rep. K. Birkeland Rep. T. Clancy Rep. J. Hawkins Nays - 1 Rep. B. King Absent - 2 Rep. A. Loubet Rep. C. Watkins

Rep. J. Rohner Rep. R. Shipp Rep. M. Wheatley

Rep. K. Lisonbee

6. H.B. 396 Workplace Discrimination Amendments (Brammer, B.)

Rep. Brammer presented the bill with the assistance of Robin Wilson, law professor, speaking in her own behalf.

Dave Davis, President, Utah Retail Merchants Association, spoke to the bill.

Ginger Chinn, Vice President of Public Policy, Salt Lake Chamber, spoke to the bill.

Dalane England, Utah Eagle Forum, spoke in favor of the bill.

Tanner Bean, attorney, speaking in his own behalf, spoke in favor of the bill.



Stan Rasmussen, Sutherland Institute, spoke in favor of the bill.

MOTION:

Rep. Lisonbee moved to amend H.B. 396 with Amendment #1. The motion passed with a vote of 10 - 0 - 2.

Amendment 1 H.B. 396

- 1. Page 1, Lines 12 through 16:
- prohibits an employer from compelling an employee to communicate or otherwise
- 13 act in a manner that the employee believes would burden or offend the employee's
- 14 religious { , moral, or conscientious } beliefs.
- 15 Money Appropriated in this Bill:
- 16 None
- 2. Page 2, Lines 28 through 30:
- 28 <u>action, or inaction that burdens or offends a religious</u>{, moral, or conscientious} belief, including
- 29 dress and grooming requirements, speech, scheduling, prayer, and abstention, including
- 30 abstentions relating to healthcare.
- 3. Page 2, Lines 43 through 46:
- 43 (4) An employer may not compel an employee to engage in religiously objectionable
- 44 expression that the employee reasonably believes would burden or offend the employee's
- 45 religious (, moral, or conscientious) beliefs, unless accommodating the employee would cause an
- 46 undue burden to the employer by substantially interfering with the employer's:

<u>Yeas - 10</u> Rep. N. Abbott Rep. C. Acton	<u>Nays - 0</u>	<u>Absent - 2</u> Rep. A. Loubet Rep. J. Rohner
Rep. K. Birkeland		
Rep. T. Clancy		
Rep. J. Hawkins		
Rep. B. King		

MOTION:

Rep. K. Lisonbee Rep. R. Shipp Rep. C. Watkins Rep. M. Wheatley

Rep. Lisonbee moved to pass H.B. 396 out favorably as amended. The motion passed with a vote of 9 - 2 - 1.

Yeas - 9	<u>Nays - 2</u>	Absent - 1
Rep. N. Abbott	Rep. B. King	Rep. A. Loubet
Rep. C. Acton	Rep. M. Wheatley	·

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

Rep. R. Shipp

Rep. C. Watkins

SUBSTITUTE MOTION:

Rep. King moved to amend H.B. 396 to insert the words "sincerely held" in the following places: between the words "employees" and "religious" on lines 13, 14, 44, and 45, and before the word "religious" on line 28. The substitute motion failed with a vote of 2 - 9 - 1.



<u>Yeas - 2</u> Rep. B. King Rep. M. Wheatley Nays - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp

Rep. C. Watkins

Absent - 1 Rep. A. Loubet

7. H.B. 352 Amendments to Expungement (Lisonbee, K.)

HB352 handout

Rep. Lisonbee presented the bill.

Destiny Garcia, Executive Director, Clean Slate Utah, spoke to the bill.

Evan Done, Associate Director, Utah Support Advocates for Recovery Awareness, spoke to the bill.

Justin Hughes, Young People in Recovery, spoke to the bill.

Sam Knight, Criminal Defense Attorney Association, spoke in favor of the bill.

Chad Jensen, Cache County Sheriff, and in behalf of Utah Sheriffs' Association, spoke in favor of the bill.

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

Nicole Borgeson, Assistant Director, Bureau of Criminal Investigation, spoke to the bill.

Michael Drechsel, Assistant State Court Administrator, spoke in favor of the bill.

Tyler Hansen, Co-Owner, Steps Recovery Center, spoke in favor of the bill.

Jacquleyn Gardner, citizen, spoke to the bill.

Darlene McDonald, citizen, spoke to the bill.

Lisa Walker, Executive Director, Utah Peer Network, spoke to the bill.

MOTION: Rep. Abbott moved to replace H.B. 352 with 3rd Substitute H.B. 352. The motion passed with a vote of 11 - 0 - 1.



Yeas - 11 Absent - 1 Nays - 0 Rep. N. Abbott Rep. A. Loubet

Rep. C. Acton

Rep. K. Birkeland

Rep. T. Clancy

Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. J. Rohner

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

MOTION:

Rep. Birkeland moved to amend 3rd Substitute H.B. 352 with Amendment #1. The motion passed

with a vote of 6 - 5 - 1.

Amendment 1 3rd Sub. H.B. 352

Page 2, Lines 54 through 56: 1.

requires a court to find an individual indigent if the individual submits an affidavit 54

55 of indigency demonstrating that the individual has an income at or below { 250 } 175 % of

56 the United States poverty level;

Page 49, Lines 1504 through 1506:

1504 (b) if the cause is a petition for expungement, the individual has an income level at or

below { 250 } 175 % of the United States poverty level as defined by the most recent poverty income 1505

1506 guidelines published by the United States Department of Health and Human Services;

Yeas - 6 Navs - 5 Absent - 1 Rep. N. Abbott Rep. C. Acton Rep. A. Loubet

Rep. K. Birkeland Rep. B. King Rep. T. Clancy Rep. J. Rohner Rep. J. Hawkins Rep. C. Watkins Rep. K. Lisonbee Rep. M. Wheatley

Rep. R. Shipp

MOTION: Rep. Clancy moved to pass 3rd Substitute H.B. 352 out favorably as amended. The motion passed

with a vote of 10 - 1 - 1.

Yeas - 10 Nays - 1 Absent - 1 Rep. A. Loubet Rep. B. King

Rep. N. Abbott Rep. C. Acton

Rep. K. Birkeland

Rep. T. Clancy

Rep. J. Hawkins

Rep. K. Lisonbee

Rep. J. Rohner

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

Rep. Shipp moved to adjourn. The motion failed with a vote of 3 - 7 - 2. MOTION:



Yeas - 3 Nays - 7 Rep. C. Acton Rep. N. Abbott Rep. J. Hawkins Rep. R. Shipp

Rep. T. Clancy Rep. B. King Rep. K. Lisonbee Rep. J. Rohner Rep. C. Watkins Rep. M. Wheatley Absent - 2 Rep. K. Birkeland Rep. A. Loubet

8. H.B. 308 Crime Victim Amendments (Clancy, T.)

HB308 handout

Rep. Clancy presented the bill with the assistance of Tyler Cotter, Chief of Investigations, Department of Public Safety.

Marlesse Jones, Director, Victim Services Commission, spoke in favor of the bill.

MOTION:

Rep. Clancy moved to amend H.B. 308 with Amendment #1. The motion passed with a vote of 10 -

0 - 2.

Amendment 1 H.B. 308

Page 12, Lines 344 through 345: 1.

344 [(2)] (4) The council may:

345 (a) { advocate for a victim's rights in an appellate court; } subject to court rules and the governor's approval, petition to file an amicus brief in an appellate court in a case affecting a victim's rights;

Yeas - 10 Rep. N. Abbott Nays - 0

Absent - 2 Rep. K. Birkeland Rep. A. Loubet

Rep. K. Birkeland

Rep. A. Loubet

Rep. C. Acton

Rep. T. Clancy

Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. J. Rohner

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

MOTION: Rep. Shipp moved to pass H.B. 308 out favorably as amended. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Absent - 2 Nays - 0

Rep. N. Abbott

Rep. C. Acton

Rep. T. Clancy

Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. J. Rohner

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

9. H.B. 203 Involuntary Commitment Amendments (Abbott, N.)



Rep. Abbott presented the bill.

MOTION:

Rep. Shipp moved to replace H.B. 203 with 1st Substitute H.B. 203. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Nays - 0

Absent - 3

Rep. N. Abbott

Rep. K. Birkeland Rep. A. Loubet

Rep. C. Acton

Rep. J. Rohner

Rep. T. Clancy Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

MOTION:

Rep. Shipp moved to pass 1st Substitute H.B. 203 out favorably. The motion passed with a vote of

9 - 0 - 3.

<u>Yeas - 9</u>

Nays - 0

Absent - 3

Rep. N. Abbott

Rep. K. Birkeland

Rep. C. Acton Rep. T. Clancy Rep. A. Loubet

Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

Rep. J. Rohner

MOTION:

Rep. Shipp moved to adjourn. The motion passed with a vote of 9 - 0 - 3.

<u>Yeas - 9</u>

Nays - 0

Absent - 3

Rep. N. Abbott Rep. C. Acton

Rep. K. Birkeland

Rep. T. Clancy

Rep. A. Loubet Rep. J. Rohner

Rep. J. Hawkins

Rep. B. King

Rep. K. Lisonbee

Rep. R. Shipp

Rep. C. Watkins

Rep. M. Wheatley

Chair Hawkins adjourned the meeting at 6:40 p.m.