

February 10, 1998

Mr. President:

The Transportation and Public Safety Committee reports a favorable recommendation on **S.B. 141**, HANDGUN PURCHASE REQUIREMENTS, by Senator M. Waddoups, with the following amendments:

1. Page 1, Line 5: After "CODE;" insert "MODIFYING DEFINITION AND PROCEDURES REGARDING STATE WARRANT SYSTEM;"
2. Page 1, Line 10: After line 10 insert:
"53-5-209, as last amended by Chapters 17, 82, and 234, Laws of Utah 1993
3. Page 1, Line 13: After line 13 insert:
"Section 1. Section **53-5-209** is amended to read:
53-5-209. Definition -- Magistrates and court clerks to supply information -- Offenses included on statewide warrant system -- Transportation fee to be included -- Statewide warrant system responsibility -- Quality control -- Training -- Technical support -- Transaction costs.
(1) "Statewide warrant system" means the portion of the state court computer system [containing] that is accessible by modem from the state mainframe computer and contains:
(a) records of criminal warrant information [that is accessed]; and
(b) after notice and hearing, records of protective orders issued pursuant to:
(i) Title 30, Chapter 6, Cohabitant Abuse Act; or
(ii) Title 77, Chapter 36, Cohabitant Abuse Procedures Act [by modem from the state mainframe computer].

Bill Number

Action Class

Action Code

SB0141

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SCRAMD

(2) Every magistrate or clerk of a court responsible for court records in this state shall furnish the division with information pertaining to:

(a) [~~information pertaining to~~] all dispositions of criminal matters, including guilty pleas, convictions, dismissals, acquittals, pleas held in abeyance, or probations granted, within 30 days of the disposition and on forms and in the manner provided by the division; [~~and~~]

(b) [~~information pertaining to~~] the issuance, recall, cancellation, or modification of all warrants of arrest or commitment as described in Rule 6, Utah Rules of Criminal Procedure and Section 78-32-4, within one day of the action and in a manner provided by the division; and

(c) protective orders issued after notice and hearing, pursuant to:

(i) Title 30, Chapter 6, Cohabitant Abuse Act; or

(ii) Title 77, Chapter 36, Cohabitant Abuse Procedures Act.

(3) (a) (i) The division [~~will~~] shall include on the statewide warrant system all warrants issued for felony offenses and class A, B, and C misdemeanor offenses in the state.

(ii) For each offense the division shall indicate whether the magistrate ordered under Section 77-7-5 and Rule 6, Utah Rules of Criminal Procedure, that the accused appear in court.

(b) Infractions [~~will~~] may not be included on the statewide warrant system, including any subsequent failure to appear warrants issued on an infraction.

(4) The division is the agency responsible for the statewide warrant system and shall:

(a) ensure quality control of all warrants of arrest or commitment and protective orders contained in the statewide warrant system by conducting regular validation checks with every clerk of a court responsible for entering [~~warrant~~] the information on the system;

(b) upon the expiration of the protective orders and in the manner prescribed by the division, purge information regarding protective orders described in Subsection (2)(c) within 30 days of the time after expiration;

[~~(b)~~] (c) establish system procedures and provide training to all criminal justice agencies having access to [~~warrant~~] information contained on the state warrant system;

~~[(c)]~~ (d) provide technical support, program development, and systems maintenance for the operation of the system; and
~~[(d)]~~ (e) pay data processing and transaction costs for state, county, and city law enforcement agencies and criminal justice agencies having access to [warrant] information contained on the state warrant system.

(5) (a) Any data processing or transaction costs not funded by legislative appropriation shall be paid on a pro rata basis by all agencies using the system during the fiscal year.

(b) This subsection supersedes any conflicting provision in Subsection (4)~~[(d)]~~(e).

Renumber remaining sections accordingly.

Respectfully,

Al Mansell
Committee Chair

Voting: 6-0-0

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