



House of Representatives *State of Utah*

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February 13, 2004

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 135**, NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT, by Representative M. S. Lawrence, with the following amendments:

1. *Page 4, Line 104 through Page 5, Line 121:*

104 (b) If the minor is taken into custody or detention for a violent felony, as defined in
105 Section 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5, Weapons, [~~the~~
106 ~~custodial or detaining agency~~] the officer or other law enforcement agent taking
the minor into custody shall, as soon as practicable or as established under Subsection
107 53A-11-1001(2), notify the school superintendent of the district in which the minor
resides or
108 attends school for the purposes of the minor's supervision and student safety.

* * * *Some lines not shown* * * *

116 (iii) All other records disclosures are governed by Title 63, Chapter 2, Government
117 Records Access and Management Act and the Federal Family Educational Rights
and Privacy Act .

118 (c) Employees of a governmental agency are immune from any criminal
liability [~~civil or~~
119 criminal,]] for providing or failing to provide the information required by Section
78-3a-113
120 unless the person acts or fails to act due to malice, gross negligence, or deliberate
indifference
121 to the consequences.

2. *Page 7, Line 197 through Page 8, Line 214:*

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198 Section 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5, Weapons,
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214 to the consequences.

Respectfully,

DeMar "Bud" Bowman
Committee Chair

Voting: 9-0-2

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