



# House of Representatives *State of Utah*

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January 20, 2006

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee recommends **H.B. 220**, CHILD PROTECTION - GANG ASSOCIATION, by Representative E. Hutchings, be replaced and reports a favorable recommendation on **1st Sub. H.B. 220**, CHILD PROTECTION - GANG ASSOCIATION with the following amendments:

1. *Page 1, Lines 14 through 19:*

- 14       ▶ provides that the definition of a neglected child includes a minor whose parent:  
15       • ~~{ permits the minor to associate with a gang while the gang, or any~~  
          ~~member of the~~  
16 ~~gang, is engaged in criminal conduct in the presence of the minor; or~~  
17 ~~— associates with a gang in the presence of a minor while the gang, or any~~  
          ~~member~~  
18 ~~of the gang, is engaged in criminal conduct in the presence of the minor; }~~ =  
      • permits the parent's child to associate with a gang while the gang, or  
      any member of the gang, is engaged in criminal conduct in the presence  
      of the minor, or associates with a gang in the presence of the parent's  
      child while the gang, or any member of the gang, is engaged in criminal  
      conduct in the presence of the child; and  
      • knew or should have known that the conduct described above was  
      occurring;
- 19       ▶ provides that there is a presumption that reunification services should not be

• *Page 5, Lines 122 through 126:*

- 122       (F) whose parent:
- 123       ~~{ (F) permits the minor to associate with a gang while the gang, or any~~  
          ~~member of the~~  
124 ~~gang, is engaged in criminal conduct in the presence of the minor; or~~  
125 ~~— (H) associates with a gang in the presence of a minor while the gang, or any~~

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member of  
126 the gang, is engaged in criminal conduct in the presence of the minor.} =  
(I) (Aa) permits the parent's child to associate with a gang while the gang, or any member of the gang, is engaged in criminal conduct in the presence of the child; and (Bb) knew or should have known that the parent's child associated with the gang, or any member of the gang, while the gang, or member of the gang, was engaged in criminal conduct in the presence of the child; or  
(II) (Aa) associates with a gang in the presence of the parent's child while the gang, or any member of the gang, is engaged in criminal conduct in the presence of the child; and  
(Bb)knew or should have known that the parent associated with a gang in the presence of the parent's child while the gang, or any member of the gang, was engaged in criminal conduct in the presence of the child.

Respectfully,

DeMar "Bud" Bowman  
Committee Chair

Voting: 10-0-1

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