

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room W025, West Office Building, State Capitol Complex

February 16, 2007

Members Present: Rep. Curt Oda, Vice Chair
Rep. David Litvack
Rep. Michael Morley
Rep. Jennifer Seelig
Rep. Ken Sumsion
Rep. Larry Wiley
Rep. Carl Wimmer

Members Excused: Rep. DeMar "Bud" Bowman, Chair
Rep. Paul Ray

Members Absent: Rep. Brad Dee
Rep. Becky Lockhart

Staff Present: Mr. Stewart Smith, Policy Analyst
Ms. Linda Black, Committee Secretary

note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Oda called the meeting to order at 4:05 p.m.

MOTION: Rep. Wiley moved to approve the minutes of February 14, 2007. The motion passed unanimously with Rep. Seelig absent for the vote.

Rep. Oda noted the excused absence of Rep. DeMar "Bud" Bowman, Chair, and Rep. Paul Ray.

Rep. Oda relinquished the chair to Rep. Carl Wimmer.

H.B. 469 Failure to Disclose Identity (*Rep. C. Oda*)

Rep. Oda presented the bill with the assistance of Mr. Kirk Torgensen, Chief Deputy, Office of the Attorney General, and Mr. Reed Richards, Utah Sheriffs' Association.

MOTION: Rep. Oda moved to amend the bill as follows:

1. *Page 1, Line 10:*

10 making it a class ~~{-C}~~ B misdemeanor for a person to fail to disclose the person's identity to

2. *Page 1, Line 15:*

15 ▶ subject to certain exceptions, makes it a class ~~{C}~~ B misdemeanor for a person to fail to

3. *Page 2, Line 44:*

44 (2) Failure to disclose identity is a class ~~{C}~~ B misdemeanor.

The motion passed unanimously with Rep. Seelig absent for the vote.

MOTION: Rep. Morley moved to pass the bill out favorably as amended. The motion passed unanimously.

The chair was resumed by Rep. Curtis Oda

H.B. 167 Human Trafficking Provisions (*Rep. D. Litvack*)

Rep. Litvack presented the bill.

MOTION: Rep. Wiley moved to pass the bill out favorably. The motion passed unanimously.

S.B 123S1 Amendment Regarding Search Warrant Procedure (*Sen. J. Greiner*)

Sen. Greiner explained the bill with the assistance of Mr. Kirk Torgensen, Chief Deputy, Office of the Attorney General.

Spoke to the bill: Ms. Brooke Karrington, Utah Association of Criminal Defense Lawyers'

MOTION: Rep. Wimmer moved to pass the bill out favorably. The motion passed unanimously.

H.B. 375 Sex Offender Residence Restrictions (*Rep. G. Hughes*)

MOTION: Rep. Wimmer moved to delete in title and body **H.B. 375** and replace it with **1st Substitute H.B. 375**. The motion passed unanimously.

Rep. Hughes presented the bill with the assistance of Mr. Kirk Torgensen, Chief Deputy, Office of the Attorney General.

MOTION: Rep. Litvack moved to amend the bill as follows:

1. Page 4, Line 98:

98 (b) "Sex offender" means an adult or juvenile under ~~{-Subsection~~
~~77-27-21.5(2)(f)}~~ Subsection 77-27-21.5(1)(f) due to

The motion passed unanimously.

Spoke to the bill: Judge (ret.) Robert Yeates, Acting Executive Director,
Commission on Criminal and Juvenile Justice

MOTION: Rep. Wimmer moved to pass the bill out favorably as amended. The motion passed with Rep. Litvack, Rep. Seelig, and Rep. Wiley voting in opposition.

S.B. 173 Criminal Intent Amendments (*Sen. S. McCoy*)

Sen McCoy presented the bill. (handout)

MOTION: Rep. Wiley moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Rep. Wiley moved to place S.B. 173 on the Consent Calendar. The motion passed unanimously.

MOTION: Rep. Litvack moved to adjourn. The motion passed unanimously. Rep. Oda adjourned the meeting at 5:25 p.m.

Rep. DeMar "Bud" Bowman, Chair