

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room W010 - State Capitol Complex
January 29, 2008**

MEMBERS PRESENT: Rep. Douglas C. Aagard, Chair
Rep. Lorie D. Fowlke, Vice Chair
Rep. Sheryl L. Allen
Rep. Jim Bird
Rep. Jackie Biskupski
Rep. Kevin S. Garn
Rep. Keith Grover
Rep. Eric K. Hutchings
Rep. Christine A. Johnson
Rep. Rosalind J. McGee
Rep. Kay L. McIff
Rep. R. Curt Webb
Rep. Mark A. Wheatley

STAFF PRESENT: Jerry D. Howe, Policy Analyst
Sylvia Newton, Committee Secretary

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

Representative Aagard called the meeting to order at 2:09 p.m.

MOTION: Rep. Webb moved to approve the minutes of the January 25, 2008 meeting. The motion passed unanimously with Rep. Allen, Rep. Grover, Rep. Hutchings, Rep. McIff, and Rep. Fowlke absent for the vote.

H.B. 90 Expungement Amendments (*Rep. R. C. Webb*)

Rep. Webb explained H.B. 90 to the committee, assisted by Reed Richards, Council on Victims

MOTION: Rep. Allen moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. McIff absent for the vote.

H.B. 70 Expungement Law Amendments (*Rep. L. Fowlke*)

Rep. Fowlke explained H.B. 70 to the committee.

MOTION: Rep. Garn moved to pass H.B. 70 out favorably. The motion passed unanimously with Rep. McIff absent for the vote.

H.B. 97 Court-ordered Restitution for Costs of Incarceration (*Rep. C. Oda*)

Rep. Oda explained H.B. 97 to the committee, assisted by Tom Vaughn, Office of Legislative Research and Counsel.

MOTION: Rep. Biskupski moved to pass H.B. 97 out favorably. The motion passed unanimously.

MOTION: Rep. Garn moved to place H.B. 97 on the Consent Calendar with the approval of Rep. Oda. The motion passed unanimously.

H.B. 121 County Charges for Services to Incarcerated Persons (*Rep. R. Greenwood*)

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

1. Page 1, Lines 13 through 17:

- 13 ▶ expands a provision relating to health care expenses incurred for persons booked
14 into or committed to a county jail {~~in a first or second class county~~} to include
health care
15 expenses incurred by health care providers, making those expenses county charges
16 subject to current statutory limits.
17 Monies Appropriated in this Bill:

The motion to amend the bill passed unanimously.

Rep. Greenwood explained the amended bill to the committee.

Spoke in favor of the bill: Dave Gessel, Utah Hospitals & Health Systems Association
Reed Richards, Weber County Attorney's Office

MOTION: Rep. Hutchings moved to pass H.B. 121 as amended out favorably. The motion passed unanimously.

Rep. Aagard relinquished the chair to Rep. Fowlke.

H.B. 93 Insurance Fraud Amendments (*Rep. D. Aagard*)

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

1. *Page 1, Lines 11 through 12:*

11 This bill:

▶ addresses immunity:

12 ▶ expands required reporting of fraudulent insurance acts;

2. *Page 2, Lines 38 through 43:*

38 (b) An agency referred to in Subsection (1)(a) is one or more of the following:

39 [~~(a)~~] (i) the department or [~~any~~] a division of the department;

40 [~~(b) any~~] (ii) a federal, state, or government agency established to detect and prevent

41 insurance fraud; {~~or~~}

(iii) a non-profit organization established to detect and prevent insurance fraud;

or

42 [~~(c) any~~] {~~(iii)~~} **(iv)** an agent, employee, or designee of an [entity] agency
listed in this

43 Subsection [~~(1)(a) or~~] (1)(b).

The motion to amend the bill passed unanimously.

Rep. Aagard explained the amended bill to the committee.

Spoke in favor of the bill: Chris Purcell, State Farm Insurance
Joe Christensen, Insurance Fraud Division
Kent Michie, Insurance Commissioner
Neil Gooch, Deputy Insurance Commissioner

MOTION: Rep. Garn moved to pass H.B. 93 as amended out favorably. The motion passed with Rep. Bird, Rep. Hutchings, and Rep. McIff voting in opposition to the motion and Rep. Biskupski absent for the vote.

MOTION: Rep. Allen moved to adjourn the meeting. The motion passed unanimously.

Rep. Fowlke adjourned the meeting at 3:26 p.m.