



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 2, 2010

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 197**, CUSTODIAL INTERFERENCE AMENDMENTS, by Representative C. Wimmer, with the following amendments:

1. *Page 1, Lines 25 through 26:*

25       ▶ creates ~~{-an}~~ affirmative ~~{-defense}~~ defenses to the crime of  
custodial interference.

26       Monies Appropriated in this Bill:

2. *Page 3, Lines 59 through 61:*

59       (4) In addition to the affirmative defenses described in Section 76-5-305, it is an  
60 affirmative defense to the crime of custodial interference that :

(a) the action ~~{-was}~~ is consented to by

61 the person whose custody or visitation of the child was interfered with ~~{-}~~ ; or

(b) (i) the action is based on a reasonable belief that the action is necessary to protect a child from abuse, including sexual abuse; and  
(ii) before engaging in the action, the person reports the person's intention to engage in the action, and the basis for the belief described in Subsection (4)(b)(i), to the Division of Child and Family Services or law enforcement.

Respectfully,

Douglas C. Aagard  
Committee Chair

Voting: 8-1-2

3 HB0197.HC1.WPD 2/2/10 2:23 pm ssmith/SES TRV/MDA

Bill Number



HB0197

Action Class



H

Action Code



HCRAMD