



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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January 31, 2011

Mr. President:

The Health and Human Services Committee reports a favorable recommendation on **S.B. 124**, LEAVING A CHILD UNATTENDED IN A MOTOR VEHICLE, by Senator B. McAdams, with the following amendments:

1. *Page 1, Lines 9 through 10:*

9 This bill amends the Utah Criminal Code by making it an infraction to leave a child  
10 unattended in an enclosed compartment of a motor vehicle.

2. *Page 1, Lines 14 through 22:*

14 ▶ makes it a class C misdemeanor for a person who is responsible for a child under  
15 nine years of age to intentionally, recklessly, knowingly, or with criminal negligence  
16 leave a child in an enclosed compartment of a motor vehicle if:

- 17 • the child is not supervised by a person who is at least 12 years old; and  
18 • the conditions present a risk to the child's health or safety {~~-, the engine is~~  
running,  
19 or the keys are in the passenger compartment of the motor vehicle} ; and

20 ▶ provides that this bill does not apply if the person's conduct that constitutes a  
21 violation of this bill is {~~punishable as a class B misdemeanor, a class A~~  
22 misdemeanor, or a felony.} subject to a greater penalty under another provision  
of state law.

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3. Page 2, Lines 36 through 47:

(b) "Enclosed compartment" means any enclosed area of a motor vehicle, including the passenger compartment, regardless of whether a door, window, or hatch is left open.

36            ~~{(b)}~~    (c)    "Motor vehicle" means an automobile, truck, truck tractor, bus, or  
any other

37 self-propelled vehicle.

38            (2) A person who is responsible for a child is guilty of a class C misdemeanor if:

39            (a) the person intentionally, recklessly, knowingly, or with criminal negligence leaves  
40 the child in   ~~{a}~~    an enclosed compartment of a motor vehicle;

41            (b) the child is not supervised by a person who is at least 12 years old; and

42            (c) ~~{(i)}~~    the conditions present a risk to the child's health or safety   ~~{i}~~    .

43            ~~{(ii) the engine of the motor vehicle is running; or~~

44 ~~—(iii) the keys to the motor vehicle are in the passenger compartment of the motor~~  
45 ~~vehicle.}~~

46            (3) This section does not apply if the person's conduct that constitutes a violation of  
47 this section is   ~~{punishable as a class B misdemeanor, a class A misdemeanor, or a~~  
~~felony}~~    subject to a greater penalty under another provision of state law    .

Respectfully,

D. Chris Buttar  
Committee Chair

Voting: 5-1-0

3 SB0124.SCI.WPD /MDA TRV/MDA 2/1/11 9:32 am

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