



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 14, 2012

Madam Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 141**, STATE SOVEREIGNTY AND RIGHTS OF SET-OFF, by Representative L. Christensen, with the following amendments:

1. *Page 1, Lines 16 through 21:*

- 16       ▶ reserves all rights of the state to claim a credit or set-off for any amount  
          inequitably or unlawfully claimed by the federal government. {~~the~~  
          state  
17   ~~may incur due to the loss or wrongful withholding of its public lands or for the~~  
18   ~~incarceration of illegal aliens that are not reimbursed by the federal government~~  
19   ~~against any amount that the state is claimed to owe the federal government; and~~  
20   —▶ ~~provides that the state is relieved of all liability for the payment of funds~~  
          owed to  
21   ~~the federal government for which the state exercises its rights of set-off.~~}

2. *Page 2, Lines 38 through 47:*

- 38   the State of Utah against any amounts it claims to have been inequitably or  
          unlawfully imposed by the federal government. {~~the state may be~~  
          ~~unlawfully claimed to owe the federal government.~~  
          (2) The state may exercise and apply as a credit, any amounts the state incurs due to  
          the  
40   violation of the state's sovereign powers or other acts and omissions of the federal  
          government;  
41   including:  
42   —(a) all costs and damages sustained by the state due to the loss or wrongful  
          withholding  
43   of its public lands; and  
44   —(b) all costs of incarceration of illegal aliens for crimes committed in the state if  
          and to  
45   such extent as those costs are not fully reimbursed by the federal government.

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- 46 ~~—(3) The state is not liable for any amounts or federal claims which are subject to~~  
~~this~~  
47 ~~section or other legal and equitable protections of the state's interests. }~~

Respectfully,

Kay L. McIff  
Committee Chair

Voting: 10-0-3

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