

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 20, West Office Building
February 12, 2013**

MEMBERS PRESENT: Rep. Kay L. McIff, Chair
Rep. Lee B. Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Eric K. Hutchings
Rep. Brian S. King
Rep. V. Lowry Snow

STAFF PRESENT: Ms. Chelsea Lloyd, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Chair McIff called the meeting to order at 2:05 p.m.

MOTION: Rep. Arent moved to approve the minutes of February 8, 2013. The motion passed unanimously, with Rep. Christensen, Rep. Hutchings, Rep. King, and Rep. Snow absent for the vote.

S.B. 144 **Reauthorization of Prohibitions on Practicing Law Without a License** (*Sen. S. Jenkins*)

Sen. Jenkins presented the bill to the committee.

Spoke in opposition
to the bill: Mr. Connor Boyack, Libertas Institute

MOTION: Rep. Arent moved to pass the bill out favorably. The motion passed, with Rep. Greene voting in opposition.

H.B. 92 **Factual Innocence Assistance Amendments** (*Rep. G. Froerer*) (handout)

Rep. Froerer presented the bill to the committee.

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

1. Page 1, Line 15:

15 payment shall be paid to the person's surviving spouse if the spouse was married to the person from the time of the conviction until the person's death ; and

2. Page 4, Line 120 through Page 5, Line 122:

120 (14) (a) As used in this Subsection (14) ~~{ ; }~~ and in Subsection (15):
(i) - {"spouse"} "Married" means ~~{(ii) "Married" means}~~ the
legal marital relationship ~~{ ; }~~
}

121 ~~{(i)}~~ established between a man and a woman and as recognized by the
laws of this state ~~{ ; and~~

122 ~~—(ii) existing at the time of the petitioner's death}~~ ; and
(ii) "Spouse" means a person married to the petitioner at the time the petitioner was found guilty of the offense regarding which a petition is filed and who has since then been continuously married to the petitioner until the petitioner's death .

The motion passed unanimously, with Rep. Hutchings and Rep. King absent for the vote.

Spoke to the bill: Ms. Laura Warburton
Mr. Rick Westmoreland, Davis County Prosecutor

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

H.B. 107 Hospital Lien Law Amendments (Rep. M. McKell)

Rep. McKell presented the bill to the committee.

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

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3. Page 2, Lines 53 through 56:

53 (b) (i) A hospital that provides a service described in Subsection (3)(a) may assert a
54 lien under Subsection (1) if :

55 (A) - {~~workers' compensation or~~} the private health insurer {~~disputes or~~}
denies coverage ; or
(B) the private health insurer does not pay the hospital within 180 days after the day
on which the hospital bills the private health insurer .
56 (ii) A lien asserted under Subsection (3)(b)(i)(B) is extinguished when the
private health insurer pays the amount billed to the private health insurer for the
services.
 ~~(ii)~~ (iii) A hospital that provides a service described in Subsection (3)(a)
may assert a lien

SUBSTITUTE

MOTION: Rep. Perry moved to further amend the bill as follows:

4. Page 2, Lines 53 through 56:

53 (b) (i) A hospital that provides a service described in Subsection (3)(a) may assert a
54 lien under Subsection (1) if :
 (A) - {~~workers' compensation or~~} the private health insurer {~~disputes or~~}
55 denies coverage ; or
(B) the private health insurer does not pay the hospital within 180 days after the day
on which the hospital bills the private health insurer .
56 (ii) A lien asserted under Subsection (3)(b)(i)(B) {is extinguished} shall be
withdrawn when the private health insurer pays the amount billed to the private
health insurer for the services.
 ~~(ii)~~ (iii) A hospital that provides a service described in Subsection (3)(a)
may assert a lien

The motion passed unanimously.

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MOTION: Rep. Perry moved to move to the next item on the agenda.

SUBSTITUTE

MOTION: Rep. Christensen requested further discussion to the previous action, and allow **H.B. 107** to be heard as the final agenda item. Chair McIff allowed the substitute motion. The substitute motion passed unanimously.

S.B. 18 **Child Custody Proceedings Amendments (Sen. L. Robles)**

Sen. Robles presented the bill to the committee.

Spoke to the bill: Mr. Brian Garrett
 Mr. Phil Conder
 Ms. Jackie de Gaston
 Ms. Julie Anderson
 Mr. Dan Deuel, Parental Action Coalition

Spoke in opposition
to the bill: Ms. Cherie Rawlings, Eagle Forum

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

H.B. 107 Hospital Lien Law Amendments *(Rep. M. McKell)*

Rep. McKell reintroduced H.B. 107, and with the assistance of Mr. Dave Gessell, Utah Hospital Association, clarified the bill.

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

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

Chair McIff adjourned the meeting at 3:25 p.m.

Kay L. McIff, Chair