

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 30, West Office Building
March 4, 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 7:30 a.m.

MOTION: Rep. Perry moved to approve the minutes of the February 26, 2013 and February 28, 2013 meetings. The motion passed unanimously.

H.B. 80 Family Expenses Amendments (*Rep. Johnny Anderson*)

Rep. Johnny Anderson presented the bill to the committee.

MOTION: Rep. Snow moved to replace H.B. 80 with 1st Substitute H.B. 80, "Family Expenses Amendments." The motion passed unanimously, with Rep. Christensen, Rep. Hutchings, Rep. King, and Rep. Perry absent for the vote.

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

1. *Page 1, Line 26 through Page 2, Line 29:*

26 (1) Both the husband and wife, or either of them separately, are responsible for
 ~~{the}~~ **reasonable and necessary**
27 expenses of the family and the education of the children, and they may be sued jointly or
28 separately for the recovery of ~~{any}~~ **reasonable and necessary** expenses related
 to the family or the education of the
29 children.

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

MOTION: Chair McIff moved to further amend the bill as follows:

1. *Page 1, Lines 13 through 15:*

13 ▶ provides that a creditor may collect a debt from either spouse when the debt was
14 incurred during the marriage for a family expense or the education of ~~{the}~~ their
minor children.
15 Money Appropriated in this Bill:

2. *Page 1, Line 26 through Page 2, Line 29:*

26 (1) Both the husband and wife, or either of them separately, are responsible for the
27 expenses of the family and the education of ~~{the}~~ their minor children, and they
may be sued jointly or
28 separately for the recovery of any expenses related to the family or the education of
~~{the}~~ their minor
29 children.

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

Spoke to the bill: Ms. Candace Daly Utah Association of Collectors

Spoke in opposition
to the bill: Mr. Stewart Ralphs Legal Aid Society of Salt Lake
 Mr. Dan Deuel Weber County 9/12 Project
 Mr. Peter Cannon Eagle Forum

MOTION: Rep. Snow moved to pass the bill out favorably, as substituted and amended.

SUBSTITUTE

MOTION: Rep. Greene moved to further amend the bill.

Following additional discussion, Rep. Greene withdrew the motion to amend.

SUBSTITUTE

MOTION: Rep. Arent moved to proceed to the next item on the agenda. The motion passed, with Rep. Christensen, Rep. Snow, and Chair McIff voting in opposition.

H.B. 321 Technical Amendments-weapons (*Rep. K. Ivory*)

At the request of the sponsor, Rep. E. Hutchings presented the bill to the committee.

Spoke in favor
of the bill: Mr. Clark Aposhian Utah Shooting Sports Council

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

MOTION: Rep. Arent moved to place H.B. 321 on the Consent Calendar. The motion passed unanimously.

1st Substitute H.B. 114 Second Amendment Preservation Act (*Rep. B. Greene*)

Rep. Greene presented the bill and provided a handout to the committee.

MOTION: Rep. Green moved to replace 1st Substitute H.B. 114 with 2nd Substitute H.B. 114 "Second Amendment Preservation Act." The motion passed unanimously, with Rep. Christensen absent for the vote.

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

1. Page 2, Lines 53 through 55:

- 53 (2) finds that a federal statute, regulation, rule, or order that has the purpose, intent,
 or
54 effect of confiscating or banning any firearm {~~s~~} ~~or~~ firearm accessory, limiting the
 capacity of a
55 firearm magazine, imposing any limitation on ammunition or an ammunition component,
 or

The motion passed unanimously.

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

H.B. 152 Parent-time Restriction Amendments (*Rep. C. Hall*)

Rep. Hall presented the bill and provided a handout to the committee.

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

1. Page 1, Line 27:

27 (1) A person convicted of a ~~{sexual offense}~~ violation of Title 76, Chapter 5, Part 4, Sexual Offenses, except for Subsections 76-5-401 and 76-5-401.2 that results in conception of a child may not

The motion passed unanimously

Spoke to the bill: Ms. Jacey Skinner Utah Sentencing Commission
Mr. Dan Duell Weber County 9/12 Project

Spoke in opposition
to the bill: Mr. Stewart Ralphs Legal Aid Society of Salt Lake

MOTION: Rep. Perry moved to proceed to the next item on the agenda. The motion passed, with Rep. Hall voting in opposition.

H.B. 143 Mobile Home Property Rights Amendments (Rep. L. Christensen)

Rep. Christensen presented the bill and provided a handout to the committee.

MOTION: Rep. Christensen moved to replace H.B. 143 with 1st Substitute H.B. 143, "Mobile Home Property Rights Amendments." The motion passed unanimously, with Rep. McIff absent for the vote.

Spoke in favor of the bill: Mr. Fernando Rodriguez
Mr. Lowell Gallacher
Mr. Shawn Teiger

Spoke in opposition
to the bill: Mr. Robert Poulsen
Ms. Shellie McHaley
Mr. Rick Bills

MOTION: Rep. Christensen moved to pass the bill out favorably, as substituted. The motion passed with Rep. Snow absent for the vote.

H.B. 313 Rights of Parents and Children Amendments (Rep. L. Christensen)

The bill was not considered in the meeting

House Judiciary Standing Committee
March 4, 2013
Page 5

MOTION: Rep. Greene moved to adjourn the meeting. The motion passed unanimously, with Rep. Snow absent for the vote.

Vice Chair Perry adjourned the meeting at 9:55 a.m.

Kay L. McIff, Chair