

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE  
STANDING COMMITTEE MEETING  
Room 250, State Capitol  
March 5, 2013**

Members Present:                 Sen. Mark B. Madsen, Committee Chair  
                                       Sen. Patricia W. Jones  
                                       Sen. Luz Robles  
                                       Sen. Daniel W. Thatcher  
                                       Sen. Stephen H. Urquhart  
                                       Sen. Todd Weiler

Members Absent:                 Sen. Lyle W. Hillyard

Staff Present:                     Mr. Nathan W. Brady, Policy Analyst  
                                       Ms. Nancy A. Skidmore, Committee Secretary

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

Acting Chair, Sen. Jones called the meeting to order at 8:11 a.m.

**Approval of Minutes**

There were no minutes to approve.

**H.B. 31         Enticing a Minor Amendments (*R. C. Webb*)**

Rep. Webb introduced and explained the bill.

Spoke in favor of the bill:     Mr. Spencer Walsh, Attorney, Deputy Cache County

Spoke to the bill:                 Mr. Paul Boyden, Executive Director, Statewide Association of  
   Prosecutors

Chair Madsen resumed the chair.

**MOTION:**     Sen. Thatcher moved to pass H.B. 31 out favorably. The motion passed  
                           unanimously, with Sen. Robles absent for the vote.

**H.B. 89         Judicial Review of Peace Officer Standards and Training Actions (*M.  
Nelson*)**

Rep. Nelson introduced and explained the bill.

Spoke in favor of the bill:     Scott Stevens, Director, Peace Officer Training

Jonathan Thorne, Attorney, Strindberg and Scholnick

**MOTION:** Sen. Thatcher moved to pass H.B. 89 out favorably. The motion passed unanimously, with Sen. Jones and Sen. Robles absent for the vote.

**MOTION:** Sen. Thatcher moved H.B. 89 be placed on the Consent Calendar. The motion passed unanimously, with Sens. Jones and Robles absent for the vote.

**H.B. 232 Criminal Penalty Amendments (C. Hall)**

Rep. Hall introduced and explained the bill.

**MOTION:** Sen. Thatcher moved to pass H.B. 232 out favorably. The motion passed unanimously, with Sens. Jones and Robles absent for the vote.

**MOTION:** Sen. Thatcher moved H.B. 232 be placed on the Consent Calendar. The motion passed unanimously, with Sens. Jones and Robles absent for the vote.

**1st Sub. H.B. 213 Peace Officer Standards and Training Amendments (R. Greenwood)**

Rep. Greenwood introduced and explained the bill.

**MOTION:** Sen. Thatcher moved to pass 1st Sub. H.B. 213 out favorably. The motion passed unanimously, with Sens. Jones and Robles absent for the vote.

**MOTION:** Sen. Thatcher moved 1st Sub. H.B. 213 be placed on the Consent Calendar. The motion passed unanimously, with Sens. Jones and Robles absent for the vote.

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

Rep. Froerer introduced and explained the bill.

Spoke in favor of the bill: Ms. Laura Warburton

**MOTION:** Sen. Jones moved to pass H.B. 92 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

**H.B. 105 Serious Youth Offender Amendments (V. L. Snow)**

Rep. Snow introduced and explained the bill.

Spoke in favor of the bill: Ms. Jayce Skinner, Director, Utah Sentencing Commission

Spoke to the bill: Ms. Susan Burke, Director, Juvenile Justice System  
Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors

**MOTION:** Sen Jones moved to pass H.B. 105 out favorably. The motion passed unanimously.

**1st Sub. H.B. 287 Return of Weapons Recovered by Law Enforcement (K. Stratton)**

Rep. Stratton introduced and explained the bill.

**MOTION:** Sen. Weiler moved 1st Sub. H.B. 287 be amended as follows:

1. *Page 2, Lines 48 through 53:*

48 (iii) the legal owner was convicted of a crime for which the weapon was  
{~~used~~} held as  
49 evidence.

50 (e) (i) Upon proof of ownership and of lawfulness of possession satisfactory to the  
51 evidence custodian, the custodian shall release the property to the owner.

52 (ii) The evidence custodian shall {~~accept~~} receive and consider a sworn  
declaration of ownership to establish  
53 ownership of the property.

The motion passed unanimously.

**MOTION:** Sen. Jones moved to pass 1st Sub H.B. 287, as amended, out favorably. The motion passed unanimously.

**MOTION:** Sen. Thatcher moved 1st Sub. H.B. 287, as amended, be placed on the Consent Calendar. The motion passed unanimously.

**MOTION:** Sen. Thatcher moved to adjourn the meeting. The motion passed unanimously.

Chair Madsen adjourned the meeting at 9:29 a.m.

Minutes reported by Nancy A. Skidmore, Secretary.