

**MINUTES OF THE HOUSE**  
**LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**  
Room 25, House Office Building, State Capitol Complex  
February 6, 2014

**Members Present:** Rep. Curt Oda, Chair  
Rep. Richard Greenwood, Vice Chair  
Rep. Keith Grover  
Rep. Dana Layton  
Rep. Paul Ray  
Rep. Edward Redd  
Rep. Jennifer Seelig  
Rep. Robert Spendlove  
Rep. Keven Stratton  
Rep. Mark Wheatley

**Members Absent:** Rep. Don Ipson

**Staff Present:** Mr. Nathan Brady, Policy Analyst  
Ms. Linda Error, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes

Vice Chair Greenwood called the meeting to order at 2:20 p.m.

**MOTION:** Rep. Ray moved to approve the minutes of the February 4, 2014 meeting. The motion passed unanimously with Rep. Layton, Rep. Redd, and Rep. Stratton absent for the vote.

**H.B. 257     Aggravated Sexual Abuse of a Child Amendments (*Rep. B. Wilson*)**

Rep. Wilson explained the bill to the committee with the assistance of Paul Boyden, Statewide Association of Prosecutors.

**MOTION:** Rep. Ray moved to amend the bill as follows:

1. *Page 4, Line 93:*

93     { ~~felony, or of a misdemeanor involving a~~ } sexual offense;

The motion to amend passed unanimously with Rep. Grover, Rep. Layton, Rep. Seelig, and Rep. Stratton absent for the vote.

Spoke for the bill:     Kristen Baird, citizen

**MOTION:** Rep. Seelig moved to amend the bill as follows:

1. *Page 3, Lines 64 through 70:*

64           **(xvi) a sibling who is an adult;**  
      =    ~~{(xvi)}~~    **(xvii)**    a scout leader who is an adult;  
65           ~~{(xvii)}~~    **(xviii)**    a stepparent;  
66           ~~{(xviii)}~~   **(xix)**     a teacher;  
67           ~~{(xix)}~~     **(xx)**     an uncle;  
68           ~~{(xx)}~~     **(xxi)**    a youth leader who is an adult; or  
69           ~~{(xxi)}~~    **(xxii)**   any person in a position of authority, other than those persons  
          listed in  
70    Subsections (1)(c)(i) through ~~{(xx)}~~ **(xxi)**, which enables the person to exercise  
          undue influence over

**SUBSTITUTE**

**MOTION:** Rep. Wheatley moved to amend the bill as follows:

1. *Page 3, Lines 64 through 70:*

64           **(xvi) a sibling or a step-sibling who is an adult;**  
      =    ~~{(xvi)}~~    **(xvii)**    a scout leader who is an adult;  
65           ~~{(xvii)}~~    **(xviii)**    a stepparent;  
66           ~~{(xviii)}~~   **(xix)**     a teacher;  
67           ~~{(xix)}~~     **(xx)**     an uncle;  
68           ~~{(xx)}~~     **(xxi)**    a youth leader who is an adult; or  
69           ~~{(xxi)}~~    **(xxii)**   any person in a position of authority, other than those persons  
          listed in  
70    Subsections (1)(c)(i) through ~~{(xx)}~~ **(xxi)**, which enables the person to exercise  
          undue influence over

The substitute motion to amend passed unanimously with Rep. Layton and Rep. Ray absent for the vote.

**MOTION:** Rep. Stratton moved to pass the bill out favorably. The motion passed unanimously with Rep. Layton and Rep. Ray absent for the vote.

**H.B. 71      Distribution of Personal Images (Rep. M. Poulson)**

**MOTION:** Rep. Wheatley moved to replace H.B. 71 "Distribution of Personal Images" with 1st. Sub. H.B. 71 "Distribution of Intimate Images". The motion passed unanimously with Rep. Ray and Rep. Seelig absent for the vote.

Rep. Poulson explained the bill to the committee with the assistance of Rep. Craig Hall.

Spoke for the bill:      Brandy Farmer, Domestic Violence Specialist  
                                    Debra Dilley, Coalition Against Sexual Assault

Spoke to the bill:      Trace Downey, law student, University of Utah

**MOTION:** Rep. Seelig moved to pass the bill out favorably. The motion passed with Rep. Greenwood voting in opposition. Rep. Ray, Rep. Redd, and Rep. Stratton were absent for the vote.

Vice Chair Greenwood asked Chair Oda to conduct the meeting.

**H.B. 295      Weapons Law Exemptions (Rep. R. Greenwood)**

Rep. Greenwood explained the bill to the committee with the assistance of Paul Boyden, Statewide Association of Prosecutors.

**MOTION:** Rep. Greenwood moved to amend the bill as follows:

*1. Page 2, Lines 37 through 41:*

- 37           (2) Except as otherwise provided in Section [76-2-402](#) and for those persons  
38 described in Section [76-10-503](#), a person who **{+}** , **in the presence of two or more**  
                  **persons, {+}**  
39           **and not amounting to a violation of Section 76-5-103,** draws or exhibits a dangerous  
                  weapon as defined in Section [76-1-601](#) in an angry and  
40 threatening manner or unlawfully uses a dangerous weapon in a fight or quarrel is guilty of  
                  a  
41 class A misdemeanor.

The motion to amend passed unanimously with Rep. Ray, Rep. Redd, and Rep. Stratton absent for the vote.

Spoke to the bill: Clark Aposhian, Utah Shooting Sports Council

**MOTION:** Rep. Greenwood moved to pass the bill out favorably. The motion passed unanimously with Rep. Grover, Rep. Ray, and Rep. Stratton absent for the vote.

**H.B. 296 Concealed Weapon Permit Exemptions Amendments (Rep. R. Greenwood)**

Rep. Greenwood explained the bill to the committee with the assistance of Paul Boyden, Statewide Association of Prosecutors.

Spoke for the bill: Clark Aposhian, Utah Shooting Sports Council

**MOTION:** Rep. Greenwood moved to pass the bill out favorably. The motion passed unanimously with Rep. Grover, Rep. Ray, Rep. Seelig, and Rep. Stratton absent for the vote.

**H.B. 304 Law Enforcement Volunteer Amendments (Rep. R. Greenwood)**

Rep. Greenwood explained the bill to the committee.

**MOTION:** Rep. Layton moved to amend the bill as follows:

1. Page 2, Line 30:

30           (2) When the county sheriff determines that ~~{an}~~ a search and rescue  
emergency situation exists that requires

The motion to amend passed unanimously with Rep. Grover, Rep. Ray, Rep. Redd, Rep. Seelig, and Rep. Stratton absent for the vote.

**MOTION:** Rep. Greenwood moved to pass the bill out favorably. The motion passed unanimously with Rep. Grover, Rep. Ray, Rep. Seelig, and Rep. Stratton absent for the vote.

Vice Chair Greenwood resumed the Chair.

**H.B. 301 Concealed Weapon Permit for Servicemembers (Rep. V. Peterson)**

At the request of the sponsor this bill was not considered.

**H.B. 82 Retail Theft Loss Prevention Officers (Rep. M. Wheatley)**

At the request of the sponsor this bill was not considered.

**H.B. 85      Electronic Filing of Traffic Citations and Accident Reports Amendments**  
*(Rep. J. Cox)*

At the request of the sponsor this will was not considered.

**MOTION:**    Rep. Redd moved to adjourn the meeting. The motion passed unanimously with Rep. Grover, Rep. Ray, and Rep. Seelig absent for the vote.

Vice Chair Greenwood adjourned the meeting at 4:30 p.m.

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Rep. Curtis Oda, Chair