

**MINUTES OF THE HOUSE**  
**LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**  
Room 25, House Office Building, State Capitol Complex  
March 5, 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. Mark Wheatley

**Members Absent:** Rep. Don Ipson  
Rep. Keven Stratton

**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 4:15 p.m.

**MOTION:** Rep. Grover moved to approve the minutes of the March 4, 2014 meeting. The motion passed unanimously with Rep. Layton, Rep. Seelig, and Rep. Wheatley absent for the vote.

**H.B. 190      Breathalyzer Amendments (*Rep. G. Hughes*)**

Rep. Hughes explained the bill to the committee.

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

*1. Page 3, Lines 60 through 62:*

- 60            (iv) the breathalyzer may be able to be shut down remotely; and  
61            (c) the {~~breathalyzer shall provide~~} retail licensee shall post in a  
conspicuous location by the breathalyzer:  
(i) a notice to the user of the breathalyzer that the timing  
62            of when a breathalyzer test is taken may affect the results of the breathalyzer  
test {~~.~~} ; and

**(ii) a notice that states: "The National Transportation Safety Board has found that crash risk is consistently and significantly elevated by the time an individual reaches a blood alcohol content of 0.05."**

The motion to amend passed unanimously with Rep. Seelig and Rep. Wheatley absent for the vote.

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

**S.B. 185 Law Enforcement Transparency (*Sen. D. Henderson*)**

Sen. Henderson explained the bill to the committee.

Spoke for the bill: Kelly Atkinson, Executive Director, Fraternal Order of Police  
David Spatafore, Utah Chiefs of Police Association  
Connor Boyack, Libertas Institute

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

**2nd Sub. S.B. 46 Administrative Subpoena Modifications (*Sen. M. Madsen*)**

Sen. Madsen explained the bill to the committee.

Spoke for the bill: Craig Barlow, Office of the Attorney General

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

**H.B. 427 Asset Forfeiture Revisions (*Rep. E. Hutchings*)**

Rep. Hutchings explained the bill to the committee.

Spoke to the bill: Ron Gordon, Commission on Criminal and Juvenile Justice  
Connor Boyack, Libertas Institute

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

**MOTION:** Rep. Ray moved to place H.B. 427 on the Consent Calendar. The motion passed unanimously with Rep. Grover and Rep. Layton absent for the vote.

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

Vice Chair Greenwood adjourned the meeting at 5:35 p.m.

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Rep. Curtis Oda, Chair