

**MINUTES OF THE
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**
Room 450, Utah State Capitol Complex
February 25, 2015

Members Present: Rep. Don L. Ipson, Chair
Rep. Marc K. Roberts, Vice Chair
Rep. Bradley M. Daw
Rep. Steve Eliason
Rep. Sandra Hollins
Rep. Kay L. McIff
Rep. Jeremy A. Peterson
Rep. Paul Ray
Rep. Edward H. Redd
Rep. Angela Romero
Rep. Earl D. Tanner

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

Chair Ipson called the meeting to order at 8:30 a.m.

MOTION: Rep. Roberts moved to approve the minutes of the February 23, 2015 meeting. The motion passed unanimously with Rep. Eliason, Rep. McIff, Rep. Ray, and Rep. Romero absent for the vote.

H.B. 167 Asset Forfeiture Revisions (*Rep. B. Greene*)

Rep. Greene explained the bill to the committee with the assistance of Jim Bradshaw, attorney. Two handouts "Asset Forfeiture Reform in State Legislatures" and "Evolution of Asset Forfeiture Reform in Utah" were distributed to the committee.

Spoke to the bill: Chad Platt, Statewide Association of Prosecutors

Spoke for the bill: Conner Boyack, Libertas Institute

Spoke against the bill: David Spattafore, Utah Chiefs of Police

MOTION: Rep. Tanner moved to replace H.B. 167 with 2nd Substitute H.B. 167. The motion passed unanimously.

MOTION: Rep. Roberts moved to amend 2nd Substitute H.B. 167 as follows:

1. *Page 10, Lines 284 through 286:*

284 (2) In a forfeiture proceeding [~~under this chapter~~] {regarding property
belonging to a
285 claimant other than a person charged or convicted for a crime subjecting that
property to
286 forfeiture} of a claimant under this section , the prosecuting attorney has the
burden of establishing by clear and convincing

The motion to amend passed unanimously.

MOTION: Rep. Peterson moved to pass 2nd Substitute H.B. 167 out with a favorable recommendation, as amended.

SUBSTITUTE

MOTION: Rep. Ray moved to return the bill to the Rules Committee for further study by an interim committee. The motion passed with Rep. Peterson, Rep. Roberts, and Rep. Tanner voting in opposition.

H.B. 350 Weapons on Public Transportation (Rep. N. Thurston)

Rep. Thurston explained the bill to the committee. A handout "HB 350-Weapons in Public Transportation" was distributed to the committee.

Spoke for the bill: George Chapman, citizen
Clark Aposhian, Utah Shooting Sports Council
Josh Daniels, Libertas Institute
Chris Jenkins, student, University of Utah
Jean Hill, Catholic Diocese

MOTION: Rep. Ray moved to pass H.B. 350 out with a favorable recommendation. The motion passed with Rep. Hollins and Rep. Romero voting in opposition. Rep. Tanner was absent for the vote.

S.B. 109 Removal from Database Amendments (Sen. D. Thatcher)

Sen. Thatcher explained the bill to the committee.

MOTION: Rep. Daw moved to pass S.B. 109 out with a favorable recommendation. The motion passed unanimously with Rep. Tanner absent for the vote.

MOTION: Rep. Ray moved to place S.B. 109 on the consent calendar. The motion passed unanimously with Rep. Tanner absent for the vote.

MOTION: Rep. Daw moved to adjourn the meeting. The motion passed unanimously with Rep. Tanner absent for the vote.

Chair Ipson adjourned the meeting at 9:59 a.m.