

**MINUTES OF THE
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**
Room 450, Utah State Capitol Complex
March 5, 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 4:25 p.m.

MOTION: Rep. Roberts moved to approve the minutes of the March 3, 2015 meeting. The motion passed unanimously with Rep. Daw, Rep. Eliason, Rep. McIff, Rep. Ray, and Rep. Redd absent for the vote.

H.B. 343 **Utah Communication Authority Emergency Radio and 911 Amendments**
(Rep. B. Dee)

Rep. Dee explained the bill to the committee with the assistance of Steve Proctor, Executive Director, Utah Communication Authority.

Spoke to the bill: Eric Isom, Century Link

Spoke for the bill: Chief Mike Mathieu, Ogden City Fire Chief
Scott Carver, Salt Lake County Sheriff's Office

MOTION: Rep. Daw moved to replace H.B. 343 with 2nd Substitute H.B. 343. The motion passed unanimously with Rep. Eliason, Rep. Peterson, and Rep. Ray absent for the vote.

MOTION: Rep. Daw moved to pass 2nd Substitute H.B. 343 out with a favorable recommendation. The motion passed unanimously with Rep. Eliason, Rep. Peterson, and Rep. Ray absent for the vote.

H.B. 16 Alcoholic Beverage Event Permit Amendments (*Rep. C. Oda*)

Rep. Oda explained the bill to the committee.

Spoke to the bill: Nina McDermott, Director of Licensing, Utah Department of Alcoholic and Beverage Control

MOTION: Rep. Ray moved to replace H.B. 16 with 1st Substitute H.B. 16. The motion passed unanimously with Rep. Eliason, and Rep. McIff absent for the vote.

MOTION: Rep. Roberts moved to amend 1st Substitute H.B. 16 as follows:

1. Page 2, Lines 42 through 53:

- 42 (e) to minimize the risk of minors being sold or furnished alcohol or adults being
43 overserved alcohol at the event~~[, assess the adequacy of control measures for:]~~ determine
44 that
45 adequate and appropriate control measures and adequate and appropriate enforcement
46 measures
47 are in place at the event to assure that minors will not be sold or furnished alcohol and
48 that
49 adults will not be overserved **, except that adequate and appropriate control and**
50 **enforcement measures may be different for small, large, indoor, and outdoor**
51 **events** ;
52 [(i) a large-scale public event when the estimated attendance is in excess of 1,000
53 people; or]
54 [(ii) ~~an outdoor public event;~~]
55 (f) determine that the event permit is not being sought by the person as a means to
56 circumvent other applicable requirements of this title **, notwithstanding that the**
57 **applicant may hold one or more licenses issued under this title** ;
58 (g) ~~{determine that there is no violations history either by the applicant or at~~
59 the venue
60 where the event will be held during the last three years before the date of the
61 event} **consider the violation history of the applicant and the venue where the**
62 **event will be held during the three years before the date of the event** ;

The motion to amend passed unanimously with Rep. Eliason and Rep. McIff absent for the vote.

MOTION: Rep. Redd moved to pass 1st Substitute H.B. 16 out with a favorable recommendation, as amended. The motion passed unanimously with Rep. Eliason and Rep. McIff absent for the vote.

S.B. 150 Driving Under the Influence Sentencing Revisions (*Sen. S. Jenkins*)

Sen. Jenkins explained the bill to the committee with the assistance of Paul Boyden, Executive Director, Statewide Association of Prosecutors.

Spoke to the bill: Linda Hull, Utah Department of Transportation
 Rick Schwermer, Utah Courts

MOTION: Rep. Ray moved to pass S.B. 150 out with a favorable recommendation. The motion passed with Rep. Roberts and Rep. Tanner voting in opposition. Rep. Eliason and Rep. McIff were absent for the vote.

H.B. 445 Bail Bond Surety Amendments (*Rep. E. Hutchings*)

Rep. Hutchings explained the bill to the committee.

Spoke for the bill: Gordon Wright, Bail Bond Association
 Brad Jenkins, Bail Bond Association
 Wayne Carlos, Bail Bond Association

Spoke to the bill: David Walsh, Salt Lake County Attorney's Office
 Rick Schwermer, Utah Courts
 Kathy Burton, Utah Department of Insurance

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

1. Page 5, Lines 129 through 135:

129 (f) enter the bench warrant on {
130 —(i)} the statewide warrant system = {; and
131 —(ii) the National Crime Information Center, if the offense is a felony;
132 —(2) A bond shall be exonerated if the bench warrant is not entered on the
 statewide
133 warrant system or a felony bench warrant is not entered with the National Crime

Information

134 Center under Subsection (1)(f):

135 [] {+} (2) {+} [] {~~3~~} The prosecutor may mail notice of
nonappearance by certified mail, return

2. *Page 5, Line 138:*

138 [] {+} (3) {+} [] {~~4~~} If notice of nonappearance is not mailed to a
surety as listed on the bond, other

3. *Page 5, Line 143:*

143 [] {+} (4) {+} [] {~~5~~} (a) (i) If a defendant appears in court within
seven calendar days after a

4. *Page 7, Lines 196 through 197:*

196 The surety is entitled to obtain the exoneration of its bond without motion {prior
to
197 judgment} by providing written proof to the court and the prosecutor that:

The motion to amend passed unanimously with Rep. McIff and Rep. Roberts absent for the vote.

MOTION: Rep. Ray moved to pass H.B. 445 out with a favorable recommendation. The motion passed with Rep. Daw and Rep. Tanner voting in opposition. Rep. McIff and Rep. Roberts were absent for the vote.

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

Chair Ipson adjourned the meeting at 6:25 p.m.