

## SJR013S01 compared with SJR013

~~text~~ shows text that was in SJR013 but was deleted in SJR013S01.

text shows text that was not in SJR013 but was inserted into SJR013S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Stephen H. Urquhart proposes the following substitute bill:

### JOINT RESOLUTION AMENDING RULES OF EVIDENCE

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: \_\_\_\_\_

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#### LONG TITLE

#### General Description:

This joint resolution modifies the Utah Rules of Evidence.

#### Highlighted Provisions:

This resolution:

- ▶ amends the Utah Rules of Evidence to include a rule that relates to the admissibility of certain evidence ~~at~~in a ~~criminal trial~~case in which the defendant is ~~charged with~~accused of committing a hate crime.

#### Special Clauses:

This resolution provides a special effective date.

#### Utah Rules of Evidence Affected:

#### ENACTS:

Rule ~~413~~417, Utah Rules of Evidence

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*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

As provided in Utah Constitution Article VIII, Section 4, the Legislature may amend rules of procedure and evidence adopted by the Utah Supreme Court upon a two-thirds vote of all members of both houses of the Legislature:

Section 1. **Rule ~~{413}~~417**, Utah Rules of Evidence is enacted to read:

**Rule ~~{413}~~417. Admissibility of Evidence of the Actor's Expression or Association in Criminal Trials for Hate Crimes.**

~~{(1)}~~ In a criminal ~~{trial}~~ case in which the defendant is ~~{charged with}~~ accused of committing a hate crime, evidence of the defendant's expressions or associations may not be introduced as ~~{substantive}~~ evidence, unless the evidence:

(1) specifically relates to the hate crime charged ~~{.}~~; or

(2) ~~{This rule does not affect the Utah Rules of Evidence governing impeachment of a witness}~~ is introduced for impeachment.

Section 2. **Effective date.**

This resolution takes effect upon approval by a constitutional two-thirds vote of all members elected to each house.

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**Legislative Review Note**

**~~Office of Legislative Research and General Counsel}~~**