

**MINUTES OF THE  
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**  
Room 450, Utah State Capitol Complex  
February 22, 2016

**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. Angela Romero  
Rep. Earl D. Tanner

**Members Absent:** Rep. Edward H. Redd

**Staff Present:** Mr. Nathan Brady, Policy Analyst  
Ms. Linda Black, 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 4:20 p.m.

**H.B. 298 Lawful Commerce in Arms (Rep. J. Fawson)**

Rep. Fawson explained the bill to the committee.

**MOTION:** Rep. Daw moved to replace H.B. 298 with 1st Substitute H.B. 298. The motion passed unanimously with Rep. Eliason, Rep. McIff, Rep. Peterson, and Rep. Ray absent for the vote.

**MOTION:** Rep. Peterson moved to replace 1st Substitute H.B. 298 with 2nd Substitute H.B. 298. The motion passed unanimously with Rep. Eliason absent for the vote.

**MOTION:** Rep. Tanner moved to amend the bill and Rep. Roberts moved to divide the amendment as follows:

**Division 1**

1. Page 3, Lines 69 through 70:

69 product;

70 (v) an action for death, physical injuries, or property damage resulting directly or

- indirectly, from a
- 71 defect in design or manufacture of the product, when used as intended or in a **reasonably**  
72 foreseeable manner {~~except that where the discharge of the product was caused by a~~  
volitional  
73 act that constituted a criminal offense, then the act shall be considered the sole proximate  
cause  
74 of any resulting death, personal injuries, or property damage. } ; or  
75 (vi) an action or proceeding commenced to enforce the provisions of 18 U.S.C.

The motion to amend lines 71-75 passed unanimously with Rep. Eliason absent for the vote.

### **Division 2**

2. Page 3, Lines 71-75

The motion to amend lines 71-75 passed out favorably with Rep. Eliason absent for the vote.

### **Division 3**

3. Page 3, Line 43

The motion to amend line 43 failed with Rep. Daw, Rep. Peterson, Rep. Ray, Rep. Roberts, and Chair Ipson voting in opposition.

**MOTION:** Rep. Daw moved to pass out 2nd Substitute H.B. 298 favorably, as amended. The motion passed with Rep. Hollins, Rep. McIff, Rep. Romero, and Rep. Tanner voting in opposition.

### **H.B. 196 Unlawful Detainer Revisions (Rep. K. Grover)**

Rep. Grover explained H.B. 196 to the committee.

Spoke to the bill: Steve Erickson, Crossroads Urban Center

Spoke for the bill: Kirk Cullimore, Counsel, Utah Apartment Association  
Mike Ostermiller, Utah Association of Realtors  
Paul Smith, Utah Apartment Association

**MOTION:** Rep. Peterson moved to pass H.B. 196 out favorably. The motion passed with Rep. Tanner voting in opposition.

### **H.B. 355 Peace Officer Situational Training (Rep. F. Gibson)**

Rep. Gibson explained the bill to the committee.

Spoke for the bill: Ken Wallentine, Office of the Attorney General  
Chief Tom Ross, Bountiful City Police Department  
Sherri Wittwer, NAMI of Utah

**MOTION:** Rep. Roberts moved to pass H.B. 355 out favorably. The motion passed unanimously. Rep. McIff was absent for the vote.

**H.B. 349 Attorney General Security Detail Amendments (*Rep. M. Schultz*)**

The bill was not considered.

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

Chair Ipson adjourned the meeting at 5:55 p.m.

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Don L. Ipson, Chair