

**MINUTES OF THE
HOUSE PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE**

Room 450, Utah State Capitol

February 16, 2016

Members Present: Rep. Ken Ivory, Chair
Rep. Stephen G. Handy, Vice Chair
Rep. Patrice M. Arent
Rep. Scott H. Chew
Rep. Kay J. Christofferson
Rep. Rebecca P. Edwards
Rep. Keith Grover
Rep. Lynn N. Hemingway
Rep. Keven J. Stratton
Rep. Earl D. Tanner

Absent: Rep. Brad L. Dee

Staff Present: Mr. Adam J. Sweet, Policy Analyst
Ms. Lisa Jones, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Ivory called the meeting to order at 2:05 p.m.

H.B. 241 Computer Abuse and Data Recovery Act (Rep. Chavez-Houck)

Rep. Chavez-Houck, assisted by Stephen Nagin, Counsel at Peretz Chesal Herrmann, Karima Shaver, owner, Biotron Labs, and Romaine Marshall, attorney, at Holland and Hart, introduced and explained the bill.

Spoke for the bill: Mr. Todd Bingham, President, Utah Manufacturers Association

MOTION: Rep. Stratton moved to pass the bill out favorably. The motion passed unanimously with Rep. Edwards, and Rep. Handy absent for the vote.

H.B. 280 Autonomous Vehicle Study (Rep. Spendlove)

Rep. Spendlove introduced and explained the bill. The handouts "States Gear Up for Driverless Cars" and the New York Times' "Self-Driver Cars May Get Here Before We're Ready" were distributed to the committee.

MOTION: Rep. Tanner moved to replace H.B. 280 with 1st Substitute H.B. 280. The motion passed unanimously with Rep. Edwards and Rep. Handy absent for the vote.

MOTION: Rep. Christofferson moved to pass 1st Substitute H.B. 280 out favorably. The motion passed unanimously with Rep. Edwards and Rep. Stratton absent for the vote.

H.B. 225 Cybercrime Amendments (Rep. Lifferth)

Rep. Lifferth, assisted by Major Brian Redd, Deputy Director, State Bureau of Investigation, introduced and explained the bill.

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

1. *Page 1, Lines 19 through 20:*

19 ▶ modifies an element of computer crimes to include a person who acts {
 ~~with~~} without
20 authorization , or whose acts exceed authorization , {~~but then~~} and who
 commits a crime;

2. *Page 1, Line 21:*

21 ▶ modifies the reporting procedure for computer crime offenses , including
 reporting by state agencies ; and

3. *Page 2, Line 55:*

55 (ii) computers and remote terminals; {~~or~~}
 (iii) network connected devices; or

4. *Page 3, Line 88:*

88 [(10)] (13) "Security system" means a computer, computer system, network,
 network connected device, or

5. *Page 4, Line 102:*

102 (1) A person who {~~with or~~} , acting without authorization or whose
 acts exceed authorization, gains or attempts to gain access to any

6. *Page 6, Line 154:*

154 (1) Every person, except [those] a person to whom a statutory or common law
 privilege

7. Page 6, Line 157:

157 ~~{(f)}~~ (a) the attorney general[;] or county attorney, or, if within a
 prosecution district, the

8. Page 6, Line 160:

160 ~~{(2)}~~ (b) a state or local law enforcement agency .
(2) Every state agency that has reason to believe that any provision of Section
76-6-703 is being or has been violated within the agency's computer system or
network shall report the suspected violation to the Utah Department of Public
Safety, State Bureau of Investigation.

9. Page 7, Lines 190 through 192:

190 (d) "Minor" means a person who is younger than 18 years of age.
191 ~~{(c) "Personal identifying information" means the same as that term is~~
 defined in
192 Section 76-6-1102.}

10. Page 7, Lines 194 through 196:

194 prosecution in the jurisdiction where the communication originated or was received if
 the person, or a party whom the person has encouraged to act in violation of this
 Subsection (2), acts with
195 intent to ~~{annoy,}~~ alarm, intimidate, ~~{offend,}~~ abuse, threaten, harass,
 ~~{frighten,}~~ or disrupt the
196 electronic communications of another ~~{, the person}~~ and :

11. Page 7, Line 208 through Page 8, Line 214:

208 physical harm, or damage to any person or the property of any person;
 ~~{+}~~ or ~~{+}~~
209 (d) causes disruption, jamming, or overload of an electronic communication system
210 through excessive message traffic or other means utilizing an electronic communication
211 device ~~{+}~~ . ~~{+}~~ ~~{, or~~
212 ~~—(e) electronically publishes, posts, or otherwise makes available personal~~
 identifying
213 information in a public online site or forum.}

214 (3) (a) (i) Electronic communication harassment committed against an adult is a class

The motion passed unanimously with Rep. Edwards and Rep. Stratton absent for the vote.

MOTION: Rep. Christofferson moved to pass the bill out favorably as amended.

MOTION: Rep. Arent moved to substitute the motion and hold H.B. 225, as amended, in committee. The motion passed, with Rep. Chew, Rep. Christofferson, and Rep. Grover in opposition and Rep. Stratton absent for the vote.

MOTION: Rep. Arent moved to adjourn the meeting. The motion passed unanimously, with Rep. Stratton absent for the vote.

Chair Ivory adjourned the meeting at 3:28 p.m.

Ken Ivory, Chair