



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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March 4, 2020

Mr. Speaker,

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 416**, PENALTIES FOR MISCONDUCT WITH STUDENTS, by Representative C. B. Pierucci, with the following amendments:

1. *Page 1, Lines 11 through 17:*

- 11 This bill:
- 12 ▶ ~~{in addition to existing penalties, creates}~~ imposes penalties for  
an educator or license
- 13 applicant who engages in sexually explicit conduct with a student who is not a  
14 minor and who:
- 15 • ~~{was}~~ is enrolled at a school where a license applicant or  
educator is ~~{or was}~~
- 16 employed; or
- 17 • is a participant in an extracurricular activity in which the educator is  
involved.

2. *Page 2, Lines 48 through 53:*

- 48 (g) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a  
49 student who ~~[is]~~:
- 50 (i) is enrolled in an LEA;
- 51 ~~[(†)]~~ (ii) is not a minor; and
- 52 ~~[(††)]~~ (iii) (A) is ~~{or was}~~ enrolled in ~~[a school]~~ an LEA where the license  
applicant or
- 53 educator is ~~{or was}~~ employed; or

3. *Page 4, Lines 95 through 100:*

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95 (h) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a  
96 student who ~~is~~:  
97 (i) is enrolled in an LEA;  
98 ~~(i)~~ (ii) is not a minor; and  
99 ~~(ii)~~ (iii) (A) is ~~{-or was-}~~ enrolled in ~~[a school]~~ an LEA where the educator is  
100 ~~{-or was-}~~  
employed~~[-];~~or

4. Page 5, Lines 131 through 135:

131 (vii) engaged in sexually explicit conduct, as defined in Section 76-5b-103, with a  
132 student enrolled in an LEA who is not a minor, and:  
133 ~~[(A) not a minor; and]~~  
134 ~~[(B) enrolled in a school where the educator is or was employed; or]~~  
135 (A) is ~~{-or was-}~~ enrolled in an LEA where the educator is ~~{-or was-}~~  
employed; or

Respectfully,

Lee B. Perry  
Chair

Voting: 7-0-4

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