



DRAFT MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Friday, February 9, 2024 | 2:00 p.m. | 110 Senate Building

Members Present:

Rep. Jon Hawkins, Chair
Rep. Nelson T. Abbott, Vice Chair
Rep. Cheryl K. Acton
Rep. Kera Birkeland
Rep. Tyler Clancy
Rep. Brian S. King
Rep. Karianne Lisonbee

Rep. Anthony E. Loubet
Rep. Judy Weeks Rohner
Rep. Rex P. Shipp
Rep. Christine F. Watkins
Rep. Mark A. Wheatley

Staff Present:

Jonathan Adams, Policy Analyst
Tisha Gibby, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Abbott called the meeting to order at 2:07 p.m.

MOTION: Rep. Shipp moved to approve the February 8, 2024 minutes. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

Rep. N. Abbott
Rep. K. Birkeland
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee

1. H.B. 414 Student Right to Counsel (Teuscher, J.)

[HB414 handout](#)

Rep. Jordan Teuscher presented the bill with the assistance of Tyler Coward, Lead Counsel, Government Affairs, Foundation for Individual Rights and Expression.

Geoff Landward, Interim Commissioner, Utah System of Higher Education, spoke to the bill.

MOTION: Rep. Birkeland moved to amend H.B. 414 with Amendment #1. The motion passed with a vote of 9 - 0 - 3.

Amendment 1
H.B. 414

1. Page 4, Lines 94 through 95:

94 (9) "Policy or rule" means a policy or rule, or a relevant section of a policy or rule, of an institution that, if
violated, may result
95 in:

2. Page 4, Lines 100 through 101:

100 (10) {"Proceeding" means an adjudicatory meeting, whether formal or informal,
101 including an appeal, that is:} "Proceeding" means an adjudicatory hearing,
including an appeal, in which evidence is presented to a hearing officer or a hearing panel, and that is:

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. King
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. T. Clancy
Rep. J. Hawkins
Rep. K. Lisonbee

MOTION: Rep. Acton moved to pass H.B. 414 out favorably as amended. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. B. King
Rep. A. Loubet
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. J. Rohner

2. H.B. 432 Child Abuse and Neglect Reporting Amendments (*Loubet, A.*)

Rep. Loubet presented the bill with the assistance of Sergeant Rob Scott, Special Victims Unit, Unified Police Department.

Rabbi Avremi Zippel, Chair, Utah Crime Victims Council, spoke in favor of the bill.

Rep. Birkeland assumed the chair.

Goud Maragani, Chairman, Utah Gay-Straight Coalition, spoke in favor of the bill.

Crystal Young, survivor, spoke in favor of the bill.

Mark Moffat, criminal defense attorney, spoke to the bill.

Marlesse Jones, Director, Victims Services Commission, spoke in favor of the bill.

Will Carlson, Chief Policy Advisor, Salt Lake District Attorney's Office, spoke in favor of the bill.

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in favor of the bill.

Rep. Shipp resumed the chair.

Steve Burton, Utah Defense Attorney Association, spoke to the bill.

Hilary Booth, advocate, spoke in favor of the bill.

Kim Brannon, survivor and advocate, spoke in favor of the bill.

MOTION: Rep. Clancy moved to replace H.B. 432 with 1st Substitute H.B. 432. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Nays - 0

Absent - 2

Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

Rep. K. Birkeland
Rep. J. Rohner

MOTION: Rep. King moved to pass 1st Substitute H.B. 432 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Nays - 0

Absent - 2

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Rep. J. Rohner
Rep. C. Watkins

Rep. Hawkins assumed the chair.

3. H.B. 323 Motor Vehicle Safety Inspection Modifications (*Lisonbee, K.*)

Rep. Lisonbee presented the bill.

Steve Salas, Major, Utah Highway Patrol, spoke to the bill.

Brian Gwilliam, Chief of Police, Lone Peak Police Department, and President of the Utah Chiefs of Police Association, spoke against the bill.

Sam Knight, Utah Criminal Defense Association, spoke in favor of the bill.

MOTION: Rep. King moved to amend H.B. 323 with Amendment #3. The motion passed with a vote of 8 - 0 - 4.

Amendment 3
H.B. 323

1. Page 3, Lines 71 through 73:

71 (10) A peace officer may only enforce Subsection (1)(b) when the peace officer has detained
72 the operator of a motor vehicle for a suspected violation of another section in Title 41, Motor
73 Vehicles, or for another offense.

(11) The Motor Vehicle Division or Driver License Division may not revoke or suspend an individual's vehicle registration or driver license for a violation or multiple violations of Subsection (1)(a) or (b).

Yeas - 8
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 4
Rep. K. Birkeland
Rep. A. Loubet
Rep. J. Rohner
Rep. C. Watkins

MOTION: Rep. Clancy moved to pass H.B. 323 out favorably as amended. The motion passed with a vote of 5 - 4 - 3.

Yeas - 5
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. K. Lisonbee
Rep. A. Loubet

Nays - 4
Rep. J. Hawkins
Rep. B. King
Rep. R. Shipp
Rep. M. Wheatley

Absent - 3
Rep. K. Birkeland
Rep. J. Rohner
Rep. C. Watkins

4. H.J.R. 8 Joint Resolution Amending Rules of Civil Procedure on Disqualification of a Judge (*Gricius, S.*)

Rep. Stephanie Gricius presented the resolution.

Michael Drechsel, Assistant State Court Administrator, and in behalf of the Utah Judiciary, spoke against the resolution.

Erik Christiansen, President, Utah State Bar, spoke against the resolution.

Will Carlson, Salt Lake County District Attorney's Office, spoke to the resolution.

MOTION: Rep. Lisonbee moved to replace H.J.R. 8 with 1st Substitute H.J.R. 8. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 2
Rep. J. Rohner
Rep. C. Watkins

MOTION: Rep. Loubet moved to amend 1st Substitute H.J.R. 8 with Amendment #1. The motion passed with a vote of 9 - 1 - 2.

Amendment 1
1st Sub. H.J.R. 8

1. Page 2, Lines 55 through 56:
55 (a) (2) (B) (ii) on the side of a defendant or respondent, ~~{before or}~~ within seven days after the day on which
56 the defendant or respondent is served the complaint or petition, or at the time of the first
filing by the defendant or respondent with the court, whichever occurs first.

Yeas - 9
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 1
Rep. N. Abbott

Absent - 2
Rep. J. Rohner
Rep. C. Watkins

MOTION: Rep. Lisonbee moved to pass 1st Substitute H.J.R. 8 out favorably as amended. The motion passed with a vote of 7 - 3 - 2.

Yeas - 7
Rep. N. Abbott
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp

Nays - 3
Rep. C. Acton
Rep. B. King
Rep. M. Wheatley

Absent - 2
Rep. J. Rohner
Rep. C. Watkins

5. S.B. 62 Dog Related Liability Amendments (*Fillmore, L.*)

Sen. Lincoln Fillmore presented the bill.

Jake Lee, Utah Association for Justice, spoke in favor of the bill.

MOTION: Rep. King moved to pass S.B. 62 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. K. Lisonbee
Rep. J. Rohner
Rep. C. Watkins

MOTION: Chair Hawkins moved to place S.B. 62 on the Consent Calendar. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3
Rep. K. Lisonbee
Rep. J. Rohner
Rep. C. Watkins

6. H.B. 219 Divorce Imputed Income Requirements (*Teuscher, J.*)

[HB219 and HB220 handout](#)

Rep. Teuscher presented the bill with the assistance of Dani Palmer, citizen.

Sheryl Cragun Dame, citizen, spoke in favor of the bill.

Rachel Husberg, citizen, spoke in favor of the bill.

Stewart Ralphs, family law attorney, spoke to the bill.

MOTION: Rep. Birkeland moved to replace H.B. 219 with 2nd Substitute H.B. 219. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. N. Abbott
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. Birkeland moved to pass 2nd Substitute H.B. 219 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 2

Rep. N. Abbott
Rep. C. Watkins

7. H.B. 220 Divorce Amendments (*Teuscher, J.*)

[HB219 and HB220 handout](#)

Rep. Teuscher presented the bill with the assistance of Dani Palmer, citizen.

Sheryl Cragun Dame, citizen, spoke in favor of the bill.

Rachel Husberg, citizen, spoke in favor of the bill.

Stewart Ralphs, Legal Aid Society of Salt Lake, spoke to the bill.

Michael Drechsel, Assistant State Court Administrator, spoke to the bill.

MOTION: Rep. Birkeland moved to replace H.B. 220 with 2nd Substitute H.B. 220. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Hawkins
Rep. B. King
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. T. Clancy
Rep. K. Lisonbee
Rep. A. Loubet
Rep. J. Rohner
Rep. C. Watkins

MOTION: Rep. Birkeland moved to pass 2nd Substitute H.B. 220 out favorably. The motion passed with a vote of 9 - 1 - 2.

Yeas - 9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 1

Rep. B. King

Absent - 2

Rep. J. Rohner
Rep. C. Watkins

MOTION: Rep. Shipp moved to adjourn. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Loubet
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 2

Rep. J. Rohner
Rep. C. Watkins

Chair Hawkins adjourned the meeting at 5:12 p.m.