



DRAFT MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Tuesday, February 20, 2024 | 8:00 a.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 Hawkins called the meeting to order at 8:06 a.m.

1. H.B. 560 Licensing Modifications (*Lisonbee, K.*)

Rep. Lisonbee presented the bill.

Mary Taylor, President, Pro-Life Utah, spoke in favor of the bill.

Kriss Martenson, President, Voice for the Voiceless, spoke to the bill.

Gayle Ruzicka, Utah Eagle Forum, spoke in favor of the bill.

Andrew Soncrant, Deacon, Apologia Church Utah, spoke to the bill.

Mary Kelsch, CFO, Pro-Life Utah, spoke in favor of the bill.

Shireen Ghorbani, Chief Corporate Affairs Officer, Planned Parenthood, spoke to the bill.

MOTION: Rep. Birkeland moved to pass H.B. 560 out favorably. The motion passed with a vote of 9 - 2 - 1.

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. C. Watkins

Nays - 2

Rep. B. King
Rep. M. Wheatley

Absent - 1

Rep. J. Rohner

2. H.B. 127 Bias Incident Reporting (*Owens, D.*)

Rep. Doug Owens presented the bill with the assistance of Nate Mutter, Deputy Chief of Investigation, Utah Attorney General's Office, and Jay Jacobson, Chair of Community Partners Against Hate, and Luna Banuri, Utah Muslim Civic League.

Nicholeen Peck, President, Worldwide Organization for Women, spoke against the bill.

Maryann Christensen, Executive Director, Utah Legislative Watch, spoke against the bill.

MOTION: Rep. Wheatley moved to replace H.B. 127 with 2nd Substitute H.B. 127. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10

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

Nays - 0

Absent - 2

Rep. T. Clancy
Rep. K. Lisonbee

MOTION: Rep. Wheatley moved to amend 2nd Substitute H.B. 127 with Amendment #1. The motion passed with a vote of 9 - 1 - 2.

Amendment 1
2nd Sub. H.B. 127

1. Page 7, Lines 187 through 201:

187 ~~67-5-40.~~ Bias incident reporting system.

188 (1) As used in this section{~~:~~

189 ~~(a) "Bias incident"~~, "~~bias incident~~" means a hostile expression of animus by an individual toward
190 another individual that:

191 ~~{(i)}~~ (a) does not rise to the level of a criminal offense; and

192 ~~{(ii)}~~ (b) is motivated by a bias against a race, a religion, an ethnic or national origin group,
193 sex, gender identity, a sexual orientation group, or a disability.

194 ~~{(b) "National Incident-Based Reporting System" means the system operated by the
195 Bureau of Justice established in 34 U.S.C. Sec. 10132.}~~

196 (2) The attorney general shall:

197 (a) establish a system for the public to report a bias incident;

198 (b) create an online form for the reporting of a bias incident {~~that follows the format
199 used by the National Incident-Based Reporting System~~}; and

200 (c) collect and publicly report on the attorney general's website anonymized data
201 collected under this section.

Yeas - 9

Rep. N. Abbott
Rep. C. Acton
Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

Nays - 1

Rep. K. Birkeland

Absent - 2

Rep. T. Clancy
Rep. K. Lisonbee

MOTION: Rep. King moved to pass 2nd Substitute H.B. 127 out favorably as amended. The motion failed with a vote of 5 - 5 - 2.

Yeas - 5

Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. C. Watkins
Rep. M. Wheatley

Nays - 5

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Rohner
Rep. R. Shipp

Absent - 2

Rep. T. Clancy
Rep. K. Lisonbee

3. 2nd Sub. S.B. 150 Exercise of Religion Amendments (*Weiler, T.*)

Sen. Todd Weiler presented the bill.

Marina Lowe, Policy Director, Equality Utah, spoke to the bill.

David Quealy, Senior City Attorney for Salt Lake City Attorney's Office, spoke to the bill.

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

Lauren Warner, BYU law student, spoke in favor of the bill.

MOTION: Rep. King moved to pass 2nd Substitute S.B. 150 out favorably. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Rep. N. Abbott
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. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 1

Rep. K. Lisonbee

4. H.B. 299 Court-ordered Treatment Modifications (*Clancy, T.*)

[HB299 handout](#)

Rep. Clancy presented the bill with the assistance of Nate Crippes, Public Affairs Supervising Attorney, Disability Law Center.

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

Mark Moffat, Utah Association of Criminal Defense Lawyers, spoke in favor of the bill.

Amelia Powers Gardner, Wasatch Behavioral Health Authority Board, spoke in favor of the bill.

Andrea Cook, therapist, In Sickness and In Health, spoke in favor of the bill.

Sgt. Glenn Giles, Orem Police Department, spoke in favor of the bill.

Nate Crippes, Disability Law Center, spoke in favor of the bill.

Alberto Souza, psychiatric nurse practitioner, spoke in favor of the bill.

MOTION: Rep. Birkeland moved to replace H.B. 299 with 1st Substitute H.B. 299. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Nays - 0

Absent - 1

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

Rep. A. Loubet

MOTION: Rep. Birkeland moved to amend 1st Substitute H.B. 299 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1
1st Sub. H.B. 299

1. Page 8, Lines 235 through 240:

235 (b) The study and recommendations described in Subsection (1)(a) shall also address
236 the role of the Utah State Hospital in serving patients who are subject to court-ordered
237 treatment, including civil commitment.

(c) The study and recommendations described in Subsection (1)(a) shall also address any additional resources or services needed to decrease the likelihood that individuals who are subject to court-ordered treatment, including civil commitment, will enter or reenter the Utah State Hospital or another inpatient facility.

238 (2) The Utah Substance Use and Mental Health Advisory Council shall provide a
239 report on the study and recommendations described in Subsection (1) to the Judiciary Interim
240 Committee at or before the committee's October 2024 interim meeting.

Yeas - 11

Nays - 0

Absent - 1

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

Rep. A. Loubet

MOTION: Rep. Clancy moved to amend 1st Substitute H.B. 299 with Amendment #2. The motion passed with a vote of 12 - 0 - 0.

Amendment 2
1st Sub. H.B. 299

1. Page 23, Lines 694 through 696:

694 (c) The court shall maintain a ~~{current}~~ list of patients proposed for civil commitment
695 who qualify for civil commitment under Subsections (16)(a)(i) and (ii), but for whom the local
696 mental health authority is unable to provide treatment as described in Subsection (16)(a)(iii).

Yeas - 12

Nays - 0

Absent - 0

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. J. Rohner
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

MOTION: Rep. Birkeland moved to pass 1st Substitute H.B. 299 out favorably as amended. The motion passed with a vote of 12 - 0 - 0.

Yeas - 12

Nays - 0

Absent - 0

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. J. Rohner
Rep. R. Shipp
Rep. C. Watkins
Rep. M. Wheatley

5. S.B. 50 Aggravated Assault Modifications (*Kennedy, M.*)

Sen. Mike Kennedy presented the bill.

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

Mark Moffat, Utah Association of Criminal Defense Lawyers, spoke in favor of the bill.

MOTION: Rep. Birkeland moved to pass S.B. 50 out favorably. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Nays - 0

Absent - 1

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. C. Watkins
Rep. M. Wheatley

Rep. J. Rohner

MOTION: Rep. Shipp moved to approve the minutes from the February 14, 2024 meetings. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

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. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 1

Rep. J. Rohner

MOTION: Rep. Clancy moved to adjourn. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

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. C. Watkins
Rep. M. Wheatley

Nays - 0

Absent - 1

Rep. J. Rohner

Chair Hawkins adjourned the meeting at 9:51 a.m.