



DRAFT MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Friday, February 23, 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. Tyler Clancy
Rep. Brian S. King
Rep. Anthony E. Loubet
Rep. Judy Weeks Rohner
Rep. Rex P. Shipp

Rep. Christine F. Watkins
Rep. Mark A. Wheatley

Members Absent:

Rep. Kera Birkeland
Rep. Karianne Lisonbee

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 8:10 a.m.

MOTION: Rep. Loubet moved to approve the February 21, 2024 minutes. The motion passed with a vote of 6 - 0 - 6.

Yeas - 6

Rep. T. Clancy
Rep. J. Hawkins
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 6

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. B. King
Rep. K. Lisonbee
Rep. C. Watkins

1. S.B. 202 Regulations for Legal Services (*McKell, M.*)

Sen. Mike McKell presented the bill.

Kurt London, Utah Association for Justice, spoke in favor of the bill.

MOTION: Rep. Loubet moved to pass S.B. 202 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

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

Nays - 0

Absent - 4

Rep. K. Birkeland
Rep. B. King
Rep. K. Lisonbee
Rep. C. Watkins

2. H.B. 539 State Legal Dispute Amendments (*Brammer, B.*)

Rep. Brady Brammer presented the bill.

MOTION: Rep. Loubet moved to replace H.B. 539 with 1st Substitute H.B. 539. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 4
Rep. K. Birkeland
Rep. B. King
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. Loubet moved to pass 1st Substitute H.B. 539 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8
Rep. N. Abbott
Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 4
Rep. K. Birkeland
Rep. B. King
Rep. K. Lisonbee
Rep. C. Watkins

3. 2nd Sub. H.B. 127 Bias Incident Reporting (Owens, D.)

Sen. Doug Owens presented the bill with the assistance of Rep. Clancy.

MOTION: Rep. Loubet moved to replace 2nd Substitute H.B. 127 with 4th Substitute H.B. 127. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10
Rep. N. Abbott
Rep. C. Acton
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 - 2
Rep. K. Birkeland
Rep. K. Lisonbee

MOTION: Rep. Loubet moved to pass 4th Substitute H.B. 127 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas - 10
Rep. N. Abbott
Rep. C. Acton
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 - 2
Rep. K. Birkeland
Rep. K. Lisonbee

4. H.B. 467 Child Abandonment Amendments (Brooks, W.)

Rep. Walt Brooks presented the bill.

Shirlee Draper, Cherish Families, spoke in favor of the bill.

MOTION: Rep. Acton moved to pass H.B. 467 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

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 - 0

Absent - 4

Rep. N. Abbott
Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Lisonbee

5. 1st Sub. S.B. 79 Estate Planning Recodification (Weiler, T.)

[4 Index for SB 79](#)

[4 Outline of SB 79](#)

[4 Summary of SB 79 Recodification](#)

Sen. Todd Weiler presented the bill.

Charles Livsey, attorney, spoke to the bill.

MOTION: Rep. Loubet moved to pass 1st Substitute S.B. 79 out favorably. The motion passed with a vote of 9 - 1 - 2.

Yeas - 9

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

Nays - 1

Rep. R. Shipp

Absent - 2

Rep. K. Birkeland
Rep. K. Lisonbee

6. S.B. 95 Domestic Relations Recodification (Weiler, T.)

[5 Domestic Relations Recod - Detailed](#)

[5 Domestic Relations Recod Summary](#)

[5 Index for Domestic Relations Recodification](#)

Sen. Weiler presented the bill.

MOTION: Rep. Shipp moved to replace S.B. 95 with 2nd Substitute S.B. 95. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
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. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. Shipp moved to pass 2nd Substitute S.B. 95 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
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. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

7. S.B. 228 Protective Order Amendments (*Weiler, T.*)

Sen. Weiler presented the bill.

MOTION: Rep. Loubet moved to pass S.B. 228 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8
Rep. C. Acton
Rep. T. Clancy
Rep. J. Hawkins
Rep. B. King
Rep. A. Loubet
Rep. J. Rohner
Rep. R. Shipp
Rep. M. Wheatley

Nays - 0

Absent - 4
Rep. N. Abbott
Rep. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

MOTION: Rep. King moved to saunter. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9
Rep. N. Abbott
Rep. C. Acton
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. K. Birkeland
Rep. K. Lisonbee
Rep. C. Watkins

Chair Hawkins called the meeting back to order at 9:07 a.m.

8. 2nd Sub. S.B. 139 Competency Amendments (*Pitcher, S.*)

Sen. Stephanie Pitcher presented the bill with the assistance of Arnold Butcher, Chief Deputy, Davis County Sheriff.

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

MOTION: Rep. Clancy moved to amend 2nd Substitute S.B. 139 with Amendment #1. The motion passed with a vote of 9 - 0 - 3.

Amendment 1
2nd Sub. S.B. 139

1. Page 4, Line 118 through Page 5, Line 120:

118 (iv) require the agency .jail. or ~~{jail}~~ prison with custody over the defendant to report to the court any
119 noncompliance with the court's orders under this Subsection (5) within 48 hours of the
120 noncompliance.

Yeas - 9

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

MOTION: Rep. Clancy moved to pass 2nd Substitute S.B. 139 out favorably as amended. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

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

9. 1st Sub. S.B. 193 Arbitration Amendments (Pitcher, S.)

Sen. Pitcher presented the bill.

Kurt London, Utah Association for Justice, spoke in favor of the bill.

MOTION: Rep. Acton moved to pass 1st Substitute S.B. 193 out favorably. The motion passed with a vote of 8 - 0 - 4.



Yeas - 8

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

Nays - 0

Absent - 4

Rep. K. Birkeland
Rep. K. Lisonbee
Rep. J. Rohner
Rep. C. Watkins

MOTION:

Rep. Loubet moved to adjourn. The motion passed with a vote of 8 - 0 - 4.

Yeas - 8

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

Nays - 0

Absent - 4

Rep. K. Birkeland
Rep. K. Lisonbee
Rep. J. Rohner
Rep. C. Watkins

Chair Hawkins adjourned the meeting at 9:21 a.m.