



DRAFT MINUTES

HOUSE JUDICIARY STANDING COMMITTEE

Wednesday, February 8, 2023 | 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. James F. Cobb
Rep. Brian S. King
Rep. Karianne Lisonbee

Rep. Judy Weeks Rohner
Rep. Rex P. Shipp
Rep. Christine F. Watkins

Members Absent:

Rep. Mark A. Wheatley

Staff Present:

Jonathan Adams, Policy Analyst
Shay Berger, 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.

MOTION: Rep. Rohner moved to approve the minutes. The motion passed with a vote of 6 - 0 - 6.

Yeas - 6

Rep. N. Abbott
Rep. C. Acton
Rep. J. Cobb
Rep. J. Hawkins
Rep. J. Rohner
Rep. C. Watkins

Nays - 0

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. B. King
Rep. K. Lisonbee
Rep. R. Shipp
Rep. M. Wheatley

1. H.B. 204 Child Welfare Proceedings Testing Requirements (*Watkins, C.*)

Rep. Watkins introduced the bill.

Stacey Snyder, Office of Guardian ad Litem, spoke in favor of the bill.

MOTION: Rep. Watkins moved to replace H.B. 204 with 1st Substitute H.B. 204. The motion passed with a vote of 7 - 0 - 5.

Yeas - 7

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Cobb
Rep. J. Hawkins
Rep. J. Rohner
Rep. C. Watkins

Nays - 0

Absent - 5

Rep. T. Clancy
Rep. B. King
Rep. K. Lisonbee
Rep. R. Shipp
Rep. M. Wheatley

MOTION: Rep. Watkins moved to amend 1st Substitute H.B. 204 with Amendment #1. The motion passed with a vote of 8 - 0 - 4.

Amendment 1
1st Sub. H.B. 204

1. Page 7, Lines 186 through 191:

186 (ii) A claim of attorney-client privilege does not bar access to the records of an attorney
187 guardian ad litem by the Legislature, through legislative subpoena.

{-188-}{ ~~(13) A guardian ad litem may not refer an individual for drug testing by means of a hair, fingernail, or saliva test that is administered to detect the presence of drugs. }~~
189 Section 2. Section 80-2-301 is amended to read:
190 80-2-301. Division responsibilities.
191

Yeas - 8

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. C. Watkins

Nays - 0

Absent - 4

Rep. T. Clancy
Rep. K. Lisonbee
Rep. R. Shipp
Rep. M. Wheatley

MOTION: Rep. Birkeland moved to pass 1st Substitute H.B. 204 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. T. Clancy
Rep. K. Lisonbee
Rep. M. Wheatley

2. H.B. 317 Pretrial Release Modifications (Hall, K.)

Rep. Katy Hall introduced the bill with Steve Burton, Defense Attorneys for Balanced Criminal Justice.

Richard Larsen, Davis County Attorney's Office, spoke against the bill.

Richard Mauro, Director of the Salt Lake Legal Defender Association, spoke in favor of the bill.

Will Carlson, Salt Lake County District Attorney's Office, spoke against the bill.

Mark Moffat, criminal defense attorney, spoke in favor of the bill.

Jeff Buhman, Executive Director of the State Wide Association of Prosecutors, spoke to the bill.

Johnnie Miller, Chief Executive Officer at Utah Counties Indemnity Pool, spoke against the bill.

Wayne Carlos, Utah Bail Bonds Association, spoke against the bill.

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

Robert Van Dyke, Kane County Attorney, spoke against the bill.

Alexandra Allen, Assistant Director of the Utah Crime Victims Legal Clinic, spoke against the bill.

Ben Aldana, public defender in Utah County, spoke against the bill.

Marc Ebel, Director of Legislative Affairs for Aladdin Bail Bonds, spoke against the bill.

Crystal Powell, Attorney with the Utah Crime Victims Legal Clinic, spoke against the bill.

MOTION: Rep. Lisonbee moved to replace H.B. 317 with 1st Substitute H.B. 317. 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. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Rep. M. Wheatley

MOTION: Rep. Lisonbee moved to pass 1st Substitute H.B. 317 out favorably. The motion passed with a vote of 10 - 1 - 1.

Yeas - 10

Nays - 1

Absent - 1

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Cobb
Rep. J. Hawkins
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Rep. B. King
Rep. M. Wheatley

3. H.B. 368 Inmate Identification Amendments (*Lisonbee, K.*)

Rep. Lisonbee introduced the bill with Lauren Krisai, Deputy Director of the Justice Action Network.

Sam Knight, defense attorney, spoke in favor of the bill.

Richard Mauro, Director of the Salt Lake Legal Defender Association, spoke in favor of the bill.

Steve Erickson, Crossroads Urban Center, spoke in favor of the bill.

Dan Blanchard, Division Director of Adult Probation and Parole, spoke in favor of the bill.

Scott Howell, Pioneer Park Coalition, spoke in favor of the bill.

MOTION: Rep. Shipp moved to pass H.B. 368 out favorably. The motion passed with a vote of 10 - 0 - 2.



Yeas - 10

Rep. N. Abbott
Rep. C. Acton
Rep. K. Birkeland
Rep. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. T. Clancy
Rep. M. Wheatley

MOTION: Rep. Watkins 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. J. Cobb
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. J. Rohner
Rep. R. Shipp
Rep. C. Watkins

Nays - 0

Absent - 2

Rep. T. Clancy
Rep. M. Wheatley

NOTE: H.B. 0337, H.B. 0323, H.B. 0324 were not discussed in the meeting.