

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE**

Room 250, Utah State Capitol

February 26, 2014

Members Present: Sen. Mark B. Madsen, Chair
Sen. Patricia W. Jones
Sen. Luz Robles
Sen. Daniel W. Thatcher
Sen. Stephen H. Urquhart
Sen. Todd Weiler

Members Absent: Sen. Lyle W. Hillyard

Staff Present: Mr. Nathan Brady, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

NOTE: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Madsen called the meeting to order at 8:29 a.m.

MOTION: Sen. Weiler moved to approve the minutes of the Feb. 24, 2014 meeting. The motion passed unanimously with Sen. Urquhart, Sen. Robles, and Sen. Jones absent for the vote.

H.B. 287 Arbitration for Dog Bites Amendments (*Rep. L. Christensen*)

Rep. Christensen explained the bill to the committee.

MOTION: Sen. Thatcher moved to pass the bill out favorably. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

MOTION: Sen. Urquhart moved the bill be placed on the Consent Calendar. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

H.B. 280 Technical Revisions to Pawnshop Statute (*Rep. A. Romero*)

Rep. Romero explained the bill to the committee.

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

MOTION: Sen. Weiler moved the bill be placed on the Consent Calendar. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

S.B. 221 Indigent Counsel in Juvenile Court (*Sen. T. Weiler*)

MOTION: Sen. Weiler moved to replace S.B. 221 with 1st Sub. S.B. 221. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

Sen. Weiler explained the bill to the committee.

Spoke to the bill: Adam Truup, Association of Counties

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously with Sen. Urquhart, Sen. Robles and Sen. Jones absent for the vote.

S.B. 229 Adoption Act Amendments (*Sen. T. Weiler*)

Sen. Weiler explained the bill to the committee.

MOTION: Sen. Weiler moved to replace S.B. 229 with 1st Sub. S.B. 229. The motion passed unanimously with Sen. Robles and Sen. Jones absent for the vote.

Spoke to the bill: David Hardy, Attorney, Utah Adoption Council

Spoke for the bill: Tyler Felt

Spoke against the bill: Jason Barnes, Attorney
Donna Pope, Executive Director, Heart to Heart Adoptions

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed with Sen. Madsen and Sen. Urquhart voting in opposition and Sen. Robles absent for the vote.

S.B. 222 Automatic License Plate Reader System Amendments (*Sen. T. Weiler*)

Sen. Weiler explained the bill to the committee.

Spoke to the bill: Dalane England

Spoke for the bill: Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously.

S.B. 227 Exposure of Children to Pornography (*Sen. Weiler*)

MOTION: Sen. Weiler moved to amend the bill as follows:

- I. *Page 1, Lines 11 through 18:*
 - 11 Highlighted Provisions:
 - 12 This bill:
 - 13 ▶ provides that a district court shall consider, when determining child custody in a
 - 14 separation or divorce, whether the parent has intentionally exposed the child to
 - 15 pornography or
 - 16 material harmful to a child; and
 - 17 ▶ provides that a juvenile court shall consider, when determining whether to terminate
 - 18 a parent's rights, whether the parent has intentionally exposed the child to pornography
 - or
 - material harmful to a minor.

2. *Page 2, Lines 43 through 46:*
 - 43 and nature of the relationship between a parent and child; [~~and~~]
 - 44 (iv) whether the parent has intentionally exposed the child to pornography or material
 - harmful to a
 - 45 minor, as defined in Section 76-10-1201; and
 - 46 [~~(iv)~~] (v) those factors outlined in Section 30-3-10.2.

3. *Page 5, Lines 123 through 126:*
 - 123 (f) a history of violent behavior[-]; or
 - 124 (g) whether the parent has intentionally exposed the child to pornography or
 - material harmful to a
 - 125 minor, as defined in Section 76-10-1201.
 - 126 (3) A parent who, legitimately practicing the parent's religious beliefs, does not
 - provide

The motion passed unanimously with Sen. Urquhart absent for the vote.

Sen. Weiler explained the bill to the committee.

Spoke to the bill: Dr. Jenny Brown

Spoke for the bill: Jane Marie Thomlison
Pamela Atkinson, Chair, Utah Coalition Against Pornography
Shelley DeVries, Vice Chairman, Women for Decency
Dalane England, Utah Eagle Forum

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Sen. Jones moved to adjourn. The motion passed unanimously.

Chair Madsen adjourned the meeting at 10:58 a.m.

Sen. Mark B. Madsen, Chair