

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE**
Room 250, Utah State Capitol
February 28, 2014

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

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 8:06 a.m.

MOTION: Sen. Weiler moved to approve the minutes of the February 26, 2014 meeting. The motion passed unanimously with Sen. Thatcher, Sen. Jones, Sen. Urquhart, and Sen. Robles absent for the vote.

H.B. 257 Aggravated Sexual Abuse of a Child Amendments (*Rep. B. Wilson*)

Sen. Weiler explained the bill to the committee.

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

H.B. 212 DNA Collection Amendments (*Rep. S. Eliason*)

Rep. Eliason explained the bill to the committee.

Spoke to the bill: Jay Henry, Laboratory Director, Department of Public Safety

Spoke for the bill: Todd Park, Detective, Unified Police Department
Stephanie Omer
Rebecca Barros
Alana Kindness, Executive Director, Utah Coalition Against
Sexual Assault
Elizabeth Smart, Advocate for Victims

Spoke against the bill: Steve Burton, Legislative Committee, Utah Association of Criminal Defense Lawyers
Sean Druyon, Legislative Committee, Utah Association of Criminal Defense Lawyers

Chair Madsen asked Sen. Weiler to chair the meeting.

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

S.B. 248 Judicial Retention Election Amendments (*Sen. C. Bramble*)

Sen. Bramble explained the bill to the committee.

Spoke to the bill: Rich Schwermer, Utah Courts

Spoke for the bill: Joanne Rigby, Judicial Performance Evaluation Committee

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

MOTION: Sen. Thatcher moved the bill be placed on the Consent Calendar. The motion passed unanimously with Sen. Madsen, Sen. Hillyard, and Sen. Robles absent for the vote.

Sen. Weiler relinquished the chair to Sen. Madsen.

SB 241 County Jail Contracting Amendments (*Sen. S. Jenkins*)

Sen. Jenkins explained the bill to the committee.

Spoke to the bill: Reed Richards, Deputy County Attorney, Weber County
James Tracy, Sheriff, Utah County Sheriff's Office

MOTION: Sen. Jones moved to go to the next item on the agenda.

SUBSTITUTE MOTION: Sen. Thatcher moved to return the bill to the Rules Committee. The motion failed with Sen. Thatcher voting in favor and Sen. Hillyard absent for the vote.

MOTION WITHDRAWN: Sen. Jones withdrew her original motion.

MOTION: Sen. Jones moved to pass the bill out favorably. The motion passed with Sen. Thatcher and Sen. Weiler voting in opposition and Sen. Hillyard absent for the vote.

H.B. 254S01 Human Trafficking Victim Amendments (*Rep. J. Seelig*)

Rep. Seelig explained the bill to the committee.

MOTION: Sen. Urquhart moved to pass the bill out favorably. The motion passed unanimously with Sen. Hillyard absent for the vote.

H.B. 315 Judgment Lien Amendments (*Rep. R. Webb*)

Rep. Webb explained the bill to the committee.

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

H.B. 334 Bail Bondsmen Amendments (*Rep. E. Redd*)

Sen. Weiler explained the bill to the committee.

MOTION: Sen. Urquhart moved to pass the bill out favorably. The motion passed unanimously with Sen. Hillyard absent for the vote.

S.B. 69 Prejudgment Interest Revisions (*Sen. S. Urquhart*)

MOTION: Sen. Urquhart moved to replace S.B. 69 with 1st Sub. S.B. 69. The motion passed unanimously with Sen. Hillyard absent for the vote.

Sen. Urquhart explained the bill to the committee.

Spoke for the bill: Mike Sonntag, Bear River Insurance

Spoke against the bill: Kelly MacFarlane, Attorney, Christensen & Jensen Law Firm
Phil Dyer, Attorney, Utah Association of Justice

MOTON: Sen. Weiler moved to go to the next item on the agenda.

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

MOTION: Sen. Thatcher moved to adjourn. The motion passed unanimously Sen. Hillyard absent for the vote.

Chair Madsen adjourned the meeting at 10:56 a.m.

Sen. Mark B. Madsen, Chair