

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

Room 250, Utah State Capitol

February 25, 2015

Members Present: Sen. Mark B. Madsen, Chair
Sen. Gene Davis
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
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 8:07 a.m.

S.B. 202 Pre-trial Release Amendments (*Sen. L. Hillyard*)

Sen. Hillyard explained the bill to the committee.

Spoke to the bill: Judge Todd M. Shaughnessy, Utah Courts

Spoke for the bill: Sheriff Jim Winder, Salt Lake County
Mr. Rick Schwermer, Assistant State Court Administrator, Utah
Courts

Spoke against the bill: Mr. Jeff Clayton, Policy Director, American Bail Coalition
Mr. Wayne Carlos, President, Utah Association of Professional
Bondsman
Mr. Gary Walton, General Manager, Beehive Bail Bonds

MOTION: Sen. Weiler moved to pass the bill out favorably. The motion passed with Sen. Escamilla, Sen. Davis and Sen. Urquhart voting in opposition.

H.B. 148S01 Protective Order Amendments (*Rep. A. Romero*)

Rep. Romero explained the bill to the committee.

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

S.B. 209 Fifth District Court Judge (Sen. S. Urquhart)

Sen. Urquhart explained the bill to the committee.

Spoke to the bill: Mr. Rick Schwermer, Assistant State Court Administrator, Utah Courts

MOTION: Sen. Davis moved to pass the bill out favorably. The motion passed unanimously with Sen. Thatcher and Sen. Urquhart absent or the vote.

S.B. 179 Uniform Parentage Act Amendments (Sen. L. Hillyard)

Sen. Hillyard explained the bill to the committee

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

I. Page 24, Lines 728 through 731:

728 (d) ~~If a support enforcement agency seeks to rebut the presumption of parentage, then~~
~~729 denial of a motion seeking an order for genetic testing or a decision to disregard genetic test~~
~~730 results shall be based on a preponderance of the evidence, taking into account the best interests~~
~~731 of the child.~~ } If a support enforcement agency seeks to rebut the presumption of parentage and the presumptive parent opposes the rebuttal, the agency's request shall be denied. Otherwise, the denial of the agency's motion seeking an order for genetic testing or a decision to disregard genetic test results shall be based on a preponderance of the evidence, taking into account the best interests of the child.

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

Spoke to the bill: Ms. Liesa Stockdale, Director, Office of Recovery Services

Spoke against the bill: Mr. William Duncan, Director, Sutherland Institute
Mr. Jonathan Man, Intern, United Families of Utah
Ms. Dani Hartvigson

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

H.B. 260 Sexual Exploitation of a Minor Amendments (Rep. F. Gibson)

Sen. Weiler explained the bill to the committee.

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

S.B. 206 Cohabitant Abuse Procedures Act Revisions (*Sen. L. Hillyard*)

This bill was not considered.

H.B. 114 Controlled Substance Reporting (*Rep. R. Ward*)

This bill was not considered.

MOTION: Sen. Weiler moved to adjourn. The motion passed unanimously with Sen. Davis, Sen. Hillyard, Sen. Thatcher and Sen. Urquhart absent for the vote.

Chair Madsen adjourned the meeting 9:50 a.m.

Sen. Mark B. Madsen, Chair