

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING**  
20 House Building, Utah State Capitol Complex  
February 19, 2016

**Members Present:** Rep. LaVar Christensen, Chair  
Rep. Merrill Nelson, Vice Chair  
Rep. Fred C. Cox  
Rep. Bruce Cutler  
Rep. Brian M. Greene  
Rep. Craig Hall  
Rep. Brian S. King  
Rep. Curtis Oda  
Rep. V. Lowry Snow  
Rep. Kevin J. Stratton  
Rep. Mark A. Wheatley

**Staff Present:** Mr. Gregg Girvan, Policy Analyst  
Ms. Glenda VanWagenen, Committee Secretary

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

Vice Chair Nelson called the meeting to order at 8:12 a.m.

Rep. Stratton moved to approve the minutes of February 5, 2016 and February 9, 2016. The motion passed unanimously.

**H.B. 317      Felony Assault Amendments (V. L. Snow)**

Rep. Snow explained the bill to the committee with the assistance of Yvette Rodier, Utah Council of Victims of Crimes.

Spoke to the bill:      Jennifer Oxborrow, Division of Child and Family Services  
                                 Jennifer Valencia, Sentencing Commission

Spoke for the bill:      Steve Burton, citizen

**MOTION:**              Rep. Nelson moved to replace H.B. 317 with 1st Sub. H.B. 317. The motion passed unanimously.

**MOTION:**              Rep. King moved to pass the bill out favorably as substituted.

**SUBSTITUTE**

**MOTION:**              Rep. Cox moved to amend 1st Sub H.B. 317 as follows:

1. Page 4, Lines 105 through 106:

105 (I) any impediment of the breathing or the circulation of blood by application of  
106 pressure to the neck, throat, or chest, or by the obstruction of the nose or mouth **and is**  
**likely to produce a loss of consciousness** ;

The vote passed with Rep. King, Rep. Stratton, and Rep. Wheatley voting in opposition.

**MOTION:** Rep. King moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 311 White Collar Crime Registry Amendments (M. McKell)**

Rep. McKell explained the bill to the committee with the assistance of David Sonnenreich, Attorney General's Office.

**MOTION:** Rep. Snow moved to amend the bill as follows:

1. Page 1, Line 13:

13 to be posted to the Utah White Collar Crime Offender Registry ;  
**► specifies the situations when a driver license photograph may be posted** ;

2. Page 2, Line 47:

47 (c) the most current driver license photograph of an offender **, as allowed in**  
**Subsection (2)(a)(ii)** ; and

3. Page 2, Line 49:

49 (2) (a) The information in Subsections (1)(a) ~~{through (c)}~~ **and (c)** may be  
publicly posted on the

4. Page 2, Line 52:

**(b) The driver license photograph under Subsection (1)(c) may be publicly**  
**posted on the registry only if:**

**(i) the offender has not registered as required under Section 77-42-106;**  
**(ii) the attorney general has attempted to contact the offender at the last known**  
**address listed in the division's records regarding the failure to register; and**  
**(ii) 30 or more days have passed since the most recent attempt to contact the**  
**offender.**

52 ~~{(b)}~~ **(c)** The information in Subsection (1)(d) may only be used by the  
attorney general to

The motion passed unanimously with Rep. Cutler absent for the vote.

**MOTION:** Rep. Christensen moved to amend the bill as follows:

1. *Page 4, Lines 103 through 106:*

103 (4) Except as provided in Subsection (6), the Utah White Collar Crime Offender  
104 Registry website shall include the following registry information, which may be obtained  
from  
105 court records, prison or jail booking records, driver license records, or other sources  ~~{, at~~  
 ~~the~~  
106  ~~discretion of;}~~ lawfully and appropriately obtained by and available to the attorney  
general:

2. *Page 5, Lines 136 through 138:*

136 (8) Section 76-10-1603, pattern of unlawful activity, if at least one of the unlawful  
137 activities used to establish the pattern of unlawful activity is an offense listed in Subsections  
138 (1) through (7)  ~~{, regardless of whether the offender was convicted of that offense} .~~

The motion passed unanimously with Rep. Cutler and Rep. Oda absent for the vote.

**MOTION:** Rep. Stratton moved pass the bill out favorably. The motion passed with Rep. Cox voting in opposition and with Rep. Cutler and Rep. Oda absent for the vote.

**S.B. 71 Children's Justice Center Amendments (R. Okerlund)**

Rep. Okerlund explained the bill to the committee with the assistance of Tracey Tabet, Attorney General's Office.

**MOTION:** Rep. King moved to adjourn. The motion passed unanimously with Rep. Greene and Rep. Oda absent for the vote.

Vice Chair Nelson adjourned the meeting at 9:43 a.m.