

**LEGISLATIVE INTERIM COMMITTEES
NOVEMBER 2010**

Judiciary, Law Enforcement, and Criminal Justice	
Bill Title/Subject Matter:	Death Penalty Procedures Amendments
Legislator(s) –Sponsor:	Rep. Kay L. McIff
Interested Parties:	
Code Reference:	Amends UCA §§ 76-3-207, 77-19-8, 78B-9-202
<p>Description: Clarifies when a petitioner has a right to funded counsel for successive petitions. Amends provisions concerning mitigation regarding character and crime circumstances. Sets limits on the obtaining of execution stays for successive post-conviction petitions.</p> <p><i>[Action: Rep. McIff will bring this item back to the Committee at a later date.]</i></p>	
Bill Title/Subject Matter:	Sexual Exploitation of a Vulnerable Adult
Legislator(s) –Sponsor:	Sen. David P. Hinkins
Interested Parties:	
Code Reference:	Amends UCA §§ 62A-3-301, 76-3-203.5, 76-5-111
<p>Description: Modifies and describes the elements of the crime of sexual exploitation of a vulnerable adult. Makes sexual exploitation of a vulnerable adult a third degree felony.</p> <p><i>[Action: No action taken.]</i></p>	
Transportation	
Bill Title/Subject Matter:	Penalties for Unauthorized Use of Records
Legislator(s) –Sponsor:	Rep. Richard A. Greenwood
Interested Parties:	
Code Reference:	Amends UCA §§ 41-1a-116, 53-3-109, 53-10-108, 53-10-111
<p>Description: Provides that the unauthorized use of records created or maintained by the Motor Vehicle Division (MVD), the Driver License Division (DLD), or the Utah Bureau Criminal Investigations and Technical Services Division (UBCI) is a class B misdemeanor. Provides that the director of the MVD, DLD, and UBCI, and the Commissioner of Public Safety shall be informed of the unauthorized use of certain records.</p> <p><i>[Action: Passed out as a Committee Bill]</i></p>	
Bill Title/Subject Matter:	Driving Under the Influence Amendments
Legislator(s) –Sponsor:	Sen. Scott K. Jenkins
Interested Parties:	
Code Reference:	Amends UCA §§ 41-6a-509, 41-6a-517, 41-6a-521, 53-3-223, 53-3-231
<p>Description: Amends the administrative suspension periods for certain alcohol related offenses. Amends the driver license suspension period for a person convicted of certain alcohol or drug related offenses. Provides that a court may shorten a person’s driver license suspension period for certain alcohol or drug related offenses prior to the completion of the suspension period if the person completes certain requirements.</p> <p><i>[Action: Passed out as a Committee Bill.]</i></p>	
Health and Human Services	
Bill Title/Subject Matter:	Pharmacy Benefits Manager Act
Legislator(s) –Sponsor:	Rep. Evan J. Vickers
Interested Parties:	

Code Reference:	Enacts UCA §§ 13-48-101, 13-48-102, 13-48-201, 13-48-301
Description: Requires a pharmacy benefits manager that provides a service to a health benefit plan to provide an itemized statement when: requesting or accepting payment or reimbursement for a pharmacy service from a health benefit plan; or disclosing an expenditure for a pharmacy service to a health benefit plan. Makes it a misdemeanor violation of the Unfair Practices Act to violate the requirements of this act.	
<i>[Action: Passed out as a Committee Bill.]</i>	

Bill Title/Subject Matter:	Controlled Substance Modifications
Legislator(s) –Sponsor:	Rep. Gage Froerer
Interested Parties:	
Code Reference:	Amends UCA §§ 41-6a-517, 58-37-2-4, 58-37-6, 58-37-8, 58-38a-203, 58-38a-204; Enacts UCA § 58-37-4.2
Description: Expands the definition of a controlled substance to include a list of synthetic equivalent cannabinoid substances and their analogs and homologs found in products commonly referred to as “spice.” Clarifies that the tetrahydrocannabinols in Schedule I of the Utah Controlled Substances Act include those both naturally and synthetically derived. Provides that it is an affirmative defense that the person produced, possessed or administered any of these listed substances if the person: was engaged in medical research; and was a holder of a license to possess controlled substances for research. Authorized the controlled Substances Advisory Committee to recommend placement of a substance on a controlled substance list if it finds that the substance has a potential for abuse and that an accepted standard has not been established for safe use in treatment for medical purposes. Adds “spice” to the driver license provisions regarding driving under the influence. Provides that a legislative body of a political subdivision may not enact an ordinance that is less restrictive than any provisions of the Utah Controlled Substances Act.	
<i>[Action: Passed out as a Committee Bill.]</i>	

Bill Title/Subject Matter:	Tobacco Related Penalty Amendments
Legislator(s) –Sponsor:	
Interested Parties:	
Code Reference:	Amends UCA §§ 59-14-214, 59-14-407, 59-14-606
Description: Provides that a person who fails to timely file certain reports relating to the taxation of tobacco, or who provides false or misleading information on, or in relation to, a report: is guilty of a class B misdemeanor; and is subject to revocation or suspension of a license and a civil penalty imposed by the commission.	
<i>[Action: Due to time constraints this bill was not discussed.]</i>	

Bill Title/Subject Matter:	Tobacco Licensing Amendments
Legislator(s) –Sponsor:	
Interested Parties:	
Code Reference:	Amends UCA §§ 26-42-103, 59-14-203.5, 59-14-301, 59-14-301.5
Description: Amends license revocation provisions to provide that the revocation of a license to sell tobacco is in effect for one year after: the day on which the time for filing an appeal of the revocation ends; or if the revocation is appealed, the day on which the decision to uphold the revocation becomes final. Provides that manufacturers and distributors of tobacco products who are responsible for the collection of tax on tobacco products, and all retailers of tobacco products, are subject to the licensing requirements, procedures, and penalties described in Part 2 of the Cigarette and Tobacco Tax and Licensing Act.	
<i>[Action: Due to time constraints this bill was not discussed.]</i>	