

**LEGISLATIVE INTERIM COMMITTEES – SEPT 2016
NOTES**

LEGISLATIVE MANAGEMENT COMMITTEE	
Bill Title/Subject Matter:	Letter from Law Enforcement and Criminal Justice Interim Committee
Legislator(s) –Sponsor:	Rep. Don L. Ipson, Chair & Sen. Todd Weiler, Chair – Law Enforcement and Criminal Justice Interim Committee
Interested Parties:	
Code Reference:	
<p>Description: Chairs of the Law Enforcement and Criminal Justice Interim Committee requested permission to study how the state can protect children from sexualized images and pornography at a future interim meeting. The Chairs also request authorization to hold an extra meeting in conjunction with the currently scheduled interim meetings to hear public comment and expert witnesses regarding the impact of sexualized images and pornography on children.</p> <p><i>[Action: Sen. Niederhauser MADE A MOTION TO approve all four requests presented to the committee. UNANIMOUS]</i></p>	
JUDICIARY	
Bill Title/Subject Matter:	Court Surcharge
Legislator(s) –Sponsor:	Committee Presentation
Interested Parties:	Rick Schwermer, Administrative Office of the Courts
Code Reference:	UCA § 51-9-401 thru 412
<p>Description: The staff presented research related to the court surcharge, which is added to all fines and fees assessed in the district and justice courts, for committee discussion. Recommendations from the study: (1) improve reporting by including an itemization of the fines and fees; (2) increase training for local court officials/clerks to assess fines and fees properly; (3) examine CORIS processes/formulas to verify proper calculation; and (4) streamline data entry into CORIS to reduce error.</p> <p><i>[Action: No action taken, information only]</i></p>	
Bill Title/Subject Matter:	Sunset Review: Crime Victim Reparations and Assistance Board
Legislator(s) –Sponsor:	
Interested Parties:	Gary Scheller, Crime Victims Reparations and Assistance Board
Code Reference:	UCA § 63M-7-504
<p>Description: The committee continued its review of the Crime Victim Reparations and Assistance Board, which is due to sunset on July 1, 2017.</p> <p><i>[Action: Rep. Christensen MADE A MOTION TO extend the current sunset date as provided in the statute-- we do so for a period 10 years and subject to any further considerations that may arise until then, but for now, this would extend the current July 1, 2017 date by a period of ten years. PASSED]</i></p>	
LAW ENFORCEMENT AND CRIMINAL JUSTICE	
Bill Title/Subject Matter:	Offenses Against the Person Amendments – Draft legislation
Legislator(s) –Sponsor:	Rep. Lowry Snow
Interested Parties:	Paul Boyden, Statewide Association of Prosecutors
Code Reference:	2017FL-0161/008
<p>Description: The draft legislation amends the crime of aggravated assault to include the act of impeding the</p>	

breathing or blood circulation of another person by the use of unlawful force that is likely to result in a loss of consciousness. The draft provides that the commission of the aggravated assault offense of impeding breathing or blood circulation is the offense of strangulation and is a **third degree felony**, and is a **second degree felony** if the action results in serious bodily injury or a loss of consciousness. It also modifies the crime of child abuse to include the act of impeding the breathing or circulation of blood by applying pressure to the neck or throat, or by obstructing the nose, mouth, or airway, in a manner that is likely to cause unconsciousness. Money appropriated in this bill: None

[Action: Sen. Thatcher MADE A MOTION TO support this bill moving forward. UNANIMOUS]

Bill Title/Subject Matter:		Opioid Overdose Reversal Kits
Legislator(s):	Rep. Steve Eliason	
Interested Parties:	Dr. Robert Rolfs, Deputy Director, Utah Department of Health Anna Fondario, Epidemiology Manager, Violence and Injury Program, Utah Department of Health Chief Robby Russo, Cottonwood Heights Police Department	
Code Reference:		
<p>Description: The committee received a follow-up discussion to the naloxone rescue kit program that seeks to reduce opioid overdose deaths in Utah. The program is housed at the University of Utah Primary Children’s Medical Center under the direction of Dr. Jennifer Plumb. In the first fourteen months, over 3,000 kits have been distributed. In that time, there have been 335 reversals. Twelve law enforcement agencies have had fifteen reversals in the first four months of equipping law enforcement officers with naloxone kits. Some law enforcement agencies have opted not to participate in the program. More than sixty naloxone trainings have taken place. A statewide billboard campaign has been implemented.</p> <p><i>[Action: No action taken, information only]</i></p>		

Bill Title/Subject Matter:		Joint Rules Resolution on Victim Selection Evidence – Draft legislation
Legislator(s):	Sen. Daniel Thatcher	
Interested Parties:		
Code Reference:	2017FL-0115/007	
<p>Description: The resolution provides that a criminal defendant's expressions or associations are not admissible as evidence of the defendant's selection of the victim when addressing a victim selection penalty enhancement, except when the evidence specifically relates to the crime charged or is introduced for impeachment. Money appropriated in this bill: None</p> <p><i>[Action: No action taken, information only]</i></p>		

Bill Title/Subject Matter:		Victim Selection Penalty Enhancements – Draft legislation
Legislator(s):	Sen. Daniel Thatcher	
Interested Parties:		
Code Reference:	2017FL-0574/003	
<p>Description: This bill provides that the penalty for a criminal offense is subject to enhancement by one degree if the offender acted against an individual because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation. It provides the same enhancement provisions if the criminal offense damages property and the offender acted against the property because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation. It also states that the provisions do not affect an individual's constitutional right to free speech or any other constitutional rights. The bill amends the Bureau of</p>		

Criminal Identification's duties regarding recording crimes that exhibit evidence of prejudice based on specified categories. Money appropriated in this bill: None

[Action: No action taken, information only]

Bill Title/Subject Matter:	Protection of Law Enforcement Officers' Personal Information – Draft Legislation
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Legislator(s):	Rep. Don L. Ipson
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Interested Parties:	
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Code Reference:	2017FL-0464/005 □
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Description: This bill provides criminal penalties for posting on the Internet a law enforcement officer's address and phone numbers, or posting the same information regarding an officer's spouse and children. It prohibits the solicitation or sale of the officer's private information and provides for civil damages and the cost of attorney fees. The bill provides definitions, including a definition of "personal information." Money appropriated in this bill: None

[Action: No action taken, information only]

HEALTH AND HUMAN SERVICES

Bill Title/Subject Matter:	Intergenerational Poverty
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Legislator(s):	Committee Presentation
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Interested Parties:	Dr. Cosgrove, Pediatrician and President of the Utah Chapter of the American Academy of Pediatrics Ms. Jessie Mandle, Voices for Utah Children Dr. Gibbs, Assistant Professor, Brigham Young University Dr. Strain, Director of Economic Policy Studies and Resident Scholar, American Enterprise Institute Mr. Weinstein, State Priorities Partnership Director, Voices for Utah Children
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Code Reference:	
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Description: The committee was briefed on the relationship between poverty and health status, and related policy proposals. The briefing included how intergenerational poverty affects the health status of individuals and the population.

[Action: No action taken, information only]

Bill Title/Subject Matter:	Opioid Misuse
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Legislator(s):	Sen. Evan Vickers
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Interested Parties:	Ms. Eliana White, SelectHealth Dr. Cannon, SelectHealth Dr. Hiatt, Regence BlueCross BlueShield of Utah Mr. Loftis, PEHP Health & Benefits Mr. Checketts, Utah Dept. of Health
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Code Reference:	
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Description: Sen. Vickers presented a 2010 Washington law that requires prescribers to consult with a pain management specialist when a prescription exceeds a specific dosage amount. Sen. Vickers presented this legislation as a starting place for discussion, and not necessarily as actual legislation to be adopted. Individuals from four major insurance companies discussed insurance coverage for substance use assessments and ongoing monitoring/testing of opioid patients.

[Action: No action taken, information only]

Bill Title/Subject Matter:	Insurance Coverage for Opioids – Draft legislation
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Legislator(s):	Rep. Raymond Ward
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Interested Parties:	
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Code Reference:	2017FL-0367/019 <input type="checkbox"/>
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Description: This bill requires a prior authorization be required for certain opioid prescriptions from: (1) a health insurance policy; (2) a health plan offered to state employees; (3) the Medicaid program; and (4) workers' compensation insurance. It establishes the limited circumstances in which prior authorization is needed and provides certain exemptions to the requirement for prior authorization. It applies to policies entered into or renewed on or after January 1, 2018, and requires administrative rules adopted in coordination with the Department of Health. The bill also defines terms. Money appropriated in this bill: None

[Action: No action taken, information only]