



## 2016 Legislative Session Sentencing Update

Bill #	Title	Sponsor	USC Pos	Description	Penalty Changes	Increased Fine or Fees	Anticipated Prison Admissions	Anticipated Fiscal Impact
House Bills								
HB 16	<b>Offender Registry Amendments</b>	Rep. Draxler	SUP	Adds Class A misdemeanor offenses of enticing a minor and voyeurism to the list of offenses eligible for removal from the registry five years after the offender completes the sentence and meets the specified statutory requirements. If a court denies the petition, the offender may not petition again for three years.				
HB 30	<b>Good Landlord Program Amendments</b>	Rep. Froerer	N/P	Defines "residential landlord" as the owner of record of residential real property that is leased or rented to another; or a third-party provider that has an agreement with the owner of record to manage the owner's real property. Prohibits a municipality from requiring a residential landlord to deny tenancy to certain individuals. Prohibits a municipality from requiring a residential landlord to provide certain information on a tenant or a contract with a tenant. Requires participating municipality to charge a disproportionate rental fee reduction if residential landlords owns multiple properties that are in compliance with their respective city.				
HB 67	<b>Weapons on Public Transportation</b>	Rep. Thurston	HOLD	Eliminates 3 <sup>rd</sup> Degree Felony of boarding a bus with a concealed dangerous weapon or firearm with no criminal intent. Corrected element of 3 <sup>rd</sup> Degree Felony of carrying any highly flammable (not inflammable) or hazardous material or device into a terminal or aboard a bus.	<b>Eliminates 3<sup>rd</sup> Degree Felony</b>			

<p><b>HB 68S01</b></p>	<p><b>Post-exposure Blood Testing Amendments</b></p>	<p>Rep. Redd</p>	<p>B/S</p>	<p>Allows a law enforcement agency to request a court order on behalf of an emergency service provider authorizing a blood sample from an individual if, during the court of performing the provider's duties, the provider is significantly exposed to the individual's bodily fluids.</p>				
<p><b>HB 74S01</b></p>	<p><b>Uniform Power of Attorney Act</b></p>	<p>Rep. Snow</p>	<p>B/S</p>	<p>Creates a framework to create a durable power of attorney. Sets requirements for execution and termination. Specifies the duties of an agent once the agent accepts appointment. Provides for judicial review. Describes the different types of grants of authority. Suggests a standardized form for powers of attorney. If the principal resides or is about to reside in a hospital, assisted living, skilled nursing, or similar facility, at the time of execution of the power of attorney, the principal may not name any agent that is the owner, operator, health care provider, or employee of the hospital, assisted living facility, skilled nursing, or similar residential care facility unless the agent is the spouse, legal guardian, next of kin of the principal, or unless the agent's authority is strictly limited to the purpose of assisting the principal to establish eligibility for Medicaid. Violation constitutes exploitation of vulnerable adult under 76-5-111(4)(a).</p>	<p><b>New 2<sup>nd</sup> &amp; 3<sup>rd</sup> Degree Felony and Class A &amp; B Misdemeanor</b></p>			
<p><b>HB 105</b></p>	<p><b>Human Trafficking Revisions</b></p>	<p>Rep. Romero</p>	<p>SUP</p>	<p>Provides that mistakenly believing a victim to be 18 or older at the time of the alleged offense is not a defense to the crime of human trafficking of child.</p>				
<p><b>HB 106</b></p>	<p><b>Securities Amendments</b></p>	<p>Rep. Cunningham</p>	<p>OPP</p>	<p>Amends exemption from licensing as an investment adviser in the state. Expands sanctions that may be imposed by the Securities Commission. It is an unlawful act for a person to make a false or misleading statement during examination or investigation. Modifies provisions for registration by coordination. Repeals cap on fines for violations that may be imposed by court. Allows aggregation to determine penalty level. Imposes 10 year statute of limitation for administrative actions. Statute of limitations begins to run after last act in the series of acts or course of business. Codifies factors for consideration for amount of fine.</p>				

<p><b>HB 120S01</b></p>	<p><b>DUI Enforcement Funding Amendments</b></p>	<p>Rep. Eliason</p>	<p>N/P</p>	<p>Increases the administrative fee for impounding a vehicle due to an arrest, citation, or referral for administrative action for driving under the influence or reckless driving. Allocates the funds from the increased impound fee to the Dept of Public Safety Restricted Account.</p>		<p><b>\$50</b></p>		<p><b>\$423,200</b></p>
<p><b>HB 126S03</b></p>	<p><b>Unmanned Aircraft Revisions</b></p>	<p>Rep. Powell</p>	<p>S/C</p>	<p>A person may not operate an unmanned aircraft system within an area under temporary flight restriction of FAA as a result of wildland fire, or an area designated as a wildland fire scene by federal, state or local government without permission of incident commander. Reckless violation is a class B; Class A if it causes aircraft to drop a payload of water or fire retardant or to land without dropping; 3<sup>rd</sup> Degree Felony if direct physical contact with manned aircraft; or 2<sup>nd</sup> Degree Felony if proximate cause of manned aircraft colliding with the ground, structure, or another manned aircraft. Incident commander shall grant reasonable access. Political subdivisions cannot enact laws or ordinances governing private use of an unmanned aircraft in relation to a wildland fire.</p>	<p><b>New 2<sup>nd</sup> &amp; 3<sup>rd</sup> Degree Felony, Class A &amp; Class B Misdemeanor</b></p>			
<p><b>HB 148S01</b></p>	<p><b>Protective Order Amendments</b></p>	<p>Rep. Romero</p>	<p>BS</p>	<p>Protective order expires upon entry of decree of divorce or 10 years later; unless: petitioner demonstrates reasonable fear of future abuse or respondent has been convicted of a protective order violation or any crime of violence subsequent to the issuance of the protective order. The 10 year period is tolled during time period respondent is incarcerated.</p>				
<p><b>HB 149S02</b></p>	<p><b>Death Reporting and Investigation Information Regarding Controlled Substances</b></p>	<p>Rep. Daw</p>	<p>BS</p>	<p>Requires medical examiner to provide a report to DOPL when determined that death resulted from poisoning or overdose involving a prescribed controlled substance. Requires that DOPL notify each practitioner who may have written a prescription for the controlled substance involved in the poisoning or overdose. Allows probation and parole officers to obtain information in the controlled substance database without a warrant. Allows the division to provide information to law enforcement officers engaged in specified types of investigations.</p>				<p><b>\$26,400</b></p>

<p><b>HB 155S02</b></p>	<p><b>Reporting of Child Pornography</b></p>	<p>Rep. Hall</p>	<p>OPP</p>	<p>Requires that a computer technician who finds child pornography in the course of the technician's work shall report the finding to law enforcement or the federal cyber tip line for child pornography. Provides that an employer may establish a procedure for the computer technician employee to report to a designated employee who will report the child pornography. Provides that the willful failure to report the child pornography is a class B misdemeanor. Provides immunity for a computer technician who reports in good faith or acting in good faith does not make a report. Specifies that Internet service providers, including hosting services, are not liable under this section if the provider reports child pornography in compliance with specified federal law.</p>	<p><b>New Class B Misdemeanor</b></p>			
<p><b>HB 160S03</b></p>	<p><b>Justice Court Amendments</b></p>	<p>Rep. Hall</p>	<p>S/C</p>	<p>Requires justice court judges in counties of the first and second class to have graduated from law school. Allows current justice court judges to remain on the bench until they resign, retire, are not retained, or are removed from office. Permits certain political subdivisions with more than one justice court judge with weighted caseloads under .60 per judge at the end of a judge's term of office, to initiate reductions in force, lay off, terminate or eliminate a judge's position pursuant to their employment policies.</p>				
<p><b>HB 165</b></p>	<p><b>Garnishment Amendments</b></p>	<p>Rep. Dee</p>	<p>N/P</p>	<p>Disability benefits and veterans benefits may be garnished on behalf of a child victim if the person receiving the benefits has been convicted of felony sex offense against a child and ordered to pay restitution to victim. The exemption from execution shall be reinstated upon payment of the restitution in full.</p>				
<p><b>HB 172S01</b></p>	<p><b>Public Assistance Benefits Amendments</b></p>	<p>Rep. Romero</p>	<p>B/S</p>	<p>Defines licensed clinical therapist. Modifies requirements to receive cash assistance under the state's Family Employment Program. Modifies when individual receiving cash assistance must take a written questionnaire to determine the likelihood of having a substance use disorder. Requires that an individual be evaluated by a licensed clinical therapist before required to take a drug test as a condition of continuing to receive cash assistance under the FEP.</p>				<p><b>\$94,100</b></p>

<b>HB 179S01</b>	<b>Consensual Sexual Activity of a Minor</b>	Rep. Nelson	SUP	Sexual abuse of a minor (14 and 15 year old victim) modified from 7 year age difference to 4 (19 and 20 year old offenders). For first offense under 21, exempt from sex offender registry.				
<b>HB 189S01</b>	<b>Motor Vehicle Impound Amendments</b>	Rep. Handy	OPP	Amends DUI sentencing requirements. Requires payment of administrative impound fee, towing and storage fees by the person convicted. Requires DMV to notify dealer who issued temporary permit.		<b>Mandated Fee</b>		
<b>HB191 S01</b>	<b>Interlock Restricted Driver Amendments</b>	Rep. Redd	B/S	Defines employer verification. Requires interlock restricted driver to have written verification from the driver's employer while operating the employer's vehicle. Requires DLD to post restriction on electronic record available to law enforcement. Amends requirements for affirmative defense to an interlock restricted driver violation. Amends requirements for DLD to clear the suspension. Requires DLD to suspend privileges in certain circumstances.				<b>\$8,000</b>
<b>HB 206S01</b>	<b>Human Trafficking Safe Harbor Amendments</b>	Rep. Romero	SUP	Requires the Division of Child and Family Services to provide services to a child who is engaged in prostitution or sexual solicitation and has been referred to the division. Provides that any child engaged in prostitution or sexual solicitation may not be subject to delinquency proceedings. Amends the definition of abuse to include human trafficking of a child for sexual exploitation.	<b>Eliminates Class A &amp; B Misdemeanor</b>			
<b>HB207</b>	<b>Juvenile Court Judge</b>	Rep. Sanpei	B/S	Creates a new judge in fourth district juvenile court.				<b>\$341,400</b>
<b>HB 239</b>	<b>Access to Opioid Prescription Information via Practitioner Data Management Systems</b>	Rep. McKell	B/S	Requires DOPL to make opioid prescription data information accessible to prescriber or pharmacist via electronic data system. Limits access to and use of the information. Requires periodic audit of use of information. Amends Controlled Substance Database Act penalty provisions. Knowingly or intentionally releasing database information in violation of Division rules is a 3 <sup>rd</sup> Degree Felony. Negligently or recklessly releasing information in violation of Division rules is a Class C. Obtaining information from database through fraud or misrepresentation is a 3 <sup>rd</sup> Degree Felony. Knowingly or intentionally using, releasing, publishing, or making available information from EDS is a 3 <sup>rd</sup> Degree Felony.	<b>3 New 3<sup>rd</sup> Degree Felonies, New Class C Misdemeanor</b>			<b>\$73,200</b>

<b>HB 252</b>	<b>Intellectual Disability Terminology Amendments</b>	Rep. Ray	N/P	Replaces the term “mental retardation” and its variations with “intellectual disability.”				
<b>HB 259S01</b>	<b>Substance Abuse Treatment Fraud</b>	Rep. Hutchings	SUP	Amends definition of "recovery residence." Directs DSAMH to make rules for minimum standards for licensed public and private providers of substance abuse and mental health programs. Added penalties of 5 year license suspension and up to \$10,000 fine.		<b>Up to \$10,000 fine</b>		<b>\$901,900</b>
<b>HB 260</b>	<b>Sexual Exploitation of a Minor Amendments</b>	Rep. Gibson	SUP	Jurors, court employees, and counsel not subject to criminal or civil liability for viewing child pornography if within course of judicial process.				
<b>HB 263</b>	<b>Fraud Amendments</b>	Rep. Hall	N/P	Possession of a stolen or forged identification document with “intent to transfer” is an offense.				
<b>HB 269</b>	<b>Recycling of Copper Wire</b>	Rep. Cox	N/P	Misdemeanor conviction under 76-6-1407 or 1408 (seller or dealer) subject to mandatory fines: \$750 Class C; \$1,000 Class B and \$2,500 Class A.		<b>Mandated fines</b>		
<b>HB 300S01</b>	<b>Body-worn Cameras for Law Enforcement Officers</b>	Rep. McKell	B/S	Law enforcement agency using body-worn cameras shall have written policy governing the use that meets or exceeds minimum guidelines. Notice of use to be given when reasonable in residences. Recordings to be retained according to federal, state and local law.				
<b>HB 311</b>	<b>White Collar Crime Registry Amendments</b>	Rep. McKell	B/S	Authorizes A.G. to obtain information from court records, prison or jail booking records, and driver license records. Authorizes disclosure of certain driver license information to be posted on White Collar Crime Offender Registry. Offender who fails to register as required is considered to have consented to release of specified information. Specifies situations when driver license photograph may be posted.				
<b>HB 323S01</b>	<b>Continuing Care Retirement Community Amendments</b>	Rep. Tanner	B/S	Creates a continuing care advisory committee. Provides operating requirements for a continuing care provider who must register with Insurance Dept. Contract form and content requirements provided. Provider to maintain escrow account and reserve accounts for certain expenses. Grants rulemaking and enforcement authority to Insurance Dept, which may place continuing care facility under supervision, rehabilitation, or liquidation in certain circumstances. Creates private right of action. Class B for knowingly violating chapter or filing materially false information.	<b>New Class B Misdemeanor</b>	<b>\$1,000 fine per violation; \$30,000 per year</b>		

<b>HB 342</b>	<b>Substance Abuse Programs Amendments</b>	Rep. Ray	SUP	Changes name of the Utah Substance Abuse Advisory Council to the Utah Substance Use Advisory Council to the Utah Substance Use and Mental Health Advisory Council. Modifies membership. Changes title of the Drug Offender Reform Act to the Drug-Related Offenses Reform Act. Expands application of the Drug-Related Offenses Reform Act beyond persons convicted of a felony to any offender convicted and eligible under the implementation plan.				
<b>HB 344S01</b>	<b>Move over Amendments</b>	Rep. Eliason	SUP	Allows operator of a vehicle to cross double white lines of an HOV lane to ensure safety of emergency vehicles and emergency services personnel.	<b>Eliminates Class C Misdemeanor</b>			
<b>HB 358S03</b>	<b>Student Privacy Amendments</b>	Rep. Anderegg	OPP	Enacts the Student Data Protection Act and defines terms. Provides for student data protection governance at the state and local levels. Requirements set for data protection and maintenance by state and local education entities and third-party contractors. Enacts penalties and gives rulemaking authority. Amends provisions related to student privacy. Notice to be given to a parent or guardian before student is required to take certain surveys. Knowingly or intentionally permitting unauthorized collecting, sharing, or use of student data is a Class A.	<b>New Class A Misdemeanor</b>	<b>Civil Penalty up to \$25,000</b>		<b>\$800,000</b>
<b>HB 369S01</b>	<b>Electronic Device Location Data Amendments</b>	Rep. Knotwell	B/S	Allows government entity to collect anonymous electronic data. Prohibits the use of the data for investigative purposes by law enforcement agency.				
<b>HB 375S03</b>	<b>Prescription Drug Abuse Amendments</b>	Rep. Christensen	B/S	Amends Controlled Substances Database Act to promote utilization of database to prevent opioid abuse. Requires dispenser to contact prescriber if data base suggests potential prescription drug abuse. Limits liability for those who contribute to and use database.				<b>\$8,600</b>
<b>HB 381S01</b>	<b>Standards for Issuance of Summons</b>	Rep. Christensen	B/S	Sets standards for a summons to be issued for a person accused of committing a crime instead of a warrant. Magistrate may issue a warrant only upon finding of probable cause; and warrant is necessary to prevent risk of injury to person or property, secure the appearance of the accused, or protect the public safety and welfare of the community or an individual.				

<b>HB 391</b>	<b>Law Enforcement Revisions</b>	Rep. Noel	H	Chief executive officer of a political subdivision or a county sheriff to determine whether BLM or U.S. Dept. of Interior is complying with federal law relating to agreements for local law enforcement to enforce federal law and regulations on public lands; or federal law enforcement official is exceeding jurisdiction relating to certain land.				<b>\$44,300</b>
<b>HB 404S01</b>	<b>Crime Victim Restitution Amendments</b>	Rep. Wilson	PRI	Prosecutor to provide notice to victim of requests for restitution to be submitted pursuant to 77-38a-302(5)(d). Prosecuting agency shall submit all requests for complete and court ordered restitution to the court at the time of sentencing if feasible, otherwise within 1 year after sentencing. If placed on probation, court shall determine complete and court ordered restitution. Time period may be extended by court upon a finding of good cause, but may not exceed period of probation served. If committed to prison, BOPP may determine pecuniary damages and may refer back to court for determination of restitution within 1 year of sentencing. Pecuniary damages includes travel expenses reasonably incurred as a result of participation in criminal proceedings. Reasonable determinable wages not limited to 5 days.				
<b>HB 405S02</b>	<b>Juvenile Sentencing Amendments</b>	Rep. Snow	SUP	Prohibits sentencing an individual under 18 convicted of a capital crime to life in prison without parole. Allows sentencing convicted capital offenders under 18 to a maximum indeterminate prison term of 25 to life. Prohibits sentencing an individual under 18 to life in prison without parole if the individual commits certain additional crimes while serving sentence. Applies to persons under 18 at time of the offense and sentenced on or after May 10, 2016.				
<b>HB 436S03</b>	<b>Housing and Homeless Reform Initiative</b>	Rep. Gibson	S/C	Creates a restricted account called the Homeless to Housing Reform Restricted Account. Describes the responsibilities of the Homeless Coordinating Committee and the Housing and Community Development Division in awarding grants or contracts using money from the account. Adds members to the Homeless Coordinating Committee.				<b>\$18,500,000</b>

<p><b>HB 437S03</b></p>	<p><b>Health Care Revisions</b></p>	<p>Rep. Dunnigan</p>	<p>S/C</p>	<p>Authorizes a preferred drug list for psychotropic drugs with an override for dispense as written. Establishes targets for savings from the preferred drug list. Authorizes Dept. of Health to apply for waivers from federal government necessary to implement. Distinguishes PPACA (Patient Protection) from Medicaid expansion under Affordable Care Act. Request for waivers to be submitted no later than July 1, 2016. Prioritizes available funding for: 1) chronically homeless; 2) an individual involved in the justice system through probation, parole, or court ordered treatment and in need of substance abuse or mental health treatment; 3) an individual in need of substance abuse treatment or mental health treatment as determined by the Dept. Permits a waiver enrollee to maintain coverage for 12 mos. Amends county matching funds for enrollees in the health coverage improvement program. Expands eligibility for adults with dependent children. Requires Dept. of Health to apply for a waiver for the existing Medicaid population and the enrollees in the health coverage improvement program to allow substance abuse treatment at facilities with no bed capacity limits. Current Medicaid programs shall coordinate with state prison or county jail to expedite enrollment for individual released from custody and eligible for or enrolled in Medicaid before incarceration.</p>		<p><b>Hospital penalty 5% quarterly</b></p>	<p><b>\$50,357,200</b></p>
<p><b>HB 440S01</b></p>	<p><b>Suicide Prevention &amp; Gun Data Study</b></p>	<p>Rep. King</p>	<p>B/S</p>	<p>Requires the state suicide prevention coordinator to conduct a study on violent incidents involving a gun. Study to investigate: number of deaths involving a gun; manner of procurement of gun involved; demographic information; total estimated gun owners statewide; whether shooter has history of mental illness or domestic violence; and whether gun deaths are seasonal. Authorizes the state suicide prevention coordinator to contract with a state agency, private entity, or research institution to assist. Requires reports to the Health and Human Services Interim Committee: initial report by Oct. 30, 2016 including cost of study; final report by Nov. 30, 2018.</p>			<p><b>\$125,000</b></p>

<b>HB 443S01</b>	<b>School Dropout Prevention and Recovery</b>	Rep. Gibson	B/S	Beginning 2017 school year, local education authority shall contract with third party to provide dropout prevention and recovery services for any school where 1) graduation rate is lower than the statewide rate and 2) rate has not increased by at least 1% of average over previous 3 years; or during previous year, at least 10% of the designated students have not reach student's attainment goals or made a year's worth of progress toward students' attainment goals.				
<b>HB 460</b>	<b>School Resource Officers and School Administrators Training and Agreement</b>	Rep. Hollins	S/C	State Board of Education to create curriculum for training school principals and resource officers in conjunction with CCJJ. Specifies certain terms of the contract if local education authority contracts with a law enforcement agency or individual to provide services. Contract shall designate student offenses which SRO shall confer with the LEA in order to resolve, including minor violations of the law and those which would not be a violation if committed by an adult. Contract shall also designate student offenses which are administrative issues which SRO shall refer to school administrator for resolution				<b>\$50,000</b>
<b>HB 479S01</b>	<b>Jail Contracting Rate Amendments</b>	Rep. Noel	B/S	Increases the contract rate for county jail beds that house state inmates and that provide treatment services from 84% to 86% of the average state daily incarceration rate.				<b>\$250,000</b>
<b>HCR 004</b>	<b>Concurrent Resolution Declaring Drug Overdose Deaths to Be a Public Health Emergency</b>	Rep. Moss	N/P	Emphasizes the importance of the lives of all people living in Utah. Recognizes Utah's high rates of overdose death compared to most states in the country; and strongly urges Utah's Department of Health, Department of Human Services, and Department of Public Safety to recognize this public health crisis and direct resources to reduce the number of overdose deaths in Utah.				

## Senate Bills

Bill	Title	Sponsor	USC Pos.	Description	Penalty Changes	Increased Fine or Fees	Anticipated Prison Admissions	Anticipated Fiscal Impact
SB 42	Public Notice of Court Recording	Sen. Mayne	B/S	Requires Judicial Council to require that notice be given to the public when court proceedings are being recorded by an electronic or digital recording system.				\$4,100
SB 79S04	Child Welfare Revisions	Sen. Jackson	B/S	Minor between 18 years and 21 may petition the court to express the minor's desire to be removed from the jurisdiction of juvenile court and from the custody of DCFS if the minor is in the division's custody on grounds of abuse, neglect or dependency. The court shall remove if minor and minor's parent or guardian have met the requirements and court finds the minor does not pose an imminent threat to self or others.				\$32,300
SB 82S03	Child Welfare Modifications	Sen. Harper	SUP	Child Abuse Advisory Council renamed the Child Welfare Improvement Council. Requires caseworkers within DCFS to use evidence-informed or evidence-based safety and risk assessments to guide decisions. Requires court to consider division's safety and risk assessments to determine whether child should be removed from custody of child's parent or guardian. Modifies division's requirements for completing background checks before placing a child in emergency placement. Human trafficking and human trafficking of a child offenses include patronizing or soliciting. Court may order another planned permanent living arrangement for a minor 16 or older.				\$466,800
SB 106S01	Assault Offense Amendments	Sen. Shiozawa	SUP	Creates 3 <sup>rd</sup> Degree Felony for assaulting a health care provider or emergency medical service worker if acting intentionally or knowingly and causing substantial bodily injury (protracted physical pain, temporary disfigurement, temporary loss or impairment).	New 3 <sup>rd</sup> Degree Felony		1	\$29,700
SB 124	Gang Enhancement Provision Amendments	Sen. Thatcher	SUP	Adds retaliation against a witness, victim, or informant as an offense subject to an enhanced penalty if the person is found to have acted in concert with two or more persons or related to criminal street gang activity.				\$5,800

<p><b>SB 155S05</b></p>	<p><b>Indigent Defense</b></p>	<p>Sen. Weiler</p>	<p>B/S</p>	<p>Creates the Utah Indigent Defense Commission. Gives authority to collect data from local indigent criminal defense authorities, requires statewide study and report to the Legislature, including recommendations. Authorizes assistance to establish advisory caseload principles and guidelines; review contracts and agreements; and recommend contract design. Establishes restricted account to provide financial assistance. Sets conditions for grants. Allows juvenile courts to appoint in parental termination cases also.</p>				<p><b>\$2,000,000</b></p>
<p><b>SB 157S01</b></p>	<p><b>Pawnshop Amendments</b></p>	<p>Sen. Thatcher</p>	<p>N/P</p>	<p>Defines a retail media item and provides that they are not subject to secondhand business provision. Modifies provisions regarding disposition of property, including: notice from law enforcement to the pawn or secondhand business; and the return of an item to the original victim after it has been held or seized. Modifies procedure for the disposition of an item no longer needed for investigation or prosecution, including the procedure for pawn or secondhand businesses to contest the disposition. Modifies provisions regarding the Secondhand Merchandise Advisory Board. Class B misdemeanor if pawn or secondhand business holds or sells an article in violation of a notification and does not comply with the time periods specified (15 days).</p>	<p><b>New Class B Misdemeanor</b></p>			
<p><b>SB 158</b></p>	<p><b>Juvenile Court and Child Abuse Amendments</b></p>	<p>Sen. Harper</p>	<p>SUP</p>	<p>"Sexual abuse" means: (a) an act or attempted act of sexual intercourse, sodomy, incest, or molestation by an adult directed towards a child; (b) an act or attempted act of sexual intercourse, sodomy, incest, or molestation committed by a child towards another child if: (i) there is an indication of force or coercion; (ii) the children are related; (iii) there have been repeated incidents of sexual contact between the two children; or (iv) there is a disparity in chronological age of four or more years between the two children.</p>				

<p><b>SB 181</b></p>	<p><b>Judiciary Amendments</b></p>	<p>Sen. Hillyard</p>	<p>S/C</p>	<p>District court judge of a defendant county may transfer venue to any contiguous county. Motion to transfer venue may be filed ex parte. Appointment of counsel in juvenile court delinquency cases applies when a petition or information alleging a felony level offense is filed. Justice courts have jurisdiction over 16 or 17 year olds who commit Class C misdemeanors and infractions of Driver Licensing Act; and Class B and C misdemeanors and infractions of traffic, boating and wildlife regulations. Removes a defendant's entitlement to a hearing de novo in the district court on a finding of a plea in abeyance violation. Provides that a defendant is entitled to a hearing de novo in the district court on a sentence following a finding of a plea in abeyance violation. Requires that a notice of appeal from a criminal case in justice court be filed within 28 days. Defendant is entitled to a hearing de novo in the district court on: an order denying a motion to withdraw a plea if the plea is held in abeyance and the motion to withdraw the plea is filed within 28 days of entry of the plea; a post-sentence order fixing total or court ordered restitution; or an order denying expungement. Prosecutor is entitled to a hearing de novo in the district court if: an appeal is filed within 28 days of the court entering a certain judgment or order; or an appeal is filed within 28 days of the court entering an order for total restitution at less than the crime victim requested, or an order granting an expungement that was opposed.</p>				
<p><b>SB183</b></p>	<p><b>Department of Public Safety Amendments</b></p>	<p>Sen. Bramble</p>	<p>B/S</p>	<p>Authorizes the State Bureau of Investigation to provide a state cybercrime unit to investigate computer and network intrusions. Requires SBI to provide assistance to divisions within Dept. of Public Safety. Provides that SBI investigate, upon request, alleged criminal offenses and matters of public corruption against an individual who is or has been elected, appointed, or employed by a governmental entity.</p>				

<p><b>SB 187S01</b></p>	<p><b>Reclassification of Misdemeanors</b></p>	<p>Sen. Thatcher</p>	<p>PRI</p>	<p>Reduced penalty for following Class C's to Infractions:            4-31-104 Duty of owner to bury/dispose of dead animal            10-9a-611 Sale of subdivided land before approved;            10-9a-802 Building without a permit            13-32-106 Prohibited sales, receipts, records swap meet            17-23-15 Removal or destruction of govt. survey            17-23-17 Failure to file map of boundary survey            20A-1-604 Destroying election paraphernalia            26-15-13 Tanning regulations            41-1a-401 License plate removed            41-1a-702 Failure to deliver title            41-1a-1206 Improper registration of farm truck            41-6a-601 Speeding            41-6a-609 Radar jamming            41-6a-904 Failure to stop/yield for emergency vehicle            41-6a-1626 Render inoperable air pollution device            41-6a-1630 Altered vehicle            41-6a-1631 Illegal vehicle alterations            41-12a-303.2 No proof of insurance            53-1-116 Licensing violations            53-3-305 Notif. of impairm. w/ intent to annoy, harass            53-3-412 CDL classification, endorsement            53-8-209 Safety inspection            53B-3-107 Traffic violation on higher educ. property            72-7-403 Towing requirements            72-7-404 Tire/axle load rating            72-7-405 Refusal to submit to measure or weight            72-7-406 Overweight/size permit            72-7-407 Implement of husbandry            72-7-408 Highway use            72-7-409 Secure load            73-18-6 Display bow numbers            73-18-7 Boating registration            73-18-8 Insufficient approved PFDs            73-18-8.1 No capacity/certification label on vessel            73-18-15.2 Underage operation of vessel            73-18-15.3 Operating watercraft b/w sunset sunrise            73-18-16 Holding a marine event without authorization            76-9-702.3 Public urination            76-9-706 False representation of military award            78B-1-115 Misrepresent material facts reg. jury duty            78B-8-304(2) Bill falsely for process service.</p> <p>Increased penalty from Infraction to a Class C:            73-18-15.1 Vessel navigation and steering(reckless boating)</p>	<p><b>Reduced 41 Class C's to Infractions</b></p> <p><b>Increased 1 Infraction to a Class C</b></p>			
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<b>SB 194S01</b>	<b>Vehicle Registration and Insurance Amendments</b>	Sen. Bramble	B/S	Person operating a vehicle owned by a rental company may have in their possession or display, as proof of vehicle registration or insurance, the rental agreement. Provides requirements to maintain owner's or operator's security for a school bus under certain conditions.				
<b>SB 206S01</b>	<b>Cohabitant Abuse Procedures Act Revisions</b>	Sen. Hillyard	PRI	Creates procedure for a hearing on Jail Release Agreements and expiration of JRA if charges are not filed nor extension granted. Removes the requirement that the court find no licensed program reasonably available or that the treatment or therapy is not necessary. Treatment or therapy in licensed DHS domestic violence treatment program may be ordered.				
<b>SB 218</b>	<b>Department of Corrections Amendments</b>	Sen. Fillmore	B/S	Repeals language regarding work release programs. Eliminates report to CCJJ; CCJJ report to Judiciary Interim regarding sex offender program effectiveness. Technical changes to reflect current practices of DOC.				
<b>SB 234</b>	<b>Protecting Unborn Children Amendments</b>	Sen. Bramble	H	Requirements for Dept of Health publication of printed materials to include informed consent that unborn child at least 20 weeks gestational age may be capable of experiencing pain. Requires physician performing an abortion at 20 weeks gestational age to administer anesthetic or analgesic to eliminate or alleviate pain.				
<b>SCR 009</b>	<b>Concurrent Resolution on the Public Health Crisis</b>	Sen. Weiler	B/S	Declares pornography to be a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms. Recognizes the need for education, prevention, research, and policy change in order to address the pornography epidemic.				
<b>SCR 011</b>	<b>Concurrent Resolution Urging the Rescheduling of Marijuana</b>	Sen. Shiozawa	B/S	Marijuana is currently classified as a Schedule I drug under the U.S. Controlled Substances Act. Urges Congress and federal government to reclassify marijuana as a Schedule II drug. Encourages further research and report to the legislative interim committees or other groups as appropriate or feasible.				
<b>SJR 010</b>	<b>Joint Resolution on Education for Law Enforcement Professionals</b>	Sen. Mayne	SUP	Recognizes that Utah's law enforcement professionals perform a vital and important service to the citizens of the state of Utah. Urges Utah's law enforcement professionals to engage in continuing education and training activities to continually update their work skills and professionalism.				

<b>2016 Totals *</b>									
<b>New 1<sup>st</sup> Degree Felonies</b>	<b>New 2<sup>nd</sup> Degree Felonies</b>	<b>New 3<sup>rd</sup> Degree Felonies</b>	<b>New Class A Misdemeanors</b>	<b>New Class B Misdemeanors</b>	<b>New Class C Misdemeanors</b>	<b>New Infractions</b>	<b>New Fines or Fees</b>	<b>Anticipated Prison Admissions per year</b>	<b>Anticipated Fiscal Impact<sup>a</sup></b>
	<b>2</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>41</b>	<b>9</b>	<b>1</b>	<b>\$74,542,000</b>
<b>2015 Totals</b>									
1		5	11	16	38	257	9		\$15,051,000
<b>2014 Totals</b>									
		4	5	7	1		5		\$105,600
<b>2013 Totals</b>									
3	10	4	2	11	1			7.3	\$6,663,850
<b>2012 Totals</b>									
1	12	16	13	26	6	1	4		\$1,780,400

\* New Crime totals include penalties which are newly created or which have been reduced from previously existing penalties.

<sup>a</sup> The anticipated fiscal impact predicts costs to state agencies projected for FY2016 & FY2017. Does not include ongoing costs, costs to local govts. or savings.