



2010 Criminal Justice Legislation

Positions

SUP = Support
S/C = Support in Concept
OPP = Oppose
N/P = No Position
HOLD = Hold for Further Review
PRI = Priority For Passage
 * = Not Yet Approved by the Full Committee
 --- = Beyond the Scope of the Committee

Committees

CCJJ = Commission on Criminal and Juvenile Justice
USC = Utah Sentencing Commission
USA AV = Utah Substance Abuse and Anti-Violence Coordinating Council
LELC = Law Enforcement Legislative Committee
UCV = Utah Council on Victims of Crime
UBJJ = Utah Board of Juvenile Justice

HB0012	Criminal Homicide and Abortion Amendments (<i>Carl Wimmer</i> Party: R)	CCJJ N/P	USC N/P	USA AV ---	LELC	UCV HOLD	UBJJ N/P
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GOV VETO 3.9.10 (Sen. Dayton) AMEND: Provides that, for aggravated murder, the aggravating factor of the victim being under the age of 14 years does not apply to the homicide of an unborn child. PROVIDES that a person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person refused to consent to medical treatment or a cesarean section or failed to follow medical advice. Defines terms, including amending the definition of abortion to relate only to a medical procedure carried out by a physician, or through a substance used under the direction of a physician, with the consent of the woman on whom the abortion is performed. Describes the difference between abortion and criminal homicide of an unborn child. Removes prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child. CLARIFIES that a woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by law. [FN: Will not require additional appropriations.]

HB0013S01	Drug Law Definitions - Amendments (<i>Trisha Beck</i> Party: D)	CCJJ SUP	USC SUP	USA AV SUP	LELC	UCV ---	UBJJ SUP
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GOV SIGNED 3.23.10 Amends the Utah Controlled Substances Act, the Utah Medical Practice Act, the Pharmacy Practice Act, the Utah Osteopathic Medical Practice Act, and the Naturopathic Physician Practice Act to provide consistency in the use of definitions, including those for "prescribe," "prescription device," and "drug."

HB0014	Juvenile Transfers from Justice Court (<i>Kay McIff</i> Party: R)	CCJJ SUP	USC SUP	USA AV ---	LELC SUP	UCV N/P	UBJJ SUP
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GOV SIGNED 3.22.10 (Sen. Okerlund) Provides discretion to a justice court judge to transfer a matter concerning a child from justice court to juvenile court. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions						
		CCJJ	USC	USAAV	LELC	UCV	UBJJ	
HB0019	Post Conviction Remedies Amendments (<i>Kay McIff</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ ---	
<p>GOV SIGNED 3.22.10 (Sen. Bramble) Amends a section of the Post-Conviction Remedies Act which lists grounds upon which relief may not be claimed and also lists an exception if there was a failure to timely raise the ground for relief due to ineffective counsel, by including in this section an amendment that directly states that the exemption relating to ineffective counsel is the only ground for relief under that section. Makes this amendment with the purpose that it function in conjunction with a rule recently adopted by the Utah Supreme Court. [FN: Will not require additional appropriations.]</p>								
HB0021	Expungement Revisions (<i>Julie Fisher</i> Party: R)	CCJJ SUP	USC S/C	USAAV S/C	LELC SUP	UCV SUP	UBJJ ---	
<p>GOV SIGNED 3.29.10 [Sen. Hillyard) AMEND Creates a specific definition of expunge [to seal or otherwise restrict access to the petitioner's record of arrest, investigation, detention, or conviction held by an agency]. Sets out the steps a petitioner must take to obtain an expungement. Specifies what cannot be expunged. Allows the Bureau of Criminal Identification to charge application and issuance fees for a certificate of eligibility for expungement. Provides for notice of a petition for expungement to be given to the prosecutor, victim, and, in the court's discretion, the Division of Adult Probation and Parole. Allows the bureau to deny a petitioner a certificate of eligibility if the petitioner provides false or misleading information on an application. Requires the bureau to expedite the eligibility process for a person who is acquitted. Provides rulemaking authority to the Department of Public Safety for the expungement process. Changes how agencies handle expunged records. [FN: Will not require additional appropriations.]</p>								
HB0022	Inmate Health Insurance Amendments (<i>Paul Ray</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC SUP	UCV ---	UBJJ ---	
<p>AMEND: Provides that, if an insured is otherwise eligible for health or dental benefits under a policy, an insurer may not exclude coverage for an insured who: is an inmate housed in a correctional facility; is an offender in the custody of the DOC; OR is an inmate housed in a county jail. Requires a health or dental insurer to coordinate benefits for an insured who is: an inmate housed in a correctional facility; an offender in the custody of the DOC; OR an inmate housed in a county jail. Requires an inmate who has health or dental insurance coverage, upon entering into the DOC's custody, to use that coverage as primary payer for health and dental costs incurred while in the custody of the DOC. Provides specified exemptions regarding coverage by an inmate's health or dental insurance policy, including injuries to the insured caused by physical violence. [FN: May avoid future costs for DOC, however the amount is unquantifiable at this time.]</p>								
HB0023	Workplace Drug and Alcohol Testing (<i>Trisha Beck</i> Party: D)	CCJJ ---	USC ---	USAAV PRI	LELC	UCV ---	UBJJ ---	
<p>GOV SIGNED 3.29.10 (Sen. Mayne) Modifies terminology. Clarifies effect of complying with the chapter. Requires certain confirmation testing to be done by a certified laboratory. Addresses grounds for employer action. Addresses presumptions in applying employer protections from liability. [FN: Will not require additional appropriations.]</p>								
HB0028	Controlled Substance Database Amendments (<i>Bradley Daw</i> Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC SUP	UCV SUP	UBJJ ---	
<p>GOV SIGNED 3.29.10 (Sen. Bramble) AMEND. Recodifies provisions relating to the Controlled Substance Database into a new chapter known as the Controlled Substance Database Act. Modifies provisions relating to accessing database information for certain legal proceedings. Requires an individual, OTHER than a veterinarian, who is licensed to prescribe a controlled substance, who is applying for a license, or who is renewing a license to: register to use</p>								

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the database; and take a tutorial and pass a test relating to the database and the prescribing of controlled substances. Describes the penalties (third degree felonies) that may be imposed by DOPL on an individual who fails to comply with the requirements described in the preceding paragraph. Requires DOPL to develop an online tutorial and test relating to the use of the database and the prescribing of a controlled substance. Requires DOPL to impose a fee on an individual who takes the test described in this bill to pay the costs incurred by DOPL to fulfill the requirements described in this bill. Grants rulemaking authority to DOPL. [FN: Will require an additional appropriation from the Commerce Service Fund (CSF) of \$29,000 in FY10 and \$4,000 in FY11. CSF spending affects the annual transfer to the Gen. Fund. Would require a one-time appropriation of \$5,700 from the Gen. Fund to DOC in FY11 to cover costs associated with reporting requirements contained in the bill. Fees authorized by the bill will generate \$38,400 in offsetting revenue in FY11 and \$1,500 in FY12 for a net Gen. Fund cost of \$3,100 over three years.]

HB0030	Drug Law Amendments (<i>Trisha Beck</i>)	Party: D)	CCJJ SUP	USC N/P	USAAV SUP	LELC SUP	UCV N/P	UBJJ SUP
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GOV SIGNED 3.23.10 (Sen. Bramble) Adds carisoprodol, which has the brand name of Soma, as a Schedule IV drug. [FN: Will not require additional appropriation.]

HB0035S02	Controlled Substance Database - Reporting of Prescribed Controlled (<i>Bradley Daw</i>)	Party: R)	CCJJ SUP	USC ----	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.29.10 (Sen. Bramble) Requires that, when a person who is 12 years of age or older is admitted to a general acute hospital for poisoning by, or overdose of, a prescribed controlled substance, the general acute hospital must report the poisoning or overdose, and other information to DOPL. Requires that, when DOPL receives a report described in the preceding paragraph, DOPL must notify each practitioner that may have written a prescription for the controlled substance of the poisoning or overdose and certain information relating to the poisoning or overdose. Requires the division to increase the licensing fee for manufacturing, producing, distributing, dispensing, administering, or conducting research, to pay the startup and ongoing costs of the division for complying with the requirements of the preceding paragraph. [FN: It is estimated that the Dept. of Commerce would need one FTE with annual costs of \$30,000 beginning in FY11 with programming and capital costs of \$37,400 one-time. License fees for individuals licensed to prescribe controlled substances will be increased to cover the additional expenses. Individuals pay fees biannually, but some in one year and some in another. Expenses will be covered by the license fees generated. Commerce Service Fund spending affects the annual transfer to the Gen. Fund. Individuals licensed to prescribe controlled substances will see their license fee increase by \$7.00.]

HB0036S02	Controlled Substance Database - Reporting Convictions for Driving (<i>Bradley Daw</i>)	Party: R)	CCJJ S/C	USC S/C	USAAV SUP	LELC SUP	UCV S/C	UBJJ S/C
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GOV SIGNED 3.23.10 (Sen. Bramble) Requires a court to report certain information to the Division of Occupational and Professional Licensing (DOPL) when a person is convicted of driving under the influence or of impaired driving, if there is evidence that the person's driving was under the influence of, or impaired by, a prescribed controlled substance. Requires that, when DOPL receives a report described in the preceding paragraph, DOPL must notify each practitioner that may have written a prescription for the controlled substance of the conviction and certain information relating to the conviction. Requires DOPL to increase the licensing fee for manufacturing, producing, distributing, dispensing, administering, or conducting research to pay the startup and ongoing costs of DOPL for complying with the requirements of the preceding paragraph. [FN: Enactment of this bill will require an ongoing appropriation of \$8,100 from the Commerce Service Fund to the Dept of Commerce beginning in FY 2012. License fees for individuals licensed to prescribe controlled substances will be increased to cover the additional expenses and will generate an additional \$11,900 per year to the General Fund beginning in FY 2012. Commerce Service Fund revenue and expenditures affect the annual transfer to the Gen. Fund.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0037	Criminal Background Checks on Motor Vehicle Dealers and Salesperso (<i>Rebecca Lockhart</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC SUP	UCV ---	UBJJ ---

GOV SIGNED 3.29.10 (Sen. Romero) AMEND: Requires every applicant for a motor vehicle dealer or salesperson license to submit fingerprints with a completed application to the Motor Vehicle Enforcement Division (MVED). REQUIRES certain persons that renewed a motor vehicle salesperson license to submit fingerprints to the MVED. Provides that the MVED shall submit fingerprints for each applicant to the Bureau of Criminal Identification (BCI). Requires the BCI to: compare motor vehicle salesperson applicant fingerprints with certain criminal databases and inform the MVED of its findings. Maintain a separate file of motor vehicle salesperson fingerprints and notify the MVED when a new entry is made concerning a person in the file regarding an arrest for certain offenses. REQUIRES that the MVED to impose the fees that BCI is authorized to collect for certain services and remit the fees collected to BCI. REQUIRES the MVED to suspend the salesperson license of a salesperson who fails to submit the fingerprints as required. Provides that the MVED shall use information received from the BCI to determine whether a license should be denied, suspended, or revoked. [FN: Will require \$9,000 in dedicated credits for FY11 and \$9,200 for FY12 to fund collection and compilation of motor vehicle dealer and salesperson fingerprints. The bill authorizes a fee to collect such dedicated credits.]

HB0038	Scheduling of Controlled Substances (<i>Paul Ray</i> Party: R)	CCJJ SUP	USC SUP	USAAV PRI	LELC SUP	UCV SUP	UBJJ ---
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GOV SIGNED 3.26.10 (Sen. Buttars) Creates the Controlled Substance Advisory Committee and establishes the membership. Creates the role of the committee as an advisory body regarding placing substances in the statutory schedule of controlled substances, changing the schedule of a substance, or removing a substance from the schedule. Provides guidelines for determining if a substance should be scheduled and in which schedule to place a substance. [FN: Will require an additional appropriation from the Commerce Service Fund of \$1,800 annually. CSF spending affects the annual transfer to the Gen. Fund.]

HB0047	Board of Pardons and Parole Technical Amendments (<i>Eric Hutchings</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV ---	UBJJ ---
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GOV SIGNED 3.23.10 (Sen. Greiner) Allows the board to conduct hearings with inmate, offender, or witness appearance and participation by videoconference or other electronic means. Allows the appointment of fewer than the maximum authorized pro tempore members of the board. Allows the board to recommend applicants to the governor for pro tempore appointment and Senate consent. Removes references to certified shorthand reporters, and allows the board to provide electronic copies of hearing recordings. [FN: Will not require additional appropriations.]

HB0062	Penalties for Violent Crime in Presence of a Child (<i>Janice Fisher</i> Party: D)	CCJJ OPP	USC OPP	USAAV OPP	LELC OPP	UCV N/P	UBJJ OPP
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GOV SIGNED 3.30.10 (Sen. Romero) ***THIS BILL WAS AMENDED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE AMENDMENTS WOULD HAVE RESULTED IN A DIFFERENT POSITION.*** AMEND: Provides a CLASS B misdemeanor penalty for a person who, while in the presence of a child: commits or attempts to commit criminal homicide against a third party; or intentionally causes or attempts to cause serious bodily injury to a third party or uses a dangerous weapon or other means or force likely to produce death or serious bodily injury against a third party. [FN: Will have a net ongoing Gen. Fund cost of \$14,500 per year. The Courts will require \$26,500 per year from the Gen. Fund for workload increases. Enactment of the bill will generate an estimated \$12,000 per year in revenue to the Gen. Fund. Local government courts may incur additional costs.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0068	Habitual Wanton Destruction of Wildlife (<i>Curtis Oda</i> Party: R)	N/P	N/P	---	SUP	---	---
GOV SIGNED 3.22.10 (Sen. Christensen) AMEND Makes a third violation of the crime of wanton destruction of protected wildlife a new crime, called habitual wanton destruction of protected wildlife and makes the crime a third degree felony. [FN: Will not require additional appropriations.]							
HB0071S03	Nicotine Product Restrictions (<i>Paul Ray</i> Party: R)	SUP	SUP	SUP	---	SUP	SUP
(Sen. Niederhauser) Makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure a nicotine product. Provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of a nicotine product. Subject to certain exceptions, prohibits, and provides penalties for, the provision, obtaining, or possession of a nicotine product. Describes when sale of a nicotine product is required to be face-to-face and provides criminal penalties for violation of those requirements. Addresses enforcement of, and investigation of violations of, the provisions of this bill. Describes when free distribution of a nicotine product is prohibited and provides criminal penalties for violation of those prohibitions. [FN: Will have an ongoing net Gen. Fund impact of \$4,300. The Courts will require \$8,600 in ongoing Gen. Fund for increased workload costs. The bill generates \$4,300 in ongoing Gen. Fund revenue and \$4,300 in restricted fund revenue. Local jails may be impacted in increased offender housing costs.]							
HB0076	Ticket Scalping (<i>Lynn Hemingway</i> Party: D)	N/P	OPP	---	---	---	---
Provides that a ticket to a sports, athletic, or entertainment event may not be sold or offered for sale for more than the price on the ticket, applicable tax, and reasonable service charges. Provides that violation of this provision is a class C misdemeanor. Provides that each separate sale or offer to sell a ticket is a separate offense. [FN: Will generate approximately \$10,000 in ongoing restricted revenue beginning in FY11. Will impact businesses and individuals who sell tickets for more than the price on the ticket. For local governments, this bill will generate approximately \$20,000 in net ongoing revenue for every 100 cases.]							
HB0078S03	Weapons Revisions (<i>Stephen Sandstrom</i> Party: R)	SUP	---	---	SUP	N/P	---
GOV SIGNED 3.30.10 (Sen. Valentine) Clarifies the use of force or the threat of force necessary to defend a person against another's imminent use of unlawful force. Clarifies when a person may threaten or display a dangerous weapon in self defense. [FN: Will not require additional appropriations.]							
HB0080	Public Access to Private Stream Beds (<i>Lorie Fowlke</i> Party: R)	N/P	N/P	---	---	---	---
Allows recreational activity within the ordinary high water mark of a public water over a private bed. Allows portage around certain manmade obstacles. Prohibits portage around certain natural obstacles on property to which access is restricted. Allows a property owner to place a fence across a public water in certain circumstances. Addresses access to public waters. Prohibits certain conduct on public waters. Requires the Div. of Wildlife Resources to create a public access certificate, required to use public water over a private bed. Creates criminal penalties (class B misdemeanor for violation; and an infraction for not obtaining or possessing a valid public access certificate). Absolves a property owner of liability for certain conduct in connection with recreational uses. [FN: Will require a \$6,800 ongoing Gen. Fund appropriation to Courts that will be off-set by \$7,100 in fines for a net revenue increase of \$300 per year.]							

Bill Number	Title/Sponsor/Summary	Positions						
		CCJJ	USC	USAAV	LELC	UCV	UBJJ	
HB0081S01	School Employee Criminal Background Check (<i>Sheryl Allen</i> Party: R)	SUP	---	---		SUP	---	

GOV SIGNED 3.30.10 (Sen. Dayton) Allows a school district or charter school to require an employee to periodically submit to a criminal background check in accordance with rules of the State Board of Education or policies of the local school board or charter school governing board. Provides that a school district, charter school, or private school may require an applicant or employee to pay for the costs of a criminal background check. Allows the State Board of Education to require an educator to submit to a criminal background check where reasonable cause exists. Imposes requirements for criminal background checks of contract employees. [FN: Will not require additional appropriations.]

HB0082	Protection of Children Riding in Motor Vehicles (<i>F. Seegmiller</i> Party: D)	N/P	N/P	SUP	SUP	N/P	---
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(Sen. Knudson) Prohibits a person from smoking in a vehicle if: a child is a passenger in the vehicle; and the child is younger than eight years of age and is restrained or is required to be restrained in a child restraint device. Provides that violating the smoking prohibition is an infraction and has a maximum fine of \$45. Provides that a court may suspend the fine for a violation if the person proves that the person has enrolled in a smoking cessation program. Provides that enforcement of the smoking prohibition shall be only as a secondary action. Provides that a violation of the smoking prohibition may not be used as a basis for or evidence of child abuse or neglect. [FN: Will require an estimated \$6,600 per year from the Gen. Fund to Courts beginning in FY11. Will generate \$5,000 per year in new Gen. Fund revenue beginning FY11, for a net Gen. Fund cost of \$1,600 per year.]

HB0088	Electronic Cigarette Restrictions (<i>Ronda Menlove</i> Party: R)	SUP	SUP	SUP		SUP	S/C
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GOV SIGNED 3.23.10 (Sen. Dayton) Makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure an electronic cigarette. (Electronic cigarette means any device, other than a cigarette or cigar, intended to deliver vapor containing nicotine into a person's respiratory system.) Provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of an electronic cigarette. Prohibits an electronic cigarette in a correctional or a mental health facility and provides criminal penalties for violation of this prohibition. Makes it a misdemeanor to provide an electronic cigarette to a person under 19 years of age. Makes it a class C misdemeanor for an 18 year old person to buy, attempt to buy, accept, or possess an electronic cigarette. Provides that a person under the age of 18 who buys, attempts to buy, accepts, or has in the person's possession an electronic cigarette is subject to the jurisdiction of the Juvenile Court. Describes when the sale of an electronic cigarette is required to be face-to-face and provides criminal penalties for violation of those requirements. Addresses enforcement of, and investigation of violations of, the provisions of this bill. Describes when free distribution of an electronic cigarette is prohibited and provides criminal penalties for violation of those prohibitions. [FN: Will not require additional appropriations.]

HB0092S01	Moist Snuff Taxation Revisions (<i>Bradley Daw</i> Party: R)	---	---	SUP		---	SUP
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GOV SIGNED 3.23.10 (Sen. Bramble) Amends the definition of "moist snuff." Requires that a manufacturer who distributes a tobacco product in, or into, Utah, shall: keep valid scientific evidence of the moisture content of the tobacco product available for review by the Tax Commission (commission), upon demand; and provide a document to the person to whom the manufacturer distributes the tobacco product, that certifies the moisture content of the tobacco product. Provides that a manufacturer who fails to comply with the requirements described in the preceding paragraph is liable for the nonpayment or underpayment of taxes on the tobacco product by a person who relies, in good faith, on the document. Requires a person who is required to pay tax on a tobacco product to keep the document, provided by the manufacturer that certifies moisture content of the tobacco product, available for review by the

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commission, on demand. Provides that a person who is required to pay tax on a tobacco product is not liable for nonpayment or underpayment of taxes on the tobacco product due to the person's good faith reliance on the document. [FN: Will not require additional appropriations.]

HB0104	Unlawful Provision of Identifiable Prescription Information (Jackie Biskupski Party: D)	CCJJ OPP	USC OPP	USAAV ---	LELC	UCV ---	UBJJ ---
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Makes it a class B misdemeanor to provide, sell, exchange, purchase, obtain, or use identifiable prescription information for a commercial purpose, except as permitted by this bill. [FN: Will not require additional appropriations.]

HB0109	Volunteer Government Workers Act Definitions (Jackie Biskupski Party: D)	CCJJ S/C	USC S/C	USAAV ---	LELC SUP	UCV ---	UBJJ HOLD
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GOV SIGNED 3.29.10 (Sen. Bramble) Amends the definition of the compensatory service worker to include a person who is performing public service as a condition, or as part of, incarceration, a plea, or sentencing. [FN: Will not require additional appropriations.]

HB0110	County Jail Inmate Medical Costs (Bradley Daw Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV ---	UBJJ ---
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GOV SIGNED 3.30.10 (Sen. Greiner) Provides that a county will pay for the medical needs of a person charged with or convicted of a criminal offense and committed to the county jail, to the extent that the expenses exceed any private insurance in effect that covers those expenses. Provides that the county may seek reimbursement for the costs of medical care, treatment, hospitalization, and related transportation from an inmate who has resources or the ability to pay for expenses incurred by the county in behalf of the inmate by: deducting the costs from the inmate's cash account on deposit with the jail; or placing a lien against the inmate's personal property, to provide payment in the event funds become available at a later time. Provides that an existing lien may be carried over to a subsequent incarceration of the same inmate if the subsequent incarceration takes place within the county originating the lien and the future incarceration takes place within three years of the date the lien was placed against the prisoner's personal property. Requires an inmate who receives medical care, treatment, ospitalization, or related transportation to cooperate with the jail facility seeking reimbursement for expenses incurred by the county for the inmate. [FN: Will not require additional appropriations.]

HB0113	Child Restraint Device Amendments (Christopher Herrod Party: R)	CCJJ OPP	USC ---	USAAV ---	LELC	UCV OPP	UBJJ ---
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Provides that an operator of a motor vehicle is exempt from the requirement to use a child restraint device to restrain a person who is five years of age or older but younger than eight years of age if: the operator of the motor vehicle is operating a motor vehicle directly to or from the operator's residence and certain locations; the distance from the operator's residence to or from certain locations is four miles or less; and all available child restraint devices in the vehicle are being occupied. Provides that an operator of a vehicle shall provide for the protection of the person who is five years of age or older but younger than eight years of age by securing the person in a properly adjusted and fastened safety belt. [FN: Will reduce Federal Funds revenues to the Dept. of Public Safety by \$151,700 annually beginning FY11.]

HB0115	Counsel for Indigents in Juvenile Court Proceedings (Kraig Powell Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV ---	UBJJ SUP
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GOV SIGNED 3.30.10 (Sen. Van Tassell) AMEND Limits the scope of services the county is responsible for when counsel is appointed for an indigent in juvenile court to the proceedings for which counsel is appointed. [FN: Will not require additional appropriations. Local governments may accrue a savings

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and/or reimbursement for court ordered costs.]

HB0119	Motor Vehicle Impound Amendments (<i>Curtis Oda</i> Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC	UCV ---	UBJJ ---
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Provides that any law enforcement officer ordered vehicle impound shall be reported to the Motor Vehicle Division (MVD) by the peace officer or the agency the peace officer is employed by. Imposes a \$25 fee on vehicle, vessel, or outboard motor impounds ordered for a violation of certain motor vehicle offenses. Provides that revenues from the \$25 impound fee shall be used by the MVD as dedicated credits to pay the costs of providing certain notifications and regulating state impound yards within the state. Provides that a vehicle is an abandoned vehicle if it is left in an impound yard, garage, or docking area for more than 30 days after certain notices have been provided. Provides that a lien holder or a leasing company that legally owns the vehicle is not subject to the penalty for abandoning a vehicle in an impound yard, garage, or docking area. Provides that it is a class C misdemeanor to abandon a motor vehicle on public or private property or in an impound yard, garage, or docking area. Establishes an affirmative defense to abandoning a vehicle in an impound yard, garage, or docking area. Requires the MVD to inform the registered owner and lien holder that it is a class C misdemeanor for a person to leave a motor vehicle for more than 30 days in an impound yard, garage, or docking area in the impound notice provided by the MVD. [FN: Will require an appropriation from dedicated credits to the Div. of Motor Vehicles (DMV) of \$420,300 in FY11 and \$558,400 starting in FY12. Will require a Gen. Fund appropriations to the Courts of \$10,100 in FY11 and \$13,400 in FY12. Will generate Gen. Fund revenue of \$3,500 in FY10 and \$4,700 in FY12 for a net Gen. Fund cost of \$6,600 and \$8,700 in FY11 and FY12 respectively. Will generate dedicated credits equal to the amount needed for appropriation to DMV.]

HB0122	Surveyor Amendments (<i>John Mathis</i> Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC	UCV ---	UBJJ ---
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Prohibits, in certain circumstances, the prosecution of a county surveyor or a professional land surveyor for criminal trespass. [FN: Will not require additional appropriations.]

HB0125	Kidnapping and Sex Offender Registry Amendments (<i>Ron Bigelow</i> Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC	UCV OPP	UBJJ ---
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GOV SIGNED 3.22.10 (Sen. Mayne) **THIS BILL WAS AMENDED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE AMENDMENTS WOULD HAVE RESULTED IN A DIFFERENT POSITION.** AMEND Removes CERTAIN ACTS OF simple kidnapping from the list of offenses for the registry. [FN: Will not require additional appropriations.]

HB0133S01	Release of Court Documents and Child Interviews (<i>Lorie Fowlke</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ SUP
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GOV SIGNED 3.26.10 (Sen. Bramble) AMEND Limits who can receive and view interviews with child victims. Creates a new provision in the Judiciary and Judicial Administration code. Provides that documents received by pro se litigants are confidential. Requires the court to advise pro se litigants of the confidentiality of documents received during litigation. Requires the court to specify who may receive child interviews. Provides that violations by pro se litigants may be punished by contempt or a class B misdemeanor. [FN: Will not require additional appropriations.]

HB0136	Jail Contracting and Reimbursement (<i>Michael Noel</i> Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC	UCV ---	UBJJ ---
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AMEND Provides that when an offender is sentenced to serve time in a county jail, as a condition of felony probation, the jail provisions shall be arranged for

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by contract between the Dept. of Corrections and the county jail UNDER the contract procedure and terms of Section 64-13e103 regarding contracts for housing state inmates. [FN: Will require Gen. Fund appropriations to the Dept of Corrections for Increased Jail Contracting program costs of \$17,405,000 in FY11 and \$18,190,700 in FY12. Will increase costs annually by approximately 4.5%. Enactment of this bill likely will directly benefit local county jails in increased payments for probationers that go to county jail as a condition of probation.]

HB0138	Hazing Penalties (Carol Moss	Party: D)	CCJJ N/P	USC N/P	USAAV SUP	LELC	UCV N/P	UBJJ N/P
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GOV SIGNED 3.26.10 (Sen. Jones) AMEND: Provides a penalty (class A misdemeanor) for a charge of hazing when an alcoholic product, drug, or other substance is involved. [FN: Will not require additional appropriations.]

HB0146	Law Enforcement by Federal Land Management Agency (Michael Noel	Party: R)	CCJJ	USC	USAAV OPP	LELC OPP	UCV ---	UBJJ S/C	---	---
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GOV SIGNED 3.31.10 (Sen. Madsen) **THIS BILL WAS AMENDED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE AMENDMENTS WOULD HAVE RESULTED IN A DIFFERENT POSITION.** AMEND: Defines federally managed land. defines federal employee as a person who works for an agency that manages federal land. Defines federal agency as an agency that manages federal land. Provides that unless specified under Utah law, federal employees may only exercise law enforcement authority authorized by federal statute and consistent with the United States Constitution. Provides that Utah does not recognize federal agency authority beyond that necessary to manage, use, and protect federally managed lands. Provides that Utah does not authorize federal enforcement action or prosecution based on Utah law by federal agencies, as defined in this bill, except as authorized by agreement with the appropriate state or local law enforcement agency. Authorizes state and local law enforcement agencies to assist in enforcing federal law on federally managed lands by authorized contract. Provides that agreements with a federal agency, as defined in this bill, may not be for longer than two years. Provides that state and local law enforcement agencies may not allow federal agencies to use state or local resources without the written consent of the head of the state or local law enforcement agency. Requires the county sheriff to review the activities of any federal enforcement agency within the county and report to the county attorney. [FN: Will not require additional appropriations.]

HB0150S01	Administrative Subpoena Amendments (Bradley Daw	Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV SUP	UBJJ ---
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GOV SIGNED 3.30.10 (Sen. Dayton) Defines electronic communication, electronic communications services and systems, and remote computing services. Provides that the administrative subpoenas are for the investigation of offenses committed with the use of an electronic communications system or service or remote computing service. Amends the scope of use of these administrative subpoenas to include stalking and child kidnapping, in addition to sexual offenses against a minor. Addresses the rights and remedies of providers and subscribers affected by the administrative subpoena. Amends the ground for issuing the administrative subpoena, which currently is when the investigating agency has a reasonable suspicion that an electronic communications system or service or a remote computing service has been used in the commission of a criminal offense, to include when the agency reasonably believes the criminal offense may have been committed. Requires that prosecutorial and law enforcement agencies annually report the number of administrative subpoenas each agency requested of a federal agency during the prior year.

HB0152	Contract Passenger Carrier Safety Act (F. Seegmiller	Party: D)	CCJJ N/P	USC N/P	USAAV ---	LELC	UCV ---	UBJJ ---
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Provides driver qualification requirements for drivers of contract passenger carriers, including hearing, vision, and medical exams and random drug testing. Requires contract passenger carriers to conduct daily vehicle inspections and prepare inspection reports. Establishes hours of service requirements for

Bill Number Title/Sponsor/Summary**Positions**

drivers employed by contract passenger carriers. Requires a contract passenger carrier to make its land, building, equipment, books, reports, records, and documents available for inspection by the Dept. of Transportation. Provides insurance requirements for contract passenger carriers. Provides that a person is subject to a class C misdemeanor for violating any of the Contract Passenger Carrier Safety Act provisions. Provides that a contract passenger carrier or a driver is subject to civil penalties for violating the Contract Passenger Carrier Safety Act requirements. [FN: Estimated to cost \$62,600 from the Transportation Fund in FY11 to implement provisions of this bill. Those funds will be used for one FTE to make inspections required by provisions of the bill.]

HB0160	Campaign Finance Provisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Brian King</i> Party: D)	N/P	OPP	---		---	---

Establishes contribution limits. Makes a violation of contribution limits a class A misdemeanor. [FN: Will not require additional appropriations.]

HB0162	Unlawful Sexual Conduct with a Minor	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Rebecca Edwards</i> Party: R)	OPP	OPP	---		OPP	OPP

Changes the offense of sexual abuse of a minor who is 14 or 15 years of age to provide that the offense applies to a defendant who is four or more years older than the victim, rather than the current provision of seven or more years older than the victim. Changes the offense of unlawful sexual conduct with a minor who is 16 or 17 years of age to provide that the offense applies to a defendant who is four or more years older than the victim, rather than the current provision of ten or more years older than the victim. [FN: Will require an appropriation from the Gen. Fund of \$101,800 in FY11 and \$194,600 in FY12. It is expected that total ongoing costs will reach \$423,200 per year. The appropriations would go to the Dept. of Corrections for costs associated with additional incarcerations. Local governments may incur jail costs of as much as \$100,000 per year.]

HB0170	Foster Care Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Kerry Gibson</i> Party: R)	OPP	---	---		OPP	OPP

THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION. Makes legislative findings regarding the interests of long-term foster parents in foster children. Prohibits the Division of Child and Family Services (DCFS) or a peace officer from removing a child from a foster placement of at least two years, without the voluntary consent of the child's foster parents, unless: the child is removed in order to be returned to the child's parent, placed with a relative, or placed for adoption; or the division and the peace officer comply with the requirements for removal of the child, as if the foster parents were the legal parents of the child. Makes it unlawful for a person, with the intent to avoid compliance with the requirements of this bill, to: take action, or encourage another to take action, against the license of a foster parent; or remove a child from a foster home before the child has been placed with foster parents for two years. [FN: Will require appropriations of \$5,800 from the Gen. Fund to the courts.]

HB0170S02	Foster Care Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Kerry Gibson</i> Party: R)						

GOV SIGNED 3.22.10 (Sen. Jenkins) Provides that the explanation required to be given to a foster parent for removing a child from a foster home shall be in writing. Provides that, for a child who has been in a foster home for at least two years, the review that may be requested by a foster parent prior to removal shall be by the juvenile court judge currently assigned to the child's case or, if the judge is not available, another juvenile court judge. Provides that it is unlawful for a person, with the intent to avoid compliance with the requirements described in this bill, to: take action, or encourage another to take action, against the license of a foster parent; or remove a child from a foster home before the child has been placed with the foster parents for two years.

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0174	License Plates Amendments (<i>Paul Ray</i> Party: R)	SUP	SUP	---	SUP	SUP	---

(Sen. Greiner) AMEND PROVIDES that a license plate is not required to be attached to the front of the vehicle if the vehicle was not originally designed and manufactured to hold a front license plate. Repeals the provision that provides that enforcement of the requirement to display a license plate on the front of a vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of another offense by any person in the vehicle. PROVIDES that the requirement to attach a license plate to the front of a vehicle shall only be enforced if the vehicle is in motion. Provides that a violation of the requirement to attach a license plate to the front of a vehicle is an infraction rather than a class C misdemeanor. Provides that a court shall waive the fine for a violation of the requirement to attach a license plate to the front of a vehicle in certain circumstances. Requires a vehicle to have a tail light or a separate light that illuminates with a white light the rear license plate. Requires that the light illuminating the rear license plate be wired to be lighted whenever the headlights or auxiliary driving lights are lighted. Provides a penalty for violating the rear license plate illumination requirement. Provides that a court shall waive the fine for a violation of the rear license plate illumination requirement in certain circumstances. [FN: Will not require additional appropriations.]

HB0186S01	Controlled Substance Database Revisions (<i>Ronda Menlove</i> Party: R)	---	---	S/C	---	---
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GOV SIGNED 3.29.10 (Sen Bramble) Permits employees of the Dept. of Health to have access to information in the controlled substance database in relation to a person whom the Dept. of Health suspects may be improperly obtaining or providing a controlled substance. [FN: Will not require additional appropriations.]

HB0187S01	Peace Officer Standards and Training Amendments (<i>Carl Wimmer</i> Party: R)	SUP	---	---	HOLD	---
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GOV SIGNED 3.29.10 (Sen. Greiner) AMEND Provides that a peace officer who voluntarily relinquishes the peace officer's certification to the division may not thereafter reapply to the division to be certified as a peace officer in Utah. Provides authority to the Peace Officer Standards and Training (POST) Council to suspend or revoke certification of a peace officer for any of the following: willful falsification of any information to obtain certified status; physical or mental disability affecting the peace officer's ability to perform duties; addiction to alcohol or controlled substances unless the peace officer reports the addiction to the employer and the director; and violation of a state or federal CRIMINAL law, regardless of whether the conduct results in the filing of criminal charges. Amends provisions referring to the POST director's rulemaking authority with the advice of the POST council. Amends directives regarding specific rulemaking for dispatcher training and certification. Provides procedures and requires the division to initiate all adjudicative proceedings as civil actions. Specifies that the burden of proof in the adjudicative proceedings is by a preponderance of the evidence. Permits a peace officer to request an appeal hearing conducted by an administrative law judge. Provides that termination, whether voluntary or involuntary, or employment by an agency after termination does not preclude suspension or revocation of peace officer certification status by the council if the peace officer was terminated for cause. Requires a chief, sheriff, or administrative officer of a law enforcement agency who is made aware of alleged conduct of a peace officer that would be grounds for suspension or revocation to investigate and report the conduct to the division, if the agency finds the allegation to be true. [FN: Will not require an additional appropriation.]

HB0190	Disclosure of Methamphetamine Contaminated Property Act Amendments (<i>Steven Mascaro</i> Party: R)	SUP	---	PRI	SUP	SUP
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(Sen. Buttars) AMEND Modifies a provision allowing an owner or lessor to report methamphetamine contamination to require rather than allow the owner or lessor to report the contamination. [FN: Will not require additional appropriations. If a methamphetamine test is required for rental or sold properties,

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individuals and businesses could be affected. The average cost of a meth verification is currently \$125 per test.]

HB0195	Homicide Penalty Amendment (<i>Carl Wimmer</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ ---
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GOV SIGNED 3.30.10 (Sen. Greiner) AMEND Amends the penalty for specified non-capital first degree felonies from 20 years and which may be for life, to 25 years and which may be for life, to be consistent with the same amendment made to Sections 76-3-206 and 76-3-207.7 in H.B. 317, Capital Felony Amendments, which passed during the 2009 General Session. [FN: Will not require additional appropriations in the first two years of implementation. However each year between 2039 and 2043 the Dept. of Corrections will require an increase of \$45,000 per year in ongoing Gen. Fund for increased incarceration costs, with an annual cost of \$225,000 in 2043 and each fiscal year thereafter.]

HB0197S04	Custodial Interference Amendments (<i>Carl Wimmer</i> Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC ---	UCV ---	UBJJ ---
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(Sen. Madsen) **THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION** Enacts a modified version of the crime of custodial interference. Provides that custodial interference is: except as otherwise provided in this bill, a class B misdemeanor; a class A misdemeanor if the actor was previously convicted of custodial interference at least twice in the two-year period preceding the latest commission; or a felony of the third degree if, during the course of the custodial interference, the actor removes, causes the removal, or directs the removal of the child from the state. Creates affirmative defenses to the crime of custodial interference.

HB0197S05	Custodial Interference Amendments (<i>Carl Wimmer</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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GOV SIGNED 3.30.10 (Sen Madsen) Enacts a modified version of the crime of custodial interference. Provides that custodial interference is: except as otherwise provided in this bill, a class B misdemeanor; a class A misdemeanor if the actor was previously convicted of custodial interference at least twice in the two-year period preceding the latest commission; or a felony of the third degree if, during the course of the custodial interference, the actor removes, causes the removal, or directs the removal of the child from the state. Creates affirmative defenses to the crime of custodial interference; and imposes a driver license suspension upon a person convicted of custodial interference.

HB0202	Fireworks Amendments (<i>Ronda Menlove</i> Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC ---	UCV ---	UBJJ ---
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GOV SIGNED 3.22.10 (Sen. Bramble) AMEND Requires special effects operators and flame effects operators who create the combustion of flammable materials before an audience to obtain a license from the State Fire Marshal Division. Requires a special effects operator and a flame effects operator to obtain a permit from the municipality or county where the operator is working. Requires the Utah Fire Prevention Board to define methods of establishing proof of the competence of an operator to use special effects fireworks and flame effects. Provides the duties of the division in issuing a license to flame effects operators. Authorizes individuals licensed by the division to purchase, possess, or discharge class C dangerous explosives. Authorizes the division to stop the improper or dangerous use of flame effects. Exempts individuals licensed by the division from penalties for possession of explosive, chemical, or incendiary devices as authorized by their license. DEFINES flame effects operator. [FN: Will not require additional appropriations. It is estimated the bill will increase state revenues (collected by the State Fire Marshal Division) by approximately \$1,200 annually beginning in FY10. Local governments will be required to verify that operators have the requisite state license before issuing a permit to perform in the local community. Local governments may institute a fee for the local permit. Businesses and individuals will be required to pay the \$40 state fee and possibly a local fee per performer.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0204	Jury Trial Amendments (<i>Wayne Harper</i> Party: R)	OPP	OPP	OPP	OPP	OPP	---

Expands the right to a jury trial in criminal cases where the possibility of incarceration is unlikely, but the defendant is charged with theft, attempted theft, or domestic violence. [FN: Enacting this legislation will require \$213,900 in ongoing Gen. Fund for increased Courts and jury costs.]

HB0206	Ban on Sale of Smoking Paraphernalia to Minors (<i>Paul Ray</i> Party: R)	SUP	SUP	SUP		HOLD	SUP
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GOV SIGNED 3.29.10 (Sen. Niederhauser) AMEND. Defines tobacco paraphernalia. Makes it a misdemeanor to provide tobacco paraphernalia to a person under the age of 19 (class C misdemeanor first offense; class B misdemeanor ON subsequent offenses). [FN: Will require ongoing Gen. Fund appropriations of \$17,200 to the Courts. Approximately \$17,200 of ongoing revenue will be generated - \$8,600 to the Gen. Fund and \$8,600 to the Non-Judicial Restricted Fund. Enactment of this bill may increase the cost to county jails by up to \$20,000 annually depending on the number of convictions for offenses created by the provisions of this bill.]

HB0207S01	Protection of Property Amendment (<i>Carl Wimmer</i> Party: R)	SUP	SUP	---	SUP	---	SUP
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GOV SIGNED 3.30.10 (Sen. Madsen) Amends the provision regarding justified use of force in defense of property to provide that the court may consider, in determining reasonableness: extent of damage; previous damage; prior threats of injury or damage; and prior pattern of abuse or violence. [FN: Will not require additional appropriations.]

HB0209	Sex Offender Regulation Amendments (<i>Christine Watkins</i> Party: D)	N/P	N/P	---	SUP	---	---
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GOV SIGNED 3.23.10 (Sen. Jones) AMEND Provides that IN ADDITION TO the annual fee of \$100 that registered sex offenders are currently required to pay to DOC, A FEE OF NOT MORE THAN \$25 MAY BE ASSESSED by the agency OTHER than DOC, that registers the offender. [FN: Will decrease ongoing Dedicated Credits revenue and expenditures at the Dept. of Corrections by \$134,000 in FY11. The Department will require \$93,300 in ongoing Gen. Funds beginning in FY11 for continued licensing and operation costs of the sex offender registry. Local governments will generate ongoing revenues of \$134,500 beginning in FY11.]

HB0214S01	Concealed Firearm Permit Modifications (<i>Rebecca Lockhart</i> Party: R)	SUP	---	---	SUP	---	---
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GOV SIGEND 3.22.10 (Sen. Bramble) Changes the names of the Concealed Weapon Act and the Concealed Weapon Review Board to the Concealed Firearm Act and the Concealed Firearm Review Board. Provides that duties related to the issuance of a concealed firearm permit previously designated to be performed by the Criminal Investigations and Technical Services Division will be performed by BCI. Clarifies the ability of the bureau to revoke a concealed carry permit of a licensee who is convicted of a felony or other crimes or offenses. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0223S01	Alcoholic Beverage Control Act and Licenses (<i>Gage Froerer</i> Party: R)	---	---	USAAV OPP	LELC	UCV ---	UBJJ ---

Modifies the restriction on the number of restaurant liquor licenses that may be issued. Modifies the restriction on the number of limited restaurant licenses that may be issued. Mmodifies the restriction on the number of tavern on-premise beer licenses that may be issued. Makes technical and conforming amendments. [FN: Increases the cap on the number of full-service licenses by about 22, limited-service restaurant liquor licenses issued by about 20 and reduces the cap on the number of taverns by about 39. Additional revenue may be generated from fees and increased sales, but the number of licenses and associated sales could not be reliably determined at this time.]

HB0225	Counterfeit Substance Amendments (<i>Paul Ray</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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GOV SIGNED 3.22.10 (Sen. Greiner) Amends the definition of "counterfeit controlled substance," including "adding a reasonable person standard. Amends the definition of "imitation controlled substance," including providing that an imitation controlled substance resembles any legally or illegally manufactured controlled substance. [FN: Will not require additional appropriations.]

HB0230	Human Trafficking Amendments (<i>Julie Fisher</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.23.10 (Sen. Adams) Provides that it is a separate offense regarding each person who is trafficked or smuggled in violation of current law. [FN: Will not require additional appropriations.]

HB0237	Restrictions on Use of Wireless Telephones in Vehicles by Minors (<i>Phil Riesen</i> Party: D)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ SUP
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Prohibits a person younger than 18 years of age from using a wireless telephone while operating a motor vehicle. Provides exceptions to the wireless telephone prohibition. Provides penalties (infraction; or class C misdemeanor if the person is involved in a motor vehicle accident and it is a proximate result of the person's negligent operation of the vehicle due to a violation of this section). The violation is reportable and the Driver License Division shall assess points. [FN: Will generate \$1,200 per year in net revenue to the Gen. Fund. The Courts will require \$4,000 appropriation each year and will generate \$5,200 in ongoing revenue. The DPS will require a one-time appropriation of \$5,000 from a Transportation Fund Restricted account for programming changes. Local governments will be impacted through local Justice Court adjudications.]

HB0250	Criminal Penalties Amendments - Leaving the Scene of an Accident (<i>Christopher Herrod</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.23.10 (Sen. Bramble) Increases the penalty from a class A misdemeanor to a third degree felony for a person who violates the requirement to stop the vehicle at the scene of an accident and remain at the scene of the accident until the operator has fulfilled certain requirements if the accident resulted in serious bodily injury or death of a person and regardless of whether the person has previously been convicted of certain violations. [FN: The Dept of Corrections will require one-time Gen. Funds of \$30,600 in FY11 and ongoing Gen. Funds of \$61,200 in FY12 and each year thereafter. The Courts will also require ongoing Gen. Fund appropriations of \$1,000 beginning in FY11. The Board of Pardons will require one-time Gen. Funds of \$500 in FY11 and ongoing funds of \$1,000 beginning in FY12.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0251	Admission of Affidavits into Evidence (<i>Rebecca Lockhart</i> Party: R)	S/C	SUP	SUP	SUP	S/C	S/C

(Sen. Valentine) Provides a procedure by which a criminal defendant can object to the admission of crime lab reports. Requires the defendant to provide notice of an objection to an analytical report. Requires the defendant to be specific in the objection. Provides the court with instructions if the objection is sustained. Provides that if the defendant fails to raise an objection, the right to have the affiant testify is waived. [FN: Will not require additional appropriations. May prevent costs to the state in court proceedings.]

HB0264	Law Enforcement Amendments (<i>Carl Wimmer</i> Party: R)	SUP	---	---	SUP	---	---
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Amends state provisions regarding the authority of federal officers to enforce state law on state land by specifying federal officers may not enforce laws regarding trespass or uses of agricultural land. [FN: Will not require additional appropriations.]

HB0276	Sex Offender Registry Amendment (<i>Paul Ray</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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GOV SIGNED 3.29.10 (Sen. Greiner) Amends the definitions applicable to the sex offender registry provisions to include in the definition of conviction those convictions obtained under any state, federal, or military court. [FN: Will not require additional appropriations.]

HB0277	Overdose Reporting Amendments (<i>Christine Johnson</i> Party: D)	SUP	SUP	SUP	SUP	SUP	SUP
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GOV SIGNED 3.29.10 (Sen. McAdams) AMEND Provides that a person YOUNGER than 21 years of age who is in violation of an alcohol possession or consumption law, and who in the same incident reports to law enforcement a person who is physically endangered by the consumption of alcohol, may be considered by the sentencing court for a mitigation of the sentence due to having reported the endangered person. [FN: Will not require additional appropriations.]

HB0290	Recreational Use of Privately Owned Stream Beds (<i>R. Webb</i> Party: R)	HOLD	HOLD	---		---	---
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Allows public recreational use of private beds in connection with recreational activities using public waters. Addresses the scope of the public's right to use private beds. Prohibits certain conduct in connection with the use of a private bed. Provides a criminal penalty (class B misdemeanor) for a violation of provisions concerning public recreational use of a private bed. Provides liability protections for the owner of a private bed. [FN: Will require \$7,900 from the Gen. Fund and \$1,400 from the restricted fund to Courts. Will generate \$6,200 to the Gen. Fun and \$1,200 to the restricted fund. May impact local justice courts.]

HB0293S01	Victims' Rights Amendments (<i>R. Webb</i> Party: R)	SUP	SUP	---	SUP	SUP	SUP
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GOV SIGNED 3.29.10 (Sen Hinkins) Adds back in two subsections deleted in a previous bill which apply to appellate rights for victims. [FN: Will not require additional appropriations.]

Bill Number Title/Sponsor/Summary

Positions

HB0296S01	Choice of Law in Utah Courts (<i>Carl Wimmer</i> Party: R)	CCJJ OPP	USC ---	USAAV ---	LELC	UCV ---	UBJJ OPP
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Requires a Utah court to apply United States and Utah law in cases and controversies before them if the court determines that applying a foreign law would deprive a person of fundamental rights guaranteed by the United States and Utah constitutions. [FN: Will not require additional appropriations.]

HB0299S01	Amendments Related to Substances Harmful to Pregnancy (<i>Ronda Menlove</i> Party: R)	CCJJ ---	USC ---	USAAV PRI	LELC	UCV SUP	UBJJ ---
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GOV SIGNED 3.23.10 (Sen. Buttars) Repeals outdated language related to a public education and outreach program. Requires posting of a warning by alcohol retailers related to the effects of consuming alcohol during pregnancy. [FN: Will not require additional appropriations.]

HB0301	Disorderly Conduct Amendments (<i>Carl Wimmer</i> Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC OPP	UCV OPP	UBJJ OPP
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Removes the word annoyance from the crime of disorderly conduct. Provides that the offense of disorderly conduct does not apply to the exercise of First Amendment rights. [FN: Will not require additional appropriations.]

HB0303	Protections for Victims of Domestic Violence (<i>Eric Hutchings</i> Party: R)	CCJJ S/C	USC S/C	USAAV S/C	LELC HOLD	UCV S/C	UBJJ S/C
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THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION (Sen. Mayne) Provides time limits on criminal protective orders and no contact agreements, and provides for judicial discretion for good cause. Authorizes the court to issue a pretrial criminal protective order if the defendant has been charged with a domestic violence offense. Amends terms to reflect judicial procedures regarding release of a defendant. Provides that if a person charged with domestic violence is released, the person shall receive a copy of the criminal protective order or no contact agreement prior to release. Requires that the arresting officer shall provide, at the time of the arrest: to the alleged victim the date of the defendant's court hearing, and that release conditions may expire at the end of that court day; and to the alleged perpetrator information about the requirement to personally appear in court. Provides that the court may allow the court jail release order or jail release agreement to expire at the end of the day the defendant appears in court, or may extend the order or agreement for good cause. Removes the requirement of a possible showing of future violence when the court waives the requirement that the alleged victim's location be disclosed. Requires that action regarding criminal protective orders be transmitted to the statewide domestic violence network. Provides that any criminal protective order related to a dismissed criminal domestic violence shall be dismissed. Provides for a sentencing criminal protective order to be issued for the duration of a domestic violence defendant's probation or sentence and provides that violation of the order is a class A misdemeanor. Requires the defendant to pay the costs of counseling for children who are affected by the domestic violence offense, in addition to the current requirement to pay for the victim's counseling. Requires the court to enter in the court record any finding that the defendant is not required to complete treatment or therapy. [FN: Will not require additional appropriations. Certain domestic violence offenders will be required to pay for counseling for children affected by the domestic violence offense. Local law enforcement will change certain procedures as a result of this legislation.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0303S01	Protections for Victims of Domestic Violence (<i>Eric Hutchings</i> Party: R)						

GOV SIGNED 3.30.10 (Sen. Urquhart) Provides time limits on protective orders and jail release agreements and orders, and provides for judicial discretion for good cause. Authorizes the court to issue a pretrial protective order if the defendant has been charged with a domestic violence offense. Amends terms to reflect judicial procedures regarding release of a defendant. Provides additional definitions. Provides that if a person charged with domestic violence is released, the person shall receive a copy of the protective order or jail release agreement or order prior to release. Requires that the arresting officer shall provide, at the time of the arrest: to the alleged victim, notification that release conditions may expire at midnight of that day; and to the person charged with a domestic violence offense, information about the requirement to appear in court. Provides that the court may allow the jail release order or jail release agreement to expire at midnight of the day the defendant appears in court, or may extend the order or agreement for good cause. Removes the requirement of a possible showing of future violence when the court waives the requirement that the alleged victim's location be disclosed. Requires that action regarding protective orders be transmitted to the statewide domestic violence network. Provides that any protective order related to a dismissed criminal domestic violence case shall be dismissed. Provides for a sentencing protective order to be issued for the duration of a domestic violence defendant's probation and provides that violation of the order is a class A misdemeanor. Requires the defendant to pay the costs of counseling for children who are affected by the domestic violence offense, in addition to the current requirement to pay for the victim's counseling.

HB0306	Terrorism Amendments (<i>Eric Hutchings</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	S/C	---		---	S/C

GOV SIGNED 3.29.10 (Sen. Liljenquist) Changes the term cyber-terrorism to malicious cyber activity. Changes the term commercial terrorism to commercial obstruction. Changes the term disruptive terrorism to terrorism. Moves references to the threat of terrorism into a new section apart from the misdemeanor offense of threat of violence. Defines terrorism as activities that: involve acts dangerous to human life; are a violation of the criminal laws of the United States or of this state; and to a reasonable person, would appear to be intended to: intimidate or coerce a civilian population; influence the policy of a government by intimidation or coercion; or affect the conduct of a government by mass destruction, assassination, or kidnapping. [FN: Will not require additional appropriations.]

HB0312S03	Medical Expenses for Offenders (<i>Paul Ray</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	SUP	---	SUP	---	---

GOV SIGNED 3.30.10 (Sen. Bramble) Provides that medical care provided outside of a prison facility to an offender in the custody of the department shall be provided at the contracted rate, or if there is no contract between the department and a health care facility or provider that establishes a fee schedule for medical services rendered, expenses shall be at the noncapitated state Medicaid rate in effect at the time the service was provided regarding health care facilities, and 65% of the amount that would be paid under the Public Employees' Benefit and Insurance Program for health care providers. Provides that the expense to the department for these medical services is limited to the amount that the expense exceeds coverage by an offender's policy through a private insurer that is in effect at the time of the service. The Public Employees' Benefit and Insurance Program shall provide information to the department that enables the department to calculate the amount to be paid to a health care provider, and this information shall be kept confidential.

HB0336	Railroad and Railroad Crossing Amendments (<i>Richard Greenwood</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		HOLD	HOLD	HOLD		---	HOLD

Prohibits an operator of a motor vehicle from making a U-turn or turning the vehicle to proceed in the opposite direction on a railroad crossing. Prohibits a pedestrian from entering or remaining within the area between a railroad track and a railroad sign or signal while the railroad sign or signal is active at the railroad train crossing. Provides that a person is guilty of a class B misdemeanor for riding, climbing, attempting to ride or climb, walking, or traveling across

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certain railroad property. Provides that a person is guilty of a third degree felony if the person willfully or maliciously obstructs, tampers with, removes, damages, or otherwise interferes with certain railroad property. Provides that a person is guilty of a second degree felony if the willful or malicious obstruction, tamper, removal, damage, or interference results in the death of a person. Provides that a person is guilty of a third degree felony for injuring certain railroad property. [FN: Will not require additional appropriations.]

HB0337	Uniform Driver License Act Amendments (<i>Rebecca Lockhart</i> Party: R)	CCJJ SUP	USC SUP	USAAV PRI	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.29.10 (Sen. Bramble) Provides that a court is not required to forward to the division within 10 days a record of the conviction for certain drug-related offenses and provides that the Driver License Division (DLD) is not required to suspend a person's license for certain drug-related offenses if: the violation did not involve a motor vehicle; and the convicted person is participating in or has successfully completed substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or probation through the Depart. of Corrections Adult Probation and Parole. Provides that if the person fails to comply with the terms of the substance abuse treatment program or the terms of probation: the substance abuse treatment program or the Depart. of Corrections Adult Probation and Parole shall provide an affidavit or other sworn information to the court notifying the court that the person has failed; the court shall immediately forward an abstract of the court record of the conviction to the DLD; and the DLD shall immediately suspend the person's license. [FN: Courts will require a one-time Gen. Fund appropriation of \$4,000 for programming costs.]

HB0362	Duties of City Police Departments (<i>Christopher Herrod</i> Party: R)	CCJJ OPP	USC ---	USAAV ---	LELC OPP	UCV ---	UBJJ OPP
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Requires that when a peace officer arrests or takes into custody a person with an outstanding felony warrant, the officer shall check with the federal Law Enforcement Support Center for information on the person. Requires that the officer make a record of any information provided by the center. [FN: Will not require additional appropriations.]

HB0364	Right of Identity Theft Victim to Civil Cause of Action (<i>Julie Fisher</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV SUP	UBJJ ---
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GOV SIGNED 3.23.10 (Sen. Urquhart) Allows an identity theft victim to bring a civil action against a perpetrator (also a perpetrator found not guilty of Identity Fraud or Communciation Fraud, may be found liable). Sets out limits on the recovery of damages (including if restitution was ordered in the criminal action, the amount ordered shall be deducted from any damages under this section). Designates a statute of limitations for a civil action (three years) for damages. [FN: Will require approximately \$3,500 in ongoing Gen. Funds for the Courts for increased workload. Will also generate \$2,000 in Gen. Fund revenue for a net impact of \$1,500 in ongoing Gen. Fund costs.]

HB0365	Department of Corrections Registry Amendments (<i>Douglas Aagard</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ ---
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GOV SIGNED 3.23.10 (Sen. Greiner) Clarifies that a secondary residence may include any location that the offender does not own, or does not have a financial interest in, if the offender has stayed at that location for a specified period of time. Clarifies that the Depart. of Corrections is to assist in investigating kidnapping crimes. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0372	Wrongful Death of Unborn Child (Carl Wimmer Party: R)	---	---	USAAV OPP	LELC	UCV ---	UBJJ ---

Allows a suit to be brought for the wrongful death of an unborn child. [FN: Will not require additional appropriations.]

HB0375	Bailable Offenses Act (Paul Ray Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC OPP	UCV HOLD	UBJJ ---
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Requires that a person charged with the following offenses are required to wear a GPS electronic tracking device if released on bail or the person's own recognizance: (1) being in the US illegally; (2) a violent felony as defined by statute; or (3) any sexual offense against a person 14 years of age or younger that is not defined as a violent offense. Requires that the person required to wear the tracking device pay for the costs of the device. Requires that the sheriff of the county where the person is granted bail or is released on recognizance is required to issue the device and maintain the tracking system. [FN: Will not require additional appropriations. Will incur jail costs to local governments at approximately \$450 per case with a potential ongoing net cost of \$900,000. Additional replacement costs for electronic tracking devices may be incurred.]

HB0377	Department of Human Services Licensing Amendments (Paul Ray Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV HOLD	UBJJ SUP
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Permits, under limited circumstances, a person to have direct access to children or vulnerable adults, who would otherwise be prohibited from that access due to certain misdemeanor or infraction convictions, in order to permit the person to provide peer counseling, peer support, or supported employment services. [FN: Enactment of this bill will require appropriations of \$34,100 in Gen. Fund and \$16,800 in federal funds. The appropriation will go to the Office of Licensing in the Dept. of Human Services.]

HB0387	Protecting Identity of Children (Eric Hutchings Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Modifies the purposes for an Internet website within the Office of the Attorney General to include providing information about and links to resources to protect Social Security numbers. **THIS BILL RECEIVED TEXT AFTER THE COMMITTEE POSITIONS WERE POSTED**

HB0409	Civil Action for Damages Related to Addiction from Illegal Drug Sa (Christopher Herrod Party: R)	CCJJ N/P	USC N/P	USAAV SUP	LELC	UCV SUP	UBJJ N/P
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GOV SIGNED 3.29.10 (Sen. Bramble) Provides that the estate of a person who becomes addicted to an illegal controlled substance may bring a civil action against any person who illegally provided or administered the substance, and against any person who illegally provided the substance to any person in the direct chain of supply of providing the substance to the person who provided the substance to the addicted person. Provides for treble damages, punitive damages, and costs of addiction treatment or rehabilitation. [FN: Will require an appropriation of \$5,200 per year from the Gen. Fund to the Courts beginning in FY11. The bill will also generate \$3,000 per year in new Gen. Fund revenue beginning FY11, for a net Gen. Fund cost of \$2,200 per year.]

HB0432	Hate Crime Amendments (Stephen Sandstrom Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC	UCV OPP	UBJJ ---
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Provides that any offense committed in Utah on state or local land may not be transferred to the federal government for prosecution under the federal law

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Positions

often referred to as the federal hate crimes statute. [FN: Will not require additional appropriations.]

HB0437	Phlebotomy Certification Act (<i>F. Seegmiller</i>)	Party: D)	CCJJ N/P	USC N/P	USAAV ---	LELC	UCV ---	UBJJ ---
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Enacts the Phlebotomy Certification Act. Requires a phlebotomist to be certified; establishes certification requirements and continuing education requirements; grants rulemaking authority to DOPL; requires DOPL to charge a fee to recover the costs of issuing a certification. Describes, and provides penalties for, unlawful or unprofessional conduct (class A misdemeanor). [FN: New license revenue is estimated at \$192,000 in FY11. After that, in even-numbered years, revenue is estimated at \$169,600. An annual appropriation of \$48,800 would be required with a FY11 one-time appropriation of \$27,800. Commerce Service Fund revenue and expenditures affect the annual transfer to the Gen. Fund. Individuals, businesses, and/or charities would be required to obtain licensure, incurring the cost of the license, the certification test, and the continuing education requirements. Schools providing the training for the certification and/or continuing education would likely see an increase in their enrollments.]

HB0462	Criminal Homicide and Abortion Revisions (<i>Carl Wimmer</i>)	Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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GOV SIGNED 3.8.10 Provides that, for aggravated murder, the aggravating factor of the victim being under the age of 14 years does not apply to the homicide of an unborn child. Provides that a person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person refused to consent to medical treatment or a cesarean section or failed to follow medical advice. Provides that a woman is not guilty of criminal homicide of her own unborn child if the death of her unborn child: is caused by a criminally negligent or reckless act of the woman; and is not caused by an intentional or knowing act of the woman. Defines terms, including amending the definition of abortion to relate only to a medical procedure carried out by a physician, or through a substance used under the direction of a physician, with the consent of the woman on whom the abortion is performed. Describes the difference between abortion and criminal homicide of an unborn child. Removes prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child. Clarifies that a woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by law. [FN: Will not require additional appropriations.] **THIS BILL RECEIVED TEXT AFTER THE COMMITTEE POSITIONS WERE POSTED.**

HCR015	Resolution to the Secretary of Transportation on Revocation of Dri (<i>Rebecca Lockhart</i>)	Party: R)	CCJJ SUP	USC SUP	USAAV PRI	LELC	UCV SUP	UBJJ SUP
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GOV SIGNED 3.29.10 (Sen. Bramble) Expresses the Legislature's and the Governor's opposition to a federal requirement that the state pass a law requiring revocation or suspension of a person's driver license for any drug-related offense. Expresses the Legislature's and the Governor's determination that Utah will enforce its own law, which provides that persons convicted of certain drug-related offenses will not have their driver licenses revoked if: the violation did not involve a motor vehicle; and the convicted person is participating in or has successfully completed substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole. [FN: Will not require additional appropriations.]

HJR006	Strangulation and Domestic Violence Joint Resolution (<i>Jennifer Seelig</i>)	Party: D)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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ENROLLED (Sen. Greiner) Urges state and local law enforcement officers and prosecutors to investigate, and prosecute as felonies, all assaults in which the evidence shows that the defendant applied force to the neck or throat of the victim, creating a substantial likelihood of impediment to the victim's normal breathing or circulation. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HJR017	Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills (<i>Kenneth Sumsion</i> Party: R)	CCJJ OPP	USC OPP	USAAV OPP	LELC	UCV ---	UBJJ OPP

Directs the Legislative Fiscal Analyst to ignore criminal penalties when creating a fiscal note for a bill. [FN: Will not require additional appropriations.]

HJR022	Joint Resolution Recognizing the 75th Anniversary of the Utah High (<i>Don Ipson</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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ENROLLED (Sen. Valentine) Recognizes the 75th anniversary of the Utah Highway Patrol and its continued exceptional service to the state of Utah and its motoring public. [FN: Will note require additional appropriations.]

HR0001	Healthy Family Partnership House Resolution (<i>Curtis Oda</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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ENROLLED Encourages the Utah State Board of Education and the Utah State Board of Regents, as resources permit, to ensure that all middle school, junior high, senior high, and post-secondary education programs in the state provide timely and age appropriate materials on the dangers of family and dating violence, how to identify the problem, how to get help, and how to provide support for friends or siblings caught in an abusive situation. Encourages the Department of Human Services to ensure, as resources permit, that high risk families receive violence prevention services, which research has shown significantly reduces the incidence of child abuse and domestic violence while providing the Utah taxpayer with a significant cost benefit advantage. [FN: Will not require additional appropriations.]

HR0005	Strangulation and Domestic Violence Resolution (<i>Jennifer Seelig</i> Party: D)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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Urges state and local law enforcement officers and prosecutors to investigate, and prosecute as felonies, all assaults in which the evidence shows that the defendant applied force to the neck or throat of the victim, creating a substantial likelihood of impediment to the normal breathing or circulation of the victim. [FN: Will not require additional appropriations.]

SB0010	Criminal Offense Penalties Amendments (<i>Jon Greiner</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.26.10 (Rep. Oda) AMEND Effective date to 11/1/2010. Applies the enhanced penalty that currently applies to persons committing a crime in concert with two or more persons to persons who commit any of the listed offenses in association with a criminal street gang. Provides that commission of aggravated assault resulting in serious bodily injury is a second degree felony, regardless of whether the actor intended to cause serious bodily injury. Modifies the penalty for a second offense of theft, or of robbery or burglary with the intent to commit theft, to require that the second offense be committed or the conviction obtained within 10 years prior to the current theft offense. Modifies the factors considered by the juvenile court in hearings to certify a juvenile to stand trial as an adult to include if the juvenile engaged in criminal activity in association with a criminal street gang. Modifies the definition of a criminal nuisance to include criminal activity conducted in association with a criminal street gang. Modifies the dollar value of damage that determines the levels of offense for offenses, including arson, criminal mischief, theft, various fraud offenses, unlawful dealing by a fiduciary, destruction of livestock, reckless burning, computer crimes, bad checks, mortgage fraud, and theft of utility services. [FN: AMEND. Bill is Gen. Fund cost and revenue neutral. Court costs of \$18,000 in FY11 and \$31,000 per year beginning in FY12 will be off-set by revenue from fines.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0011	Utah State-made Firearms Protection Act (<i>Margaret Dayton</i> Party: R)	OPP	OPP	---	OPP	OPP	---

GOV SIGNED 2.26.10 (Rep. Sandstrom) Addresses the legal status of a firearm manufactured in the state for use within the state. Defines terms. Provides that a firearm or one of various firearm-related items manufactured in the state for in-state use is not subject to federal firearms laws and regulations. Exempts from in-state manufacturing some firearms and ammunition. Requires certain markings on a firearm manufactured in the state for use within the state.

SB0012	Individual Income Tax Contribution for Methamphetamine Housing Rec (<i>Karen Mayne</i> Party: D)	SUP	---	SUP		SUP	---
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GOV SIGNED 3.26.10 (Rep. Seelig) AMEND Enacts the Methamphetamine Housing Reconstruction and Rehabilitation Fund Act and creates a restricted account known as the Methamphetamine Housing Reconstruction and Rehabilitation Fund. Enacts an individual income tax contribution for the Methamphetamine Housing Reconstruction and Rehabilitation Fund for a taxable year beginning on or after January 1, 2010, but beginning on or before December 31, 2012. Provides that monies received from the income tax contribution shall be deposited into the Methamphetamine Housing Reconstruction and Rehabilitation Fund and expended by a qualified housing organization to: reconstruct or rehabilitate residences contaminated by methamphetamine; or purchase property upon which a residence contaminated by methamphetamine is reconstructed or rehabilitated. Grants rulemaking authority to the Division of Housing and Community Development. [FN: AMEND: Would create a restricted fund with funding derived from an income tax checkoff. Administrative costs of \$8,600 to the Div. of Housing and Community Development would be funded out of the restricted revenues. Housing rehabilitation costs would also be funded through the restricted revenues. FUNDING beyond the administrative costs are passed through entities that rehabilitate methamphetamine impacted housing.]

SB0013	State Construction Contracts and Drug and Alcohol Testing (<i>Karen Mayne</i> Party: D)	---	---	SUP		---	---
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GOV SIGNED 3.22.10 (Rep. Brown) Requires that a state construction contract impose requirements related to drug and alcohol testing. Addresses penalties and modifies the Utah Procurement Code to address requirements for random drug and alcohol testing for state construction contracts. Clarifies that monitoring activities are not required of the state. Provides that the state is not liable in actions related to drug and alcohol testing. Provides exemptions. Addresses scope of provision. [FN: Will not require additional appropriations. Contractors not already providing drug and alcohol tests required by this bill may pass on the costs of administering those tests to state construction projects. The impact at this time cannot be quantified.]

SB0045S01	Utah Fit Premises Act Amendments (<i>Wayne Niederhauser</i> Party: R)	S/C	---	S/C		---	---
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GOV SIGNED 3.30.10 (Rep. Froerer) AMEND Prohibits counties and municipalities from placing a specified limit on the number of unrelated individuals allowed to occupy a single-family unit. Modifies a renter's duties. Authorizes a renter who is a victim of domestic violence to terminate a rental agreement, upon certain conditions. Modifies a renter's remedies against an owner for a residential rental unit that does not comply with applicable requirements. Prohibits counties and municipalities from adopting measures inconsistent with the Utah Fit Premises Act, with limitations. [FN: Will not require additional appropriations.]

SB0050	Victims' Rights Revisions (<i>J. Adams</i> Party: R)	SUP	---	---		PRI	---
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Bill Number Title/Sponsor/Summary**Positions**

GOV SIGNED 3.23.10 (Rep. Webb) Changes the appointment of the chairs of district victim rights' committees from the presiding district court judge to the Utah Council on Victims of Crime. [FN: Will not require additional appropriations.]

SB0058	Transportation Expenses for Defendants	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>J. Adams</i> Party: R)	SUP	---	---		SUP	---

GOV SIGNED 3.23.10 (Rep. Greenwood) Mandates that defendants pay restitution for the costs of governmental transportation expenses, unless the court rules otherwise, rather than the current provision requiring the court to order the defendant to pay the restitution for transportation. Increases the mileage fees for transportation restitution by defendants. [FN: Will not require additional appropriations.]

SB0059	At-risk Student Provisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Luz Robles</i> Party: D)	S/C	S/C	S/C		S/C	SUP

GOV SIGNED 3.26.10 (Rep. Ray) AMEND Requires a local school board or governing board of a charter school to enact certain gang prevention and intervention policies THAT may include provisions that reflect the individual school district's or charter school's unique needs or circumstances.. [FN: Will not require additional appropriations.]

SB0067	Public Safety Services Crossing State Borders	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Lyle Hillyard</i> Party: R)	SUP	---	---		---	---

GOV SIGNED 3.22.10 (Rep. Hunsaker) Establishes recognition of a mutual aid agreement established between states regarding emergency responders who cross state borders in response to an emergency. Provides definitions. Establishes terms for the filing of claims and the limits of recovery against an emergency responder who crosses the border between Utah and Idaho as part of providing an emergency response. Provides legislative findings on public policy regarding emergency responder mutual aid, including damage caps. Takes effect when Idaho enacts reciprocal legislation. [FN: Will not require additional appropriations.]

SB0086	Fleeing in a Stolen Vehicle - Penalty	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Jon Greiner</i> Party: R)	HOLD	OPP	---	SUP	N/P	---

Amends the offense of failure to stop a vehicle at an officer's signal by increasing the penalty from a third degree felony to a second degree felony for a second conviction and also if the operator of the vehicle knew or should have known the vehicle was stolen. [FN: The net total Gen. Fund impact is estimated at \$294,000 in FY11 and \$589,000 in FY12. Each year thereafter, net annual costs from the Gen. Fund are expected to be \$738,600. The Dept. of Corrections would require the following: in FY11, \$290,600; in FY12, \$581,300; in FY13, \$728,100. The Board of Pardons would require the following: in FY11, \$4,800; in FY12, \$9,500; in FY13, \$11,900. Courts would require \$4,800 each year. This bill will annually generate \$6,200 to the Gen. Fund.]

SB0091	Prosecutor Appeals	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(<i>Daniel Liljenquist</i> Party: R)	SUP	SUP	PRI	SUP	SUP	---

GOV SIGNED 3.26.10 (Rep. Oda) Provides that the standard for a de novo review in district court on a pretrial order excluding evidence in a justice court for an infraction or class C misdemeanor is that the prosecutor certifies that exclusion of the evidence prevents continued prosecution. Provides that the standard for a de novo review in district court on a pretrial order excluding evidence in a justice court for a class B misdemeanor is that the prosecutor certifies that exclusion of the evidence impairs continued prosecution. Provides that a notice of appeal for a hearing de novo in the district court on a pretrial order excluding evidence shall be filed within 30 days of the justice court order excluding the evidence. [FN: Will require \$9,200 for increased workload]

Bill Number Title/Sponsor/Summary

Positions

costs.]

SB0098	Dangerous Weapons Restrictions Amendments (<i>David Hinkins</i> Party: R)	CCJJ HOLD	USC HOLD	USAAV ---	LELC HOLD	UCV SUP	UBJJ ---
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Provides that a person who has been formally charged with a felony is a Category II restricted person for the purpose of criminal penalties prescribed for purchasing, transferring, possessing, using, or having under the person's custody or control a firearm or other dangerous weapon. [FN: Will not require additional appropriations.]

SB0113	Wireless Telephone Use Restriction for Minors in Vehicles (<i>Ross Romero</i> Party: D)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ SUP
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(Rep. Riesen) **THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION** AMEND Prohibits a person younger than 18 years of age from using a wireless telephone while operating a motor vehicle. Provides exceptions to the wireless telephone prohibition INCLUDING when communicating with a parent or legal guardian. Provides penalties for violating the wireless telephone prohibition (infraction / class C misdemeanor). Provides that a violation is a reportable violation. PROHIBITS Driver License Division FROM ASSESSING points against a person's driving record for being convicted of violating the wireless telephone prohibition. [FN: Will generate \$1,200 per year in net revenue to the Gen. Fund. The Courts will require \$4,000 appropriation each year and will generate \$5,200 in ongoing revenue. The Dept. of Public Safety will require a one-time appropriation of \$5,000 from the Transportation Fund Restricted account for programming changes. Local governments will be impacted through local Justice Court adjudications.]

SB0113S01	Wireless Telephone Use Restriction for Minors in Vehicles (<i>Ross Romero</i> Party: D)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Prohibits a person younger than 18 years of age from using a wireless telephone while operating a motor vehicle. Provides affirmative defenses to the wireless telephone prohibition. Specifies a penalty for violating the wireless telephone prohibition. Provides that a violation is a reportable violation. Prohibits the Driver License Division from assessing points against a person's driving record for being convicted of violating the wireless telephone prohibition. Provides that enforcement for a violation of the prohibition on using a wireless telephone while operating a motor vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of certain offenses.

SB0116S01	District Court Judges Amendments (<i>Stephen Urquhart</i> Party: R)	CCJJ S/C	USC S/C	USAAV ---	LELC	UCV ---	UBJJ SUP
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GOV SIGNED 3.22.10 (Rep. Ipson) Adds one juvenile court judge in the fifth judicial district.

SB0120	Disarming a Peace Officer Amendment (<i>David Hinkins</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ SUP
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GOV SIGNED 3.26.10 (Rep. Oda) AMEND Provides that taking, or attempting to take, A CONDUCTIVE ENERGY DEVICE from a peace officer is a third degree felony. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0130S01	Judiciary Amendments (<i>Lyle Hillyard</i> Party: R)	SUP	---	---		SUP	---
<p>GOV SIGNED 3.22.10 (Rep. McIff) Changes the filing fee for a temporary separation to conform with the filing fees in the judicial administration title. Eliminates the requirement that a second notice be sent to a taxpayer when an overpayment of taxes will be applied to the bail on an arrest warrant. Allows the cancellation of a grand jury hearing when no person has been scheduled to testify. Clarifies that references to petition, complaint, or other documents filed with the courts include the cover sheet filed with them. Makes changes to the court reporter chapter, including: requiring that the Judicial Council shall provide for the methods of maintaining court proceedings by rule; and eliminating substitute reporters, traveling expenses, and the Court Reporting Technology Account. Gives justice courts explicit authority to issue writs necessary to carry out its orders. Clarifies notice and hearing provisions for ex parte orders. [FN: Will increase ongoing Gen. Fund revenue by \$400 annually and decrease restricted account revenue to the Judicial Retirement Account by \$2,000 annually.]</p>							
SB0140S01	Juvenile Detention Amendments (<i>Jon Greiner</i> Party: R)	SUP	PRI	---		N/P	S/C
<p>GOV SIGNED 3.22.10 (Rep. Greenwood) Clarifies the detention requirement for minors charged in district court under certain circumstances.</p>							
SB0141	Utah Substance Abuse and Anti-violence Coordinating Council Amendm (<i>J. Adams</i> Party: R)	SUP	SUP	PRI		N/P	SUP
<p>GOV SIGNED 3.22.10 (Rep. Menlove) AMEND Changes the name of the Utah Substance Abuse and Anti-Violence Coordinating council to the Utah Substance Abuse ADVISORY Council. Modifies the membership and duties of the council. Repeals a related section, the operation of which terminated in 2009. [FN: Will not require additional appropriations.]</p>							
SB0143	Grand Jury Amendments (<i>Daniel Liljenquist</i> Party: R)	SUP	SUP	---	SUP	N/P	---
<p>GOV SIGNED 3.23.10 (Rep. Ray) AMEND Specifies when a certification need not contain specific information. Adds municipal attorneys to the list of prosecutors. [FN: Will not require additional appropriations.]</p>							
SB0149	Utah Forest Practices Act Amendments (<i>David Hinkins</i> Party: R)	N/P	SUP	---		N/P	---
<p>GOV SIGNED 3.22.10 (Rep. Gibson) Addresses notification of intent to conduct forest practices by operators. Provides penalties (class B misdemeanor for failure to notify the division) for violation of the act. Requires the Division of Forestry, Fire, and State Lands to make administrative rules governing a forest stewardship plan. [FN: Will not require additional appropriations.]</p>							
SB0154S01	Postconviction Remedies Act Amendments (<i>J. Adams</i> Party: R)	SUP	SUP	---	SUP	SUP	---
<p>GOV SIGNED 3.25.10 (Rep. Lockhart) Clarifies the procedure for claiming factual innocence. Specifies particular steps required. Gives the court discretion to review and dismiss petitions under specific circumstances. [FN: Will not require additional appropriations.]</p>							

Bill Number Title/Sponsor/Summary**Positions**

SB0155	Enhanced Penalties for HIV Positive Offender Amendments (<i>Jerry Stevenson</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ ---
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Provides that an HIV positive person engaged in prostitution, patronizing a prostitute, or sexual solicitation, who "knew or should have known" of the HIV positive test results, is guilty of a third degree felony. Modifies definitions. Provides that a person who has tested positive for the HIV infection shall be notified of the test results in person by a law enforcement agency, Dept. of Corrections, or Dept. of Health, or an authorized representative of any of these agencies. Requires that the notice contain the signature of the HIV positive individual and the name and signature of the person providing the notice. Provides that failure to provide the notice, or failure to provide notice in the manner or form prescribed, does not create any civil liability and does not create a defense to any prosecution under this part.

SB0170	Suspension of Driving Privileges (<i>Lyle Hillyard</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ SUP
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GOV SIGNED 3.25.10 (Rep. Draxler) Provides that a judge may order the revocation of a person's driver license for a period of one year if the person is convicted of careless driving and the violation causes or results in the death of another person. Provides that the Driver License Division shall revoke, deny, suspend, or disqualify the license of a person upon receiving a record of the person's conviction for manslaughter or negligent homicide if the death of another person resulted from driving a motor vehicle. Provides that a court shall forward the report of the manslaughter or negligent homicide conviction resulting from driving a motor vehicle to the Driver License Division. [FN: Will not require additional appropriations.]

SB0180	Sexual Exploitation of a Vulnerable Adult (<i>David Hinkins</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ ---
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(Rep. Seelig) AMEND. 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.

SB0206	Access to Crime Victim's Medical Records (<i>Jon Greiner</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ SUP
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Inserts a definition for law enforcement official into the statute allowing for photographs of trauma and injuries to a child for medical and investigational purposes. [FN: Will not require additional appropriations.]

SB0210	Judicial Performance Evaluation Commission Amendments (<i>D. Buttar</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV ---	UBJJ ---
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GOV SIGNED 3.23.10 (Rep. Oda) Eliminates witnesses who have testified in cases considered by the judge from the list of mandatory survey respondent groups. Expands the survey topic of "judicial temperament" to include questions about judicial demeanor and personal attributes that promote trust and confidence in the judiciary. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0217	Increase in Surcharge on Fines (<i>Scott Jenkins</i> Party: R)	CCJJ OPP	USC OPP	USAAV OPP	LELC	UCV OPP	UBJJ OPP

THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION Increases the surcharges on criminal fines and penalties from 85% to 90% and 35% to 40%. Creates a Law Enforcement Services Account for the increased amounts. Requires that the Commission on Criminal and Juvenile Justice administer the account. Requires that the account be used for increased enforcement around group homes. Allows law enforcement agencies to apply for grants to accomplish the purpose of the account.

SB0217S02	Increase in Surcharge on Fines (<i>Scott Jenkins</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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GOV SIGNED 3.31.10 (Rep. Garn) Increases the surcharges on criminal fines and penalties from 85% to 90%. Creates a Law Enforcement Services Account for the increased amounts. Requires that the Commission on Criminal and Juvenile Justice administer the account. Requires that the account be used for increased law enforcement in areas with halfway houses. Allows law enforcement agencies to receive funds based on the number of halfway house beds in their jurisdiction to accomplish the purpose of the account. Appropriates as an ongoing appropriation subject to future budget constraints, \$619,000 from the Law Enforcement Services Account for fiscal year 2010-11 to CCJJ. [FN: Provisions of this bill will increase surcharge collections by \$765,000 annually. The new restricted account created in this bill will receive \$619,000, and the balance of \$146,000 will be allocated to programs as currently outlined in statute. Provisions will reduce revenue to the General Fund by \$29,000 annually. Individuals convicted of felonies, class A misdemeanors, and certain other violations will see an increase in the surcharge from 85% to 90% of fines, penalties and forfeitures.]

SB0219	Criminal Nuisance Amendment (<i>Jon Greiner</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV ---	UBJJ ---
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GOV SIGNED 3.23.10 (Rep. Greenwood) Provides that violation of an order or judgment abating or enjoining a nuisance or a public nuisance is a class B misdemeanor. [FN: Will not require additional appropriations.]

SB0230	Pharmaceutical Marketing to Consumers Amendment (<i>Daniel Liljenquist</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Defines kickback or bribe. Prohibits a pharmaceutical company from offering to pay or rebate the copayment or out-of-pocket costs to induce a patient to order or purchase a drug that will be paid for in whole or in part by an accident and health insurance plan. Makes a violation of the statute a class B misdemeanor. **THIS BILL RECEIVED TEXT AFTER THE COMMITTEE POSITIONS WERE POSTED.**

SB0251	Verification of Employment Eligibility (<i>D. Buttars</i> Party: R)	CCJJ OPP	USC OPP	USAAV ---	LELC	UCV OPP	UBJJ ---
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THIS BILL WAS SUBSTITUTED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE CHANGES WOULD HAVE RESULTED IN A DIFFERENT POSITION Enacts the Private Employer Verification Act, including: defining terms; addressing private employers' obligations related to verification of federal legal working status; and providing for penalties and protections from liability; and makes technical and conforming amendments. Class B misdemeanor for violation of new hire verification.

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0251S01	Verification of Employment Eligibility (<i>D. Buttars</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ

GOV SIGNED 3.31.10 (Rep. Herrod) Enacts the Private Employer Verification Act, including: defining terms. Addressing private employers' obligations related to verification of federal legal working status and liability protections. Providing for voluntary registration with the Department of Commerce by a private employer who participates in employee verification. Requiring the Department of Commerce to publish a list of registered private employers participating in employee verification.

SB0252S01	Bail Bond Act Amendments (<i>Dennis Stowell</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV ---	UBJJ ---
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GOV SIGNED 3.25.10 (Rep. Webb) Requires notification to the bail bond company by the commission of nonpayment of a judgment. Provides that a bail bond company has five business days after notification of a nonpayment of judgment to satisfy the judgment. [FN: Will not require additional appropriations.]

SB0265	Budget Revisions - Drug Court Expansion (<i>Daniel Liljenquist</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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GOV SIGNED 3.31.10 (Rep. Dougall) Eliminates the drug board pilot program; and provides funds to the Department of Human Services to expand the drug court program statewide. **THIS BILL RECEIVED TEXT AFTER THE COMMITTEE POSITIONS WERE POSTED.**

SB0277	Dna Modifications (<i>J. Adams</i> Party: R)	CCJJ HOLD	USC HOLD	USAAV ---	LELC	UCV SUP	UBJJ ---
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GOV SIGNED 3.31.10 (Rep. Wilcox) **THIS BILL WAS AMENDED AFTER THE COMMITTEE POSITIONS WERE POSTED AND IT IS UNKNOWN IF THE AMENDMENTS WOULD HAVE RESULTED IN A DIFFERENT POSITION.** AMEND Requires that any law enforcement agency that books a person for any violent crime shall obtain a DNA specimen if at the time of booking the person's DNA specimen is not already on file. Requires the booked person to pay a fee of \$150 for the costs of collecting the DNA specimen if the person is convicted of the charge for which the person was booked. Increases the fee for all required DNA specimens from \$100 to \$150. Allocates \$20 of the fee to the collecting agency, and the balance of \$130 to the Department of Public Safety for the processing of the DNA specimens. Provides that a DNA specimen taken at time of booking may not be processed until the person is bound over for trial, waives a preliminary hearing, or a grand jury issues an indictment. Clarifies that only DNA markers used for forensic purposes may be included when establishing a donor's DNA profile. [FN: Will require an appropriation from Restricted Revenue to the Dept. of Public Safety of \$250,000 in FY11 and \$500,000 in FY12 and each fiscal year thereafter. The bill will generate Restricted Revenue of \$250,000 in FY11 and \$500,000 in FY12 and each fiscal year thereafter. The Div. of Juvenile Justice Services will require a Gen. Fund appropriation of \$4,300 in FY11 and \$3,900 in FY12 and each fiscal year thereafter.]

SB0279	Identity Fraud and Related Amendments (<i>Stephen Urquhart</i> Party: R)	CCJJ S/C	USC SUP	USAAV ---	LELC	UCV ---	UBJJ ---
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Addresses the new hire registry. Modifies the identity fraud provision to address persons providing or attempting to provide credit, goods, services, employment, a thing of value, or medical information. Makes technical and conforming changes. [FN: Will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SCR002	Reducing Prescription Drug Misuse Resolution (<i>Patricia Jones</i> Party: D)	SUP	SUP	SUP		SUP	SUP

GOV SIGNED 3.8.10 (Rep. Beck) Urges consumers, doctors, pharmacists, health insurers, employers, government agencies, parents, and Utahns generally to take specific steps to improve the effectiveness of education and risk assessment before a prescription is issued; improve the effectiveness of disposal and monitoring of use after a prescription is issued; and increase the availability and use of treatment programs. [FN: Will not require additional appropriations.]

SCR008S01	Fathers Do Matter Concurrent Resolution (<i>Gene Davis</i> Party: D)	SUP	SUP	SUP		SUP	SUP
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(Rep. Litvack) Urges government agencies and nonprofit organizations to support responsible fatherhood programs to help fathers connect with children and develop essential parenting skills. [FN: Will not require additional appropriations.]

SJR002	Joint Resolution on Combating and Reducing Gang Activity (<i>Luz Robles</i> Party: D)	SUP	SUP	SUP	SUP	SUP	SUP
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ENROLLED (Rep. Wilcox) Urges state and local governments to take a comprehensive, collaborative, and community-wide approach to combat and reduce gang activity. Expresses support for sports, arts, academic, targeted counseling, and employment programs to counter gang recruitment. [FN: Will not require additional appropriations.]

SJR018	Gang Crime Awareness and Enforcement Joint Resolution (<i>Mark Madsen</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Urges zero tolerance of gang activity or of any activity that facilitates the establishment, growth, and functioning of gangs of any type in Utah. Urges law enforcement agencies and the courts at all levels to aggressively target all activities that gangs engage in, beginning with graffiti and petty crimes, in order to disrupt gang activity and to discourage youth from becoming involved with gangs. Urges state and local law enforcement agencies to partner with and take advantage of the special measures that federal immigration law provides to encourage cooperation of witnesses and informants, and to protect victims of crime in order to disrupt criminal gang activity, remove illegal immigrant gang members from the streets, and better protect the public. Urges employers to use an identity verification system to eliminate the market for gang-produced, fraudulent documents which facilitate cover for gang members who are involved in the drug trade and other violent criminal activities. [FN: Will not require additional appropriations.] **THIS BILL RECEIVED TEXT AFTER THE COMMITTEE POSITIONS WERE POSTED**