



Commission on Criminal and Juvenile Justice

2007 Legislation Tracking Report : All 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
 USAAV = 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

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0004	Organized Retail Theft (Paul Ray Party: R)	SUP	SUP	SUP	SUP	SUP	---

[GOVERNOR SIGNED] [Sen. Bell] Includes the criminal offense of retail theft in the definition of a pattern of unlawful activity. Provides that persons found guilty of a pattern of unlawful activity may be ordered to pay restitution for property obtained through a pattern of unlawful activity. [FN: Enactment of this bill will not require additional appropriations.]

HB0005S01	Internet Sexual Content - Protection of Minors (Paul Ray Party: R)	SUP	SUP	SUP	SUP	SUP	SUP
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[GOVERNOR SIGNED] [Sen. D. Peterson] Amends the penalty for enticing a minor to commit a first degree felony sexual offense, so that the enticement offense is a second degree felony for the first violation, and for any subsequent violation is a first degree felony with a specified penalty. Includes enticing a minor over the Internet when subsequent contact is by electronic or written means other than the use of a computer. Provides that if a defendant commits the offense of enticing a minor to commit any felony sexual offense, and the defendant has previously committed a sexual offense or kidnapping against a minor, the court may not shorten the prison sentence. Repeals the section establishing an adult content registry and references to the registry and repeals the section requiring that an Internet service provider must provide to consumers the service of blocking material on the adult content registry. Provides a definition of "negligent" regarding material harmful to minors. Describes the circumstances under which an Internet service provider or a hosting company is not guilty of criminal conduct involving distributing pornographic material, inducing acceptance of pornographic material, or dealing in material harmful to a minor. Increases the minimum mandatory fine for dealing in material harmful to a minor. Provides that a felony or class A offense of enticing a minor over the Internet is a prior offense regarding sex offender lifetime registration. Clarifies the standard applicable to conduct of Internet service providers regarding filtering of material harmful to minors from negligently or recklessly to a standard of knowing or intentional conduct. Amends the provisions regarding charging the consumer for software that blocks material harmful to minors. [FN: Enactment of this bill will require an ongoing appropriation of \$47,200 from the General Fund to the Department of Corrections resulting from penalty enhancements specified in the bill. The Department only needs half of that amount in the first year so the amount is reduced by \$23,600. Future years will see continued cost increases as the number of incarcerated offenders grow and their sentences extended. This bill will also, by eliminating the adult content registry, create an ongoing savings to the General Fund of \$120,000 (\$70,000 to the Office of Attorney General and \$50,000 to the Department of Commerce). The net impacts are savings of \$96,400 in FY08 and increased costs of \$72,800 in FY09.] In addition, the Court revenue from the fine increases will generate an additional \$4,800 GF annually.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0025	Mortgage Fraud (Paul Ray Party: R)	S/C	S/C	---	S/C	SUP	---

[Sen. L. Hillyard] [AMEND] For FY07-08 appropriates \$150,000 to the attorney general to fund one attorney and \$286,300 to DPS to fund two investigators from the Residential Mortgage Loan Education, Research, and Recovery Fund. Directs the attorney general to employ a real estate fraud prosecutor and directs DPS to employ two investigators. Enacts the Real Estate Fraud Act including: creating the crime of real estate fraud and penalties. Includes real estate fraud as an illegal activity under the Pattern of Illegal Activity. [FN: The attorney general will require a one-time Gen. Fund appropriation of \$56,500 for one-time equipment needs in FY08 and an ongoing Gen. Fund appropriation of \$372,300 beginning FY08 for additional staff and associated costs. The Courts will require an ongoing Gen. Fund appropriation of \$7,500 beginning in FY08 for additional judicial costs.]

HB0028	Domestic Violence and Dating Violence Amendments (David Litvack Party: D)	SUP	SUP	PRI	SUP	PRI	SUP
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[Sen. S. McCoy] Provides for the issuance, modification, and enforcement of protective orders between parties who are, or have been, in a dating relationship when: the parties are emancipated or 16 years of age or older; the parties are, or have been, in a dating relationship with each other; and a party commits abuse or dating violence against the other party. Requires AOC to develop and adopt uniform forms for petitions and orders for protection relating to dating violence. Describes the restrictions that a court may include in a protective order. Requires DCFS to provide certain services to victims of dating violence. Describes the conditions that may be placed on an alleged perpetrator of dating violence: in a protective order; in an order of probation for violation of a protective order relating to dating violence; or as a condition of release prior to trial for violation of a protective order relating to dating violence. [FN:STATE Requires an ongoing appropriation of \$121,500 in Gen. Fund. The Courts would receive \$98,200 and DCFS would receive \$23,300. IND/BUS: Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local law enforcement officials expect a statewide cost of approx. \$10,000 annually.]

HB0031	Driver License or Identification Card Requirement for Sex Offender (Paul Ray Party: R)	SUP	SUP	SUP	SUP	SUP	SUP
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[GOVERNOR SIGNED] [Sen. J. Greiner] Requires that sex offenders subject to registration must keep a current state identification card if the offenders do not have a driver license. Provides that no extension of an identification card beyond the statutory expiration date may be granted for sex offenders subject to registration. Establishes a class A misdemeanor penalty for sex offenders subject to registration who fail to maintain an identification card if they do not have a driver licenses. [FN: Enactment of this bill will not require additional appropriations.]

HB0039	Concealed Weapons Fees Amendments (Curtis Oda Party: R)	SUP	---	---	PRI	---	---
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[GOVERNOR SIGNED] [Sen. A. Christensen] [AMEND] Allows the Criminal Investigations and Technical Services Division to use fees collected for the issuance, renewal, and replacement of concealed firearms permits as a dedicated credit to cover the costs of issuing, renewing, and replacing those permits. [FN: Enactment of this bill will appropriate to the BCI within DPS an ongoing negative (\$653,900) from the Gen. Fund and \$653,900 from dedicated credits beginning FY08 forward. Any excess of the amount required to cover the cost of issuing concealed firearm permits will be transferred to the Gen. Fund. Overall, this legislation will be revenue and cost neutral.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0050	Material Harmful to Minors Amendments (<i>Scott Wyatt</i> Party: R)	OPP	OPP	OPP		S/C	OPP

Amends the definition of material that is harmful to a minor to include inappropriate violence. Inappropriate violence means any description or representation, in an interactive video or electronic game, of violence that, taken as a whole: (a) appeals to the morbid interest of minors in violence; (b) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and (c) does not have serious literary, artistic, political, or scientific value for minors. [FN: Enactment of this bill will not require additional appropriations.]

HB0070	Assault on a Peace Officer - Penalty Amendment (<i>Paul Ray</i> Party: R)	SUP	SUP	SUP	SUP	SUP	SUP
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[Sen. J. Greiner] (AMEND) Increases the penalty for committing a second or subsequent assault against a peace officer from a class A misdemeanor to a third degree felony. As used in this section, "peace officer" means a law enforcement officer certified under Section 53-13-103. [FN: Enactment of this bill will require additional appropriations for increased Judicial Branch and DOC workload cost increases. Courts would receive an additional \$44,300 in both FY08 and FY09. The DOC would require \$160,400 in FY08 and \$320,700 in FY09. Costs are expected to stabilize at the FY09 level.]

HB0082S01	Driving by Minors Amendments (<i>Craig Frank</i> Party: R)	OPP			OPP	---	OPP
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Amends certain affirmative defenses to the nighttime driving restriction for persons younger than 17 years of age. Provides that enforcement of the nighttime driving restriction for persons younger than 17 years of age shall be only as a secondary action. Enacts and amends certain affirmative defenses to the passenger limitations for certain minor drivers. [FN: Enactment of this bill will not require additional appropriations.]

HB0083	Forgery Amendments (<i>Douglas Aagard</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen D. Peterson] Provides that the crime of forgery includes situations where a person, acting with the intent to defraud, makes a writing and claims to be representing a third party and claims to have the third party's consent. Provides that this offense includes a writing the person signs with his or her own name when the person does not have authority to sign the writing. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0084	Traumatic Brain Injury Fund (James Gowans Party: D)	CCJJ OPP	USC OPP	USAAV OPP	LELC OPP	UCV OPP	UBJJ ---

[Sen. D. Peterson] [AMEND] Creates the Traumatic Brain Injury Board with specific duties and responsibilities within the Dept. of Human Services. Creates a fund through increasing the surcharge on DUIs and other offenses (from 85% to 90%) to provide monies for the fund. Directs the state treasurer to deposit an amount equal to 5% of the criminal fines, penalties, and forfeitures on which the surcharge is collected into the fund. Allows the board to reimburse the courts an amount not to exceed \$20,000 for costs associated with the collection and distribution of the surcharge amounts. The TBI Board shall administer the fund and make rules. The TBI Board to expend 50% of the fund each year to directly assist individuals with rehab services beginning 7/1/09. The TBI Board may use up to 15% of the total fund revenues or operating expenses from 7/1/07 through 6/30/09. Beginning 7/1/09 the TBI Board may use up to 7% of the total fund revenue for operating expenses. [FN: Enactment of this bill will create the Traumatic Brain Injury Fund with annual revenues estimated at \$738,000 from DUI surcharges. The governing board may use these revenues for operating expenses, board members per diem, meeting expenses, and staff support. In addition, the board may reimburse the Administrative Offices of the Courts up to \$20,000 for costs associated with the collection and distribution of the surcharge amounts.]

HB0085	Sentence Reduction Clarification (Scott Wyatt Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. G. Bell] Clarifies that "next lower degree of offense" includes removal of a statutory enhancement. Provides the opportunity for the prosecutor and victim to be heard regarding the reduction of the offense. Imposes conditions on reducing the offense if the defendant has been placed on probation. Provides that if a sentence is reduced, the actual title of the offense may not be changed. Clarifies that sex offenders may not obtain an offense reduction if the sex offender is subject to registration regarding the offense. [FN: Enactment of this bill will not require additional appropriations.]

HB0086S03	Penalties for Sexual Offenses and Kidnapping (Carl Wimmer Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ ---
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[GOVERNOR SIGNED] [Sen. H. Stephenson] [AMEND] Increases the base penalties for certain sexual offenses and child kidnapping. Provides for greater penalties for certain sexual offenses and child kidnapping when the defendant causes serious bodily injury to another during the course of the commission of the offense. Provides that a person who commits certain sexual offenses after previously being convicted of a grievous sexual offense shall be sentenced to life imprisonment without parole. Describes the order of precedence of certain sentencing enhancements. Modifies or replaces existing sentencing enhancements. Expands the list of crimes for which probation, suspension of sentence, reduction of the category of offense, or hospitalization may not be granted. [FN: Enactment of this bill will require ongoing General Fund appropriations of \$47,200 for the Department of Corrections and \$7,500 for the Courts. The Department of Corrections needs only half of their funding the first year resulting in a one-time General Fund reduction of \$23,600 FY 2008. Future years will see continued cost increases as the number of incarcerated offenders grows and their sentences are extended.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0091S01	Commission on Criminal and Juvenile Justice Funding (Brad Dee Party: R)	CCJJ PRI	USC ---	USAAV PRI	LELC PRI	UCV SUP	UBJJ SUP

[GOVERNOR SIGNED] [Sen. S. Killpack] [AMEND] Creates the Law Enforcement Operations Account (LEOA) as a restricted account within the Gen. Fund. Provides that the balance of the criminal surcharge collected will be allocated to the LEOA. Provides that funds from the account shall be appropriated to CCJJ, which shall allocate the funds to law enforcement and other appropriate agencies that work on illegal drug and crime issues, and provides subsequent priorities, with the first priority being state, local, or multijurisdictional drug and crime task forces. Adds the director of the Division of Substance Abuse and Mental Health as a member of CCJJ. Bill takes effect 7.1.07. [FN: Enactment of this bill is estimated to reduce the Gen. Fund by \$700,000 in FY07; \$2,250,000 in FY08; and \$2,370,000 in FY09 and each fiscal year thereafter. These funds, slightly more than the 8.25% of the criminal surcharge previously deposited in the Gen. Fund, will be deposited in a new Law Enforcement Operations Restricted Account within the Gen. Fund. The Utah CCJJ is directed to allocate grants from this new account to state, local, or multi-jurisdictional law enforcement agencies as stipulated by provisions in the bill.]

HB0093	Capital Offenses Amendments (Paul Ray Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC N/P	UCV N/P	UBJJ ---
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[GOVERNOR SIGNED] [Sen. D. C. Buttars] Provides that the commission or attempt to commit specified offenses, including sexual offenses, against a child as a part of the commission of the homicide constitutes aggravated murder, IF COMMITTED with reckless indifference to human life. Modifies an element of aggravated murder regarding acting for pecuniary gain. Modifies an element of murder to specify "knowing" as the level of intent when the defendant acts with depraved indifference. [FN: Enactment of this bill will require additional on-going appropriations of \$21,200 from the Gen. Fund to the Courts to manage the expected additional judicial workload.]

HB0100	Accessing Pornography on School Property (DeMar Bowman Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV N/P	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. D.C. Buttars] Allows a school to suspend or expel a student for accessing pornographic material at school. Makes it a crime to access pornographic material on school property - class B misdemeanor if the person is under 18 years of age for each separate offense and a class A misdemeanor if the person is 18 years of age or older. [FN: Enactment of this bill will not require additional appropriations.]

HB0104S01	Alcoholic Beverage Licensees and Gambling-like Activities (Stephen Sandstrom Party: R)	CCJJ N/P	USC N/P	USAAV ---	LELC ---	UCV OPP	UBJJ ---
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[GOVERNOR SIGNED] Prohibits certain gambling-like activities. Provides for exceptions.

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0105S01	Illegal Immigration Enforcement Act (Glenn Donnelson Party: R)	CCJJ OPP	USC ---	USAAV ---	LELC OPP	UCV OPP	UBJJ OPP

[Sen. D.C. Buttar] Directs the DPS Commissioner to enter into an agreement with the Secretary of Homeland Security to allow certain state law enforcement officers to perform certain functions of a federal immigration officer. Provides that the Commission of DPS shall ensure compliance with the agreement and the requirements of law relating to the agreement. Provides that a local law enforcement agency may enter into an agreement with the Secretary of Homeland Security to allow certain local law enforcement officers to perform certain functions of a federal immigration officer. Provides that a local law enforcement agency that enters into an agreement described in the preceding paragraph shall ensure compliance with the agreement and the requirements of law in relation to the agreement. Provides that certain state or local law enforcement officers are authorized to enforce federal immigration law and perform certain functions of a federal immigration officer. [FN: Enactment of this bill will not require additional appropriations.]

HB0107	Funding for Prosecution and Prevention of Child Pornography Offens (Ron Bigelow Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC PRI	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. J. Greiner] Appropriates monies to the Office of the Attorney General for the following items related to Title 76, Chapter 5a, Sexual Exploitation of Children: (1) replacement of federal funding cuts to the ICAC (Internet Crimes Against Children) grant program; (2) training of ICAC Task Force members and affiliate entities; (3) grants for state and local law enforcement and prosecution agencies; and (4) one new civilian investigative technician to assist with the ICAC unit operations. Appropriates monies to the State Commission on Criminal and Juvenile Justice for grants for approved education programs to help prevent the sexual exploitation of children and requires certain reporting. [FN: Enactment of this bill will appropriate \$273,250 and \$1,000,000 of ongoing Gen. Funds beginning with FY08 to the attorney general and the CCJJ respectively. The appropriations will be used for grants, personnel and other associated costs as stipulated in provisions of the bill. Local entities will benefit from grants awarded as a result of this legislation.]

HB0112	Utah Council on Victims of Crime (Scott Wyatt Party: R)	CCJJ S/C	USC S/C	USAAV S/C	LELC SUP	UCV PRI	UBJJ S/C
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[GOVERNOR SIGNED] [Sen. R. Romero] [AMEND] Creates a 24-member council on victims of crime. Defines specific membership of the council and appointment responsibilities. Sets out duties and requirements. Provides for compensation of members. Requires the Commission on Criminal and Juvenile Justice to provide staff to the council. [FN: Enactment of this bill will not require additional appropriations.]

HB0113	Discharge of a Firearm Amendments (Carl Wimmer Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ SUP
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[Sen. M. Madsen] Provides that having the permission of the person in charge of the property when discharging a firearm is only a defense to a misdemeanor offense of discharging a firearm, not a felony offense. Modifies provisions relating to felony discharge of a firearm by describing conduct that constitutes a felony of the first, second, or third degree and describing enhanced penalties for these offenses. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0114S01	Prisoner Long-term Health Care (Jackie Biskupski Party: D)	CCJJ OPP	USC ---	USAAV ---	LELC	UCV OPP	UBJJ ---

[GOVERNOR SIGNED] [Sen. D. Peterson] Provides that if an inmate is given an early release, pardon, or parole due to chronic or terminal illness and is admitted as a resident of a nursing or assisted living facility, the department OR another state's agency placing the offender shall provide: (1) notice to the facility administrator, no later than 15 days prior to the offender's admission as a resident of a facility and also provide department contact information; (2) information to the public on the DOC website, and upon request, regarding the offenders placed in health care facilities, including the name and address of the facility where the offender resides, and the date the offender was placed at the facility; and (3) a training program for employees who work at facilities where offenders reside. Requires the nursing or assisted living facility administrator to provide staff trained by DOC in safe management of offenders. Provides a penalty (class B misdemeanor) for failure to provide notice to other facility residents; and employees trained in the safe management of offenders. [FN: Enactment of this bill will require a one-time appropriation of \$6,500 to the Department of Corrections for Department of Technology Services programming costs.]

HB0143	Controlled Substances Amendments - Suda Controls (Neil Hansen Party: D)	CCJJ OPP	USC OPP	USAAV OPP	LELC	UCV OPP	UBJJ OPP
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Establishes ephedrine, pseudoephedrine, norpseudoephedrine, and phenylpropanolamine as Schedule V controlled substances. Authorizes preparations of ephedrine, pseudoephedrine, norpseudoephedrine, and phenylpropanolamine intended for lawful use in the diagnosis, cure, mitigation, treatment, or prevention of disease to be purchased, sold, or transferred without a prescription if: (1) dispensed by a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act; and (2) recorded in the Division of Occupational and Professional Licensure's controlled substance database. Authorizes the division to establish rules for reporting transactions of products containing ephedrine, pseudoephedrine, norpseudoephedrine, and phenylpropanolamine. [FN: It is estimated that DOC will require a one-time Commerce Service Fund appropriation of \$94,900 in FY08 for acquisitions of software, program development, and equipment. In addition, an ongoing appropriation of \$46,400 beginning in FY08 will be needed for staff and related costs. Appropriations from the Commerce Service Fund could impact the General Fund over time. IND/BUS: Businesses involved in the prescription and non-prescription sales of the substances stipulated in the bill will see some costs associated with provisions in this bill.]

HB0147S01	Restitution Amendments (Kevin Garn Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV PRI	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. G. Bell] Provides for the transfer of unpaid fines and of restitution orders from juvenile court as a judgment when the juvenile court terminates jurisdiction. Adds payment of restitution to the requirements for juvenile expungements. [FN: Enactment of this bill will require a one-time \$4,000 Gen. Fund appropriation in FY08 to the Courts for database programming costs.]

HB0154	Exoneration and Innocence Assistance (David Litvack Party: D)	CCJJ SUP	USC ---	USAAV ---	LELC SUP	UCV S/C	UBJJ ---
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[AMEND] Modifies provisions regarding postconviction DNA testing and creates a process for postconviction claims of factual innocence, and for financial assistance if the petitioner is found to be factually innocent. Changes some references to "actually innocent" to "factually innocent" regarding postconviction DNA testing. Provides that a petitioner found to be factually innocent shall receive two years' financial assistance in a lump sum, and the balance shall be paid out quarterly to the person from CCJJ beginning no later than one year after the appropriation is made and ending no later than ten years after the appropriation is made. [FN: Enactment of this bill will require an ongoing appropriation of \$5,500 from the General Fund for the Courts for staff and related costs.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0157	Victim Restitution (<i>Stephen Clark</i> Party: R)	SUP	SUP	SUP	SUP	SUP	SUP

[GOVERNOR SIGNED] [Sen. M. Dayton] Clarifies when a victim is to be paid restitution (within 60 days of receipt of payments by the court or department). Restitution owed to more than one victim shall be disbursed to each victim according to the percentage of each victim's share of the total restitution order. [FN: Enactment of this bill will not require additional appropriations.]

HB0162	Illegal Drug Sites Contamination Amendments (<i>David Litvack</i> Party: D)	SUP	---	PRI		SUP	SUP
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Provides that if a report of contamination is made to a local health department by any party other than a law enforcement agency, the party must provide confirmation of the contamination by a certified decontamination specialist. Requires law enforcement agencies to report evidence of contamination, in addition to the current requirements to report paraphernalia of clandestine drug labs. [FN: Enactment of this bill will not require additional appropriations. IND/BUS: It is unclear who will pay for testing. Individuals and businesses may be required to pay the cost of testing for suspected contamination on their property, if a complaint is filed with the local health department from a source other than a law enforcement agency.]

HB0167	Human Trafficking Provisions (<i>David Litvack</i> Party: D)	HOLD	HOLD	S/C		S/C	S/C
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Criminalizes human trafficking for forced labor and human trafficking for sexual exploitation. Distinguishes between human trafficking and aggravated human trafficking. Outlines basic services for trafficked victims.

HB0175	Vehicle Use Regarding Illegal Drugs (<i>Paul Ray</i> Party: R)	SUP	SUP	SUP	SUP	SUP	SUP
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Provides that modifying any motor vehicle to facilitate the illegal transportation, storage, shipping, or circulation of a controlled substance is a third degree felony. Provides that possession of the motor vehicle modified to facilitate violation of an illegal controlled substance law is a class A misdemeanor. [FN: Enactment of this bill will not require additional appropriations.]

HB0177S01	Correctional Facility Bidding Process - Privatization of Correctio (<i>Gregory Hughes</i> Party: R)	SUP	SUP	---		N/P	---
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Requires DOC to conduct a study regarding the issuance of requests for proposals for construction of a 500-bed facility and provide a report on the study during the 2008 General Session of the Legislature. [FN: Enactment of this bill will not require additional appropriations.]

HB0179	Expungement Law Amendments (<i>Lorie Fowlke</i> Party: R)	SUP	SUP	---	SUP	N/P	---
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Provides that a person who has been granted a pardon by the Board of Pardons and Parole for a criminal offense may also petition for the expungement of the record of the pardoned offense. Provides that prior offenses that have been pardoned may not be considered regarding qualifying for an expungement request. [Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0180	Parole Amendments (<i>Curtis Oda</i> Party: R)	SUP	SUP	---	SUP	SUP	---

Requires that an inmate must agree, prior to being granted parole, that the Board of Pardons may issue a warrant for the inmate and conduct a parole revocation hearing if the inmate: (1) provided false information at the parole hearing; or (2) had committed a criminal offense the board was not aware of at the time of granting the parole. [Enactment of this bill will not require additional appropriations.]

HB0186	School Safety Amendments (<i>Carol Moss</i> Party: D)	---	---	SUP		SUP	S/C
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Specifically adds harassment or intimidation to the list of grounds for suspension or expulsion from a public school. Requires school districts and charter schools to annually report incidents of harassment or intimidation to the State School Board. Requires the State School Board to annually report a summary of incidents of harassment or intimidation to the Education Interim Committee. [Enactment of this bill will not require additional appropriations. Ind/Bus: Local districts may be impacted by shifting resources in order to meet reporting requirements of this bill.]

HB0189S01	Criminal Statute of Limitations Amendments (<i>Carl Wimmer</i> Party: R)	SUP	SUP	SUP	SUP	SUP	SUP
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[Sen. M. Dayton] Provides that prosecution of a person for any first degree felony sex offense may be commenced at any time. [FN: Enactment of this bill will not require additional appropriations.]

HB0190	Controlled Substance Schedule Amendment (<i>Paul Ray</i> Party: R)	S/C	S/C	S/C	SUP	N/P	SUP
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Adds the herb salvia divinorum to the statutory list of controlled substances. Designates salvia divinorum as a Schedule I controlled substance. [FN: Enactment of this bill will not require additional appropriations.]

HB0194	Tampering with Evidence Amendments (<i>Lorie Fowlke</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen. L. Hillyard] [AMEND] Amends the offense of tampering with evidence to: (1) defines "thing or item" and "official proceeding"; and (2) clarifies acts that are included in the offense of tampering with evidence. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0197	Amendments to Background Checks by Department of Health (<i>D. Buxton</i> Party: R)	S/C	---	---		SUP	OPP

[GOVERNOR SIGNED] [Sen. A. Christensen] [AMEND] Allows the Dept. of Health to have access to juvenile records for certification or licensing of people with direct responsibility for the safety of children, the elderly, or the disabled in health care facilities, or as an EMT, if the applicant: (1) is under the age of 28; or (2) is over the age of 28 if the individual has a criminal record as an adult. Limits the department's current authority to access juvenile records for certain people associated with child care facilities to those people: (1) under the age of 28; or (2) over the age of 28 if the individual has a criminal record as an adult. Establishes consistent rulemaking authority for the department to grant exceptions to licensing prohibitions when licensing applicants for health facilities, day care centers, and EMTs. [FN: STATE: Additional costs associated with provisions of this bill, estimated at \$22,800 is expected to trigger a request for legislative approval of certain fee increases by the Dept. of Health. Efforts required by this bill will be handled within collections authorized by statute and rule. The fiscal impact on the State is revenue neutral. Ind/Bus: Enactment of this bill could require the Dept. of Health to request legislative approval to increase licensing fees for health care facilities by \$25, and certain individuals may be charged an extra \$5.00 for licensing and certification. It likely will not result in direct, measurable costs and/or benefits for local government.]

HB0201	Governance of Local Ordinances Regarding Smoking (<i>Paul Ray</i> Party: R)	---	---	SUP		---	---
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[GOVERNOR SIGNED] [Sen. M. Waddoups] [AMEND] Amends the prohibition against political subdivisions adopting ordinances that restrict smoking. [FN: State: enactment of this bill will not require additional appropriations. Ind/Bus: Any potential fiscal impact to local governments, individuals, or businesses, from enactment of this bill will be the result of the ordinances passed by the governing bodies of political subdivisions. The impact cannot be quantified.]

HB0205	Public Demonstrations At Funerals (<i>Ron Bigelow</i> Party: R)	SUP	SUP	---		SUP	---
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[GOVERNOR SIGNED] [Sen. J. Greiner] Provides a criminal penalty for certain activities done with the intent to disrupt a funeral or memorial service. Provides that it is a class B misdemeanor for a person to do any of the following during the period starting 60 minutes before a memorial service and ending 60 minutes after conclusion of the memorial service with intent to disrupt the memorial service: (1) knowingly block or impede entry to or from the memorial service; (2) block or impede a funeral procession; (3) engage in certain disruptive activities within 200 feet of a memorial service; or (4) engage in unreasonable noise. [FN: Enactment of this bill will not require additional appropriations.]

HB0206	County Jail - Work Release Process Amendments (<i>Scott Wyatt</i> Party: R)	SUP	SUP	SUP	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen. G. Bell] [AMEND] Clarifies that the court may order whether the inmate is allowed to be released. Specifies that the custodial authority of the jail determines the terms and conditions of an inmate's release. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0207	School Truancy and Compulsory Education Amendments (<i>Eric Hutchings</i> Party: R)	SUP	SUP	S/C		---	SUP

[GOVERNOR SIGNED] [Sen. C. Walker] [AMEND] Directs a local school board, local charter board, or school district to preapprove an extended absence of a school-age minor if it is determined that the absence will not adversely impact the school-age minor's education. Describes compulsory education requirements relating to school-age minors. Provides for the service of a notice of compulsory education violation on a parent or guardian of a school-age child who is less than 14 years old if the child has been absent without a valid excuse at least five times during the school year. Makes it a class B misdemeanor for a parent or guardian to intentionally or recklessly (1) fail to enroll the parent's school-age minor in school, unless the school-age minor is exempt from enrollment; or (2) after being served with a notice of compulsory education violation, fail to meet and discuss a school-age child's school attendance problems with school authorities or fail to prevent a school-age child from being truant five or more times during the remainder of the school year. Provides for juvenile court jurisdiction of habitual truant proceedings and compulsory education violations. Establishes school attendance requirements for a school-age minor. Provides for the issuance of a notice of truancy to a school-age minor who is at least 12 years old and has been truant at least five times during the school year. Establishes a procedure for resolving truancy problems of a school-age minor who is at least 12 years old. Modifies and describes requirements for proceedings on, and the issuance of, citations and notices relating to truancy. Removes provisions permitting the issuance of a truancy citation, except for habitual truant citation. Provides that a notice of truancy or a habitual truant citation may only be issued by a school administrator or truancy specialist authorized by a local school board, local charter school, or by the school administrator's designee. Modifies and describes the duties of a local school board, local charter board, or school district for attempting to resolve a minor's school attendance problems. Clarifies civil liability limitations relating to compulsory education and truancy. Changes the term "truancy officer" to "truancy specialist." [FN: Enactment of this bill will not require additional appropriations.]

HB0208	Child Protection - Gang Association (<i>Eric Hutchings</i> Party: R)	N/P	N/P	SUP		---	N/P
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Provides that there is a presumption that reunification services should not be provided to a parent if the court finds, by clear and convincing evidence, that the parent: (1) permits the parent's child to associate with a gang, or any member of a gang, while the gang, or member of the gang, is engaged in criminal conduct in the presence of the child, or associates with a gang, or member of a gang, in the presence of the parent's child while the gang, or member of the gang, is engaged in criminal conduct in the presence of the child; and (2) knew or should have known that the conduct described in the preceding paragraph was occurring. [FN: Enactment of this bill will require additional appropriations of \$1,250,200 in FY08 and \$1,242,200 in FY09 for the Division of Child and Family Services. These funds will be needed for additional caseworkers and for treatment and child care due to an expected increase in caseload.]

HB0217	Cell Phone Restriction for Teen Drivers (<i>Kory Holdaway</i> Party: R)	N/P	N/P	---	SUP	SUP	SUP
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[Sen. M. Waddoups] [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 (medical emergency, reporting safety hazard, or reporting criminal activity). Provides that it is an infraction for violating the wireless telephone prohibition. [FN: Enactment of this bill will not require additional appropriations.]

HB0228	Penalty for Homicide of a Child (<i>Carl Wimmer</i> Party: R)	SUP	SUP	---	N/P	SUP	---
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[GOVERNOR SIGNED] [Sen. D.C. Buttars] Amends the definition of aggravated murder, which is a capital offense, to include the intentional or knowing murder of a child younger than 14 years of age. [FN: Enactment of this bill requires \$4,300 for additional Court workload increases.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0231	Controlled Substances Penalty Amendments (Wayne Harper Party: R)	S/C	S/C	SUP	SUP	S/C	S/C

[GOVERNOR SIGNED] [Sen. M. Waddoups] [AMEND] Amends the current crime of committing drug offenses in the "immediate presence" of persons younger than 18 to remove the word "immediate." Amends the increased penalty for committing drug offenses in specified locations to address areas within 1000 feet of the locations. Removes public parking lots from the list and adds libraries to the list of areas. [FN: Enactment of this bill will not require additional appropriations.]

HB0252S01	Utah Suicide Prevention Act (Wayne Harper Party: R)	---	---	OPP	---	---	OPP
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[Sen. W. Niederhauser] Creates a task force to study issues relating to suicide and to determine the best way to prevent suicide in the state. Amends the Utah Human Services Code to impose reporting requirements, and other duties relating to suicide prevention on certain departments in state government. [FN: Enactment of this bill will appropriate for FY07 one-time non-lapsing Gen. Funds of \$11,600 to the Senate and \$20,300 to the House of Representatives, a total of \$31,900, for a task force to study and determine the best way to prevent suicide.]

HB0262	Search Warrant Amendments (Scott Wyatt Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen. L. Hillyard] Repeals several code provisions related to search warrants. Amends the Utah Controlled Substances Act, the Criminal Procedure chapter of the Alcoholic Beverage Control Act, the Utah Labor Code, and the Interception of Communications Act by providing that procedures relating to search warrants and administrative warrants be governed by the Utah Rules of Criminal Procedure. [FN: Enactment of this bill will not require additional appropriations.]

HB0263	Jail Expenses Amendments (Curtis Oda Party: R)	SUP	---	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen. J. Greiner] Changes the process for requiring defendants to pay restitution of the costs of incarceration from one requiring action by the court to one that becomes a requirement unless otherwise ordered by the court. Requires the defendant to pay the costs of incarceration to the county correctional facility before and after sentencing, unless the amount is reduced or eliminated by the court. Specifies that the costs of incarceration are to be determined by the county correctional facility, but are not to exceed: (1) the daily core inmate incarceration costs and medical and transportation costs established under Section 64-13c-302; and (2) the costs of transportation services and medical care that exceed the negotiated reimbursement rate established under Subsection 64-13c-302(2). [FN: Enactment of this bill will not require additional state appropriations. Enactment of this bill could result in additional revenues to county correctional facilities from inmate reimbursements. Depending on financial status, some inmates will now be required to pay for costs of incarceration.]

HB0265	Obstructing a Warrant or Order to Show Cause of a Parolee or Proba (Rebecca Lockhart Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Sen. D. Peterson] Provides that a person is guilty of a third degree felony who: (1) aids a parolee to evade service of a warrant issued by the Board of Pardons and Parole for a parole violation; or (2) aids a probationer to evade service of an order to show cause regarding a violation of the probation agreement. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0270	Amendments to Extradition Statute (<i>Scott Wyatt</i> Party: R)	SUP	SUP	---	SUP	SUP	---

[GOVERNOR SIGNED] [Sen. D. Peterson] [AMEND] Provides that a person in Utah who has violated a probation, parole, bail, or other release agreement the person entered into with another state may be released to the demanding state without the need for a governor's warrant of extradition. Provides that Utah may, prior to releasing the person to the demanding state, try the person for any offenses the person committed in Utah. Clarifies that the person may return voluntarily to the demanding state. [FN: Enactment of this bill will not require additional appropriations.]

HB0273S01	Indoor Smoking Amendments (<i>Curtis Oda</i> Party: R)	---	--	OPP	---	---
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[GOVERNOR SIGNED] [Sen. J. Hickman] Permits smoking in class B private clubs until January 1, 2009 if: the class B is licensed prior to May 15, 2006 (or change in ownership); and does not allow an individual under the age of 21 in the facility unless the person is active military. Amends provisions for class D clubs and taverns that were licensed prior to May 15, 2006 (or change in ownership) to retain their smoking status until January 1, 2009. [FN: Enactment of this bill will not require additional appropriations.]

HB0274	Violent Crime in Presence of a Child (<i>Janice Fisher</i> Party: D)	SUP	SUP	SUP	SUP	SUP	SUP
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[GOVERNOR SIGNED] [Sen. R. Romero] [AMEND] Provides that the sentencing judge or the Board of Pardons and Parole shall consider the defendant's commission of a violent offense in the presence of a child younger than 14 years of age as an aggravating factor and clarifies that this provision does not affect any other provision regarding judicial discretion. [FN: Enactment of this bill will not require additional appropriations.]

HB0275S01	Offense Against Peace Officers (<i>Curtis Oda</i> Party: R)	SUP	SUP	---	SUP	SUP	SUP
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[GOVERNOR SIGNED] [Sen. J. Greiner] Amends the offense of propelling substances at peace and correctional officers to include persons other than prisoners.[FN: Enactment of this bill will not require additional appropriations.]

HB0279	Camcorder Piracy of Media (<i>Kevin Garn</i> Party: R)	S/C	S/C	---	---	---
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[GOVERNOR SIGNED] [Sen. G. Bell] [AMEND] Establishes the offense of using any camcorder or similar device to record or transmit a motion picture displayed in a motion picture theater. Provides that the first offense is a class A misdemeanor and any subsequent violation is a third degree felony. Provides for detention of the offender by the theater owner or employee while law enforcement is contacted. Provides protection from liability for an employer or employee who in good faith detains a person. Exempts law enforcement and investigation operations acting within the motion picture theater. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0281	Crime Victim Reparations Amendments (<i>Scott Wyatt</i> Party: R)	SUP	SUP	SUP	SUP	SUP	SUP

Prohibits a court from reducing restitution based on a reparations award. Allows reparations officers to decide whether a hearing on an award is necessary. Extends eligibility for awards to Utah residents regardless of the location of the criminally injurious conduct in specific situations. Clarifies that persons who are injured while in a correctional facility are ineligible for awards. Delineates amounts and priorities for awards to homicide victims. Allows the board to determine when the benefit to the victim outweighs the state's right to reimbursement and decide not to pursue a reimbursement claim. [FN: Enactment of this bill will not require additional appropriations.]

HB0283	Protective Order Amendments (<i>Lorie Fowlke</i> Party: R)	S/C	S/C	S/C		S/C	S/C
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Allows for the appointment of a Guardian Ad Litem when a protective order is issued and there are minor children in the home, and prohibits extension of the 20-day period for an ex parte protective order without the respondent's consent. [FN: Enactment of this bill will not require additional appropriations.]

HB0284	Sex Offenders Registry Amendments (<i>Lorie Fowlke</i> Party: R)	SUP	SUP	SUP	SUP	SUP	---
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Changes "jurisdiction" to "custody" in language regarding sex offenders who are required to register and who are not currently under the custody of DOC.

HB0286S02	School Discipline and Conduct Amendments (<i>Eric Hutchings</i> Party: R)	S/C	---	S/C		---	S/C
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[GOVERNOR SIGNED] [Sen. C. Walker] Clarifies that school discipline and conduct provisions relate to all public schools, including charter schools. Provides that it is unlawful to engage in disruptive student behavior. Provides for standards, procedures, and administrative penalties to address disruptive student behavior. Provides for the issuance of a notice of disruptive student behavior; or a habitual disruptive student behavior citation. Provides that a school-age minor who receives a habitual disruptive behavior citation is subject to the jurisdiction of the juvenile court. Qualifying minor means a school-age minor who is at least 9 years old. [FN: Enactment of this bill will not require additional appropriations.]

HB0302	Medical Examiner - Testing for Substances in Cases of Suspected Su (<i>Wayne Harper</i> Party: R)	---	---	OPP		---	---
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[GOVERNOR SIGNED] [Sen. M. Dayton] Requires the medical examiner to endeavor to have tests conducted, for the presence of certain drugs or other substances, on a sample taken from the body of a deceased person who is suspected to have committed suicide. Requires the medical examiner to maintain information regarding the types of drugs detected in the tests described in the preceding paragraph. Requires the Department of Health to present a report regarding the information maintained under this bill to the Health and Human Services Interim Committee, on an annual basis, beginning in 2008. Requires that, within funds appropriated by the Legislature, the medical examiner shall provide compensation, at a standard rate determined by the medical examiner, to a deputy medical examiner who collects samples for the purposes described in this bill. [FN: Enactment of this bill requires an ongoing Gen. Fund appropriation of \$7,200 to the Dept. of Health.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0312S01	Funding for Department of Health Early Intervention Programs (<i>Stephen Urquhart</i> Party: R)	---	---	OPP	OPP	---	N/P

[Sen. A. Christensen] Beginning July 1, 2007, creates a restricted account known as the "Childhood Early Intervention Restricted Account." Deposits the revenue from the beer tax into the restricted account. Appropriates money from the restricted account to the Department of Health for childhood early intervention programs. Requires an annual report from the Department of Health on the use of the money and success of the programs. [FN: Enactment of this bill will reduce the Gen. Fund by \$2,500,000 annually. There will be a corresponding increase in the Childhood Early Intervention Restricted account. This transfer will reduce the FY08 and FY09 spending caps by the amount of the transfer.]

HB0326	Repeal of Juvenile Justice Services Victim Restitution Account (<i>Douglas Aagard</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV ---	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. M. Waddoups] [AMEND] Repeals the Juvenile Justice Services Victim Restitution Account created in Section 62A-7-110.5. [FN: Enactment of this bill will not require additional appropriations.]

HB0330	Pornographic and Harmful Materials and Performances Amendments (<i>Bradley Daw</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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Repeals provisions related to the adult content registry. Provides that an Internet service provider is not guilty of criminal conduct involving distributing pornographic material, inducing acceptance of pornographic material, or dealing in material harmful to a minor, if the Internet service provider's involvement is only incidental to its service of transferring data between parties and the Internet service provider does not intentionally aid or abet, and does not receive funds for permitting, a person to engage in such criminal conduct. Modifies certain provisions of Title 76, Chapter 10, Part 12, Pornographic and Harmful Materials and Performances, that provide that compliance with one or more sections constitutes compliance with one or more other sections, by deleting the provision, or replacing the provision with a negligence standard. Provides that a service provider may charge a consumer for providing software that blocks receipt of material that is harmful to minors. [FN: Enactment of this bill will provide \$120,000 in ongoing cost savings to the state from the attorney general (\$70,000) and DOC (\$50,000) from repeal of the adult content registry.]

HB0333	Materials Harmful to Minors (<i>Aaron Tilton</i> Party: R)	CCJJ S/C	USC ---	USAAV ---	LELC	UCV ---	UBJJ ---
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[GOVERNOR SIGNED] [Sen. M. Dayton] Provides as an affirmative defense the use of blinder racks or other physical means preventing the display of materials harmful to minors. Allows for local regulation of the use of blinder racks. Addresses provisions related to indecent public displays to minors. [FN: Enactment of this bill will not require additional appropriations.]

HB0341	Attorney General Crime Violence Prevention Special Revenue Fund (<i>Paul Neuenschwander</i> Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] Creates a restricted special revenue fund known as the Attorney General Crime and Violence Prevention Fund for the receipt and expenditure of certain charitable gifts and donations to the Office of the Attorney General. Provides for the administration and use of the fund. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0342	Protective Order Revisions (<i>Scott Wyatt</i> Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC SUP	UCV SUP	UBJJ ---

[Sen. P. Knudson] Authorizes a court issuing a protective order to enjoin the respondent from harming any pet animal owned, possessed, or kept by the petitioner or other named parties, or the respondent in certain circumstances. Authorizes the court to direct that a law enforcement officer ensure the safety of a petitioner while gaining possession of a pet animal. [FN: Enactment of this bill will not require additional appropriations.]

HB0354	Bus Passenger Safety Act Amendments (<i>Mark Walker</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] [Sen. M. Waddoups] [AMEND] Provides uniformity in the exceptions provisions of the Bus Passenger Safety Act regarding individuals who may carry a weapon or firearm into a bus terminal or onto a bus. Modifies contradictory felony penalty provisions for a violation of boarding a bus with a concealed dangerous weapon or firearm. [FN: Enactment of this bill will not require additional appropriations.]

HB0356	Dna Exoneration Amendments (<i>David Litvack</i> Party: D)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV S/C	UBJJ ---
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[GOVERNOR SIGNED] [Sen. L. Hillyard] Provides that when a convicted person requests a DNA analysis in order to prove innocence, the test: (1) must be made using a scientifically accepted procedure; and (2) will be paid for from monies appropriated to the DNA Specimen Restricted Account for use of the Dept. of Corrections, if (a) the court has ordered the DNA test upon petition from the defendant; (b) the state crime laboratory does not have the resources to conduct the ordered DNA test; and (c) the defendant is incarcerated and indigent. [FN: Enactment of this bill will not require additional appropriations.]

HB0359	Controlled Substance Amendments (<i>Curtis Oda</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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[AMEND] Specifies that a plea to a controlled substance violation that is held in abeyance is considered to be a conviction FOR purposes of penalty enhancement. Amends language regarding items used to ingest or inhale controlled substances so that it refers to all controlled substances, rather than marijuana, cocaine, and hashish. Clarifies that a person may be charged for an illegal drug or paraphernalia offense and may also be charged for a violation of any other section of the Controlled Substances Act or the Drug Paraphernalia Act. [FN: Enactment of this bill will not require additional appropriations.]

HB0375S01	Sex Offender Restrictions (<i>Gregory Hughes</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] Increases the penalties for lewdness offenses committed by a sex offender (class A misdemeanor or a third degree felony if it involves a child). Restricts locations where offenders convicted of specified sex offenses may be, with certain exceptions.

HB0385	Process Server Amendments (<i>LaWanna Shurtliff</i> Party: D)	CCJJ OPP	USC ---	USAAV ---	LELC OPP	UCV ---	UBJJ ---
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Allows private investigators to serve subpoenas. Makes it a class C misdemeanor to serve court documents without authority. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0395	Waivers of Immunity - Exceptions (Gregory Hughes Party: R)	OPP	OPP	---		OPP	OPP

Provides that the immunity of a person, official, or institution who participates or assists in a child protection matter does not apply if the person intentionally, willfully, or knowingly engages in certain misconduct. Provides that the immunity of a government employee during the performance of an employee's duties, within the scope of employment, or under color of authority does not apply if the employee intentionally or knowingly engages in certain misconduct. [FN: Enactment of this bill will not require an immediate appropriation. Any future costs associated with this bill will be dependent on actions that may be brought against individual state employees. IND/BUS Any future costs to local governments will be dependent on actions that may be brought against individual employees.]

HB0430	Public Employees Union Financial Responsibility Act (Gregory Hughes Party: R)	OPP	OPP	---		---	OPP
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Enacts the Public Employees Union Financial Responsibility Act. Provides certain definitions. Requires public employee labor organizations to adopt bylaws and report the organizations' fees, provisions, and procedures to the Labor commissioner. Requires public employee labor organizations to file an annual financial report to the labor commissioner and provides for its contents. Requires each officer of a labor organization and each employee of a labor organization to file a report on certain interests held in businesses that do business with the labor organization or governmental agencies having employees that the labor organization represents. Provides that the reports filed are public information, with certain exceptions. Provides for retention of certain records for certain periods. Provides for certain rulemaking authority. Permits members of labor organizations to obtain court orders to review certain financial records of the labor organization. Provides for criminal penalties, investigations, and enforcement. Provides for certain exceptions.

HB0432	Identity Theft Database Amendments (Eric Hutchings Party: R)	SUP	SUP	---	SUP	SUP	SUP
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[GOVERNOR SIGNED] Requires the attorney general to maintain an Internet website to assist victims of identity-related crimes. Requires that the Internet website allow a victim of an identity-related crime to report the crime and have the report routed to the appropriate law enforcement agency. Requires that the Internet website allow a victim of an identity-related crime to receive and print a copy of a law enforcement agency's police report. Allows the attorney general to expand the website to include additional services. [FN: Enactment of this bill will appropriate one-time Gen. Funds of \$400,000 for FY08 to the Attorney General to provide for the internet website required by this legislation. IND/BUS: Victims of identity theft may receive greater assistance in obtaining restitution.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0438	Jail Contracting - Jail Compensation Amendments (<i>Michael Noel</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC SUP	UCV ---	UBJJ ---

[GOVERNOR SIGNED] [AMEND] Repeals Jail Reimbursement chapter of Title 64 and enacts a new chapter. Permits DOC to contract with a county to house state inmates, subject to legislative approval in most cases. Establishes requirements and procedures for setting the rate for payment by the DOC to a county for a contract. Requires a contracting county to provide an annual report to DOC. Requires a county to accept, or contract with another county to accept, state probationary inmates and state parole inmates into a county correctional facility. Establishes requirements and procedures for setting the rate for reimbursement by DOC to a county for housing the inmates. Grants rulemaking authority to DOC. Requires a county that is reimbursed for housing state probationary or state parole inmates to provide an annual report to DOC. Establishes requirements and procedures for setting the state daily incarceration rate. Requires the DOC to submit an annual report to the Law Enforcement and Criminal Justice Interim Committee of the Legislature relating to state inmates, state probationary inmates, and state parole inmates housed in county facilities, and the rates for payment or reimbursement to the counties for housing these inmates. [FN: Enactment of this bill will require additional ongoing appropriations of \$7,992,100 in FY 2008 and \$8,856,600 in FY 2009 for the Department of Corrections. Counties contracting with the state for jail beds will see increased reimbursements.]

HB0447	Burglary of a Railroad Car (<i>James Gowans</i> Party: D)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ SUP
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[Sen. M. Dmitrich] [AMEND] Provides that it is a felony of the third degree to unlawfully enter a railroad car, or break the lock or seal on any railroad car, with the intent to commit a felony or theft. Provides that a charge against any person for a violation of this bill does not preclude a charge for a commission of any other offense. [FN: Enactment of this bill will require additional ongoing appropriations of \$15,600 for the Courts due to increased caseloads. The Courts have estimated \$15,000 in ongoing GF revenue.]

HB0453	Amendments to Driving Under the Influence Provisions (<i>Craig Frank</i> Party: R)	CCJJ OPP	USC OPP	USAAV OPP	LELC OPP	UCV OPP	UBJJ OPP
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Changes the repeal date on restrictions on pleas to driving under the influence violations from July 1, 2008 to July 1, 2007. Provides that beginning on July 1, 2007, a plea may not be held in abeyance in any case involving a driving under the influence violation. [FN: Enactment of this bill will not require additional appropriations.]

HB0460S01	Child and Family Protection (<i>Lorie Fowlke</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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Includes child abandonment as a type of child abuse. Provides that a person who commits child abandonment, or encourages or causes another to commit child abandonment, or an enterprise that encourages, commands, or causes another to commit child abandonment is: (1) guilty of a class A misdemeanor; (2) if the child abandonment results in physical injury to the child, guilty of a felony of the third degree; or (3) if the child abandonment results in serious physical injury to the child, or the person or enterprise receives any benefit as a result of the child abandonment, guilty of a felony of the second degree. Provides that a court may order a person or enterprise to pay the costs of investigating and prosecuting a child abandonment case and the costs of securing a forfeiture provided for in this bill. Provides that tangible or pecuniary benefits received from child abandonment are subject to criminal or civil forfeiture.

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HB0463	Crime of Claiming Military Award By Nonrecipient (<i>Gage Froerer</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		HOLD	HOLD	---		---	HOLD

Makes it a class B misdemeanor for a person to intentionally make a false representation that the person has been awarded a service medal. Makes it a class A misdemeanor for a person to intentionally make a false representation that the person has been awarded a distinguished service medal. Makes it a class B misdemeanor to wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof, unless authorized by federal law. Makes it a class A misdemeanor to wear, ship, or make a distinguished service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a distinguished service medal or a colorable imitation thereof, unless authorized by federal law. [FN: Enactment of this bill will not require additional appropriations.]

HB0463S01	Crime of Claiming Military Award by Nonrecipient (<i>Gage Froerer</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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[GOVERNOR SIGNED] [Sen. Greiner] Makes it a class C misdemeanor for a person to intentionally make a false representation that the person has been awarded a service medal. Makes it a class C misdemeanor for a person, without legal authorization, and with the intent to defraud or to falsely represent that the person or another person has been awarded a service medal, to wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof. [FN: Enactment of this bill will not require additional appropriations.]

HB0469	Failure to Disclose Identity (<i>Curtis Oda</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	SUP	---	SUP	SUP	SUP

Subject to certain exceptions, makes it a class B misdemeanor for a person to fail to disclose the person's name when disclosure is demanded by a peace officer after the peace officer stops the person based on a reasonable suspicion that the person has committed, is in the act of committing, or is attempting to commit, a public offense. Provides that a peace officer may, without a warrant, arrest a person for this offense if the peace officer has reasonable cause to believe that the person committed the offense. [FN: Enactment of this bill will not require additional appropriations.]

HCR003	Resolution Urging Congress to Stop Internet Pornography to Childre (<i>Bradley Daw</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	SUP	SUP		SUP	SUP

[GOVERNOR SIGNED] [Sen. C. Bramble] Urges the US Congress to take action to help stop children and employees from accessing Internet pornography. Urges the US Congress to enact legislation to facilitate a technology-based solution allowing parents and employees to obtain Internet access services that exclude adult content. [FN: Enactment of this bill will not require additional appropriations.]

HJR015	Resolution Urging Attorneys General to Defend the Prohibition of O (<i>Scott Wyatt</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	SUP	SUP		SUP	SUP

Calls upon the Utah Attorney General and all attorneys general from the various states to actively join in the defense of statutes enacted by other states which are already in litigation and which are designed to prohibit the distribution or exhibition of overly violent video games to minors. Calls upon the Utah Attorney General to monitor the ongoing development of these laws throughout the nation, both in courts and in legislative halls, so that Utah's voice may be heard in the fight against overly violent video games. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
HJR016	Joint Resolution Supporting Governor's Child and Family Cabinet Co (Paul Ray Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP

[ENROLLED DRAFT] Supports the formation of the Utah Governor's Child and Family Cabinet Council to focus on the issues of domestic violence and its threat to Utah's children and families. [FN: Enactment of this bill will not require additional appropriations.]

SB0004	Driving Under the Influence Amendments (Carlene Walker Party: R)	CCJJ SUP	USC SUP	USAAV PRI	LELC SUP	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] [Rep. P. Ray] Clarifies the application of the ten-year look back period for felony driving under the influence violations. Amends the definition of alcohol restricted driver. Provides that a court shall order an ignition interlock system as a condition of probation for an alcohol restricted driver violation or describe why the order would not be appropriate. Increases the fee for a license reinstatement application for an alcohol or drug-related offense. Increases the administrative fee for license reinstatement after an alcohol or drug-related offense. Provides that DLD shall deny, suspend, disqualify, or revoke a person's license for certain violations. Requires DLD to immediately revoke, deny, suspend, or disqualify a person's driver license upon receiving record of a person's conviction for operating a vehicle without an ignition interlock system if the person is an interlock restricted driver. [FN: It is estimated that provisions of the bill will increase state revenues by \$186,200 annually beginning FY08. The Dept. of Public Safety will require \$168,400 in restricted funds in FY08 and \$143,400 each fiscal year thereafter for personnel and associated expenses.]

SB0015	Workforce Services - Reporting Misuse of Personal Identifying Info (Carlene Walker Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ ---
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[GOVERNOR SIGNED] [Rep. D. Clark] [AMEND] Provides that the Dept. of Workforce Services may disclose to an individual the suspected misuse of the individual's personal identifying information. Provides that the suspected misuse may also be reported to appropriate law enforcement agencies responsible for investigating identity fraud violations. Provides that the suspected use of personal identifying information includes a Social Security number under which wages are being reported by two or more individuals or that of an individual under the age of 16 with reported wages exceeding \$1,000 for a single reporting quarter. Reduces from a class A to a class C misdemeanor a violation of the disclosure provisions of Section 35A-4-312. [FN: Enactment of this bill will not require additional appropriations.]

SB0031	Sunset Review and Reauthorizations (Curtis Bramble Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC	UCV SUP	UBJJ SUP
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[GOVERNOR SIGNED] [Rep. S. Clark] Reauthorizes certain named state entities and programs that are scheduled to sunset before the 2008 Annual General Session, specifically Crime Victims' Reparations Board to 2017. [Enactment of this bill will not require additional appropriations.]

SB0038	Juvenile Court Judge (Carlene Walker Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV ---	UBJJ PRI
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[GOVERNOR SIGNED] [Rep. E. Hutchings] Increases the number of juvenile court judges in the third district to ten. [FN: Enactment of this bill will add a new Juvenile Court Judge, 2 clerks, and a new attorney. The bill will require \$260,200 for the Courts and \$131,800 for the Attorney General's Office in FY08. In FY09 the Court will receive \$251,500 and the AG \$131,800.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0043	Smoking Ban in Vehicle When a Child Is Present (<i>Scott McCoy</i> Party: D)	N/P	N/P	S/C		S/C	N/P

[Rep. P. Ray] Prohibits a person from smoking in a vehicle if a child that is less than five years of age is restrained or is required to be restrained in a child restraint device in the vehicle. Provides that violating the smoking prohibition is an infraction and has a maximum fine of \$45. Provides that the 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 for the smoking prohibition shall be only as a secondary action. [FN: Enactment of this bill will not require additional appropriations.]

SB0044	Scrap Metal Transactions (<i>Jon Greiner</i> Party: R)	SUP	SUP	---	PRI	SUP	---
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[GOVERNOR SIGNED] [Rep. B. Dee] [AMEND] Modifies the Criminal Code and requires identification and related procedures for the sale of specified metals and imposes penalties (class B misdemeanor) for participating in transactions involving these metals without providing appropriate identification. [FN: Enactment of this bill will not require additional appropriations.]

SB0050	Drug Offenders Reform Act (<i>D. Buttars</i> Party: R)	SUP	SUP	PRI	SUP	S/C	---
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[Rep. R. Lockhart] [AMEND] Requires USAAV Coordinating Council to coordinate and evaluate the implementation of the screening and assessment program. Requires that on and after July 1, 2007, offenders convicted of any felony offense participate in the screening and assessment process. Requires that the results of any screening and assessment of an offender be provided to the court prior to sentencing. This bill appropriates as nonlapsing funds, as ongoing appropriations from the Gen. Fund for FY07-08, subject to future budget constraints: (1) \$50,000 to CCJJ; (2) \$6,331,860 to DOC; (3) \$10,103,440 to Dept. of Human Services; (4) \$94,500 to AOC.; and (5) \$75,000 to the Board of Pardons and Parole. [FN: Enactment of this bill will appropriate ongoing Gen. Funds to CCJJ \$50,000; to the AOC \$94,500; to DOC \$6,364,800; and to the Dept. of Human Services \$10,156,000, for a total of \$16,665,300 to expand DORA statewide. This funding will provide staff for DOC and AOC. It will also provide assessment and treatment services.]

SB0050S01	Drug Offenders Reform Act (<i>D. Buttars</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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[GOVERNOR SIGNED] [Rep. Lockhart] Requires the Utah Substance Abuse and Anti-Violence Coordinating Council (USAAV) to coordinate and evaluate the implementation of the screening and assessment program. Requires that on and after July 1, 2007, offenders convicted of any felony offense participate in the screening and assessment process. Requires that the results of any screening and assessment of an offender be provided to the court prior to sentencing. [FN: Enactment of this bill will appropriate \$9,000,000 in ongoing General Fund revenues beginning in FY08 to expand DORA statewide. The bill also appropriates a negative (\$1,000,000) in one-time General Fund revenues in FY08 only. The funds will be distributed as follows: To the CCJJ \$27,000 ongoing and (\$3,000) one-time; to the AOC \$56,700 ongoing and (\$6,300) one-time; to the DOC \$3,419,500 ongoing and (\$379,900) one-time; to the Board of Pardons and Parole \$40,500 ongoing and (\$4,500) one-time; and to the Depart of Human Services \$5,456,300 ongoing and (\$606,300) one-time. This funding will provide staff for the DOC and the AOC. It will also provide assessment and treatment services. This bill creates non-lapsing authority for the amounts appropriated in the bill.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0051	Alcoholic Beverage Enforcement and Treatment Restricted Account Am (<i>Michael Waddoups</i> Party: R)	CCJJ SUP	USC ---	USAAV PRI	LELC OPP	UCV ---	UBJJ ---

[GOVERNOR SIGNED] [Rep. K. Holdaway] Expands the list of state agencies that could be awarded grants by the Utah Substance Abuse and Anti-Violence Coordinating Council to include DABC, Dept. of Human Services, and the Utah State Office of Education. [FN: Enactment of this bill will not require additional appropriations. Three departments are made eligible for Alcoholic Beverage Enforcement and Treatment Restricted Account funds. IND/BUS: enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. However, as the number of agencies that could receive grants increase, some entities, including counties and cities, could see their grants reduced.]

SB0055	Transfer and Disposition of Protected Property Amendments (<i>Darin Peterson</i> Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC SUP	UCV ---	UBJJ ---
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[GOVERNOR SIGNED] [Rep. R. Wheeler] [AMEND] Provides additional procedural requirements regarding transfer of a forfeiture process to a federal agency, including protection of the rights of affected parties. Clarifies that forfeiture proceeds are allocated to the Criminal Forfeiture Restricted Account. [FN: Enactment of this bill will not require additional appropriations.]

SB0072	Crime Victim Reparations Records (<i>Gregory Bell</i> Party: R)	CCJJ SUP	USC SUP	USAAV SUP	LELC SUP	UCV SUP	UBJJ SUP
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[Rep. S. Wyatt] Allows the Reparations Office to release records to a prosecuting attorney for use in seeking a restitution order. Provides that records so released are to be admissible in a restitution hearing when the records are prepared in accordance with the Utah Rules of Evidence. [FN: Enactment of this bill will not require additional appropriations.]

SB0084	Confidentiality of Reports to Driver License Division (<i>Allen Christensen</i> Party: R)	CCJJ N/P	USC N/P	USAAV SUP	LELC N/P	UCV ---	UBJJ ---
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Provides that a person may notify the Driver License Division (DLD) if the person is aware of a physical, mental, or emotional impairment of another person that is an imminent threat to driver safety. Provides that the DLD may require a person that is the subject of a notification to submit to certain medical reports or certain tests. Provides that a notification is a protected record and may not be disclosed by the division if requested. Grants the DLD rulemaking authority to establish a procedure to make a protected notification. Provides that it is a class C misdemeanor to make a notification with the intent to annoy, intimidate, or harass a person. [FN: Enactment of this bill will not require additional appropriations.]

SB0086	Repeal of Libel and Slander Provisions (<i>Scott McCoy</i> Party: D)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV SUP	UBJJ ---
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[GOVERNOR SIGNED] [Rep. S. Wyatt] Repeals the criminal libel statute, which was found unconstitutional by the Utah Supreme Court. Repeals the definition and presumptions relating to the criminal libel offense. Repeals the Criminal Code offense of slander regarding female chastity. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0112S01	Methamphetamine Precursor Access Amendments (<i>D. Buttars</i> Party: R)	SUP	SUP	PRI	SUP	SUP	SUP

[GOVERNOR SIGNED] [Rep. M. Morley] Reduces the amount of products containing ephedrine or pseudoephedrine that may be possessed at one time from 12 grams to 9 grams. Provides that products containing ephedrine or pseudoephedrine may not be sold as over-the-counter medications and requires that: (1) any of these products sold in one transaction may not contain more than 3.6 grams of ephedrine, pseudoephedrine, or phenylpropanolamine; (2) that any of these products sold by mobile retail vendors within 30 days regardless of the number of transactions, may not contain more than 7.5 grams of ephedrine, pseudoephedrine, or phenylpropanolamine; (3) that the retailer keep the products in an area not accessible to customers, such as in a locked cabinet; (4) that the purchaser provide identification that includes a photo and birth date; (5) that the purchaser write into the log his name, address, date of birth, and time of transaction; (6) that the seller verify the information provided by the purchaser and enter the brand name and quantity of the product; and (7) that the retailer keep a log of the transactions, including the date, identification of the purchaser, and the product purchased, for not less than two years. Provides that any violation of these provisions is a class B misdemeanor, and that subsequent violations are class A misdemeanors. Provides that specified offenses involving clandestine drug laboratories, which are second degree felonies, are punishable by the specified penalty of imprisonment for an indeterminate term of not less than 3 years nor more than 15 years. [FN: Enactment of this bill will not require additional appropriations. Impact to retail distributors could be affected by provisions of this bill, but federal laws already impose many of the same requirements.]

SB0114	Aggravated Murder Amendments (<i>Gregory Bell</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Rep. E. Hutchings] Provides that aggravated murder is a capital felony if the prosecutor elects to file notice of intent to seek the death penalty within 60 days after the arraignment. Provides that the court may not receive a plea to a noncapital first degree aggravated homicide offense during the filing period unless agreed to by the prosecution. Provides that if the prosecutor does not file notice of intent to seek the death penalty, the offense is noncapital first degree felony aggravated homicide. Provides that a person who has been convicted of or has pled to a noncapital aggravated homicide offense: (1) shall be sentenced by the court; and (2) shall be sentenced to life in prison without parole or an indeterminate term of 20 years to life. Amends the Indigent Capital Defense Trust Fund to address aggravated murder offenses rather than capital offense. Clarifies that a trial jury for a noncapital first degree felony aggravated murder case consists of eight members rather than twelve. [FN: Enactment of this bill will not require additional appropriations.]

SB0123S01	Amendment Regarding Search Warrant Procedure (<i>Jon Greiner</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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[Rep. P. Ray] Requires that an inmate eligible for parole must sign an agreement that he is subject to search or seizure for parole violations at any time and with or without a search warrant in order to be placed on parole. Specifies when a law enforcement officer may conduct, with or without a warrant, a search or seizure regarding a parolee, including requirements that the law enforcement officer obtain prior approval from a parole officer or provide notification. [FN: Enactment of this bill will not require additional appropriations.]

SB0125	Repeal of Prisoner Demands for Disposition (<i>Lyle Hillyard</i> Party: R)	SUP	SUP	---	SUP	SUP	---
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[GOVERNOR SIGNED] [Rep. S. Wyatt] Repeals provisions that: (1) allow a defendant who is serving a sentence of imprisonment and is charged with another crime to demand that the new charge be brought to trial within 120 days of the demand for a trial; and (2) allow dismissal of the new charge if the defendant is not brought to trial on the new charge within the 120 days. Does not amend provisions that apply generally to ensuring a timely trial for defendants charged with criminal offenses. [FN: Enactment of this bill does not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0136S01	Unlawful Detainer Amendments (<i>Michael Waddoups</i> Party: R)	HOLD	HOLD	HOLD		OPP	HOLD

[GOVERNOR SIGNED] [Rep. G. Froerer] Changes and clarifies time limits related to unlawful detainer actions. Provides a person is guilty of unlawful detainer for committing a criminal act on the property. Addresses notice provisions related to a violation of a lease that cannot be made compliant. Requires a lease signer to be made a party defendant to an unlawful detainer action. Addresses the time allowed by a summons for a defendant's appearance in an unlawful detainer action. Outlines judicial conduct of certain unlawful detainer actions. Provides that a lessee is obligated for lease payments after forfeiture of the lease. [FN: Enactment of this bill will not require additional appropriations.]

SB0140	Identity Fraud Amendments (<i>Carlene Walker</i> Party: R)	SUP	SUP	SUP	SUP	SUP	---
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[GOVERNOR SIGNED] [Rep. S. Andersen] Modifies the definition of "personal identifying information." Provides that it is a felony of the second degree when a person fraudulently uses personal identifying information and that use results, directly or indirectly, in bodily injury to another person. [FN: Enactment of this bill will not require additional appropriations.]

SB0146S01	Prescriptive Practice of Legend Drugs (<i>Peter Knudson</i> Party: R)	---	---	SUP		---	---
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Requires pharmacies that do business as Class B or Class D pharmacies over the Internet to meet national standards for Verified Internet Pharmacy Practices. [FN: Enactment of this bill will not require additional appropriations.]

SB0157	Parental Notification of Child Interview by Law Enforcement (<i>D. Buttars</i> Party: R)	OPP	OPP	OPP	OPP	OPP	OPP
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Subject to certain exceptions, requires that if a peace officer interviews a child, the peace officer shall: (1) provide the child with the officer's name and telephone number; and (2) notify a parent or guardian of the child, within 24 hours after the interview, that the interview took place. Provides that failure by a peace officer to comply with the requirements of this bill will be documented in the peace officer's permanent personnel file. Provides that failure to comply with the requirements of this bill is not grounds for suppression of any evidence or statement, or for dismissing a criminal charge or juvenile petition. [FN: Enactment of this bill will not require additional appropriations.]

SB0166S01	Notary Public Amendments (<i>Ross Romero</i> Party: D)	SUP	SUP	---		SUP	---
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[GOVERNOR SIGNED] [Rep. D. Litvack] Makes it a class B misdemeanor for a notary public to engage in certain conduct, including providing legal advice if the notary is not an attorney. [FN: Enactment of this bill will not require additional appropriations.]

SB0169	Sodomy Amendments (<i>Scott McCoy</i> Party: D)	SUP	SUP	---		---	---
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Amends the sodomy provisions of the Utah Criminal Code to provide that consensual sodomy involving adults is not a crime. [FN: Enactment of this bill will not require additional appropriations.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0173	Criminal Intent Amendments (<i>Scott McCoy</i> Party: D)	SUP	SUP	---	SUP	SUP	SUP

[GOVERNOR SIGNED] [Rep. K. McIff] Changes references to "malicious" or "willful" in specified criminal offenses to the terms "intentionally" or "knowingly" in order to appropriately indicate the level of criminal intent that is an element of the offense. Deletes offenses involving malicious destruction of real property that are currently addressed in other code sections that contain standard statutory intent language. [FN: Enactment of this bill will not require additional appropriations.]

SB0190	Animal Cruelty Offenses (<i>Gene Davis</i> Party: D)	SUP	SUP	SUP		SUP	SUP
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[AMEND] Amends the definition of necessary food, care, and shelter to include water and shelter as appropriate to the animal and moves the definitions to the beginning of the section. Clarifies the general applicability of the exemption for acting under a legal privilege. Provides an exemption for animals kept and used for training hunting dogs and falcons and also for animals kept or owned by a zoological park. Includes the offense of seriously injuring an animal. Provides that torturing an animal is a third degree felony and provides a definition of torture. Provides that the court shall state on the record the reasons a person convicted of animal cruelty is not required to receive treatment, pay restitution, or to not have possession of animals for a specified period. Provides that after the first priority of placing the animal through adoption, the option of offering the animal for sale at auction precedes the option of euthanasia. Amends the definition of conviction to include pleas in abeyance or of nolo contendere. [FN: Enactment of this bill will not require additional appropriations.]

SB0193	Amendments to Mental Health Professional Practice Act (<i>Patricia Jones</i> Party: D)	---	---	PRI		---	---
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[GOVERNOR SIGNED] [Rep. L. Fowlke] Creates additional licenses for substance abuse counselors. Establishes standards for licensing substance abuse counselors. Addresses the supervision of substance abuse counselors. Provides for the transition to new requirements by current prospective licensees. [FN: Enactment of this bill will not require additional appropriations. IND/BUS: Enactment of this bill may have a significant impact on individuals as they comply with the requirements of the bill. Organizations employing substance abuse counselors may experience higher costs as they employ counselors that are certified and more qualified.]

SB0205	Alcoholic Beverage Control Amendments (<i>Peter Knudson</i> Party: R)	N/P	N/P	SUP		N/P	S/C
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[GOVERNOR SIGNED] Modifies the Alcoholic Beverage Control Act by providing for severability, adding definitions, addressing terms of commissioners, addressing appointment and removal of the director. Adjusts markups by the department and diverts a portion of certain gross sales revenues to the school lunch program. Repeals the wine and liquor tax. Addresses purchases of alcoholic beverages by the department, and disciplinary proceedings and judicial review. Addresses standards for attire, conduct and entertainment on premises of licensees and permittees. Addresses minors. Addresses operational restrictions of certain licensees and permittees including on-premise beer retailer and those holding a permit for industrial or manufacturing use. Addresses alcohol-related compliance check investigations. Provides for suspension of driving privileges. Addresses advertising. [FN: If enacted, the bill would replace school lunch tax with a 10% tax on gross alcoholic beverage sales, a revenue neutral change. (The FY08 projection for either is \$23,525,500). The bill's restrictions on minors are expected to increase costs for the DPS by \$54,900 (including \$8,000 in one -time set-up costs) from the Transportation Fund DPS Restricted Account and for Courts by \$8,300 in General Fund.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0221	Judicial Retention Election Task Force (<i>D. Buttars</i> Party: R)	CCJJ OPP	USC ---	USAAV ---	LELC	UCV ---	UBJJ OPP

Creates the Judicial Retention Election Task Force with three member of the Senate and five members of the House. Designates one member of the Utah Supreme Court, one member of the Court of Appeals, and one member of the District Court, appointed jointly by the president of the Senate and speaker of the House. [FN: This bill appropriates \$16,240 from the Gen. Fund for FY07. These funds will be distributed \$6,090 to the Senate and \$10,150 to the House of Representatives.]

SB0221S02	Judicial Selection Procedures and Retention Election Task Force (<i>D. Buttars</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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[GOVERNOR SIGNED] Designates four members of the Senate, appointed by the president of the Senate. Designates seven members of the House of Representatives, appointed by the speaker of the House. Designates three judges appointed by the president of the Senate and speaker of the House, in consultation with the Utah Judicial Council. Authorizes a task force to review and make recommendations to the Judicial Council and the Legislature on issues related to the judicial selection procedures, the manner of judicial retention elections, and the information provided to the public regarding a judge's judicial performance. [FN: Enactment of this bill will appropriate \$22,330 from one-time General Fund revenues for FY07. These funds will be distributed \$8,120 to the Senate and \$14,210 to the House of Representatives.]

SB0224	Judiciary Amendments (<i>Lyle Hillyard</i> Party: R)	CCJJ SUP	USC ---	USAAV ---	LELC	UCV ---	UBJJ ---
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[Rep. S. Wyatt] Deletes a provision that required the court to reduce the amount of bail by the amount it received from an overpayment of taxes. Includes court commissioners in the definition of judge for the purpose of imposing penalties for persons who threaten, intimidate, or interfere with a commissioner, or who retaliate against a commissioner for the performance of the commisioner's official duties. Increases the amount of per annum compensation a presiding judge receives. Provides that child protective orders expire when the subject of the order is 18 years of age, unless a judge vacates the order before the subject of the order is 18 years of age. Increases the amount of money allocated to the Children's Legal Defense Account and the Dispute Resolution Fund. Clarifies that a defendant has the right to a hearing within three days, if the defendant demands a hearing within three days of being served with notice that the plaintiff has filed a possession bond. [FN: Enactment of this bill will require additional appropriations of \$9,000 for the Courts to fund presiding judge increases as provided in the bill. Additional fees is expected to generate \$215,000 for the Children's Legal Defense Fund and \$210,000 for the Dispute Resolution Fund annually. Presiding judges will see a \$1,000 annual compensation increase.]

SB0224S01	Judiciary Amendments (<i>Lyle Hillyard</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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[GOVERNOR SIGNED] [Rep. Wyatt] Deletes a provision that required the court to reduce the amount of bail by the amount it received from an overpayment of taxes. Includes court commissioners in the definition of judge for the purpose of imposing penalties for persons who threaten, intimidate, or interfere with a commissioner, or who retaliate against a commissioner for the performance of the commissioner's official duties. Increases the amount of per annum compensation a presiding judge receives. Provides that child protective orders expire when the subject of the order is 18 years of age, unless a judge vacates the order before the subject of the order is 18 years of age. Increases the amount of money allocated to the Children's Legal Defense Account and the Dispute Resolution Fund. Clarifies that a defendant has the right to a hearing within three days, if the defendant demands a hearing within three days of being served with notice that the plaintiff has filed a possession bond. [FN: Enactment of this bill will require additional appropriations of \$9,000 for the Courts to fund presiding judge increases as provided in the bill. Additional fees are expected to generate \$215,000 for the Children's Legal Defense Fund and \$210,000 for the Dispute Resolution Fund annually.]

Bill Number	Title/Sponsor/Summary	Positions					
		CCJJ	USC	USAAV	LELC	UCV	UBJJ
SB0230	Liability for Contaminated Property (<i>Fred Fife</i> Party: D)	CCJJ SUP	USC ---	USAAV SUP	LELC	UCV SUP	UBJJ ---
Provides a civil cause of action, including treble damages, costs, and attorney fees, against certain persons for the sale, lease, or rental of a contaminated property without disclosure of the contamination. [FN: Provisions of this bill allows for civil action against individuals renting or selling property. It is unknown at this time how many civil actions will be filed or won. An accurate estimate of the dollar amounts that may be realized is not possible at this time.]							
SB0251	Higher Education - Concealed Firearms Restrictions (<i>Gregory Bell</i> Party: R)	CCJJ SUP	USC ---	USAAV SUP	LELC	UCV N/P	UBJJ ---
Provides that an institution of higher education may enact a rule prohibiting concealed firearms in specified faculty and staff offices at the institution. Provides for posting of a notice of the prohibition at a staff or faculty office. Requires a reasonably proximate secure storage facility for storing concealed firearms outside of designated offices. Authorizes a higher education institution to make a rule that allows a dormitory resident to have only roommates who are not licensed to carry a concealed firearm. [FN: Enactment of this bill will not require additional appropriations.]							
SB0251S02	Higher Education - Concealed Firearms Restrictions (<i>Gregory Bell</i> Party: R)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
[GOVERNOR SIGNED] Authorizes a higher education institution to make a rule that allows a dormitory resident to request only roommates who are not licensed to carry a concealed firearm under Section 53-5-704 or 53-5-705. [FN: Enactment of this bill will not require additional appropriations.]							
SCR001	Resolution Urging Congress to Address Social Security Number Ident (<i>Carlene Walker</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC	UCV SUP	UBJJ ---
[GOVERNOR SIGNED] [Rep. D. Clark] Urges the United States Congress to pass identity theft and fraud legislation related to the intentional misuse of a Social Security number by an individual or a company. Urges that the legislation include increased verification requirements by companies, increased penalties for individuals who intentionally use fraudulent Social Security numbers to obtain employment, avoid child support obligations, or for other personal gain. Urges that the legislation include increased penalties for companies who repeatedly report wages on employees with fraudulent Social Security numbers. [FN: Enactment of this bill will not require additional appropriations.]							
SJR007	Joint Resolution Supporting Department of Corrections Contracting (<i>Michael Waddoups</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV ---	UBJJ ---
[ENROLLED DRAFT] [Rep. E. Hutchings] Supports DOC obtaining additional bed spaces in the Davis County Jail by means of a contract between DOC and Davis County. [FN: Enactment of this bill will provide direct, measurable benefits to Davis County.]							
SJR008	Joint Resolution Supporting Kane County Expansion of Correctional (<i>Dennis Stowell</i> Party: R)	CCJJ SUP	USC SUP	USAAV ---	LELC SUP	UCV ---	UBJJ ---
[ENROLLED DRAFT] [Rep. M. Noel] Supports Kane County's expansion of its correctional facilities by means of a contract between the county and DOC. [FN: Enactment of this bill will not require additional appropriations. Future appropriations will be required if the state contracts beds from the county.]							

Bill Number	Title/Sponsor/Summary	CCJJ	USC	USAAV	Positions	LELC	UCV	UBJJ
SJR010	Joint Resolution Supporting Garfield County Expansion of Correctio (<i>Dennis Stowell</i> Party: R)	SUP	SUP	---	SUP	---	---	---

[Rep. M. Noel] Supports Garfield County's expansion of its correctional facilities by means of a contract between the county and DOC. [FN: Enactment of this bill will not require additional appropriations. Future appropriations will be required if the state contracts beds from the county.]