



# Commission on Criminal and Juvenile Justice

2011 Legislation Tracking Report : All Criminal Justice Legislation

Positions	Committees
SUP = Support	CCJJ = Commission on Criminal and Juvenile Justice
S/C = Support in Concept	USC = Utah Sentencing Commission
OPP = Oppose	USAAV = Utah Substance Abuse and Anti-Violence Coordinating Council
N/P = No Position	LELC = Law Enforcement Legislative Committee
HOLD = Hold for Further Review	UCV=Utah Council on Victims of Crime
PRI = Priority for Passage	UBJJ=Utah Board of Juvenile Justice
* = Not Yet Approved by the Full Committee	
--- = Beyond the Scope of the Committee	

## Bill Number Title/Sponsor/Summary

Bill Number	Title/Sponsor/Summary	Positions
HB0011	Inmate Health Insurance Amendments ( Paul Ray )	CCJJ USC USAAV LELC UCV UBJJ

Provides that, if an insured is otherwise eligible for health or dental benefits under a policy, an insurer may not exclude coverage for an insured who is: an inmate housed in a correctional facility; an offender in the custody of the Dept. of Corrections; or an inmate housed in a county jail. Requires a health or dental insurer to coordinate benefits for an insured who is: an inmate housed in a correctional facility; an offender in the custody of the Dept. of Corrections; or an inmate housed in a county jail. (JLECC June Interim)

HB0015	Controlled Substance Database - Licensing Amendments ( Bradley Daw )	CCJJ USC USAAV LELC UCV UBJJ
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Provides that an individual who is not a veterinarian, who obtains a new license to prescribe a controlled substance, shall, within 30 days after the day on which the individual obtains a license to prescribe a controlled substance from the Drug Enforcement Administration, register with the division to use the Controlled Substance Database. (HHS September Interim Committee Bill)

HB0016	Pharmacy Benefits Manager Act ( Evan Vickers )	CCJJ USC USAAV LELC UCV UBJJ
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Requires a pharmacy benefits manager that provides a service to a health benefit plan to provide an itemized statement when: requesting or accepting payment or reimbursement for a pharmacy service from a health benefit plan; or disclosing an expenditure for a pharmacy service to a health benefit plan. Makes it a misdemeanor violation of the Unfair Practices Act to violate the requirements of this act. (HHS November Interim Committee Bill)

**Bill Number Title/Sponsor/Summary**

**Positions**

**HB0020** **Accident Responsibility Amendments** **CCJJ USC USAAV LELC UCV UBJJ**  
( Christopher Herrod Party: R )

Clarifies that an operator of a vehicle who has reason to believe that the operator has been involved in an accident shall stop the vehicle at the scene of the accident and fulfill certain requirements. Provides that if an operator of a vehicle has reason to believe that the operator has been involved in a motor vehicle accident only after leaving the scene of the accident, the operator shall immediately comply as nearly as possible with certain requirements. Clarifies that a person is guilty of a class A misdemeanor if the person does not comply with the accident responsibility requirements and the accident resulted in injury to any person. Clarifies that a person is guilty of a felony if the person does not comply with certain accident responsibility requirements and the accident resulted in serious bodily injury to a person or the death of a person. (Transp. Sept. Interim Committee Bill)

**HB0021** **Statutorily Required Reports Amendments** **CCJJ USC USAAV LELC UCV UBJJ**  
( Don Ipson Party: R )

Changes some reports required of the Administrative Office of the Courts, the Judicial Council, and the CCJJ to be provided at the option of the Judiciary Interim Committee. Requires that certain annual reports be provided in writing. Amends reporting dates. Eliminates the requirement for the Emergency Medical Services Committee to report annually to the Law Enforcement and Criminal Justice Committee. (JLECCJ October Interim - Committee Bill)

**HB0023** **Controlled Substance Modifications** **CCJJ USC USAAV LELC UCV UBJJ**  
( Gage Froerer Party: R )

Expands the definition of a controlled substance to include a list of synthetic equivalent cannabinoid substances and their analogs and homologs found in products commonly referred to as "spice." Clarifies that the tetrahydrocannabinols in Schedule I of the Utah Controlled Substances Act include those both naturally and synthetically derived. Provides that it is an affirmative defense that the person produced, possessed, or administered any of these listed substances if the person: was engaged in medical research; and was a holder of a license to possess controlled substances for research. Authorizes the Controlled Substances Advisory Committee to recommend placement of a substance on a controlled substance list if it finds that the substance has a potential for abuse and that an accepted standard has not been established for safe use in treatment for medical purposes. Adds "spice" to the driver license provisions regarding driving under the influence. Provides that a legislative body of a political subdivision may not enact an ordinance that is less restrictive than any provision of the Utah Controlled Substances Act. (HHS November Interim Comm. Bill)

**HB0028** **Penalties for Unauthorized Use of Records** **CCJJ USC USAAV LELC UCV UBJJ**  
( Richard Greenwood Party: R )

Provides that the unauthorized use of records created or maintained by the Motor Vehicle Division, the Driver License Division, or the Criminal Investigations and Technical Services Division is a class B misdemeanor. Provides that the director of the MVD, the DLD, the UBCL, and Commissioner of Public Safety shall be informed of the unauthorized use of certain records. (Trans. November Interim Committee Bill)

**Bill Number Title/Sponsor/Summary**

**Positions**

**HB0031 Restoration of the Right to Vote and Hold Elective Office** CCJJ USC USAAV LELC UCV UBJJ  
( Craig Frank Party: R )

Provides a process by which a person convicted of a misdemeanor for violating the Election Code may have the right to vote or hold office restored. Prohibits a person convicted of a misdemeanor for violating the Election Code from registering to vote or remaining registered to vote, unless the right to vote has been restored. Authorizes a challenge to the right to vote if the voter is convicted of a misdemeanor for violating the Election Code, unless the right to vote has been restored.

**HB0042 Alcoholic Beverage Control Act Retail License Quotas** CCJJ USC USAAV LELC UCV UBJJ  
( Gage Froerer Party: R )

Modifies the numerical restrictions on the number of retail licenses that may be issued.

**HB0045 Vehicle Impound Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Jeremy Peterson Party: R )

Provides that a peace officer, without a warrant, may seize and take possession of any vehicle, vessel, or outboard motor: that the division or the peace officer has reason to believe has been involved in an accident involving property damage, injury, or death; and whose operator did not remain at the scene of the accident until the operator fulfilled certain requirements.

**HB0048 Fingerprints of Juveniles** CCJJ USC USAAV LELC UCV UBJJ  
( Jeremy Peterson Party: R )

Requires fingerprints and photographs of juveniles to be taken when a juvenile age 14 or older is: taken into custody for an offense and brought before the juvenile court for adjudication; determined to be a serious habitual offender; certified to stand trial in the district court; or taken into custody for a gang related offense. Allows for the distribution of photographs of juveniles age 14 or older when the juvenile is charged with an offense which: would be a felony if committed by an adult; or is gang related.

**HB0192 Controlled Substances Advisory Committee Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Paul Ray Party: R )

Adds two members to the Controlled Substances Advisory Committee; one nurse practitioner and one representative of the public.

**HB0198 Tobacco Related Penalty Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Paul Ray Party: R )

Provides that a person who fails to timely file certain reports relating to the taxation of tobacco, or who provides false or misleading information on, or in relation to, a report: is guilty of a class B misdemeanor; and is subject to revocation or suspension of a license and a civil penalty imposed by the commission.

**Bill Number Title/Sponsor/Summary**

**Positions**

**HB0201 Tobacco Licensing Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Paul Ray Party: R )

Amends license revocation provisions to provide that the revocation of a license to sell tobacco is in effect for one year after the day on which the time for filing an appeal of the revocation ends; or if the revocation is appealed, the day on which the decision to uphold the revocation becomes final. Provides that manufacturers and distributors of tobacco products who are responsible for the collection of tax on tobacco products, and all retailers of tobacco products, are subject to the licensing requirements, procedures, and penalties described in Title 59, Chapter 14, Part 2, Cigarette and Tobacco Tax and Licensing Act.

**HB0202 Death Penalty Procedures Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Kay McIff Party: R )

Clarifies when a petitioner has a right to funded counsel for successive petitions. Sets limits on the obtaining of execution stays for successive postconviction petitions.

**HB0205 Domestic Violence and Dating Violence Amendments** CCJJ USC USAAV LELC UCV UBJJ  
( Paul Ray Party: R )

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 18 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 the Administrative Office of the Courts 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. 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.

**HJR002 Joint Resolution Applying to Congress to Call a Constitutional Con** CCJJ USC USAAV LELC UCV UBJJ  
( David Clark Party: R )

Applies to the United States Congress to call a Constitutional Convention for the purpose of proposing an amendment to the United States Constitution that would permit the repeal of any federal law or regulation if the repeal is ratified by two-thirds of the state legislatures.

**SB0012 Alcoholic Beverage Control Act - Modifications** CCJJ USC USAAV LELC UCV UBJJ  
( John Valentine Party: R )

Reorders language. Corrects or clarifies terminology, including defining the term "container." Clarifies a formula related to the Alcoholic Beverage Enforcement and Treatment Restricted Account. Clarifies references to specific licenses or sublicenses. Relocates a provision addressing advertising. Makes the provision related to a package agency posting a bond more consistent with other bond requirements in the act.

**SB0094 Uniform Requirements for Constables** CCJJ USC USAAV LELC UCV UBJJ  
( Karen Mayne Party: D )

Requires that a constable purchase and wear a uniform designated by the legislative body of a county or municipality.

**Bill Number Title/Sponsor/Summary**

**Positions**

SB0101 Utah Uniform Securities Act Enforcement CCJJ USC USAAV LELC UCV UBJJ  
( Benjamin McAdams Party: D )

Requires consideration of certain factors in specific enforcement actions. Provides for criminal penalty enhancements under certain circumstances.  
Addresses an affirmative defense.

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