

Date: 3-1-21

**House Law Enforcement and Criminal Justice Committee**

**Bill: 3rd Sub. HB 154 Use of Force Revisions**

Sponsor: Rep. Birkeland

Floor Sponsor:

**UASD Position: Tracking**

This Bill: addresses the use of force by peace officers.

Discussion: Rep. Birkeland explained that the third substitute cleans up language in the bill. The bill contains an investigation piece, preventing the district attorney from sitting on the information around an officer's use of force. Rep. Birkeland requested an amendment on line 107, removing the words "of the incident occurring," as well as reinserting words stricken on line 35. Rep. Judkins asked about the amendment on line 107. Rep. Birkeland said they want law enforcement to have 120 days from when they finish their investigation, not from the date of the incident. The Law Enforcement Legislative Committee supports the bill. Rep. Judkins asked Nate Mutter how long it takes law enforcement to complete these investigations. Mr. Mutter said that's where the 120 days comes from. It depends on the size of the scene being investigated, how many electronics are involved, and what evidence needs to be collected. The Utah Sheriffs Association and the Utah Chiefs Association support the bill. The third substitute was adopted. Line 35 was amended. It was moved that line 107 be amended. Rep. Judkins said the whole point was to shorten the time of investigations. It seems to her that this doesn't shorten anything. Rep. Birkeland said sometimes it takes 18 months or more to go through an investigation. Rep. Romero said this will help the families of victims of officer-involved shootings. Line 107 was amended.

Yeas: 7

Nays: 0

N/V: 4

**Outcome: 3rd Sub. HB 154 passed out of committee with a favorable recommendation.**

**Bill: 1st Sub. SB 151 Governmental Immunity Act Notice of Claim Amendments**

Sponsor: Sen. Weiler

Floor Sponsor: Rep. Abbott

**UASD Position: Tracking**

This Bill: modifies provisions relating to notices of claim under the Governmental Immunity Act of Utah.

Discussion: Sen. Weiler introduced the bill. It allows people to email the appropriate person instead of hand-delivering a notice of claim. Rep. Gwynn asked how they would confirm receipt. Sen. Weiler said snail mail also doesn't provide confirmation of receipt. Most attorneys will probably email, register mail, and hand deliver the notice of claim. The Utah Association for Justice supports the bill. Rep. Judkins noted that there is an easy way to confirm receipt of emails. She asked their representative if that's a good idea. He said he believes many attorneys will use software like that. However, the recipient can deny that a read receipt be shared.

Yeas: 7

Nays: 0

N/V: 4

**Outcome: 1st Sub. SB 151 passed out of committee with a favorable recommendation.**