

3-2-21

House Judiciary Committee

Bill: HB 422, Political Subdivision Civil Liability Amendments

Sponsor: Rep. Brammer

Floor Sponsor:

UASD Position: Tracking

This Bill: amends provisions related to civil liability for political subdivisions.

Discussion: The sponsor said the purpose of our government is to protect the life and property of its citizens. Representative Brammer stated that this bill is a reaction to the “riots” that occurred during the summer of 2020. The bill establishes an affirmative defense for political subdivision liability and makes political subdivisions liable for any injury or damage resulting from a riot or civil disturbance if the chief executive officer of the political subdivision told law enforcement to not protect individuals or private property during the disturbance. Rep. King voiced support for this bill. The Utah Chiefs of Police Association, Salt Lake City Police Department and the Utah League of Cities and Towns voiced opposition to this bill. The Utah Association for Justice voiced support for this bill. Amendment one, impacting line 54, was adopted.

Yeas: 8

Nays: 1

N/V: 3

Outcome: HB 422, as amended, passed out of committee with a favorable recommendation

Bill: 1st Substitute SB 150, Government Records Access and Management Act Judicial Review Amendments

Sponsor: Sen. Weiler

Floor Sponsor: Rep. Christiansen

UASD Position: Tracking

This Bill: modifies a provision relating to judicial review of State Records Committee decisions.

Discussion: Senator Weiler said this bill came about due to a prisoner asking for a fee waiver. This bill allows the court to remand a petition for judicial review to the State Records committee if the remand is to allow the Committee to decide an issue that involves access to a record and the Committee has not previously addressed in the proceeding that led to the petition for judicial review. The court must determine that remanding to the State Records Committee is in the best interest of justice.

Yeas: 10

Nays: 0

N/V: 3

Outcome: 1st Substitute SB 150 passed out of committee with a favorable recommendation

Bill: 1st Substitute SB 67, Workplace Violence Protective Orders

Sponsor: Sen. Weiler

Floor Sponsor: Rep. Snow

UASD Position: Support

This Bill: creates a workplace violence protective order.

Discussion: This bill allows a company, not just an individual, to file for a protective order. To be granted the protective order, a company would have to show that a reasonable person would feel terrorized, frightened, intimidated, harassed, or threatened. A judge would determine if a protective order is warranted. The sponsor said that while this bill does not stop bullets, it can help with stalking and other forms of harassment and intimidation. Rep. King voiced concern for some language in the bill. Time ran out before public comment occurred and no vote was taken. The meeting adjourned.

Yeas:

Nays:

N/V:

Outcome: No vote was taken by the committee due to a lack of time.