

**Bill: 2nd substitute HB 591 - Nuisance Amendments**

Sponsor: Representative Jack  
Floor Sponsor: Senator Brammer  
**UASD Position: Track**

This Bill addresses private and public nuisances.

Discussion: The sponsor presented the 2nd substitute, explaining that the substitute clarifies that the Governor's existing authority to declare a public nuisance is not removed or altered. The Committee adopted the 2nd substitute. The sponsor stated that the Bill revises provisions related to public nuisance claims to limit the expansion of nuisance liability under novel legal theories while preserving existing statutory nuisance law and traditional nuisance claims. The sponsor explained that the intent of the Bill is to provide greater predictability in the courts while maintaining established nuisance principles.

Senator Pitcher asked how the Bill would apply to chemical companies. The sponsor responded that the Bill does not change existing laws governing interference with land, air, or water. Senator Musselman asked whether the Bill eliminates common law public nuisance claims, noting that the language allows certain claims to continue until 2035. The sponsor clarified that the 2035 provision applies specifically to the authority of the Office of the Attorney General.

The Utah Association for Justice spoke in opposition. The U.S. Chamber Institute for Legal Reform and Utah Legislative Watch spoke in support.

Yeas: 7  
Nays: 0  
N/V: 2

**Outcome: 2nd substitute HB 591 passed out of the Committee with a favorable recommendation.**

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**Bill: 2nd substitute HCR 9 - Concurrent Resolution Addressing the Great Salt Lake**

Sponsor: Representative Elison  
Floor Sponsor: Senator Sandall  
**UASD Position: Support**

This Resolution urges federal assistance in stabilizing and restoring the Great Salt Lake.

Discussion: The sponsor stated that the Resolution emphasizes the importance of the Great Salt Lake to Utah's economy, environment, and residents. The Resolution outlines the causes and consequences of the Lake's declining water levels and describes the state's ongoing efforts to

stabilize and restore the Lake. The Resolution also formally urges the federal government to partner with and assist the state in efforts to stabilize and restore the Great Salt Lake.

Senator Weiler asked whether the measure is primarily intended as a statement. The sponsor confirmed that it is, explaining that the Resolution calls on the federal government to provide support and partnership in addressing the challenges facing the Great Salt Lake.

Yeas: 6  
Nays: 0  
N/V: 3

**Outcome: 2nd substitute HCR 9 passed out of the Committee with a favorable recommendation.**

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**Bill: 2nd substitute HB 138 - Child Abuse Homicide Amendments**

Sponsor: Representative Shepherd

Floor Sponsor: Senator McCay

**UASD Position: Support**

This Bill addresses the offense of child abuse homicide.

Discussion: The sponsor stated that the Bill amends the offense of child abuse homicide to clarify that a person may be charged if a child dies by suicide when the suicide is a direct or proximate result of the person committing child abuse or child torture against the child. The Bill specifies that criminal liability may apply when the abuse or torture causes the child to commit suicide, and the suicide is sufficiently connected to the abusive conduct. The Bill also includes a coordinating clause to address amendments to Section 76-5-208 if both this Bill and S.B. 32 Child Abuse Homicide Corrections pass and become law, ensuring the provisions are properly merged in the Utah Code.

Senator Musselman asked how causation would be established in cases involving suicide. The sponsor responded that the state would still bear the burden of proving the abuse and establishing the causal connection, explaining that the provision is intended to apply in situations where the abuse or neglect is consistent, aggravated, and directly connected to the child's death. In response to a question regarding line 76, the sponsor explained that "direct" causation could involve conduct such as actively standing with the child and talking the child through the act, while "proximate" causation could include encouraging or coercing the behavior in a way that foreseeably leads to the suicide.

Yeas: 5  
Nays: 0  
N/V: 4

**Outcome: 2nd substitute HB 138 passed out of the Committee with a favorable recommendation.**

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**Bill: 5th substitute HB 450 - Data Privacy Amendments**

Sponsor: Representative Shallenberger

Floor Sponsor: Senator Cullimore

**UASD Position: Track**

This Bill amends the Government Data Privacy Act and the Government Records Access and Management Act.

Discussion: Due to a shortage of time, the sponsor simply stated that the Bill is an annual “clean-up Bill”. The Bill amends provisions in the Government Data Privacy Act and the Government Records Access and Management Act (“GRAMA”) to revise how governmental entities manage and protect certain personal information. The Bill updates definitions related to personal data and clarifies the scope of “personal information” and “at-risk government employee”. It modifies requirements for governmental entities to maintain data privacy programs and conduct privacy impact assessments for certain data practices. The Bill also updates provisions governing the classification, protection, and disclosure of records that contain sensitive personal information held by governmental entities and makes technical and conforming changes to align related statutes.

There was no discussion by the Committee and no members of the public commented on the Bill.

Yeas: 6

Nays: 0

N/V: 3

**Outcome: 5th substitute HB 450 passed out of the Committee with a favorable recommendation.**