




# Family Law Legislation 2019

Date: March 15, 2019

## House Bills

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| <b>Title: Custody and Parent-Time Revisions</b><br><b>Link:</b><br><a href="https://le.utah.gov/~2019/bills/hbillenr/HB0035.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0035.pdf</a>   | Sponsor: V. Lowry Snow<br>Senate Sponsor: Lyle Hillyard | <b>HB 35</b><br> |
| <b>Purpose:</b> This bill rewrites and consolidates some provisions regarding custody; addresses custody of children and factors the court may consider; addresses joint legal custody, joint physical custody, and factors the court shall consider in making a determination; addresses parent-time; permits a court to rely on divorce custody and parent-time provisions in a parentage act judicial proceeding; and makes technical and conforming changes. |   |   |
| <b>Executive Committee Recommendations: SUPPORT</b><br>(Judges and Commissioners on EC take no positions on legislative matters)<br><b>Family Law Section Position:</b><br><b>Family Law Section Members:</b> Support: 16; Oppose 1; No position 0<br><b>Utah Bar Position:</b>  |   |   |
| <b>Status:</b> House Jan 28 <sup>th</sup> passed 74-0-01; Senate Judiciary Feb 4 <sup>th</sup> passed 3-0-5; Senate Feb 8 <sup>th</sup> passed 28-0-1, enrolled.   |   |   |

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| <b>Title: Victim Communications Amendments</b><br><b>Link:</b><br><a href="https://le.utah.gov/~2019/bills/hbillenr/HB0053.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0053.pdf</a>   | Sponsor: V. Lowry Snow<br>Senate Sponsor: Todd Weiler | <b>HB 53</b><br><b>1<sup>st</sup> Sub</b><br> |
| <b>Purpose:</b> This bill enacts the Privileged Communications with Victim Advocates Act, including: providing a purpose statement; defining terms; outlining the scope of the part; providing for privilege for communications; addressing government records; and requiring certain notices; addresses examination of victim advocate; and makes technical changes. |   |  |
| <b>Executive Committee Recommendations:</b><br>(Judges and Commissioners on EC take no positions on legislative matters)<br><b>Family Law Section Position:</b><br><b>Family Law Section Members:</b> Support: 9; Oppose 6; No position 2<br><b>Utah Bar Position:</b> OPPOSE Bar wants Court to promulgate Rules of Evidence, not Leg.                               |   |  |
| <b>Status:</b> House Judiciary Feb 15 <sup>th</sup> adopted 1 <sup>st</sup> Sub and passed 7-0-5; House Feb 28 <sup>th</sup> adopted 2 <sup>nd</sup> Sub, passed 69-0-6; Senate Judiciary Mar 6 <sup>th</sup> passed 5-0-3; Senate Mar 13 <sup>th</sup> passed 26-0-3, enrolled   |   |  |

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| <p>Title: <b>Sexual Violence Protective Orders</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HB0100.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0100.pdf</a></p>   | <p>Sponsor: V. Lowry Snow<br/> Senate Sponsor:</p> | <p><b>HB 100</b><br/> <b>3<sup>rd</sup> Sub</b><br/> </p> |
| <p>Purpose: This bill creates a sexual violence protective order and an ex parte sexual violence protective order; establishes procedures for the application of certain protective orders, modification of those orders, and enforcement of those orders; and requires that a sexual violence protective order be placed on the statewide warrant system.</p>   |  |  |
| <p>Executive Committee Recommendations: SUPPORT<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position: SUPPORT<br/> Family Law Section Members: Support: 14; Oppose 0; No position 2</p>   |  |  |
| <p>Utah Bar Position:<br/> Status: House Judiciary Jan 31<sup>st</sup> not considered; Feb 8<sup>th</sup> held 9-0-3; Feb 12<sup>th</sup> 2<sup>nd</sup> Sub adopted, held 11-0-1; House Judiciary Feb 15<sup>th</sup> adopted 3<sup>rd</sup> Sub and passed 7-0-5; House Feb 25<sup>th</sup> passed 72-0-3; Senate Judiciary Mar 6<sup>th</sup> passed 5-0-3; Senate Mar 12<sup>th</sup> passed 22-0-7;<br/> <b>Effective July 1, 2019.</b></p> |  |  |


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| <p>Title: <b>Limitation on Family Services</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0115.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0115.pdf</a></p>   | <p>Sponsor: Christine F. Watkins<br/> Senate Sponsor:</p> | <p><b>HB 115</b></p> |
| <p>Purpose: This bill prohibits the Division of Child and Family Services from providing certain voluntary in-home services; requires the Division of Child and Family Services to provide a referral to a family seeking voluntary in-home services; and makes technical changes.</p> |   |                      |
| <p>Executive Committee Recommendations: OPPOSE<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position: OPPOSE<br/> Family Law Section Members: Support: 1; Oppose 15; No position 2<br/> Utah Bar Position:</p>               |   |                      |
| <p>Status: Rules</p>   |   |                      |


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| <p>Title: <b>Divorce Proceedings Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0124.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0124.pdf</a></p>   | <p>Sponsor: Christine F. Watkins<br/> Senate Sponsor:</p> | <p><b>HB 124</b></p> |
| <p>Purpose: This bill requires that a party, other than the Division of Child and Family Services, request a modification of a district court order before a juvenile court with jurisdiction over a child may change the terms of a district court order; and makes technical changes.</p> |   |                      |


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| <p>Executive Committee Recommendations: OPPOSE<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position: OPPOSE<br/> Family Law Section Members: Support: 1; Oppose 15; No position 1<br/> Utah Bar Position:</p> |
| <p>Status: Rules</p>   |

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| <p>Title: <b>Utah Vital Statistics Act Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0153.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0153.pdf</a></p>   | <p>Sponsor: Merrill F. Nelson<br/> Senate Sponsor: Ralph Okerlund</p> | <p><b>HB 153</b></p> |
| <p>Purpose:</p>   |   |                      |
| <p>Executive Committee Recommendations: OPPOSE<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 0; Oppose 18; No position 0<br/> Utah Bar Position:</p> |   |                      |
| <p>Status: Health &amp; Human Services Mar 11<sup>th</sup> returned to Rules.</p>   |   |                      |


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| <p>Title: <b>Extreme Risk Protective Order</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0209.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0209.pdf</a></p>  | <p>Sponsor: Stephen G. Handy<br/> Senate Sponsor:</p> | <p><b>HB 209</b></p> |
| <p>Purpose: This bill enacts the Extreme Risk Protective Order Act; defines terms; enables a family member or law enforcement to ask a court to restrain a person from possessing any firearms or ammunition for a specified length of time; requires the courts to develop and adopt uniform forms for all courts; requires that the court consider whether the respondent: has made recent threats or acted violently; violated a recent protective order; has demonstrated a pattern of violent acts or threats within the past 12 months; is dangerous; or has attempted or threatened self harm; allows a court to issue a search warrant if a respondent refuses to surrender firearms and ammunition upon service of an order; requires the courts to enter the respondent's information into the national crime information center system upon issuance, and to remove the information upon expiration;</p> |   |                      |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 8; Oppose 3; No position 0<br/> Utah Bar Position:</p>   |   |                      |
| <p>Status: Rules</p>  |   |                      |

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| <p>Title: <b>Marriage Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HB0234.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0234.pdf</a></p>   | <p>Sponsor: Angela Romero<br/> Senate Sponsor:</p> | <p><b>HB 234</b><br/> <b>1<sup>st</sup> Sub</b><br/> </p> |
| <p>Purpose: This bill: imposes an age, below which an individual may not marry (18); allows for court authorization of a minor's marriage in certain circumstances; and makes technical and conforming changes.</p>  |  |  |
| <p>Executive Committee Recommendations: SUPPORT<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position: SUPPORT<br/> Family Law Section Members: Support: 22; Oppose 0; No position 0<br/> Utah Bar Position:</p>                         |  |  |
| <p>Status: Judiciary Feb 25<sup>th</sup> 1<sup>st</sup> Sub adopted passed 9-0-3; House Mar 1<sup>st</sup> adopted Amendment 1, passed 55-6-14; Senate Mar 1<sup>st</sup> passed 55-6-14; Senate Judiciary Mar 7<sup>th</sup> passed 6-0-2; Senate Mar 12<sup>th</sup> passed 22-2-5; enrolled</p> |  |  |

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| <p>Title: <b>Domestic Violence Modification</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HB0243.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0243.pdf</a></p>  | <p>Sponsor: Christine F. Watkins<br/> Senate Sponsor:</p> | <p><b>HB 243</b><br/> </p> |
| <p>Purpose: This bill provides that certain criminal penalties for carrying a concealed firearm without a permit do not apply to a victim of domestic violence or dating violence, who is not otherwise prohibited from possessing a firearm, for a limited period after the day on which the victim is issued a protective order; and makes technical and conforming changes.</p> |   |   |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 1; Oppose 7; No position 1<br/> Utah Bar Position:</p>  |   |   |
| <p>Status: Law Enforcement &amp; Criminal Justice Feb 27<sup>th</sup> passed 6-4-1; House Mar 4<sup>th</sup> passed 58-16-1; Senate Judiciary Mar 7<sup>th</sup> passed 4-1-3; Senate Mar 12<sup>th</sup> passed 20-6-3; enrolled.</p>   |   |   |

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| <p>Title: <b>Juvenile Justice Competency Revisions</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HB0330.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0330.pdf</a></p> | <p>Sponsor: Jon Hawkins<br/> Senate Sponsor:</p> | <p><b>HB 330</b><br/> <b>1<sup>st</sup> Sub</b><br/> </p> |
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| <p>Purpose: This bill amends definitions and defines terms related to competency evaluations of minors; amends procedures and requirements for an evaluation of a minor for competency; provides instructions to forensic evaluators, courts, and others involved with the prosecution, evaluation, and adjudication of matters related to minors; amends provisions related to an evaluation to determine likelihood of attaining competency; and makes technical changes.</p> |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 2; Oppose 0; No position 1<br/> Utah Bar Position:</p>   |
| <p>Status: Judiciary Feb 22<sup>nd</sup> not considered Feb 25<sup>th</sup> 1<sup>st</sup> Sub adopted 1<sup>st</sup> Amendment adopted passed 9-0-3; House Mar 1 passed 64-0-11; Senate Judiciary Mar 11<sup>th</sup> passed 6-0-2;</p>  |

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| <p>Title: <b>Marriage Code Revisions</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HB0422.pdf">https://le.utah.gov/~2019/bills/hbillenr/HB0422.pdf</a></p>  | <p>Sponsor: Stephen G. Handy<br/> Senate Sponsor:</p> | <p><b>HB 422</b><br/> </p> |
| <p>Purpose: This bill addresses incestuous marriages; clarifies when marriages are prohibited and void; replaces certain references to gender specific terms with gender neutral terms; establishes who may solemnize a marriage; addresses the content of a marriage license; provides for an affidavit before the clerk; and makes technical and conforming amendments.</p> |   |   |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 3; Oppose 0; No position 0<br/> Utah Bar Position:</p>   |   |   |
| <p>Status: Judiciary Mar 5<sup>th</sup> passed 9-0-3; House Mar 3<sup>rd</sup> amended, Mar 5<sup>th</sup> passed 69-4-2; Senate Government Operations and Political Subdivisions Mar 11<sup>th</sup> passed 5-0-2; Senate Mar 14 passed 29-0-0, enrolled</p>   |   |   |

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| <p>Title: <b>Tax Equalization and Reduction Act</b><br/> Link: 1<sup>st</sup> Substitute adopted Mar 1st<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0441S01.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0441S01.pdf</a></p> | <p>Sponsor: Tim Quinn<br/> Senate Sponsor:</p> | <p><b>HB 441</b><br/> <b>1<sup>st</sup> Sub</b></p> |
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Purpose: This bill amends the corporate franchise and income tax rate and the individual income tax rate; amends the calculation of certain tax credits to match the applicable income tax rate; modifies the calculation of the Utah personal exemption for purposes of the taxpayer tax credit; enacts a tax credit for social security benefits that are included in the claimant's federal adjusted gross income; provides that a claimant may claim either the retirement tax credit or the nonrefundable tax credit for social security benefits; enacts a refundable state earned income tax credit for certain individuals who are experiencing intergenerational poverty; requires the Department of Workforce Services to notify individuals who are experiencing intergenerational poverty of the state earned income tax credit and to provide certain information about those individuals to the State Tax Commission; specifies procedures for the administration of the earned income tax credit for certain individuals who are experiencing intergenerational poverty; provides, amends, and repeals sales and use tax definitions; imposes a tax on the total premiums received by admitted insurers writing health insurance in this state; decreases the general state sales and use tax rate; imposes a state sales and use tax on amounts paid or charged for services; repeals certain sales and use tax exemptions; provides that certain services are exempt from the sales and use tax; creates the Sales and Use Tax Base Expansion Restricted Account; requires certain state sales and use tax revenue and local option sales and use tax revenue to be deposited into the Sales and Use Tax Base Expansion Restricted Account; requires the State Tax Commission to make certain reports to the Revenue and Taxation Interim Committee; amends the local option sales and use tax distribution formula for the general county, city, town, or metro township sales and use tax and the county option sales and use tax; reduces certain local option sales and use tax rates; enacts a real estate transfer tax; specifies that the following written instruments are subject to the real estate transfer tax: written instruments for the sale or exchange of property or any interest in the property or any combination of sales or exchanges or any assignment or transfer of property or any interest in the property; and deeds or instruments of conveyance of property or any interest in property, for consideration; specifies written instruments that are exempt from the real estate transfer tax; specifies procedures for the collection and enforcement of the real estate transfer tax; and makes technical and conforming changes.

Executive Committee Recommendations:  
 (Judges and Commissioners on EC take no positions on legislative matters)  
 Family Law Section Position: OPPOSE  
 Family Law Section Members: Support: 0; Oppose 80; No position 0  
 Utah Bar Position: OPPOSE

Status: House Revenue & Taxation Mar 1<sup>st</sup> adopted 1<sup>st</sup> Sub passed 12-2-0; House Mar 7<sup>th</sup> circled

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| <p>Title: <b>Criminal Nonsupport Amendments</b><br/>         Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0450.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0450.pdf</a></p>  | <p>Sponsor: Karianne Lisonbee<br/>         Senate Sponsor:</p> | <p><b>HB 450</b></p> |
| <p>Purpose: This bill modifies the monetary limits for criminal nonsupport; makes it a third degree felony if the total arrearage is between \$5,000 and \$15,000; makes it a second degree felony if the total arrearage is more than \$15,000; and affirms that criminal nonsupport is a continuing offense.</p> |  |                      |


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| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 3; Oppose 1; No position 0<br/> Utah Bar Position:</p> |
| <p>Status: House Judiciary Mar 8<sup>th</sup> failed 5-7-0;</p>   |

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| <p>Title: <b>Victim Address Confidentiality Program</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0451.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0451.pdf</a></p>  | <p>Sponsor: Stephanie Pitcher<br/> Senate Sponsor:</p> | <p><b>HB 451</b></p> |
| <p>Purpose: This bill defines terms; creates an address confidentiality program in the Utah Office for Victims of Crime; describes eligibility and application requirements for program participants; addresses the administrative responsibilities of the Utah Office for Victims of Crime in maintaining the address confidentiality program; describes the permitted uses for assigned addresses; permits disclosure to state and local government entities in certain circumstances; addresses service of process, disclosure in judicial and administrative proceedings, and orders relating to custody and parent-time; and addresses immunity and the retention and destruction of records.</p> |  |                      |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 4; Oppose 0; No position 0<br/> Utah Bar Position:</p>  |  |                      |
| <p>Status: House Health &amp; Humans Services Mar 7<sup>th</sup> returned to Rules 6-3-3</p>   |  |                      |

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| <p>Title: <b>Domestic Violence Definitions Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0464.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0464.pdf</a></p>   | <p>Sponsor: Andrew Stoddard<br/> Senate Sponsor:</p> | <p><b>HB 464</b></p> |
| <p>Purpose: This bill adds an offense to the list of offenses in the definition of domestic violence. 74 (z) distribution of an intimate image, as described in Section <a href="#">76-5b-203</a>.</p>  |  |                      |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 1; Oppose 1; No position 0<br/> Utah Bar Position:</p> |  |                      |
| <p>Status:</p>  |  |                      |

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| <p>Title: <b>Alimony Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillint/HB0472.pdf">https://le.utah.gov/~2019/bills/hbillint/HB0472.pdf</a></p>  | <p>Sponsor: Cheryl K. Acton<br/> Senate Sponsor:</p> | <p><b>HB 472</b></p> |
| <p>Purpose: This bill amends the factors to be used regarding employment potential and probable earnings when imputing income to a parent; requires a factfinder imputing a greater or lesser income to enter specific findings of facts based on clear and convincing evidence; and makes technical and conforming changes.</p> |  |                      |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 1; Oppose 3; No position 0<br/> Utah Bar Position:</p>  |  |                      |
| <p>Status:</p>   |  |                      |


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| <p>Title:<br/> Link:</p>  | <p>Sponsor:<br/> Senate Sponsor:</p> | <p><b>HB</b></p> |
| <p>Purpose:</p>   |                                      |                  |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 0; Oppose 0; No position 0<br/> Utah Bar Position:</p> |                                      |                  |
| <p>Status:</p>  |                                      |                  |

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| <p>Title: <b>Joint Resolution Adopting Privilege Under Rules of Evidence</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/hbillenr/HJR003.pdf">https://le.utah.gov/~2019/bills/hbillenr/HJR003.pdf</a></p>  | <p>Sponsor: V. Lowry Snow<br/> Senate Sponsor: Todd Weiler</p> | <p><b>HRJ 3</b><br/> <b>2<sup>nd</sup> Sub</b><br/> </p> |
| <p>Purpose:<br/> Committee Note: The Victim Advocate Confidentiality Task Force recommended this bill.<br/> Membership: 5 legislators 4 non-legislators. Legislative Vote: 5 voting for, 0 voting against, 0 absent.<br/> General Description: This joint resolution adopts a privilege under the rules of evidence related to communications of victims.<br/> This resolution defines terms; states the privilege and who may claim the privilege; and provides for exceptions from the privilege.</p> |  |   |




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| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 2; Oppose 14; No position 1<br/> Utah Bar Position: OPPOSE Separation of powers, Brown v. Cox: Legislature can amend a current Rule by 2/3 majority in both chambers, but only judiciary can create new Rule of Evidence</p> |
| <p>Status: Judiciary Feb 15<sup>th</sup> adopted 1<sup>st</sup> Sub passed 7-0-5; House Feb 28<sup>th</sup> 2<sup>nd</sup> Sub adopted, passed 72-0-3; Senate Judiciary Mar 6<sup>th</sup> passed 5-0-3; Senate Mar 14<sup>th</sup> passed 22-0-7; enrolled</p>   |


### Senate Bills


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| <p>Title: <b>Domestic Violence Revisions</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0045.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0045.pdf</a></p>   | <p>Sponsor: Allen M. Christensen<br/> House Sponsor:</p> | <p><b>SB 45</b><br/> </p> |
| <p>Purpose: This bill adds aggravated cruelty to an animal to the list of offenses that may qualify as a domestic violence offense; and makes technical changes.</p>   |  |  |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 16; Oppose 0; No position 0<br/> Utah Bar Position:</p> |  |  |
| <p>Status: Senate Judiciary Jan 30<sup>th</sup> passed 6-0-2; Senate Feb 11<sup>th</sup> passed 24-3-2; House Law Enforcement &amp; Criminal Justice Feb 15<sup>th</sup> passed 9-0-2; House Feb 20<sup>th</sup> passed 42-31-2; Enrolled</p>              |  |  |

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| <p>Title: <b>Uniform Guardianship, Conservatorship and Other Protective Arrangements Act</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillint/SB0053.pdf">https://le.utah.gov/~2019/bills/sbillint/SB0053.pdf</a></p>  | <p>Sponsor: Lyle W. Hillyard<br/> House Sponsor</p> | <p><b>SB 53</b></p> |
| <p>Purpose: This bill enacts the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act, including: enacting general provisions; enacting provisions regarding guardianship of a minor; enacting provisions regarding guardianship of an adult; enacting provisions regarding conservatorships; enacting provisions relating to other protective arrangements; providing forms; and enacting miscellaneous provisions, such as severability clause; repeals the Protection of Persons Under Disability and Their Property chapter; and makes technical and conforming amendments.</p> |   |                     |

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| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 9; Oppose 3; No position 3<br/> Utah Bar Position: OPPOSE section on appointment of guardian</p> |
| <p>Status: Judiciary Jan 29<sup>th</sup> not considered; Feb 4<sup>th</sup> not considered; Feb 14<sup>th</sup> held</p>  |

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| <p>Title: <b>Child Abuse Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0057.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0057.pdf</a></p>  | <p>Sponsor: Todd Weiler<br/> House Sponsor: Craig Hall</p> | <p><b>SB 57</b><br/> <b>2<sup>nd</sup> Sub</b><br/> </p> |
| <p>Purpose: This bill specifies that "chronic abuse" and "chronic neglect" exist when there have been three separate occurrences of child abuse or child neglect; defines "serious harm," a term used to define "severe abuse" and "severe neglect"; and makes technical and conforming changes.</p> |  |   |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 9; Oppose 0; No position 4<br/> Utah Bar Position:</p>  |  |   |
| <p>Status: Senate Health &amp; Human Services, Jan 30<sup>th</sup> 2<sup>nd</sup> Sub adopted and passed 6-0-2; Senate Feb 1<sup>st</sup> passed 25-0-4; House Judiciary Feb 8<sup>th</sup> passed 10-0-2; House Feb 13<sup>th</sup> passed 70-0-5; enrolled.</p>                                    |  |   |


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| <p>Title: <b>Domestic Violence Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0075.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0075.pdf</a></p>  | <p>Sponsor: Allen M. Christensen<br/> House Sponsor: Paul Ray</p> | <p><b>SB 75</b><br/> </p> |
| <p>Purpose: This bill modifies provisions relating to dismissal and expiration of a domestic violence protective order; and makes technical changes.</p>   |   |  |
| <p>Executive Committee Recommendations: SUPPORT<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 16; Oppose 0; No position 0<br/> Utah Bar Position:</p> |   |  |
| <p>Status: Senate Judiciary Jan 30<sup>th</sup> passed 6-0-2; Senate Feb 12<sup>th</sup> passed 28-0-1; House Law Enforcement Feb 13<sup>th</sup> passed 9-0-2; Feb 20<sup>th</sup> passed 72-1-2; enrolled</p>  |   |  |

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| <p>Title: <b>Child Welfare Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0128.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0128.pdf</a></p> | <p>Sponsor: Wayne A. Harper<br/> House Sponsor: Paul Ray</p> | <p><b>SB 128</b><br/> <b>3<sup>rd</sup> Sub</b><br/> </p> |
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| <p>Purpose: This bill clarifies that the division may support a finding of child abuse or neglect and that a judge may substantiate a finding; clarifies language regarding policies and rules; clarifies procedures for the Department of Human Services regarding child pornography; requires the Office of Licensing, within the Department of Human Services, to run a background check on employees of congregate care settings where a child may be placed by the Division of Child and Family Services; defines "threatened harm"; outlines requirements for a juvenile court to follow when a child is placed in a residential treatment program; limits who may be involved in the development of a child and family plan; modifies the presumption that reunification services will not be provided to a parent who voluntarily relinquishes parental rights under certain conditions; requires that an attorney guardian ad litem only interview a child in the presence of the child's parent if the parent consents or the parent's legal counsel is present; clarifies when a court may order the division to provide protective supervision services; modifies provisions relating to who may adopt a child and with whom the division may place a child who is in foster care; modifies provisions relating to a court's consideration of multiple petitions for adoption; and makes technical changes.</p> |  |  |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 0; Oppose 4; No position 3<br/> Utah Bar Position:</p>   |  |  |
| <p>Status: Health &amp; Human Services Feb 5<sup>th</sup> 2<sup>nd</sup> Sub adopted and passed 6-0-2; Senate Feb 19<sup>th</sup> adopted 3<sup>rd</sup> Sub, Feb 21<sup>st</sup> adopted Amendment 4, passed 29-0-0; House Health &amp; Human Services Feb 28<sup>th</sup> passed 10-0-2 Returned to Rules for fiscal impact; House Mar 13<sup>th</sup> passed 62-1-12; enrolled</p>   |  |  |

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| <p>Title: <b>Child Welfare in Custody Proceedings</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillint/SB0148.pdf">https://le.utah.gov/~2019/bills/sbillint/SB0148.pdf</a></p>  | <p>Sponsor: Gene Davis<br/> House Sponsor:</p> | <p><b>SB 148</b></p> |
| <p>Purpose: This bill provides that a court, after review, may order the Division of Child and Family Services to conduct an investigation during a child custody proceeding based on an allegation of child neglect; requires that a professional provider of supervised parent-time be licensed by the Department of Human Services; provides that a judge may order supervised parent-time in a custody proceeding for child neglect; adds the child welfare definitions of child abuse, child neglect, and harm to the reasons why a judge may order supervised parent-time in a custody proceeding; includes "supervision to facilitate supervised parent-time" as a human services program, that requires licensure by the Office of Licensing within the Department of 23 Human Services; repeals the private attorney guardian ad litem program; amends the terms under which a court may appoint counsel to represent a child; and makes technical changes.</p> |  |                      |

Executive Committee Recommendations:  
 (Judges and Commissioners on EC take no positions on legislative matters)  
 Family Law Section Position: OPPOSE  
 Family Law Section Members: Support: 0; Oppose 13; No position 0  
 Utah Bar Position:  
 Status: Judiciary Feb 14<sup>th</sup> not considered; Feb 19<sup>th</sup> refer to interim for consideration;

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| Title: <b>Medical Cannabis Act Amendments</b><br>Link:<br><a href="https://le.utah.gov/~2019/bills/sbillenr/SB0161.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0161.pdf</a> | Sponsor: Luz Escamilla<br>House Sponsor: Brad Daw | <b>SB 161</b><br><b>6<sup>th</sup> Sub</b><br> |
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Purpose: This bill amends a provision regarding the transportation of cannabis and cannabis products to certain facilities; provides for testing of cannabis at additional stages of production; delays a provision during the decriminalization period that requires labeling with a barcode on a blister pack containing unprocessed cannabis flower; subjects appointees to the compassionate use board to Senate confirmation; provides an exception allowing certain medical professionals to recommend medical cannabis before qualified medical provider registration is available; provides certain employment protection for a state or political subdivision employee who declines to participate in a job duty required by the state's medical cannabis laws; repeals a provision allowing a court in a custody proceeding in a certain circumstance to discriminate against a parent based on the parent's lawful use of medical cannabis; allows a certain insurer to issue workers' compensation insurance coverage for an employer that is a cannabis production establishment or a medical cannabis pharmacy; amends the decriminalization provision to include protections for parents and legal guardians of certain minor patients; clarifies quantity limits for possession during the decriminalization period; and makes technical changes.


3<sup>rd</sup> Substitute relevant lines:  
 730 (7) In considering the past conduct and demonstrated moral standards of each party  
 731 under Subsection (1)(a)(i) or any other factor a court finds relevant, the court may not  
 732 discriminate against a parent because of or otherwise consider the parent's:  
 733 (a) lawful possession or use of cannabis in a medicinal dosage form, a cannabis  
 734 product in a medicinal dosage form, or a medical cannabis device, in accordance with  
 Title 26,  
 735 Chapter 61a, Utah Medical Cannabis Act[, ~~except as it relates to that parent's ability to~~  
~~care for~~  
 736 ~~a child~~]; or

Executive Committee Recommendations:  
 (Judges and Commissioners on EC take no positions on legislative matters)  
 Family Law Section Position:  
 Family Law Section Members: Support: 2; Oppose 2; No position 0  
 Utah Bar Position:

Status: Judiciary Feb 19<sup>th</sup> 2<sup>nd</sup> Sub adopted passed 6-0-2; Senate Feb 25<sup>th</sup> 3<sup>rd</sup> Sub adopted passed 28-0-1; House Health & Human Services Mar 4<sup>th</sup> adopted 4<sup>th</sup> Substitute and 1<sup>st</sup> Amendment, passed 8-0-4; House Mar 7<sup>th</sup> adopts 6<sup>th</sup> Sub, Mar 12<sup>th</sup> passed 71-0-4; Senate Mar 12<sup>th</sup> concurs with House version 24-0-5; enrolled

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| <p><b>Title: Adoption Revisions</b><br/>         Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillint/SB0199.pdf">https://le.utah.gov/~2019/bills/sbillint/SB0199.pdf</a><br/>         Amendment 1 adopted Feb 26<sup>th</sup>:<br/> <a href="https://le.utah.gov/~2019/pamend/sb0199.sca.01.pdf">https://le.utah.gov/~2019/pamend/sb0199.sca.01.pdf</a></p> | <p>Sponsor: Wayne A. Harper<br/>         House Sponsor:</p> | <p><b>SB 199</b></p> |
| <p>Purpose: This bill modifies provisions related to notice in an adoption proceeding; who may adopt a child or adult; a postadoption contact agreement; and makes technical changes.</p>  |   |                      |
| <p>Executive Committee Recommendations:<br/>         (Judges and Commissioners on EC take no positions on legislative matters)<br/>         Family Law Section Position:<br/>         Family Law Section Members: Support: 3; Oppose 1; No position 0<br/>         Utah Bar Position:</p>  |   |                      |
| <p>Status: Judiciary Feb 26<sup>th</sup> Amendment 1 adopted, held 5-0-3.</p>  |   |                      |

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| <p><b>Title: Judiciary Amendments</b><br/>         Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0207.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0207.pdf</a></p>  | <p>Sponsor: Lyle W. Hillyard<br/>         House Sponsor: V. Lowry Snow</p> | <p><b>SB 207</b><br/> </p> |
| <p>Purpose: This bill: addresses notification regarding termination of supervised probation; addresses which court has jurisdiction regarding an alleged violation of conditions of probation; addresses extradition; deletes a provision limiting the number of successive terms an associate chief justice may serve; omits outdated language regarding evaluation of justice court judges; modifies training of a justice court judge; corrects citations relating to whether a violation of a protective order is a criminal or civil violation; and makes technical amendments.</p> |  |   |
| <p>Executive Committee Recommendations:<br/>         (Judges and Commissioners on EC take no positions on legislative matters)<br/>         Family Law Section Position:<br/>         Family Law Section Members: Support: 3; Oppose 0; No position 0<br/>         Utah Bar Position:</p>  |  |   |
| <p>Status: Judiciary Mar 4<sup>th</sup> passed 6-0-2; Senate Mar 6<sup>th</sup> passed 26-0-3; House Judiciary Mar 11<sup>th</sup> passed 12-0-0; House Mar 12<sup>th</sup> passed 66-0-9; enrolled</p>  |  |   |

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| <p>Title: <b>Adoption Service Agencies Amendments</b><br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillenr/SB0207.pdf">https://le.utah.gov/~2019/bills/sbillenr/SB0207.pdf</a></p>   | <p>Sponsor: Luz Escamilla<br/> House Sponsor: V. Lowry Snow</p> | <p><b>SB 215</b><br/> <b>2<sup>nd</sup> Sub</b><br/> </p> |
| <p>Purpose: This bill modifies the definition of "adoption services"; requires a person engaging in certain adoption services to be licensed by the Office of Licensing within the Department of Human Services; prohibits certain unlicensed persons from using certain adoption terms to describe employees or services; prohibits an unlicensed person from charging a fee for adoptive services; requires the Office of Licensing to provide notice to certain persons upon finding the person is providing certain adoption services without a license; and makes technical changes.</p> |   |  |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 2; Oppose 3; No position 0<br/> Utah Bar Position:</p>   |   |  |
| <p>Status: Judiciary Mar 7<sup>th</sup> 2<sup>nd</sup> Sub adopted, passed 6-0-2; Senate Mar 8<sup>th</sup> passed 22-0-7; House Mar 14<sup>th</sup> passed 68-1-6; enrolled</p>  |   |  |

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| <p>Title: Court Venue Amendments<br/> Link:<br/> <a href="https://le.utah.gov/~2019/bills/sbillint/SB0258.pdf">https://le.utah.gov/~2019/bills/sbillint/SB0258.pdf</a></p>  | <p>Sponsor: Daniel McKay<br/> House Sponsor:</p> | <p><b>SB 258</b></p> |
| <p>Purpose: This bill prohibits a court from transferring an action without the consent of the person bringing the action in certain circumstances; and makes technical and conforming changes.</p>   |  |                      |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 0; Oppose 0; No position 0<br/> Utah Bar Position:</p> |  |                      |
| <p>Status: Senate Business &amp; Labor Mar 8<sup>th</sup> held 5-0-3;</p>   |  |                      |

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| <p>Title:<br/> Link:</p>  | <p>Sponsor:<br/> House Sponsor:</p> | <p><b>SB</b></p> |
| <p>Purpose:</p>   |                                     |                  |
| <p>Executive Committee Recommendations:<br/> (Judges and Commissioners on EC take no positions on legislative matters)<br/> Family Law Section Position:<br/> Family Law Section Members: Support: 0; Oppose 0; No position 0<br/> Utah Bar Position:</p> |                                     |                  |

Status:

Comments: