In addition to being completely out of step with science, medicine, and respect for basic human dignity, Rep. Nelson’s bill is unconstitutional.

Press release on H.B. 153 (Utah Vital Statistics Act Amendments)

Marina Lowe

#1. Protecting Digital Privacy
H.B. 57 Electronic Information or Data Privacy
This landmark bill makes Utah the first state to add warrant protections for digital information stored by third parties like cell phone carriers and cloud-based servers. This means police need a warrant to search data stored on a remotely-located Google Drive or Dropbox account, just like they would for a computer in your home. This innovative law builds on the U.S. Supreme Court’s 2018 decision in Carpenter v. U.S., an ACLU case which required warrants for location-based data. H.B. 57, however, goes further to protect personal data stored on third-party servers.

#2. Standing Firm on Reproductive Freedom
H.B. 136 Abortion Amendments
H.B. 166 Down Syndrome Nondiscrimination Abortion Act
This year the Utah Legislature passed two anti-abortion bills. However, we are confident that neither bill will become law. To stop H.B. 136, we joined the Planned Parenthood Association of Utah to file a lawsuit on April 10 in federal district court to prevent the bill’s 18-week abortion ban from taking effect (see, “See You in Court, Again,” page 3). Laws that ban abortion prior to viability clearly violate a person’s constitutionally protected right to an abortion. When the Utah Legislature passed a similar law in the early 1990s that banned abortions after 20 weeks, the U.S. Court of Appeals for the Tenth Circuit ruled it unconstitutional. No lawsuit is needed to block H.B. 166 because its block on abortions solely due to a Down Syndrome diagnosis won’t take effect until a higher court like the U.S. Supreme Court or the Tenth Circuit specifically allows it.

#3. Fixing Immigrant Justice… One Day at a Time
H.B. 244 Misdemeanor Sentencing Timeline Clarifications
Sometimes a small change can make a dramatic difference. H.B. 244 did exactly that by reducing the maximum possible sentence for a misdemeanor in Utah by a single day—from 365 days to 364 days. The loss of one day protects Utah immigrants and refugees from federal immigration laws that consider misdemeanor crimes with 365 days of potential jail time the same as a felony, triggering automatic deportation for a crime as minor as shoplifting. Working closely with our partners at the Refugee Justice League, we met with multiple legislators to explain the positive impact of this bill, enabling it to pass the House and Senate unanimously. Ranked as one of our top victories in 2019, H.B. 244 closes a gap in the complex web of immigration policy that will improve the lives of thousands of Utah residents.

#4. Passing Automatic Expungement
H.B. 431 Expungement Act Amendments
Years after someone completes a jail sentence or parole, their criminal record could rise up again to deny them housing, a job, or a chance to earn a degree. This bill alleviates these roadblocks by creating a pathway for automatic erasure of low-level criminal records after a set amount of time. This simple fix, championed by criminal justice advocates across the political spectrum, acknowledges the rehabilitative goal of the criminal justice system and also aligns with Utah’s 2015 Justice Reinvestment Initiative.

#5. Holding the Line on Voting Rights
H.B. 133 Initiative Amendments
Before the Legislative Session, the ACLU of Utah ranked “protecting ballot access” as our
Watch all seven videos of “ACLU on the Hill”—our weekly recap of Marina Lowe’s lobbying efforts during the 2019 Legislative Session.

www.youtube.com/ACLUofUtah