

ACLU Utah

2016 Legislative Report

June 24, 2016




On March 10, the Utah legislature wrapped up 45 days of fast-paced lawmaking, and the ACLU of Utah was there for it all. We tracked over 65 bills, defeated and/or neutralized many, and thankfully worked to pass legislation enhancing civil liberties as well. With serious consideration being given to issues such as repealing the death penalty, and legalizing medical marijuana, it's clear that we are moving the needle here in Utah, and that is cause for celebration!

Included in this report is a selection of some of the bills that we actively worked on during the session.

[Criminal Justice Reform](#) | [Death Penalty](#) | [4th Amendment and Police Accountability](#) | [LGBTQ Equality and Religious Liberty](#)
[Women's Rights](#) | [Reproductive Rights](#) | [Racial Justice](#) | [Disability Rights & Equal Protection](#)


Criminal Justice Reform

[HB388-State Jobs Applications Process](#), sponsored by Rep. Sandra Hollins, provides that a public employer may not require an applicant to disclose a past criminal conviction before an initial interview for employment.


ACLU of Utah's Position	Final Legislative Action
	Died in the House

[SB 73-Medical Cannabis Act](#), sponsored by Sen. Mark B. Madsen and Rep. Gage Froerer, modifies and enacts provisions related to medical cannabis.

BLOG: [Medical Cannabis & Breastfeeding Steal the Spotlight \(2/8/16\)](#)


ACLU of Utah's Position	Final Legislative Action
	Died in the House

[HB 405-Juvenile Sentencing Amendments](#), sponsored by Rep. V. Lowry Snow and Sen. Daniel W. Thatcher, prohibits sentencing an individual under 18 years of age to life in prison without parole.

ACLU of Utah's Position	Final Legislative Action
	Signed into law

[SB 89-Cannabis-Based Medicine Amendments](#), sponsored by Sen. Evan J. Vickers and Rep. Brad M. Daw modifies and enacts provisions related to medical cannabis-based medicine.

BLOG:: [Lobbying For Liberty in 2016!](#) (4/19/16)

ACLU of Utah's Position	Final Legislative Action
	Died in the House

[SB 155-Indigent Defense Commission](#), sponsored by Sen. Todd Weiler and Rep. Daniel McCay, creates the Utah Indigent Defense Commission.


TAKE ACTION: [New commission should be truly independent!](#) (5/10/16)

BLOG: [Utah Legislature Says: "Meh" On Six](#) (3/21/16)

BLOG: [Indigent Defense: The Bill Is Now Public...and It's Not Enough](#) (2/12/16)

ACLU of Utah's Position	Final Legislative Action
SUPPORT IN PART	Signed into law

[SB 187-Reclassification of Misdemeanors](#), sponsored by Sen. Daniel W. Thatcher and Rep. Brian S. King, reduces the penalty for listed sections of the Utah Code from a misdemeanor to an infraction.

ACLU of Utah's Position	Final Legislative Action
	Signed into law

Death Penalty

[SB 189-Death Penalty Amendments](#), sponsored by Sen. Stephen H. Urquhart, modifies the Utah Criminal Code regarding aggravated murder as a capital felony.

PRESS RELEASE: [Responses from Coalition Member Organizations to Failed Repeal of Death Penalty in Utah](#) (3/11/16)


PRESS RELEASE [ACLU of Utah Reactions: No Death Penalty Repeal this year](#) (3/11/16)

BLOG: [Take action one more time to finally end the death penalty in Utah](#) (3/9/16)

TAKE ACTION: [Contact your senator to vote yes on SB189. Let's end the death penalty in Utah now!](#) (2/24/16)


TAKE ACTION: [Time to End the Death Penalty In Utah!](#) (2/23/16)

BLOG: [Death Penalty in Utah: Huge step forward or irritating step backward?](#) (2/10/16)

ACLU of Utah's Position	Final Legislative Action
	Died in the House

[HB 136-Human Trafficking Amendments](#), sponsored by Rep. Paul Ray and Sen. David P. Hinkins, provides that a criminal homicide caused by the commission of the offense of human trafficking, human trafficking of a child, or aggravated human trafficking is aggravated murder and may be charged as a capital felony.


BLOG: [TAKE ACTION: Less Death Penalty...Not MORE...in Utah!](#) (2/2/16)

ACLU of Utah's Position	Final Legislative Action
	Died in the Senate

4th Amendment and Police Accountability

[HB 300-Body-worn Cameras for Law Enforcement Officers](#), sponsored by Rep. Daniel McCray and Sen. Daniel W. Thatcher, modifies the Utah Code of Criminal Procedure to address the use of body-worn cameras by law enforcement officers.


BLOG: [Quick Primer on Body Cam Legislation at the Capitol](#) (2/17/16)

ACLU of Utah's Position	Final Legislative Action
	Signed into law

[HB 460-School Resource Officers and School Administrators Training and](#)

Agreement, sponsored by Rep. Sandra Hollins and Sen. Daniel W. Thatcher, enacts provisions regarding a law enforcement officer who provides police services to a public school.


BLOG: [Lobbying For Liberty in 2016!](#) (4/19/16)

ACLU of Utah's Position	Final Legislative Action
	Signed into law

HB 22-Civil Asset Forfeiture Procedural Reforms, sponsored by Rep. Brian M. Greene and Sen. Howard A. Stephenson, modifies the Forfeiture and Disposition of Property Act regarding civil forfeiture procedure.

BLOG: [FAQs on Civil Asset Forfeiture](#) (2/16/16)

BLOG: [Medical Cannabis & Breastfeeding Steal the Spotlight](#) (2/8/16)


ACLU of Utah's Position	Final Legislative Action
	Died in the Senate

LGBTQ Equality and Religious Liberty

SB 107-Hate Crimes Amendments, sponsored by Sen. Stephen H. Urquhart, modifies provisions regarding hate crimes and criminal identification reporting requirements.

BLOG: [LGBT Equality Issues at the Capitol \(2016 Edition\)](#) (2/22/16)

ACLU of Utah's Position	Final Legislative Action
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	Died in the Senate
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[HB 382-Parentage Amendments](#), sponsored by Rep. Kraig Powell, makes changes regarding birth certificates, parentage, and assisted reproduction. (support part that codifies *Roe v. Patton*, opposed to part that would inhibit equal treatment of LGBTQ parents)

BLOG:[LGBT Equality Issues at the Capitol \(2016 Edition\)](#) (2/22/16)

ACLU of Utah's Position	Final Legislative Action
SUPPORT IN PART	Died in the House

[HB 393-Sovereign Marriage Authority](#), sponsored by Rep. LaVar Christensen, declares that the state has authority over domestic relations within the state.


BLOG:[LGBT Equality Issues at the Capitol](#) (2016 Edition) (2/22/16)

ACLU of Utah's Position	Final Legislative Action
	Died in the House

Women's Rights

[SB 59-Anti-discrimination and Workplace Accommodations Revisions](#), sponsored by Sen. Todd Weiler and Rep. Rebecca P. Edwards, addresses a public employer accommodation for breastfeeding, which must provide for reasonable accommodations for an employee under certain circumstances related to pregnancy, childbirth, breastfeeding, or related conditions.


BLOG:[Medical Cannabis & Breasfeeding Steal the Spotlight](#) (2/8/16)

ACLU of Utah's Position	Final Legislative Action
	Signed into law

Reproductive Rights

[HB 442-Abortion Amendments](#), sponsored by Rep. Gage Froerer and Sen. Lyle W. Hillyard, prohibits a physician from performing or attempting to perform a dismemberment abortion; and provides causes of action against a physician for performing a dismemberment abortion.

BLOG: [Week Six: Cue the Attacks on Reproductive Freedom](#) (2/27/16)


ACLU of Utah's Position	Final Legislative Action
	Died in the House

[SB 234-Protecting Unborn Children Amendments](#), sponsored by Sen. Curtis S. Bramble and Rep. Keven J. Stratton, amends informed consent requirements for abortion; amends provisions related to the Department of Health's requirements for publishing printed materials; and requires a physician who performs an abortion of an unborn child who is at least 20 weeks gestational age to administer an anesthetic.

VETO LETTER: [Veto S.B. 234, "Protecting Unborn Children Amendments"](#) (3/28/16)

BLOG: [Week Six: Cue the Attacks on Reproductive Freedom](#) (2/27/16)


ACLU of Utah's Position	Final Legislative Action

	Signed into law
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Racial Justice


[SB 170-Indigenous People’s Day](#), sponsored by Sen. Jim Dabakis, provides that the second Monday of October is a legal holiday called Indigenous Peoples Day.

BLOG:[Into the Home Stretch: Final Week of Legislative Session](#) (3/8/16)

ACLU of Utah's Position	Final Legislative Action
	Died in the Senate

[HB 338-Juneteenth Holiday Observance](#), sponsored by Rep. Sandra Hollins and Sen. Alvin B. Jackson, provides that Juneteenth Freedom Day shall be commemorated annually on the third Saturday in June.


BLOG:[Into the Home Stretch: Final Week of Legislative Session](#) (3/8/16)

ACLU of Utah's Position	Final Legislative Action
	Signed into law

Disability Rights & Equal Protection

[HB 101-Disabled Adult Guardianship Amendments](#), sponsored by: Rep. Fred C. Cox and Sen. Lyle W. Hillyard, provides that, under certain circumstances, counsel is not required for a disabled adult when the petitioner for guardianship is the disabled adult's parent.

VETO LETTER: [Veto H.B. 101, "Disabled Guardianship Amendments"](#) (3/25/16)

ACLU of Utah's Position	Final Legislative Action
	Signed into law