



2017 Legislative Report

June 14, 2017

On March 9, the Utah legislature wrapped up 45 days of fast-paced lawmaking, and the ACLU of Utah was there for it all.

We tracked 91 bills, an all-time high for the ACLU of Utah, and actively testified on, or otherwise meaningfully amended, around 35 of those! You may be interested in [Lobbying For Liberty! A Quick Recap of the 2017 Session](#) that includes the story of ten great victories and one big disappointment.

Included in this report below is a selection of some of the bills that we actively worked on during the session. [Click here to follow our legislative engagement in chronological order.](#)

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

First Amendment


[HB54-Campus Free Speech Amendment](#), sponsored by Rep. Kim Coleman and Sen. Todd Weiler, designates outdoor areas of campuses at institutions of higher education as traditional public forums; creates requirements for institutions of higher education related to expressive activity; and creates a cause of action related to a violation of expressive rights at an institution of higher education.

BLOG: [Week 4: Updates from the Utah Legislative Session](#)

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

[HB298-Free Expression Regulation by Local Government](#), sponsored by Rep. Norman K. Thurston and Sen. Deidre M. Henderson, addresses local government regulation of expressive activity, and prevents a political subdivision from prohibiting political activities on public grounds.

BLOG: [Week 4: Updates from the Utah Legislative Session](#)


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

Criminal Justice Reform

[SB87-Civil Asset Forfeiture Revisions](#), sponsored by Sen. Daniel W. Thatcher and Rep. Brian M. Greene, reforms Utah’s civil asset forfeiture laws, and facilitates the return of seized property to an innocent owner.

BLOG: [Criminal Justice Reform on the Hill: Part 1](#)


BLOG: [Explaining SB87](#)

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

[HB19-Civil Asset Forfeiture Reform Ammendements](#), sponsored by Rep. Brian M. Greene and Sen. Howard A. Stephenson, reforms Utah’s civil asset forfeiture laws.


BLOG: [Criminal Justice Reform on the Hill: Part 1](#)

BLOG:[Week 5: Updates from the 2017 Legislative Session](#)

ACLU of Utah's Position	Final Legislative Action
	Died in the Senate, but combined with SB87

[SB70-Asset Forfeiture Transparency Amendments](#), sponsored by Sen. Howard A. Stephenson and Rep. John Knotwell, expands current reporting requirements for officers involved in civil asset forfeiture.

BLOG:[Week 5: Updates from the 2017 Legislative Session](#)


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

[HB 239 Juvenile Justice Amendments](#), sponsored by Rep. Lowry Snow and Sen. Todd Weiler, reforms Utah’s juvenile justice system.

BLOG:[Let's end the extreme racial disparities in Utah's juvenile justice system!](#)

BLOG: [Criminal Justice Reform on the Hill: Part 2](#)

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)


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

HB156-State Job Application Process, sponsored by Rep. Sandra Hollins and Sen. Jani Iwamoto, provides that a public employer may not require an applicant to disclose a past criminal conviction before an initial interview for employment.

BLOG: [Criminal Justice Reform on the Hill Part 3: \(The Re-Entry Edition\)](#)


BLOG: [Week 5: Updates from the 2017 Legislative Session](#)

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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

SB12- Expungement Amendments, sponsored by Sen. Daniel W. Thatcher and Rep. Eric Hutchings, allows for an increase in the number of convictions counted to be eligible for expungement.

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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

HB178-Good Landlord Programs Amendments, sponsored by Rep. Brian King and Sen. Curtis Bramble, prohibits a municipality from requiring a residential landlord to deny tenancy to an individual based on the individual's criminal history.

BLOG: [Criminal Justice Reform on the Hill Part 3: \(The Re-Entry Edition\)](#)

BLOG: [Week 5: Updates from the 2017 Legislative Session](#)


BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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

Death Penalty


HB176-Human Trafficking Amendments, sponsored by Rep. Paul Ray and Sen. Don L. Ipson, 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: [Why Try to Revive a Dying Death Penalty?](#)

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

[HB 187 Costs for Aggravated Murder Offenses](#), sponsored by Rep. Stephen G. Handy and Sen. Todd Weiler, directs the Legislative Auditor General to conduct an audit of the comparative costs of the death penalty capital offenses and non-death penalty capital cases.

BLOG: [Criminal Justice Reform on the Hill: Part 1](#)

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


[HB 433 Penalty for Targeting Law Enforcement Officer](#), sponsored by Rep. Paul Ray and Sen. Curtis S. Bramble, creates a specific penalty for targeting a law enforcement officer, and makes aggravated assault a first degree felony if a law enforcement officer is targeted.

BLOG: [Update on Rep. Paul Ray's "Blue Lives Matter \(More\)" Bill](#)

BLOG: [Why Try to Revive a Dying Death Penalty?](#)

BLOG: [Criminal Justice Reform on the Hill: Part 1](#)

ACLU of Utah's Position	Final Legislative Action


	Signed into law
---	-----------------

4th Amendment and Police Accountability

SB 239 Interfering with a Peace Officer, sponsored by Sen. Todd Weiler and Rep. Adam Gardiner, makes clarifying changes to the interference with a peace officer statute, and ensures that recording the actions of a law enforcement officer with a camera, mobile phone, or other photographic device, while the officer is performing official duties in plain view, does not by itself constitute interference with the officer.

BLOG: [Week 5: Updates from the 2017 Legislative Session](#)

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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

SB 242 Government Records Access and Management Act (GRAMA) Amendments, sponsored by Sen. Curtis Bramble and Rep. James Dunnigan, provides that a governmental entity is not required to respond to a record request from an individual who is confined in a correctional facility following conviction, with certain exceptions.

BLOG: [Week 5: Updates from the 2017 Legislative Session](#)


ACLU of Utah's Position	Final Legislative Action

Support in Part	Signed into law
-----------------	-----------------

[HB 381 Law Enforcement Body Camera Footage](#), sponsored by Rep. Paul Ray and Sen. Daniel Thatcher, provides that any release of recordings made by a body camera that is worn by a law enforcement officer shall be subject to the Government Records Access and Management Act (GRAMA).

BLOG: [Week 5: Updates from the 2017 Legislative Session](#)


BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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

[HB 306 Public Safety Officer Privacy Amendments](#), sponsored by Rep. Mike McKell, would shield the name of a law enforcement officer who is involved in a critical incident for up to 180 days.

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)


ACLU of Utah's Position	Final Legislative Action

	Died in the House
---	-------------------

LGBTQ Equality and Religious Liberty

[SB 196 Health Education Amendments](#), sponsored by Sen. J. Stuart Adams and Rep. Keven J. Stratton, repeals language prohibiting the advocacy of homosexuality in health instruction; and prohibits instruction that advocates premarital or extramarital sexual activity.

BLOG: [Reproductive Justice on the Hill \(Yes, There was Some!\)](#)


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

Reproductive Rights

[HB 57 Reproductive Health and Medicaid Amendments](#), sponsored by Rep. Brian King, allows the state of Utah to access funding from the federal government to offer comprehensive family planning services to Medicaid recipients.

BLOG: [Reproductive Freedom Means ACCESS, too](#)

ACLU of Utah's Position	Final Legislative Action


	Died in the House
---	-------------------

[HB 141 Unborn Child Protections Amendment](#), sponsored by Rep Keven J. Stratton and Sen. Curtis S. Bramble, requires that doctors inform women of "the options and consequences of aborting a medication-induced abortion," and requires the Utah Department of Health to change certain language in its publications to include information about the effectiveness of medically induced abortions.

BLOG: [HB141: False. Inappropriate. Completely Unacceptable](#)

BLOG: [Good Information Is Critical to Exercising Reproductive Rights](#)

BLOG: [HB141 is Dumb. But It's Not As Bad As You Think](#)

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

[HB 154 Telehealth Amendments](#), sponsored by Rep. Ken Ivory and Sen. Allen M. Christensen, contained a few lines of language that would have prohibited medical professionals from prescribing medication to induce early-stage abortions via telehealth services. However, this language was later removed before the bill's passage.

BLOG: [Good Information Is Critical to Exercising Reproductive Rights](#)


BLOG: [Reproductive Justice on the Hill \(Yes, There was Some!\)](#)

ACLU of Utah's Position	Final Legislative Action
Thumbs down initially, later thumbs up	Signed into law

[HB 215 Reproductive Health and Education Services](#), sponsored by Rep. Brian King, states that information about reproductive health in opt-in health classes in Utah’s public schools would need to be evidence-based, factually accurate, and focused on developing healthy, respectful relationships

BLOG: [Good Information Is Critical to Exercising Reproductive Rights](#)


BLOG: [Reproductive Justice on the Hill \(Yes, There was Some!\)](#)

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

[HB 107 Perinatal Hospice](#), sponsored by Rep. Stephen G. Handy, requires that a woman receive information about perinatal hospice before an abortion when the unborn child has been diagnosed with a lethal fetal anomaly.


BLOG: [Reproductive Justice on the Hill \(Yes, There was Some!\)](#)

ACLU of Utah's Position	Final Legislative Action

	Withdrawn by sponsor
---	----------------------


[HB 384 Abortion Clinic Licensing Amendments](#), sponsored by Rep. Brian King, prohibits the Department of Health from making licensing rules regarding hospital admitting privileges or a hospital transfer agreement for an abortion service provider.

BLOG: [Week 5: Updates from the 2017 Legislative Session](#)

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

[HB 137 Public Education Curriculum Requirements](#), sponsored by Rep. Keven J. Stratton, requires the State Board of Education to report on certain curriculum, instructional, and training materials to the Education Interim Committee; and amends parent or guardian consent requirements for a student to receive child sexual abuse prevention instruction.


BLOG: [Reproductive Justice on the Hill \(Yes, There was Some!\)](#)

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

Racial Justice

[HB 93 Judicial Nominating Process Amendments](#), sponsored by Rep. Merrill Nelson and Sen. Lyle Hillyard, would remove the ability of the Commission on Criminal and Juvenile Justice to consider diversity amongst other factors while putting forth judicial nominees.

BLOG: [Our Greatest Hits of the 2017 Legislative Session](#)

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