



2012 Legislative Report

April 18, 2012

From a civil liberties perspective, the 2012 Legislative Session can be defined both by what bills were and were not introduced. Happily, efforts to ban Sharia law, do away with equal opportunity programs and require the state of Utah to engage in immigration enforcement were absent from the session. Nevertheless, the ACLU remained busy, working actively on nearly 50 bills that impact civil liberties in our state.

The 2012 session by the numbers:

- **48** Bills tracked and actively lobbied for or against
- **5** Bills we affirmatively supported and worked towards passage, **3** of which passed and were signed by governor
- **10** Anti-civil liberties bills stopped or neutralized
- **20+** Committee hearings attended
- **7** Bills testified in support of or against
- **1** Citizen Lobbyist Training

[Reproductive Freedom](#) | [LGBTQ](#) | [Criminal Justice/4th Amendment](#)
[1st Amendment](#) | [Immigrants' Rights](#) | [Participatory Democracy/Voting Rights](#)
[14th Amendment/Due Process](#) | [6th Amendment](#) | [Open Government](#)
[Privacy & Technology](#) | [Equal Protection](#) | [State Sovereignty](#)

REPRODUCTIVE FREEDOMS

[HB 461, Abortion Waiting Period](#), sponsored by Rep. Eliason, sought to expand the current mandatory wait time before a woman can get an abortion from 24 to 72 hours. The ACLU maintains that HB 461 substantially burdens a woman's constitutional right to access abortion services, and wrongly assumes that women do not carefully consider the difficult decision of whether to have an abortion. By requiring women to wait 72 hours, Utah would be tripling or quadrupling the wait time any other state has tried to impose on a woman seeking an abortion. Other than Utah, South Dakota is the only other state to pass legislation requiring women to wait 72 hours prior to obtaining an abortion. Unfortunately, the Utah bill passed both bodies and it was amended in the House to try and alleviate concerns about the burden this measure would create for women living in rural Utah. The governor signed the amended version.

[ACLU of Utah action alert \(02/24/12\) >>](#)

[HB 461 veto letter to the Governor \(PDF\) >>](#)

[Salt Lake Tribune: Lawmakers take first step to expand abortion waiting period 02/24/12 >>](#)

[Standard Examiner: Utah bill on abortion waiting period clears hurdle \(2/25/12\)>>](#)

[ABC 4 News: Are Utah legislators waging a war against women? \(03/05/12\)>>](#)

ACLU of Utah's Position Final Legislative Action



Passed into law

HB 363, Health Education Amendments, sponsored by Rep. Wright, garnered perhaps more attention than any other bill considered by the Utah legislature this year. The bill sought to curtail the teaching of sex education in Utah schools by specifically requiring Utah school districts to teach abstinence only sex education or nothing at all, and would have limited those districts retaining sex-ed lessons from any discussion of contraception, sex outside of marriage, or homosexuality. The ACLU of Utah testified against this bill, and worked heavily to amend the bill to make it less harmful. The bill passed both houses of the legislature but fortunately our action alerts generated hundreds of letters to Governor Herbert voicing concerns. He was ultimately persuaded that it was bad policy, and thus vetoed HB 363.

[ACLU's op-ed in the Salt Lake Tribune \(3/13/12\) >>](#)

[ACLU of Utah action alert "TAKE ACTION: Tell Gov. Herbert to veto HB 363" \(3/13/12\) >>](#)

[HB 363 veto letter to Gov. Herbert \(PDF\) >>](#)

ACLU of Utah's Position Final Legislative Action



Governor vetoed 3/16/12

SJR 21, Joint Resolution Recognizing Pregnancy Care Centers, sponsored by Sen. Adams, sought to celebrate the work of Pregnancy Resource Centers, and to express legislative support for their efforts. The ACLU has concerns with these centers, which often bill themselves as resources for abortion care, do not provide or refer for abortion and are notorious for providing false and misleading information about abortion.

ACLU of Utah's Position Final Legislative Action



Passed into law

SJR 23, Joint Resolution on Human Life, sponsored by Sen. Osmond, would have put a measure on the statewide ballot to legally define a person to include a fertilized egg and all subsequent stages of development. Similar measures have been introduced in other parts of the country. The effects of such measures would not only result in a prohibition on abortions but could have been used to block stem cell research and curtail access to in vitro fertilization and common forms of contraception, among other reproductive health services. Moreover, these types of bills could affect thousands of laws from when property rights are granted, to inheritance rights, to who can file a lawsuit. Fortunately, the sponsor of the bill was persuaded not to proceed with the bill and so it did not advance.

[Channel 4 News: Pro-Life "Personhood" bill hotly debated on Utah's Capitol Hill \(2/2/12\) >>](#)
[Salt Lake Tribune: Senator abandons push to define personhood \(2/8/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Bill withdrawn

SB 279, Health Funding Amendments, sponsored by Sen. Osmond, was an effort to defund Planned Parenthood in Utah. The ACLU, Planned Parenthood and others met with the sponsor to convince him that the bill was misguided. Fortunately, he abandoned the effort.

ACLU of Utah's Position Final Legislative Action



Bill withdrawn

SB 278, Personhood Definition, sponsored by Sen. Robles, was never formally introduced and so the ACLU did not take a position on this legislation. To the extent it would have defined personhood in a way so as to compromise reproductive freedom, the ACLU would have opposed the measure.

ACLU of Utah's Position Final Legislative Action

NEUTRAL

Bill withdrawn

HB 468, Abortion Revisions, sponsored by Rep. Sandstrom, was never formally introduced; nevertheless the ACLU kept an eye on this bill, as it was likely to be an effort to impose burdensome restrictions on the right to obtain an abortion.

ACLU of Utah's Position Final Legislative Action



Bill withdrawn

LGBTQ

HB 274, Adoption Amendments, sponsored by Rep. Chavez-Houck, would have amended provisions of the Utah Adoption Act relating to who may adopt a child. The ACLU of Utah supported this bill because it would have allowed for cohabitating adults to adopt a child if the child is the legal child of one of the cohabitating adults.

ACLU of Utah's Position Final Legislative Action



Defeated in the House

SB 126, Adoption By a Co-Parent, sponsored by Sen. Romero, would have amended provisions of the Utah Adoption Act relating to who may adopt a child. The ACLU of Utah supported this bill, like HB 274 (above) because it would have allowed for cohabitating adults to adopt a child if the child is the legal child of one of the cohabitating adults.

ACLU of Utah's Position Final Legislative Action



Died in the Senate

SB 51, Statewide Nondiscrimination Protection Amendments, sponsored by Sen. McAdams, would have modified the Utah Antidiscrimination Act and Utah Fair Housing Act to address discrimination, including discrimination on the basis of sexual orientation or gender identity. The ACLU of Utah supported S.B. 51 because it offered protections for the LGBT community in the areas of housing and employment. Unfortunately, although the bill was given a committee hearing, it did not receive sufficient votes to proceed.

[Action Alert: Support Employment And Housing Equality Across Utah \(02/02/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Died in the Senate

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ACLU of Utah's Position

Final Legislative Action



Governor vetoed 3/16/12

CRIMINAL JUSTICE/4TH AMENDMENT

HB 155, Drug Screening for Temporary Assistance for Needy Families Recipients, sponsored by Rep. Wilson, authorizes drug testing of persons applying for Temporary Assistance for Needy Families (“TANF”). HB 155 incorrectly presumes that persons with children who receive TANF support are more likely to use drugs than the general population. Other states, such as Florida, have passed similar bills, only to have them halted by court injunctions as likely unconstitutional. HB 155 represents a more palatable approach through the administration of written screening prior to testing. The bill also provides funds for drug treatment for those who test positive. HB 155 passed and was signed into law.

[Read the HB 155 veto letter to Gov. Herbert \(PDF\) >>](#)

[USA Today Editorial: Drug-Testing Welfare Applicants Nets Little >>](#)

[KRCL Radioactive interview with Marina Lowe >>](#)

[The national ACLU resource page on drug testing for benefits >>](#)

ACLU of Utah's Position Final Legislative Action



Passed into law

HCR 3, Concurrent Resolution on Airport Security, sponsored by Rep. Ivory, called on Congress to refrain from using invasive and unreasonable search tactics when people engage in air travel. The ACLU of Utah supported this bill, and testified in committee to this end, on grounds that suspicion less searches by the TSA are both unconstitutional and ineffective. Unfortunately, while the bill passed the House, there was not sufficient time for it to make its way through the Senate. We will be supportive of these types of legislative efforts in the future.

[Read the ACLU of Utah's testimony \(PDF\) >>](#)

[KSL News: House resolution calls for end to 'invasive' TSA searches \(2/16/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Died in the Senate

SB 236, GPS Tracking Authority, sponsored by Sen. Weiler, was introduced in order to bring Utah law into compliance with a recent U.S. Supreme Court case, *US v. Jones*, in which the court decided that law enforcement could not track an individual's whereabouts using a GPS tracking device absent a search warrant. SB 236 makes clear that under Utah law, GPS tracking constitutes a search that requires judicial authorization.

ACLU of Utah's Position Final Legislative Action



Passed into law

HB 140, Vehicle Checkpoint Amendments, sponsored by Rep. Butterfield, sought to revoke statutory authority for DUI checkpoints in Utah. These checkpoints are more expensive and less effective in apprehending DUI drivers than comparably staffed alternative methods of policing. While it is possible to operate checkpoints in a constitutionally sound manner, Utah checkpoints often operate as multi-purpose searches, which expressly violate Utah's constitutional protections from unreasonable search and seizure. The ACLU supported this bill because of the 4th Amendment concerns involved in suspicionless searches, and worked closely with the sponsor to advance the bill; however it ultimately did not pass both legislative bodies.

[Salt Lake Tribune: House votes to ban DUI checkpoints on Utah roads \(2/23/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Died in the Senate

HB 185, Drug Testing for Public Assistance Recipients, sponsored by Rep. Perry, was never made public but likely would have been similar to legislation introduced in other states that would require drug testing in order to receive welfare benefits. Unlike HB 155 (above) it is likely this bill would not have included a written screening and would not have included treatment for recipients with addiction problems.

ACLU of Utah's Position Final Legislative Action

NEUTRAL

Bill withdrawn

1ST AMENDMENT

HB 187, Agricultural Operation Interference, sponsored by Rep. Mathis, establishes the crime of agricultural operation interference. The bill provides that a person is guilty of agricultural operation interference if the person records an image of, or sound from, an agricultural operation under certain circumstances; and establishes penalties. As originally drafted, the bill would have made criminal the act of accidentally entering a private farm and taking a picture of a barn or animal, for example. The revised version of the bill that was signed into law focuses instead on individuals seeking employment with agricultural operations under false pretenses to obtain documentation of animal abuse.

ACLU of Utah's Position Final Legislative Action



Passed into law

HB 194, Involuntary Feeding and Hydration of Inmates, sponsored by Rep. Brown, Involuntary Feeding and Hydration of Inmates, was introduced as a response to address the disturbing case where a mentally ill 19-year-old inmate starved to death in his jail cell. Unfortunately, the resulting legislation does not provide for greater mental health treatment, but rather established a process for jails and prisons to follow to determine whether or not they can intervene to force feed an inmate. As originally drafted, the bill allowed jail or prison officials to force feed an inmate on an emergency basis for 3 days at a time and for longer periods subject to a court order. An amended version passed, allowing only for force-feeding pursuant to court order. The ACLU remains concerned that force-feeding inmates violates numerous constitutional rights, including the 1st Amendment right to protest and the right to be free from degrading or inhumane treatment.

[Read the HB 194 veto letter to Gov. Herbert \(PDF\) >>](#)

[Salt Lake Tribune: Utah inmate's starvation death spurs bill on force-feeding \(2/10/12\) >>](#)

[Ogden Standard Examiner: Utah inmates may be force fed under proposed bill \(2/13/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Passed into law

SB 204, Religious Freedom Act, sponsored by Sen. Reid, was troubling to the ACLU of Utah in that while protecting Utahns right to exercise the 1st Amendment, S.B. 204 was likely to do so in such a broad fashion that it would have sanctioned discrimination on other grounds. Luckily, the bill was never formally introduced.

ACLU of Utah's Position Final Legislative Action



Bill withdrawn

SB 151, Student Opportunity Scholarships, sponsored by Sen. Stephenson, appeared initially to be an attempt to resuscitate the issue of school vouchers in Utah. The ACLU had concerns about school vouchers when the issue arose several years ago because in practice, state dollars ended up funding parochial schools. The sponsor ultimately transformed the bill into an item for study over the course of the interim legislative session.

ACLU of Utah's Position Final Legislative Action

NEUTRAL AS AMENDED **Passed into law**

SB 223, Pledge of Allegiance Amendments, sponsored by Sen. Osmond, relates to requirements to say the pledge of allegiance in public schools in Utah. The ACLU monitored this legislation to be sure that the First Amendment's protection against state-sponsored religion was respected. Fortunately, the bill provides for specific instruction that saying the pledge is voluntary and that respect should be accorded to those who choose not to participate.

ACLU of Utah's Position Final Legislative Action

NEUTRAL **Passed into law**

HB 108, Internet Gambling, sponsored by Rep. Sandstrom, would require that no one knowingly transmit or relay access to gambling sites to customers in the state. The ACLU monitored this bill to be sure that First Amendment protected speech would not be restricted in the course of attempting to block access to gambling sites.

ACLU of Utah's Position Final Legislative Action

NEUTRAL AS AMENDED **Passed into law**

IMMIGRANTS' RIGHTS

HB 300, Illegal Alien Related Amendments, sponsored by Rep. Herrod, was yet another attempt to create a system by which immigration would be regulated in the state of Utah, and was touted as a replacement for the controversial HB 116 Guest Worker Bill passed during the 2011 Session. The bill avoids preemption concerns, by requiring that an Act of Congress precede implementation. Nevertheless, the bill contained various other problematic concerns, including a provision to decertify police chiefs who fail to enforce federal immigration law, and requirements to use the problematic e-Verify and IMAGE employment screening programs. Fortunately, the bill did not receive any public hearings and never advanced to a vote.

ACLU of Utah's Position Final Legislative Action



Died in the House

HB 477, Employment and Verification Requirements, sponsored by Rep. Sandstrom, would have enhanced Utah's current law regarding e-verify use. Existing law requires use by both public and private employers in the State but imposes no penalties for failing to comply. HB 477 would have required that all employers of 5 employees or more make use of e-verify and imposed strict penalties for non-compliance, including potential revocation of a business license. The ACLU of Utah would have opposed this legislation on grounds that e-verify is unreliable and should not be mandated. Despite several attempts to introduce this bill in the House, it failed to get even a hearing.

ACLU of Utah's Position Final Legislative Action



Died in the House

SB 79, Immigration Related Amendments, sponsored by Sen. Robles, was never formally introduced. The ACLU monitored the bill throughout the session based on the likely subject of the legislation.

ACLU of Utah's Position Final Legislative Action

NEUTRAL

Bill withdrawn

SB 144, Immigration Consultants, sponsored by Sen. Robles, protects immigrants by requiring immigration consultants to register with the state Division of Consumer Protection, requiring criminal background checks, a \$50,000 dollar bond, and a standard contract.

ACLU of Utah's Position Final Legislative Action



Passed into law

SB 157, Utah Immigration Accountability and Enforcement, sponsored by Sen. Urquhart, would have repealed **HB 116**, the 2011 session bill that creates a state-run guest worker program. Because only Congress has the ability to regulate immigration law, the ACLU repeatedly voiced opposition to HB 116 and the guest worker law. As such, we supported efforts, such as SB 157 that would have repealed the unconstitutional guest worker program. While this bill did receive a public hearing, it was tabled and did not advance.

ACLU of Utah's Position Final Legislative Action



Died in the Senate

SB 170, Driver License Qualification Amendments, sponsored by Sen. Urquhart, would have repealed the driving privilege card program in Utah. Currently under this program, non-citizens can apply for and receive a driving privilege card, so that they may lawfully obtain insurance and operate motor vehicles in Utah. SB 170 received a public hearing but did not pass either the House or the Senate.

ACLU of Utah's Position Final Legislative Action



Died in the Senate

HB 143, Alien Workers Related Amendments, sponsored by Rep. Wright, modified provisions of the guest worker program created by [HB 116](#) during the 2011 Session. In particular, HB 143 made changes to the tax requirements to be filed by applicants. The ACCLU opposes the guest worker program, as only the federal government, not the state of Utah, may regulate immigration. Consequently, we opposed this legislation. It received neither a public hearing nor a formal vote.

ACLU of Utah's Position Final Legislative Action



Died in the House

PARTICIPATORY DEMOCRACY/VOTING RIGHTS

HB 145, Counting Provisional Ballots of Unregistered Voters, sponsored by Rep. Chavez-Houck, would have allowed those Utahns who are not registered to vote to cast a provisional ballot on Election Day, and to have those ballots counted, provided they meet the requirements for registering to vote. The ACLU would have supported this bill, as it encourages voter participation. Unfortunately, the bill was never formally introduced, and so did not have any hearings or formal votes.

ACLU of Utah's Position Final Legislative Action



Bill withdrawn

HB 253, Voter Registration Amendments, sponsored by Rep. Powell. Despite the fundamental right to either cast or refrain from casting a vote, as originally introduced, HB 253 Voter Registration Amendments, was an attack on an individual's right not to vote. The bill would have specifically targeted voters who chose to exercise their right not to vote by ultimately removing them from the voter registry in violation of the federal National Voting Registration Act. The ACLU testified against this bill in committee and worked with the sponsor to amend the bill so that it no longer targeted voters for removal from the registry simply for not voting.

[ACTION ALERT: Tell members of the House Political Subdivisions Subcommittee that the right to vote includes the right not to vote! 1/23/12 >>](#)

[Deseret News: Committee clears proposal to 'clean up' voter rolls \(1/23/12\) >>](#)

[Salt Lake Tribune: Democrats, GOP spar over voter registration bill \(1/23/12\) >>](#)

ACLU of Utah's Position Final Legislative Action

NEUTRAL AS AMENDED **Passed into law**

HB 119, Study on Signing Petitions Online, sponsored by Rep. Chavez-Houck, requires the state of Utah to study the use of electronic signatures for purposes of signing petitions. The ACLU supports HB 119 because it would make participating in the democratic process more accessible for Utahns. Previously, the ACLU won a case before the Utah Supreme Court, on behalf of an independent candidate, to gather signatures online in order to qualify for the ballot. The Utah Legislature undid this ruling by way of legislation during the 2011 Session. HB 119 paves the way for the possibility of again using electronic signatures to participate in policy making in our state. This bill passed both legislative bodies and was signed into law by the governor.

ACLU of Utah's Position Final Legislative Action



Passed into law

HB 172, Vote by Mail Amendments, sponsored by Rep. Eliason, requires the state to study the process of voting by mail. The ACLU supports this bill, as those states that have enacted mandatory vote by mail programs have seen a dramatic voter participation rate. The bill passed both bodies and was signed into law by the governor.

ACLU of Utah's Position Final Legislative Action



Passed into law

14TH AMENDMENT/DUE PROCESS

HB 13, Offender Registry Review, sponsored by Rep. Draxler, allows a person on the Sex Offender and Kidnap Offender Registry to petition the court for removal after five years, for certain offenses. The ACLU supports this bill, as it gives discretion to a judge to determine whether an individual should remain on the registry. Furthermore, this legislation represents an opportunity for past offenders to reintegrate into society, instead of remaining on the registry, in some instances, indefinitely. The bill passed both bodies and was signed into law by the governor.

ACLU of Utah's Position Final Legislative Action



Passed into law

SB 241, Provisions Relating to the National Defense Authorization Act, sponsored by Sen. Weiler, would have required Congress to repeal sections of the National Defense Authorization Act (NDAA) relating to indefinite detention. Furthermore, the bill would have prevented the state of Utah and its employees and agents from being complicit in indefinite detention in accordance with the NDAA. The sponsor of the bill ultimately transformed SB 241 into a joint resolution (see below).

ACLU of Utah's Position Final Legislative Action



SCR 11, Concurrent Resolution on the National Defense Authorization Act, sponsored by Sen. Weiler, calls on Congress to either repeal or clarify the meaning of the portions of the National Defense Authorization Act that pertain to indefinite detention. The ACLU participated actively on the passage of this bill, testifying in committee hearings, lobbying members of both bodies, and participating in negotiations on the language of the bill itself. SCR 11 passed both houses and was signed into law by the governor.

[Salt Lake Tribune: Utah lawmakers sound off against federal detention bill \(2/27/12\) >>](#)

ACLU of Utah's Position Final Legislative Action



Passed into law

HB 228, Criminal Gang Amendments, sponsored by Rep. Oda, sought to expand the definition of a criminal gang. Under existing law, a criminal gang is defined with respect to whether the group's primary activity is criminal. HB 228 would have replaced "primary" with "substantial." The ACLU believed that this one word change would have injected substantial vagueness into the law, and so worked actively in opposition to the bill. The sponsor agreed to drop the bill and so it did not proceed.

ACLU of Utah's Position Final Legislative Action



Died in the House

SB 107, Possession of Graffiti Paraphernalia, sponsored by Sen. Mayne would have prohibited the possession of any instrument, tool or device that is commonly used to make graffiti with the intent to deface the property of another. The ACLU was concerned that this bill would criminalize mere intent, without any actual criminal act. Fortunately, a majority of Senators also recognized this constitutional flaw and so did not pass the SB 107.

ACLU of Utah's Position Final Legislative Action



Died in the Senate

SIXTH AMENDMENT

HB 510, Indigent Defense Act Amendments, sponsored by Rep. Hughes, creates limits on indigent defense spending. The bill would require that indigent defendants use resources previously contracted for by the county in question, for example, the public defender or individual contracted-for attorneys. Private attorneys would be barred from collecting from the county when they choose to represent indigent defendants. The ACLU monitored this bill because of our larger concerns around the way in which Utah underfunds and fails to supervise the provision of indigent defense. The bill passed both bodies and was signed into law by the governor.

ACLU of Utah's Position Final Legislative Action

NEUTRAL

Passed into law

OPEN GOVERNMENT

HB 89, Open Political Caucus Meetings, sponsored by Rep. Powell provides that wherever a quorum of a “public body” is present at a meeting of a “political party, political group, or political caucus” where “legislative action” is being discussed, that meeting must be open to the public, though attendance can be regulated. This bill would enhance transparency in the political process, and allow the public to have access to otherwise closed-door political meetings. Unfortunately, the bill did not receive a public hearing or a formal vote.

ACLU of Utah's Position Final Legislative Action



Died in the House

SB 45, Open and Public Meetings – Political Caucuses, sponsored by Sen. Romero, would also seek to keep legislative caucuses open to the public, in similar fashion to HB 89 (above). Also like HB 89, SB 45 failed to get a public hearing or a formal vote.

THUMBS UP

ACLU of Utah's Position Final Legislative Action



Died in the Senate

SB 177, Government Records Access and Management Act Amendments, sponsored by Sen. Bramble, is the legislative response to the GRAMA working group that came out of the legislature’s attempt to pass HB 477 during the 2011 Session. HB 477 was the controversial bill that gutted GRAMA, Utah’s Freedom of Information act. The ACLU monitored this bill to be sure that it did not reintroduce the more harmful provisions contained in HB 477. In sum, SB 177 was largely positive, creating the position of records ombudsman to resolve GRAMA issues, among other provisions. The bill passed both bodies and was signed by the governor.

ACLU of Utah's Position Final Legislative Action

NEUTRAL

Passed into law

PRIVACY & TECHNOLOGY

SB 25, Driver License and Identification Card Amendments, sponsored by Sen. Van Tassell, made various modifications to requirements for obtaining a drivers license. The ACLU was concerned with the aspects of the bill that specifically removed language in existing code that prohibits the state from further complying with the REAL ID Act, a federal law that creates a national ID card. The bill was amended to remove the language pertaining to the REAL ID Act.

ACLU of Utah's Position Final Legislative Action

NEUTRAL AS AMENDED **Passed into law**

EQUAL PROTECTION

HB 506, Martin Luther King, Jr. Special Group License Plate, sponsored by Rep. Chavez-Houck, creates a specialty license plate honoring Martin Luther King, Jr. The ACLU supported this legislation as a way to honor the late civil-rights leader. The bill passed both bodies, although not without controversy, and was signed into law.

ACLU of Utah's Position Final Legislative Action



Passed into law

STATE SOVEREIGNTY

HB 141, State Sovereignty and Rights of Set-off, sponsored by Rep. Christensen was initially introduced as a bill allowing Utah to seek reimbursement for incarceration of undocumented individuals. The ACLU's was concerned that HB 141 would create incentives for local jails and prisons to engage in unlawful "courtesy holds," as a way to seek reimbursement from the federal government. The bill was substantially amended in committee (including the title of the bill!) so as to alleviate these concerns. The amended bill passed both bodies and was signed into law.

ACLU of Utah's Position Final Legislative Action

NEUTRAL AS AMENDED **Passed into law**

May 2012