

Senator Stephen H. Urquhart proposes the following substitute bill:

JOINT RESOLUTION AMENDING RULES OF EVIDENCE

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen H. Urquhart

House Sponsor: _____

LONG TITLE

General Description:

This joint resolution modifies the Utah Rules of Evidence.

Highlighted Provisions:

This resolution:

- ▶ amends the Utah Rules of Evidence to include a rule that relates to the admissibility of certain evidence in a case in which the defendant is accused of committing a hate crime.

Special Clauses:

This resolution provides a special effective date.

Utah Rules of Evidence Affected:

ENACTS:

Rule 417, Utah Rules of Evidence

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

As provided in Utah Constitution Article VIII, Section 4, the Legislature may amend rules of procedure and evidence adopted by the Utah Supreme Court upon a two-thirds vote of all members of both houses of the Legislature:



26 Section 1. **Rule 417**, Utah Rules of Evidence is enacted to read:

27 **Rule 417. Admissibility of Evidence of the Actor's Expression or Association in**
28 **Criminal Trials for Hate Crimes.**

29 In a criminal case in which the defendant is accused of committing a hate crime,
30 evidence of the defendant's expressions or associations may not be introduced, unless the
31 evidence:

32 (1) specifically relates to the hate crime charged; or

33 (2) is introduced for impeachment.

34 Section 2. **Effective date.**

35 This resolution takes effect upon approval by a constitutional two-thirds vote of all
36 members elected to each house.