

**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: \_\_\_\_\_

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**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

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*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.