

## SELECTED HIGHLIGHTS of the 2015 General Session

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Detailed bill information may be found on the Utah State Legislature website at <http://le.utah.gov>.*

### **Arts**

SB 194            Arts and Culture Business Alliance

Dabakis, J.

This bill enacts the Arts and Culture Business Alliance Act.

- defines terms;
- creates the Arts and Culture Business Alliance;
- describes the duties of the alliance;
- provides for the appointment of alliance members;
- provides for staff support for the alliance;
- provides for rulemaking;
- creates the Arts and Culture Business Alliance Account and provides for funding and uses of account funds; and
- makes technical changes.

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### **Business**

- HB 141 Insurance Related Inducements Knotwell, J.
- This bill modifies the Insurance Code to address inducements.
- addresses when goods and services may be provided;
  - provides for disclosures; and
  - makes technical changes.
- SB 54 Credit Monitoring for Minors Osmond, A.
- This bill modifies and enacts provisions of the Consumer Credit Protection Act relating to certain minors, incapacitated adults, and protected persons.
- defines terms;
  - upon request and in accordance with the provisions of this bill, requires a credit reporting agency to place a security freeze for:
    - an individual who is less than 16 years of age;
    - an incapacitated adult; or
    - a protected person;
  - provides a procedure by which an individual or an individual's representative may remove a security freeze;
  - allows, under certain circumstances, a credit reporting agency to charge a reasonable fee for the placement or removal of a security freeze;
  - provides that the attorney general may enforce the provisions of this bill; and
  - makes technical and conforming changes.
- SB 102 Online Pharmacy Amendments Bramble, C.
- This bill amends the Online Prescribing, Dispensing, and Facilitation Licensing Act.
- amends certain provisions related to online prescribing and dispensing of drugs;
  - amends the definition of "unprofessional conduct"; and
  - deletes outdated, transitional language.
- SB 120 Regulation of Reverse Mortgages Harper, W.
- This bill enacts and modifies provisions relating to reverse mortgages.
- enacts the Utah Reverse Mortgage Act;
  - defines terms;
  - provides requirements for a reverse mortgage in the state;
  - addresses the treatment of loan proceeds, priority, foreclosure, and lender default in the context of a reverse mortgage; and
  - addresses the enforcement of the provisions of this bill.
- SB 131 Occupational Therapists Amendments Davis, G.
- This bill modifies the Occupational Therapy Practice Act and related provisions.
- defines terms, including the "practice of occupational therapy";
  - modifies the qualifications for an individual to get a license as an occupational therapist or as an occupational therapy assistant;
  - modifies the supervision requirements of an occupational therapist when supervising an occupational therapy assistant;
  - modifies who may engage in the practice of occupational therapy without a license;
  - describes what is unlawful and unprofessional conduct under the act;
  - extends the sunset date of the Occupational Therapy Practice Act; and
  - makes technical changes.

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SB 143 Title and Escrow Modifications

Bramble, C.

This bill modifies the Insurance Code to address issues related to title and escrow insurance.

- modifies definition provisions;
- changes references from searches to title examinations;
- addresses duties of the commissioner and the Title and Escrow Commission related to title insurance;
- addresses adjudication of a title insurance matter and the imposition of penalties;
- modifies definitions related to licensing;
- modifies financial requirements for a producer;
- changes assessment provisions; and
- makes technical and conforming amendments.

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### **Civil Rights**

#### SB 296 Antidiscrimination and Religious Freedom Amendments

Urquhart, S.

This bill modifies the Utah Antidiscrimination Act and the Utah Fair Housing Act to address discrimination and religious freedoms.

- modifies definition provisions related to employment and housing discrimination, including defining "employer," "gender identity," and "sexual orientation";
- includes sexual orientation and gender identity as prohibited bases for discrimination in employment;
- provides that the remedies in the Utah Antidiscrimination Act and the Utah Fair Housing Act preempt local government remedies;
- provides that protections for employment and housing do not create a special or protected class for other purposes;
- modifies powers of the Division of Antidiscrimination and Labor;
- addresses the Utah Antidiscrimination Act's application to:
  - employee dress and grooming standards;
  - sex-specific facilities; and
  - freedom of expressive association and the free exercise of religion;
- addresses employee free speech in the workplace;
- prohibits an employer from taking certain actions in response to certain employee speech outside the workplace;
- modifies exemptions to the Utah Fair Housing Act;
- includes sexual orientation and gender identity as prohibited bases for discrimination in housing;
- includes nonseverability clauses; and
- makes technical and conforming amendments.

#### SB 297 Protections for Religious Expression and Beliefs about Marriage, Family, or Sexuality

Adams, J. S.

This bill provides certain protections and remedies for individuals, religious officials, religious organizations, and government officers and employees concerning the free exercise of religion and religiously held beliefs about marriage, family, and sexuality.

- requires a county clerk, or a willing designee of the county clerk, to be available during business hours to solemnize a legal marriage;
- removes a requirement that a designee for solemnizing marriages be an office employee;
- creates a new chapter to establish certain religious protections;
- defines terms;
- requires that the chapter be broadly construed in favor of broad protection of religious beliefs, exercises, and conscience;
- addresses the scope of state and local governments' authority to enforce certain laws;
- provides protections for a religious official or organization that declines to solemnize or recognize for ecclesiastical purposes a marriage because of the official's or organization's religious beliefs;
- prohibits government from:
  - removing a religious official's or organization's authority to solemnize a marriage based on religious beliefs;
  - requiring a religious official or organization to provide services or accommodations for a marriage that is contrary to the official's or organization's religious beliefs;
  - requiring a religious official or organization to promote marriage that is contrary to the official's or organization's religious beliefs; and
  - retaliating against an individual, a religious official, or a religious organization for exercising protections contained in this legislation;
- prohibits government and government officials from taking negative action against a licensee who holds a professional or business license based on the licensee's beliefs or the licensee's lawful expression of those beliefs in a nonprofessional setting;
- prohibits an individual from requiring a religious official or organization to provide services or accommodations for a marriage that is contrary to the official's or organization's religious beliefs;
- provides remedies for violations; and
- provides a severability clause and revisor instructions.

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### **Department of Workforce Services**

SB 17            Employment Support Act Revisions

Shiozawa, B.

This bill modifies the Utah Workforce Services Code by revising and updating Chapter 3, Employment Support Act.

- revises the Employment Support Act by:
  - updating language;
  - restructuring sections and parts;
  - amending definitions; and
  - adding cross-references;
- amends assessment and counselor assignment provisions of the Family Employment Program; and
- makes technical changes.

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### ***Economic Development***

SB 18 Governor's Office of Economic Development Revisions

Osmond, A.

This bill modifies statutory provisions related to the Governor's Office of Economic Development (GOED).

- creates Title 63N, Governor's Office of Economic Development;
- recodifies statutory provisions related to GOED;
- modifies the organization of GOED, the Board of Business and Economic Development, and the Governor's Economic Development Coordinating Council; and
- makes technical changes.

SB 179 Amendments to Economic Development

Shiozawa, B.

This bill modifies provisions related to the Governor's Office of Economic Development (GOED).

- modifies the definition of "high paying jobs";
- requires that the executive director of GOED be appointed by the governor, with the consent of the Senate;
- modifies provisions related to GOED's administration of tax credit incentives, including the provision of tax-increment financing;
- modifies GOED's reporting of the credit incentives; and
- makes technical changes.

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### **Education**

HB 198 Strengthening College and Career Readiness

Arent, P.

This bill creates a program to provide grants to local education agencies for professional development for school counselors.

- defines terms;
- creates the Strengthening College and Career Readiness Program, a grant program for local education agencies, to improve students' college and career readiness through enhancing the skill le school counselors to provide college and career counseling;
- directs the State Board of Education to:
  - develop a certificate for school counselors that certifies that a school counselor is highly skilled at providing college and career counseling;
  - award grants to local education agencies, on a competitive basis, for payment of course fees for courses required to earn the certificate;
  - make rules; and
  - report to the Education Interim Committee.

HB 345 Education Abuse Policy

McCay, D.

This bill modifies provisions related to school personnel employment and licensing procedures and student abuse reporting.

- modifies requirements for providing and obtaining employment and disciplinary history of school personnel;
- modifies requirements and procedures for educator licensing;
- gives rulemaking authority to the State Board of Education;
- modifies provisions related to mandatory reporting of student abuse; and
- makes technical changes.

SB 97 Property Tax Equalization Amendments

Osmond, A.

This bill makes changes related to school property taxes and funding.

- defines terms;
- creates the Minimum Basic Growth Account;
- amends the calculation of the school minimum basic tax rate;
- requires a certain amount of revenue collected from the minimum basic tax rate to be deposited into the Minimum Basic Growth Account;
- distributes money deposited into the Minimum Basic Growth Account to fund the state's portion of the voted levy guarantee, the Capital Outlay Foundation Program, and the Capital Outlay Enroll Growth Program; and
- makes technical changes.

SB 196 Math Competency Initiative

Millner, A.

This bill enacts provisions relating to public school mathematics competency standards.

- enacts provisions relating to public school mathematics competency standards.

SB 235 Education Modifications

Niederhauser, W.

This bill enacts and amends provisions related to public education.

- defines terms;
- requires the State Board of Education to designate low performing schools, subject to certain conditions;
- requires a local school board to take certain actions to turn around a low performing district school;
- requires a charter school authorizer and a charter school governing board to take certain actions to turn around a low performing charter school;
- directs the State Board of Education to:
  - select independent school turnaround experts, through a request for proposals process;
  - review and approve school turnaround plans submitted by a local school board or charter school governing board; and
  - make rules imposing certain consequences on a school district or charter school that fails to improve the school grade of a low performing school within a certain amount of time;
- creates the School Recognition and Reward Program to provide incentives to schools and educators to improve the school grade of a low performing school;
- creates the School Leadership Development Program to increase the number of highly effective school leaders capable of initiating, achieving, and sustaining school improvement efforts;
- requires the State Board of Education to annually report to the Education Interim Committee;
- allows the State Board of Education to use certain nonlapsing funds, remaining at the end of fiscal year 2015, for certain purposes; and
- makes technical and conforming changes.

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### **Environmental Quality**

HB 15 Clean Fuel Amendments and Rebates

Handy, S.

This bill creates the Conversion to Alternative Fuel Grant Program and extends tax credits for energy efficient vehicles.

- defines terms;
- amends definitions;
- authorizes the Department of Environmental Quality to make grants from the Clean Fuels and Vehicle Technology Fund to a person who installs conversion equipment on an eligible vehicle;
- describes the process for a person to apply for a grant to install conversion equipment on an eligible vehicle;
- describes the amount of grant money the director of the Division of Air Quality may award to a person who installs conversion equipment on an eligible vehicle;
- grants rulemaking authority to the Air Quality Board;
- extends tax credits for energy efficient vehicles; and
- makes technical changes.

HB 396 Solid Fuel Burning Amendments

Dee, B.

This bill provides for a solid fuel burning program.

- prohibits the Division of Air Quality from implementing a seasonal ban on burning;
- provides for exemptions; and
- makes technical changes.

SB 244 Department of Environmental Quality Modifications

Dayton, M.

This bill modifies the organizational structure of the Department of Environmental Quality.

- combines the Division of Radiation and the Division of Solid and Hazardous Waste to create a new division known as the Division of Waste Management and Radiation Control; and
- makes technical changes.



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### **Government Operations (State Issues)**

HB 368 Executive Office Compensation

Wilson, B.

This bill addresses the salaries of constitutional offices.

- addresses the salaries of state constitutional offices; and
- makes technical and conforming changes.

HB 454 Prison Development Amendments

Wilson, B.

This bill modifies and enacts provisions relating to the development of a new prison.

- modifies the duties and authority of the Prison Relocation Commission;
- creates the Prison Development Commission and provides for its membership, duties, and operation;
- provides for Division of Facilities Construction and Management oversight of the prison design and construction project, in consultation with the Prison Development Commission;
- enacts a local option sales and use tax for a city or town that has a new state correctional facility;
- authorizes the issuance of bonds for the prison projects;
- creates a restricted account and capital projects fund for the prison project;
- provides a process for the choice of a new prison site; and
- modifies a repeal provision relating to the Prison Relocation Commission and enacts a repeal provision relating to the Prison Development Commission.

SB 247 State Employees' Annual Leave Trust Fund Amendments

Henderson, D.

This bill modifies the Utah State Personnel Management Act and the State Employees' Annual Leave Program II Trust Fund Act by amending state employee leave provisions.

- amends the name of the "State Employees' Annual Leave Program II Trust Fund" to the "State Employees' Annual Leave Trust Fund";
- allows certain transfers to the State Employees' Annual Leave Trust Fund from the termination pool for annual leave liabilities and allows costs for both annual leave and annual leave II to be paid from the fund;
- prohibits a creditor from obtaining assets of the trust fund; and
- makes technical changes.

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### **Health**

HB 94 Investigational Drug and Device Access for Terminally Ill Patients

Froerer, G.

This bill amends provisions related to investigational drugs and devices.

- provides that a terminally ill patient may obtain an investigational drug or device from the drug's or device's manufacturer under certain circumstances;
- exempts certain conduct from the definition of unlawful and unprofessional conduct for a physician who administers an investigational drug or uses an investigational device to treat a terminally ill
- allows an insurance company to deny, under certain circumstances, coverage to an individual who is treated with an investigational drug or device; and
- provides that certain health care providers are not subject to civil or criminal liability or licensure sanctions for treating a patient with an investigational drug or device.

HB 415 Regulation of Electronic Cigarettes

Ray, P.

This bill enacts and amends provisions related to electronic cigarette products.

- requires a person to obtain a license in order to sell or distribute an electronic cigarette product;
- provides criminal penalties for a person that sells an electronic cigarette without a license; and
- gives the Department of Health the authority to determine product quality, nicotine content, packaging, and labeling standards for an electronic cigarette substance.

HCR 12 Concurrent Resolution on Healthcare

Dunnigan, J.

This concurrent resolution of the Legislature expresses a commitment to collaborate on a solution for the healthcare coverage gap. This resolution:

- recognizes that the executive and legislative branches have each proposed significant solutions to cover Utahns living in the coverage gap, but need more time to work together and agree on one resolution;
- expresses a commitment to ongoing collaboration and negotiations; and
- expresses a desire to reach a resolution by a target date of July 31, 2015.

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### **Human Services**

HB 145 Vulnerable Adult Worker Amendments

Sanpei, D.

This bill amends provisions relating to the Department of Human Services' background check procedures.

- defines terms;
- permits the Department of Human Services to conduct criminal background screening of employees and volunteers;
- amends provisions relating to when the Office of Licensing (the office) shall conduct a background check;
- requires each applicant 18 years of age or older to submit fingerprints to the office for a national criminal history search;
- clarifies which databases the office must search to conduct a background check;
- provides that the office may submit an applicant's personal identifying information to the Bureau of Criminal Identification (the Bureau) within the Department of Public Safety for retention, monitoring and notification of new criminal activity associated with an applicant;
- requires the office to conduct a comprehensive review of an applicant's background check if the applicant has a record of an adjudication in juvenile court for an act that, if committed by an adult, be a felony or misdemeanor;
- provides that the office may conditionally approve an applicant, other than a prospective foster or adoptive parent, without the applicant being directly supervised, pending the results of a national history search; and
- makes technical and conforming changes.

HB 364 Suicide Prevention Amendments

Eliason, S.

This bill amends provisions related to suicide prevention.

- amends State Board of Education and Division of Substance Abuse and Mental Health program components for suicide prevention; and
- amends interim committee reporting requirements.

SB 10 Compact for Interstate Sharing of Putative Father Registry Information

Escamilla, L.

This bill enacts the Compact for Interstate Sharing of Putative Father Registry Information.

- defines terms;
- describes the purpose of the Compact for Interstate Sharing of Putative Father Registry Information;
- describes the process for entering, withdrawing from, and amending the compact;
- describes the responsibilities and privileges of states participating in the compact;
- addresses the privacy, retention, and use of putative father registry information shared under the compact;
- includes a severability clause; and
- requires the state registrar, appointed by the Department of Health, to study the procedures necessary to implement the Compact for Interstate Sharing of Putative Father Registry Information.

SB 101 Adoption Amendments

Weiler, T.

This bill amends the Utah Adoption Act.

- provides a definition;
- requires an unmarried biological father to file a petition in district court for an order establishing temporary child support before the unmarried biological father may consent to the adoption of a child six months of age or less; and
- creates a process for the court's consideration of multiple petitions for adoption.

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### **Judiciary**

HB 35 Parent-time Schedule Amendments

Snow, V. L.

This bill creates an optional parent-time schedule.

- creates an optional parent-time schedule of 145 overnights;
- sets holiday schedules; and
- provides for specific elections by the noncustodial parent.

HB 380 Disabled Adult Guardianship Amendments

Edwards, R.

This bill provides for the disposition of the remains of a decedent when the decedent was a disabled adult residing with a guardian, and reduces the filing fee for guardianships under certain circumstances.

- allows for situations where a parent caring for a disabled adult child is divorced or separated from the other parent and the disabled adult dies;
- provides for a person who was a guardian of an incapacitated adult to direct the disposition of the decedent's remains if there is no other person; and
- reduces the filing fee for a guardianship when the prospective ward is the biological or adoptive child of the petitioner.

SB 167 Juvenile Offender Amendments

Osmond, A.

This bill makes changes to statutes regarding minors and courts.

- adds a specific list of previous offenses and conditions to the statute that allows for the direct filing of charges in district court;
- adds a new option to the serious youth offender statute;
- creates guidelines for housing a minor convicted in district court in a juvenile secure facility;
- requires that the court determine that a minor is knowingly and intentionally waiving counsel; and
- sets a presumption that juveniles are not to be shackled when appearing in court unless ordered by the court.

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### **Law Enforcement and Criminal Justice**

HB 252 Human Trafficking Amendments

King, Brian S.

This bill modifies the Utah Criminal Code regarding the kidnapping, trafficking, and smuggling of persons younger than 18 years of age.

- modifies the definition of the crime of human trafficking of a child; and
- provides that a person who is convicted of human trafficking of a child is guilty of a first degree felony.

HB 348 Criminal Justice Programs and Amendments

Hutchings, E.

This bill amends Utah Code provisions regarding corrections, sentencing, probation and parole, controlled substance offenses, substance abuse and mental health treatment, vehicle offenses, and provisions to modify penalties and sentencing guidelines, treatment programs for persons in the criminal justice system, and probation and parole compliance and violations to address recidivism.

- reduces penalties for specified offenses involving controlled substances and provides that specified penalties be increased for subsequent convictions for the same offenses;
- reduces the penalties for motor vehicle and vessel offenses as specified;
- defines criminal risk factors and requires that these factors be considered in providing mental health and substance abuse treatment through governmental programs to individuals involved in the criminal justice system;
- requires the Division of Substance Abuse and Mental Health to establish standards for mental health and substance abuse treatment, and for treatment providers, concerning individuals who are incarcerated or who are required by a court or the Board of Pardons and Parole to participate in treatment;
- requires that the Division of Substance Abuse and Mental Health, working with the courts and the Department of Corrections, establish performance goals and outcome measurements for treatment programs, including recidivism;
- requires that the Division of Substance Abuse and Mental Health track the performance and outcome data and make this information available to the public;
- requires that the collected data be submitted to the Commission on Criminal and Juvenile Justice and that the commission compile the data and make it available to specified legislative interim committees;
- provides that the Commission on Criminal and Juvenile Justice administer a performance incentive grant program that allocates funds to counties for programs and practices that reduce recidivism;
- requires that the Sentencing Commission modify sentencing guidelines, criminal history scores, and guidelines for periods of incarceration to implement the recommendations of the Commission on Criminal and Juvenile Justice regarding reducing recidivism;
- requires that the Sentencing Commission establish graduated sanctions to provide prompt and effective responses to violations of probation or parole;
- requires that the Sentencing Commission establish graduated incentives to provide prompt and effective responses to an offender's compliance and positive conduct;
- requires that the Department of Corrections implement the graduated sanctions and incentives established by the Sentencing Commission and requires that the department gather information related to treatment and program the outcomes and provide the information to the Commission on Criminal and Juvenile Justice;
- provides payments to county jails for housing probation and parole violators as funding is available;
- requires that the Department of Corrections develop case action plans for offenders, including a risk and needs assessment and treatment priorities;
- provides that the Department of Corrections may impose a sanction of three to five days for violations of probation or parole as part of the program of graduated sanctions;
- requires that the Department of Corrections evaluate and update inmates' case action plans, including treatment resources and supervision levels to address reentry of inmates into the community upon termination of incarceration;
- requires that the Department of Corrections establish a program allowing offenders to earn credits of days for compliance with terms of probation or parole, which will reduce the time on probation or parole;
- requires that the Department of Corrections report annually to the Commission on Criminal and Juvenile Justice the data collected regarding the earned credits program;
- requires the Department of Corrections to establish standards, including best practices, for treatment programs provided in county jails;
- requires the Department of Corrections to establish standards and a certification program for the public and private providers of the treatment programs;
- requires the Department of Corrections to establish goals and outcome measurements regarding the treatment programs, collect related data, and analyze the data to determine effectiveness;
- requires that the Department of Corrections provide the data collected regarding the treatment programs to the Commission on Criminal and Juvenile Justice for the commission's use in preparing an annual report;
- requires that the Department of Corrections establish an audit for compliance with the treatment standards;
- provides that time served in confinement for a violation of probation is counted as time served toward any term of incarceration imposed for the violation of probation;
- requires that the Board of Pardons and Parole establish an earned time program that reduces the period of incarceration for offenders who successfully complete programs intended to reduce the recidivism, collect data on the implementation of the program, and report the data to the Commission on Criminal and Juvenile Justice; and
- requires that if the Board of Pardons and Parole orders incarceration for a parole violation, the board shall impose a period of incarceration that is consistent with the guidelines established by the Sentencing Commission.

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### HB 361 Investigation Protocols for Peace Officer Use of Force

Roberts, M.

This bill modifies the Utah Criminal Code regarding the investigation of peace officer use of force.

- requires the chief executive of a law enforcement agency to work with the district or county attorney to designate an agency to investigate instances of a peace officer use of force;
- requires that the investigating agency not be the agency where the officer is employed; and
- requires each law enforcement agency to adopt and post by December 31, 2015:
  - the policies and procedures the agency has adopted to select the investigating agency if an officer involved critical incident occurs in its jurisdiction
  - the protocols the agency has adopted to ensure that any investigation of officer involved incidents occurring in its jurisdiction are conducted professionally, thoroughly, and impartially.

### HB 378 White Collar Crime Registry

McKell, M.

This bill modifies the Utah Code of Criminal Procedure to include a registry for persons who commit specified white collar crimes.

- authorizes the Office of the Attorney General to develop, operate, and maintain the Utah White Collar Crime Offender Registry website;
- provides the manner and process by which the Office of the Attorney General disseminates information from the Utah White Collar Crime Offender Registry website to the public, including the type of information that will be provided;
- provides the offenses for which a person must be registered with the Utah White Collar Crime Offender Registry website;
- provides that offenders who were convicted of the specified offenses between December 31, 2005 and the time this bill is enacted will not be placed on the Utah White Collar Crime Offender Registry if they:
  - have complied with all court orders;
  - have paid all restitution claims; and
  - have not been convicted of any other offenses for which registration would be required;
- provides the duration for which offenders will be placed on the Utah White Collar Crime Offender Registry;
- provides rulemaking authority for the Office of the Attorney General to implement the Utah White Collar Crime Offender Registry; and
- provides the process and conditions under which a person may petition to have his or her name and information removed from the Utah White Collar Crime Offender Registry.

### SB 82 Forcible Entry Amendments

Urquhart, S.

This bill modifies the Utah Code of Criminal Procedure regarding the use of forcible entry when serving a search warrant or making an arrest.

- amends existing law regarding the use of forcible entry by a law enforcement officer when executing a warrant;
- requires a law enforcement officer to wear a badge, label, or clothing that identifies that person as a peace officer;
- provides that if the deploying law enforcement agency owns and operates body camera devices, the officer who executes a warrant shall be equipped with a body camera that actively records the duration of the execution of the warrant;
- provides that a search or administrative warrant may not be issued by a justice court judge; and
- provides that any evidence obtained in violation of these provisions is not admissible in any civil, criminal, or administrative proceeding.

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### **Natural Resources**

SB 230 Utah Prairie Dog Management Appropriation

Vickers, E.

This bill appropriates money to fund the Utah prairie dog management plan.

- appropriates money to fund the Utah prairie dog management plan.

SCR 3 Concurrent Resolution Urging Congress to Support the Implementation of the State's Sage Grouse Conservation Plan

Van Tassell, K.

This concurrent resolution of the Legislature, the Governor concurring therein, urges Congress to support the state's sage-grouse conservation plan. This resolution:

- urges Congress to provide no funding to the United States Secretary of the Interior to consider, prepare, write, or issue a petition finding or proposed regulation for greater sage-grouse management through fiscal year 2025;
- resolves that the state implement its sage-grouse conservation plan; and
- urges Congress to enact legislation recognizing and encouraging state primacy in the long-term management of sage-grouse and its habitat.

SJR 7 Joint Resolution on Wild Horses and Burros

Vickers, E.

This joint resolution of the Legislature urges the United States Congress to create a process for transferring to the state of Utah authority to protect and manage feral horses and burros within its borders. This resolution:

- urges Congress to create a process for transferring to the state of Utah authority to protect and manage feral horses and burros within its borders; and
- urges the Governor to draft a feral horse and burro management plan that:
  - reflects the general objectives and purposes of the Wild Free-Roaming Horses and Burros Act of 1971;
  - protects and manages feral horses and burros within the state;
  - recognizes the sovereign interests of resident Indian tribes;
  - protects and balances livestock forage allocations with feral horse and burro requirements;
  - maintains healthy range and water resources;
  - protects and balances the habitat needs of terrestrial and aquatic wildlife; and
  - maintains an ecological balance on the land.

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### **Political Subdivisions (Local Issues)**

HB 190 Assessment Area Act Modifications

Webb, R. C.

This bill amends provisions related to the designation of an assessment area and the levy of an assessment.

- defines terms;
- amends provisions related to an action to contest an assessment;
- allows a local entity to divide an assessment area into classifications;
- prohibits an assessment area that is coextensive or substantially coterminous with the boundaries of a local entity;
- amends notice requirements for designation of an assessment area;
- amends provisions related to a protest filed against the designation of an assessment area;
- amends provisions related to a public hearing on a proposed assessment area;
- amends provisions related to a public meeting held to designate an assessment area;
- enacts language requiring notice for a subsequent purchaser;
- amends provisions related to an assessment levy;
- amends provisions related to a board of equalization;
- amends provisions related to an assessment for economic promotion activities;
- prohibits a local entity from levying an assessment unless certain criteria are met;
- requires a local entity to pay for any increase in an improvement size or capacity for service to properties outside of an assessment area with funds other than those levied by the assessment;
- authorizes a local entity to proportionally assess benefitted properties for an unassessed benefitted government property; and
- makes technical corrections.

HB 251 Amendments to the Interlocal Act

Anderson, Johnny

This bill amends provisions related to interlocal entities and joint or cooperative undertakings.

- defines terms;
- authorizes a Utah public agency to exercise, with certain limitations, a power, privilege, or authority with any other Utah public agency;
- provides that certain provisions govern an interlocal entity;
- authorizes an interlocal entity to create a local disaster recovery fund;
- provides requirements for agreements for a joint or cooperative undertaking;
- clarifies applicable law to a bond issued by an interlocal entity;
- provides that an interlocal entity may pledge certain revenues for a bond;
- amends provisions authorizing an employee performing services under agreements;
- requires that an interlocal entity establish a personnel system;
- requires a governing board to adopt rules or policies for public procurement;
- exempts a taxed interlocal entity from certain provisions;
- enacts language related to the governance of an interlocal entity or joint or cooperative undertaking, including:
  - compensation of a member of the governing authority; and
  - quorum and meeting requirements;
- enacts language related to fiscal procedures for interlocal entities, including uniform accounting requirements, budgetary procedures, appropriations, emergency expenditures, interfund loans, op and capital budgets, audit requirements, and fees; and
- makes clarifying and conforming amendments.



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SB 199 Local Government Revisions

Mayne, K.

This bill enacts provisions related to local government.

- defines terms;
- provides population classification for a metro township;
- amends municipal annexation provisions;
- enacts "Municipal Incorporation," including:
  - general provisions;
  - incorporation provisions of a city;
  - incorporation provisions of a town; and
  - incorporation provisions of metro townships and unincorporated islands in a county of the first class on and after May 12, 2015;
- requires a county of the first class to hold a special election on November 3, 2015, for the following ballot propositions:
  - the incorporation of a planning township as a city, town, metro township; and
  - whether unincorporated islands should be annexed by an eligible city or remain unincorporated;
- provides notice and hearing requirements;
- provides for the incorporation of a metro township after November 3, 2015;
- provides for the determination of metro township council districts and election of officers;
- authorizes a five-member council form of government for a metro township;
- provides the powers and duties of the metro township council chair and council members;
- repeals and reenacts provisions authorizing a change in form of municipal government;
- enacts provisions related to the administration of a metro township;
- authorizes a metro township council to, in certain circumstances, prohibit an ignition source;
- requires a township located outside of a county of the first class to change its name to "planning advisory area";
- requires the withdrawal or dissolution of a planning advisory area that is annexed;
- prohibits a county other than a county of the first class from adopting certain land use ordinances requiring revegetation or landscaping;
- amends definitions for local district provisions;
- enacts provisions related to the levy of a municipal services district property tax;
- enacts provisions related to a general obligation bond issued by a municipal services district;
- amends provisions related to a municipal services district board of trustees;
- enacts language requiring the withdrawal of rural real property from a metro township or municipal services district;
- amends and enacts provisions related to the withdrawal of an area from a local district;
- enacts provisions related to an audit of a municipal services district;
- authorizes a metro township to initiate the creation of a school district;
- authorizes a metro township to levy a 911 charge and impose a sales and use tax; and
- makes technical and conforming amendments.

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### **Retirement**

HB 115 Public Safety Retirement for Dispatchers

Powell, K.

This bill allows certified dispatchers to be covered in the public safety retirement systems.

- provides definitions;
- requires the state to cover its certified dispatchers under the public safety retirement systems;
- authorizes other participating employers to elect to cover their certified dispatchers under the public safety retirement systems; and
- makes technical corrections.

HB 151 Affiliated Emergency Service Worker Postretirement Employment Amendments

Sagers, D.

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions for postretirement reemployment.

- provides that reemployment as an affiliated emergency service worker is not subject to postretirement reemployment provisions under certain circumstances;
- provides that a member is not required to cease employment as an affiliated emergency service worker of a participating employer to be eligible to retire; and
- makes technical changes.

HB 288 Line-of-duty Death Benefits for Peace Officers and Firefighters

Ray, P.

This bill modifies the Utah State Retirement and Insurance Benefit Act and the Public Safety Code by amending death benefits provisions.

- defines terms;
- amends line-of-duty lump sum benefit amounts for public safety officers and firefighters;
- provides an exception to restrictions from changing Tier II benefits in certain circumstances;
- requires an employer to provide certain health coverage for the surviving spouse and children of a peace officer or firefighter who dies in the line of duty under certain circumstances;
- allows employers to enter cost-sharing agreements to participate in a trust fund;
- requires certain reporting;
- allows certain rulemaking;
- creates the Local Public Safety and Firefighter Surviving Spouse Trust Fund and board and establishes board duties;
- requires an employer to provide assistance for applying for a death benefit to a surviving spouse of a public safety officer or firefighter; and
- makes technical changes.

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### **Revenue and Taxation**

- SB 14 Renewable Energy Tax Credit Amendments Okerlund, R.  
This bill addresses renewable energy tax credits.
  - defines terms;
  - addresses renewable energy tax credits; and
  - makes technical and conforming changes.
- SB 165 Property Tax Valuation and Assessment Modifications Bramble, C.  
This bill modifies provisions related to property assessed by the State Tax Commission.
  - authorizes the State Tax Commission to consult with a county during the valuation process;
  - addresses provisions related to objections that are required to be contained in certain property tax notices;
  - addresses objections to a property tax assessment with respect to property assessed by the State Tax Commission;
  - requires a study by the Revenue and Taxation Interim Committee and provides a repeal date for the study;
  - repeals obsolete language; and
  - makes technical and conforming changes.
- SB 216 High Cost Infrastructure Tax Credits Okerlund, R.  
This bill modifies provisions related to tax credits for infrastructure development projects.
  - directs the Office of Energy Development to issue a tax credit certificate to an entity developing a high cost infrastructure project under certain circumstances; and
  - provides tax credit eligibility criteria for an entity developing a high cost infrastructure project.
- SB 292 Achieving a Better Life Experience Program and Tax Credits Weiler, T.  
This bill enacts the Achieving a Better Life Experience Program Act and provides tax credits for contributions to accounts created under the program.
  - enacts the Achieving a Better Life Experience Program Act;
  - requires the Department of Workforce Services to conduct a study related to the program;
  - enacts nonrefundable tax credits for contributions to accounts created under the program; and
  - provides a repeal date for the study.

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### **Transportation**

#### HB 110 Motor Vehicle Emissions Amendments

Arent, P.

This bill modifies provisions related to motor vehicle emissions.

- gives the Division of Motor Vehicles the authority to suspend a vehicle's registration if the vehicle does not meet air emission standards.

#### HB 362 Transportation Infrastructure Funding

Anderson, Johnny

This bill modifies provisions relating to transportation funding.

- provides and amends definitions;
- authorizes a county to impose a local option sales and use tax for highways and public transit;
- addresses the use of revenue collected from the local option sales and use tax for highways and public transit;
- requires a political subdivision that receives certain sales and use tax revenue to submit certain information in audits, reviews, compilations, or fiscal reports;
- repeals the cents per gallon tax rate that is imposed on motor fuels and special fuels after a specified date;
- imposes a percentage tax per gallon on motor fuel and special fuel based on the statewide average rack price of a gallon of regular unleaded motor fuel after a specified date;
- establishes procedures for the State Tax Commission to determine the statewide average rack price of a gallon of regular unleaded motor fuel;
- specifies the date that the adjusted fuel tax rate shall take effect each year;
- increases the tax rate of the special fuel tax imposed on compressed natural gas and liquified natural gas;
- imposes a special fuel tax on hydrogen used to operate or propel a motor vehicle on a public highway;
- repeals the requirement to post a tax rate decal on each motor fuel or undyed special fuel pump or dispensing device;
- repeals the cap on the amount of motor fuel tax revenue that is deposited in the Off-highway Vehicle Account;
- requires the Department of Transportation to study the implementation of a road usage charge;
- amends the apportionment formula for revenues deposited in the class B and class C roads account; and
- makes technical and conforming changes.

#### SB 294 Transportation Network Company Amendments

Adams, J. S.

This bill amends provisions related to transportation network services.

- requires a transportation network company to register with the division of consumer protection;
- exempts a vehicle used to provide transportation network services from certain requirements;
- provides operation and eligibility requirements for a transportation network company and a transportation network driver;
- provides insurance requirements for a transportation network company and a transportation network driver; and
- provides that a local highway authority may not enact a rule, regulation, or ordinance that requires a ground transportation vehicle to maintain liability insurance coverage in an amount that is greater than the minimum amount a transportation network company or transportation network driver is required to maintain.

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### **Veterans' Affairs**

HB 36 Veterans Definition

Ray, P.

This bill makes coordinating changes to the definition of veteran.

- adds the term "veteran" to the general definitions for the Utah Code;
- makes coordinating changes to the definition of veteran; and
- makes other technical changes.

HB 205 Veteran Claim Assistance Disclosure

Poulson, M.

This bill provides for disclosure of compliance with federal laws governing assistance to claimants for veteran benefits, a notification requirement for providers of assistance, and requires the Department of Veterans' and Military Affairs to keep a list of accredited claim representatives.

- creates definitions;
- requires anyone providing assistance to be accredited by the VA;
- provides disclosure requirements for any accredited individual assisting with a claim for VA benefits;
- specifies that the disclosure shall include the federal restrictions for charging a fee for assistance;
- requires that disclosures be in writing and copies provided to the claimant;
- creates certain duties for the executive director of the Department of Veterans' and Military Affairs in processing benefit assistance complaints by veterans; and
- exempts certain veteran's service organizations.

HB 217 Uniformed Services Amendments

Ray, P.

This bill adds a definition of armed forces and uniformed services to the statutory construction list of definitions.

- defines armed forces and uniformed services.

HB 232 Veteran Employment Protection Act

McKell, M.

This bill allows private, non-public employers to create a voluntary, written veterans employment preference program.

- authorizes private sector, non-public employers to create a voluntary veteran employment preference program;
- provides requirements;
- clarifies program relationship with antidiscrimination laws; and
- specifies verification of eligibility.

SB 214 Veterans Court

Knudson, P.

This bill authorizes the creation of veterans courts statewide.

- authorizes the Judicial Council to create veterans courts in each judicial district or a regional veterans court based on veteran geographic populations;
- specifies which veterans may be eligible for the court's consideration for participation in a veterans court and affiliated intervention programs;
- authorizes the court to seek federal funding to assist with the veterans courts;
- provides for participation by the United States Department of Veterans Affairs Veterans Justice Outreach Program; and
- requires an annual written report not later than October 1 of each year to the Veterans' and Military Affairs Commission.

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### **Water and Irrigation**

HB 25 Water Law - Application Revisions

Snow, V. L.

This bill modifies the procedure for a change application.

- defines terms;
- authorizes a person who is proposing a change application to request a meeting with the state engineer, or the state engineer's designee, to discuss potential issues with the change;
- authorizes the state engineer, upon receiving a change application, to determine whether a proposed change would result in quantity impairment of another water right;
- describes the burden of proof on a person who applies for a change application; and
- makes technical changes.

HB 43 Water Rights - Change Application Amendments

McCliff, K.

This bill modifies Title 73, Water and Irrigation, by amending the requirements for a change application.

- amends definitions;
- modifies the procedure for filing a change application;
- provides an option for court resolution of legal issues not within the purview of the state engineer;
- allows recovery of attorney fees under certain circumstances; and
- makes technical changes.

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