

2012 Economic Development and Workforce Services Related Bills Passed¹ by the Utah State Legislature

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H.B. 22 Centralized New Hire Registry Act Amendments *(Rep. J. Peterson)*

This bill modifies an employer's reporting requirements under the Centralized New Hire Registry Act.

This bill:

- ▶ defines terms;
- ▶ requires employers in the state to report the date of hire or rehire of each new employee to the Department of Workforce Services in compliance with recent additional reporting requirements of the Social Security Act; and
- ▶ makes technical changes.

H.B. 23 Special Administrative Expense Account Amendments *(Rep. J. Peterson)*

This bill modifies the Employment Security Act by requiring the Department of Workforce Services to develop a cost allocation plan when funds from the Special Administrative Expense Account are used for certain purposes.

This bill:

- ▶ requires the Department of Workforce Services to develop a cost allocation plan that complies with Department of Labor regulations when funds from the Special Administrative Expense Account are used for purposes unrelated to the administration of the unemployment insurance program; and
- ▶ makes technical changes.

H.B. 28 Economic Development Task Force *(Rep. B. Wilson)*

This bill creates the Economic Development Task Force.

This bill:

- ▶ creates and provides for the membership of the Economic Development Task Force;
- ▶ provides for salary and expenses of task force members; and
- ▶ provides for task force duties, meetings, and reports.

H.B. 100 Social Worker Examination Amendments *(Rep. D. Litvack)*

This bill modifies the Social Worker Licensing Act by amending provisions for licensing exams under certain circumstances.

This bill:

- ▶ requires the Division of Occupational and Professional Licensing to provide by rule additional time to complete a social worker licensing exam for an applicant who is a foreign- born legal resident of the United States for whom English is a second language or is a member of a federally recognized Native American tribe; and
- ▶ makes technical changes.

H.B. 139 Department of Community and Culture Amendments (Rep. W. Harper)

This bill modifies the Community and Culture Development Code and the Utah Workforce Services Code by renaming the Department of Community and Culture the Department of Heritage and Arts and by moving the Division of Housing and Community Development to the Department of Workforce Services.

This bill:

- ▶ defines terms;
- ▶ changes the name of the Department of Community and Culture to the Department of Heritage and Arts;
- ▶ provides that the Department of Heritage and Arts is managed by an executive director and describes certain powers of the executive director;
- ▶ clarifies the responsibilities of the director of the Department of Heritage and Arts Division of Arts and Museums and of certain boards that are part of the division;
- ▶ moves the Division of Housing and Community Development from the Department of Community and Culture to the Department of Workforce Services;
- ▶ changes the name of the Division of Housing and Community Development to the Housing and Community Development Division;
- ▶ modifies the powers and duties of the Housing and Community Development Division;
- ▶ creates an advisory council to advise the Department of Workforce Services during the transition of moving the Division of Housing and Community Development from the Department of Community and Culture; and
- ▶ makes technical changes.

H.B. 155 Drug Screening for Temporary Assistance for Needy Families Recipients (Rep. B. Wilson)

This bill modifies the Employment Support Act by requiring an applicant who otherwise qualifies for cash assistance under Utah's Family Employment Program to complete a written drug screening questionnaire and meet other requirements in order to receive cash assistance under the program.

This bill:

- ▶ requires a parent who otherwise qualifies for cash assistance under Utah's Family Employment Program to complete a written questionnaire designed to determine the likelihood of the parent having a substance use disorder;
- ▶ requires an applicant to submit to a drug test if the written questionnaire indicates a reasonable likelihood that the applicant has a substance use disorder;
- ▶ requires an applicant who tests positive for a controlled substance to enter into and follow an employment plan that includes the following to continue to receive cash assistance under the Family Employment Program:

- receiving treatment for a substance use disorder; and
- testing negative on follow-up drug tests for a controlled substance;
- ▶ provides that refusing to take a drug test, failing a drug test, not entering into an employment plan, or failing to successfully follow an employment plan's substance use disorder treatment requirements makes an applicant ineligible for cash assistance under the Family Employment Program and for reapplication for cash assistance:
 - for 90 days after a first occurrence within one year; or
 - for one year after a second occurrence within one year; and
- ▶ makes technical changes.

H.B. 180 Food Stamp Reference Amendments *(Rep. R. Chavez-Houck)*

This bill modifies the Utah Workforce Services Code and related sections by changing references to federal food stamps to SNAP (Supplemental Nutrition Assistance Program).

This bill:

- ▶ defines "SNAP" as the federal "Supplemental Nutrition Assistance Program," formerly known as the federal Food Stamp Program;
- ▶ defines "SNAP benefits" as a financial benefit, coupon, or privilege available under SNAP;
- ▶ changes references in the code to food stamps to SNAP or SNAP benefits; and
- ▶ makes technical changes.

H.B. 237 Child Welfare Amendments *(Rep. W. Harper)*

This bill amends Title 62A, Utah Human Services Code, Title 78A, Judiciary and Judicial Administration, and Title 78B, Judicial Code, relating to child welfare.

This bill:

- ▶ defines the term "relative";
- ▶ amends Division of Child and Family Services caseworker training requirements;
- ▶ requires a caseworker to file a report explaining why a particular placement is in the child's best interest when a child is removed from the child's immediate family but not placed with kin;
- ▶ requires a licensee under the Medical Practice or Nurse Practice Act to report a determination of fetal alcohol spectrum disorder to the Division of Child and Family Services;
- ▶ prohibits taking a child into protective custody solely on the basis of educational neglect, truancy, or failure to comply with a court order to attend school;
- ▶ requires a fingerprint-based background check on any adult residing in the home of a foster parent or potential foster parent;
- ▶ creates a presumption that reunification services not be provided to:
 - a parent who commits sexual abuse of a child;
 - a parent who is a registered sex offender; or
 - a birth mother whose child is born with fetal alcohol spectrum disorder, unless she enrolls in a substance abuse program;
- ▶ requires a court to consider costs already borne by a parent or legal guardian before assessing guardian ad litem attorney fees, court costs, or expenses against a parent or legal guardian;

- ▶ permits a parent or legal guardian to appeal a court's determination of guardian ad litem attorney fees, costs, and expenses;
- ▶ requires a guardian ad litem to:
 - disclose, in certain cases, the minor's wishes to the court;
 - conduct an independent investigation regarding a minor client, the minor's family, and what constitutes the best interest of the minor;
 - keep records regarding how many times the guardian ad litem has had contact with each minor client and make those records available when making a recommendation regarding the client's welfare; and
 - disclose to the court the basis for any recommendation regarding the best interest of the child;
- ▶ creates a preference for the adoption of a child by a relative following a termination of parental rights; and
- ▶ makes technical changes.

H.B. 263 Unemployment Benefits for Military Spouse *(Rep. L. Hemingway)*

This bill modifies the Employment Security Act by expanding unemployment benefits eligibility for military spouses under certain circumstances.

This bill:

- ▶ provides that the Unemployment Division will not charge benefit costs to an employer for an employee who receives unemployment benefits after voluntarily leaving employment to follow a spouse because of a spouse's military assignment;
- ▶ authorizes unemployment benefits for a claimant who voluntarily leaves employment to follow a spouse to a new location if:
 - the claimant's spouse is a member of the United States armed forces and the claimant's spouse has been relocated by a military assignment on active duty;
 - it is impractical for the claimant to commute to the previous work from the new locality; and
 - the claimant otherwise meets and follows the eligibility and reporting requirements of the Unemployment Division; and
- ▶ makes technical changes.

H.B. 312 Veteran Employment Tax Credit *(Rep. D. Ipson)*

This bill enacts tax credits for employing a recently deployed veteran.

This bill:

- ▶ defines terms; and
- ▶ enacts nonrefundable corporate and individual income tax credits for employing a recently deployed veteran who is eligible to collect or has recently exhausted unemployment benefits.

H.B. 366 Receipt of Welfare Benefits Amendments *(Rep. J. Dougall)*

This bill modifies the Utah Workforce Services Code by adding duties to the Department of Workforce Services related to reporting misuse of an individual Social Security number.

This bill:

- ▶ requires the Department of Workforces Services to inform the owner of a Social Security number and an appropriate law enforcement agency if, in the process of determining an individual's eligibility for a public benefit, the department learns a valid Social Security number is being used by an unauthorized individual; and
- ▶ makes technical changes.

H.B. 388 Unemployment Insurance Exemption *(Rep. J. Peterson)*

This bill modifies the Employment Security Act to make certain individuals ineligible for certain unemployment benefits if services were provided by the individual to an educational institution.

This bill:

- ▶ provides that the denial of certain unemployment benefits, which under statute currently apply to an individual who was employed by an education service agency, also apply to an individual:
 - whose employment provided services to an educational institution; and
 - who worked for certain governmental entities or nonprofit organizations; and
- ▶ makes technical changes.

H.B. 472 International Relations and Trade Commission Amendments *(Rep. E. Hutchings)*

This bill adds two additional members to the Utah International Relations and Trade Commission.

This bill:

- ▶ adds two additional governor-appointed members to the Utah International Relations and Trade Commission, including:
 - an expert in international finance; and
 - an expert in higher education with international experience.

H.C.R. 2 Concurrent Resolution Recognizing Historic and Economic Relationships Between Canada, the United States, and Utah *(Rep. S. Handy)*

This concurrent resolution of the Legislature and the Governor recognizes the relationship between the state of Utah and Canada and between the United States and Canada.

This resolution:

- ▶ recognizes the unique and important relationship between the state of Utah and Canada and between the United States and Canada; and
- ▶ honors Canada's contributions as our partner in energy, economic trade, and joint military endeavors.

H.J.R. 17 Joint Resolution on Interim Committee Name Change *(Rep. J. Bird)*

This resolution changes the name of the Workforce Services and Community and Economic Development Interim Committee to the Economic Development and Workforce Services Interim Committee.

This resolution:

- ▶ changes the name of the Workforce Services and Community and Economic Development Interim Committee to the Economic Development and Workforce Services Interim Committee; and
- ▶ makes technical changes.

H.R. 5 House Committee Name Change Resolution *(Rep. J. Bird)*

This resolution changes the name of the House Workforce Services and Community and Economic Development Standing Committee to the House Economic Development and Workforce Services Standing Committee.

This resolution:

- ▶ changes the name of the House Workforce Services and Community and Economic Development Standing Committee to the House Economic Development and Workforce Services Standing Committee; and
- ▶ makes technical changes.

S.B. 37 Intergenerational Poverty Provisions *(Sen. S. Reid)*

This bill modifies the Utah Workforce Services Code by enacting the Intergenerational Poverty Mitigation Act to monitor data related to intergenerational poverty.

This bill:

- ▶ defines terms; and
- ▶ requires the Department of Workforce Services to establish and maintain a system to track intergenerational poverty-related data to identify at-risk children and other groups, identify trends, and to assist case workers, social scientists, and government officials in the study and development of plans and programs to assist individuals and families in breaking the cycle of poverty.

S.B. 129 Unemployment Insurance Modifications *(Sen. C. Bramble)*

This bill modifies the Employment Security Act by reducing the maximum unemployment insurance contribution rate for an employer beginning in calendar year 2012 and capping the social unemployment insurance contribution rate for all employers for calendar year 2012 only.

This bill:

- ▶ reduces the maximum unemployment insurance contribution rate for an employer from 9% plus the social contribution rate to 7% plus the social contribution rate beginning in calendar year 2012;
- ▶ caps the social unemployment insurance contribution rate for all employers at .4% for calendar year 2012 only;
- ▶ provides that, if the reserve fund is insolvent, the reserve factor is 2.0 until the reserve fund becomes solvent;
- ▶ allows the Unemployment Insurance Division to accept an offer of compromise from an employer or claimant to reduce past-due debt under certain circumstances;
- ▶ requires the Unemployment Insurance Division to make rules allowing for an offer of compromise; and
- ▶ makes technical changes.

S.B. 274 Legislative Committee Amendments (Sen. S. Reid)

This bill modifies provisions related to making certain reports to legislative committees.

This bill:

- ▶ replaces references in the Utah Code to the Workforce Services and Community and Economic Development Interim Committee with the Economic Development and Workforce Services Interim Committee;
- ▶ amends annual report requirements to certain legislative committees by reducing and consolidating reports from executive branch agencies;
- ▶ provides uniform language for agencies to submit annual written reports before November 1; and
- ▶ makes technical changes.

S.R. 2 Senate Committee Name Change Resolution (Sen. S. Reid)

This resolution changes the name of the Senate Workforce Services and Community and Economic Development Standing Committee to the Senate Economic Development and Workforce Services Standing Committee.

This resolution:

- ▶ changes the name of the Senate Workforce Services and Community and Economic Development Standing Committee to the Senate Economic Development and Workforce Services Standing Committee; and
- ▶ makes technical changes.