



# Government Operations Interim Committee

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Interim Refresher  
and  
2014 General Session Highlights



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# —Part 1—

## Interim Refresher



# 2014 Government Operations Interim Committee Members

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## Chairs

Sen. Margaret Dayton (R)

Rep. Jack R. Draxler (R)

## Senators

Sen. Jim Dabakis (D)

Sen. Lyle W. Hillyard (R)

Sen. Scott K. Jenkins (R)

Sen. Kevin T. Van Tassell (R)

## Representatives

Rep. Janice M. Fisher (D)

Rep. Keith Grover (R)

Rep. Ken Ivory (R)

Rep. Brian S. King (D)

Rep. John G. Mathis (R)

Rep. Michael E. Noel (R)

Rep. Lee B. Perry (R)

Rep. Kraig Powell (R)

Rep. Douglas V. Sagers (R)

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## Staff

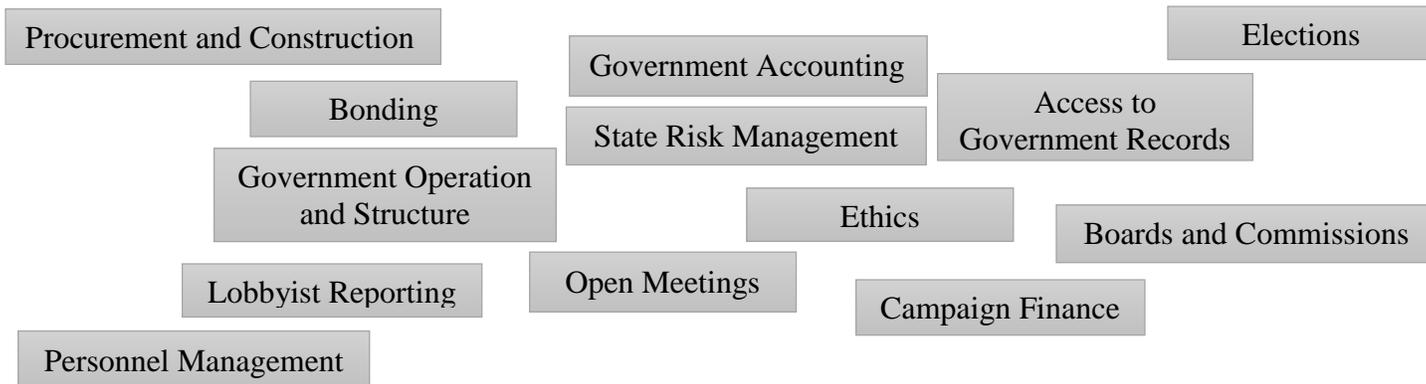
Thomas R. Vaughn, Associate General Counsel

Brian J. Bean, Policy Analyst

Anna M. Allen, Legislative Secretary

# Government Operations Committee Responsibilities

## Subject Area Issues



## Agency Oversight

**Department of Human Resource Management**

**Utah National Guard**

- Department of Veterans' and Military Affairs

**State Constitutional Officers**

- Governor
  - Governor's Office of Management and Budget
    - Legislative Compensation Commission
    - Quality Growth Commission
  - Public Lands Policy Coordinating Office
- Lieutenant Governor
  - Utah Elections Office
- State Auditor
- Attorney General
- State Treasurer

**Capital Preservation Board**

**Department of Administrative Services**

- Division of Administrative Rules
  - Office of Alternative Dispute Resolution
- Division of Archives
  - Historical Records Advisory Board
  - State Records Committee
- Division of Facilities Construction and Management
  - State Building Board
  - State Building Ownership Authority
- Division of Finance
- Division of Fleet Operations
- Division of Purchasing and General Services
  - Privatization Policy Board
  - Procurement Policy Board
  - Purchasing from the Persons with Disabilities Advisory Board
- Division of Risk Management
- Office of State Debt Collection
- Office of Child Welfare Parental Defense

# Reports Due to the Government Operations Interim Committee

Reporting Entity	Report Content	Required Format	Statute	Date Due
Commission on Federalism	<ul style="list-style-type: none"> <li>• action taken by the commission</li> <li>• communication received from any of the following in response to a request or inquiry made, or other action taken, by the commission               <ul style="list-style-type: none"> <li>○ a United States senator or representative elected from the state</li> <li>○ a representative of another state</li> <li>○ a federal entity, official, or employee</li> </ul> </li> </ul>	Electronic Mail	63C-4a-303	May 20 <sup>th</sup> and October 20 <sup>th</sup>
Division of Facilities Construction and Management	Progress related to the development of the master plan for the State Fairpark and the surrounding area	Unspecified	2014 General Session S.B. 3	Monthly until master plan completed
Chief Procurement Officer of the Department of Administrative Services	Present plan for issuing "regional solicitations," which are solicitations issued by the chief procurement officer for the procurement of an item within a specified geographical region of the state	Presentation	63G-6a-2105	September 1
Lieutenant governor	Report on study of how to administer an election in which all registered voters receive a ballot by mail.	Unspecified	20A-5-410	September 30
Lieutenant governor and each county participating in the election day voter registration pilot project this year	<ul style="list-style-type: none"> <li>• the implementation of the pilot project</li> <li>• the number of ballots cast by voters who registered on election day</li> <li>• any difficulties resulting from the pilot project</li> <li>• whether, in the opinion of the lieutenant governor, the county, or the municipality, the state would benefit from implementing election day voter registration permanently and on a statewide basis</li> </ul>	Unspecified	20A-4-108	On or before October 31 <sup>th</sup>
Free Market Protection and Privatization Board	Unspecified, "annual report"	Written	63I-4a-203	Before November 1
Governor's Office of Economic Development	Report study of the impacts of exempting Utah from daylight saving time, including recommendations	Unspecified	63M-1-206	No later than November 1, 2014
Department of Veterans' and Military Affairs	<ul style="list-style-type: none"> <li>• all services provided to veterans</li> <li>• all services provided by third parties through the Veterans' Assistance Registry</li> <li>• the coordination of veterans' services by government entities with the department</li> </ul>	Unspecified	71-8-3	No later than November 30
Federal Funds Commission	Report on the commission's findings and recommendations	Unspecified	63C-14-301	On or before November 30
Records Ombudsman in the Division of Archives and Records Service	Report on the work performed by the government records ombudsman during the previous year	Unspecified	63A-12-111	"On an annual basis"
Free Market Protection and Privatization Board	Information about the board's activities, including recommendations on privatizing activities currently provided state agencies	Oral	63I-4a-203	"Each Interim"

# Sunset Act Items and Automatic Repealers

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## Items Requiring Committee Review

No items from the Sunset Act require Government Operations Interim Committee review this year.

## Items to be Automatically Repealed without review

Section	Title	Repeal Date
20A-7-101(1)(a)(i) and (ii)	Repeal of specific language	January 1, 2015
20A-9-403.1	Certification of candidates for 2014	January 1, 2015

# Government Operations Interim Committee

## Study Items

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### Priority Study Items

On April 16, the Legislative Management Committee assigned the following study items to the Government Operations Interim Committee as priorities for interim study:

1. Refining processes related to initiative and referendum petitions.
2. Study the appropriate timing for submitting campaign finance disclosure reports.
3. Study discrepancies between state and local laws regarding lobbyist disclosure and campaign finance.
4. Review of laws and policies regarding vehicles in the state motor pool.
5. Conduct a thorough review of the policy suggestions set forth in the House Special Investigative Committee Final Report and recommendations for elections and campaign reform in the context of the statutes and rules already in place.

### Master Study Resolution Items

The Legislative Management Committee also assigned the following items from the Master Study Resolution to the Government Operations Interim Committee for additional study:

Item Name	Item Description	Recommender	Bill #	MSR Item #
<b>Absentee Ballot</b>	To study provisions related to voting by absentee ballot	Rep. Bird	H.B. 252	55
<b>Ballots on Social Media</b>	To study whether to post ballots on social media	Rep. Knotwell		56
<b>Campaign Financing</b>	To study revisions to campaign finance laws	Rep. King		57
<b>Capital Lease Programs</b>	To study the effectiveness of current state capital lease programs and oversight	Rep. Christofferson		58
<b>Career Service Review Board Hearing Process</b>	To study rules and procedures for holding Career Service Review Board hearings	Sen. Weiler		59
<b>Costs of Records Under GRAMA</b>	To study when costs for records under the Government Records Access and Management Act should be waived	Rep. King		60
<b>Disclosure Filings</b>	To study the timing of disclosure filings. During municipal election years, political issues committees, political action committees, and corporations are required to file a report by August 31. Would it make more sense for these groups to file the disclosures before the municipal primary earlier in August?	Rep. Draxler		61
<b>Election Clean Up</b>	To study and review the annual list of technical clean up items in the Election Code	Rep. Draxler		62
<b>Election Complaint Review</b>	To study whether to create a Utah Elections Board to review and take certain actions on election complaints	House Gov. Ops Standing Committee	H.B. 144	63

<b>Item Name</b>	<b>Item Description</b>	<b>Recommender</b>	<b>Bill #</b>	<b>MSR Item #</b>
<b>Election Day Voter Registration</b>	To study implementing an election day voter registration pilot project to test the advisability of implementing election day voter registration in Utah	Rep. Chavez-Houck	H.B. 156	64
<b>Elections and Campaign Reform</b>	To study any additional recommendations for elections and campaign reform resulting from the House Investigative Committee Report	Rep. Chavez-Houck		65
<b>Electors for Presidential Elections</b>	To study revisions to laws governing electors for presidential elections	Rep. King		66
<b>Federal Shutdown</b>	To study the procedures for a federal government shutdown	Rep. Jerry Anderson		68
<b>Government Employment</b>	To study changes to current law governing merit-based government employment	Rep. King		69
<b>Government Meetings Search Engine</b>	To study requiring a one-stop search engine for state, and perhaps local, government meetings	Sen. Stephenson		70
<b>Grants and Contracting Procedures</b>	To study streamlining grants and contracting procedures to create an opportunity for state entities and nonprofit organizations to discuss contracting challenges and develop win-win solutions	Sen. Robles		71
<b>Initiative and Referendum Sponsors</b>	To study whether sponsors of an initiative or a referendum should be able to rescind an application or stop a ballot measure once it is in progress or once it has qualified for the ballot	Rep. Draxler		72
<b>Lobbyist Definition</b>	To study issues related to the definition of a lobbyist. For example, when an expert accompanies a registered lobbyist in communicating with public officials, should that individual be exempt from registering as a lobbyist?	Rep. Draxler		73
<b>Lobbyist Disclosure Laws</b>	To study whether local disclosure laws should be elaborated to match the Utah Code. Many municipal and county disclosure laws lack definitions and guidance that exist at the state level	Rep. Draxler		74
<b>Lobbyist Registration</b>	To study exemptions to lobbyist registration and mandatory online training	Rep. McKell		75
<b>Municipal Initiatives</b>	To study issues related to municipal initiatives. For example, the state may reject an initiative application if the proposed law is nonsensical or unconstitutional. Should cities and counties have the same ability?	Rep. Draxler		76
<b>Nonbinding Opinion Questions</b>	To study the submission of nonbinding opinion questions to the voters	Sen. Stephenson		77
<b>Online Signing of Initiative and Referenda Petitions</b>	To study the process to implement the lieutenant governor's recommendations related to allowing voters to sign initiatives and referenda petitions online	Rep. Chavez-Houck		78
<b>Public Buildings</b>	To study an alternative method for funding the construction, operation, and maintenance of public buildings through private capital investments. Look at the benefits and possible obstacles of transferring the risk involved in financing and constructing buildings to accommodate growth	Rep. Christofferson		80
<b>Public Money in Campaigns</b>	To study public money used for campaign purposes	Rep. Knotwell		81
<b>Recall Elections</b>	To study whether to add to the Elections Code, subject to passage of an enabling amendment to the Utah Constitution, provisions for the recall of the governor, the state auditor, the state treasurer, or the attorney general	Rep. Froerer	H.B. 63	82

Item Name	Item Description	Recommender	Bill #	MSR Item #
<b>Signature Gathering</b>	To study issues related to signature gatherers. For example, a person who verifies signatures on a petition cannot also sign the signature packet. If the person does, should only the signature be disqualified or should the entire packet be rejected? Should signature gatherers be Utah residents?	Rep. Draxler		83
<b>State Board of Elections</b>	To study the pros and cons of establishing a State Board of Elections	Rep. Chavez-Houck	H.B. 144	84
<b>State Employee Leave Programs</b>	To study issues related to employee leave programs, including the creation of the State Employees' Annual Leave Program II Trust Fund Act	Sen. Bramble, Sen. Henderson, and Senate Revenue and Taxation Standing Committee	S.B. 269	85
<b>Voter Accountability</b>	To study providing municipal retention elections	House Political Subdivisions Standing Committee	H.B. 413	180



# —Part 2—

## Session Highlights



# Passed Legislation- 2014 General Session

## Elections

### **Campaign Finance**

- H.B. 39 Election Law - Independent Expenditures Amendments  
(*Rep. D. Sagers*)
- H.B. 260 Local School Board Candidate Reporting  
Amendments (*Rep. K. Powell*)
- H.B. 394 Campaign Finance Revisions (*Rep. J. Dunnigan*)
- S.B. 105 Financial Disclosure Reporting Amendments (*Sen. M.  
Dayton*)

### **Initiatives and Referenda**

- H.B. 192 Initiative and Referendum Petition Amendments (*Rep.  
J. Stanard*)
- H.B. 238 Local Referendum Requirements Amendments (*Rep.  
K. Powell*)
- H.B. 422 Initiative and Referendum Impact Disclosure (*Rep. B.  
Last*)
- S.B. 134 Taxation Related Referendum Amendments (*Sen. J.  
Valentine*)
- S.B. 136 Local Elections Amendments (*Sen. H. Stephenson*)

### **Voter Registration**

- H.B. 156 Election Day Voter Registration Pilot Project (*Rep. R.  
Chavez-Houck*)
- S.B. 36 Voter Information Amendments (*Sen. K. Mayne*)
- S.B. 117 Online Voter Registration Revisions (*Sen. M. Dayton*)
- S.B. 135 Voter Registration Amendments (*Sen. S. Jenkins*)

### **Elections -- General**

- H.B. 200 Unlawful Removal or Vandalism of Campaign Signs  
(*Rep. E. Hutchings*)
- H.B. 282 Amendments to Election Laws (*Rep. K. Powell*)
- H.B. 415 Local and Special Service District Elections  
Amendments (*Rep. S. Eliason*)
- S.B. 25 Candidate Certification Amendments (*Sen. D.  
Henderson*)
- S.B. 54 Elections Amendments (*Sen. C. Bramble*)
- S.B. 90 Residency Amendments (*Sen. T. Weiler*)
- S.B. 116 Poll Worker Amendments (*Sen. M. Dayton*)
- S.B. 245 Internet Voting Pilot Project Amendments (*Sen. C.  
Bramble*)
- S.B. 248 Judicial Retention Election Amendments (*Sen. C.  
Bramble*)
- H.B. 408 Election Requirements Amendments (*Rep. K.  
Christofferson*)

### **Ethics**

- H.B. 246 Government Ethics Revisions (*Rep. C. Hall*)
- H.B. 390 Unlawful Activities Amendments (*Rep. R. Chavez-  
Houck*)
- S.B. 11 Election Offense Amendments (*Sen. M. Dayton*)

- S.J.R. 13 Joint Rules Resolution Modifying Eligibility  
Requirements for Independent Legislative Ethics  
Commission Members (*Sen. J. Valentine*)

## Procurement

- S.B. 179 Procurement Revisions (*Sen. S. Jenkins*)
- S.B. 24 Amendment to Procurement Code Exemptions (*Sen.  
M. Dayton*)

## Bonds

- H.B. 9 Revenue Bond and Capital Facilities Amendments (*Rep.  
G. Froerer*)
- H.B. 103 State Money Management Act Amendments (*Rep. R.  
Cunningham*)
- H.B. 193 Appropriations and Budgeting Amendments (*Rep. J.  
Anderegg*)
- H.B. 311 Budgeting Amendments (*Rep. B. Wilson*)
- H.B. 357 Budgetary Amendments (*Rep. R. Menlove*)
- S.B. 9 State Land Acquisition and General Obligation Bond  
Authorization Amendments (*Sen. W. Harper*)
- S.B. 172 Capital Improvement and Capital Development  
Project Amendments (*Sen. W. Harper*)

## Constitutional Officers

- H.J.R. 12 Joint Resolution on Appointment of Legal Counsel  
for Executive Officers (*Rep. M. McKell*)
- S.J.R. 8 Joint Resolution on Term of Appointed Lieutenant  
Governor (*Sen. S. Urquhart*)

## Accounts and Funds Management

- H.B. 168 School and Institutional Trust Lands and Funds  
Management Provisions (*Rep. M. Brown*)
- H.C.R. 4 Concurrent Resolution Recognizing the 20th  
Anniversary of the School and Institutional Trust  
Lands Administration (*Rep. M. Brown*)
- H.C.R. 10 Concurrent Resolution on School and Institutional  
Trust Lands Exchange Act (*Rep. M. Noel*)

## Public Meetings

- S.B. 113 Public Meetings Amendments (*Sen. K. Mayne*)
- S.B. 169 Public Meetings Materials Requirements (*Sen. D.  
Henderson*)

## Other

- H.B. 392 Delegate Responsibility Amendments (*Rep. K.  
Powell*)
- H.B. 414 Legislative Subpoena Amendments (*Rep. J.  
Dunnigan*)
- S.B. 167 Regulation of Drones (*Sen. H. Stephenson*)
- S.B. 250 Public Duty Doctrine Amendments (*Sen. C.  
Bramble*)
- S.B. 267 Governmental Immunity Act Amendments (*Sen. T.  
Weiler*)





# A Summary of SB 54 – Elections Amendments

## Scope

2014 General Session SB 54, Elections Amendments, reformed the method by which a candidate may obtain a political party nomination for a general election. In addition to normal write-in candidate and unaffiliated candidate procedures, a candidate's options for obtaining a position on the general election ballot are dependent upon the choices of the political party whose nomination the candidate seeks.

## Option One: Direct Primary

Unless a registered political party meets certain conditions, the party is required to use a direct primary election to select the party's nominees if the party wants to have the names of its candidates featured with party affiliation on a regular general election ballot. Under this option, an individual seeking placement on the direct primary election ballot of a registered political party must

- file a declaration of candidacy, including an indication of the political party whose nomination the individual seeks; and
- gather signatures from 2% of the political party's members residing in the political division of the office the individual seeks (20A-9-403(3)(a)).

The name of an individual who submits the requisite number of signatures by March 31 of a general election year is placed on the primary election ballot. The individual who obtains the most votes in a primary election, which is held on the fourth Tuesday in June, is the party's nominee. If an individual seeking a party nomination is unopposed, the individual is automatically nominated by the political party (20A-9-403(5)(c)).

## Option Two:

## Party Discretion and Signature Gathering

A political party that wants to have the names of its candidates featured with party affiliation on a regular general election ballot, but that wishes to exercise the option of nominating candidates through a method other than a direct primary, may select candidates using a nominating system of the party's choice if the party meets the requirements of a "qualified political party."

### Qualified Political Party

To become a "qualified" political party, a political party must

- allow an unaffiliated voter to vote in the political party's primary election, if one is held;
- allow a party delegate to remotely cast a vote at a convention for a candidate or allow for the designation of an alternate delegate;
- not hold the party's convention before April 1 of a general election year; and
- also allow a candidate to obtain a position on a primary ballot by collecting signatures.

(20A-9-101)

If the party meets these qualifications and provides a notice of intent to the lieutenant governor, the party may select candidates using a nominating system of the party's choice. The party's nominee is selected through a primary election between the candidates submitted by the party, pursuant to the party's nominating procedures, and any candidates who qualify for the primary election ballot by gathering signatures.

An individual wishing to qualify for a qualified political party's primary election ballot by gathering signatures must

- file a declaration of candidacy, including an indication of the political party whose nomination the individual seeks; and
- collect the minimum required number of signatures of registered voters who are eligible to vote in the party's primary and who reside in the political division for the office the individual seeks, according to the following chart (20A-9-408).

<b>Primary Election Signature Requirements</b>
<ul style="list-style-type: none"> <li>• For a congressional district race: 7,000 signatures</li> <li>• For a state Senate district race: 2,000 signatures</li> <li>• For a state House district race: 1,000 signatures</li> <li>• for a county race, signatures from 3% of qualified individuals in the political division for the office</li> </ul>

A candidate may seek a qualified political party's nomination through the party's nominating process and by gathering signatures simultaneously. The following graph shows how a qualified political party determines, based on how its candidates qualify for a primary election ballot, whether the party holds a primary election (20A-9-409).

<b>Nominations from a Qualified Political Party</b>	<b>Nominations from Signatures</b>	<b>Primary Held?</b>
One or more	None	Party choice
None	One	Party choice
One or more	One or more	Yes
None	Two or more	Yes

### **Option Three: Neither**

If a political party chooses not to hold a direct primary (option one) and not to become a qualified political party (option two), the political party may nominate its candidates any way it chooses, but its candidates will not be featured with any party affiliation on the regular general election ballot.



# A Summary of SB 36 – Voter Information Amendments

## Scope

2014 General Session S.B. 36 changed the information a person may obtain, and the rules by which a person may obtain that information, from the list of registered voters. Special treatment is given to a voter's date of birth, restricting its access and use to certain parties for certain purposes. Additionally, the bill establishes provisions by which a threatened individual can make the individual's entire voter registration record a private record.

## Authorized uses of the list of registered voters

With exceptions, the list of registered voters may still be purchased and used for any reason, but a county clerk or the lieutenant governor is prohibited from releasing an individual's date of birth to a person who is not a "qualified person." A qualified person who obtains an individual's date of birth from the list of registered voters may only use the date of birth to verify the individual's personal information or confirm the individual's identity to prevent fraud, waste, or abuse.

**"Qualified persons"**

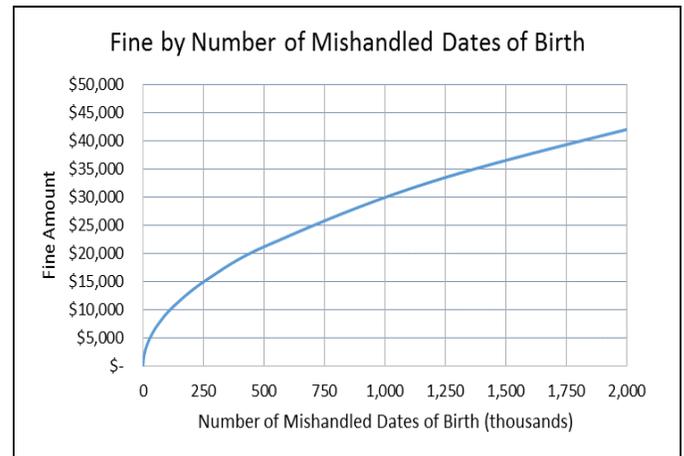
- a government official
- a health care provider
- an insurance company
- a financial institution
- a political party
- a person who provides information from the list of registered voters to another qualified person to confirm an individual's identity or to prevent fraud, waste, or abuse

(20A-2-104)

## Protection of an individual's date of birth

The part of a voter registration record that contains an individual's date of birth is now classified as a private record under Title 63G, Chapter 2,

Government Records Access and Management Act (GRAMA). However, a person's date of birth may be given to a qualified person. If a person unlawfully obtains or uses an individual's date of birth that was obtained from the list of registered voters, the person is guilty of a class A misdemeanor and is subject to civil penalties in the amount indicated on the chart below (20A-2-104(4)(e) and (h)).



## Protection of vulnerable individuals

S.B. 36 amended the voter registration form, adding a statement informing an individual who is registering to vote that the individual's Social Security number, driver license number, email address, and date of birth are private records. The statement also informs the individual that if the individual's life or safety would be threatened by the release of information in the individual's voter registration record, the individual may request that the individual's entire voter registration record be classified as a private record. A county clerk or the lieutenant governor may make an individual's entire voter registration record a private record if the individual can demonstrate that the individual's life or safety would be threatened by release of the individual's voter registration record.





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# A Summary of HB 394 – Campaign Finance Revisions

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## Scope

2014 General Session H.B. 394 was one of several bills resulting from the House Special Investigative Committee's investigation into the allegations against former Attorney General John Swallow. The bill intended to fix many of the holes in campaign finance law discovered by the investigation committee. The bill focused on expanding campaign finance reporting requirements.

## Enhanced Reporting

The bill made several changes to campaign finance and conflict of interest disclosure requirements, including the following:

- A reporting entity is now required to disclose expenditures made by an agent of the reporting entity, including a political consultant, on behalf of the reporting entity.
- "In-kind contribution" is now defined for clarity.
- "Political consultant" is defined as a person who has been, will be, or understands that the person may be paid by a reporting entity for work the person does for the reporting entity. A reporting entity must report certain expenditures which are made by a political consultant the reporting entity uses.
- The definition of "contribution" has been amended to include a loan made by a candidate to the candidate's own campaign. As a result, a candidate is now required to report the loan.
- A reporting entity filing a campaign finance report may not fulfill reporting requirements by listing a transactional intermediary (such as a credit card company), but must list an actual donor, contributor, or person to whom a disbursement was made.
- A state constitutional officer must now file a financial disclosure form any time the state constitutional officer changes employment.

## Retroactive Reporting

Prior to H.B. 394, a regulated officeholder was required to disclose certain facts and information as they existed on the day the regulated officeholder filed a disclosure form. The regulated officeholder is now required to disclose the facts and information for the year prior to the day on which the officeholder files the disclosure form. These facts and information include

- each of the officeholder and the officeholder's spouse's current and past employers,
- each entity in which the regulated officeholder is or was an owner or officer,
- each entity in which the regulated officeholder holds or held stocks or bonds valuing \$5,000 or more, and
- each entity in which the regulated officeholder serves or has served on the board of directors or in any other type of paid leadership capacity.

## Strengthened Enforcement

Finally, the bill established multiple criminal offenses and strengthened administrative authority over certain reporting requirements, including the following:

- It is a class B misdemeanor, with civil penalties, to knowingly violate financial disclosure laws.
- The lieutenant governor must ensure that each regulated officeholder has filed a financial disclosure form and notify those who have not that they must file a financial disclosure form.
- It is now a class A misdemeanor, with civil penalties, for a regulated officeholder to fail to file a financial disclosure form after the lieutenant governor has notified the regulated officeholder that the regulated officeholder has failed to either meet a financial disclosure deadline or to make a full and accurate disclosure.
- The lieutenant governor's office now has rulemaking authority to determine what type of information is required in a detailed listing or a financial disclosure form.
- Financial disclosure forms must now be publicly available for certain periods of time.





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## A Summary of HB 390 – Unlawful Activities Amendments

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### Scope

2014 General Session H.B. 390 was one of several bills resulting from the House Special Investigative Committee's investigation into the allegations against former Attorney General John Swallow. The bill intended to protect the integrity of legislative investigations by prohibiting certain activities that would inhibit or obstruct an investigation.

### Obstructing a Legislative Investigation

According to H.B. 390, it is now a class A misdemeanor for a person, with intent to hinder, delay, or prevent a legislative investigation or audit, to

- provide a person with a weapon;
- prevent a person from performing an act that might aid the investigation or audit;
- alter, destroy, conceal, or remove evidence;
- make, present, or use an item, document or thing known by the person to be false;
- make a false material statement, not under oath;
- harbor or conceal a person;
- provide a person with transportation, disguise, or other means of avoiding discovery or service of process;
- warn any person of impending discovery or service of process;
- conceal an item, information, document, or thing that is not privileged after a legislative subpoena is issued for the item, information, document, or thing; or
- provide false information regarding a witness or a material aspect of the legislative proceeding.

### Criminal Application

The bill applied criminal provisions governing the obstruction of a criminal investigation to a legislative investigation. The definition of "official proceeding" in Title 76, Chapter 8, Part 5, "Falsification in Official Matters," was amended to include an investigation or audit conducted by the Legislature or a house, committee, subcommittee, or task force of the Legislature. The definition was further amended to include any civil or administrative adjudicative process or proceeding. As a result, laws governing false and inconsistent statements (78-8-503); tampering with a witness or receiving or soliciting a bribe (79-8-508); retaliation against a witness, victim, or informant (76-8-508.3); and tampering with evidence (76-8-510.5) during an investigation now apply to legislative investigations and audits and other adjudicative proceedings by the state.

### Pattern of Unlawful Activity

Finally, the bill amends Title 76, Chapter 10, Part 16, "Pattern of Unlawful Activity Act," to include "tampering with evidence" and "falsification or alteration of a government record." Thus, a person is guilty of a pattern of unlawful activity if the person engages in these activities in a manner consistent with the definition of a pattern of unlawful activity.



# Highlighted Provisions of Passed Legislation

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## Elections

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### Campaign Finance

H.B. 39 Election Law - Independent Expenditures Amendments (*Rep. D. Sagers*) (Sen. E. Vickers)

This bill amends the Election Code by adding provisions relating to independent expenditures.

This bill:

- ▶ defines terms;
- ▶ requires that, when a person makes total independent expenditures (i.e., an expenditure expressly advocating the success or defeat of a candidate or ballot proposition that is not made in coordination with the candidate or certain other persons) of \$1,000 or more, the person is required to file a report relating to the independent expenditures;
- ▶ describes the content of an independent expenditure report;
- ▶ provides that an independent expenditure report is a public record;
- ▶ requires a person who files an independent expenditure report to preserve records relating to the report for at least two years; and
- ▶ establishes penalties for failing to timely file an independent expenditure report.

H.B. 260 Local School Board Candidate Reporting Amendments (*Rep. K. Powell*) (Sen. K. Van Tassell)

This bill amends provisions of the Election Code and Title 17, Chapter 16, County Officers, in relation to financial reporting requirements for a local school board candidate.

This bill:

- ▶ removes provisions that require a local school board office candidate to comply with the financial reporting requirements applicable to a state school board office candidate;
- ▶ requires a local school board office candidate to comply with the financial reporting requirements applicable to a county office candidate in the county where the local school board office candidate resides; and
- ▶ makes technical and conforming changes.

H.B. 394 Campaign Finance Revisions (*Rep. J. Dunnigan*) (*Sen. J. Valentine*)

This bill amends provisions of the Election Code relating to campaign finance, conflicts of interest, and financial disclosures.

This bill:

- ▶ defines terms;
- ▶ requires that a financial report include expenditures made by a reporting entity or an agent (including a political consultant) of a reporting entity on behalf of the reporting entity;
- ▶ provides that "contribution" includes a loan by a candidate to the candidate's own campaign;
- ▶ defines "in-kind" contributions;
- ▶ grants rulemaking authority to the director of elections within the Lieutenant Governor's Office;
- ▶ provides that when a person makes a detailed listing that discloses or reports the source of a contribution, discloses or reports the person or entity to whom a disbursement is made, or discloses or reports the identity of a donor, the person:
  - ▷ shall reveal the actual source of the contribution, the actual person or entity to whom the disbursement is ultimately made, or the actual identity of the donor; and
  - ▷ may not merely list, disclose, or report the transactional intermediary;
- ▶ modifies required filing dates for a financial disclosure form filed by a regulated officeholder;
- ▶ modifies and expands the information that a regulated officeholder is required to disclose in a financial disclosure form, including information for the year preceding the day on which the regulated officeholder files a financial disclosure form;
- ▶ expands disclosure provisions to include a regulated officeholder's involvement in limited liability corporations and other entities;
- ▶ clarifies that a regulated officeholder may file an amended financial disclosure form at any time;
- ▶ addresses the publication and retention of financial disclosure forms;
- ▶ establishes criminal and civil penalties for violating certain provisions of this bill relating to the filing or content of a financial disclosure form;
- ▶ describes duties of the lieutenant governor for reviewing a financial disclosure form and enforcing the provisions of this bill;
- ▶ provides that the lieutenant governor shall deposit a fine collected under this bill into the General Fund as a dedicated credit to pay for the costs of administering the provisions of this bill; and
- ▶ makes technical and conforming changes.

S.B. 105 Financial Disclosure Reporting Amendments (*Sen. M. Dayton*) (Rep. J. Draxler)  
This bill amends Title 20A, Chapter 11, Campaign and Financial Reporting Requirements.

This bill:

- ▶ grants the chief election officer discretion to send by email or postal mail the notice described in Section 20A-11-103, relating to an interim or summary financial statement report being due.

## Initiatives and Referenda

H.B. 192 Initiative and Referendum Petition Amendments (*Rep. J. Stanard*) (Sen. M. Dayton)

This bill makes changes to an initiative petition signature sheet and a referendum petition signature sheet.

This bill:

- ▶ adds a statement to a statewide or local initiative petition signature sheet stating that a signer has read and understands the law proposed by the petition;
- ▶ adds a statement to a statewide or local referendum petition signature sheet stating that a signer has read and understands the law the petition seeks to overturn; and
- ▶ makes technical corrections.

H.B. 238 Local Referendum Requirements Amendments (*Rep. K. Powell*) (Sen. K. Van Tassell)

This bill amends provisions of the Election Code relating to local referenda.

This bill:

- ▶ defines terms;
- ▶ provides that when a law passed by a local legislative body imposes a tax or other payment obligation on property in an area that does not include all precincts and subprecincts under the jurisdiction of the county, city, or town, the signatures required for a referendum, and the subsequent vote on the referendum, shall be by residents of the precincts and subprecincts to which the tax or other payment obligation applies;
- ▶ establishes the number of signatures required for a referendum relating to a law described in the preceding paragraph; and
- ▶ makes technical changes.

H.B. 422 Initiative and Referendum Impact Disclosure (*Rep. B. Last*) (Sen. J. S. Adams)  
This bill changes the requirements for a financial impact disclosure.

This bill:

- ▶ amends definitions;
- ▶ for a local initiative, requires an initial fiscal impact estimate to contain information regarding the legal impact of the initiative;

- ▶ for a local referendum:
  - ▷ establishes requirements for a fiscal impact estimate; and
  - ▷ requires a fiscal impact estimate to contain information regarding the legal impact of the referendum; and
- ▶ makes technical and conforming changes.

S.B. 134      Taxation Related Referendum Amendments (*Sen. J. Valentine*) (Rep. K. Stratton)  
 This bill modifies the Election Code to address a referendum filed on actions taken with regard to property tax rates.

This bill:

- ▶ defines terms;
- ▶ sets different time periods for actions taken with regard to a referendum petition relating to property tax rates;
- ▶ addresses absentee ballots;
- ▶ exempts a referendum petition described in this bill from the voter information pamphlet requirements;
- ▶ addresses the tax rate if the referendum passes or fails;
- ▶ provides language for the ballot; and
- ▶ addresses payment of costs.

S.B. 136      Local Elections Amendments (*Sen. H. Stephenson*) (Rep. R. C. Webb)  
 This bill amends provisions of the Election Code relating to elections on local referenda.

This bill:

- ▶ defines the term "local tax law";
- ▶ modifies the deadline for delivering a signed and verified referendum packet in relation to a local tax law;
- ▶ modifies dates for:
  - ▷ the certification of referendum petition signatures by a county clerk; and
  - ▷ evaluation of the sufficiency of a referendum petition by a local clerk;
- ▶ provides that an election on a referendum challenging a local tax law may be conducted entirely by absentee ballot;
- ▶ describes requirements relating to an election described in the preceding paragraph; and
- ▶ makes technical and conforming changes.

## Voter Registration

H.B. 156 Election Day Voter Registration Pilot Project (*Rep. R. Chavez-Houck*) (Sen. D. Henderson)

This bill amends provisions of the Election Code by establishing a pilot project to test the advisability of implementing election day voter registration in Utah.

This bill:

- ▶ establishes the Election Day Voter Registration Pilot Project;
- ▶ provides that a county or municipality may apply to participate in the pilot project to test whether it is advisable to implement election day voter registration in Utah;
- ▶ establishes requirements and an approval process for a county or municipality to participate in the pilot project;
- ▶ enacts provisions implementing election day voter registration for a county or municipality that participates in the pilot project;
- ▶ requires the lieutenant governor and each county and municipality that participate in the pilot project to report on the pilot project to the Government Operations Interim Committee and the Legislative Management Committee;
- ▶ requires the Government Operations Interim Committee to, during the 2016 interim, study and make a recommendation to the Legislature regarding whether to implement statewide election day voter registration on a statewide, permanent basis;
- ▶ repeals the provisions of this bill, subject to sunset review, on January 1, 2017; and
- ▶ makes technical and conforming changes.

S.B. 117 Online Voter Registration Revisions (*Sen. M. Dayton*) (Rep. J. Draxler)

This bill amends provisions of the Election Code relating to online voter registration.

This bill:

- ▶ allows an individual to change the individual's voter registration information online if the driver license division does not have the individual's signature but the lieutenant governor's office does.

S.B. 135 Voter Registration Amendments (*Sen. S. Jenkins*) (Rep. P. Ray)

This bill amends provisions of the Election Code relating to voter registration.

This bill:

- ▶ provides that an individual who registers to vote in person or online 15 or more days before an election may participate in early voting or may vote on election day;
- ▶ provides that a person who registers to vote in person or online less than 15 days before an election, but more than six days before an election, may vote on election day;

- ▶ requires a county clerk to accept a voter registration form as late as the day before an election if the registrant timely filled out and submitted the voter registration form to another person who turns the voter registration form in late; and
- ▶ makes technical and conforming amendments.

S.B. 36      Voter Information Amendments (*Sen. K. Mayne*) (Rep. L. Perry)

This bill amends provisions of the Election Code, the Government Records Access and Management Act, and related provisions, in relation to the disclosure, provision, or use of the list of registered voters or information in the list of registered voters.

This bill:

- ▶ defines terms;
- ▶ modifies a voter registration form;
- ▶ places limitations on who may obtain a voter's date of birth from a voter registration form;
- ▶ places limitations on providing or using a voter's date of birth that is obtained from a voter registration form;
- ▶ establishes requirements and procedures to ensure that a voter's date of birth is not obtained, provided, or used unlawfully;
- ▶ establishes a procedure by which a person may request that the person's voter registration record be classified as private if disclosure of the person's voter registration record, or information included in the voter registration record, is likely to put the voter or a member of the voter's household's life or safety at risk or to put the voter or a member of the voter's household at risk of being stalked or harassed;
- ▶ provides civil and criminal penalties for a person who unlawfully obtains, provides, or uses a voter's date of birth that is obtained from a voter registration record;
- ▶ grants rulemaking authority to the director of elections within the Office of the Lieutenant Governor;
- ▶ provides that the date of birth of a voter that is obtained from a voter registration record is a private record; and
- ▶ makes technical and conforming changes.

## Elections General

H.B. 200      Unlawful Removal or Vandalism of Campaign Signs (*Rep. E. Hutchings*) (Sen. M. Madsen)

This bill, subject to certain exceptions, makes it unlawful for a person to remove or vandalize a campaign sign.

This bill:

- ▶ subject to certain exceptions, makes it a class B misdemeanor for a person to remove, alter, deface, or otherwise vandalize a campaign sign.

H.B. 282 Amendments to Election Laws (*Rep. K. Powell*) (Sen. K. Van Tassell)

This bill allows an individual who is 16 or 17 years of age to serve as a poll worker in an election and prohibits a candidate's family member from serving as a poll worker.

This bill:

- ▶ amends the definition of "local election";
- ▶ allows an individual who is 16 or 17 years of age to serve as a receiving judge in a regular primary and a regular general election;
- ▶ prohibits a county legislative body from appointing a candidate's family member as a poll worker in a precinct where the candidate appears on the ballot;
- ▶ allows an individual who is 16 or 17 years of age to work as a poll worker in a local election;
- ▶ prohibits a municipal legislative body or local district board from appointing a candidate's family member as a poll worker in a precinct where the candidate appears on the ballot; and
- ▶ makes technical changes.

H.B. 415 Local and Special Service District Elections Amendments (*Rep. S. Eliason*) (Sen. B. Shiozawa)

This bill permits a local district board, or the administrative control board of a special service district that has elected members on the board, to hold elections in an even-numbered year, if approved by the lieutenant governor.

This bill:

- ▶ defines terms;
- ▶ permits a local district board, or the administrative control board of a special service district that has elected members on the board, to hold elections in an even-numbered year, if approved by the lieutenant governor;
- ▶ describes application requirements to apply to hold an election in an even-numbered year;
- ▶ describes the criteria upon which the lieutenant governor may approve an application to hold an election in an even-numbered year;
- ▶ provides a procedure and requirements for a local district board, or the administrative control board of a special service district that has elected members on the board, to switch back to holding elections in an odd-numbered year;
- ▶ permits the lieutenant governor to increase the length of a term of a board member in order to adjust for a change in the year in which an election is held; and
- ▶ makes technical and conforming changes.

S.B. 25 Candidate Certification Amendments (*Sen. D. Henderson*) (Rep. D. McCay)

This bill amends provisions of the Election Code relating to the deadlines to certify candidates for a primary election.

This bill:

- ▶ provides that, for the 2014 calendar year only, the deadline for a registered political party to certify its candidates for a primary election is 5 p.m. on April 28, 2014;

- ▶ provides that, for the 2014 calendar year only, the deadline for the lieutenant governor to certify to the county clerks the candidates who will appear on the primary ballot is 5 p.m. on April 29, 2014; and
- ▶ provides that the provisions of this bill are repealed on January 1, 2015.

S.B. 54 Elections Amendments (*Sen. C. Bramble*) (Rep. D. McCay)

This bill amends provisions of the Election Code relating to nomination of candidates, primary and general elections, and ballots.

This bill:

- ▶ defines terms and modifies defined terms;
- ▶ enacts a severability clause;
- ▶ modifies dates and other provisions relating to a notice of election;
- ▶ except as it relates to presidential candidates, prohibits a ballot or ballot sheet from indicating that a candidate is associated with a political party unless the candidate is nominated by petition or nominated by a qualified political party;
- ▶ changes dates relating to the establishment and publication of the master ballot position list;
- ▶ defines a qualified political party as a registered political party that:
  - ▷ permits voters who are unaffiliated with any political party to vote for the registered political party's candidates in a primary election;
  - ▷ permits a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely or permits the designation of an alternate delegate;
  - ▷ does not hold the registered political party's convention before April 1 of an even-numbered year; and
  - ▷ permits a member of the registered political party to seek the registered political party's nomination for any elective office by seeking the nomination through the registered political party's convention process, seeking the nomination by collecting signatures, or both;
- ▶ modifies provisions and dates relating to a declaration of candidacy;
- ▶ provides that candidates for elective office shall be nominated in direct primary elections, unless the candidates are listed on the ballot as unaffiliated or are nominated by a qualified political party;
- ▶ modifies provisions relating to the conduct of a primary election;
- ▶ describes petition requirements for appearing on a primary election ballot for nomination as a candidate for an identified political party;
- ▶ grants rulemaking authority;
- ▶ describes duties of the lieutenant governor and county clerks in relation to the provisions of this bill;
- ▶ describes requirements and exceptions for a qualified political party;
- ▶ describes two alternate nomination procedures for a qualified political party; and
- ▶ makes technical and conforming changes.

S.B. 90 Residency Amendments (*Sen. T. Weiler*) (Rep. C. Hall)

This bill amends provisions of the Election Code relating to residency.

This bill:

- ▶ defines terms;
- ▶ modifies and clarifies provisions relating to determining residency for voting and other purposes; and
- ▶ makes technical changes.

S.B. 116 Poll Worker Amendments (*Sen. M. Dayton*) (Rep. J. Draxler)

This bill amends provisions of the Election Code relating to poll workers.

This bill:

- ▶ amends the definition of a "local election";
- ▶ provides for the appointment of poll workers for a special election and a county election; and
- ▶ makes technical changes.

S.B. 245 Internet Voting Pilot Project Amendments (*Sen. C. Bramble*) (Rep. J. Cox)

This bill amends provisions of the Internet voting pilot project to permit certain uniformed service voters and voters with a disability, in a participating county, to register to vote, and vote, electronically.

This bill:

- ▶ amends provisions of the Internet voting pilot project to permit certain uniformed service voters and voters with a disability, in a participating county, to register to vote, and vote, electronically; and
- ▶ makes technical changes.

S.B. 245 Internet Voting Pilot Project Amendments (*Sen. C. Bramble*) (Rep. J. Cox)

This bill amends provisions of the Internet voting pilot project to permit certain uniformed service voters and voters with a disability, in a participating county, to register to vote, and vote, electronically.

This bill:

- ▶ amends provisions of the Internet voting pilot project to permit certain uniformed service voters and voters with a disability, in a participating county, to register to vote, and vote, electronically; and
- ▶ makes technical changes.

S.B. 248 Judicial Retention Election Amendments (*Sen. C. Bramble*) (Rep. D. McCay)

This bill amends the Election Code in relation to a judicial retention election.

This bill:

- ▶ provides that a justice, judge, or justice court judge who wishes to retain office shall, in the year the justice or judge is subject to a retention election, file a declaration of candidacy with the lieutenant governor or county clerk within the period beginning on April 1 and ending at 5 p.m. on April 15 in the year of a regular general election.

H.B. 408 Election Requirements Amendments (*Rep. K. Christofferson*) (Sen. W. Harper)

This bill amends portions of the Election Code that relate to a write-in candidate.

This bill:

- ▶ amends certain portions of the Election Code to require a ballot to contain a space for a write-in candidate only if a write-in candidate is qualified for the election;
- ▶ changes the deadline for a write-in candidate to file a declaration of candidacy for a regular general election; and
- ▶ makes technical changes.

## Ethics

H.B. 246 Government Ethics Revisions (*Rep. C. Hall*) (Sen. C. Bramble)

This bill amends provisions of the Election Code and the Lobbyist Disclosure and Regulation Act.

This bill:

- ▶ defines terms;
- ▶ requires the chief election officer to provide notice to each filing entity, for which the chief election officer has a physical or email address, of the reporting and filing requirements described in Title 20A, Chapter 11, Campaign and Financial Reporting Requirements;
- ▶ imposes a penalty for a state office candidate, a legislative office candidate, a school board office candidate, or a judge, who fails to report contributions or public service assistance, as applicable, within the time period required by law;
- ▶ provides for publication of information relating to a penalty described in the preceding paragraph;
- ▶ reduces from 30 days to three business days, under certain circumstances, the deadline by which a state office candidate, a legislative office candidate, or a school board office candidate, is required to report contributions or public service assistance;
- ▶ requires that the Legislature's website include, for each legislative officeholder, a link to the financial reports maintained on the lieutenant governor's website in relation to that legislative officeholder;
- ▶ amends provisions of the Lobbyist Disclosure and Regulation Act by:
  - ▷ increasing the license fee by \$10;
  - ▷ requiring a lobbyist to, while engaging in lobbying at the capitol hill complex, wear a name tag, issued by the lieutenant governor, that identifies the lobbyist as a lobbyist;
  - ▷ requiring a lobbyist to, at the beginning of making a communication to a public official that constitutes lobbying, inform the public official of the identity of the principal on whose behalf the lobbyist is lobbying; and
  - ▷ modifying penalty provisions; and
- ▶ makes technical and conforming changes.

H.B. 390      Unlawful Activities Amendments (*Rep. R. Chavez-Houck*) (Sen. T. Weiler)  
This bill amends provisions of the Utah Criminal Code and the Election Code in relation to unlawful activity.

This bill:

- ▶ enacts the class A misdemeanor offense of obstructing a legislative proceeding;
- ▶ defines "official proceeding" for Title 76, Chapter 8, Part 5, Offenses Against the Administration of Government;
- ▶ amends the offense of a pattern of unlawful activity to include, as unlawful activities, tampering with evidence or the falsification or alteration of certain government records; and
- ▶ makes technical changes.

S.B. 11      Election Offense Amendments (*Sen. M. Dayton*) (Rep. B. King)

This bill recodifies and amends portions of Title 20A, Chapter 1, Part 7, Prosecuting and Adjudicating Election Offenses.

This bill:

- ▶ defines terms;
- ▶ recodifies and amends the portion of Title 20A, Chapter 1, Part 7, Prosecuting and Adjudicating Election Offenses, relating to civil proceedings and investigations of election offenses;
- ▶ establishes procedures and requirements for a registered voter to file a verified petition alleging a violation of the Election Code;
- ▶ provides that the lieutenant governor (or another person in the event of a conflict) shall review the petition to determine whether a special investigation is necessary;
- ▶ provides for the appointment of special counsel if a special investigation is necessary;
- ▶ describes the duties of special counsel;
- ▶ provides for the filing of a civil action by special counsel;
- ▶ describes the remedies that a court shall order, or other action that a court shall take, if a court finds that a significant violation of the Election Code occurred;
- ▶ provides for costs and attorney fees;
- ▶ provides for compensation of special counsel; and
- ▶ makes technical changes.

S.J.R. 13      Joint Rules Resolution Modifying Eligibility Requirements for Independent Legislative Ethics Commission Members (*Sen. J. Valentine*) (Rep. D. Sanpei)

This bill amends membership requirements for the Independent Legislative Ethics Commission.

This resolution:

- ▶ modifies membership requirements for judges serving on the Independent Legislative Ethics Commission.

## Procurement

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S.B. 179 Procurement Revisions (*Sen. S. Jenkins*) (Rep. G. Froerer)

This bill modifies the Utah Procurement Code and related provisions.

This bill:

- ▶ modifies, repeals, enacts, repeals and reenacts, and renumbers and amends provisions of the Utah Procurement Code and related provisions;
- ▶ modifies procurement provisions applicable to local entity building improvement and public works projects;
- ▶ modifies the Open and Public Meetings Act relating to the procurement process;
- ▶ modifies a provision relating to exemptions from the Utah Procurement Code;
- ▶ modifies a provision relating to limitations on certain procurement units;
- ▶ enacts language differentiating between an issuing procurement unit and a conducting procurement unit and clarifying the role of each;
- ▶ modifies deadlines for when applicable rulemaking authorities are required to initiate rulemaking proceedings;
- ▶ modifies duties of the chief procurement officer;
- ▶ modifies provisions relating to the prequalification of potential vendors;
- ▶ modifies provisions relating to the public notice of solicitations;
- ▶ modifies requirements for the content of a request for proposals;
- ▶ authorizes an issuing procurement unit to reject a proposal under certain circumstances;
- ▶ modifies provisions relating to the evaluation of proposals;
- ▶ modifies provisions relating to the process of obtaining best and final offers;
- ▶ provides for a justification statement and modifies provisions relating to a cost-benefit analysis;
- ▶ modifies provisions relating to the awarding of a contract;
- ▶ modifies provisions relating to the award of a contract without competition;
- ▶ repeals language relating to required standard provisions in a contract and replaces it with language encouraging the establishment of standard contract clauses;
- ▶ modifies provisions relating to contracts and the auditing of books and records;
- ▶ modifies a provision relating to the selection committee for architect-engineer services;
- ▶ modifies provisions relating to protests and appeals of protests, including the amount of security deposits or bonds;
- ▶ modifies a provision relating to supplies and services that one procurement unit may provide to another;
- ▶ modifies a provision relating to cooperative purchasing;
- ▶ rewrites and modifies provisions relating to unlawful conduct and penalties for unlawful conduct in the context of procurement activities and makes those provisions applicable to all public entities; and

- ▶ makes technical, conforming, and clarifying changes.

S.B. 24 Amendment to Procurement Code Exemptions (*Sen. M. Dayton*) (Rep. K. Grover)

This bill enacts language establishing an exemption from the Utah Procurement Code.

This bill:

- ▶ exempts from the Utah Procurement Code purchases of certain firefighting supplies and equipment made by the Division of Forestry, Fire, and State Lands.

## Bonds

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H.B. 9 Revenue Bond and Capital Facilities Amendments (*Rep. G. Froerer*) (Sen. W. Harper)

This bill repeals an existing revenue bond authorization, authorizes certain state agencies and institutions to issue revenue bonds, and authorizes or amends the authorization for the lease-purchase, construction, or renovation of capital facilities using agency, institutional, or donated funds.

This bill:

- ▶ repeals a revenue bond authorization for the State Building Ownership Authority to issue or execute obligations or enter into or arrange for a lease-purchase agreement to provide up to \$10,500,000 for the construction of a multipurpose building for the state fair park that has not been issued;
- ▶ increases the planning, design, and construction or renovation authorizations and maximum square footage of the following, provided that only agency, institutional, or donated funds are used:
  - ▷ for a Center for the Arts at Southern Utah University, increases the authorization by \$5,000,000;
  - ▷ for a Science and Technology Building at Utah State University Tooele, increases the authorization by \$1,800,000; and
  - ▷ for a Drivers License Building in Price, increases the authorization by \$228,000;
- ▶ authorizes the State Board of Regents to issue revenue bonds for the following:
  - ▷ \$45,238,000 for constructing the Lassonde Living Center at the University of Utah; and
  - ▷ \$32,000,000 for the replacement of utility distribution infrastructure at the University of Utah;
- ▶ provides a prohibition on using state funding for operations and maintenance and capital improvement costs for the Lassonde Living Center at the University of Utah;
- ▶ provides that until July 1, 2024, the Utah State Building Board shall annually allocate up to \$1,500,000 of the capital improvement funding allocation given to the University of Utah to be used to pay the debt service on the bond authorized for the replacement of utility distribution infrastructure at the University of Utah;
- ▶ authorizes the planning, design, and construction or renovation of the following, provided that only agency, institutional, or donated funds are used:

- ▷ for an expansion and renovation of the Alumni House at the University of Utah at a cost of \$10,000,000, and prohibits the use of state funds for operation and maintenance and capital improvement costs of the building; and
- ▷ for a Communications and Driver License Building at the Department of Public Safety in Vernal at a cost of up to \$875,000, and authorizes the use of state funds for operation and maintenance and capital improvement costs of the building; and
- ▶ authorizes the Mountainland Applied Technology Campus of the Utah College of Applied Technology to use up to \$10,683,000 of existing and institutional funds to enter into a lease-purchase agreement for a Technology Trades Building for the Mountainland Applied Technology College at the Lehi Campus and prohibits the college from requesting state funds for operation and maintenance costs or capital improvements during the term of the lease-purchase agreement.

H.B. 103 State Money Management Act Amendments (*Rep. R. Cunningham*) (Sen. C. Bramble)

This bill modifies the State Money Management Act by amending provisions relating to the requirements for and reports on the investment of public funds.

This bill:

- ▶ requires the state treasurer to include in the state treasurer's report at the end of each fiscal year on the State School Fund a comparison of the fund's internal rate of return with benchmark rates of return for the previous year, three years, and five years for the same asset classes; and
- ▶ requires the public treasurer to consider protection of principal during periods of financial market volatility when depositing and investing public funds.

H.B. 193 Appropriations and Budgeting Amendments (*Rep. J. Anderegg*) (Sen. D. Henderson)

This bill modifies the Budgetary Procedures Act by amending provisions relating to legislative review and approval requirements for internal service fund operations.

This bill:

- ▶ provides that if an internal service fund agency operates more than one internal service fund within the internal service fund agency, the internal service fund agency shall comply with the legislative review and approval requirements for each internal service fund;
- ▶ requires legislative review for the number of full-time equivalent contract employees of each internal service fund as part of the annual appropriation process;
- ▶ authorizes an internal service fund agency that begins a new service or introduces a new product between annual general sessions of the Legislature to acquire contract employees, if necessary, for that service or product;

- ▶ requires an internal service fund agency to report any change in the number of contract employees to the appropriate legislative appropriations subcommittee for review;
- ▶ provides that if an internal service fund agency operates an internal service fund and does not get the required legislative approvals, the internal service fund agency shall rebate all rates, fees, and amounts collected to those who use the services for the rates, fees, and amounts collected that were not approved; and
- ▶ makes conforming and technical changes.

H.B. 311 Budgeting Amendments (*Rep. B. Wilson*) (Sen. J. Stevenson)

This bill modifies provisions relating to budgeting requirements.

This bill:

- ▶ requires the Office of Legislative Fiscal Analyst to:
  - ▷ prepare, before each annual general session of the Legislature, a summary showing the current status of debt, long-term liabilities, contingent liabilities, General Fund borrowing, reserves, fund and nonlapsing balances, and cash funded capital investments as compared to the past nine fiscal years; and
  - ▷ make recommendations for addressing the items in the upcoming annual general session of the Legislature;
- ▶ requires the Office of Legislative Fiscal Analyst to include in the review and analysis of revenue estimates for existing and proposed revenue a comparison of current estimates to 15-year trends by tax type;
- ▶ requires the Office of Legislative Fiscal Analyst to report the review and analysis of revenue estimates for existing and proposed revenue acts to the Executive Appropriations Committee of the Legislature before each upcoming annual general session of the Legislature;
- ▶ requires the governor to include in the proposed budget submitted to the presiding officer of each house of the Legislature a projection of:
  - ▷ estimated revenues by major tax type; and
  - ▷ 15-year trends for each major tax type; and
- ▶ makes technical corrections.

H.B. 357 Budgetary Amendments (*Rep. R. Menlove*) (Sen. C. Bramble)

This bill amends provisions relating to budgeting requirements.

This bill:

- ▶ amends provisions regarding the powers, functions, and duties of the Office of Legislative Fiscal Analyst regarding the appropriations process;
- ▶ requires the Governor's Office of Management and Budget to provide to the Office of Legislative Fiscal Analyst certain information, data, analysis, or requests used by the governor in preparing the governor's budget recommendations;
- ▶ repeals provisions regarding certain inclusions and recommendations in the governor's budget;

- ▶ repeals provisions requiring the Legislature to consider in the appropriations process:
  - ▷ wage increases for certain entities; and
  - ▷ amounts sufficient to fund the Utah Comprehensive Health Insurance Pool;
- ▶ repeals provisions regarding procedures for recommending, requesting, and conducting a single in-depth budget review and makes in-depth budget reviews part of the regular budget process;
- ▶ requires certain inclusions in the revenue volatility report submitted by the Office of Legislative Fiscal Analyst and the Governor's Office of Management and Budget; and
- ▶ makes technical corrections.

S.B. 9 State Land Acquisition and General Obligation Bond Authorization Amendments (*Sen. W. Harper*) (Rep. G. Froerer)

This bill repeals the authorization for the Board of Business and Economic Development and the state treasurer to purchase contracts for the sale of land and repeals a general obligation bond authorization to fund certain contract purchases.

This bill:

- ▶ repeals provisions authorizing the Board of Business and Economic Development and the state treasurer to purchase contracts for the sale of land;
- ▶ repeals provisions governing requirements for the purchase of contracts for the sales of land;
- ▶ repeals a \$42,500,000 general obligation bond authorization that:
  - ▷ was to be used by the Governor's Office of Economic Development to provide funds to pay all or part of the cost of purchasing contracts for the sale of land if the purchase promotes a statewide public purpose such as promoting ease of interstate or intrastate travel or advancing economic development; and
  - ▷ has not been issued;
- ▶ repeals a Master Bond Act provision allowing issuance of general obligation bonds for the purchase of land sale contracts or interests in land sale contracts; and
- ▶ makes technical and conforming changes.

S.B. 172 Capital Improvement and Capital Development Project Amendments (*Sen. W. Harper*) (Rep. G. Froerer)

This bill modifies the Utah Administrative Services Code by amending provisions relating to capital improvement and capital development projects.

This bill:

- ▶ adds infrastructure to the definition of replacement cost of existing state facilities;
- ▶ adds infrastructure to the prohibition that the Legislature may not fund the design or construction of any new capital development projects until the Legislature has

- appropriated a certain percentage of the replacement cost of existing state facilities and infrastructure to capital improvements;
- ▶ prohibits the Legislature from funding the programming, design, and construction of a new building or facility in phases over more than one year unless the Legislature has approved each phase of the funding for the construction of the new building or facility by the affirmative vote of two-thirds of all the members elected to each house;
  - ▶ repeals the July 1, 2014, sunset date on the provision requiring the State Building Board, in prioritizing capital improvements, to allocate at least 80% of the funds the Legislature appropriates for certain capital improvements;
  - ▶ repeals the July 1, 2014, sunset date on the provision requiring the State Building Board, in prioritizing capital improvements, to allocate no more than 20% of the funds the Legislature appropriates for capital improvements to remodeling and aesthetic upgrades or the construction of an addition to an existing building or facility; and
  - ▶ makes technical corrections.

## Constitutional Officers

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H.J.R. 12      Joint Resolution on Appointment of Legal Counsel for Executive Officers (*Rep. M. McKell*) (Sen. T. Weiler)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to executive branch officers.

This resolution proposes to amend the Utah Constitution to:

- ▶ authorize the Lieutenant Governor, State Auditor, and State Treasurer each to appoint legal counsel to advise them.

S.J.R. 8      Joint Resolution on Term of Appointed Lieutenant Governor (*Sen. S. Urquhart*) (Rep. V. L. Snow)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to the term of office of the Lieutenant Governor following an appointment to that office.

This resolution proposes to amend the Utah Constitution to:

- ▶ modify the term of an appointed Lieutenant Governor to be consistent with the term of Governor; and
- ▶ make a technical correction.

## Accounts and Funds Management

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H.B. 168 School and Institutional Trust Lands and Funds Management Provisions (*Rep. M. Brown*) (Sen. C. Bramble)

This bill modifies and enacts provisions relating to the management of state trust lands and funds.

This bill:

- ▶ modifies provisions relating to the director of the School Children's Trust Section, including:
  - ▷ the required qualifications of the director;
  - ▷ the removal of the director; and
  - ▷ the duties of the director;
- ▶ modifies provisions relating to the School Children's Trust Section;
- ▶ requires the School Children's Trust Section to provide staff support to the nominating committee for board members of the School and Institutional Trust Lands Administration;
- ▶ enacts the School and Institutional Trust Fund Management Act;
- ▶ establishes the School and Institutional Trust Fund Office, a board of trustees of the Office, and the position of director of the office;
- ▶ provides for the management of a fund consisting of money from the sale or use of land granted to the state under the Utah Enabling Act and other proceeds, revenue, and assets;
- ▶ provides for a nominating committee for members of the School and Institutional Trust Fund Board of Trustees;
- ▶ provides for funding office operations; and
- ▶ repeals Investment of Land Grant Trust Fund Money provisions.

H.C.R. 4 Concurrent Resolution Recognizing the 20th Anniversary of the School and Institutional Trust Lands Administration (*Rep. M. Brown*) (Sen. J. Valentine)

This concurrent resolution of the Legislature and the Governor recognizes 20 years of successful leadership, management, and accomplishment by the Utah School and Institutional Trust Lands Administration.

This resolution:

- ▶ recognizes the 20th anniversary of the School and Institutional Trust Lands Administration; and
- ▶ expresses support for the School and Institutional Trust Lands Administration's leadership and management on behalf of its 12 beneficiaries.

H.C.R. 10 Concurrent Resolution on School and Institutional Trust Lands Exchange Act (*Rep. M. Noel*) (Sen. E. Vickers)

This concurrent resolution of the Legislature and the Governor urges the United States Congress to enact legislation affirming the federal land grant process and eliminating barriers to federal-state land exchanges.

This resolution:

- ▶ urges the United States Congress to enact legislation that:
  - ▷ affirms and clarifies that Congress and federal land management agencies recognize their historic role of establishing land grants to the states for the support of educational and other public institutions;
  - ▷ establishes that the United States has a continuing affirmative obligation to assist the states in fulfilling the purposes of the various grants;
  - ▷ establishes that rationalizing the land ownership pattern to reposition lands more suited to the management mandates of each owner is an important public purpose equivalent in character to all of the other management mandates required of federal land management and federal resource regulatory agencies;
  - ▷ establishes that land exchanges between the United States and the respective states are transactions between coequal sovereign governments and require standards of prioritization, evaluation, and processing that may differ from those involving private parties; and
  - ▷ eliminates unnecessary obstacles to federal-state land exchanges contained in the Federal Land Policy and Management Act of 1976 by:
    - ▷ creating the presumption in federal environmental and land use planning that state-federal land exchanges are in the public interest;
    - ▷ requiring federal land management agencies to give priority to land exchanges that remove state land grant properties from areas of federal land or resource management provisions that restrict the state's ability to generate revenue; and
    - ▷ setting a goal for federal land management agencies and managers of state land exchange proposals to work from the feasibility study through the transaction-closing phases of state-federal land exchanges in two years or less.\

## Public Meetings

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S.B. 113      Public Meetings Amendments (*Sen. K. Mayne*) (Rep. Johnny Anderson)

This bill modifies provisions of the Open and Public Meetings Act.

This bill:

- ▶ requires specified bodies that include in their membership one or more elected state officials to provide public notice of meetings the body holds on the capitol hill complex, and makes related changes; and
- ▶ makes technical changes.

S.B. 169      Public Meetings Materials Requirements (*Sen. D. Henderson*) (Rep. S. Eliason)

This bill modifies a provision of the Open and Public Meetings Act.

This bill:

- ▶ defines "electronic information";

- ▶ requires certain public bodies to require an individual who publicly presents or provides electronic information at an open meeting of the public body to provide an electronic or hard copy of the electronic information.

## Other

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### H.B. 392 Delegate Responsibility Amendments (*Rep. K. Powell*) (Sen. C. Bramble)

This bill establishes requirements for a Utah delegate to a United States Article V convention.

This bill:

- ▶ defines terms;
- ▶ prohibits a Utah delegate to a United States Article V convention from acting in a manner that supports or approves the proposing of an unauthorized amendment or change to the United States Constitution;
- ▶ provides for the removal of a delegate; and
- ▶ provides criminal penalties.

### H.B. 414 Legislative Subpoena Amendments (*Rep. J. Dunnigan*) (Sen. J. Valentine)

This bill amends provisions relating to a legislative subpoena.

This bill:

- ▶ defines terms;
- ▶ describes the nature and purpose of a legislative subpoena;
- ▶ establishes a process for the subject of a legislative subpoena to challenge a legislative subpoena before a legislative review committee;
- ▶ provides that a legislative review committee has the sole and final authority to hear and rule on a challenge to a legislative subpoena;
- ▶ describes the grounds upon which the subject of a subpoena may challenge a legislative subpoena;
- ▶ describes the action that a legislative review committee may take after a hearing on a challenge to a legislative subpoena;
- ▶ establishes a process for the issuer of a legislative subpoena to file a motion with a legislative review committee to find a person in civil contempt of the Legislature and to compel obedience to the legislative subpoena;
- ▶ describes the action that a legislative review committee may take after a hearing on a motion described in the preceding section;
- ▶ provides for a legislative subpoena to be reissued as a court subpoena in order to assist with enforcement of the subpoena outside of Utah;
- ▶ establishes and describes the membership and functioning of a legislative review committee;
- ▶ provides for the civil enforcement of a legislative subpoena by a court; and
- ▶ establishes and describes the class A misdemeanor crime of criminal contempt of the Legislature.

S.B. 167 Regulation of Drones (*Sen. H. Stephenson*) (Rep. M. Roberts)

This bill establishes provisions for the appropriate use of an unmanned aerial vehicle.

This bill:

- ▶ defines terms;
- ▶ enacts the "Government Use of Unmanned Aerial Vehicles Act";
- ▶ prohibits a law enforcement agency from obtaining data through an unmanned aerial vehicle unless the data was obtained:
  - ▷ pursuant to a warrant;
  - ▷ in accordance with judicially recognized exceptions to warrant requirements; or
  - ▷ under certain conditions, from a nongovernment actor;
- ▶ establishes requirements for the retention and use of data collected by an unmanned aerial vehicle;
- ▶ establishes reporting requirements for:
  - ▷ a law enforcement agency that operates an unmanned aerial vehicle; and
  - ▷ the Utah Department of Public Safety; and
- ▶ provides a statement of intent.

S.B. 250 Public Duty Doctrine Amendments (*Sen. C. Bramble*) (Rep. K. McIff)

This bill enacts a provision relating to the duty of a governmental entity or employee.

This bill:

- ▶ provides that a general duty that a governmental entity owes to the public does not create a specific duty to an individual member of the public unless there is a special relationship between the governmental entity and the individual member of the public.

S.B. 267 Governmental Immunity Act Amendments (*Sen. T. Weiler*) (Rep. K. McIff)

This bill modifies a provision relating to the filing of a notice of claim.

This bill:

- ▶ provides that a governmental entity may not challenge the timeliness of a notice of claim filed within a specified time if the claimant had in good faith previously filed a notice of claim with another governmental entity and if other conditions are met.