

2016 General Session
Retirement and Independent Entities Interim Committee
Related Bills Passed

Prepared by the Office of Legislative Research and General Counsel — May 2016

H.B. 15 Domestic Relations Retirement Shares (*Rep. K. McIff and Sen. D. Henderson*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending certain death benefits.

This bill:

- ▶ provides that a former spouse of a member who dies before retiring may receive a death benefit in certain circumstances; and
- ▶ makes technical changes.

H.B. 35 Retirement and Insurance Benefit Claims Limits (*Rep. K. Powell and Sen. T. Weiler*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions relating to limitations of retirement systems claims and actions.

This bill:

- ▶ provides that a request for a ruling to the executive director by a person who disputes a benefit, right, obligation, or employment right under the Utah State Retirement and Insurance Benefit Act shall constitute the initiation of an action for purposes of the limitations periods;
- ▶ specifies the time period a person has to request a review of a claim by a hearing officer for a person who is dissatisfied by a ruling of the executive director with respect to any benefit, right, obligation, or employment right;
- ▶ requires that certain actions regarding a benefit, right, obligation, or employment right brought under the Utah State Retirement and Insurance Benefit Act be commenced only within a certain time frame;
- ▶ provides that a cause of action accrues under the Utah State Retirement and Insurance Benefit Act and the limitation period runs from the date when the aggrieved party became aware, or through the exercise of reasonable diligence should have become aware, of the facts giving rise to the cause of action;
- ▶ provides that if a claim involves a retirement service credit issue:
 - a cause of action specifically accrues at the time the requisite retirement contributions relating to that retirement service credit are paid or should have been paid to the office; and
 - the person is deemed to be on notice of the payment or nonpayment of those retirement contributions;
- ▶ provides exceptions to the limitations period for certain actions; and
- ▶ makes technical and conforming changes.

H.B. 51 Recodification of Postretirement Reemployment Provisions (*Rep. K. Powell and Sen. T. Weiler*)

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

This bill:

- ▶ recodifies postretirement employment provisions;
- ▶ clarifies amortization rate payments for certain reemployed retirees; and
- ▶ makes technical changes.

H.B. 159 Line-of-Duty Death Benefit Amendments (*Rep. M. McKell and Sen. C. Bramble*)

This bill modifies the Public Safety Code by amending line-of-duty death benefits provisions.

This bill:

- ▶ repeals a provision that discontinues employer paid health coverage for a surviving spouse of a peace officer or firefighter who dies in the line-of-duty when the surviving spouse remarries;
- ▶ specifies procedures and requirements for an employer to participate in and be covered from the Local Public Safety and Firefighter Surviving Spouse Trust Fund; and
- ▶ makes technical changes.

H.B. 230 Workers' Compensation Fund Amendments (*Rep. V. Peterson and Sen. C. Bramble*)

This bill modifies provisions related to the Workers' Compensation Fund to address its board of directors.

This bill:

- ▶ modifies limits on compensation for directors;
- ▶ modifies requirements for and restrictions on who can be a director;
- ▶ allows for the number of directors to increase by two under certain circumstances;
- ▶ addresses terms, quorum, and voting requirements if the board is increased to nine directors; and
- ▶ makes technical and conforming amendments.

H.B. 295 Obesity Report (*Rep. E. Hutchings and Sen. E. Vickers*)

This bill modifies the Public Employees' Benefit and Insurance Program Act to address obesity.

This bill:

- ▶ requires the Public Employees Health Plan to report to the Health and Human Services Interim Committee regarding obesity;
- ▶ outlines the requirements of the report; and
- ▶ permits others to work with the Public Employees' Health Plan on the report.

H.B. 380 Utah Communications Authority Amendments (*Rep. B. Dee and Sen. K. Van Tassell*)

This bill amends the Utah Communications Authority Act.

This bill:

- ▶ amends the method of appointing the chair of the Utah Communications Authority Board to appointment by the governor with consultation with the board and with consent by the Senate;
- ▶ requires the governor to rotate appointment of the chair, every two years, between a local government representative and a state representative;
- ▶ requires the Utah Communications Authority Board to create a comprehensive strategic plan;
- ▶ establishes requirements for the comprehensive strategic plan;
- ▶ requires each division of the Utah Communications Authority to contribute to the comprehensive strategic plan;
- ▶ requires yearly reports from the Utah Communications Authority Board to the Legislative Management Committee and the Executive Offices and Criminal Justice Appropriations Subcommittee;
- ▶ amends the 911 Advisory Committee, the Radio Network Advisory Committee, and the Interoperability Advisory Committee;
- ▶ requires the Utah Communications Authority to report to the Legislative Executive Appropriations Committee before issuing bonds;

- ▶ makes the Utah Communications Authority Board and committee members subject to the Utah Public Officers' and Employees' Ethics Act;
- ▶ clarifies that the Utah Communications Authority is subject to the Utah Procurement Code; and
- ▶ requires the Utah Communications Authority to establish human resource guidelines substantially similar to those that apply to state government.

H.B. 439 Retirement Amendments for Felony Conviction (*Rep. D. McCay and Sen. T. Weiler*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions for receiving retirement benefits.

This bill:

- ▶ defines terms;
- ▶ provides that a member shall forfeit certain retirement benefits under a system or plan administered by the Utah State Retirement Board if the member is convicted of certain employment related offenses;
- ▶ provides for notifications to the Utah State Retirement Office;
- ▶ provides for certain determinations by a participating employer on whether the member's conviction is for an employment related offense;
- ▶ provides an appeals process;
- ▶ provides for certain rulemaking; and
- ▶ provides a severability clause.

S.B. 5 Retirement and Independent Entities Base Budget (*Sen. T. Weiler and Rep. K. Powell*)

This bill appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2016, and ending June 30, 2017.

This bill:

- ▶ provides appropriations for the use and support of certain state agencies;
- ▶ provides appropriations for other purposes as described;
- ▶ approves employment levels for internal service funds; and
- ▶ approves capital acquisition amounts for internal service funds.

This bill appropriates \$42,331,300 in operating and capital budgets for fiscal year 2017, including:

- ▶ \$1,119,000 from the General Fund;
- ▶ \$19,037,400 from the Education Fund;
- ▶ \$22,174,900 from various sources as detailed in this bill.

This bill appropriates \$14,052,100 in business-like activities for fiscal year 2017.

S.B. 19 Phased Retirement (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by enacting phased retirement provisions.

This bill:

- ▶ defines terms;
- ▶ allows a participating employer to participate in phased retirement for a retiree who has not completed the one-year employment separation requirement;
- ▶ requires a participating employer that offers phased retirement to establish written policies and enter into a written agreement with the retiree;
- ▶ provides for retiree eligibility for phased retirement and establishes restrictions;
- ▶ provides for participating employer and retiree reporting;

- ▶ provides penalties;
- ▶ allows the Legislature to make changes to the program;
- ▶ allows the Utah State Retirement Board to make related rules;
- ▶ provides for a sunset of the phased retirement provisions; and
- ▶ makes technical changes.

S.B. 20 Retirement Systems Audit Recommendations Amendments (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions related to public information.

This bill:

- ▶ requires the Utah State Retirement Systems (URS) to provide employee compensation information on its website;
- ▶ requires URS to provide advance public notice of administrative board meetings on the Utah Public Notice Website;
- ▶ requires URS to establish policies for time limits to respond to information requests; and
- ▶ makes technical changes.

S.B. 24 Utah Housing Corporation Sunset Extension (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Legislative Oversight and Sunset Act.

This bill:

- ▶ extends the sunset date of the Utah Housing Corporation Act.

S.B. 29 Retirement Systems Amendments (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending certain retirement provisions.

This bill:

- ▶ clarifies retiree reporting provisions to the Utah State Retirement Office on the status of the reemployment;
- ▶ allows Utah Retirement Systems to make payments to a deceased member's beneficiaries 30 days instead of three months after the date of death;
- ▶ amends the definition of "final average salary" to specify that its basis is contract year for educational institutions, state fiscal year for judges, and calendar year for all other participating employers;
- ▶ clarifies that a public safety employee who is transferred or promoted to an administration position within the same department primarily to manage or supervise public safety service employees will continue to earn public safety service credit;
- ▶ addresses references to death or disability;
- ▶ provides that a person's retirement date is among the circumstances in which a person qualified for a monthly disability benefit will no longer receive the benefit;
- ▶ provides that for an elected official under Tier II retirement, the total amount contributed by the participating employer and the total amount contributed by the elected official vests immediately;
- ▶ clarifies four-year vesting provisions for Tier II defined contribution benefits;
- ▶ repeals provisions that require the Utah State Retirement Office to include accrued earnings in Unused Sick Leave Retirement Program II; and
- ▶ makes technical changes.

S.B. 37 Human Resource Management Rate Committee (*Sen. T. Weiler and Rep. K. Powell*)

This bill amends provisions of the Utah State Personnel Management Act relating to the rate committee.

This bill:

- ▶ modifies the membership of the rate committee; and
- ▶ makes technical and conforming changes.

S.B. 60 Low-Income Housing Tax Credit Allocation Amendments (*Sen. T. Weiler and Rep. R. Edwards*)

This bill modifies provisions related to the Utah low-income housing tax credit.

This bill:

- ▶ extends for an additional 10 years the formula for determining the aggregate annual tax credit that the Utah Housing Corporation may allocate for the Utah low-income housing tax credit.

S.B. 173 State Fair Park Revisions (*Sen. K. Van Tassell and Rep. M. McKell*)

This bill amends provisions related to the Utah State Fair Corporation.

This bill:

- ▶ defines terms;
- ▶ amends the powers and duties of the Utah State Fair Corporation;
- ▶ modifies the membership of the board of directors of the Utah State Fair Corporation;
- ▶ allows the board of directors of the Utah State Fair Corporation to create one or more subcommittees;
- ▶ creates the State Fair Park Committee;
- ▶ provides that the Utah State Fair Corporation shall operate and maintain the state fair park;
- ▶ provides that a person who executes a development agreement with the Utah State Fair Corporation shall pay a tax equivalent payment;
- ▶ authorizes the Utah State Fair Corporation to issue revenue bonds;
- ▶ repeals provisions related to the leasing of the state fair park; and
- ▶ makes technical and conforming changes.

This bill appropriates in fiscal year 2017:

- ▶ to the Legislature - Senate, as an ongoing appropriation:
 - from the General Fund, \$10,000;
- ▶ to the Legislature - House of Representatives, as an ongoing appropriation:
 - from the General Fund, \$10,000;
- ▶ to the Legislature - Office of Legislative Research and General Counsel, as an ongoing appropriation:
 - from the General Fund, \$35,000.

S.B. 208 Retirement Amendments (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending certain retirement provisions.

This bill:

- ▶ requires the Utah State Retirement Board to increase certified employer contribution rates to reflect any increased costs from retirement benefit enhancements enacted during a general session or special session under specified conditions;

- ▶ amends the definition of "regular full-time employee" to exclude from retirement participation certain classified school employees who work on a contract for the purposes of vocational rehabilitation and the employment and training of people with significant disabilities; and
- ▶ makes technical changes.