

# INTERIM HIGHLIGHTS

NOVEMBER 2021 VOL. 21, NO. 5



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**List of Committee Bills for the 2022 General Session as of November 17, 2021**

**List of 2021 Second Special Session Passed Legislation**

## Legislative Interim Meetings

Meetings were held November, 17, 2021, or as noted

### **Business and Labor**

*November 9, 2021*

#### **Consumer Privacy in Banking and Financial Transactions**

Discussed 2021 Second Special Session legislation, "[Concurrent Resolution Urging Congress and the President to Protect Consumer Privacy in Banking and Financial Transactions](#)," which urges Congress and the President to protect consumers from harmful, invasive, and burdensome Internal Revenue Service tax information reporting requirements for financial institutions.

#### **Interlocal Cooperation Act Amendments**

Discussed 2021 Second Special Session legislation, "[Interlocal Cooperation Act Amendments](#)," which amends provisions related to project entities and taxed interlocal entities.

#### **State Flag Amendments**

Discussed 2021 Second Special Session legislation, "[State Flag Amendments](#)," which extends the sunset date of the State Flag Task Force for one year. The bill also designates the current state flag as the governor's flag on October 1, 2022.

#### **Unemployment Insurance Rates Amendments**

Discussed 2021 Second Special Session legislation, "[Unemployment Insurance Rates Amendments](#)," which modifies the Unemployment Insurance Division's calculation of employer contribution rates to the Unemployment Compensation Fund for calendar years 2022, 2023, and 2024.

## Workplace COVID-19 Amendments

Discussed 2021 Second Special Session legislation, "[Workplace COVID-19 Amendments](#)," which requires an employer to relieve an employee of a COVID-19 vaccination mandate if receiving the vaccine would be injurious to their health and well-being, conflict with religious beliefs, practice, or observance, or conflict with a personal belief. The bill requires an employer to pay for COVID-19 workplace testing and prohibits an adverse action against an employee who claims relief.

November 17, 2021

## Cryptocurrency Regulatory Sandbox

Received a [presentation](#) from committee staff about the framework for a cryptocurrency regulatory sandbox.

Discussed the identity crisis that cryptocurrency faces and the regulatory environment for establishing a sandbox dedicated to cryptocurrency.

## Division of Consumer Protection Amendments

Discussed 2022 General Session draft legislation, "[Division of Consumer Protection Amendments](#)," which would amend the Business Opportunity Disclosure Act by defining terms and amending provisions regarding:

- filings;
- seller disclosure statements;
- furnishing a disclosure statement to a potential purchaser; and
- enforcement of the Business Opportunity Disclosure Act.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Division of Consumer Protection Amendments" for the 2022 General Session.

## Insurance Amendments

Discussed 2022 General Session draft legislation, "[Insurance Amendments](#)," which would amend provisions in the Insurance Code.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Insurance Amendments."

## Licensing Amendments

Discussed draft legislation, "[Licensing Amendments](#)," which would modify the process for review of occupational and professional licensing, including repealing the Occupational and Professional Licensure Review Committee Act and creating the Office of Occupational and Professional Licensure Review.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Licensing Amendments."

## Occupational and Professional Licensing Modifications

Discussed 2022 General Session draft legislation, "[Occupational and Professional Licensing Modifications](#)," which would modify provisions related to licensed professionals.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Occupational and Professional Licensing Modifications."

## Outdated Reports

Received a [presentation](#) from committee staff about the following six expired reporting requirements in statute:

- the Inland Port Authority community enhancement program;
- the cost of insulin manufacturing and factors that determine the price of insulin;
- hospital costs and workers' compensation;
- the effectiveness of the Labor Commission and state law in addressing discrimination in matters of compensation;
- education and training standards for state plumber and electrician apprenticeship programs; and
- the usefulness of the Technology and Commercialization and Innovation Program (TCIP).

Discussed 2022 General Session draft legislation, "[Business and Labor Reporting Requirements](#)," which would remove the expired reports except for the TCIP report which is addressed in a different bill.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Business and Labor Reporting Requirements."





## State Construction Code Amendments

Discussed 2022 General Session draft legislation, "[State Construction Code Amendments](#)," which would amend provisions of Title 15A, State Construction and Fire Codes Act. The bill would also create a licensing exemption for a person certified by the National Institute for Certification in Engineering Technologies at level III or IV in Water-Based System Layout or Fire Alarm Systems.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "State Construction Code Amendments."

## Transition Report Responses

Received transition report responses from the committee's five agencies. The committee received:

- a [presentation](#) from the Department of Commerce;
- a [presentation](#) and response [report](#) from the Department of Alcoholic Beverage Control;
- a response [report](#) from the Labor Commission;
- the review [report](#) and a response [report](#) from the Department of Financial Institutions; and
- comments from the Insurance Department.

Chairs: Rep. Joel Ferry / Sen. Curtis S. Bramble  
Staff: Adam J. Sweet (Policy Analyst) / Amy L. West (Attorney) / Patrick Grecu (Attorney) / Lorna Wells (Committee Secretary)

## Criminal Code Evaluation Task Force

October 29, 2021

### Criminal Code Evaluation Task Force Sunset Extension

Received a presentation from committee staff on a proposal to extend the sunset date of the task force.

**Action:** Approved as a task force bill 2022 General Session draft legislation, "[Criminal Code Evaluation Task Force Sunset Extension](#)," which would change the sunset date of the task force from April 15, 2023, to April 15, 2025.

### Criminal Code Recodification

Received a [presentation](#) from committee staff on Title 76 Recodification, Chapters 5 and 5b. Discussed whether the recodification bill should have a special effective date.

**Action:** Approved as task force bills, 2022 General Session draft legislation, "[Criminal Code Recodification](#)" and "[Criminal Code Recodification Cross References](#)," which would restructure the criminal code to be more uniform.

Chairs: Rep. Paul Ray / Sen. Karen Mayne  
Staff: John Feinauer (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Jackie Rogers (Attorney) / Royce Gador (Administrative Assistant)



## **Economic Development and Workforce Services**

### **Child Care Amendments**

Discussed 2022 General Session draft legislation, "[Child Care Amendments](#)," which would modify provisions related to child care.

***Action:** Amended and approved as a committee bill 2022 General Session draft legislation, "Child Care Amendments."*

### **Economic Development Modifications**

Discussed 2022 General Session draft legislation, "[Economic Development Modifications](#)," which would make changes to the Economic Development Tax Increment Financing program, administered by the Governor's Office of Economic Opportunity.

***Action:** Approved as a committee bill 2022 General Session draft legislation, "Economic Development Modifications."*

### **Intergenerational Poverty Mitigation Amendments**

Discussed 2022 General Session draft legislation, "[Intergenerational Poverty Mitigation Amendments](#)," which would repeal the Intergenerational Welfare Reform Commission, the Intergenerational Poverty Advisory Committee, and the Intergenerational Poverty Plan Implementation Pilot Program.

***Action:** Approved as a committee bill 2022 General Session draft legislation, "Intergenerational Poverty Mitigation Amendments."*

### **Public-Private Partnership Amendments**

Discussed 2022 General Session draft legislation, "[Public-Private Partnership Amendments](#)," which would modify provisions related to public-private partnerships.

***Action:** Approved as a committee bill 2022 General Session draft legislation, "Public-Private Partnership Amendments."*

### **State Film Production Incentives Amendments**

Discussed 2022 General Session draft legislation, "[State Film Production Incentives Amendments](#)," which would exempt "rural productions" from the limit on the total amount of motion picture tax credit incentives that the Governor's Office of Economic Opportunity may issue each fiscal year.

***Action:** Approved as a committee bill 2022 General Session draft legislation, "State Film Production Incentives Amendments."*

**Chairs:** Rep. Stephen G. Handy / Sen. Ronald M. Winterton  
**Staff:** Karin M. Rueff (Policy Analyst) / Gus Harb (Attorney) / Lorna Wells (Committee Secretary)

## **Education**

November 09, 2021

### **Dixie State University Name Change**

The committee discussed 2021 Second Special Session H.B. 2001, "[Utah Tech University](#)" and heard public comment on the bill.

November 16, 2021

### **Higher Education Performance Funding**

Received a [presentation](#) from Utah System of Higher Education (USHE) outlining the performance funding goals required by 2021 General Session S.B. 193, "[Higher Education Performance Funding](#)."

Reviewed 2022 General Session draft legislation, "[Higher Education Performance Funding Goals](#)," which would adopt and codify the USHE recommended goals.

***Action:** Approved as a committee bill 2022 General Session draft legislation, "Higher Education Performance Funding Goals."*

November 17, 2021

### **Civics Education Working Group**

Received a [presentation](#) from the co-chairs of the Civics Education Working Group organized by 2021 General Session H.C.R. 15, "[Concurrent Resolution Emphasizing the Importance of Civics Education](#)."





## Education Sunset Extensions

Reviewed 2022 General Session draft legislation, "[Education Sunset Extensions](#)," which would extend the sunset date for the following provisions by five years:

- Utah Code Section [53G-8-211\(5\)](#), which provides that a school district or school may refer a minor to a court or a law enforcement officer or agency for an alleged class C misdemeanor committed on school property, or for allegedly being a habitual truant, under certain circumstances; and
- Utah Code Section [53E-4-402](#), which creates the State Instructional Materials Commission.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Education Sunset Extensions](#)."

## Hospitality and Tourism Management CTE Pilot Program Sunset Extension

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Hospitality and Tourism Management CTE Pilot Program Sunset Extension](#)," which would extend the program's sunset date from 2023 to 2025.

## Public Education Curriculum Requirements

Discussed and heard comments on 2022 General Session draft legislation, "[Public Education Curriculum Requirements](#)."

## Utah's Charter School Governance Structure

Heard a [presentation](#) on the audit report #2021-09 – [A Performance Audit of Utah's Charter School Governance Structure](#) from the Office of the Legislative Auditor General. Heard responses to the audit from the Utah State Board of Education and the Utah State Charter School Board.

## Public Education Assessment Results and Enrollment Update

Received a [presentation](#) from the Utah State Board of Education on the effects of pandemic-related disruptions on [assessment results](#) in the 2020-2021 school year and an update on student enrollment in school districts and charter schools as of October 1, 2021.

## Utah School Accountability System Working Group

Received an [update](#) on the progress of a working group's [efforts](#) to improve Utah's school accountability system. The group will provide recommendations for redesigning the state's accountability system to align more closely with personalized, competency-based learning and the state's Portrait of a Graduate, while maintaining a transparent, simple, and easy-to-compare accountability system.

**Chairs:** Rep. V. Lowry Snow / Sen. John D. Johnson  
**Staff:** Alex R. Janak (Policy Analyst) / Micah Ann Wixom (Policy Analyst) / Amy Shewan (Attorney) / Michael E. Curtis (Attorney) / Royce Gador (Administrative Assistant)

## Education and Mental Health Coordinating Council

November 03, 2021

### Behavioral Health Crisis Response Commission

Discussed the structure, priorities, and challenges of the Behavioral Health Crisis Response Commission.

### Early Childhood Utah Advisory Council

Discussed the structure, priorities, and challenges of the Early Childhood Utah Advisory Council.

### Utah Early Childhood Mental Health Working Group

Received a [presentation](#) from the Utah Early Childhood Mental Health Working Group.

### Utah Substance Use and Mental Health Advisory Council

Received a [presentation](#) from the Utah Substance Use and Mental Health Advisory Council.

**Chairs:** Rep. Raymond P. Ward / Rebecca Dutson  
**Staff:** Micah Ann Wixom (Policy Analyst) / Seth Anderson (Policy Analyst) / Ericka A. Evans (Attorney) / Royce Gador (Administrative Assistant)

## Government Operations

### 988 Behavioral Crisis Response System

#### Implementation Update

Received a [presentation](#) regarding the Utah Crisis Line and the coordination of community services and resource allocation for the implementation of the 988 behavioral crisis response system.



## Judicial Performance Evaluation Commission Amendments

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Judicial Performance Evaluation Commission Amendments](#)," which would provide that the Judicial Performance Evaluation Commission would determine whether a judge meets minimum performance standards, rather than making a recommendation regarding retaining a judge.

## Ballot Amendments

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Ballot Amendments](#)," which would:

- replace a ballot title for an initiative or referendum with a short title and summary;
- establish requirements for the short title and summary;
- provide for the ballot to include the short title of initiatives and referenda and to refer to a ballot proposition insert, included with the ballot, for a voter to review information relating to the initiatives and referenda; and
- describe the content of a ballot proposition insert.

## Medical Cannabis Patient Protection Amendments

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Medical Cannabis Patient Protection Amendments](#)," which would amend protections for medical cannabis patients, including public employees, to protect the holding of a medical cannabis card and medical cannabis recommendations.

## Special License Plate Designation

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Special License Plate Designation](#)," which would create a support special group license plate to support the Live On suicide prevention campaign.

## State Employment Amendments

Reviewed 2022 General Session draft legislation, "[State Employment Amendments](#)," which would:

- shorten the timeline for processing and reviewing a grievance filed by a state employee;
- require that state employees be paid based on performance;
- transition, through attrition or incentives, any supervising employees who are currently career-service to at-will; and
- require supervisors of state employees to receive annual management training.

## Municipal Alternate Voting Methods Pilot Project Amendments

Reviewed 2022 General Session draft legislation, "[Municipal Alternate Voting Methods Pilot Project Amendments](#)," which would:

- amend provisions relating to marking a ballot for instant runoff voting;
- give a participating municipality the option of selecting different methods of conducting an election by instant runoff voting; and
- describe the process of voting and of determining winners in an instant runoff election, depending on the voting method selected by a participating municipality.

## Required Reports

Received an [update](#) from the Department of Veterans and Military Affairs on the department's activities and accomplishments.

**Chairs:** Rep. A. Cory Maloy / Sen. Daniel W. Thatcher  
**Staff:** Lisa Sorensen (Policy Analyst) / Alan Houston (Attorney) / Thomas R. Vaughn (Attorney) / Tracey Fredman (Administrative Assistant)

## Health and Human Services

### Behavioral Health Services Amendments

Discussed draft legislation that would create a grant program and require submission of a Medicaid waiver for integration of physical and behavioral health and to allow for a certain medication-assistance treatment drug to be included in the Charitable Prescription Drug Recycling Act.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Behavioral Health Services Amendments](#)."

### Electronic Cigarette Substance Standards

[Briefed](#) by the Department of Health on its development and implementation of rules regulating e-cigarette cartridges. Utah vape shops are seeking to enjoin the department from enforcing the rules, which include a 3% limit on nicotine content on or after September 1, 2021.

### Healthcare Worker Protections

Considered draft legislation that creates enhanced penalties for assault or threat of violence against an owner, employee, or contractor of a health facility.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Health Care Worker Protection Amendments](#)."

### Participation by Transgender Youth in School Sports

Considered draft legislation that allows a student in grades 9 through 12 to participate in gender-designated interscholastic athletic activities according to the sex designation on the student's current birth certificate. The legislation also establishes participation requirements for gender-transitioned and gender-transitioning individuals.





**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Student Athletics Participation](#)."

## State Agency Realignment

Considered draft legislation that provides a statutory framework for the [merger](#) of the Department of Health and the Department of Human Services by July 1, 2022. A report to be [released](#) by the agencies this month will address staffing and building use and identify further statutory changes needed to effect the merger.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Department of Health and Human Services Amendments](#)."

## Sunset Reviews

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Clinical Mental Health Counselor Licensing Amendments](#)," which would amend provisions relating to clinical mental health counselors and extends the sunset of the provisions.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Extension for Controlled Substance Prescription Requirements](#)," which would extend the repeal date for controlled substance prescription regulations.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Utah Substance Use and Mental Health Advisory Council Sunset Extension](#)," which would extend the sunset date for the Utah Substance Use and Mental Health Advisory Council.



**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Coordinating Council for Persons with Disabilities Sunset Extension](#)," which would extend the sunset date for the Coordinating Council for Persons with Disabilities.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Study on State Hospital Capacity Sunset Amendments](#)," which would remove the sunset date for provisions related to the study of long-term needs for adult beds in the state hospital.

## Youth Suicide Report

Received a [presentation](#) from the Office of the Medical Examiner on the statutorily required [Youth Suicide Report](#). Discussed the current rate of youth suicides in the state, key risk factors, and strategies to advance suicide prevention.

**Chairs:** Rep. Merrill F. Nelson / Sen. Michael S. Kennedy  
**Staff:** Mark D. Andrews (Policy Analyst) / Seth Anderson (Policy Analyst) / Christopher Williams (Attorney) / Daniel M. Cheung (Attorney) / Ericka A. Evans (Attorney) / Amy Hawkes (Administrative Assistant)

## International Relations and Trade

November 15, 2021

### Utah Council for Citizen Diplomacy

Received an update from the Utah Council for Citizen Diplomacy on the Council's work over the past two years.

### International Relations Framework

Discussed the [draft international relations framework for Utah](#) and the role of the Utah State Legislature in the state's international relations and trade efforts.

**Chairs:** Rep. Timothy D. Hawkes / Sen. Jacob L. Anderegge  
**Staff:** Karin M. Rueff (Policy Analyst) / Gus Harb (Attorney) / Erin Wynn (Legislative International Affairs Coordinator)

## Judiciary

November 9, 2021

### Pretrial Amendments

Heard a presentation regarding the 2021 Second Special Session legislation, "[Pretrial Amendments](#)," which amends the process for acquiring a public defender.

November 17, 2021

### Expungement Modifications

Heard a presentation from the Salt Lake County Office of Criminal Justice Initiatives regarding the 2022 General Session draft legislation, "[Expungement Modifications](#)," which would clarify and amend the process and requirements for expungement.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Expungement Modifications](#)."

### Extension of the Utah Council on Victims of Crime

Heard a presentation on 2022 General Session draft legislation, "[Extension of the Utah Council on Victims of Crime](#)."

**Action:** Amended and approved as a committee bill 2022 General Session draft legislation, "Extension of the Utah Council on Victims of Crime" which would repeal the sunset date in its entirety.

### Justice Court Judge Elections Amendments

Heard a presentation from the Weber County Clerk and the Administrative Office of the Courts on 2022 General Session draft legislation, "[Justice Court Judge Elections Amendments](#)," which would streamline ballots to prevent judges in smaller jurisdictions, who cover more than one city or town, from appearing multiple times on the same ballot.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "Justice Court Judge Elections Amendments."

### Offender Supervision Amendments

Heard a presentation on 2022 General Session draft legislation, "[Offender Supervision Amendments](#)," which would amend parole and probation guidelines.

**Action:** Amended and approved as a committee bill 2022 General Session draft legislation, "Offender Supervision Amendments."

### Juvenile Recodification

Heard a presentation from committee staff regarding the second part of the juvenile recodification bill that is currently being drafted for the 2022 General Session. The presentation included an [overview](#) of the policy changes within the bill and a [summary](#) of the specific sections of Utah Code being recodified.

Chairs: Rep. Karianne Lisonbee / Sen. Todd D. Weiler  
Staff: Kristina King (Policy Analyst) / Christopher Williams (Attorney) / Jacqueline Carlton (Attorney) / Amy Hawkes (Administrative Assistant)

## Law Enforcement and Criminal Justice

### Catalytic Converter Theft

Discussed efforts to curb catalytic converter theft in the state.

Received comments from the ChamberWest Chamber of Commerce, Western Metals Recycling, and the Office of the Attorney General about the best way to address community and law enforcement concerns over catalytic converter theft while also respecting the realities of the scrap metal industry.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Catalytic Converter Amendments](#)," which would require certain catalytic converter purchasers to document and input information into the central database for pawnshops and secondhand businesses.

### Criminal Code Evaluation Extension

Received a presentation on the necessity of extending the sunset date of the Criminal Code Evaluation Task Force to facilitate the process of recodifying the criminal code.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Criminal Code Evaluation Task Force Sunset Extension](#)," which would change the sunset date of the Criminal Code Evaluation Task Force to April 15, 2025.

### Criminal Code Recodification

Received a presentation from the Criminal Code Evaluation Task Force on current efforts to recodify the criminal code. Received the Criminal Code Evaluation Task Force's annual statutorily required [report](#), which includes an overview of changes made during the 2021 General Session to the duties and scope of the task force, a summary of the two items the task force studied during the 2021 interim, and an explanation of the membership of the task force.

### DNA Specimen Analysis Amendments

Discussed proposed changes to DNA specimen analysis and destruction policies in the state.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[DNA Specimen Analysis Amendments](#)," which would require sheriffs to provide a person notice related to the destruction of a DNA specimen and removal of the person's DNA sample and records from a database, require certain DNA specimens to be processed and entered into a database, and permit a person to request the destruction of the person's DNA specimen and related records under certain conditions.

### Domestic Violence Updates

Received a [presentation](#) from the Department of Public Safety about available domestic violence data in the state. Received comments from a legislator about ways to improve the collection and analysis of domestic violence data.

### Justice Reinvestment Initiative Report

Received the annual [report](#) from the Commission on Criminal and Juvenile Justice on data related to the Justice Reinvestment Initiative.

### Law Enforcement and Mental Health

Discussed ways to facilitate access to mental health resources for first responders. Discussed the importance of also providing resources to the families of first responders.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[First Responder Mental Health Services Amendments](#)," which would require all first responder agencies to provide mental health resources for employees, spouses, children, and retirees. The bill would also establish a grant program to provide mental health resources, which would be administered by the Division of Substance Abuse and Mental Health.

### Law Enforcement Data Report

Received a [presentation](#) from the Commission on Criminal and Juvenile Justice on law enforcement data collection, as required by 2021 General Session S.B. 159, "[Law Enforcement Data Management Requirements](#)."





## Law Enforcement Funding

Received a presentation on 2022 General Session draft legislation, "[Citation Fines Amendments](#)," which would require that a fine collected by a justice court for certain violations issued by the Utah Highway Patrol be paid to the General Fund.

## Public Safety Retirement Amendments

Received a presentation on possible changes to 2022 General Session draft legislation, "[Public Safety Retirement Amendments](#)," which would update the original committee bill to include state public safety employees who were hired between 2011 and 2020.

**Action:** Amended and approved as a committee bill 2022 General Session draft legislation, "Public Safety Retirement Amendments."

## Sunset Extension on the Emergency Management Task Force and the Search and Rescue Advisory Board

Received an overview from committee staff about the committee's decision to extend the sunset dates of the Emergency Management Task Force and the Search and Rescue Advisory Board. Both extensions were discussed at the committee's meeting on September 15, where the Division of Emergency Management advocated for the extension of both entities.

**Action:** Approved as committee bills 2022 General Session draft legislation, "[Emergency Management Administration Council Sunset Extension](#)," and "[Search and Rescue Advisory Board Sunset Extension](#)." Both bills would extend the sunset dates of each entity from July 1, 2022, to July 1, 2027.

Chairs: Rep. Ryan D. Wilcox / Sen. Keith Grover  
Staff: John Feinauer (Policy Analyst) / Esther D. Chelsea-McCarthy (Attorney) / Jackie Rogers (Attorney) / Tracey Fredman (Administrative Assistant)

## Legislative Redistricting

### Redistricting

During a meeting of the Legislative Redistricting Committee on November 1, 2021, the Utah Independent Redistricting Commission submitted an exhaustive report about its three recommended Congressional plans, three Senate plans, three House plans, and three State School Board plans. The Legislative Redistricting Committee took these twelve plans under advisement.

On November 8, 2021, after hours of public comment, the committee recommended to the full Legislature one Congressional, one Senate, one House, and one State School Board plan that were proposed by the chairs of the Legislative Redistricting Committee.

Chairs: Rep. Paul Ray / Sen. Scott D. Sandall  
Staff: Joseph T. Wade (Policy Analyst) / Michael E. Curtis (Attorney) / Thomas R. Vaughn (Attorney) / Jerry D. Howe (Senior Strategic Initiatives Manager) / Naomi Garrow (Executive Assistant)

## Legislative Water Development Commission

November 16, 2021

### ARPA Funding for Water Projects

Received a presentation from the Department of Natural Resources, Department of Environmental Quality, and the Department of Agriculture and Food regarding the process and criteria for allocating ARPA funds.

### Priority of Water Rights

Discussed 2022 General Session draft legislation, "[Priority of Water Rights Amendments](#)," which would modify provisions related to a temporary water shortage emergency and the priority of water rights.

### Public Welfare Analysis

Heard a status update from a workgroup that is studying whether to define the term "public welfare" in statute or administrative rules. The workgroup does not expect to have legislation ready for the 2022 General Session.

### School and Child Care Center Water Testing Requirements

Discussed 2022 General Session draft legislation, "[School and Child Care Center Water Testing Requirements](#)" which would create a process for testing the drinking water in schools and child care centers.

**Action:** Approved as a commission bill 2022 General Session draft legislation, "School and Child Care Center Water Testing Requirements."

Chairs: Rep. Joel Ferry / Sen. David P. Hinkins  
Staff: Nathan W. Brady (Policy Analyst) / Patricia Owen (Attorney) / Alan Houston (Attorney) / Michelle Clifford (Administrative Assistant)

## Natural Resources, Agriculture, and Environment

### Branding Inspection Program

Discussed 2022 General Session draft legislation, "[Livestock Brand Amendments](#)," which would modify the branding inspections program regarding law enforcement capabilities, board membership, and increased cooperation with local sheriffs.

### Bridal Veil Falls

Received a [presentation](#) from the Division of State Parks regarding an ongoing study of whether to designate the Bridal Veil Falls area as a state monument, state park, or other state designation.

**Action:** Voted to support the Division of State Parks continuing to study whether to designate the Bridal Veil Falls area, by itself or together with other Provo Canyon sites, as a state monument, state park, or other state designation.



## Department of Natural Resources and Conservation

Discussed 2022 General Session draft legislation, "[Department of Natural Resources Amendments](#)," which would address outdoor recreation and the coordination of conservation efforts in Utah. Currently, there is no one office in Utah that is tasked with overseeing the various conservation efforts.

### Division of Oil, Gas, and Mining

Received a report on the status of work done by the Division of Oil, Gas, and Mining to address findings in the [2019 audit](#) of the oil and gas program.

### H.B. 346 - Transition Study

Received a presentation from the Governor's Office of Planning and Budget (GOPB) regarding possible restructuring to improve coordination between the Department of Natural Resources, the Department of Environmental Quality, the Division of Public Utilities, the Office of Consumer Services, and the Office of Rural Development. The GOPB reports that recent efforts to improve coordination are currently working well. The GOPB report can be found [here](#).

### Radon Gas Study

Received a [statutorily required preliminary report](#) from the State Geologist and the Department of Environmental Quality regarding the status of a study on radon gas in Utah. The final report and recommendations will be provided at the first interim meeting of 2022.



## State Energy Policy

Discussed the [statutory requirement](#) to review the state energy policy and invited written comments.

## State Monuments and Parks

**Action:** Approved as a committee bill, 2022 General Session draft legislation, "[State Monuments Act Amendments](#)," which would modify the statutory process for designating a state monument.

## State Water Policy

Discussed the [statutory requirement](#) to review the state water policy and invited written comments.

## Water Supply and Drought Conditions

Received a [report](#) from the Executive Director of the Department of Natural Resources regarding the ongoing drought and the current water supply in Utah.

**Chairs:** Rep. Keven J. Stratton / Sen. Scott D. Sandall  
**Staff:** Nathan W. Brady (Policy Analyst) / Patricia Owen (Attorney) / Alan Houston (Attorney) / Michelle Clifford (Administrative Assistant)

## Political Subdivisions

### Creation of Utah Lake Authority

Received a presentation on discussions with stakeholders related to possible draft legislation.

### Emergency Response Amendments

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Emergency Response Amendments](#)," which would modify provisions of the Emergency Management Act.

## Legislative Audit: An In-Depth Follow-Up of the Oversight and Management of Utah's Homeless Services System

Received a [presentation](#) from the Office of the Legislative Auditor General on the findings and recommendations from the report titled, "[An In-Depth Follow-up of the Oversight and Management of Utah's Homeless Services System](#)."

### Ranked Choice Voting

Received presentations from county clerks and city recorders on recent elections conducted using ranked choice voting.

Received a [presentation](#) from Utah Ranked Choice Voting on voter satisfaction with this voting methodology.

### Separation of Powers in County Governments

Received a presentation from the Office of the State Auditor on findings from recent audits related to the separation of duties between clerk/auditors and county commissions.

**Chairs:** Rep. James A. Dunnigan / Sen. Michael K. McKell  
**Staff:** Sarah Flanigan (Policy Analyst) / Peter Asplund (Attorney) / Finn Andrew Rose (Administrative Assistant)



## **Public Utilities, Energy, and Technology**

### **Required Reports**

Heard from a legislator on the Energy Producer States' Agreement Report.

Heard from the Governor's Office on the Alternative Energy Development Tax Credit Report and the High-Cost Infrastructure Development Tax Credit Report.

**Chairs:** Rep. Carl R. Albrecht / Sen. David P. Hinkins  
**Staff:** Samantha D. Brucker (Policy Analyst) / Rikka Strong (Attorney) / Michelle Clifford (Administrative Assistant)

## **Retirement and Independent Entities**

November 16, 2021

### **Active and Inactive Statuses of Participating Employers**

Received a presentation from Utah Retirement Systems on the reasons a participating employer may be reported as inactive on the Annual Comprehensive Financial Report.

### **Audit: Utah Railroad Museum Authority**

Received a presentation from the Office of the State Auditor on the findings and recommendations from the report titled, "[Limited Review of the Utah State Railroad Museum Authority](#)."

### **Independent Entity Review: Utah Energy Infrastructure Authority**

Discussed 2022 General Session draft legislation, "[Utah Energy Infrastructure Amendments](#)," which would repeal the Energy Infrastructure Authority as an independent entity and move the current Energy Infrastructure Authority Board under the Governor's Office of Energy Development.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Utah Energy Infrastructure Amendments](#)."

### **Provision Relating to the Utah Statewide Radio System Restricted Account**

Discussed 2022 General Session draft legislation, "[Utah Statewide Radio System Restricted Account Sunset Amendments](#)," which would repeal the sunset date for a provision that makes appropriations from the Utah Statewide Radio System Restricted Account non-lapsing.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Utah Statewide Radio System Restricted Account Sunset Amendments](#)."

### **Utah Retirement Systems Amendments**

Reviewed 2022 General Session draft legislation, "[Utah Retirement Systems Revisions](#)," which would address administrative issues identified during the past year and make technical updates.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Utah Retirement Systems Revisions](#)."

**Chairs:** Rep. Walt Brooks / Sen. Wayne A. Harper  
**Staff:** Sarah Flanigan (Policy Analyst) / Alan Houston (Attorney) / Andrea Valent Arthur (Attorney) / Michelle Clifford (Administrative Assistant)

## **Revenue and Taxation**

### **County Property Tax Statement Amendments**

Discussed draft legislation that would address which state entity receives an annual property tax statement from each county.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[County Property Tax Statement Amendments](#)."

### **Individual Income Tax Amendments**

Discussed draft legislation that would modify provisions related to certain income tax credits, including the Social Security tax credit and the military retirement tax credit.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Individual Income Tax Amendments](#)."

### **Mobile Workforce Income Tax Amendments**

Discussed draft legislation that would address the income tax obligations related to mobile employees.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Mobile Workforce Income Tax Amendments](#)."

### **Property Tax Appeals Process Amendments**

Discussed draft legislation that would modify provisions related to disclosing evidence prior to a hearing before a county board of equalization.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Property Tax Appeals Process Amendments](#)."

### **Property Tax Deferral Amendments**

Discussed draft legislation that would modify the deferral provisions of the Property Tax Act.

**Action:** Approved as a committee bill 2022 General Session draft legislation, "[Property Tax Deferral Amendments](#)."

### **Sales and Use Tax Refund Amendments**

Discussed 2022 General Session draft legislation, "[Sales and Use Tax Refund Amendments](#)," which would enact a refund in state sales and use tax paid for the purchase or lease of certain oil and gas machinery, equipment, parts, or materials.

Heard comments from the Utah Petroleum Association, XCL Resources, Caerus Oil and Gas, and the Utah Taxpayers Association.



## Telecommunications Tax Amendments

Discussed draft legislation that would address the assessment of telecommunication assets for the purpose of property tax.

**Action:** *Approved as a committee bill 2022 General Session draft legislation, "[Telecommunications Tax Amendments](#)."*

## Franchise Fees

Heard from a legislator regarding concerns with franchise fees being charged by municipalities to internet service providers.

## Income Tax Credits Review

Received a [presentation](#) and [handout](#) from the Governor's Office of Economic Opportunity regarding the targeted business tax credit.

**Action:** *Voted to open a committee bill file to sunset the targeted business tax credit on January 1, 2023.*

**Action:** *Approved a committee bill sunseting the targeted business tax credit on January 1, 2023, for the 2022 General Session.*

Chairs: Rep. Robert M. Spendlove / Sen. Daniel McCay  
Staff: Julie Humberstone (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Christine R. Gilbert (Attorney) / Royce Gador (Administrative Assistant)

## Transportation

### Vehicle License Plate and Registration Amendments

Discussed 2022 General Session draft legislation, "[Vehicle License Plate and Registration Amendments](#)," which would:

- amend provisions regarding standard license plates;
- create a moratorium on the personalized license plate program;
- and modify emissions testing requirements for vintage plate vehicles.

Received a [presentation](#) from committee staff on a component of the proposal that was not included in the posted draft legislation. That component would delegate responsibility for the special group plate program from the Legislature to the Department of Motor Vehicles.

Received public comment from the State Tax Commission and the Used Car Dealers Association.

### State Road Jurisdiction Amendments

Discussed 2022 General Session draft legislation, "[State Road Jurisdiction Amendments](#)," which would amend the descriptions of and transfers jurisdiction to the state for the following roads: SR-7, SR-85, and SR-194. The draft legislation would also designate the [Midvalley Highway as SR-179](#). A previous draft of this legislation was adopted as a committee bill during the October 20, 2021, interim

meeting but the bill was brought before the committee again to include the designation of the Midvalley Highway.

The Utah Department of Transportation answered questions about the process for adopting roads into the state system.

**Action:** *Adopted as a committee bill 2022 General Session draft legislation, "State Road Jurisdiction Amendments."*

## Transportation Amendments

Discussed 2022 General Session draft legislation, "[Transportation Amendments](#)," which would:

- exempt vintage vehicles with a model year of 1967 or older from emissions inspections;
- amend provisions related to the Office of the Attorney General in prosecution of certain cases related to motor vehicle enforcement; and
- allow the Department of Public Safety to establish a pilot program for tow rotation dispatch services through a public-private partnership.

Received public comment from the Utah Highway Patrol and State Tax Commission.

**Action:** *Adopted as a committee bill 2022 General Session draft legislation, "Transportation Amendments."*

## Vehicle Registration Amendments

Discussed 2022 General Session draft legislation, "[Vehicle Registration Amendments](#)," which would:

- create a new motor vehicle registration fee for certain fuel-efficient vehicles;
- amend the Utah Department of Transportation's rulemaking authority related to the Road Usage Charge (RUC) Program; and
- set the RUC rate and RUC cap fee for enrolled vehicles.

The Utah Department of Transportation provided public comment on the RUC program operating costs and adoption of electric vehicles. Also received public comment from the Utah Taxpayers Association and Utah Clean Energy.

## Utah Department of Transportation and Transportation Commission Report and Federal Bill

Received annual reports from the [Utah Department of Transportation](#) (UDOT) and the Transportation Commission regarding strategic initiatives and the operation, maintenance, condition, mobility, and safety needs of the state transportation systems per Sections [72-1-211](#) and [72-1-201](#) respectively).

UDOT provided information on the budget impacts of the federal [Infrastructure Investment and Jobs Act](#) and inflation costs on projects and project planning in the state.

Chairs: Rep. Kay J. Christofferson / Sen. Wayne A. Harper  
Staff: Alma Weber (Policy Analyst) / Kurt P. Gasser (Attorney) / Patrick Grecu (Attorney) / Finn Andrew Rose (Administrative Assistant)





## **Veterans and Military Affairs**

### **Commission**

October 25, 2021

#### **Department of Defense Update**

Received a [presentation](#) from the Department of Defense regarding the key issues the Defense-State Liaison Office is working on with Utah for 2022.

#### **United States Department of Veterans Affairs**

##### **Update**

Received an update on the activities and accomplishments of the Salt Lake City Veterans Affairs Regional Office, which serves over 135,000 veterans and servicemember families in Utah.

#### **Utah National Guard Sexual Assault Prevention Response Program**

Received an introduction to the Utah National Guard Sexual Assault Prevention Response Program.

#### **Veterans Court Update**

Received an update from the Administrative Office of the Utah Courts regarding the status of establishing a veterans court in northern and southern Utah.

**Chairs:** Rep. Paul Ray / Sen. Todd D. Weiler  
**Staff:** Lisa Sorensen (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Tracey Fredman (Administrative Assistant)



# Draft Legislation Recommended by Legislative Committees for the 2022 General Session

## Business and Labor Interim Committee

- [Board of Bank Advisors Sunset Extension](#)
- [Business and Labor Reporting Requirements](#)
- [Consumer Alcoholic Beverage Purchasing](#)
- [Division of Consumer Protection Amendments](#)
- [Insurance Amendments](#)
- [Licensing Amendments](#)
- [Occupational and Professional Licensing Modifications](#)
- [State Construction Code Amendments](#)
- [Utah Powersport Vehicle Franchise Advisory Board Amendments](#)

## Criminal Code Evaluation Task Force

- [Criminal Code Evaluation Task Force Sunset Extension](#)
- [Criminal Code Recodification](#)
- [Criminal Code Recodification Cross References](#)

## Economic Development and Workforce Services Interim Committee

- [Child Care Amendments](#)
- [Commission on Housing Affordability Amendments](#)
- [Economic Development Modifications](#)
- [Employment Advisory Council Amendments](#)
- [Intergenerational Poverty Mitigation Amendments](#)
- [Public-private Partnership Amendments](#)
- [State Film Production Incentives Amendments](#)
- [State Small Business Credit Initiative Program Fund Amendments](#)

## Education Interim Committee

- [Education Sunset Extensions](#)
- [Higher Education Performance Funding Goals](#)
- [Hospitality and Tourism Management CTE Pilot Program Sunset Extension](#)
- [School Standards Review Committee Sunset Extension](#)
- [Utah K-12 Reading Clinic](#)

## Government Operations Interim Committee

- [Ballot Amendments](#)
- [Department of Government Operations](#)
- [Election Modifications](#)
- [Election Revisions](#)
- [Executive Residence Commission Sunset Extension](#)
- [Judicial Performance Evaluation Commission Amendments](#)
- [Legislative Process Committee Sunset Extension](#)
- [Local Election Amendments](#)
- [Medical Cannabis Patient Protection Amendments](#)
- [Open and Public Meetings Act Modifications](#)
- [Special License Plate Designation](#)
- [Utah Protection of Public Employees Act Amendments](#)
- [Voting History Amendments](#)

## Health and Human Services Interim Committee

- [Acupuncturist Liability Amendments](#)
- [Behavioral Health Services Amendments](#)
- [Clinical Mental Health Counselor Licensing Amendments](#)
- [Coordinating Council for Persons with Disabilities Sunset Extension](#)
- [Department of Health and Human Services Amendments](#)
- [Extension for Controlled Substance Prescription Requirements](#)
- [Health Care Worker Protection Amendments](#)
- [Student Athletics Participation](#)
- [Study on State Hospital Capacity Sunset Amendments](#)
- [Utah Substance Use and Mental Health Advisory Council Sunset Extension](#)

## Judiciary Interim Committee

- [Expungement Modifications](#)
- [Extension of the Utah Council on Victims of Crime](#)
- [Offender Supervision Amendments](#)
- [Justice Court Judge Elections Amendments](#)

## Law Enforcement and Criminal Justice Interim Committee

- [Catalytic Converter Amendments](#)
- [Criminal Code Evaluation Task Force Sunset Extension](#)
- [DNA Specimen Analysis Amendments](#)
- [Driving Offenses Amendments](#)
- [Emergency Management Administration Council Sunset Extension](#)
- [First Responder Mental Health Services Amendments](#)
- [Intimate Image Distribution Amendments](#)
- [Public Safety Retirement Amendments](#)
- [Search and Rescue Advisory Board Sunset Extension](#)

## Legislative Water Development Commission

- [Instream Water Flow Amendments](#)
- [School and Child Care Center Water Testing Requirements](#)
- [Water Rights Proofs on Small Amounts of Water](#)

## Native American Legislative Liaison Committee

- [Student Tribal Regalia Use Amendments](#)

## Natural Resources, Agriculture, and Environment Interim Committee

- [Grazing Advisory Board Amendments](#)
- [State Monuments Act Amendments](#)
- [State Water Policy Amendments](#)

## Political Subdivisions Interim Committee

- [Emergency Response Amendments](#)



# Draft Legislation Recommended by Legislative Committees for the 2022 General Session

## Retirement and Independent Entities Interim Committee

- [Concurrent Resolution Authorizing State Pick up of Public Safety and Firefighter Employee Retirement Contributions](#)
- [Utah Energy Infrastructure Amendments](#)
- [Utah Retirement Systems Revisions](#)
- [Utah Statewide Radio System Restricted Account Sunset Amendments](#)

## Revenue and Taxation Interim Committee

- [Cigarette Tax Amendments](#)
- [County Property Tax Statement Amendments](#)
- [Individual Income Tax Amendments](#)
- [Mobile Workforce Income Tax Amendments](#)
- [Property Tax Appeals Process Amendments](#)
- [Property Tax Deferral Amendments](#)
- [Renter's Credit Amendments](#)
- Targeted Business Tax Credit Amendments
- [Telecommunications Tax Amendments](#)
- [Utah Rural Jobs Act Amendments](#)

## Transportation Interim Committee

- [Lane Filtering Amendments](#)
  - [State Road Jurisdiction Amendments](#)
  - [Transportation Amendments](#)
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# 2021 Second Special Session

## Passed Legislation

Below is a list of 2021 Second Special Session bills and resolutions that passed both houses of the Legislature and were signed by the governor. Bills and resolutions are listed under the committee in which a hearing was held and the date of the hearing. A click on the committee name will take you to the committee's webpage, where the hearing audio can be found.

### [Business and Labor Interim Committee](#)

*November 9, 2021*

- H.B. 2002, [Unemployment Insurance Rates Amendments](#)
- H.C.R. 201, [Concurrent Resolution Urging Congress and the President to Protect Consumer Privacy in Banking and Financial Transactions](#)
- S.B. 2002, [Interlocal Cooperation Act Amendments](#)
- S.B. 2003, [State Flag Amendments](#)
- S. B. 2004, [Workplace COVID-19 Amendments](#)

### [Education Interim Committee](#)

*November 9, 2021*

- H.B. 2001, [Utah Tech University](#)

### [Government Operations Interim Committee](#)

*October 20, 2021*

- S.B. 2001, [Election Schedule Amendments](#)

### [Judiciary Interim Committee](#)

*November 9, 2021*

- H.B. 2003, [Pretrial Amendments](#)

### [Legislative Redistricting Committee](#)

*November 8, 2021*

- H.B. 2004, [Congressional Boundaries Designation](#)
  - H.B. 2005, [Utah State House Boundaries Designation](#)
  - S.B. 2005, [State Board of Education Boundaries and Election Designation](#)
  - S.B. 2006, [Utah State Senate Boundaries and Election Designation](#)
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