

# 2022 INTERIM COMMITTEE REPORT

LEGISLATIVE MANAGEMENT COMMITTEE

Office of Legislative Research and  
General Counsel

December 13, 2022





# TABLE OF CONTENTS

2022 INTERIM COMMITTEE REPORT

<u>OVERVIEW</u>	3
<u>BUSINESS AND LABOR</u>	4
<u>ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES</u>	10
<u>EDUCATION</u>	13
<u>GOVERNMENT OPERATIONS</u>	17
<u>HEALTH AND HUMAN SERVICES</u>	22
<u>JUDICIARY</u>	25
<u>LAW ENFORCEMENT AND CRIMINAL JUSTICE</u>	28
<u>NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT</u>	33
<u>POLITICAL SUBDIVISIONS</u>	39
<u>PUBLIC UTILITIES, ENERGY, AND TECHNOLOGY</u>	42
<u>RETIREMENT AND INDEPENDENT ENTITIES</u>	45
<u>REVENUE AND TAXATION</u>	48
<u>TRANSPORTATION</u>	53
<u>APPENDIX A: LEGISLATION RECOMMENDED FOR THE 2023 GENERAL SESSION</u>	60



# OVERVIEW

## INTERIM REPORT TO LEGISLATIVE MANAGEMENT COMMITTEE

### Study Item and Reporting Processes

To facilitate an interim planning process, each interim committee, during their first meeting of the year, reviews a list of items to study provided by the Legislative Management Committee. The interim committee may modify, or add to the list of study items, but must adopt the original or amended list of study items by majority vote. The adopted list comprises issues to study within the committee’s subject area and is used to guide each committee meeting agenda.

After an interim committee’s final meeting, the chairs of each interim committee are required to report to LMC on the outcome of each issue studied by the committee. The Office of Legislative Research and General Counsel (OLRGC) has compiled this report on the disposition of each issue studied by the interim committees on behalf of the committee chairs for LMC to review. Additional context and related rules to the interim study and reporting processes can be found in [JR7-1-401](#) and [JR7-1-611](#).

### Report Organization

This report summarizes the outcome of each item from the committee’s interim study item list that the committee adopted during their first meeting of the year. In addition to the issues on a committee’s approved study item list, committees will often study additional issues that arise during the interim. While not on the study item list, these additional items represent the work of the committee and are included in this report.

This report is divided into sections for each of the Legislature’s 13 interim committees and subdivided by whether the issue studied, either from the committee’s interim study item list or an additional issue not on the study item list, resulted in legislation recommended for the 2023 General Session. The following headings are used to organize items:

Heading	Description
Legislation Recommended for the 2023 General Session	Draft legislation that the committee voted to recommend for the 2023 General Session.
Studied But No Recommended Legislation	Issues that the committee discussed but did not result in the committee recommending draft legislation.
Issues Not Studied	Issues on the committee’s study item list that were not discussed at a committee meeting.

**Appendix A** contains a list of legislation recommended by each legislative committee, which includes interim committees and legislative task forces and commissions.

Not included in this report is the status of sunset reviews that LMC assigned to interim committees. OLRGC will submit a separate report that contains the outcomes of sunset reviews.



## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Collection Agency Amendments\***

Sponsor: Rep. Maloy

Vote: 13-0-7

Discussed whether Title 12 and the registration and bonding requirements are still serving their intended purposes. Discussed and determined that Title 12 should be repealed, except for Utah Code Section 12-1-11, Collection fee -- Convenience fees. Recommended draft legislation that would repeal provisions that: require collection agencies to register with the Division of Corporations and Commercial Code; govern certain bond requirements for collection agencies; require certain records related to registrations and bonds; relate to violations and penalties of title provisions; govern assignments of debts involving collection agencies; and require certain registration forms and registration fees for collection agencies.

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### **Department of Commerce Electronic Payment Fees\***

Sponsor: Rep. Teuscher

Vote: 15-0-6

Discussed allowing the Department of Commerce to retain a portion of the fees it collects to defray the growing costs of electronic payments and thereby eliminating the need for the department to adjust its payment fee appropriation each year. Recommended draft legislation that would: allow the department to collect a fee to defray the costs of electronic payments; create the Commerce Electronic Payment Fee Restricted Account; require the department to deposit electronic payment fees into the restricted account; and provide that appropriations from the restricted account are nonlapsing.

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### **Massage Therapy Practice Act Amendments**

Sponsor: Sen. Bramble

Vote: 10-3-7

Recommended draft legislation that would: create a license classification and establish the qualifications and scope of practice for a massage therapy assistant and a massage assistant in-training; amend the massage therapist examination and background check requirements; address the supervision of a massage apprentice, massage assistant, and massage assistant in-training; and require certain signage and disclosures when a massage assistant or massage assistant in-training provides a massage service.

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### **Professional Licensing Amendments**

Sponsor: Sen. Bramble

Vote: 10-2-8

Recommended draft legislation that would permit the Division of Professional Licensing to designate certain professional licensing board members to preside over adjudicative proceedings concerning professional licenses and create a review process for the board members' recommended order. The bill would modify licensing requirements for certain funeral service establishments and professionals, landscape architects, security personnel, and deception detection examiners.

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### **Professional Licensing by Endorsement Amendments**

Sponsor: Sen. Bramble

Vote: 12-0-8

Received a presentation from the Department of Commerce about expanding license by endorsement from professions regulated by the Division of Professional Licensing to include occupations and professions that are regulated by other departments to allow for endorsement of like credentials, including those earned outside of the United States. Discussed creating a license advisor position in the Office of Professional Licensure Review to help applicants navigate the discussed licensing reciprocity process. Recommended draft legislation that would create a process for several state agencies to issue certain professional licenses and certificates by endorsement and would provide administrative rulemaking authority.

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### **Public Expression Protection Act**

Sponsor: Sen. Bramble

Vote: 14-1-6

Recommended draft legislation that would: enact the Uniform Public Expression Protection Act and create a process for a claim asserted against a person for communicating in, or on an issue under consideration in, certain governmental proceedings or exercising certain rights under the United States Constitution or Utah Constitution; require a court to award costs, attorney fees, and other litigation expenses under certain circumstances; include a severability clause; and repeal the Citizenship Participation in Government Act.

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### **Unfair Practices Act Amendments**

Sponsor: Rep. Thurston

Vote: 15-0-6

Recommended draft legislation that would repeal the Unfair Practices Act because the act's policies are provided in greater specificity in other areas of the code.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee's study item list

### **Alcohol Package Agency\***

Discussed the existing package agency compensation model, which is based on a package agency's inventory orders from the Department of Alcoholic Beverage Services (DABS). Discussed a potential new compensation model for package agencies that could be based on a package agency's previous month's sales. Received a presentation and heard comments from DABS, a rural package agent, and the Alcoholic Beverage Services Commission.

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### **An In-Depth Budget Review of the Insurance Department\***

Received a presentation about the Office of the Legislative Auditor General's budget review of the Insurance Department. The audit identified concerns in the Captive Insurance Division and the Insurance Fraud Division. The audit made the following findings and recommendations:

- concluded captive insurance provides the state with less economic benefit than originally estimated;
  - provided options to increase the economic benefit of captive insurance;
  - questioned whether it is appropriate for the Captive Insurance Division to promote the industry given its role as regulator; and
  - recommended the Insurance Fraud Division provide antifraud education programs for insurers and the public.
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### **Blockchain and Digital Innovation Task Force\***

Received a presentation and annual report from the chairs of the Blockchain and Digital Innovation Task Force. The task force formed a subcommittee to review changes to sandbox legislation and determined that an alteration to the Money Transmitters Act would be more effective by making several modifications. The task force also discussed establishing a state crypto wallet and investing in the minimum amount of Ethereum to establish a node on that blockchain.

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### **Consumer Protection\***

Received a presentation from the Division of Consumer Protection about industries that generate the most consumer complaints. Compared the top 10 industries that generated the most consumer complaints in 2020, 2021, and 2022, and examined why certain industries are prone to fraud, scams, and consequently consumer complaints.

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### **Department of Commerce Fee Study\***

Received a presentation from the Department of Commerce regarding a chronic over-collection of fees at the Divisions of Securities, and Corporations and Commercial Code (DCCC). The department planned to provide a fee reduction of \$5.3 million by reducing fees at DCCC by \$1.6 million and reducing fees at the Division of Securities by \$3.6 million. Discussed impact of the fee reduction, which will provide over 500,000 license holders and business owners a break in fees.

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### **Division of Corporations and Commercial Code\***

Received a presentation from the Division of Corporations and Commercial Code about modifying corporate and other entity filing requirements to consolidate related provisions and streamline the filing process. Discussed whether businesses should be required to submit their North American Industry Classification System code to help the division guide businesses to resources and potential regulators when registering with the division. A committee bill file was opened but the chairs decided that a recodification should be considered for the 2023 interim.

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### **Fraudulent Ticket Sales\***

Received a presentation about fraudulent ticket sales and deceptive practices in the secondary ticket market. Discussed consumer protection measures and potential modifications to the Ticket Transferability Act and Ticket Website Sales Act to address fraudulent ticket sales. Heard from the Utah Cultural Alliance, MagicSpace Entertainment, and the Cache Valley Center for the Arts. A committee bill file was opened but more time was needed for stakeholder input.

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### **Interstate Licensing Compacts\***

Discussed interstate licensing compacts accompanied by a presentation from the Division of Professional Licensing that included compact models, their pros and cons, the impact of interstate licensing compacts on industry and the state, as well as their increased usage among states. Utah participates in nine interstate licensing compacts and is involved in two additional compacts that have elements of licensing. Received a presentation from the Council of State Governments on the national landscape for compacts and compacts under development.

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### **Legislative Prioritization of Licensing Reviews**

Reviewed a list of occupational licenses proposed for periodic review by the Office of Professional Licensure Review (OPLR) in 2023. OPLR proposed periodic review of mental and behavioral health licenses within the Department of Commerce and Department of Health and Human Services to address Utah's mental health crisis and shortage of mental health professionals. Received a presentation addressing how the reviews will be conducted and expected deliverables. Voted to approve the proposed list of occupational licenses for periodic review and to submit a copy of the approved list to the Legislative Management Committee in accordance with statute.



### **Medical Cannabis Business\***

Studied how medical cannabis and financial services industries interact and policies that prevent the two industries from working together. Discussed risks to financial institutions that service the medical cannabis industry and the need for Congress to pass the SAFE Banking Act. Heard from the Utah Cannabis Association, Utah Cannabis Co-Op, Utah Patients Coalition, Department of Financial Institutions, Utah Bankers Association, and Utah Credit Union Association.

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### **Office of Professional Licensure Review\***

Received a presentation from the new Office of Professional Licensure Review that is within the Department of Commerce. Discussed the office's responsibilities, which include evaluating each lawful occupational license once every 10 years and conducting sunrise reviews. Reviewed the office's guiding principles for evaluating licenses and methods of prioritization for reviews.

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### **Postsecondary Schools**

Received a presentation from the Department of Commerce about postsecondary schools regulated by the department. Postsecondary school regulations have been administered by the department for 20 years with an emphasis on consumer protection for students. The department provides oversight separate from the Utah System of Higher Education of non-public postsecondary schools.

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### **Professional Licensing Census**

Received a presentation from the Office of Professional Licensure Review about a statewide licensing census that the office conducted among state agencies that oversee and issue professional licenses. There are 15 state agencies that issue professional licenses to a total of 711,000 licensees.

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## Issues Not Studied

### **Business Opportunity Disclosure Act**

Not studied at the request of the agency for more time.

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At the discretion of the chairs, the following items were not studied:

- Banking and Financial Regulations
  - Business Regulations
  - Health Care Liens
  - Insurance Regulations
  - Profit Retention for the Department of Alcoholic Beverage Services
  - Real Estate Appraisals
  - Retail Licensee Bulk Discount
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# ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES

SEN. RONALD M. WINTERTON | REP. STEPHEN G. HANDY | [Committee Website](#)

## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Disaster Amendments\***

Sponsor: Sen. Winterton

Vote: 12-0-4

Recommended draft legislation that would modify the Post Disaster and Mitigation Restricted Account, and the State Disaster Recovery Restricted Account, including renaming the Post Disaster and Mitigation Restricted Account to the Local Response, Recovery, and Post-disaster Mitigation Restricted Account. The bill would modify standards and requirements for receiving a grant from funds originating from the Local Response, Recovery, and Post-disaster Mitigation Restricted Account. The bill would also provide that, when there is a budget surplus, 25% of the funds that are appropriated to the State Disaster Recovery Restricted Account will be appropriated to the Local Response, Recovery, and Post-disaster Mitigation Restricted Account.

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### **Early Childhood Amendments**

Sponsor: Rep. Pulsipher

Vote: 14-0-2

Recommended draft legislation that would repeal the Governor's Early Childhood Commission and moves its responsibilities and duties to the Early Childhood Utah Advisory Council. The duties include providing comprehensive and accurate information regarding the availability of voluntary services for children in early childhood from state agencies and other private and public entities, facilitating improved coordination between state agencies and community partners that provide services to children in early childhood, sharing and analyzing information regarding early childhood issues in the state, providing recommendations to the Department of Health and Human Services, the Department of Workforce Services, and the State Board of Education regarding a comprehensive delivery system of services for children in early childhood, and identifying opportunities for and barriers to the alignment of standards, rules, policies, and procedures across programs and agencies that support children in early childhood.

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### **State Flag Amendments**

Sponsor: Sen. McCay

Vote: 10-4-2

Received a presentation regarding the recommendations of the Utah State Flag Task Force. Recommended draft legislation that would establish a new state flag and change the current state flag into the ceremonial flag to be used on holidays and other special occasions.

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### **Technology Commercialization Amendments\***

Sponsor: Rep. Robertson

Vote: 12-1-3

Recommended draft legislation that would create the Utah Innovation Lab and the Utah Innovation Fund. The purpose of the Utah Innovation Lab is to advance innovative technologies developed in Utah, strengthen Utah's economy and facilitate job creation, help qualified businesses gain access to capital, attract entrepreneurs and innovation to Utah, facilitate the commercialization of technologies discovered, advanced, or developed at state institutions of higher education, advance the competitiveness of Utah businesses in the global economy, ensure that the Utah innovation fund remains financially self-sustaining, and encourage other investors to invest in qualified businesses alongside the Utah Innovation Fund.

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## **Studied But No Recommended Legislation**

\*Denotes item was on the committee's study item list

### **Department of Workforce Services Program\***

Received presentations from the Department of Workforce Services on Afghan refugee resettlement, Federal Temporary Assistance for Needy Families, the Community Services Block Grant, and the status of federal stimulus benefits.

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### **Housing Affordability\***

Received a presentation from the Kem C. Gardner Policy Institute on the state and future of the Utah housing market. Received presentations from the Department of Workforce Services, the Utah Housing Corporation, the Wasatch Regional Group, and the Governor's Office of Economic Opportunity on the current programs in place to help Utah citizens attain affordable housing, the difficulties faced by developers in building affordable housing, and policy efforts to address the issue.

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### **Limited Review of the Utah Inland Port Authority**

Reviewed the Limited Review of the Utah Inland Port Authority by the Office of the Legislative Auditor General. Received a response from the Utah Inland Port Authority that outlined how the authority was implementing the recommendations.

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### **Performance Audit of Tax Increment Financing**

Reviewed a Performance Audit of Tax Increment Financing by the Office of the Legislative Auditor General. Received responses from the Governor's Office of Economic Opportunity and the Utah League of Cities and Towns. The responding entities agreed that changes would need to be made to bring the programs into statutory compliance.



### **Post Pandemic Economic and Workforce Development\***

Received presentations from the Department of Workforce Services, Kem C. Gardner Policy Institute, Governor's Office of Economic Opportunity, and the Economic Development Corporation of Utah. The Department of Workforce Services presented on the state and causes of the national and statewide labor shortage. The Kem C. Gardner Policy Institute presented on economic insights into Utah's post pandemic economy. The Governor's Office of Economic Opportunity presented on their efforts to future proof the Utah economy, cultivate prosperity, and how the Unified Economic Opportunity Commission will help accomplish those goals. The Economic Development Corporation of Utah presented on the scarcities and abundances that exist in the Utah economy.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee’s study item list

### **Block Grant Funding for Prevention Programs in Public Education\***

Sponsor: Rep. Pulsipher

Vote: 16-0-2

Recommended draft legislation that would streamline multiple prevention programs, like substance abuse and suicide prevention programs, to reduce reporting requirements for local education agencies (LEAs) and provide LEAs with more flexibility in implementing these programs.

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### **Reading Software Amendments**

Sponsor: Sen. Millner

Vote: 13-0-5

2022 S.B. 127, Early Literacy Outcomes Improvement, directed the Utah State Board of Education to establish strategies and administer programs to improve early literacy outcomes for students in grades K-3. Recommended draft legislation that would clarify that a statistical requirement enacted in S.B. 127 does not apply to reading software.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee’s study item list

### **H.B. 11 (2022GS), Update on Litigation and Implementation**

2022 H.B. 11, Student Eligibility in Interscholastic Activities, created a prohibition on students of the male sex from competing with a team designated for students of the female sex in an interscholastic athletic activity. Since its passage, there has been litigation filed to challenge the constitutionality of this prohibition. Received an update from committee staff on the status of the litigation, while also hearing an update from representatives of the Utah High School Activities Association on the status of implementing provisions of H.B. 11.

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### **Aligning Technical Education Credit Hours\***

Received a presentation on how leaders in the higher education system have been working to better align credit hours in technical colleges and degree-granting institutions to make it easier for students to transfer between institutions.

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### **Audit Assigned by the Legislative Audit Subcommittee\***

Reviewed eight audits during the interim:

1. A Performance Audit of Teacher Retention Within Utah's Public Education System
2. A Performance Audit of Higher Education Police Departments
3. An In-Depth Budget Review of the Weber School District
4. A Performance Audit of Teacher and Principal Performance Within Utah's Public Education System
5. A Performance Audit of Financial Reporting in Public Education
6. A Performance Audit of Public Education Administrative Costs
7. Comprehensive Education Audit Capstone
8. A Performance Audit of Curriculum and Teacher Training in Public Education

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### **Chronic Absenteeism and Truancy Working Group**

Received an update from members of the Chronic Absenteeism and Truancy Working Group on that group's recommendations for addressing those issues.

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### **Higher Education and Corrections Council**

Received a presentation from representatives from the Utah System of Higher Education and the Department of Corrections on the work of the Higher Education and Corrections Council.

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### **Higher Education Presidential Search Process Review\***

Heard from Utah System of Higher Education officials about the presidential search process for institutions of higher education, including areas for potential legislative changes.

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### **Higher Education System Consolidation Follow Up: Institutional Program Duplication\***

Heard from Utah System of Higher Education officials about areas of potential program duplication between various institutions of higher education and technical colleges.

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### **Higher Education System Consolidation Follow Up: Shared Administrative Services\***

Received a presentation from Utah System of Higher Education officials about findings from a study commissioned by the Utah System of Higher Education to identify areas for shared services and redundancies across the state's higher education administrative system following the merger of the state's technical college and higher education systems in 2020.

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### **Local School Boards**

Heard from representatives from the Utah chapter of the NAACP, Utah Parents United, Utah School Boards Association, and other stakeholders regarding the accountability of local school boards, including the potential need for an ethics commission for local school boards.

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### **Public Education Accountability System Redesign\***

Received a presentation from the Utah State Board of Education about the Utah School Accountability System Working Group's recommendations for updating the state's school accountability system.

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### **Sensitive Materials in Schools**

[2022 H.B. 374](#), Sensitive Materials in Schools, prohibited sensitive materials - as defined in statute - in public school settings. Heard from Utah State Board of Education officials, public school district officials, and parents about the status of creating and implementing school policies regarding sensitive materials in school libraries.

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### **Statewide Online Courses Initiative\***

Received a presentation from the Utah System of Higher Education on a potential program that would offer online higher education courses to students statewide through Utah's institutions of higher education.

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### **Utah State Board of Education Legislative Priorities**

Received a presentation from Utah State Board of Education officials on the board's legislative and funding priorities for the 2023 General Session.

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### **Utah Tech University Heritage Commission**

As part of the 2021 legislation that changed the name of Dixie State University to Utah Tech University (UTU), the university was required to establish a Heritage Commission to identify and implement strategies to preserve the culture and history of the region on the campus. Heard a report from on the Heritage Commission's work from the UTU Board of Trustees President.

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## Issues Not Studied

At the discretion of the committee chairs, the following items were not studied:

- Charter School Governance and Agreements
  - Department of Justice Report on Davis School District
  - Ethnic Studies School Curriculum
  - Higher Education System Consolidation Follow Up: Role of Community Colleges
  - Parent Involvement in Student Learning Options
  - Public Education Covid-19 Recovery Efforts
  - "Talent Ready Utah" Transition to Utah System of Higher Education
  - USBE Youth in Care Education Programs
  - Utah College Advisor Corps
-





## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Boards and Commissions Amendments**

Sponsor: Rep. Stenquist

Vote: 12-0-2

Recommended draft legislation that would require an interim committee to review, for potential repeal, an executive board that fails to comply with the five-year reporting requirement for an executive board.

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### **Division of Technology Services Amendments**

Sponsor: Rep. Stenquist

Vote: 11-0-3

Reviewed the Performance Audit of the Division of Technology Services by the Office of the Legislative Auditor General and recommended draft legislation that would modify and clarify duties of the Division of Technology Services in relation to procurement, contract management, and security assessment.

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### **Election Modifications\***

Sponsor: Rep. Maloy

Vote: 8-4-2

Recommended draft legislation that would modify provisions of the Election Code, including the day a voter who changes party affiliation or becomes unaffiliated from a political party can vote in a regular primary or presidential primary election.

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### **Initiative and Referendum Modifications\***

Sponsor: Rep. Maloy

Vote: 10-0-4

Recommended draft legislation that would amend provisions relating to initiatives and referenda to clarify provisions and requirements, to clarify who is responsible for certain requirements, and to use consistent terms.

---

### **Juvenile Offender Penalty Amendments**

Sponsor: Sen. Pitcher

Vote: 11-0-3

Recommended draft legislation that would address the sentencing of a juvenile offender for the conviction of certain sexual offenses.



**Local District Amendments and Local District Revisions**

Sponsor: Rep. Barlow (both bills)

Vote: 11-0-3 / 10-0-4

Recommended draft legislation that would replace the term "local districts" with the term "special districts" throughout the Utah Code.

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**Municipality Incorporation Amendments\***

Sponsor: Sen. Vickers

Vote: 12-0-2

Recommended draft legislation that would amend provisions related to incorporating a municipality.

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**Open and Public Meetings Act Amendments\***

Sponsor: Rep. Briscoe

Vote: 10-0-4

Recommended draft legislation that would modify the open meeting requirements of the Open and Public Meetings Act to include requiring a public body holding an open meeting to allow a reasonable opportunity for the public to provide verbal comment at the meeting, with exceptions.

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**Petition Amendments\***

Sponsor: Rep. Rohner

Vote: 12-0-2

Recommended draft legislation that would add provisions about the process for verifying the signature of a registered voter who signs a petition and add provisions about the process for a registered voter who signs a petition to remove the voter's signature from a petition.

---

**Public Notice Requirements\***

Sponsor: Rep. Pitcher

Vote: 12-0-2

Recommended draft legislation that would create classifications for types of public notices where each classification requires notice to be provided in specific ways and amend public notice provisions to implement the new classification system.

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**State Commemorative Periods Amendments\***

Sponsor: Rep. Thurston

Vote: 12-1-1

Recommended draft legislation that would define a commemorative period, provide for the establishment of commemorative periods by the governor, and address the repeal of commemorative periods.

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**Tourism Fund Amendments**

Sponsor: Rep. Jimenez

Vote: 8-3-3-

Recommended draft legislation that would authorize counties of the third class to expend revenue generated by the transient room tax to pay for on-site emergency medical services in certain areas of the county.

---

**Veterans and Military Affairs\***

Sponsor: Rep. Burton

Vote: 11-0-3

Recommended draft legislation that would restructure, reorganize, and rewrite some of the provisions of Title 71, Veterans, and create Title 71A, Veterans and Military Affairs.

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**Voter Signature Verification Amendments\***

Sponsor: Rep. Eliason

Vote: 10-3-1

Recommended draft legislation that would address voter signature verification, including granting rulemaking authority to establish criteria, processes, and training in relation to signature comparison, and require the director of elections to make rules regarding signature verification for individuals who are unable to sign their name consistently due to a disability.

---

**Voting and Voter Residency Amendments\***

Sponsor: Sen. Thatcher

Vote: 12-0-2

Recommended draft legislation that would amend and clarify provisions for determining residency, establish standards and requirements for determining residency, and address evidence of residency and challenges to residency.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee's study item list

### **County Clerk Office Site Visit**

Visited the Davis County Clerk's Office to study the procedures for processing ballots, including the setup and operation of voting equipment, the signature comparison review process, ballot extraction, and the chain of custody protocols for ballots and other election materials.

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### **Cure Letter Lists\***

Received a presentation regarding cure letter lists, which are created when there is a discrepancy with a voter's signature. Each county treats these lists differently when determining if the list is considered a record for Government Records Access and Management Act purposes.

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### **DFCM Renovation Fund**

Received a presentation from the Utah Division of Facilities Construction and Management regarding a requested renovation fund that would be used to construct six new regional centers and renovate five existing regional centers for state agencies. The consolidation of agencies into regional centers is expected to increase efficiency and provide better interface and convenience for the employees and the public. The consolidation would also be expected to net a significant reduction in space by vacating 91 buildings.

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### **Environmental, Social, and Governance (ESG) Factors\***

Heard from the Attorney General's Office and the Office of State Treasurer regarding ESG factors and how they could affect the state's credit ratings.

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### **Government Fees\***

Received a presentation from the Division of Finance explaining the methods used by executive branch agencies to determine their fee amounts and the approval process for fee schedules.

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### **Mental Health Crisis Intervention Council**

Received a report from the Mental Health Crisis Intervention Council within the Department of Health and Human Services regarding the protocols and standards it created for the training and functioning of local mental health crisis intervention teams.

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### **Municipal Governance**

Considered draft legislation that would provide direction in statute regarding when a city council may make changes to executive responsibilities.

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### **Sensitive Instructional Materials**

Received a presentation from the Utah State Board of Education regarding the implementation and compliance with providing guidance and training to support public schools in identifying materials that meet the definition of sensitive materials.

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### **Unified Economic Opportunity Commission Report**

Received an update from a subcommittee of the Unified Economic Opportunity Commission regarding internal initiatives and recommendations for state employee retention and recruitment.

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## **Issues Not Studied**

### **Legislative Process for Land Exchanges**

At the discretion of the chairs, this item was not studied by the committee.

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### **Regional Land Use Planning**

Intended to review a report from the Unified Economic Opportunity Commission but the report was not received.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Health and Human Services Consolidation\***

As follow-up to the merger of the Department of Health and the Department of Human Services, recommended four draft bills that would recodify Title 26, Utah Health Code, and Title 62A, Utah Human Services Code, into Title 26B:

- [Health and Human Services Recodification - Administration, Licensing, and Recovery Services](#)  
Sponsor: Sen. Anderegg  
Vote: 14-0-4
- [Health and Human Services Recodification - Health Care Assistance and Data](#)  
Sponsor: Sen. Anderegg  
Vote: 14-0-4
- [Health and Human Services Recodification - Health Care Delivery](#)  
Sponsor: Sen. Anderegg  
Vote: 14-0-4
- [Health and Human Services Recodification - Prevention, Supports Substance Use and Mental Health](#)  
Sponsor: Sen. Anderegg  
Vote: 14-0-4

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### **Local Health Departments Revisions\***

Sponsor: Rep. Peterson

Vote: 13-1-4

Discussed the adequacy and use of revenue raising options available to local health departments and recommended draft legislation that would require the Department of Health and Human Services and the Department of Environmental Quality to make rules for allocating state funds by contract to local health departments and require those state agencies to make certain determinations when making rules that affect local health departments.

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### **Medicaid Dental Waiver Amendments\***

Sponsor: Sen. Vickers

Vote: 13-0-5

Recommended draft legislation that would require the Department of Health and Human Services to request authorization to provide dental services to Medicaid eligible adults not already eligible for dental services.



### **Medical Cannabis Governance Revisions\***

Sponsor: Rep. Brooks

Vote: 15-0-3

Recommended draft legislation that would implement the recommendations of the Medical Cannabis Governance Structure Working Group created by the Legislative Management Committee in response to [2022 S.B. 153](#), Medical Cannabis Governance Study.

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### **Prescription Discount Program Amendments\***

Sponsor: Rep. Ward

Vote: 12-0-6

Discussed what the Legislature can do to sustain or enable changes in the production, distribution, prescribing, purchase, and use of prescription drugs that will promote better health outcomes at the lowest possible cost for PEHP, Medicaid, and the commercial health insurance market. Recommended draft legislation that would allow PEHP to add additional drugs to its prescription drug discount program.

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### **Sex Characteristic Surgical Procedures\***

Sponsor: Sen. Kennedy

Vote: 12-5-1

Recommended draft legislation that would prohibit certain medical procedures related to treatment of gender dysphoria in minors.

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## **Studied But No Recommended Legislation**

\*Denotes item was on the committee's study item list

### **Aging\***

Considered draft legislation, [Master Plan on Aging](#), proposed by the Utah Commission on Aging, that would amend the duties and powers of the commission and direct the commission to prepare and publish a 10-year master plan for aging.

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### **Behavioral Healthcare: Medicaid Coverage of Mental Health Services for Adults\***

Discussed potential use of the state's Medicaid Expansion Fund to fund Medicaid home and community support services for adults with a serious mental illness.

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### **Behavioral Healthcare: Provider Licensing\***

Briefed by the new Office of Professional Licensure Review within the Department of Commerce on the office's forthcoming review of 34 types of behavioral healthcare licenses, currently used by 18,000 licensees.

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### **Behavioral Healthcare: Service Delivery in Non-Wasatch- Front Counties\***

Visited Tooele County to learn about the delivery of behavioral healthcare in non-Wasatch Front Counties. Briefed by service providers and toured service provider operations.

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### **Medicaid: Pregnancy and Postpartum Coverage\***

Considered draft legislation, [Pregnancy Medicaid Coverage Amendments](#), which would increase the Medicaid income eligibility threshold for pregnant and postpartum women, and draft legislation, [Postpartum Medicaid Coverage Amendments](#), which would extend Medicaid's 60-day eligibility for postpartum women to 12 months.

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### **Medical Record Access\***

Considered draft legislation, [Medical Record Access Amendments](#), which would improve access to patient information by healthcare providers across healthcare systems.

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## Issues Not Studied

### **Long-Term Care Facilities**

The committee examined issues related to aging but did not explicitly study long-term care facilities.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Administrative Appeals Amendments\***

Sponsor: Sen. Weiler

Vote: 15-0-2

Received a staff presentation on the case *C.R. England v. Hakem* (2021) in which the Utah Court of Appeals invited the Legislature to clarify whether an appellate court has jurisdiction over a cross-petition in an administrative appeal. Recommended draft legislation that would enable parties in administrative proceedings to file cross-petitions.

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### **Criminal Financial Obligation Amendments\***

Sponsor: Rep. Lisonbee

Vote: 15-0-2

Received a staff presentation on the case *Diderickson v. State* (2022) in which the Utah Supreme Court invited the Legislature to clarify the impact a settlement agreement has on restitution. Recommended draft legislation that would address the call for legislative action and amend other provisions regarding financial obligations owed by a criminal defendant.

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### **Juvenile Record Modifications\***

Sponsor: Rep. Acton

Vote: 8-7-2

Received a presentation from the Utah Juvenile Defender Attorneys and heard from the Division of Juvenile Justice and Youth Services on the expungement of juvenile records. Recommended draft legislation that would allow for a petition for expungement of certain juvenile records as well as the automatic expungement of a successful nonjudicial adjustment completed on or after October 1, 2023. The draft legislation would also modify a reporting requirement of dangerous weapons on school grounds.

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### **Waiver of Punitive Damages Amendments\***

Sponsor: Rep. King

Vote: 13-0-4

Received a staff presentation on the case *doTERRA International v. Kruger* (2021) in which the Utah Supreme Court invited the Legislature to address whether waivers of punitive damages in contracts are enforceable. Recommended draft legislation that would prohibit courts from enforcing agreements to waive or limit liability for punitive damages in contracts.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee's study item list

### **Arson Amendments**

Received a staff presentation on the case *State v. Carter* (2022) in which the Utah Court of Appeals invited the Legislature to clarify the definition of "habitable structure" as it relates to arson. Voted to refer the call for legislative action to the Law Enforcement and Criminal Justice Interim Committee.

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### **Attorney Fees**

Heard from a legislator on the issue of recovering attorney and expert fees in certain civil actions against a government entity.

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### **Child and Family Services\***

Received a presentation from the Division of Child and Family Services on efforts to increase family engagement, improve access to services prior to a foster care episode or court involvement, and reduce or eliminate barriers to family reunification, such as helping parents navigate the child welfare system.

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### **Justice Court Reform\***

Received a presentation from the Task Force on Justice Court Reform on the courts' proposal to create a new division of the district courts to handle all misdemeanor and small claims cases, while justice courts would continue to handle infractions. Took no action, but the Judicial Council is interested in working with the Legislature to gradually implement reforms, with committee study during the 2023 interim and possible legislation in the 2024 General Session.

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### **Juvenile Justice Reform\***

Received a presentation from the Division of Juvenile Justice and Youth Services on Utah's recent efforts to reinvest in juvenile justice, such as increased early intervention services, and areas for improvement, such as racial and ethnic disparities and lack of rural services.

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### **Mental Health and Criminal Justice\***

Heard from a legislator, the Statewide Association of Prosecutors and Public Attorneys of Utah, and a criminal defense attorney regarding ways to improve the criminal justice system as it relates to individuals with mental illness. No action taken, but a legislative working group will continue to study the issue.



### **Preliminary Hearings\***

Received presentations and heard comments on preliminary hearings reform from the Salt Lake Legal Defender Association, the Utah Sentencing Commission, the Utah Commission on Criminal and Juvenile Justice, the Statewide Association of Prosecutors and Public Attorneys of Utah, and the Administrative Office of the Courts. Discussed draft legislation that would establish a defendant's right to depose or subpoena a witness in a criminal prosecution but took no action.

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### **Treatment of Expunged Records\***

Heard from a legislator regarding employer treatment of the expunged records of job applicants and on ways to more generally protect and limit access to expunged records to ensure a truly 'clean slate' for ex-offenders.

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### **Victim Services\***

Heard from a legislator, the Office for Victims of Crime, and the Office on Domestic and Sexual Violence regarding a proposal to create a commission to oversee and coordinate victim services statewide.

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## **Issues Not Studied**

### **Child Support Statute of Limitations**

Sponsor decided not to study this issue.

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### **Court Debt Collection**

A legislative working group is studying possible reforms to court debt collection practices but was not ready to present any proposals to the interim committee.

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### **Forensic DNA Privacy**

Sponsor decided not to study this issue.

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### **Juvenile Transfers to Adult Jail**

The Division of Juvenile Justice and Youth Services, which initially suggested this study item, determined that it could address this issue without statutory or policy changes.

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# LAW ENFORCEMENT AND CRIMINAL JUSTICE

SEN. KEITH GROVER | REP. RYAN D. WILCOX | [Committee Website](#)

## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Arson Amendments**

Sponsor: Rep. Gwynn

Vote: 13-0-4

Received a recommendation from the Judiciary Interim Committee to study a request by the Utah Court of Appeals and the Utah Supreme Court to clarify provisions related to the definition of "habitable structure" in the aggravated arson statutory scheme. Recommended the issue be reviewed by the Criminal Code Evaluation Task Force and brought back to the committee with any legislative recommendations. Recommended draft legislation that was recommended by the Criminal Code Evaluation Task Force that would amend the definition of "habitable structure."

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### **Criminal Code Recodification and Cross References\***

Sponsor: Rep. Gwynn

Vote: 13-0-4

Recommended draft legislation that would modify Title 76, Chapters 6, Offenses Against Property, and 6a, Pyramid Scheme Act, by redrafting offense statutes into a new structure and clarify existing law.

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### **Domestic Violence Modifications**

Sponsor: Rep. Pierucci

Vote: 9-0-8

Recommended draft legislation that would create the Domestic Violence Data Task Force and describe the duties of the task force, require the Department of Public Safety to develop and distribute a form to collect data on lethality assessments used in domestic violence cases from law enforcement agencies, and direct the Administrative Office of the Courts to consider certain domestic violence training for judges, commissioners, and court staff.

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### **Driving Under the Influence Modifications\***

Sponsor: Rep. Wilcox

Vote: 12-0-5

Recommended draft legislation that would amend the provisions related to an ignition interlock system and driving under the influence.

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### Drug Possession Penalty Amendments\*

Sponsor: Rep. Bennion

Vote: 14-0-3

Received a presentation from the Utah Sentencing Commission, Juvenile Justice and Youth Services, and the Salt Lake County Criminal Justice Advisory Council about efforts being made to preemptively curb firearm-related crimes in the state. Received presentations from legislators about proposals to amend the definition of a Category II restricted person as it relates to domestic violence and reduce the penalty for a restricted person in possession of marijuana. Recommended draft legislation that would amend the definition of a restricted person in possession of a dangerous weapon and a controlled substance and reduce the penalty, in certain circumstances, for a restricted person in possession of marijuana.

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### **Mental Health and Criminal Justice**

Received a presentation from the Statewide Association of Prosecutors on problems within the criminal justice system related to repeat offenders who suffer from mental illness. Received a presentation from a legislator about the possible benefits of implementing a statewide co-response model for deploying social workers with law enforcement officers if an incident appears to be related to mental health. Received a presentation from the Department of Public Safety on the implementation of grant-funded programs established in [2022 H.B. 23](#), First Responder Mental Health Services Amendments.

- First Responder Mental Health Amendments\*

Sponsor: Rep. Wilcox

Vote: 13-0-4

Recommended draft legislation that would add spouses of retired first responders to the list of those who qualify for mental health services and provide mental health services on a regular and continuing basis.

- Mental Health Support and Law Enforcement Co-Response\*

Sponsor: Rep. Stoddard

Vote: 14-0-3

Recommended draft legislation that would create a grant program for expanded mobile crisis intervention teams to be administered by the Division of Integrated Healthcare.



**Law Enforcement Investigation Amendments\***

Sponsor: Rep. Wilcox

Vote: 12-0-5

Discussed the current state of the law regarding reverse keyword search and geolocation requests by law enforcement. Voted to open a committee bill file to address the issues raised to the committee by the Libertas Institute and the Office of the Attorney General. Recommended draft legislation concerning procedures and requirements related to reverse-location warrants, also referred to as geofence warrants.

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**Online Dating Safety Amendments**

Sponsor: Rep. Romero

Vote: 10-0-7

Recommended draft legislation that would require certain safety notifications and disclosures by an online dating service provider and provide enforcement procedures and a penalty for a violation of the notifications and disclosures.

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**Protective Order Amendments**

Sponsor: Rep. Gywnn

Vote: 13-0-4

Recommended draft legislation that would amend the definitions of "jail release agreement" and "jail release court order" and provide expiration provisions for certain pretrial protective orders.

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**Rape Crisis Center Modifications**

Sponsor: Rep. Romero

Vote: 10-0-7

Recommended draft legislation that would amend definitions relating to rape crisis centers and sexual assault counselors.

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**School Safety Requirements**

Sponsor: Rep. Wilcox

Vote: 12-0-5

Recommended draft legislation that would create a State Security Chief position in the Department of Public Safety, create the School Security Task Force, require the task force to develop the qualifications, duties, and scope of authority of the State Security Chief, and require that all secondary schools have a school resource officer.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee’s study item list

### **Campus and Delegated Police Authority\***

Received a presentation from the Office of the Legislative Auditor General on their Performance Audit of Higher Education Police Departments.

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### **Criminal Justice Data\***

Received a presentation from staff on recent statutory changes to requirements for collecting and reporting criminal justice data. Received a report from the Commission on Criminal and Juvenile Justice and the Department of Technology Services about progress made to create the criminal justice data system required by [2022 H.B. 403](#), Justice Reinvestment Initiative Modifications.

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### **DNA Rape Kit Testing and Unrelated Crimes**

Opened a committee bill file to restrict the possibility of a sexual assault victim having DNA gathered during the rape kit testing process used as evidence against them for unrelated crimes. The issue was ultimately abandoned after further consideration determined such a use of DNA is already restricted under Utah law.

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### **Healthcare in State Prisons\***

Received a presentation from the Office of the Legislative Auditor General on their Performance Audit of Healthcare in State Prisons. Received a presentation from legislators on rising suicide rates in county jails and the state prison.

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### **Offender Management\***

Received a presentation from the Utah Sentencing Commission on possible recommendations to alter the Sex and Kidnap Offender Registry.

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### **Sentencing\***

Received presentations from the Utah Sentencing Commission on updates to the Master Offence List and the relationship between the sentencing guidelines and the Criminal Code.

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## Issues Not Studied

### **Private Investigator Oversight\***

Committee chairs received feedback from stakeholders that this no longer needed attention.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Domesticated Elk Program Amendments**

Sponsor: Rep. Stratton

Vote: 14-0-4

Received a presentation from the Department of Agriculture and Food concerning challenges facing domestically raised elk that are bred for commercial purposes, including the spread of Chronic Wasting Disease. Recommended draft legislation that would make changes to the Domesticated Elk Program, including amending provisions related to the state veterinarian's powers, importation of domesticated elk into the state, and tracking domesticated elk in the state. The draft legislation would require the Department of Agriculture and Food to study the importation of domesticated elk into the state.

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### **Off-Highway Vehicle Registration Requirements**

Sponsor: Rep. Albrecht

Vote: 16-0-2

Recommended draft legislation that would exempt a snowmobile from the requirement to obtain and display a license plate for an off-highway vehicle, allow the Motor Vehicle Division to charge a fee for issuance of a new or replacement license plate, and amend requirements related to off-highway vehicle safety courses.

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### **Outdoor Recreation Amendments**

Sponsor: Rep. Stratton

Vote: 16-0-3

Recommended draft legislation that would require the Division of Outdoor Recreation to prepare a recreation management plan for Provo Canyon.

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### **Radon Related Amendments**

Sponsor: Sen. Sandall

Vote: 10-6-2

Received the findings and recommendations of a study conducted by the Utah Geological Survey regarding how to increase awareness and mitigate the risks of exposure to radon gas. Recommended draft legislation that would direct the Division of Waste Management and Radiation Control to develop an online radon gas test data collection mechanism and map and would address testing and mitigation in public buildings.

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**Water Related Liability Amendments\***

Sponsor: Rep. Albrecht

Vote: 14-1-3

Recommended draft legislation that would modify provisions concerning liability related to water facilities, streams or rivers, and related trails.

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**Wildlife Resources Code Recodification\***

Sponsor: Rep. Snider

Vote: 16-0-3

Last year’s interim committee voted in its November meeting to approve staff work immediately following the 2022 General Session on the recodification of the Wildlife Code. Recommended draft legislation that would recodify Title 23, Wildlife Resources Code of Utah.

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**Wildlife Resources Recodification Cross References\***

Sponsor: Rep. Snider

Vote: 16-0-3

Last year’s interim committee voted in its November meeting to approve staff work immediately following the 2022 General Session on the recodification of Title 23, Wildlife Resources Code of Utah. Recommended draft legislation that would address recodification cross references.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee’s study item list

**H.B. 281, Transplants of Wildlife Amendments\***

The House Natural Resources, Agriculture, and Environment Standing Committee requested this item be studied during the interim. Heard from a legislator and the Division of Wildlife Resources regarding current wildlife transplant issues and future opportunities for mitigation planning.

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**Access to Water\***

Studied issues surrounding water supply and accessibility. Received presentations from the Department of Natural Resources on water supply and resources in the state, including the current reservoir levels, current snowpack, total water received this year, and secondary water metering. Heard draft legislation, Emergency Water Shortages Amendments, and voted to support further efforts to develop the legislation.

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### **Deer Creek Inlet**

Received a presentation from the Provo River Water Users Association regarding Deer Creek Reservoir and a proposed project to upgrade infrastructure.

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### **Federal De-carbonization Policy\***

Studied effects of federal decarbonization policies. Received presentations from the Texas Public Policy Foundation, Utah Rural Electric Cooperative Association, Utah Mining Association, and a legislator on potential impacts on the state. Heard remarks from Utah State Treasurer and from Utah Clean Energy on energy reliability within the state and the use of clean energy.

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### **Per Capita Consumptive Use**

Received a presentation from the Jordan Valley Water Conservancy District and Prepare60 on draft legislation, Per Capita Consumptive Use. This bill would require certain water districts to calculate and report per capita consumptive use of water.

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### **Public Lands Policy and Coordinating Office (PLPCO) Education Campaign**

Received a presentation from the PLPCO on a public education campaign regarding the importance of public land and wildlife management.

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### **Reduction of Outdoor Water Use on State Properties\***

Studied the reduction of outdoor water use on state properties. [2022 H.B. 121](#), Water Conservation Modifications, enacted outdoor water use limitations on government facilities. Received presentations from the Division of Water Resources and the Department of Facilities Construction and Management on current efforts and further actions to improve water use on state properties.

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### **Regional Water Strategy\***

Studied regionalized strategies for water use. Received a presentation from the Department of Natural Resources on measuring the effects of legislative efforts to improve water use efficiency and increase flows into the Great Salt Lake.

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### **Saline Aquifers\***

Studied the benefits of water retrieval and purification from deep saline aquifers and how best to incentivize that process. Received a presentation from a legislator about the possibility of accessing water from deep saline aquifers to address decreasing Great Salt Lake levels. Heard from a Brigham Young University professor about the role of modular molten salt reactors in these efforts.

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### **Small-Scale Wastewater Recycling**

Received a presentation from Busse West LLC on advanced scalable membrane bioreactor (MBR) wastewater treatment systems and ongoing projects in Utah. Heard from a dairy farmer about the advantages of MBR technology.

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### **Soil Health On-Farm Trials**

Received a presentation from the Utah Association of Conservation Districts and the Department of Agriculture and Food regarding an on-farm trial research project. The discussion included the progress of the project and anticipated needs in the future.

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### **State Fair Park Master Plan\***

Received a presentation from the Utah State Fair Park Board. The presentation included an update on the development of a master plan for developing the Utah State Fair Park and Event Center. The committee voted against legislative support of the master plan concept as presented.

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### **State Park Fees\***

Studied the structure and use of fees charged by Utah’s state parks. Received a presentation from the Division of State Parks regarding the state park system and fees. The discussion included how revenue is generated and used and increasing state park usage.

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### **Utah Lake Authority**

Received a presentation from the Utah Lake Authority Board, which included an update on the formation, activities, and goals of the board, created by [2022 H.B. 232](#), Utah Lake Authority. The board was created to address issues related to Utah Lake.

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### **Utah Lake Restoration**

Received a presentation from committee staff summarizing legislation related to [2022 H.B. 240](#), Utah Lake Amendments. Heard from the Division of Forestry, Fire, and State Lands regarding a status update on the Utah Lake Restoration Project.

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### **Water Banking Implementation Report**

Received a presentation from the Water Banking Project Manager regarding the implementation of water banking and legislative recommendations. This study was encouraged by [2019 S.J.R. 1](#), Joint Resolution Supporting the Study of Water Banking in Utah.

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### **West Virginia vs. Environmental Protection Agency**

Received a presentation from committee staff summarizing the United States Supreme Court ruling on West Virginia v. Environmental Protection Agency. This case centered on the Clean Air Act and the ability of the Environmental Protection Agency to regulate carbon dioxide emissions from existing power plants.

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### **Wildfire Risks and Mitigation\***

Received presentations from the Division of Forestry, Fire, and State Lands regarding current wildfire risks and mitigation efforts within the state. These discussions included advertisement campaigns, land use planning tools, and wildland urban interface areas. Heard from the Utah Unified Fire Authority.

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### **Wolf Update**

Received a presentation from a lobbyist about Northern Grey wolves in the Western United States. Discussion included the impact of the reintroduction of wolves in Colorado on Utah.

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## Issues Not Studied

### **Department of Agriculture and Food Restructure**

Sponsor decided not to study this issue.

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### **Land Use Designations**

Sponsor decided not to study this issue.

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### **Outdoor Adventure Commission**

Not studied due to time constraints.

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### **Potential New State Park**

Item not ready for study.

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### **Water Storage Capacity**

Not studied due to time constraints.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee’s study item list

### **Municipal Office Modifications\***

Sponsor: Rep. Welton

Vote: 12-0-4

Recommended draft legislation that would modify the notice requirements and the procedures for filling municipal vacancies in specific circumstances.

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### **Continuing Care Retirement Facilities Amendments\***

Sponsor: Rep. Dunnigan

Vote: 10-0-6

Recommended draft legislation that would modify the processes through which the Department of Insurance regulates continuing care facilities.

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### **Volunteer Government Workers Amendments**

Sponsor: Rep. Dunnigan

Vote: 9-0-7

Recommended draft legislation that would amend the definition of a volunteer to describe the fees, expenses, and other benefits that may be provided to a volunteer.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee’s study item list

### **A Performance Audit of Tax Increment Financing**

Received a presentation from the Office of the Legislative Auditor General regarding the findings and recommendations of A Performance Audit of Tax Increment Financing (TIF). The audit made recommendation towards TIF fund balances, TIF expenditure reporting, and justification analyses addressing the use of TIF funds. The committee opened a committee bill file to address the recommendations but was not able to consider the draft legislation due to time constraints.

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### **Challenges for Political Subdivisions Related to Short-term Rentals\***

Received status updates from a workgroup to address issues with short-term rental properties and enforcement of ordinances by municipalities.

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### **Congregate Care Facilities\***

Received a presentation from committee staff and representatives of congregate care facilities regarding the implementation of reforms and other measures associated with congregate care facilities.

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### **County Auditor Amendments**

Discussed draft legislation that would establish the county auditor as independent from any executive or administrative county officers and modify the authority and duties of a county auditor. The sponsor of the draft legislation agreed to work with interested parties and stakeholders on concerns and revisions.

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### **Impact of Long Trains on Safety**

Received presentations on the growing length of trains and public safety from SMART Transportation, the Brotherhood of Locomotive Engineers and Trainmen, Union Pacific Railroad, and representatives of impacted communities.

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### **Land Use Task Force Update**

Received a presentation from the Utah League of Cities and Towns and the Property Rights Coalition on the creation of the Land Use Task Force, its duties and responsibilities, and the task force's plans for this interim.

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### **Moab Community Land Trust**

Received a presentation from a legislator and the Moab Community Land Trust regarding innovative ways to provide affordable housing.

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### **Overview of Local Districts\***

Received a presentation from committee staff providing background information on local districts. Heard from the Utah Association of Special Districts on the role of the association, common issues, and challenges with local districts.

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### **Responsibilities of the County Sheriff in First- and Second-Class Counties\***

Received reports from a workgroup looking into issues raised regarding the Salt Lake County sheriff also serving as the CEO of an interlocal law enforcement services agreement. Discussed draft legislation that would prohibit a sheriff of a county of the first class from acting as the chief executive for law enforcement, employee, or agent of a police interlocal entity or police local district executive, director, board member, or employee of any other entity providing or receiving services under an interlocal services agreement.

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### **Supreme Court Case Review\***

Received a report from committee staff on certain legal issues that are currently being considered by the courts that could affect political subdivisions.

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### **Use of Eminent Domain by Local Governments and the Role of the Property Rights Ombudsman\***

Received presentations from committee staff and the Office of the Property Rights Ombudsman on the statutory process of eminent domain and the role of the Ombudsman regarding eminent domain, land use disputes, and training. Heard from the Utah League of Cities and Towns on the use of eminent domain by local governments.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee's study item list

### **Carbon Capture Utilization & Storage Update\***

Received a presentation from the Division of Oil, Gas, and Mining on the progress of applying for primacy with the Environmental Protection Agency for Class VI wells to capture and store carbon.

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### **Community Renewable Energy Program Update\***

Received a presentation from the Community Renewable Energy Agency Board on the status of the transition to renewable sources of energy for communities that opted to participate in the program. At the time of the presentation the board was in price negotiations with Rocky Mountain Power.

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### **Cost of Power Rates Study\***

Received a presentation from the Citizens Utility Board on a 50-state comparison of electric utility performances based on affordability, reliability, and environmental responsibility. Utah ranked 1st in affordability.

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### **Critical Minerals and Future Energy Needs\***

Received presentations that examined our critical mineral and mining needs as Utah transitions to more renewable sources of energy. Heard from the Utah Geological Survey and the Utah Mining Association that mining for critical minerals that are required for renewable sources of energy will need to increase exponentially.

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### **Earthquake-Induced Soil Liquefaction: Utah's Exposure and Mitigating Risk to Public Utilities**

Received a presentation on the potential catastrophic outcomes if the "big one" were to strike the Wasatch Fault line, particularly as it relates to underground public utilities. Discussed potential policy options for hedging against the worst-case scenarios.

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### **Energy and Storage Technology\***

Received presentations from multiple stakeholders to explain what energy storage technologies currently exist and why they are important, various pumped hydro storage projects that are coming online with Rocky Mountain Power, community solar programs, and ways the state can advance more energy storage projects.

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### **Energy Regulation Transparency\***

Received a presentation concerning the high costs of renewable energy.

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### **Natural Gas Leakages\***

Received a presentation from multiple stakeholders on the status of natural gas leakages in the Uinta Basin, trends in improvement to reduce leakages, and additional steps industry is taking to continue to reduce leakages.

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### **Ozone Transport Rule (OTR)**

Received presentations from multiple stakeholders to explain the Ozone Transport Rule that the Environmental Protection Agency issued, which would require a certain type of technology to be added to coal plants to eliminate carbon emissions by 2026. Power plant stakeholders presented to the committee the challenges associated with that timeline and updated committee members on the status of their negotiations with the federal government.

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### **Radio Upgrades Update\***

Received a presentation from the Utah Communications Authority on the status of updating their radio network and personal radio devices statewide.

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### **Regional Transmission Organizations - Opportunities & Challenges\***

Received presentations from multiple stakeholders to explain what Regional Transmission Organizations (RTO) are, the opportunities and challenges associated with participating in an RTO, and how RTO agreements are implemented in practice.

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### **Rural Natural Gas Expansion Project Update\***

Received a presentation from Dominion Energy on their rural natural gas expansion projects.

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### **State Energy Plan Update\***

Received a presentation from the Office of Energy Development on updates to the state energy plan that released on May 10, 2022. The new Utah Energy and Innovation Plan consists of six commitments, including: an "any of the above" energy future, American energy independence, market-driven climate solutions, support for rural communities, support for a clean energy future, and collaboration with local, regional, and federal partners.

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### **State Financial Contracts Amendments**

Discussed draft legislation regarding Environmental, Social, and Corporate Governance (ESG) issues, including opportunities for improvements to the bill language. The committee did not vote on the draft legislation.

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### **Transmission - Addressing Future Needs\***

Received a presentation from the Office of Energy Development and Rocky Mountain Power on Utah's transmission needs as the state grows and more energy is required. Discussed challenges with the transmission permitting process and what the Legislature can do to help expedite the process.

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### **Utah Rural Energy Diversification and Innovation Application Update\***

Received a presentation from the Office of Energy Development on the status of Utah's application to the federal program. The program included \$1 billion to boost economic recovery from the pandemic and rebuild American communities. Utah is one of 60 finalists that advanced to phase two of the application process.

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## **Issues Not Studied**

### **Power Plant Decommissioning**

Sponsor of the suggested item decided it was no longer necessary to study.

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# RETIREMENT AND INDEPENDENT ENTITIES

SEN. WAYNE A. HARPER | REP. WALT BROOKS | [Committee Website](#)

## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Military Installation Development Authority Amendments\***

Sponsor: Sen. Stevenson

Vote: 10-0-5

Received a presentation from the Military Installation Development Authority (MIDA) on the entity's mission and activities, Hill Air Force Base project area, Mayflower project area, and relationships with the federal government, state agencies, and political subdivisions. Recommended draft legislation that would clarify who is considered the owner of military land within a project area, amend provisions relating to ownership of a former rail line adjacent to a project area, and enact provisions immunizing a governmental entity from liability related to the ownership of certain historically contaminated property.

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### **Retirement and Independent Entities Amendments\***

Sponsor: Sen. Harper

Vote: 10-0-5

Discussed clean-up changes and policy questions for the committee to consider regarding Title 63E, Independent Entities Code. Recommended draft legislation that would clarify which entities are considered independent entities for purposes of the Independent Entities Code, add the Public Service Commission to the list of independent entities, and amend provisions related to the Retirement and Independent Entities Committee's duties and authority.

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### **Retirement Fiscal Note Requirements**

Sponsor: Sen. Fillmore

Vote: 8-0-7

Received a presentation from the Office of the Legislative Fiscal Analyst regarding the fiscal note process for retirement bills, including an explanation of information received from actuaries. Recommended draft legislation that would direct the Office of the Legislative Fiscal Analyst to include specified additional information in the fiscal estimate for each proposed bill that changes retirement benefits for public employees.



**State Employee Benefits Amendments**

Sponsor: Sen. Fillmore

Vote: 11-0-4

Received a presentation from the Division of Human Resource Management on the results of market analysis of wages, retirement, and other benefits for state employees. Discussed recommendations for salaries and benefits for fiscal year 2024. Recommended draft legislation that would create the State Employees Benefits Advisory Commission.

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**Utah Retirement Systems Revisions**

Sponsor: Rep. Brooks

Vote: 10-0-5

Recommended draft legislation that would reflect recommendations from Utah Retirement Systems to address issues identified in the previous year and make technical and administrative changes to update the Utah State Retirement and Insurance Benefit Act.

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**Studied But No Recommended Legislation**

\*Denotes item was on the committee’s study item list

**Changes to Retirement Benefits\***

Received a presentation from committee staff on the legislative audit findings that identified the need for retirement reforms in Utah, the bills that created the Tier 2 systems, and the outcomes of these reforms. Received a presentation from the Utah Retirement Systems on policy changes proposed in legislation from the 2022 General Session and the fiscal impacts associated with those proposals. Discussed the priorities of stakeholders who participated in retirement policy discussion groups with Utah Retirement Systems during the interim. Discussed proposals to modify public safety and firefighter retirement, modify the postretirement reemployment restrictions for a retiree who was a public safety service employee or a teacher, and address postretirement reemployment and mental health services for first responders.

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**Independent Entity Review: School and Institutional Trust Funds Office\***

Received a presentation from the School and Institutional Trust Funds Office on the entity's mission, activities, coordination with other entities, and status as an independent entity. Discussed the beneficiaries of the trusts and investment strategy.

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### **Independent Entity Review: School and Institutional Trust Lands Administration\***

Received a presentation from the School and Institutional Trust Lands Administration on the entity's mission, activities, coordination with other entities, and status as an independent entity. Discussed plans for a land exchange in San Juan County approved by the Legislative Management Committee.

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### **Mental Health Treatment Amendments**

Received a presentation on a proposal to require health plans offered by a governmental entity that opts out of the federal Mental Health Parity and Addiction Equity Act to substantially comply with the act, including the act's financial requirements and treatment limitations.

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### **Public Employee Disability Benefits Amendments**

Received a presentation on a proposal to establish a three-year pilot period during which an eligible employee with a mental objective medical impairment qualifies for the same disability benefit as the eligible employee would receive for a physical objective medical impairment.

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### **Review of Independent Entities\***

Received a presentation on the various independent entities in the state. Discussed the three types of independent entities as well as their governance structures, participation in state services, and application of state laws.

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### **Utah Clean Energy Fund**

Received a presentation on a proposal to create an independent entity to promote investments in renewable energy and energy efficiency projects, finance and support projects in rural Utah, and increase the pace and amount of investments at the state and local level by mobilizing public and philanthropic investment.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### **Leased Tangible Personal Property Tax Amendments\***

Sponsor: Sen. Wilson

Vote: 11-0-8

Received a presentation from the State Tax Commission on whether a sales tax exemption should be allowed in certain vehicle lease buyout situations and discussed policy solutions. Recommended draft legislation that would provide the sale of leased tangible personal property from the lessor to the lessee is subject to sales and use tax.

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### **Proposal to Amend Utah Constitution- Revenue and Taxation**

Sponsor: Sen. McCay

Vote: 13-0-5

Recommended draft legislation that would propose to amend the Utah Constitution to require that 45% of the fair market value of residential property be exempt from property tax, permit the exemption of greater than 45% of the fair market value of residential property to be exempt from property tax, and prohibit the state, or a political subdivision of the state, from imposing a tax on the transfer of real property.

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### **Railroad Right of Way Amendments**

Sponsor: Rep. Snider

Vote: 15-0-3

Recommended draft legislation that would authorize a government entity to assess a railroad for any portion of the cost of a public infrastructure improvement, if: the improvement is partially or wholly within the railroad's right of way, the improvement provides a benefit to the railroad, and the assessment is proportionate to the railroad's benefit.

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### **Tax Assessment Amendments\***

Sponsor: Rep. Eliason

Vote: 15-0-3

Recommended draft legislation that would amend Utah Code Section 59-10-1403 and enact Utah Code Section 59-2-313.1 which would require a county assessor to provide certain assessment data to the Tax Commission (commission), establish a date by which the county assessor must provide the assessment data to the commission, permit the commission to review the county's assessment data and to provide findings and make recommendations to the county, permit the commission to subscribe to a market data service, and establish requirements for a pass-through entity when filing an amended return.





**Tax Modifications\***

Sponsor: Rep. Spendlove

Vote: 15-0-3

Recommended draft legislation that would make corrections to provisions related to tax, including eliminating redundant or obsolete language and updating cross-references, clarifying that the Tax Commission, not the Division of Finance, is responsible for certain sales tax deposits and transfers, and repealing language related to expired income tax credits.

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**Tax Revisions\***

Sponsor: Rep. Snider

Vote: 13-2-3

Recommended draft legislation that would amend the corporate and individual income tax rate from 4.85% to 4.8%.

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**Water Infrastructure Funding Study\***

Sponsor: Sen. McCay

Vote: 13-0-5

Received presentations from committee staff, the Utah Association of Special Districts, Jordan Valley Water Conservancy District, Weber Basin Water Conservancy District, Central Utah Water Conservancy District, and Washington County Water Conservancy District. Discussed the role of property tax in paying for water in Utah. Recommended draft legislation that would direct the Department of Natural Resources to study the use of property tax revenue to fund water infrastructure, treatment, and delivery, and require the department to report to the Natural Resources, Agriculture, and Environment Interim Committee and the Revenue and Taxation Interim Committee.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee’s study item list

**A review of income tax credits\***

Received a handout from committee staff overviewing Utah's individual and corporate income tax credits, as well as a summary document for the tax credits scheduled for review by the committee during the 2022 interim. Conducted reviews for credits up for review in 2022.

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**A study on the application of the exclusive use exemption while structures or improvements on properties are under construction\***

Received a presentation from the Tax Commission on the exclusive use exemption while properties are under construction and potential policy solutions. Voted to open a committee bill file; bill was abandoned by chairs.

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**An examination of possible responses to Buck v. Utah State Tax Commission regarding Utah individual income tax domicile status\***

Received a presentation from the Tax Commission regarding changes to the determination of Utah individual income tax domicile status in response to the Utah Supreme Court decision in Buck v. Utah State Tax Commission. Discussed potential policy solutions. Voted to open a committee bill file to address the issue; bill was abandoned by chairs.

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**Economic Update**

Received a joint presentation from economists from the Kem C. Gardner Policy Institute, the Governor's Office of Planning and Budget, the Office of the Legislative Fiscal Analyst, and the Department of Workforce Services regarding updated tax collections, revenue projections, and economic and employment indicators for the state.

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**Funding for Rural Projects**

Received a presentation from committee staff comparing the Permanent Community Impact Fund and the Rural Opportunity Program. Received a presentation from the Department of Workforce Services on the Permanent Community Impact Fund. Received a presentation from the Governor's Office of Economic Opportunity on the Rural Opportunity Program.

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**Income Tax Fiscal Impacts of Potential Rate Cuts\***

Received a presentation from the Office of the Legislative Fiscal Analyst regarding the fiscal impacts of potential income tax rate cuts.

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**Property Tax- Agricultural Land**

Received an overview of the Farmland Assessment Act from committee staff and a presentation from a Utah Watersheds Council member on the assessment and taxation of property actively devoted to agricultural use and the effect of use requirements on water waste.

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### **Property Tax Overview**

Received a property tax overview from committee staff and a presentation from the Office of the Legislative Fiscal Analyst regarding the combined basic rate, a property tax rate that generates revenue for the basic school program. Discussed [2018 H.B. 293](#), Tax Rebalancing Revisions, which affects education, related property tax rates.

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### **Property Tax Values**

Received a presentation from Utah assessors on recent trends in property assessment and received a detailed 29-county report on shifts in tax liability between different property categories.

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### **Revenue Update**

Received an update from the Office of the Legislative Fiscal Analyst on the status of revenue and employment numbers in the state.

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### **Sports, Entertainment, and Technology\***

Received a presentation from the Governor's Office of Economic Opportunity on economic incentives provided to certain industries and information on the Utah Sports Commission.

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### **Volunteer Income Tax Assistance Program**

Received an overview of the Volunteer Income Tax Assistance (VITA) program from committee staff. VITA provides grants and support for free tax preparation services through various partner organizations. Also received a presentation from the Connect to Collect program at the University of Utah which links taxpayers to services such as VITA.

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## **Issues Not Studied**

### **A review of fees, including an auditor's report**

Report not submitted.

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### **A review or study of severance taxes**

Chairs decided not to study this issue.

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**An examination of fees for use as a revenue source, including related to water use**

Chairs decided not to study this issue.

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**Discussion of S.B. 187, Fossil Fuel Tax Amendments, which imposes a carbon dioxide emissions tax**

Chairs decided not to study this issue.

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**Non-Profit Hospital Incentives**

Chairs decided not to study this issue.

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**Oil and Gas Transportation**

Sponsor decided not to study this issue.

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**Property Tax-Older Homeowners**

Chairs decided not to study this issue.

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## Legislation Recommended for the 2023 General Session

\*Denotes item was on the committee's study item list

### Advanced Air Mobility Amendments\*

Sponsor: Sen. Harper

Vote: 15-0-3

Received a presentation from the Utah Department of Transportation (UDOT) on the Advanced Air Mobility (AAM) working group that is studying state laws and identifying potential changes to state law necessary to facilitate the development of AAM operations. The working group reviewed existing AAM infrastructure and assets, performed a comprehensive review of programs and processes, and provided suggestions on policies and regulations that would support AAM in the state. The report suggested a phased approach to expanding AAM infrastructure with full state deployment in 15-30 years.

Recommended draft legislation that would delegate oversight of vertiports to the Division of Aeronautics, require registration of unmanned aircraft systems (UAS) and AAM systems, grant rulemaking authority to UDOT to make rules related to registration fees and registration requirements for UAS and AAM systems, and enact and amends provisions related to preemption of local ordinances and business licensing of AAM businesses.

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### Highway Special Designation Process Amendments\*

Sponsor: Rep. Ward

Vote: 16-0-2

Received a proposal to provide standards and procedures for naming state highways, where the Legislature would defer to the Utah Department of Transportation (UDOT) to approve special designations, and received information on state highway and bridge naming procedures in other states.

Received a presentation from UDOT on the current Road Naming Policy, existing special designations, and national standards for special designations. Recommended draft legislation that would require consultation with the relevant political subdivision before certain state highway special designations and define the process for special highway designations in statute.

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### **License Plate Amendments**

Sponsor: Rep. Thurston

Vote: 11-0-7

Discussed the state's provisions related to standard license plates, personalized license plates, and special group license plates. Recommended draft legislation that would: amend provisions regarding standard license plates; create a two-year moratorium on the personalized license plate program; create the sponsored special group license plate program and change the process to establish a new special group license plate; establish eligibility criteria for different categories or sponsored special group license plates; allow a county to exempt a motor vehicle from an emissions inspection under certain circumstances; create a restricted account to administer existing fees related to license plates and vehicle registration; and repeal certain restricted accounts and other provisions related to license plate issuance and administration.

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### **Motor Vehicle Registration Amendments**

Sponsor: Sen. Harper

Vote: 11-0-7

Received a presentation from the Tax Commission on amendments to the motor vehicle registration and license plate provisions. Recommended draft legislation that would: clarify when the Tax Commission may impose a registration reinstatement fee; create the License Plate Restricted Account; repeal the honorary consulate special group license plate; and provide that appropriations from the restricted account are nonlapsing.

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### **Motor Vehicle Safety Inspection Advisory Council Amendments**

Sponsor: Rep. Peterson

Vote: 16-0-2

Recommended draft legislation that would repeal the Motor Vehicle Safety Inspection Advisory Council.

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### **Office of Rail Safety\***

Sponsor: Rep. Shultz

Vote: 14-0-4

Received a presentation from a legislator and the Utah Department of Transportation (UDOT) on the federal State Rail Safety program, highway-rail grade crossings, and the rail transportation restricted account. Received a handout on how rail safety programs are funded and managed in other states. Recommended draft legislation that would authorize UDOT to enter into an agreement with the Federal Railroad Administration per 49 CFR Part 212 and assume oversight and inspection powers of Class I railroads in the state in cooperation with the federal government.

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### **Road Jurisdiction Amendments**

Sponsor: Sen. Harper

Vote: 16-0-2

Discussed the process for adopting roads into the state system and received a presentation from the Utah Department of Transportation. Recommended draft legislation that would amend the descriptions of SR-109 and SR-131, and transfer jurisdiction to the state.

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### **Road Usage Amendments**

Sponsor: Sen. Harper

Vote: 16-0-2

Received a presentation from the Utah Department of Transportation (UDOT) on the current and future revenue, participation rate, and costs of the road user charge program. The largest growth in the program has been driven by increased participation from electric vehicles. The presentation also explained how [2022 H.B. 186](#), Vehicle Registration Amendments, impacts the program by modifying the per mile rate. Recommended draft legislation that would clarify that the Road Usage Charge Program Special Revenue Fund is an expendable special revenue fund and remove language requiring an appropriation by the Legislature for UDOT to administer the fund.

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### **Traffic Safety Amendments\***

Sponsor: Sen. Harper

Vote: 13-0-5

Received a joint presentation from the Utah Department of Transportation (UDOT) and the Utah Highway Patrol (UHP) on a proposal for infrastructure and personnel resources to patrol and enforce traffic safety along Bangerter Highway and Mountain View Corridor. UHP's 2022 personnel resources study showed a need to hire additional troopers and UDOT Incident Management Team members to patrol Bangerter Highway and Mountain View Corridor. UHP also discussed needs as population and traffic growth continues on West Davis Corridor and Mountain View Corridor in Utah County.

Recommended draft legislation that would require the Department of Public Safety (DPS) and UHP to annually evaluate enforcement responsibilities on state highways, coordinate with local law enforcement agencies regarding enforcement responsibilities, and report any budgetary changes to the Legislature annually. The bill would also require UDOT to coordinate with DPS and UHP regarding changes to the state highway system.

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### **Transportation Corridor Funding Amendments\***

Sponsor: Rep. Christofferson

Vote: 14-0-4

Received information from Wasatch Front Regional Council, and presentations from Mountainland Association of Governments, Utah Department of Transportation (UDOT), and Salt Lake County on the Marda Dillree Corridor Preservation Fund, the Local Highway and Transportation Corridor Preservation Fund, and other local corridor preservation funds that have received state appropriations. Recommended draft legislation that would allow UDOT to use corridor preservation funds to cover staff costs to administer the fund and extend the time horizon for use of the funds from 30 years to 40 years.

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### **Transportation Funding Revisions\***

Sponsor: Sen. Harper

Vote: 14-0-4

Received presentations from Wasatch Front Regional Council, Utah Department of Transportation, Mountainland Association of Governments, Utah League of Cities and Towns, and the Utah Association of Counties on transportation funding issues, including how the various aspects of transportation are funded and budgets are estimated for future projects. Discussed the statewide transportation improvement program and how appropriations are managed by the Transportation Commission, and funding for transportation projects in cities and counties. Received a handout about funding sources from the Utah Transit Authority. Recommended draft legislation that would repeal two outdated and unnecessary accounts, the Impact Communities Transportation Development Restricted Account and the Motorcycle Safety Awareness Support Restricted Account, respectively.

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### **Transportation Revisions**

Sponsor: Sen. Harper

Vote: 15-0-3

Recommended draft legislation that would amend station area plan provisions, prohibit the passing of a working snowplow or snowplows in echelon formation, require motorists to give space for disabled vehicles with flashing hazard lights, amend local match requirements to qualify for certain transportation-related funds, and clarify division responsibilities within the Department of Transportation for oversight of capital development of public transit facilities.

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## Studied But No Recommended Legislation

\*Denotes item was on the committee's study item list

### **Airport Owner Report**

Received a presentation from the Salt Lake City Department of Airports that discussed transportation network company operations at Salt Lake City International Airport, the use of private hangars, and an update on Tooele Valley Airport and South Valley Regional Airport.

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### **Annual Report and Strategic Initiatives Update**

Received a joint presentation from the Utah Department of Transportation (UDOT) and the Transportation Commission on UDOT's strategic goals of zero fatalities, optimize mobility, and preserve infrastructure, and the Commission's project prioritization model.

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### **Capital Planning and Statewide Transportation Improvement Plan\***

Received a joint presentation from the Utah Department of Transportation (UDOT) and Utah Transit Authority on capital project planning for the FrontRunner double tracking and future transit at Point of the Mountain. The goals of the FrontRunner project are to increase frequency and reliability while reducing travel time. The Point of the Mountain transit project is in early planning stages and UDOT is currently comparing three alternatives: bus rapid transit, light rail transit, and FrontRunner compatible.

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### **Commercial Driver Licenses**

Heard commentary from the Driver License Division regarding current issues with federal training requirements and allowed exemptions when obtaining a commercial driver license or adding an endorsement to an existing commercial driver license, and potential opportunities for the state to support workforce expansion in trucking.

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### **Free Fare February Report and Zero Fare Transit Study**

Received a presentation from the Utah Transit Authority (UTA) on the funding sources and impact on ridership during the transit agency's month of no fare collection on all modes of transit. UTA also presented information on a rider survey that described how many riders were new to the system, methods of arriving at transit stations, and reasons for riding transit during the month of February.

Received a presentation from Nelson\Nygaard, Wasatch Front Regional Council (WFRC), and UTA on a joint study conducted by WFRC, UTA, the Utah Department of Transportation, and Mountainland Association of Governments on the impacts to the transit system if one of four scenarios was adopted: systemwide zero fare; zero-fare on bus; zero-fare for low-income riders;



or \$1 flat fare on all services. The study examined the benefits and costs with respect to operational efficiency, financial health of the system, and community benefits.

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### **Personal and Commercial Trailers Licensing and Registration\***

Received a presentation from the Tax Commission on the licensing and registration of personal and commercial trailers in the state. Discussed the Utah Constitution's provision requiring the payment of a uniform statewide fee in lieu of property tax for vehicles that are subject to registration and the International Registration Plan which provides proportional revenue for all member jurisdictions based on the actual distance traveled in each member jurisdiction. Heard commentary from the Utah Trucking Association. Committee staff provided a handout on permanent trailer registrations available in neighboring states.

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### **Road Debris\***

Received a presentation from the Utah Department of Transportation on litter on roadways, costs of managing the litter control program, and corporate and community programs to keep roads clean. Received a presentation from the Utah Highway Patrol on roadway debris enforcement and strategies to target unsecured loads, including increased public outreach, focused enforcement efforts, commercial motor vehicle enforcement, and load origination engagement and enforcement.

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### **Roadway Safety\***

Received a presentation from the Department of Public Safety on how Utah applies the principles of the federal National Roadway Safety Strategy to current programs and future considerations to improve transportation safety.

Received a joint presentation from the Utah Department of Transportation (UDOT) and the Utah Highway Patrol (UHP) on crash fatality trends including impaired, wrong way, and speeding and aggressive driving.

Received a presentation from the Utah Substance Use and Mental Health Advisory Council with assistance from UHP on the 2021 DUI Report which provides a profile of a typical DUI offender, an overview of arrests by county and region, data on arrests by blood alcohol level, trends on crashes, injuries, and fatalities, and court activities.

Received a presentation from UDOT on lane striping and research into different products that have a longer replacement cycle and more durability and visibility on roads. Discussed the \$26 million Freeway Enhancement Project and the national research project taking place on I-84 eastbound in Tremonton where 32 pavement markings are being evaluated.

Received a presentation from UDOT on pedestrian and bicycle safety, including data on fatalities and information on efforts underway to improve safety.



Received a presentation from the Wasatch Front Regional Council on creating safe statewide walking and bicycle infrastructure. Discussed recent bicycle network investments, including \$75 million investment authorized by the legislature in 2021 and 2022 for regionally significant active transportation projects.

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### **State Aircraft Overview\***

Received information from staff on professional pilot bachelor’s degree programs at public universities and an overview of aircraft owned by the Departments of Natural Resources, Agriculture and Food, and Public Safety. Overview included information on the purpose and use of each aircraft, hangar locations and maintenance, and overall budget.

Received a presentation from the Utah Department of Transportation on the use of the fleet from FY2015-2022 and operations and maintenance costs, and a proposal to replace the state’s two airplanes with one passenger plane. Also discussed the repeal and winddown of the Aeronautics Restricted Account.

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### **State Airplane Fee Proposal\***

Received a presentation from the Utah Department of Transportation on current user fees for the state airplane, and a comparison between a flight hour cost and destination-based fee.

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### **Station Area Planning Update**

Received a presentation from Wasatch Front Regional Council on the implementation of [2022 H.B. 462](#), Utah Housing Affordability Amendments, which required communities to plan and develop areas within a certain radius around FrontRunner, TRAX, and bus rapid transit stations. So far, one station area plan has received certification from the relevant metropolitan planning authority, one has been submitted for certification review, and another 25 are being prepared for adoption by the relevant municipality pending certification submission.

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### **Transit Efficiency and Speed\***

Received a presentation from Utah Transit Authority on investments and strategies to reduce time spent in transit, increase reliability, and improve frequency.

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### **Transit Strategic Plan Update**

Received a presentation from Utah Transit Authority on the agency’s priorities and 2030 objectives that are still in development. Strategic priorities include exceeding customer expectations, moving Utahns to a better quality of life, building community support, generating critical economic return, and achieving organizational excellence. The Board of Trustees will adopt the final strategic plan in December 2022.



# APPENDIX A

## Legislation Recommended for the 2023 General Session

Includes legislation recommended by interim committees and legislative task forces and commissions. During the 2022 interim, 14 interim committees, task forces, and commissions recommended 104 bills for the 2023 General Session.

COMMITTEE	BILL	SPONSOR	YES	NO	ABSENT
Business and Labor	<a href="#">Board of Credit Union Advisors Sunset Amendments</a>	Rep. Maloy	12	0	9
	<a href="#">Collection Agency Amendments</a>	Rep. Maloy	13	0	7
	<a href="#">Department of Commerce Electronic Payment Fees</a>	Rep. Teuscher	15	0	6
	<a href="#">Hearing Instrument Specialist Licensing Amendments</a>	Sen. Bramble	13	0	7
	<a href="#">Insurance Commissioner Authority Sunset Amendments</a>	Rep. Maloy	12	0	9
	<a href="#">Massage Therapy Practice Act Amendments</a>	Sen. Bramble	10	3	7
	<a href="#">Professional Licensing Amendments</a>	Sen. Bramble	10	2	8
	<a href="#">Professional Licensing by Endorsement Amendments</a>	Sen. Bramble	12	0	8
	<a href="#">Public Expression Protection Act</a>	Sen. Bramble	14	1	6
	<a href="#">Unfair Practices Act Amendments</a>	Rep. Thurston	15	0	6
Economic Development and Workforce Services	<a href="#">Disaster Amendments</a>	Sen. Winterton	12	0	4
	<a href="#">Early Childhood Amendments</a>	Rep. Pulsipher	14	0	2
	<a href="#">Governor's Committee on Employment of People with Disabilities Amendments</a>	Rep. Stenquist	9	0	7
	<a href="#">Rural Employment Expansion Program Amendments</a>	Sen. Winterton	13	0	3
	<a href="#">State Flag Amendments</a>	Sen. McCay	10	4	2
	<a href="#">Technology Commercialization Amendments</a>	Rep. Robertson	12	1	3
Education	<a href="#">Block Grant Funding for Prevention Programs in Public Education</a>	Rep. Pulsipher	16	0	2
	<a href="#">Reading Software Amendments</a>	Sen. Millner	13	0	5
	<a href="#">Utah Professional Practices Advisory Commission Sunset Extension</a>	Rep. Ballard	16	0	2
Federalism Commission	<a href="#">State Resource Management Plan Amendments</a>	Rep. Stratton	5	0	4
Government Operations	<a href="#">Boards and Commission Amendments</a>	Rep. Stenquist	12	0	2
	<a href="#">Division of Technology Services Amendments</a>	Rep. Stenquist	11	0	3
	<a href="#">Election Modifications</a>	Rep. Maloy	8	4	2
	<a href="#">Initiative and Referendum Modifications</a>	Rep. Maloy	10	0	4
	<a href="#">Juvenile Offender Penalty Amendments</a>	Sen. Pitcher	11	0	3



COMMITTEE	BILL	SPONSOR	YES	NO	ABSENT
Government Operations Cont'd	<a href="#">Local District Amendments</a>	Rep. Barlow	11	0	3
	<a href="#">Local District Revisions</a>	Rep. Barlow	10	0	4
	<a href="#">Municipality Incorporation Amendments</a>	Sen. Vickers	12	0	2
	<a href="#">Open and Public Meetings Act Amendments</a>	Sen. Vickers	12	0	2
	<a href="#">Petition Amendments</a>	Rep. Rohner	12	0	2
	<a href="#">Public Notice Requirements</a>	Sen. Pitcher	12	0	2
	<a href="#">State Commemorative Periods Amendments</a>	Rep. Thurston	12	1	1
	<a href="#">Tourism Fund Amendments</a>	Rep. Jimenez	8	3	3
	<a href="#">Veterans and Military Affairs</a>	Rep. Burton	11	0	3
	<a href="#">Voter Signature Verification Amendments</a>	Rep. Eliason	10	3	1
	<a href="#">Voting and Voter Residency Amendments</a>	Sen. Thatcher	12	0	2
Health and Human Services	<a href="#">Behavioral Health Crisis Response Commission Amendments</a>	Rep. Eliason	13	0	5
	<a href="#">Forensic Mental Health Amendments</a>	Rep. Eliason	11	0	7
	<a href="#">Health and Human Services Recodification - Administration, Licensing, and Recovery Services</a>	Sen. Anderegg	14	0	4
	<a href="#">Health and Human Services Recodification - Health Care Assistance and Data</a>	Sen. Anderegg	14	0	4
	<a href="#">Health and Human Services Recodification - Health Care Delivery</a>	Sen. Anderegg	14	0	4
	<a href="#">Health and Human Services Recodification -Prevention, Supports Substance Use and Mental Health</a>	Sen. Anderegg	14	0	4
	<a href="#">Local Health Department Revisions</a>	Rep. Peterson	13	1	4
	<a href="#">Long Term Care Ombudsman Amendments</a>	Rep. Eliason	16	0	2
	<a href="#">Medicaid Dental Waiver Amendments</a>	Sen. Vickers	13	0	5
	<a href="#">Medical Cannabis Governance Revisions</a>	Rep. Brooks	15	0	3
	<a href="#">Prescription Discount Program Amendments</a>	Rep. Ward	12	0	6
<a href="#">Sex Characteristic Surgical Procedures</a>	Sen. Kennedy	12	5	1	
<a href="#">Utah Marriage Commission Amendments</a>	Rep. Ballard	15	0	3	
Judiciary	<a href="#">Administrative Appeals Amendments</a>	Sen. Weiler	15	0	2
	<a href="#">Criminal Financial Obligation Amendments</a>	Rep. Lisonbee	15	0	2
	<a href="#">Juvenile Record Modifications</a>	Rep. Acton	8	7	2
	<a href="#">Waiver of Punitive Damages Amendments</a>	Rep. King	13	0	4
Law Enforcement and Criminal Justice	<a href="#">Arson Amendments</a>	Rep. Gwynn	13	0	4
	<a href="#">Criminal Code Evaluation Task Force Sunset Extension</a>	Rep. Gwynn	13	0	4
	<a href="#">Criminal Code Recodification and Cross References</a>	Rep. Gwynn	13	0	4
	<a href="#">Domestic Violence Modifications</a>	Rep. Pierucci	9	0	8



COMMITTEE	BILL	SPONSOR	YES	NO	ABSENT
Law Enforcement and Criminal Justice Cont'd	<a href="#">Driving Under the Influence Modifications</a>	Rep. Wilcox	12	0	5
	<a href="#">Drug Possession Penalty Amendments</a>	Rep. Bennion	14	0	3
	<a href="#">First Responder Mental Health Amendments</a>	Rep. Wilcox	13	0	4
	<a href="#">Law Enforcement Investigation Amendments</a>	Rep. Wilcox	12	0	5
	<a href="#">Mental Health Support and Law Enforcement Co-response</a>	Rep. Stoddard	14	0	3
	<a href="#">Online Dating Safety Amendments</a>	Rep. Romero	10	0	7
	<a href="#">Protective Order Amendments</a>	Rep. Gwynn	13	0	4
	<a href="#">Rape Crisis Center Modifications</a>	Rep. Romero	10	0	7
	<a href="#">School Safety Requirements</a>	Rep. Wilcox	12	0	5
Native American Legislative Liaison Committee	<a href="#">Indian Child Welfare Amendments</a>	Rep. Watkins	8	0	3
	<a href="#">Murdered and Missing Indigenous Women and Girls Task Force Sunset Extension</a>	Rep. Romero	10	0	1
Natural Resources, Agriculture, and Environment	<a href="#">Agricultural Advisory Board Sunset Extension</a>	Sen. Sandall	12	0	6
	<a href="#">Domesticated Elk Program Amendments</a>	Rep. Stratton	14	0	4
	<a href="#">Off-highway Vehicle Registration Requirements</a>	Rep. Albrecht	16	0	2
	<a href="#">Outdoor Recreation Amendments</a>	Rep. Stratton	16	0	3
	<a href="#">Radon Related Amendments</a>	Sen. Sandall	10	6	2
	<a href="#">Water Related Liability Amendments</a>	Rep. Albrecht	14	1	4
	<a href="#">Wildlife Resources Code Recodification</a>	Rep. Snider	16	0	3
	<a href="#">Wildlife Resources Recodification Cross References</a>	Rep. Snider	16	0	3
Political Subdivisions	<a href="#">Wildlife Sunset Related Amendments</a>	Sen. Sandall	15	0	3
	<a href="#">Continuing Care Retirement Facilities Amendments</a>	Rep. Dunnigan	10	0	6
	<a href="#">Municipal Office Modifications</a>	Rep. Welton	12	0	4
Retirement and Independent Entities	<a href="#">Volunteer Government Workers Amendments</a>	Rep. Dunnigan	9	0	7
	<a href="#">Military Installation Development Authority Amendments</a>	Sen. Stevenson	10	0	5
	<a href="#">Retirement and Independent Entities Amendments</a>	Sen. Harper	10	0	5
	<a href="#">Retirement Fiscal Note Requirements</a>	Sen. Fillmore	8	0	7



COMMITTEE	BILL	SPONSOR	YES	NO	ABSENT
Retirement and Independent Entities Cont'd	<a href="#">State Employee Benefits Amendments</a>	Sen. Fillmore	11	0	4
	<a href="#">Utah Retirement Systems Revisions</a>	Rep. Brooks	10	0	5
Revenue and Taxation	<a href="#">Leased Tangible Personal Property Tax Amendments</a>	Sen. Wilson	11	0	8
	<a href="#">Proposal to Amend Utah Constitution – Revenue and Taxation</a>	Sen. McCay	13	0	5
	<a href="#">Railroad Right of Way Amendments</a>	Rep. Snider	15	0	3
	<a href="#">Tax Assessment Amendments</a>	Rep. Eliason	15	0	3
	<a href="#">Tax Modifications</a>	Rep. Spendlove	15	0	3
	<a href="#">Tax Revisions</a>	Rep. Snider	13	2	3
	<a href="#">Water Infrastructure Funding Supply</a>	Sen. McCay	13	0	5
Transportation	<a href="#">Advanced Air Mobility Amendments</a>	Sen. Harper	15	0	3
	<a href="#">Highway Special Designation Process Amendments</a>	Rep. Ward	16	0	2
	<a href="#">License Plate Amendments</a>	Rep. Thurston	11	0	7
	<a href="#">Motor Vehicle Registration Amendments</a>	Sen. Harper	11	0	7
	<a href="#">Motor Vehicle Safety Inspection Advisory Council Amendments</a>	Rep. Peterson	16	0	2
	<a href="#">Office of Rail Safety</a>	Rep. Schultz	14	0	4
	<a href="#">Road Jurisdiction Amendments</a>	Sen. Harper	16	0	2
	<a href="#">Road Usage Amendments</a>	Sen. Harper	16	0	2
	<a href="#">Traffic Safety Amendments</a>	Sen. Harper	13	0	5
	<a href="#">Transportation Corridor Funding Amendments</a>	Rep. Christofferson	14	0	4
<a href="#">Transportation Funding Revisions</a>	Sen. Harper	14	0	4	
<a href="#">Transportation Revisions</a>	Sen. Harper	15	0	3	

End Report