



UTAH STATE LEGISLATURE

DIGEST OF LEGISLATION

2007 GENERAL SESSION

of the 57th Legislature

**2006 Third Special Session
of the 56th Legislature**

**2006 Fourth Special Session
of the 56th Legislature**

**2006 Fifth Special Session
of the 56th Legislature**

Utah State Legislature

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INTRODUCTION

This *Digest of Legislation* provides long titles of bills and resolutions enacted by the 57th Legislature in the 2007 General Session and enacted by the 56th Legislature in the 2006 Third, Fourth, and Fifth Special Sessions. The digest lists the sponsor, sections of the Utah Code affected, effective date, session law chapter number for each bill enacted, and whether the bill was studied and approved by an interim committee (in italics). Bills and resolutions not passed are indexed by subject. Statistical summary data are also included.

An electronic version of this year's publication, the complete bill text and a subject, numerical, and sponsor index for all bills introduced each session can be found online at <http://le.utah.gov>.

If more detailed information is needed, please contact the Office of Legislative Research and General Counsel at (801) 538-1032.

Table of Contents

2007 General Session	
Subject Index of Passed Legislation	ix
Passed Legislation	1
Utah Code Sections Affected	193
Introduced Legislation	225
Subject Index of Legislation Not Passed	243
Statistical Summary of Legislation	259
Statistical Summary of General Sessions 2000-2004	261
2006 Third Special Session	
Passed Legislation	265
Subject Index of Passed Legislation	271
Utah Code Sections Affected	273
Subject Index of Legislation Not Passed	275
Introduced Legislation	277
2006 Fourth Special Session	
Passed Legislation	281
Subject Index of Passed Legislation	283
Utah Code Sections Affected	285
Introduced Legislation	287
2006 Fifth Special Session	
Passed Legislation	291
Subject Index of Passed Legislation	293
Utah Code Sections Affected	295
Introduced Legislation	297

DIGEST OF LEGISLATION

2007 GENERAL SESSION of the 57th Legislature

**Convened January 15, 2007
Adjourned February 28, 2007**

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SUBJECT INDEX OF PASSED LEGISLATION 2007 GENERAL SESSION

ABUSE

Neglect, or Exploitation of Disabled Adults, Exploitation of a Vulnerable Adult Amendments - SB 7 117

ADMINISTRATIVE RULES AND PROCEDURES

Administrative Rule Criminal and Civil Penalty Amendments - SB 138 157
Administrative Rules Reauthorization - SB 122 153
Filings of Administrative Rules, Orders, and Regulations - SB 32 128
Impact of Administrative Rules on Small Businesses - HB 64 26
State Agency Timely Adoption of Administrative Rules - HB 327 90

ADMINISTRATIVE SERVICES

Division of Facilities Construction and Management Amendments - HB 216 65

ADOPTION

Adoption Amendments - HB 51 21
Adoption of an Adult Provisions - HB 92 36
Foster Placement and Adoption Amendments - HB 343 95

ADVERTISING

Materials Harmful to Minors - HB 333 91

AGRICULTURE

Brand Inspection of Livestock Seized by the Federal Government - HB 72 32
Department of Agriculture Amendments - SB 47 132
Farmers Market Exemptions - HB 145 52
Registration and License Requirements for Pesticide Businesses and Applicators - HB 132 49
Utah Dairy Act Amendments - HB 311 86
Utah Farming Heritage District Resolution - HCR 6 110

AIRPORTS

Concurrent Resolution Supporting Airport Surveillance Radar Acquisition - HCR 2 109

ALCOHOLIC BEVERAGE CONTROL

Alcoholic Beverage Control Amendments - SB 205 174
Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments - SB 51 134
Alcoholic Beverage Licensees and Gambling-like Activities - HB 104 41

ALCOHOLIC BEVERAGES

Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments - SB 51 134
Alcoholic Beverage Licensees and Gambling-like Activities - HB 104 41

ANTITRUST LAW

Integrated Health System Fair Practices Act - HB 374 102

APPLIED TECHNOLOGY EDUCATION

Applied Technology Education Amendments - HB 371 101

APPROPRIATIONS

Appropriation Adjustments - SB 3 116
Appropriation for Terrel H. Bell Program - HB 241 71
Current Fiscal Year Supplemental Appropriations Act - SB 1 115
Education Reform - Critical Languages Program - SB 80 142
Education Revisions - HB 461 107
Executive Compensation Revisions - HB 2 1
Funding for Prosecution and Prevention of Child Pornography Offenses - HB 107 41
Higher Education Enhancements - SB 90 144
Higher Education Partnerships Appropriation - HB 185 58
Joint Rules Resolution - Appropriation Subcommittees - HJR 6 112
Litigation Fund Restricted Account for Highway Projects - SB 240 183
Minimum School Program Base Budget Amendments - HB 3 2
Minimum School Program Budget Amendments - HB 160 56
New Fiscal Year Supplemental Appropriations Act - HB 150 54
State Agency and Higher Education Base Budget Appropriations - HB 1 1
State Agency and Higher Education Compensation Amendments - SB 228 180

ATTORNEYS

Identity Theft Database Amendments - HB 432 106
Notary Public Amendments - SB 166 163

AUTOMATED GEOGRAPHIC REFERENCE CENTER

Global Positioning Reference Network - HB 367 100

BANKRUPTCY

Property Exempt from Execution - SB 150 159

BOARD OF PARDONS AND PAROLE

Obstructing a Warrant or Order to Show Cause of a
Parolee or Probationer - HB 265 77

BOATING

Boat Registration Amendments - SB 148 159
Motorboat Liability Insurance Revisions - HB 227 69

BONDS

Amendments to Transportation Provisions -
HB 158 55
Revenue Bond and Capital Facilities
Authorizations - HB 473 109
Truth in Bonding - HB 393 104

BOXCAR LEGISLATION

Income Tax Filing Amendments - SB 266 186
Municipal Election Law Provisions - HB 347 96
Tax Amendments - SB 223 177

BUILDING CODES

Utah Uniform Building Standards Act
Amendments - HB 135 51

BUSINESS

Alcoholic Beverage Control
Amendments - SB 205 174
Alcoholic Beverage Enforcement and Treatment
Restricted Account Amendments - SB 51 134
Alcoholic Beverage Licensees and Gambling-like
Activities - HB 104 41
Automated Teller Machine Charges for International
Accounts - HB 88 35
Centers of Excellence Amendments - HB 125 46
Construction Amendments - HB 277 79
Corporation Law Amendments - HB 271 78
Credit Services Organizations Act Changes -
SB 101 148
Deceptive Trade Practices Amendments - HB 55 22
Disposition of Real Property - SB 261 186
Division of Real Estate and Title Insurance Related
Amendments - SB 199 170
Expiration of Gift Certificates - HB 261 75
Financial Institutions Amendments - SB 144 158
Homeowners Association Requirements - SB 87 ... 143
Impact of Administrative Rules on Small
Businesses - HB 64 26
Insurable Interest Amendments - SB 77 142
Insurance Law Amendments - HB 295 82
Insurer Receivership Act - HB 340 93
Lending Registration Acts - SB 16 121
Materials Harmful to Minors - HB 333 91
Mechanics Liens on Certain New Development
Housing - HB 259 74

Mechanics' Lien and Payment Amendments -
SB 118 153
Nonprofit Corporation Amendments - SB 9 118
Occupational and Professional Licensure Review
Committee - HB 54 22
Organized Retail Theft - HB 4 2
Professional Employer Organization Related
Amendments - HB 29 12
Public Service Commission - Equipment
Distribution Program - SB 156 161
Real Estate Modifications - SB 219 176
Registration and License Requirements for Pesticide
Businesses and Applicators - HB 132 49
Repeal of Utah Technology Commission - HB 244 ... 72
Resolution Supporting Presidential Trade
Promotion Authority - SJR 9 191
Revised Business Corporations Act Amendments -
SB 99 147
Sales Representative Commission Payment Act -
SB 126 154
Securities Law Amendments - SB 277 188
Technical Amendments to Assumption of
Indebtedness on Residential
Real Property - SB 27 126
Uniform Commercial Code - General Provisions -
SB 91 144
Unlawful Detainer Amendments - SB 136 156
Utah International Trade Commission - HB 59 24
Utah Uniform Building Standards Act
Amendments - HB 135 51
Utility Facility Review Board - HB 120 45
Warranty Deed - Technical Amendments - SB 25 ... 125
Workers' Compensation Fund - Board
Amendments - HB 13 5

CAMPAIGN FINANCE

Government Law Changes - SB 246 184

CAPITAL PUNISHMENT

Aggravated Murder Amendments - SB 114 152
Penalty for Homicide of a Child - HB 228 69

CAPITOL HILL

Capitol Hill Complex - Legislative Space - HB 317 ... 89

CHARTER SCHOOLS

Charter School Amendments - HB 164 57
Charter School Facilities Financing Act - HB 318 89

CHILD SUPPORT

Child Support Collection Amendments - HB 18 8
Child Support Guidelines - SB 23 125
Child Support Modifications for TANF Recipients -
SB 182 166
Driver License Privilege Suspension for Failure
to Pay Child Support - HB 15 7

Medicaid Recovery Amendments - SB 117	152	Pawnshop Transaction Information Amendments - HB 402	104
Office of Recovery Services Fee - SB 104	149	Resolution Supporting Presidential Trade Promotion Authority - SJR 9	191
CHILD WELFARE		Trademark Protection Act - SB 236	182
Child Protection and Parental Rights		Utah International Trade Commission - HB 59	24
Amendments - HB 328	91	COMMERCIAL DRIVER LICENSE (CDL)	
Child Welfare Amendments - HB 245	73	Commercial Driver License Amendments - SB 19 ..	123
CHILDREN		COMMITTEES, LEGISLATIVE	
Capital Offenses Amendments - HB 93	37	House Rules Resolution - Occupational and Professional Licensure Review Committee	
Child Protection and Parental Rights Amendments - HB 328	91	Summary Report - HR 1	114
Controlled Substances Penalty Amendments - HB 231	69	Joint Rules Resolution - Executive Appropriations Committee Membership - HJR 9	112
Early Childhood Reading Readiness Resolution - HCR 5	110	Occupational and Professional Licensure Review Committee - HB 54	22
Foster Placement and Adoption Amendments - HB 343	95	Retirement and Independent Entities Committee - SB 131	155
Funding for Prosecution and Prevention of Child Pornography Offenses - HB 107	41	Senate Rules Resolution - Occupational and Professional Licensure Review Committee	
Joint Resolution Supporting Governor's Child and Family Cabinet Council - HJR 16	114	Summary Report - SR 1	192
Medical Recommendations for Children - HB 202 ...	61	COMMUNITY AND CULTURE DEVELOPMENT	
Parent-time Amendments - HB 133	49	Tourism Marketing Performance Account	
Penalties for Sexual Offenses and Kidnapping - HB 86	34	Appropriation - SB 127	154
Penalty for Homicide of a Child - HB 228	69	COMMUNITY AND ECONOMIC DEVELOPMENT	
Resolution Encouraging Congressional Funding for State Children's Health Insurance Program - SJR 3	191	Utah International Trade Commission - HB 59	24
Resolution Urging Congress to Stop Internet Pornography to Children and Employees - HCR 3	110	COMMUNITY DEVELOPMENT	
School Truancy and Compulsory Education Amendments - HB 207	63	Eminent Domain Authority of Community	
Uniform Child Abduction Prevention Act - SB 35 ...	129	Development and Renewal Agencies - HB 365 ..	100
Utah Children's Health Insurance Program - HB 218 .	65	COMMUNITY DEVELOPMENT AND RENEWAL AGENCIES	
Violent Crime in Presence of a Child - HB 274	78	Community Development and Renewal Agency	
CODE OF CRIMINAL PROCEDURE		Amendments - SB 218	176
Amendments to Extradition Statute - HB 270	77	Eminent Domain Authority of Community	
County Jail - Work Release Process Amendments - HB 206	62	Development and Renewal Agencies - HB 365 ..	100
Drug Offenders Reform Act - SB 50	134	COMMUNITY, CULTURE, AND ECONOMIC DEVELOPMENT	
Jail Expenses Amendments - HB 263	76	Centers of Excellence Amendments - HB 125	46
Repeal of Prisoner Demands for Disposition - SB 125	154	Industrial Assistance Fund Amendments - Rural Fast Track Program - SB 10	119
Search Warrant Amendments - HB 262	75	Tourism Amendments - SB 198	170
COMMERCE AND TRADE		CONSTRUCTION INDUSTRIES	
Camcorder Piracy of Media - HB 279	80	Construction Amendments - HB 277	79
Deceptive Trade Practices Amendments - HB 55 ...	22	Mechanics Liens on Certain New Development	
Expiration of Gift Certificates - HB 261	75	Housing - HB 259	74
		Mechanics' Lien and Payment Amendments - SB 118	153

CONSUMER PROTECTION

Expiration of Gift Certificates - HB 261 75

CONTRACTS

Lending Registration Acts - SB 16 121

Sales Representative Commission Payment Act -
SB 126 154**CONTROLLED SUBSTANCES**Controlled Substance Database
Amendments - HB 6 3Controlled Substances Penalty Amendments -
HB 231 69

Drug Offenders Reform Act - SB 50 134

Methamphetamine Precursor Access
Amendments - SB 112 151Pain Medication Management and Education -
HB 137 51**CONVEYANCES**

Warranty Deed - Technical Amendments - SB 25 ... 125

CORPORATIONS

Corporation Law Amendments - HB 271 78

Nonprofit Corporation Amendments - SB 9 118

Revised Business Corporations Act Amendments -
SB 99 147

Share Assessment Act - HB 53 22

COUNTIESAmendments to Land Use Development and
Management Act - SB 215 175Amendments to Municipal and County Land Use -
SB 163 163

Certain County Debt Forgiven - HB 176 58

County Option Sales and Use Tax for Highways,
Fixed Guideways, or Systems of Public Transit
Amendments - HB 98 39

County Personnel Management Act - HB 462 107

County Recorder Amendments - SB 71 140

County Sheriff Qualification Amendments - HB 210 .. 64

County Tax Sales of Property - HB 146 52

Creation of New School District Amendments -
SB 30 127

Easements - Counties and Municipalities - HB 188 .. 58

Immunity of Counties and Municipalities for
Sky Diving Activities - SB 179 165Joint Resolution Supporting Department of
Corrections Contracting for Bed Spaces i
n Davis County Jail - SJR 7 191Joint Resolution Supporting Kane County
Expansion of Correctional Facilities - SJR 8 191Land Use Development Management Act
Amendments - HB 285 80

Land Use Provisions - HB 129 47

Local Government - Charitable Contributions -
HB 335 92Local Government Regulation of Billboards -
HB 352 97Restrictions on Designation of
Wetlands - SB 183 166

Special and Local Districts Amendments - HB 65 26

Standardizing Documents Filed with
County Recorder - HB 200 61

Transfer of Density - HB 117 44

Transportation Study - East-west Corridors in
Salt Lake County and Counties of the
Second Class - HB 108 41**COURT PROCEDURE**Immunity of Counties and Municipalities for
Sky Diving Activities - SB 179 165

Statement Under Penalty of Perjury - SB 154 160

COURT RULES

Property Exempt from Execution - SB 150 159

Search Warrant Amendments - HB 262 75

Statement Under Penalty of Perjury - SB 154 160

COURTS

Case Management Pilot Project - SB 151 159

Judicial Selection Procedures and Retention
Election Task Force - SB 221 177

Juvenile Court Judge - SB 38 129

Property Exempt from Execution - SB 150 159

Statement Under Penalty of Perjury - SB 154 160

CREDITCredit Services Organizations Act Changes -
SB 101 148

Lending Registration Acts - SB 16 121

CRIMINAL CODEAdministrative Rule Criminal and Civil Penalty
Amendments - SB 138 157

Aggravated Murder Amendments - SB 114 152

Bus Passenger Safety Act Amendments - HB 354 ... 97

Capital Offenses Amendments - HB 93 37

County Jail - Work Release Process Amendments -
HB 206 62Crime of Claiming Military Award by Nonrecipient -
HB 463 108

Criminal Intent Amendments - SB 173 165

DNA Exoneration Amendments - HB 356 98

Forgery Amendments - HB 83 33

Identity Fraud Amendments - SB 140 157

Identity Theft Database Amendments - HB 432 106

Materials Harmful to Minors - HB 333 91

Methamphetamine Precursor Access Amendments -
SB 112 151

Obstructing a Warrant or Order to Show Cause of a Parolee or Probationer - HB 265	77	DEPARTMENT OF FINANCIAL INSTITUTIONS	
Organized Retail Theft - HB 4	2	Financial Institutions Amendments - SB 144	158
Penalties for Sexual Offenses and Kidnapping - HB 86	34	Lending Registration Acts - SB 16	121
Penalty for Homicide of a Child - HB 228	69	DEPARTMENT OF HEALTH	
Public Demonstrations At Funerals - HB 205	62	Amendments to Background Checks by Department of Health - HB 197	60
Repeal of Libel and Slander Provisions - SB 86	143	Concurrent Resolution Approving Settlement of Lawsuit - SCR 7	189
Scrap Metal Transactions - SB 44	130	Farmers Market Exemptions - HB 145	52
Sentence Reduction Clarification - HB 85	34	Government Assistance Expenditure Report - HB 89	35
Sex Offender Restrictions - HB 375	102	Health Care Amendments - SB 46	131
Tampering with Evidence Amendments - HB 194	59	Health Care Cost and Quality Data - HB 9	5
Transfer and Disposition of Protected Property Amendments - SB 55	136	Preferred Prescription Drug List - SB 42	130
Utah Council on Victims of Crime - HB 112	43	Regulation of Cottage Food Production Operation - HB 339	92
Violent Crime in Presence of a Child - HB 274	78	DEPARTMENT OF HUMAN SERVICES	
CRIMINAL CONDUCT		Foster Placement and Adoption Amendments - HB 343	95
Camcorder Piracy of Media - HB 279	80	Government Assistance Expenditure Report - HB 89	35
Penalties for Sexual Offenses and Kidnapping - HB 86	34	Office of Recovery Services Fee - SB 104	149
Repeal of Prisoner Demands for Disposition - SB 125	154	DEPARTMENT OF NATURAL RESOURCES	
DEATH		Department of Natural Resources Amendments - HB 48	20
Medical Examiner - Testing for Substances in Cases of Suspected Suicide - HB 302	84	DEPARTMENT OF PUBLIC SAFETY	
Probate Code Amendments - SB 24	125	Private Investigator Regulation Amendments - SB 254	185
Revising Death Certificates - SB 89	143	Revised Uniform Anatomical Gift Act - SB 92	145
DEPARTMENT OF AGRICULTURE AND FOOD		DEPARTMENT OF TRANSPORTATION	
Department of Agriculture Amendments - SB 47	132	Amendments to Transportation Provisions - HB 158	55
Registration and License Requirements for Pesticide Businesses and Applicators - HB 132	49	Department of Transportation Projects - Categorically Excluded Environmental Projects - HB 301	84
DEPARTMENT OF COMMERCE		Local Transportation Corridor Preservation Fund Amendments - SB 69	139
Division of Real Estate and Title Insurance Related Amendments - SB 199	170	DEPARTMENT OF WORKFORCE SERVICES	
DEPARTMENT OF CORRECTIONS		Resolution Urging Congress to Address Social Security Number Identity Theft - SCR 1	188
County Jail - Work Release Process Amendments - HB 206	62	Workforce Services - Reporting Misuse of Personal Identifying Information - SB 15	120
Jail Contracting - Jail Compensation Amendments - HB 438	106	Workforce Services' Work Experience or Training Programs - SB 21	124
Jail Expenses Amendments - HB 263	76	DISABILITIES	
Joint Resolution Supporting Department of Corrections Contracting for Bed Spaces in Davis County Jail - SJR 7	191	Background Checks for Division of Services for People with Disabilities - HB 211	64
Joint Resolution Supporting Kane County Expansion of Correctional Facilities - SJR 8	191	Designated Mental Retardation Professional Amendments - HB 16	8
DEPARTMENT OF ENVIRONMENTAL QUALITY			
Timing to Commence a Civil Action by the Department of Environmental Quality - HB 221	66		
Water Loan Program Amendments - HB 99	39		

Pilot Program for Family Preservation Services - HB 47	19	Education Employee Association Amendments - SB 56	137
Public Employees Disability Benefits Limitations - SB 135	156	Education Fund Conforming Amendments - HB 323	89
Public Service Commission - Equipment Distribution Program - SB 156	161	Education Reform - Critical Languages Program - SB 80	142
Service Animals - SB 192	168	Education Revisions - HB 461	107
DISEASES		Education Voucher Amendments - HB 174	57
Fish Health Amendments - SB 195	169	Education Vouchers - HB 148	53
DIVISION OF CHILD AND FAMILY SERVICES		Higher Education Criminal Background Checks - HB 196	60
Foster Placement and Adoption Amendments - HB 343	95	Higher Education Engineering Partnership - SB 53 .	135
DRIVER LICENSE		Higher Education Enhancements - SB 90	144
Driver License Fee Amendments - HB 52	21	Higher Education Partnerships Appropriation - HB 185	58
Driver License or Identification Card Requirement for Sex Offenders - HB 31	12	Higher Education Task Force - HB 396	104
Driver License Privilege Suspension for Failure to Pay Child Support - HB 15	7	Higher Education Tuition Assistance Amendments - HB 195	59
Driving Under the Influence Amendments - SB 4 .	116	Local School Board Public Hearing Requirements - SB 133	155
Resolution Opposing Real Id Act - HR 2	114	Medical Recommendations for Children - HB 202 ...	61
DRIVING UNDER THE INFLUENCE (DUI)		Minimum School Program Base Budget Amendments - HB 3	2
Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments - SB 51	134	Minimum School Program Budget Amendments - HB 160	56
Driving Under the Influence Amendments - SB 4 .	116	New School District Property Tax Amendments - HB 58	24
EASEMENTS		Optional Extended-day Kindergarten - SB 49	133
Water Conveyance Easements - SB 28	126	Orderly School Termination Act Amendments - HB 360	98
ECONOMIC DEVELOPMENT		Public Education Job Enhancement Program Amendments - HB 240	71
Governor's Rural Partnership Board Amendments - SB 93	145	Public School Textbook Evaluation - HB 364	99
EDUCATION		Residency Requirements for In-state Tuition - HB 118	44
Accessing Pornography on School Property - HB 100	40	Resolution Encouraging State Universities' and School Institutional Trust Lands' Efforts in Enhancing State Trust Lands - HCR 4	110
Amendments to Education Funding - HB 382	103	Resolution Promoting Legislators Back to School Program - SCR 2	188
Applied Technology Education Amendments - HB 371	101	School Discipline Amendments - HB 212	64
Appropriation for Terrel H. Bell Program - HB 241 .	71	School Discipline and Conduct Amendments - HB 286	81
Charter School Amendments - HB 164	57	School Reporting Amendments - HB 215	65
Charter School Facilities Financing Act - HB 318 .	89	School Truancy and Compulsory Education Amendments - HB 207	63
Compensation of Local School Board Members - HB 234	69	Science and Technology Education Program Amendments - SB 217	175
Concurrent Enrollment Amendments - HB 79	33	Scott B. Lundell Tuition Waiver for Military Members' Surviving Dependents - HB 309	85
County and Municipal Land Use Provisions Regarding Schools - HB 69	31	State Agency and Higher Education Base Budget Appropriations - HB 1	1
Creation of New School District Amendments - SB 30	127	State Agency and Higher Education Compensation Amendments - SB 228	180
Early Childhood Reading Readiness Resolution - HCR 5	110		

State Government Law Revisions - Withdrawal from Education Compact - SB 128	155	EMPLOYEES AND COMPENSATION	
Student Achievement Assessment Amendments - HB 155	54	Legislative, Resolution Approving Compensation of In-session Employees - HJR 5	112
Student Clubs Amendments - HB 236	70	EMPLOYMENT AGENCIES	
Transfer of Density - HB 117	44	Professional Employer Organization Related Amendments - HB 29	12
Transfer of Student Records - HB 310	85	ENERGY	
Utah Valley University Institutional Name Change - SB 70	139	Energy Policy Amendments - HB 243	72
ELDERLY		Revolving Loan Fund for Certain Energy Efficient Projects - HB 351	97
Utah Commission on Aging - SB 26	126	ENVIRONMENT	
ELECTIONS		Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission - HCR 1	109
Ballot Form Amendments - HB 71	32	Energy Policy Amendments - HB 243	72
Early Voting Polling Places - HB 368	101	Resolution Opposing Divine Strake - SCR 5	189
Election Law Amendments - HB 61	25	Solid and Hazardous Waste Act Amendments - SB 271	187
Election Law Changes - SB 211	175	Timing to Commence a Civil Action by the Department of Environmental Quality - HB 221 ...	66
Election Law Modifications - SB 241	183	Waste Amendments - SB 155	160
Election Law Revisions - HB 14	6	ETHICS	
Judicial Selection Procedures and Retention Election Task Force - SB 221	177	Government Law Changes - SB 246	184
Local Initiative and Petition Ballot Titles - SB 197 ...	170	EXECUTIVE BRANCH	
Municipal Election Law Provisions - HB 347	96	Executive Compensation Amendments - SB 196 ...	169
Truth in Bonding - HB 393	104	Personal Use of State Vehicles Authorized for Law Enforcement Officers in the Office of the Attorney General - SB 143	158
Voter Information Website - HB 223	68	Resolution Revising Executive Officer Succession Provisions - HJR 4	111
ELECTRICITY		FAMILY	
Public Utilities Amendments - SB 235	181	Child Protection and Parental Rights Amendments - HB 328	91
ELECTRONIC DATABASES		Child Support Modifications for TANF Recipients - SB 182	166
Uninsured Motorist Identification Database Program Amendments - SB 6	117	Family Employment Program Amendments - SB 14	120
ELECTRONIC INFORMATION		Joint Resolution Supporting Governor's Child and Family Cabinet Council - HJR 16	114
Open and Public Meetings - Electronic Notice - HB 222	67	Pilot Program for Family Preservation Services - HB 47	19
ELECTRONIC PRIVACY		Uniform Child Abduction Prevention Act - SB 35 ...	129
Identity Theft Database Amendments - HB 432	106	FAMILY EMPLOYMENT PROGRAM-CASH ASSISTANCE	
EMERGENCY MANAGEMENT		Employment Support Act - Technical Changes - HB 24	10
Disaster Recovery Funding - HB 46	18	Family Employment Program Amendments - SB 14	120
Emergency Administration of Epinephrine - HB 56 ...	23		
Emergency Communication Funding - HB 119	45		
Homeland Security Amendments - SB 137	157		
Statewide Mutual Aid Act - HB 103	40		
EMINENT DOMAIN (GOVERNMENT LAND TAKE OVER)			
Eminent Domain Authority of Community Development and Renewal Agencies - HB 365	100		

FEDERAL GOVERNMENT

Brand Inspection of Livestock Seized by the Federal Government - HB 72	32
Revoking Authority to Use State Lands as a Bird Refuge - HB 192	59
Transfer and Disposition of Protected Property Amendments - SB 55	136

FEES

Driver License Fee Amendments - HB 52	21
Fireworks Display Fee Amendment - HB 300	83
Motor Vehicle Business Fee Amendments - SB 106	149
Municipal License Fee or Tax on Public Assembly Facilities - SB 119	153
Office of Recovery Services Fee - SB 104	149
Use of State Engineer Fees - SB 8	118

FINANCIAL INSTITUTIONS

Automated Teller Machine Charges for International Accounts - HB 88	35
Credit Services Organizations Act Changes - SB 101	148
Financial Institutions Amendments - SB 144	158

FIRE PROTECTION

Amendments to Municipal and County Land Use - SB 163	163
Fireworks Display Fee Amendment - HB 300	83
Utah Fire Prevention Board Amendment - SB 227 ..	179

FISH AND GAME

Age Amendments for Hunting Big Game - HB 67	31
Exemption from Fishing License - SB 59	137
Fish Health Amendments - SB 195	169
Hunting and Fishing License Amendments - SB 161	163
Wildlife Resources Conservation Easement Restricted Account - SB 188	167

FORFEITURE PROCEDURE

Transfer and Disposition of Protected Property Amendments - SB 55	136
---	-----

FOSTER CARE

Child Protection and Parental Rights Amendments - HB 328	91
Child Welfare Amendments - HB 245	73
Foster Placement and Adoption Amendments - HB 343	95

FRAUD

Identity Fraud Amendments - SB 140	157
Resolution Urging Congress to Address Social Security Number Identity Theft - SCR 1	188

Workforce Services - Reporting Misuse of Personal Identifying Information - SB 15	120
---	-----

GAMBLING

Alcoholic Beverage Licensees and Gambling-like Activities - HB 104	41
--	----

GOVERNMENT OPERATIONS (STATE ISSUES)

Accident Report Records Access - HB 449	107
Accounting Audit Standards - HB 349	96
Allowing State Memorials on State Property - HB 253	74
Appropriation Adjustments - SB 3	116
Attorney General Crime Violence Prevention Special Revenue Fund - HB 341	95
Ballot Form Amendments - HB 71	32
Change to Department of Veterans' Affairs - HB 426	105
Constitutional Revision Commission Membership - SB 97	146
Current Fiscal Year Supplemental Appropriations Act - SB 1	115
Division of Facilities Construction and Management Amendments - HB 216	65
Early Voting Polling Places - HB 368	101
Election Law Amendments - HB 61	25
Election Law Changes - SB 211	175
Election Law Modifications - SB 241	183
Election Law Revisions - HB 14	6
Executive Compensation Revisions - HB 2	1
Expansion of Career Service to the Office of Attorney General - HB 316	88
Funding for Prosecution and Prevention of Child Pornography Offenses - HB 107	41
Government Law Changes - SB 246	184
Governmental Immunity for Trails - SB 98	147
Governmental Immunity Limits Amendments - SB 191	168
Governor's Rural Partnership Board Amendments - SB 93	145
Homeland Security Amendments - SB 137	157
Initiative and Referendum - Signature Verification Procedures - HB 63	25
Lobbyist Disclosure Technical Amendments - HB 62	25
Local Initiative and Petition Ballot Titles - SB 197 ..	170
Membership and Service of Utah Commissioners on National Conference of Commissioners on Uniform State Laws - SB 110	150
Modifications to Open and Public Meetings - HB 204	62
Municipal Election Law Provisions - HB 347	96
New Fiscal Year Supplemental Appropriations Act - HB 150	54
Notary Public Revisions - HB 60	24

Open and Public Meetings - Electronic Notice - HB 222	67	Integrated Health System Fair Practices Act - HB 374	102
Open and Public Meetings Act Amendments - HB 10	5	Medicaid False Claims Act Amendments - HB 242 ...	71
Open and Public Meetings Act Amendments - HB 257	74	Medicaid Home and Community-based Long-term Care - SB 189	167
Personal Use of State Vehicles Authorized for Law Enforcement Officers in the Office of the Attorney General - SB 143	158	Medical Examiner - Testing for Substances in Cases of Suspected Suicide - HB 302	84
Public Demonstrations At Funerals - HB 205	62	Medical Recommendations for Children - HB 202 ...	61
Public Employees Disability Benefits Limitations - SB 135	156	Nurse Practice Act Amendments - HB 299	83
Revolving Loan Fund for Certain Energy Efficient Projects - HB 351	97	Nursing Amendments - SB 45	131
State Agency and Higher Education Compensation Amendments - SB 228	180	Nursing Care Facility Licensure Modifications - HB 369	101
State Fleet Efficiency Requirements - HB 110	42	Pain Medication Management and Education - HB 137	51
State Treasurer Compensation - HB 304	85	Public Health Amendments - HB 57	23
Unclaimed Property Act Provisions - HB 219	66	Reduced Cigarette Ignition Propensity - SB 200	172
Uniform Prudent Management of Institutional Funds - SB 60	138	Regulation of Cottage Food Production Operation - HB 339	92
Utah Commission on Aging - SB 26	126	Regulation of Direct Pathology Billing - HB 292	81
Voter Information Website - HB 223	68	Resolution Encouraging Congressional Funding or State Children's Health Insurance Program - SJR 3	191
GOVERNMENT RECORDS		Revised Uniform Anatomical Gift Act - SB 92	145
Accident Report Records Access - HB 449	107	Revising Death Certificates - SB 89	143
Revising Death Certificates - SB 89	143	Service Animals - SB 192	168
GOVERNMENTAL IMMUNITY		Utah Children's Health Insurance Program - HB 218	65
Governmental Immunity for Trails - SB 98	147	HEALTH CARE	
Governmental Immunity Limits Amendments - SB 191	168	Accident Report Records Access - HB 449	107
HEALTH		Health Care Amendments - SB 46	131
Advance Health Care Directive Act - SB 75	141	Health Care Cost and Quality Data - HB 9	5
Amendments to Background Checks by Department of Health - HB 197	60	Medical Recommendations for Children - HB 202 ...	61
Amendments to Mental Health Professional Practice Act - SB 193	169	Nursing Care Facility Licensure Modifications - HB 369	101
Cervical Cancer Prevention - HB 358	98	Prisoner Long-term Health Care - HB 114	43
Concurrent Resolution Urging Participation by Taiwan in World Health Organization - SCR 4	189	Public Health Amendments - HB 57	23
Controlled Substance Database Amendments - HB 6	3	Utah Children's Health Insurance Program - HB 218	65
Designated Mental Retardation Professional Amendments - HB 16	8	HEALTH CARE FACILITIES	
Governance of Local Ordinances Regarding Smoking - HB 201	61	Health Facility Committee Amendments - HB 276 ...	79
Health Care Cost and Quality Data - HB 9	5	Integrated Health System Fair Practices Act - HB 374	102
Health Facility Committee Amendments - HB 276 ...	79	Nursing Care Facility Licensure Modifications - HB 369	101
Health Insurance Amendments - HB 80	33	HEALTH CARE PROVIDERS	
Health Regulations for Public Indoor Tanning Beds - SB 52	135	Acupuncture Licensing Act Amendments - SB 83 ...	142
Indoor Smoking Amendments - HB 273	78	Integrated Health System Fair Practices Act - HB 374	102
		Malpractice Liability During Pandemic Event - SB 153	160
		Regulation of Direct Pathology Billing - HB 292	81

HIGHER EDUCATION

Applied Technology Education Amendments - HB 371	101
Appropriation for Terrel H. Bell Program - HB 241 ...	71
Centers of Excellence Amendments - HB 125	46
Concurrent Enrollment Amendments - HB 79	33
Higher Education Criminal Background Checks - HB 196	60
Higher Education Engineering Partnership - SB 53 .	135
Higher Education Enhancements - SB 90	144
Higher Education Partnerships Appropriation - HB 185	58
Higher Education Tuition Assistance Amendments - HB 195	59
Income Tax Additions, Subtractions, and Credits for Higher Education Savings - HB 36	14
Occupational and Environmental Health Amendments - SB 234	181
Residency Requirements for In-state Tuition - HB 118	44
Resolution Encouraging State Universities' and School Institutional Trust Lands' Efforts in Enhancing State Trust Lands - HCR 4	110
Scott B. Lundell Tuition Waiver for Military Members' Surviving Dependents - HB 309	85
State Agency and Higher Education Base Budget Appropriations - HB 1	1
Utah Commission on Aging - SB 26	126
Utah Valley University Institutional Name Change - SB 70	139

HIGHWAYS

B and C Roads Amendments - SB 158	161
Department of Transportation Projects - Categorically Excluded Environmental Projects - HB 301	84
Litigation Fund Restricted Account for Highway Projects - SB 240	183
Local Transportation Corridor Preservation Fund Amendments - SB 69	139
State Highway Amendments - SB 20	123
Transportation Study - East-west Corridors in Salt Lake County and Counties of the Second Class - HB 108	41

HISTORY

Human Remains Related Amendments - SB 204 ...	173
---	-----

HOUSING

Homeowners Association Requirements - SB 87 ...	143
Medicaid Home and Community-based Long-term Care - SB 189	167

HUMAN SERVICES

Adoption Amendments - HB 51	21
-----------------------------------	----

Adoption of an Adult Provisions - HB 92	36
Background Checks for Division of Services for People with Disabilities - HB 211	64
Child Protection and Parental Rights Amendments - HB 328	91
Child Welfare Amendments - HB 245	73
Designated Mental Retardation Professional Amendments - HB 16	8
Driver License Privilege Suspension for Failure to Pay Child Support - HB 15	7
Exploitation of a Vulnerable Adult Amendments - SB 7	117
Foster Placement and Adoption Amendments - HB 343	95
Government Assistance Expenditure Report - HB 89	35
Joint Resolution Supporting Governor's Child and Family Cabinet Council - HJR 16	114
Medicaid Recovery Amendments - SB 117	152
Office of Recovery Services Fee - SB 104	149
Pilot Program for Family Preservation Services - HB 47	19
Utah Commission on Aging - SB 26	126

INCOME TAX

Income Tax Additions, Subtractions, and Credits for Higher Education Savings - HB 36	14
Income Tax Filing Amendments - SB 266	186
Property Tax - Definition of Goodwill - SB 260	186
Resolution Increasing Public Awareness of Capital Gains Tax Deduction - SR 3	192

INDEPENDENT ENTITIES

Workers' Compensation Fund - Board Amendments - HB 13	5
--	---

INDIAN AFFAIRS

Human Remains Related Amendments - SB 204 ...	173
---	-----

INITIATIVE \ REFERENDUM

Election Law Modifications - SB 241	183
---	-----

INMATES

County Jail - Work Release Process Amendments - HB 206	62
Jail Expenses Amendments - HB 263	76
Prisoner Long-term Health Care - HB 114	43
Repeal of Prisoner Demands for Disposition - SB 125	154

INSURANCE

Insurable Interest Amendments - SB 77	142
Medicaid Recovery Amendments - SB 117	152
Motor Vehicle Insurance Arbitration Amendments - HB 44	18

Motorboat Liability Insurance Revisions - HB 227	69	Unlawful Detainer Amendments - SB 136	156
Post Retirement Employment - HB 260	75	Utah Council on Victims of Crime - HB 112	43
INSURANCE DEPARTMENT		Victim Restitution - HB 157	55
Health Insurance Amendments - HB 80	33	JUVENILES	
Insurance Law Amendments - HB 295	82	Commission on Criminal and Juvenile	
Insurer Receivership Act - HB 340	93	Justice Funding - HB 91	36
Medicaid Recovery Amendments - SB 117	152	Repeal of Juvenile Justice Services Victim	
INSURANCE, HEALTH		Restitution Account - HB 326	90
Health Insurance Amendments - HB 80	33	School Truancy and Compulsory Education	
Insurance Law Amendments - HB 295	82	Amendments - HB 207	63
Resolution Encouraging Congressional		LABOR	
Funding for State Children's Health		Ineligibility for Unemployment Compensation	
Insurance Program - SJR 3	191	Benefits - SB 103	148
INTERNET		Mining Test Fees - SB 85	143
Accessing Pornography on School Property -		Sales Representative Commission Payment Act -	
HB 100	40	SB 126	154
Internet Sexual Content - Protection of Minors -		Transfers of Structured Settlements - SB 109	150
HB 5	3	Workers' Compensation - Time Limitations -	
Resolution Urging Congress to Stop Internet		SB 108	149
Pornography to Children and		Workers' Compensation Fund -	
Employees - HCR 3	110	Board Amendments - HB 13	5
INTESTATE SUCCESSION		LABOR COMMISSION	
Probate Code Amendments - SB 24	125	Mining Test Fees - SB 85	143
JUDICIARY		Transfers of Structured Settlements - SB 109	150
Case Management Pilot Project - SB 151	159	LAND USE	
Child Protection and Parental Rights		Amendments to Land Use Development and	
Amendments - HB 328	91	Management Act - SB 215	175
Child Support Collection Amendments - HB 18	8	Amendments to Municipal and County	
Child Support Guidelines - SB 23	125	Land Use - SB 163	163
Child Support Modifications for TANF Recipients -		County and Municipal Land Use Provisions	
SB 182	166	Regarding Schools - HB 69	31
Divorce Orientation - HB 128	46	Land Use Development Management Act	
Identity Fraud Amendments - SB 140	157	Amendments - HB 285	80
Judicial Selection Procedures and Retention		Land Use Provisions - HB 129	47
Election Task Force - SB 221	177	Military Installation Development Authority -	
Judiciary Amendments - SB 224	179	SB 232	180
Juvenile Court Judge - SB 38	129	Transfer of Density - HB 117	44
Limitation of Actions - SB 113	151	LAW ENFORCEMENT AND CRIMINAL JUSTICE	
Parent-time Amendments - HB 133	49	Accessing Pornography on School Property -	
Probate Code Amendments - SB 24	125	HB 100	40
Property Exempt from Execution - SB 150	159	Aggravated Murder Amendments - SB 114	152
Repeal of Juvenile Justice Services Victim		Amendments to Extradition Statute - HB 270	77
Restitution Account - HB 326	90	Bus Passenger Safety Act Amendments - HB 354	97
Restitution Amendments - HB 147	53	Camcorder Piracy of Media - HB 279	80
School Truancy and Compulsory Education		Capital Offenses Amendments - HB 93	37
Amendments - HB 207	63	Commission on Criminal and Juvenile	
Statement Under Penalty of Perjury - SB 154	160	Justice Funding - HB 91	36
Transfers of Structured Settlements - SB 109	150	Concealed Weapons Fees Amendments - HB 39	16
Uniform Child Abduction Prevention Act - SB 35	129	Controlled Substances Penalty Amendments -	
		HB 231	69

County Sheriff Qualification Amendments - HB 210	64
Crime of Claiming Military Award by Nonrecipient - HB 463	108
Criminal Intent Amendments - SB 173	165
DNA Exoneration Amendments - HB 356	98
Driver License or Identification Card Requirement for Sex Offenders - HB 31	12
Drug Offenders Reform Act - SB 50	134
Forgery Amendments - HB 83	33
Higher Education - Concealed Firearms Restrictions - SB 251	185
Identity Theft Database Amendments - HB 432	106
Internet Sexual Content - Protection of Minors - HB 5	3
Jail Contracting - Jail Compensation Amendments - HB 438	106
Jail Expenses Amendments - HB 263	76
Limitation of Actions - SB 113	151
Methamphetamine Precursor Access Amendments - SB 112	151
Obstructing a Warrant or Order to Show Cause of a Parolee or Probationer - HB 265	77
Offense Against Peace Officers - HB 275	79
Organized Retail Theft - HB 4	2
Pain Medication Management and Education - HB 137	51
Pawnshop Transaction Information Amendments - HB 402	104
Penalties for Sexual Offenses and Kidnapping - HB 86	34
Penalty for Homicide of a Child - HB 228	69
Prisoner Long-term Health Care - HB 114	43
Private Investigator Regulation Amendments - SB 254	185
Public Safety Dispatcher Compensation - HB 76	32
Repeal of Libel and Slander Provisions - SB 86	143
Repeal of Prisoner Demands for Disposition - SB 125	154
Resolution Honoring Victims and Family Members Impacted by Trolley Square Tragedy - HCR 7	111
Scrap Metal Transactions - SB 44	130
Search Warrant Amendments - HB 262	75
Sentence Reduction Clarification - HB 85	34
Sex Offender Restrictions - HB 375	102
Tampering with Evidence Amendments - HB 19	59
Transfer and Disposition of Protected Property Amendments - SB 55	136
Violent Crime in Presence of a Child - HB 274	78

LEGISLATIVE AFFAIRS

Attorney General Crime Violence Prevention Special Revenue Fund - HB 341	95
---	----

Capitol Hill Complex - Legislative Space - HB 317 ...	89
Executive Compensation Amendments - SB 196 ...	169
Government Assistance Expenditure Report - HB 89	35
Governmental Immunity Limits Amendments - SB 191	168
House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - HR 1	114
Joint Rules Resolution - Appropriation Subcommittees - HJR 6	112
Joint Rules Resolution - Executive Appropriations Committee Membership - HJR 9	112
Joint Rules Resolution - Recodification and Revisions - HJR 11	113
Master Study Resolution - HJR 14	113
Occupational and Professional Licensure Review Committee - HB 54	22
Resolution Amending Utah Constitution - SJR 12 ...	192
Resolution Approving Compensation of In-session Employees - HJR 5	112
Resolution Opposing Real Id Act - HR 2	114
Resolution Urging Congress to Stop Internet Pornography to Children and Employees - HCR 3	110
Revenue Bond and Capital Facilities Authorizations - HB 473	109
Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - SR 1	192

LEGISLATIVE DEPARTMENT - CONSTITUTION

Resolution Amending Utah Constitution - SJR 12 ...	192
--	-----

LEGISLATURE

Capitol Hill Complex - Legislative Space - HB 317 ...	89
Executive Compensation Amendments - SB 196 ...	169
Government Assistance Expenditure Report - HB 89	35
Joint Rules Resolution - Executive Appropriations Committee Membership - HJR 9	112
Master Study Resolution - HJR 14	113
Resolution Approving Compensation of In-session Employees - HJR 5	112
Resolution Promoting Legislators Back to School Program - SCR 2	188

LIABILITY

Malpractice Liability During Pandemic Event - SB 153	160
Motorboat Liability Insurance Revisions - HB 227	69

LIBEL

Repeal of Libel and Slander Provisions - SB 86	143
---	-----

LICENSURE

Human Services Programs, Child Welfare Amendments - HB 245	73
---	----

LIENS

Mechanics Liens on Certain New Development Housing - HB 259	74
Mechanics' Lien and Payment Amendments - SB 118	153

LIFE INSURANCE AND ANNUITIES

Insurable Interest Amendments - SB 77	142
Insurance Law Amendments - HB 295	82

LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES

Community Development and Renewal Agency Amendments - SB 218	176
Special and Local Districts Amendments - HB 65	26

LIVESTOCK

Brand Inspection of Livestock Seized by the Federal Government - HB 72	32
---	----

LIVING WILLS

Advance Health Care Directive Act - SB 75	141
---	-----

LOBBYING

Government Law Changes - SB 246	184
Lobbyist Disclosure Technical Amendments - HB 62	25

LOCAL BOARDS OF EDUCATION

Compensation of Local School Board Members - HB 234	69
Creation of New School District Amendments - SB 30	127
Local School Board Public Hearing Requirements - SB 133	155
Transfer of Density - HB 117	44

LOCAL HEALTH DEPARTMENTS

Health Regulations for Public Indoor Tanning Beds - SB 52	135
--	-----

MARRIAGE / DIVORCE

Child Support Collection Amendments - HB 18	8
Divorce Orientation - HB 128	46
Parent-time Amendments - HB 133	49
Uniform Child Abduction Prevention Act - SB 35	129

MEDICAID

Medicaid False Claims Act Amendments - HB 242 ...	71
Medicaid Home and Community-based Long-term Care - SB 189	167
Medicaid Recovery Amendments - SB 117	152

Nursing Care Facility Licensure Modifications - HB 369	101
Preferred Prescription Drug List - SB 42	130

MEDICAL MALPRACTICE

Malpractice Liability During Pandemic Event - SB 153	160
---	-----

MEDICARE

Concurrent Resolution Approving Settlement of Lawsuit - SCR 7	189
--	-----

MENTAL HEALTH

Amendments to Mental Health Professional Practice Act - SB 193	169
---	-----

MENTAL HEALTH PROFESSIONAL

Designated Mental Retardation Professional Amendments - HB 16	8
--	---

MILITARY SERVICES

Change to Department of Veterans' Affairs - HB 426	105
Military Installation Development Authority - SB 232	180
Scott B. Lundell Tuition Waiver for Military Members' Surviving Dependents - HB 309	85

MINERAL LEASE FUNDS

Use of Mineral Lease Funds by Special Service Districts - SB 94	146
--	-----

MINES AND MINING

Amendments to Coal Mining and Reclamation - SB 48	132
Mining Test Fees - SB 85	143

MINORS

Internet Sexual Content - Protection of Minors - HB 5	3
--	---

MOTOR FUEL AND SPECIAL FUEL TAXES

Fuel Tax Bonding Requirements - HB 40	16
---	----

MOTOR VEHICLE INSURANCE

Fees to Cover Cost of Electronic Payments - SB 181	166
Insurance Law Amendments - HB 295	82
Motor Vehicle Insurance Amendments - SB 238	182
Motor Vehicle Insurance Arbitration Amendments - HB 44	18
Uninsured Motorist Identification Database Program Amendments - SB 6	117

MOTOR VEHICLES

Accident Report Records Access - HB 449	107
---	-----

Calculation of Credit for Certain Repossessions of a Motor Vehicle - HB 297	83
Commercial Driver License Amendments - SB 19	123
Driving Under the Influence Amendments - SB 4 ...	116
Motor Vehicle Amendments - SB 186	167
Motor Vehicle Business Fee Amendments - SB 106	149
Motor Vehicle Dealer Amendments - HB 96	37
Motor Vehicle Dealer Performance Bond Amendments - SB 54	136
Motor Vehicle Insurance Amendments - SB 238	182
Motor Vehicle License and Registration Fees Exemption for Purple Heart License Plates - SB 100	148
Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off-highway Vehicle Education - HB 97	38
Motor Vehicles Code Revisions - HB 22	9
New Utah License Plate Design - SB 73	140
Regulation of Electric Personal Assistive Mobility Devices - HB 315	88
Special Group License Plate - Gold Star Family - SB 33	128
Special Group License Plate Symbol Decal Reorder Amendments - HB 268	77
Uninsured Motorist Identification Database Program Amendments - SB 6	117

NATURAL RESOURCES

Age Amendments for Hunting Big Game - HB 67	31
Amendments to Coal Mining and Reclamation - SB 48	132
Boat Registration Amendments - SB 148	159
Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission - HCR 1	109
Department of Natural Resources Amendments - HB 48	20
Exemption from Fishing License - SB 59	137
Fish Health Amendments - SB 195	169
Hunting and Fishing License Amendments - SB 161	163
Joint Resolution Regarding Action on Groundwater in Snake Valley - HJR 1	111
Mining Test Fees - SB 85	143
Restrictions on Designation of Wetlands - SB 183 ..	166
Revoking Authority to Use State Lands as a Bird Refuge - HB 192\	59
School and Institutional Trust Lands Amendments - HB 134	50
Share Assessment Act - HB 53	22
State Declaration of State Water Week - HB 20	8
Use of State Engineer Fees - SB 8	118

Utah Dairy Act Amendments - HB 311	86
Water Conveyance Easements - SB 28	126
Water Loan Program Amendments - HB 99	39
Wildlife Resources Conservation Easement Restricted Account - SB 188	167

NOTARIZATION AND AUTHENTICATION

Notary Public Amendments - SB 166	163
Notary Public Revisions - HB 60	24
Statement Under Penalty of Perjury - SB 154	160

OCCUPATIONAL LICENSING

Acupuncture Licensing Act Amendments - SB 83 ...	142
Amendments to Mental Health Professional Practice Act - SB 193	169
Continuing Education Requirements for Architects - HB 258	74
Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments - HB 419	105
Crane Safety Amendments - SB 255	185
Exemptions from Licensure Modifications - SB 147	158
Funeral Services Licensing Act Amendments - HB 130	48
Nurse Practice Act Amendments - HB 299	83
Private Investigator Regulation Amendments - SB 254	185
Psychologist Licensing Act Amendments - SB 134 ..	155
Regulation of Direct Pathology Billing - HB 292	81
Utah Uniform Building Standards Act Amendments - HB 135	51

OCCUPATIONS AND PROFESSIONS

Acupuncture Licensing Act Amendments - SB 83 ...	142
Continuing Education Requirements for Architects - HB 258	74
Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments - HB 419	105
Crane Safety Amendments - SB 255	185
Exemptions from Licensure Modifications - SB 147	158
Funeral Services Licensing Act Amendments - HB 130	48
House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - HR 1	114
Malpractice Liability During Pandemic Event - SB 153	160
Nurse Practice Act Amendments - HB 299	83
Nursing Amendments - SB 45	131
Occupational and Environmental Health Amendments - SB 234	181

Occupational and Professional Licensure Review Committee - HB 54	22	Amendments to Municipal and County Land Use - SB 163	163
Pharmacy Practice Act Amendments - SB 160	162	Annexation Amendments - HB 362	99
Professional Employer Organization Related Amendments - HB 29	12	Certain County Debt Forgiven - HB 176	58
Psychologist Licensing Act Amendments - SB 134	155	Community Development and Renewal Agency Amendments - SB 218	176
Regulation of Direct Pathology Billing - HB 292	81	County Personnel Management Act - HB 462	107
Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - SR 1	192	County Recorder Amendments - SB 71	140
Utah Uniform Building Standards Act Amendments - HB 135	51	Creation of New School District Amendments - SB 30	127
OFF-HIGHWAY VEHICLES		Disaster Recovery Funding - HB 46	18
Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off-highway Vehicle Education - HB 97	38	Eminent Domain Authority of Community Development and Renewal Agencies - HB 365 ..	100
OFFENSES		Immunity of Counties and Municipalities for Sky Diving Activities - SB 179	165
Aggravated Murder Amendments - SB 114	152	Incorporation of a Town Amendments - HB 466	108
Capital Offenses Amendments - HB 93	37	Jail Contracting - Jail Compensation Amendments - HB 438	106
Crime of Claiming Military Award by Nonrecipient - HB 463	108	Land Use Development Management Act Amendments - HB 285	80
Forgery Amendments - HB 83	33	Local Government - Charitable Contributions - HB 335	92
Offense Against Peace Officers - HB 275	79	Local Government Post-employment Benefit Trust Funds Amendments - HB 337	92
Organized Retail Theft - HB 4	2	Local Government Regulation of Billboards - HB 352	97
OIL AND GAS		Local Issues Amendments - SB 41	129
Creation of Severance Tax and Infrastructure and Economic Diversification Accounts - SB 18	122	Municipal License Fee or Tax on Public Assembly Facilities - SB 119	153
Severance Tax Related Amendments - HB 87	35	Restrictions on Designation of Wetlands - SB 183 ..	166
OLYMPICS		Special and Local Districts Amendments - HB 65	26
Utah Athletic Foundation Resolution - SJR 1	190	Special Service District Authority to Provide Jail Facilities - HB 247	73
PAWNSHOPS		Standardizing Documents Filed with County Recorder - HB 200	61
Pawnshop Transaction Information Amendments - HB 402	104	Statewide Mutual Aid Act - HB 103	40
PEACE OFFICER		Truth in Bonding - HB 393	104
County Sheriff Qualification Amendments - HB 210	64	Use of Mineral Lease Funds by Special Service Districts - SB 94	146
Offense Against Peace Officers - HB 275	79	Utah Fire Prevention Board Amendment - SB 227 ..	179
PHARMACIES		PORNOGRAPHY	
Pharmacy Practice Act Amendments - SB 160	162	Funding for Prosecution and Prevention of Child Pornography Offenses - HB 107	41
POLITICAL SUBDIVISIONS (LOCAL ISSUES)		Resolution Urging Congress to Stop Internet Pornography to Children and Employees - HCR 3	110
Accounting Audit Standards - HB 349	96	PROBATION	
Allowing State Memorials on State Property - HB 253	74	Amendments to Extradition Statute - HB 270	77
Amendments to Land Use Development and Management Act - SB 215	175	PROPERTY TAX	
		Centrally Assessed Property - HB 293	82
		Disclosure of Property Tax Information - SB 203	172
		Fee in Lieu of Property Tax Amendments - HB 142 ..	52

New School District Property Tax Amendments - HB 58	24	School Reporting Amendments - HB 215	65
Nonresident Sales of Motor Homes - HB 427	105	School Truancy and Compulsory Education Amendments - HB 207	63
Personal Property - Certified Tax Rate Amendments - HB 111	42	Science and Technology Education Program Amendments - SB 217	175
Property Tax Exemption for Personal Property - HB 26	10	State Government Law Revisions - Withdrawal from Education Compact - SB 128	155
PROPERTY TAX COLLECTION		Student Achievement Assessment Amendments - HB 155	54
County Tax Sales of Property - HB 146	52	Student Clubs Amendments - HB 236	70
Fee in Lieu of Property Tax Amendments - HB 142 ..	52	Transfer of Student Records - HB 310	85
Tax Penalty Amendments - SB 5	117		
PUBLIC EDUCATION		PUBLIC FUNDS AND ACCOUNTS	
Accessing Pornography on School Property - HB 100	40	Accounting Audit Standards - HB 349	96
Amendments to Education Funding - HB 382	103	Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments - SB 51	134
Applied Technology Education Amendments - HB 371	101	Certain County Debt Forgiven - HB 176	58
Appropriation for Terrel H. Bell Program - HB 241 ...	71	Certified Investment Adviser - HB 307	85
Charter School Amendments - HB 164	57	Education Fund Conforming Amendments - HB 323	89
Charter School Facilities Financing Act - HB 318	89	State Post-retirement Benefits Trust Fund - HB 7	4
Compensation of Local School Board Members - HB 234	69	Tourism Marketing Performance Account Appropriation - SB 127	154
Concurrent Enrollment Amendments - HB 79	33	Truth in Bonding - HB 393	104
Education Employee Association Amendments - SB 56	137	Uniform Prudent Management of Institutional Funds - SB 60	138
Education Reform - Critical Languages Program - SB 80	142	PUBLIC MEETINGS	
Education Revisions - HB 461	107	Modifications to Open and Public Meetings - HB 204	62
Education Voucher Amendments - HB 174	57	Open and Public Meetings - Electronic Notice - HB 222	67
Education Vouchers - HB 148	53	Open and Public Meetings Act Amendments - HB 10	5
Higher Education Task Force - HB 396	104	Open and Public Meetings Act Amendments - HB 257	74
Local School Board Public Hearing Requirements - SB 133	155		
Medical Recommendations for Children - HB 202 ...	61	PUBLIC SAFETY	
Minimum School Program Base Budget Amendments - HB 3	2	Commercial Driver License Amendments - SB 19 ...	123
Minimum School Program Budget Amendments - HB 160	56	Concealed Weapons Fees Amendments - HB 39	16
New School District Property Tax Amendments - HB 58	24	Disaster Recovery Funding - HB 46	18
Optional Extended-day Kindergarten - SB 49	133	DNA Exoneration Amendments - HB 356	98
Orderly School Termination Act Amendments - HB 360	98	Driver License Privilege Suspension for Failure to Pay Child Support - HB 15	7
Public Education Job Enhancement Program Amendments - HB 240	71	Driving Under the Influence Amendments - SB 4 ...	116
Public School Textbook Evaluation - HB 364	99	Fireworks Display Fee Amendment - HB 300	83
Revolving Loan Fund for Certain Energy Efficient Projects - HB 351	97	Private Investigator Regulation Amendments - SB 254	185
School Discipline Amendments - HB 212	64	Public Safety Dispatcher Compensation - HB 76	32
School Discipline and Conduct Amendments - HB 286	81	Public Safety Retirement Conversion Window - HB 21	9
		Reduced Cigarette Ignition Propensity - SB 200	172
		Utah Fire Prevention Board Amendment - SB 227 ..	179

PUBLIC SERVICE COMMISSION

Public Service Commission - Equipment Distribution
Program - SB 156 161

PUBLIC TRANSIT DISTRICTS

Sales and Use Tax - Highways and Public
Transportation Amendments - HB 226 68

PUBLIC UTILITIES

Public Utilities Amendments - SB 235 181
Utility Facility Review Board - HB 120 45

PUBLICATIONS

Materials Harmful to Minors - HB 333 91

PUNISHMENTS

Violent Crime in Presence of a Child - HB 274 78

RADIATION

Resolution Opposing Divine Strake - SCR 5 189
Waste Amendments - SB 155 160

REAL ESTATE

County Tax Sales of Property - HB 146 52
Disposition of Real Property - SB 261 186
Division of Real Estate and Title Insurance
Related Amendments - SB 199 170
Easements - Counties and Municipalities -
HB 188 58
Real Estate Modifications - SB 219 176
Technical Amendments to Assumption of
Indebtedness on Residential Real
Property - SB 27 26
Warranty Deed - Technical Amendments - SB 25 ... 125

RECODIFICATION

Joint Rules Resolution - Recodification
and Revisions - HJR 11 113

RECREATION

Governmental Immunity for Trails - SB 98 147

RECYCLING

Scrap Metal Transactions - SB 44 130

REGISTRATION AND REGISTRATION FEES

Boat Registration Amendments - SB 148 159
Fees to Cover Cost of Electronic Payments -
SB 181 166

Motor Vehicle License and Registration Fees
Exemption for Purple Heart License Plates -
SB 100 148

Motor Vehicle Registration Checkoff for
Protecting Access to Public Lands and
Off-highway Vehicle Education - HB 97 38
New Utah License Plate Design - SB 73 140
Special Group License Plate - Gold Star
Family - SB 33 128
Special Group License Plate Symbol Decal Reorder
Amendments - HB 268 77

RESOLUTIONS

Concurrent Resolution Approving Settlement
of Lawsuit - SCR 7 189
Concurrent Resolution Approving the Interlocal
Agreement Creating the Utah Lake
Commission - HCR 1 109
Concurrent Resolution Supporting Airport
Surveillance Radar Acquisition - HCR 2 109
Concurrent Resolution Urging Participation by
Taiwan in World Health Organization - SCR 4 ... 189
Early Childhood Reading Readiness
Resolution - HCR 5 110
House Rules Resolution - Occupational and
Professional Licensure Review Committee
Summary Report - HR 1 114
Joint Resolution Regarding Action on
Groundwater in Snake Valley - HJR 1 111
Joint Resolution Supporting Department of
Corrections Contracting for Bed Spaces in
Davis County Jail - SJR 7 191
Joint Resolution Supporting Governor's Child
and Family Cabinet Council - HJR 16 114
Joint Resolution Supporting Kane County
Expansion of Correctional Facilities - SJR 8 191
Joint Rules Resolution - Appropriation
Subcommittees - HJR 6 112
Joint Rules Resolution - Executive Appropriations
Committee Membership - HJR 9 112
Joint Rules Resolution - Recodification and
Revisions - HJR 11 113
Master Study Resolution - HJR 14 113
Resolution Amending Utah
Constitution - SJR 12 192
Resolution Approving Compensation of
In-session Employees - HJR 5 112
Resolution Encouraging Congressional Funding
for State Children's Health Insurance Program -
SJR 3 191
Resolution Encouraging State Universities'
and School Institutional Trust Lands' Efforts in
Enhancing State Trust Lands - HCR 4 110
Resolution Honoring Victims and Family
Members Impacted by Trolley Square
Tragedy - HCR 7 111

Resolution Increasing Public Awareness of Capital Gains Tax Deduction - SR 3	192
Resolution Opposing Divine Strake - SCR 5	189
Resolution Opposing Real Id Act - HR 2	114
Resolution Promoting Legislators Back to School Program - SCR 2	188
Resolution Regarding Permanent State Trust Fund - SJR 2	190
Resolution Revising Executive Officer Succession Provisions - HJR 4	111
Resolution Supporting Presidential Trade Promotion Authority - SJR 9	191
Resolution Urging Congress to Address Social Security Number Identity Theft - SCR 1	188
Resolution Urging Congress to Stop Internet Pornography to Children and Employees - HCR 3	110
Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - SR 1	192
Utah Athletic Foundation Resolution - SJR 1	190
Utah Farming Heritage District Resolution - HCR 6 ..	110

RESOLUTIONS, CONSTITUTIONAL

Resolution Amending Utah Constitution - SJR 12 ...	192
Resolution Regarding Permanent State Trust Fund - SJR 2	190
Resolution Revising Executive Officer Succession Provisions - HJR 4	111

RESOLUTIONS, RULES

House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - HR 1	114
Joint Rules Resolution - Appropriation Subcommittees - HJR 6	112
Joint Rules Resolution - Executive Appropriations Committee Membership - HJR 9	112
Joint Rules Resolution - Recodification and Revisions - HJR 11	113
Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report - SR 1	192

RESOLUTIONS, SETTLEMENTS

Concurrent Resolution Approving Settlement of Lawsuit - SCR 7	189
--	-----

RESTITUTION

Restitution Amendments - HB 147	53
Victim Restitution - HB 157	55

RETIREMENT

Local Government Post-employment Benefit Trust Funds Amendments - HB 337	92
Post Retirement Employment - HB 260	75
Public Safety Retirement Conversion Window - HB 21	9
Retirement and Independent Entities Committee - SB 131	155
Retirement Office Amendments - HB 8	4
Retirement Systems Membership Exclusions - SB 247	185
State Post-retirement Benefits Trust Fund - HB 7	4

RETIREMENT AND INDEPENDENT ENTITIES

Retirement and Independent Entities Committee - SB 131	155
Retirement Office Amendments - HB 8	4
Retirement Systems Membership Exclusions - SB 247	185

REVENUE AND TAXATION

Amendments to Local Option Sales and Use Taxes on Certain Accommodations and Services - HB 38	15
Calculation of Credit for Certain Repossessions of a Motor Vehicle - HB 297	83
Centrally Assessed Property - HB 293	82
Cigarette and Tobacco Tax and Licensing Amendments - HB 37	15
County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments - HB 98	39
Creation of Severance Tax and Infrastructure and Economic Diversification Accounts - SB 18	122
Disclosure of Property Tax Information - SB 203 ...	172
Distribution of Local Sales and Use Tax Revenues - SB 170	165
Fee in Lieu of Property Tax Amendments - HB 142	52
Fees to Cover Cost of Electronic Payments - SB 181	166
Fuel Tax Bonding Requirements - HB 40	16
Income Tax Additions, Subtractions, and Credits for Higher Education Savings - HB 36	14
Income Tax Filing Amendments - SB 266	186
Land and Water Reinvestment - HB 102	40
Municipal License Fee or Tax on Public Assembly Facilities - SB 119	153
Municipal Telecommunications License Tax Amendments - HB 238	70
Nonresident Sales of Motor Homes - HB 427	105
Penalties Relating to Taxes, Fees, or Charges - SB 74	140
Personal Property - Certified Tax Rate Amendments - HB 111	42

Property Tax - Definition of Goodwill - SB 260	186	Sales and Use Tax Exemption for Authorized Carriers - HB 42	17
Property Tax Exemption for Personal Property - HB 26	10	Sales and Use Tax Exemption for Disposable Home Medical Equipment or Supplies - SB 96	146
Resolution Increasing Public Awareness of Capital Gains Tax Deduction - SR 3	192	Sales and Use Tax Exemptions for Certain Governmental Entities and Entities Within the State Systems of Public and Higher Education - SB 22	124
Sales and Use Tax - Common Carriers - HB 41	17	Sales and Use Tax Exemptions for Certain Property Brought into the State - HB 34	13
Sales and Use Tax - Highways and Public Transportation Amendments - HB 226	68	Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State - HB 33	13
Sales and Use Tax Exemption for Authorized Carriers - HB 42	17	Sales and Use Tax Modifications - HB 27	11
Sales and Use Tax Exemption for Disposable Home Medical Equipment or Supplies - SB 96	146	Tourism, Recreation, Cultural, and Convention Facilities Tax - Advisory Board - SB 64	138
Sales and Use Tax Exemptions for Certain Governmental Entities and Entities Within the State Systems of Public and Higher Education - SB 22	124	Transportation Funding Revisions - HB 314	87
Sales and Use Tax Exemptions for Certain Property Brought into the State - HB 34	13		
Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State - HB 33	13	SCHOOL FINANCE	
Sales and Use Tax Modifications - HB 27	11	Education Fund Conforming Amendments - HB 323	89
Severance Tax Related Amendments - HB 87	35	Education Revisions - HB 461	107
Tax Amendments - SB 223	177	Minimum School Program Base Budget Amendments - HB 3	2
Tax Penalty Amendments - SB 5	117	Minimum School Program Budget Amendments - HB 160	56
Tourism, Recreation, Cultural, and Convention Facilities Tax - Advisory Board - SB 64	138		
		SCHOOL PERSONNEL	
REVISOR LEGISLATION		Education Employee Association Amendments - SB 56	137
Revisor's Statute - HB 264	76		
		SECURITIES	
RURAL COMMUNICATIONS		Securities Law Amendments - SB 277	188
Rural Broadband Service Fund - SB 268	187	Uniform Commercial Code - General Provisions - SB 91	144
RURAL DEVELOPMENT		SEVERANCE TAX	
Governor's Rural Partnership Board Amendments - SB 93	145	Land and Water Reinvestment - HB 102	40
Industrial Assistance Fund Amendments - Rural Fast Track Program - SB 10	119	Severance Tax Related Amendments - HB 87	35
SALES AND USE TAX		SEXUAL OFFENSES	
Calculation of Credit for Certain Repossessions of a Motor Vehicle - HB 297	83	Driver License or Identification Card Requirement for Sex Offenders - HB 31	12
County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments - HB 98	39	Internet Sexual Content - Protection of Minors - HB 5	3
Distribution of Local Sales and Use Tax Revenues - SB 170	165	Sentence Reduction Clarification - HB 85	34
Penalties Relating to Taxes, Fees, or Charges - SB 74	140	Sex Offender Restrictions - HB 375	102
Sales and Use Tax - Common Carriers - HB 41	17		
Sales and Use Tax - Highways and Public Transportation Amendments - HB 226	68	SIGNS	
		Local Government Regulation of Billboards - HB 352	97
		SPECIAL DISTRICTS	
		Special and Local Districts Amendments - HB 65	26
		Special Service District Authority to Provide Jail Facilities - HB 247	73

Use of Mineral Lease Funds by Special Service Districts - SB 94	146	STATE BUILDINGS	Division of Facilities Construction and Management Amendments - HB 216	65
SPEED LIMITS		STATE LANDS	Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission - HCR 1	109
Traffic Code Amendments - SB 17	121	Revoking Authority to Use State Lands as a Bird Refuge - HB 192	59	
SPORTS AUTHORITY		STATE OFFICERS AND EMPLOYEES	Executive Compensation Revisions - HB 2	1
Utah Sports Authority - SB 167	164	Expansion of Career Service to the Office of Attorney General - HB 316	88	
STATE AFFAIRS IN GENERAL		Personal Use of State Vehicles Authorized for Law Enforcement Officers in the Office of the Attorney General - SB 143	158	
Administrative Rules Reauthorization - SB 122	153	Public Employees Disability Benefits Limitations - SB 135	156	
Allowing State Memorials on State Property - HB 253	74	State Agency and Higher Education Compensation Amendments - SB 228	180	
Centers of Excellence Amendments - HB 125	46	State Post-retirement Benefits Trust Fund - HB 7	4	
Concurrent Resolution Approving Settlement of Lawsuit - SCR 7	189	State Treasurer Compensation - HB 304	85	
Disaster Recovery Funding - HB 46	18	Unclaimed Property Act Provisions - HB 219	66	
Expansion of Career Service to the Office of Attorney General - HB 316	88	STATE TAX COMMISSION	Centrally Assessed Property - HB 293	82
Global Positioning Reference Network - HB 367	100	Tax Penalty Amendments - SB 5	117	
Governmental Immunity for Trails - SB 98	147	SUBSTANCE ABUSE	Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments - SB 51	134
Initiative and Referendum - Signature Verification Procedures - HB 63	25	Amendments to Mental Health Professional Practice Act - SB 193	169	
Military Installation Development Authority - SB 232	180	SUNSET LEGISLATION	Sunset Review and Reauthorizations - SB 31	128
Repeal of Utah Technology Commission - HB 244	72	TASK FORCE / COMMITTEES	Creation of New School District Amendments - SB 30	127
Resolution Regarding Permanent State Trust Fund - SJR 2	190	Higher Education Task Force - HB 396	104	
State Agency Timely Adoption of Administrative Rules - HB 327	90	Judicial Selection Procedures and Retention Election Task Force - SB 221	177	
State Declaration of State Water Week - HB 20	8	Local Issues Amendments - SB 41	129	
State Treasurer Compensation - HB 304	85	Utah International Trade Commission - HB 59	24	
Sunset Review and Reauthorizations - SB 31	128	TECHNOLOGY	Emergency Communication Funding - HB 119	45
Utah Commission on Aging - SB 26	126	Global Positioning Reference Network - HB 367	100	
STATE BOARDS, COMMISSIONS, AND COUNCILS		Rural Broadband Service Fund - SB 268	187	
Commission on Criminal and Juvenile Justice Funding - HB 91	36	Science and Technology Education Program Amendments - SB 217	175	
Constitutional Revision Commission Membership - SB 97	146	TELECOMMUNICATIONS	Emergency Communication Funding - HB 119	45
Drug Offenders Reform Act - SB 50	134			
Governor's Rural Partnership Board Amendments - SB 93	145			
Membership and Service of Utah Commissioners on National Conference of Commissioners on Uniform State Laws - SB 110	150			
Utah Commission on Aging - SB 26	126			
Utah Sports Authority - SB 167	164			
Workers' Compensation Fund - Board Amendments - HB 13	5			

Municipal Telecommunications License Tax Amendments - HB 238	70	Motor Vehicle Insurance Arbitration Amendments - HB 44	18
Public Service Commission - Equipment Distribution Program - SB 156	161	Motor Vehicle License and Registration Fees Exemption for Purple Heart License Plates - SB 100	148
Rural Broadband Service Fund - SB 268	187	Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off-highway Vehicle Education - HB 97	38
TELEPHONE		Motor Vehicles Code Revisions - HB 22	9
Emergency Communication Funding - HB119	45	Motorboat Liability Insurance Revisions - HB 227	69
TITLE AND ESCROW		New Utah License Plate Design - SB 73	140
Insurance Law Amendments - HB 295	82	Regulation of Electric Personal Assistive Mobility Devices - HB 315	88
TOBACCO		Resolution Opposing Real Id Act - HR 2	114
Governance of Local Ordinances Regarding Smoking - HB 201	61	Special Group License Plate - Gold Star Family - SB 33	128
Indoor Smoking Amendments - HB 273	78	Special Group License Plate Symbol Decal Reorder Amendments - HB 268	77
Reduced Cigarette Ignition Propensity - SB 200	172	State Fleet Efficiency Requirements - HB 110	42
TOBACCO TAX		State Highway Amendments - SB 20	123
Cigarette and Tobacco Tax and Licensing Amendments - HB 37	15	Traffic Code Amendments - SB 17	121
TOURISM		Transportation Funding Revisions - HB 314	87
Tourism Amendments - SB 198	170	Transportation Study - East-west Corridors in Salt Lake County and Counties of the Second Class - HB 108	41
Tourism Marketing Performance Account Appropriation - SB 127	154	Uninsured Motorist Identification Database Program Amendments - SB 6	117
TRADEMARKS		TRANSPORTATION FUND	
Trademark Protection Act - SB 236	182	Amendments to Transportation Funding Provisions - HB 383	103
TRANSPORTATION		B and C Roads Amendments - SB 158	161
Amendments to Transportation Funding Provisions - HB 383	103	Transportation Funding Revisions - HB 314	87
Amendments to Transportation Provisions - HB 158	55	TRAVEL AND TOURISM	
B and C Roads Amendments - SB 158	161	Amendments to Local Option Sales and Use Taxes on Certain Accommodations and Services - HB 38	15
Commercial Driver License Amendments - SB 19 ..	123	Tourism, Recreation, Cultural, and Convention Facilities Tax - Advisory Board - SB 64	138
County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments - HB 98	39	TRUST LANDS	
Department of Transportation Projects - Categorically Excluded Environmental Projects - HB 301	84	School and Institutional Trust Lands Amendments - HB 134	50
Driver License Fee Amendments - HB 52	21	TRUSTS	
Driving Under the Influence Amendments - SB 4 ...	116	Insurable Interest Amendments - SB 77	142
Fees to Cover Cost of Electronic Payments - SB 181	166	Local Government Post-employment Benefit Trust Funds Amendments - HB 337	92
Local Transportation Corridor Preservation Fund Amendments - SB 69	139	UNCLAIMED PROPERTY	
Motor Vehicle Amendments - SB 186	167	Unclaimed Property Act Provisions - HB 219	66
Motor Vehicle Business Fee Amendments - SB 106	149	UNEMPLOYMENT COMPENSATION	
Motor Vehicle Dealer Amendments - HB 96	37	Employment Security Act Amendments - HB 23	9
Motor Vehicle Dealer Performance Bond Amendments - SB 54	136		
Motor Vehicle Insurance Amendments - SB 238	182		

Ineligibility for Unemployment Compensation Benefits - SB 103	148	VICTIMS' RIGHTS	Utah Council on Victims of Crime - HB 112	43
Unemployment Compensation - Social Security Offset - SB 11	119		Victim Restitution - HB 157	55
UNIFORM COMMERCIAL CODE		WATER AND IRRIGATION	Boat Registration Amendments - SB 148	159
Uniform Commercial Code - General Provisions - SB 91	144		Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission - HCR 1	109
UNIFORM LAWS			Governmental Immunity for Trails - SB 98	147
Revised Uniform Anatomical Gift Act - SB 92	145		Joint Resolution Regarding Action on Groundwater in Snake Valley - HJR 1	111
Uniform Child Abduction Prevention Act - SB 35	129		Nonprofit Corporation Amendments - SB 9	118
Uniform Commercial Code - General Provisions - SB 91	144		Share Assessment Act - HB 53	22
Uniform Prudent Management of Institutional Funds - SB 60	138		State Declaration of State Water Week - HB 20	8
UNIFORM PROBATE CODE			Use of State Engineer Fees - SB 8	118
Probate Code Amendments - SB 24	125		Water Conveyance Easements - SB 28	126
UTAH MUNICIPAL CODE			Water Loan Program Amendments - HB 99	39
Amendments to Land Use Development and Management Act - SB 215	175	WATER QUALITY	Water Loan Program Amendments - HB 99	39
Amendments to Municipal and County Land Use - SB 163	163		WEAPONS	
Annexation Amendments - HB 362	99		Bus Passenger Safety Act Amendments - HB 354	97
County and Municipal Land Use Provisions Regarding Schools - HB 69	31		Concealed Weapons Fees Amendments - HB 39	16
Easements - Counties and Municipalities - HB 188 ..	58		Higher Education - Concealed Firearms Restrictions - SB 251	185
Immunity of Counties and Municipalities for Sky Diving Activities - SB 179	165	WORKERS' COMPENSATION	WORKERS' COMPENSATION	
Incorporation of a Town Amendments - HB 466	108		Occupational and Environmental Health Amendments - SB 234	181
Land Use Development Management Act Amendments - HB 285	80		Transfers of Structured Settlements - SB 109	150
Land Use Provisions - HB 129	47		Workers' Compensation - Time Limitations - SB 108	149
Local Government Regulation of Billboards - HB 352	97		Workers' Compensation Fund - Board Amendments - HB 13	5
Local Initiative and Petition Ballot Titles - SB 197 ..	170	WORKFORCE SERVICES CODE	WORKFORCE SERVICES CODE	
Local Issues Amendments - SB 41	129		Employment Security Act Amendments - HB 23	9
Municipal License Fee or Tax on Public Assembly Facilities - SB 119	153		Employment Support Act - Technical Changes - HB 24	10
Municipal Telecommunications License Tax Amendments - HB 238	70		Family Employment Program Amendments - SB 14	120
Restrictions on Designation of Wetlands - SB 183 ..	166		Ineligibility for Unemployment Compensation Benefits - SB 103	148
Special and Local Districts Amendments - HB 65	26		Resolution Urging Congress to Address Social Security Number Identity Theft - SCR 1	188
Transfer of Density - HB 117	44		Unemployment Compensation - Social Security Offset - SB 11	119
UTAH TECHNOLOGY COMMISSION			Workforce Services - Reporting Misuse of Personal Identifying Information - SB 15	120
Repeal of Utah Technology Commission - HB 244	72		Workforce Services' Work Experience or Training Programs - SB 21	124
UTILITIES SITING		YOUTH CORRECTIONS	YOUTH CORRECTIONS	
Land Use Development Management Act Amendments - HB 285	80		Repeal of Juvenile Justice Services Victim Restitution Account - HB 326	90

PASSED LEGISLATION - 2007 GENERAL SESSION

HB 1 **State Agency and Higher Education Base Budget Appropriations** (*Ron Bigelow*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007, and appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

This bill:

- ▶ provides appropriations for the use and support of certain state agencies;
- ▶ provides appropriations for the use and support of certain institutions of higher education;
- ▶ provides appropriations for other purposes as described;
- ▶ approves employment levels for internal service funds;
- ▶ approves capital acquisition amounts for internal service funds.
- ▶ This bill appropriates for fiscal year 2007:
 - ▶ \$31,975,700 from the General Fund;
 - ▶ \$13,433,600 from the Uniform School Fund.
- ▶ This bill appropriates for fiscal year 2008:
 - ▶ \$1,790,478,100 from the General Fund;
 - ▶ \$91,844,000 from the Uniform School Fund;
 - ▶ \$553,733,100 from the Education Fund;
 - ▶ \$5,051,545,150 from various sources as detailed in this bill.
- ▶ Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2007.

Effective February 2, 2007

Chapter 1, Laws of Utah 2007

HB 2 **Executive Compensation Revisions** (*David Clark*)

This bill increases salaries, salary ranges, and benefits for constitutional officers and certain other state officers.

This bill:

- ▶ increases salaries for the governor, lieutenant governor, attorney general, state auditor, and state treasurer;
- ▶ increases salary ranges for certain identified state officers; and
- ▶ makes technical corrections.
- ▶ This bill takes effect July 1, 2007.
- ▶ This bill coordinates with H.B. 304, State Treasurer Compensation by providing superseding amendments.

Amends 67-22-1, 67-22-2

Effective July 1, 2007

Chapter 73, Laws of Utah 2007

HB 3 Minimum School Program Base Budget Amendments *(Bradley G. Last)*

This bill provides base funding for the Minimum School Program.

This bill:

- ▶ establishes a ceiling for the state contribution to the maintenance and operations portion of the Minimum School Program for fiscal year 2007-08 of \$2,083,978,214;
- ▶ appropriates \$27,288,900 to the State Board of Education for fiscal year 2007-08 for school building aid programs for school districts; and
- ▶ makes technical corrections.
- ▶ This bill appropriates for fiscal year 2007-08:
 - ▶ \$2,068,978,214 from the Uniform School Fund;
 - ▶ \$15,000,000 from the Interest and Dividends Account; and
 - ▶ \$27,288,900 from the Uniform School Fund for school building aid programs.
- ▶ This bill takes effect on July 1, 2007.

Amends 53A-17a-104, 53A-17a-135, 53A-21-105

Effective July 1, 2007

Chapter 2, Laws of Utah 2007

HB 4 Organized Retail Theft *(Paul Ray)*

This bill modifies the Criminal Code regarding conduct that constitutes a pattern of unlawful activity.

This bill:

- ▶ includes the criminal offense of retail theft in the definition of a pattern of unlawful activity; and
- ▶ provides that persons found guilty of a pattern of unlawful activity may be ordered to pay restitution for property obtained through a pattern of unlawful activity.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 76-10-1602, 76-10-1603.5

Effective April 30, 2007

Chapter 129, Laws of Utah 2007

HB 5 Internet Sexual Content - Protection of Minors *(Paul Ray)*

This bill modifies the Criminal Code by amending the penalties for enticing a minor over the Internet in order to commit a sexual offense. This bill also modifies Title 76, Chapter 10, Part 12, Pornographic and Harmful Materials and Performances.

This bill:

- ▶ amends the penalty for enticing a minor to commit a first degree felony sexual offense, so that the enticement offense is a second degree felony for the first violation, and for any subsequent violation is a first degree felony with a specified penalty;
- ▶ includes enticing a minor over the Internet when subsequent contact is by electronic or written means other than the use of a computer;
- ▶ provides that if a defendant commits the offense of enticing a minor to commit any felony sexual offense, and the defendant has previously committed a sexual offense or kidnapping against a minor, the court may not shorten the prison sentence;
- ▶ repeals the following sections:
 - repeals the section establishing an adult content registry and references to the registry; and
 - repeals the section requiring that an Internet services provider must provide to consumers the service of blocking material on the adult content registry;
- ▶ provides a definition of "negligent" regarding material harmful to minors;
- ▶ describes the circumstances under which an Internet service provider or a hosting company is not guilty of criminal conduct involving distributing pornographic material, inducing acceptance of pornographic material, or dealing in material harmful to a minor;
- ▶ increases the minimum mandatory fine for dealing in material harmful to a minor;
- ▶ provides that a felony or class A offense of enticing a minor over the Internet is a prior offense regarding sex offender lifetime registration;
- ▶ clarifies the standard applicable to conduct of Internet service providers regarding filtering of material harmful to minors from negligently or recklessly to a standard of knowing or intentional conduct; and
- ▶ amends the provisions regarding charging the consumer for software that blocks material harmful to minors.
- ▶ This bill provides an immediate effective date.

Amends 76-4-401, 76-10-1201, 76-10-1204, 76-10-1205, 76-10-1206, 76-10-1230, 76-10-1231, 77-27-21.5

Repeals 67-5-19, 76-10-1232

Effective March 19, 2007

Chapter 337, Laws of Utah 2007

HB 6 Controlled Substance Database Amendments *(Ronda Rudd Menlove)*

This bill amends the Utah Controlled Substances Act.

This bill:

- ▶ provides limited access to the Controlled Substance Database for:
 - practitioners, for the purpose of inquiring whether the practitioner's DEA number has been fraudulently used by another person; and
 - law enforcement authorities investigating insurance, Medicaid, or Medicare fraud.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 58-37-7.5

Effective April 30, 2007

Chapter 293, Laws of Utah 2007

HB 7 State Post-retirement Benefits Trust Fund *(Keith Grover)*

This bill establishes a trust fund to accumulate monies to pay post-retirement benefits.

This bill:

- ▶ creates a trust fund to pay for post-retirement benefits;
- ▶ creates a board of trustees to act as the trustee of the trust;
- ▶ establishes investment criteria for the state treasurer in investing the trust assets; and
- ▶ directs the Division of Finance to transfer certain monies into the fund.
- ▶ None

Amends 51-7-2;

Enacts 67-19d-101, 67-19d-102, 67-19d-201, 67-19d-202, 67-19d-301, 67-19d-302

Effective April 30, 2007

Chapter 99, Laws of Utah 2007

HB 8 Retirement Office Amendments *(David Clark)*

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending definitions, and making certain technical and administrative amendments.

This bill:

- ▶ amends the definition of allowance by adding “or retirement allowance”;
- ▶ amends the definition of “political subdivision” by providing that a project entity created under the Interlocal Cooperation Act is not a political subdivision if it was formed prior to 1987;
- ▶ requires that retirement contributions made by a participating employee for a retiree that is subject to postemployment retirement restrictions shall be made to a “qualified” defined contribution plan;
- ▶ adds “covered individual” to those whose benefits are not subject to alienation, assignment, or attachment for legal purposes;
- ▶ allows the executive director to delegate certain dispute rulings to the deputy director;
- ▶ provides that Option One retirement allowance is only payable to the member during the member’s lifetime for the Public Employees’ Contributory and Noncontributory systems;
- ▶ adds “mentally” able to resume firefighter service to the examiners report for a determination regarding disability benefits;
- ▶ allows reserves in an insurance risk pool to be refunded directly to covered individuals;
- ▶ repeals a requirement that employees not be allowed to change from the high deductible health plan more frequently than every three years and replaces it with a provision that the program must be administered so that the impact on the overall health plan is actuarially neutral;
- ▶ requires the office to consult with covered employers in addition to certain state agencies prior to determining the amount of annual contributions to a health savings account;
- ▶ changes references to eligibility to receive a “retirement benefit” to eligibility to receive a “retirement allowance” to clarify provisions of the Unused Sick Leave Retirement Option Program I and II; and
- ▶ makes technical changes.

The original bill was recommended by the Retirement and Independent Entities Interim Committee

Amends 49-11-102, 49-11-504, 49-11-612, 49-11-613, 49-12-402, 49-13-402, 49-16-602, 49-17-301, 49-18-301, 49-20-201, 49-20-402, 49-20-409, 49-20-410, 49-21-102, 49-21-401, 67-19-14.2, 67-19-14.4

Effective April 30, 2007

Chapter 130, Laws of Utah 2007

HB 9 Health Care Cost and Quality Data *(Michael T. Morley)*

This bill amends the Health Data Authority Act to authorize the Health Data Committee, as funding is available, to collect data on the costs of episodes of health care, and, as funding is available, authorizes the Department of Health to develop a plan to measure and compare costs of episodes of care.

This bill:

- ▶ amends the powers and duties of the Health Data Committee;
- ▶ authorizes the Health Data Committee to develop and adopt a plan for the collection and use of health care data related to cost of episodes of health care; and
- ▶ makes implementation of the plan contingent on funding.

The original bill was recommended by the Health and Human Services Interim Committee / Retirement and Independent Entities Interim Committee

Amends 26-33a-104;

Enacts 26A-33a-106.1

Effective April 30, 2007

Chapter 29, Laws of Utah 2007

HB 10 Open and Public Meetings Act Amendments *(Wayne A. Harper)*

This bill modifies the Open and Public Meetings Act by amending definitions and requirements for open meetings.

This bill:

- ▶ clarifies that the definition of public body includes a public body created by the Utah Constitution as well as by statute, rule, ordinance, or resolution;
- ▶ amends content requirements for written minutes and recordings of open meetings; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 52-4-103, 52-4-203

Effective April 30, 2007

Chapter 35, Laws of Utah 2007

HB 13 Workers' Compensation Fund - Board Amendments *(David Clark)*

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

This bill:

- ▶ modifies how terms of directors on the board are staggered; and
- ▶ changes how directors are paid from per diem and expenses approved by the Division of Finance to compensation and reasonable expenses approved by the board and subject to a cap on compensation.

The original bill was recommended by the Business and Labor Interim Committee / Retirement and Independent Entities Interim Committee

Amends 31A-33-106, 31A-33-107

Effective April 30, 2007

Chapter 74, Laws of Utah 2007

HB 14 Election Law Revisions (*Douglas C. Aagard*)

This bill modifies provisions of the Election Code.

This bill:

- ▶ modifies definitions related to poll workers and election judges;
- ▶ clarifies that criminal penalties in the Election Code apply to all poll workers rather than only to poll workers appointed as election judges;
- ▶ removes the requirement for voters to provide their voting precinct number on the voter registration form;
- ▶ requires the voter registration form to list the name of all registered political parties;
- ▶ adjusts the date to challenge names listed on the official register to accommodate early voting;
- ▶ provides quorum requirements for local and state boards of canvassers;
- ▶ modifies a date for the provision of ballots to be consistent with similar date requirements;
- ▶ modifies language relating to municipal ballot formatting to be more consistent with electronic ballot requirements;
- ▶ requires the lieutenant governor to maintain a current list of registered political parties; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-1-102, 20A-1-602, 20A-2-104, 20A-2-107.5, 20A-2-306, 20A-3-105, 20A-3-105.5, 20A-3-107, 20A-3-108, 20A-3-109, 20A-3-202, 20A-3-308, 20A-3-501, 20A-4-101, 20A-4-107, 20A-4-202, 20A-4-301, 20A-4-306, 20A-4-505, 20A-5-201, 20A-5-405, 20A-5-601, 20A-5-602, 20A-5-603, 20A-5-604, 20A-5-605, 20A-5-701, 20A-5-703, 20A-6-402, 67-1a-2

Effective April 30, 2007

Chapter 75, Laws of Utah 2007

HB 15 Driver License Privilege Suspension for Failure to Pay Child Support (*Julie Fisher*)

This bill amends the Utah Human Services Code and the Public Safety Code to establish a procedure for the Office of Recovery Services to order an administrative suspension of a person's driving privileges when the person is in arrears on a child support obligation.

This bill:

- ▶ defines terms;
- ▶ establishes a procedure for the Office of Recovery Services, within the Department of Human Services, to order, and the Driver License Division, within the Department of Public Safety, to recognize and impose, a suspension of a person's driving privileges when the person is at least 60 days in arrears on a child support obligation;
- ▶ requires that the Driver License Division, upon application, issue a temporary limited driver license to a person whose driver license is suspended under this bill if the person needs a driver license for employment, education, or child visitation;
- ▶ provides that a suspension imposed under this bill will remain in effect until the Office of Recovery Services rescinds the order of suspension;
- ▶ provides that the suspension of a person's driving privileges under this bill will not be included in the person's driving record after the order of suspension is rescinded;
- ▶ requires the Driver License Division to disclose to the Office of Recovery Services the name and identifying information of each person to whom a license has been issued or whose driving privileges have been suspended, revoked, or reinstated;
- ▶ provides that the information received by the Office of Recovery Services under the preceding paragraph is subject to the Government Records Access and Management Act;
- ▶ describes the circumstances under which an order to suspend a person's driving privileges may not be made, or under which an order to suspend a person's driving privileges will be rescinded;
- ▶ provides that, if the office seeks a driver license suspension of a person who is not delinquent, the office shall refund any noncustodial parent income withholding fee that was collected during the alleged delinquency, unless the person is otherwise in arrears on a child support obligation;
- ▶ grants rulemaking authority to the Office of Recovery Services;
- ▶ requires the Office of Recovery Services to provide notice of an order, or the rescinding of an order, suspending a person's driving privileges, to the person to whom the suspension applies and to the Driver License Division;
- ▶ describes the contents of the notice described in the preceding paragraph; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2008.

The original bill was recommended by the Judiciary Interim Committee

Amends 31A-19a-211, 41-6a-403, 53-3-102, 53-3-221;

Enacts 53-3-221.5, 62A-11-601, 62A-11-602, 62A-11-603, 62A-11-604

Effective July 1, 2008

Chapter 338, Laws of Utah 2007

HB 16 Designated Mental Retardation Professional Amendments (*Ronda Rudd Menlove*)

This bill amends the definition of a mental retardation professional within the Services to People With Disabilities chapter of the Utah Human Services Code.

This bill:

- ▶ adds licensed marriage and family therapists and professional counselors to the list of mental health professionals that may become qualified as a mental retardation professional; and
- ▶ makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 62A-5-101

Effective April 30, 2007

Chapter 366, Laws of Utah 2007

HB 18 Child Support Collection Amendments (*Julie Fisher*)

This bill provides exceptions for income withholding for child support collection.

This bill:

- ▶ allows a court to approve a method of child support collection other than income withholding for good cause; and
- ▶ allows the Office of Recovery Services to enter into agreements with obligors for electronic payment of child support.
- ▶ This bill takes effect on January 1, 2008.

The original bill was recommended by the Judiciary Interim Committee

Amends 62A-11-403, 62A-11-502

Enacts 62A-11-403.1, 62A-11-502.1

Effective January 1, 2008

Chapter 131, Laws of Utah 2007

HB 20 State Declaration of State Water Week (*Ralph Becker*)

This bill declares the annual recognition of State Water Week.

This bill:

- ▶ declares the first full week of May to be State Water Week.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / Water Issues Task Force

Amends 63-13-5.6

Effective April 30, 2007

Chapter 16, Laws of Utah 2007

HB 21 Public Safety Retirement Conversion Window *(Merlynn T. Newbold)*

This bill modifies the Utah State Retirement and Insurance Benefit Act by providing a conversion window between the Public Safety Contributory Retirement System and the Public Safety Noncontributory Retirement System.

This bill:

- ▶ provides a conversion window between the Public Safety Contributory Retirement System and the Public Safety Noncontributory Retirement System.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Retirement and Independent Entities Interim Committee

Amends 49-15-204

Effective July 1, 2007

Chapter 36, Laws of Utah 2007

HB 22 Motor Vehicles Code Revisions *(James A. Dunnigan)*

This bill modifies the Motor Vehicles Code by amending certain provisions for motor vehicle accidents and motor vehicle owner's or operator's security.

This bill:

- ▶ modifies motor vehicle accident provisions by moving provisions for accidents resulting in fatalities or injuries into new sections of the Utah Code;
- ▶ permits a court to waive a portion of a fine for not maintaining owner's and operator's security in certain instances; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-6a-401, 41-12a-302, 53-3-414

Enacts 41-6a-401.3, 41-6a-401.5, 41-6a-401.7

Effective April 30, 2007

Chapter 132, Laws of Utah 2007

HB 23 Employment Security Act Amendments *(Steven R. Mascaro)*

This bill modifies provisions of the Employment Security Act related to the collection of unemployment tax contributions by employers.

This bill:

- ▶ authorizes the Unemployment Insurance Division to prescribe rules providing standards for determining which contribution reports must be filed on electronic media;
- ▶ provides that the division may not require an employer to file contribution reports on magnetic or electronic media unless the employer is an authorized employer representative who files quarterly tax reports on behalf of 100 or more employers during any calendar quarter; and
- ▶ makes certain technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-4-305

Effective April 30, 2007

Chapter 133, Laws of Utah 2007

HB 24 Employment Support Act - Technical Changes *(Karen W. Morgan)*

This bill makes technical changes to provisions of the Employment Support Act in the Utah Workforce Services Code by deleting outdated or unnecessary language.

This bill:

- ▶ deletes outdated provisions in the definitions section of the Employment Support Act regarding “passenger vehicle” and “average monthly number of families”; and
- ▶ deletes a reporting provision to an entity that no longer exists, the Utah Tomorrow Strategic Planning Committee.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-3-102, 35A-3-313

Effective April 30, 2007

Chapter 235, Laws of Utah 2007

HB 26 Property Tax Exemption for Personal Property *(John Dougall)*

This bill amends the Property Tax Act relating to exemptions for certain tangible personal property from assessment and taxation.

This bill:

- ▶ amends the tangible personal property exemption to exclude personal property required to be registered with the state, mobile homes, and manufactured homes from the exemption;
- ▶ defines terms; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.
- ▶ This bill provides retrospective operation to January 1, 2007.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-2-1115

Effective February 23, 2007

Chapter 8, Laws of Utah 2007

HB 27 Sales and Use Tax Modifications (*Ben C. Ferry*)

This bill amends the Sales and Use Tax Act and related provisions.

This bill:

- ▶ modifies definitions;
- ▶ addresses the tax rates at which a seller that does not have sufficient contacts with the state to be required to collect and remit sales and use taxes may voluntarily collect and remit sales and use taxes on:
 - food and food ingredients; or
 - a bundled transaction attributable to food and food ingredients and tangible personal property other than food and food ingredients;
- ▶ addresses the effective dates of sales and use tax repeals, changes, or increases for certain taxes and transactions;
- ▶ addresses the distribution of the local taxes that are voluntarily collected and remitted by a seller that does not have sufficient contacts with the state to be required to collect and remit sales and use taxes;
- ▶ addresses the revenues to be deposited into the:
 - Centennial Highway Fund Restricted Account; and
 - Transportation Investment Fund of 2005;
- ▶ addresses the calculation of the credit for certain repossessions of a motor vehicle;
- ▶ addresses the calculation of the amount a seller that collects and remits sales and use taxes on a monthly basis may retain;
- ▶ provides that the portion of the tax under the Tourism, Recreation, Cultural, and Convention Facilities Tax part, that is imposed on sales by restaurants, is imposed on sales of prepared food and food and food ingredients;
- ▶ modifies an appropriation to the State Tax Commission to provide that:
 - in addition to other purposes allowed in the appropriation language, monies may be expended to reimburse certain business locations for expenditures to pay for in-house programming to account for sales under the reduced sales and use tax rate imposed on food and food ingredients; and
 - the deadline for a business location to submit a request for reimbursement to the State Tax Commission is extended from before January 1, 2007, to before April 1, 2007; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date and provides for retrospective operation.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 10-1-405, 11-41-102, 59-12-102, 59-12-103, 59-12-104.3, 59-12-108, 59-12-603, Section 3, Chapter 9, Laws of Utah 2006, Third SS

Effective February 23, 2007

Chapter 9, Laws of Utah 2007

HB 29 Professional Employer Organization Related Amendments *(James A. Dunnigan)*

This bill modifies provisions related to professional employer organizations and their clients.

This bill:

- ▶ modifies definition provisions;
- ▶ provides for an alternative method of registration;
- ▶ provides for the designation of assurance organizations;
- ▶ addresses required filings;
- ▶ addresses insurance;
- ▶ addresses taxes and fees;
- ▶ addresses employment related economic incentives and procurement;
- ▶ repeals out-dated language; and
- ▶ makes technical changes.

Amends 58-59-102, 58-59-302, 58-59-303.5, 58-59-306

Enacts 58-59-302.5, 58-59-306.5

Repeals 58-59-305

Effective April 30, 2007

Chapter 134, Laws of Utah 2007

HB 31 Driver License or Identification Card Requirement for Sex Offenders *(Paul Ray)*

This bill modifies the Uniform Driver License Act regarding identification cards to provide that a person required to register as a sex offender must maintain a current identification card if the person does not have a driver license.

This bill:

- ▶ requires that sex offenders subject to registration must keep a current state identification card if the offenders do not have a driver license;
- ▶ provides that no extension of an identification card beyond the statutory expiration date may be granted for sex offenders subject to registration; and
- ▶ establishes a class A misdemeanor penalty for sex offenders subject to registration who fail to maintain an identification card if they do not have a driver license.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 53-3-807

Enacts 53-3-806.5

Effective April 30, 2007

Chapter 294, Laws of Utah 2007

HB 33 Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State *(Patrick Painter)*

This bill amends the Sales and Use Tax Act relating to sales and use tax exemptions for vehicles, boats, boat trailers, or outboard motors not registered in the state.

This bill:

- ▶ addresses the time period during which a vehicle, boat, boat trailer, or outboard motor may be used in the state to be eligible for a sales and use tax exemption; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-12-104

Effective July 1, 2007

Chapter 76, Laws of Utah 2007

HB 34 Sales and Use Tax Exemptions for Certain Property Brought into the State *(Rebecca D. Lockhart)*

This bill amends the Sales and Use Tax Act by modifying and enacting sales and use tax exemptions.

This bill:

- ▶ modifies a sales and use tax exemption for sales, leases, or rentals of certain property brought into the state by a nonresident if that property is not used to conduct business in the state;
- ▶ enacts a sales and use tax exemption under certain circumstances for sales of property:
 - sold outside of the state;
 - brought into the state; and
 - used to conduct business in the state; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-104

Effective July 1, 2007

Chapter 295, Laws of Utah 2007

HB 36 Income Tax Additions, Subtractions, and Credits for Higher Education Savings
(Fred R. Hunsaker)

This bill amends the Higher Education Savings Incentive Program chapter, the Corporate Franchise and Income Taxes chapter, and the Individual Income Tax Act relating to the program for higher education savings, additions to and subtractions from income for higher education savings, and to provide a tax credit for higher education savings.

This bill:

- ▶ provides and modifies definitions;
- ▶ addresses the taxation of the Utah Educational Savings Plan Trust and its income;
- ▶ addresses the maximum amount of a qualified investment in the Utah Educational Savings Plan Trust that a person, estate, or trust may:
 - subtract from income; or
 - use as the basis for claiming a tax credit;
- ▶ modifies and clarifies the amount of a qualified investment in the Utah Educational Savings Plan Trust that a corporation or a resident or nonresident individual may subtract from income;
- ▶ modifies an addition to income for a corporation or a resident or nonresident individual who is an account owner under the Utah Educational Savings Plan Trust for amounts not expended for higher education costs under certain circumstances;
- ▶ provides that a resident or nonresident estate or trust may subtract certain qualified investments in the Utah Educational Savings Plan Trust from income;
- ▶ requires a resident or nonresident estate or trust that is an account owner under the Utah Educational Savings Plan Trust to add to income amounts not expended for higher education costs under certain circumstances;
- ▶ allows a tax credit under the Single Rate Individual Income Tax Act for qualified investments in the Utah Educational Savings Plan Trust; and
- ▶ makes technical changes.
- ▶ This bill has retrospective operation for taxable years beginning on or after January 1, 2007.
- ▶ This bill coordinates with S.B. 223, Tax Amendments, by merging substantive amendments.

Amends 53B-8a-102, 53B-8a-103, 53B-8a-104, 53B-8a-105, 53B-8a-106, 53B-8a-107, 53B-8a-108, 53B-8a-109, 53B-8a-111, 53B-8a-112, 53B-8a-113, 59-7-105, 59-7-106, 59-10-114, 59-10-201, 59-10-202, 59-10-1202, 59-10-1203;

Enacts 59-10-1206.1, 59-10-1206.9

Effective April 30, 2007

Chapter 100, Laws of Utah 2007

HB 37 Cigarette and Tobacco Tax and Licensing Amendments (*Craig A. Frank*)

This bill modifies the Cigarette and Tobacco Tax and Licensing Act regarding the payment of cigarette taxes and penalties for nonpayment of cigarette taxes.

This bill:

- ▶ provides the procedures and requirements for how a cigarette tax is paid, when the tax is due, and the penalties associated with nonpayment;
- ▶ provides the conditions under which an assessment of the cigarette tax may take place;
- ▶ provides when a consumer may obtain a refund for overpayment and the procedures associated with the refund;
- ▶ provides a time limit within which the State Tax Commission must assess certain taxes;
- ▶ provides that the State Tax Commission may extend the time period within which it must assess a cigarette tax or commence a proceeding to collect a cigarette tax;
- ▶ defines terms; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-14-102, 59-14-204, 59-14-205, 59-14-303

Enacts 59-14-208.5, 59-14-410

Effective February 14, 2007

Chapter 6, Laws of Utah 2007

HB 38 Amendments to Local Option Sales and Use Taxes on Certain Accommodations and Services (*Merlynn T. Newbold*)

This bill amends the Recreational, Tourist, and Convention Bureaus chapter, the Transient Room Tax part, the Tourism, Recreation, Cultural, and Convention Facilities Tax part, and the Governor's Office of Economic Development chapter to address the imposition of a tax on certain accommodations and services and the expenditure or pledging of revenues collected from a tax on certain accommodations and services.

This bill:

- ▶ addresses the expenditure or pledging of certain revenues collected from a local option sales and use tax on certain accommodations and services under the Transient Room Tax part by requiring a percentage of those revenues to be deposited into the Transient Room Tax Fund;
- ▶ clarifies that only a county of the first class may impose a tax:
 - on certain accommodations and services; and
 - under the Tourism, Recreation, Cultural, and Convention Facilities Tax part;
- ▶ creates the Transient Room Tax Fund; and
- ▶ makes technical changes.

Amends 17-31-5.5, 59-12-301, 59-12-603

Enacts 63-38f-2201, 63-38f-2202, 63-38f-2203

Effective April 30, 2007

Chapter 3, Laws of Utah 2007

HB 39 Concealed Weapons Fees Amendments (*Curtis Oda*)

This bill modifies provisions of the Concealed Weapons Act by creating a dedicated credit as a revenue stream to cover the costs incurred by the Criminal Investigations and Technical Services Division of the Department of Public Safety in issuing concealed firearm permits.

This bill:

- ▶ allows the Criminal Investigations and Technical Services Division to use fees collected for the issuance, renewal, and replacement of concealed firearm permits as a dedicated credit to cover the costs of issuing, renewing, and replacing those permits; and
- ▶ makes certain technical changes.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, a negative \$653,900 from the General Fund and a positive \$653,900 from dedicated credits for fiscal year 2007-08 to the Bureau of Criminal Identification.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 53-5-707

Effective July 1, 2007

Chapter 77, Laws of Utah 2007

HB 40 Fuel Tax Bonding Requirements (*Wayne A. Harper*)

This bill amends the Motor Fuel part and the Special Fuel part to address bonding requirements.

This bill:

- ▶ requires the State Tax Commission to determine whether an applicant for a license to collect a motor fuel tax or a special fuel tax is required to post a bond with the State Tax Commission before the applicant may be issued the license;
- ▶ provides the circumstances under which an applicant for a license to collect a motor fuel tax or a special fuel tax is required to post a bond with the State Tax Commission before the applicant may be issued the license;
- ▶ provides for the calculation of the amount of a bond if a bond is combined with another bond into one bond; and
- ▶ makes technical changes.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-13-203.1, 59-13-302

Effective April 30, 2007

Chapter 194, Laws of Utah 2007

HB 41 Sales and Use Tax - Common Carriers *(Wayne A. Harper)*

This bill amends the Sales and Use Tax Act relating to the taxation of common carriers.

This bill:

- ▶ repeals from the list of transactions subject to sales and use taxation amounts paid to a common carrier for certain telephone service, mobile telecommunications service, or telegraph service; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-12-103

Effective July 1, 2007

Chapter 101, Laws of Utah 2007

HB 42 Sales and Use Tax Exemption for Authorized Carriers *(Wayne A. Harper)*

This bill amends the Sales and Use Tax Act relating to an exemption for authorized carriers.

This bill:

- ▶ exempts from sales and use taxation sales, leases, or uses of tangible personal property that is installed on a vehicle:
 - sold or leased to or used by an authorized carrier; and
 - before the vehicle is placed in service for the first time; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-12-104

Effective July 1, 2007

Chapter 195, Laws of Utah 2007

HB 44 Motor Vehicle Insurance Arbitration Amendments *(Stephen H. Urquhart)*

This bill modifies the Insurance Code by amending provisions relating to arbitration for third party motor vehicle accident bodily injury claims.

This bill:

- ▶ provides that a person may elect to submit a third party motor vehicle accident bodily injury claim to arbitration by filing a notice to submit the claim to arbitration within 14 days after the complaint has been answered;
- ▶ clarifies that an arbitration award is limited to \$25,000 in addition to any available personal injury protection benefits and any claim for property damage;
- ▶ provides that a claim for property damage may not be made in certain arbitration proceedings unless agreed upon by the parties in writing;
- ▶ provides a procedure for a person to rescind an election to arbitrate and provides that a person who rescinds an election may not elect to arbitrate again;
- ▶ amends procedures for conducting an arbitration process;
- ▶ provides that an arbitration award issued may be reduced to judgment by the court upon notice and motion unless the arbitration award has been satisfied; and
- ▶ makes technical changes.

The original bill was recommended by the Judiciary Interim Committee

Amends 31A-22-321

Effective April 30, 2007

Chapter 236, Laws of Utah 2007

HB 46 Disaster Recovery Funding *(Curtis Oda)*

This bill modifies provisions related to funding state and local government recovery efforts in cases of declared disasters.

This bill:

- ▶ addresses emergency expenditures by local governments;
- ▶ transitions current loan programs for disasters to the Disaster Recovery Funding Act;
- ▶ modifies the duties of the Division of Emergency Services and Homeland Security;
- ▶ enacts the Disaster Recovery Funding Act including:
 - enacting definitions;
 - creating the State Disaster Recovery Restricted Account;
 - directing the division to address state emergency disaster services;
 - authorizing local governments to create local disaster funds; and
 - requiring reporting;
- ▶ addresses the governor's powers in cases of emergency;
- ▶ provides for deposits into the State Disaster Recovery Restricted Account;
- ▶ coordinates the State Disaster Recovery Restricted Account with funds outside the act;
- ▶ addresses limitations on spending; and
- ▶ makes technical and conforming amendments.

Amends 10-5-118, 10-6-129, 17-36-27, 53-2-102.5, 53-2-104, 63-5a-8, 63-38c-103, 63-38f-904

Enacts 53-2-401, 53-2-402, 53-2-403, 53-2-404, 53-2-405, 53-2-406, 63-38-2.7

Effective April 30, 2007

Chapter 328, Laws of Utah 2007

HB 47 **Pilot Program for Family Preservation Services** (*Ronda Rudd Menlove*)

This bill establishes a pilot program within the Services for People with Disabilities chapter of the Utah Human Services Code, for the expedited provision of family preservation services to people with disabilities and their families.

This bill:

- ▶ establishes a pilot program, beginning on July 1, 2007, and ending on July 1, 2009, for the provision of family preservation services to eligible people with disabilities and their families, outside of the prioritization criteria established by the division for the provision of other services;
- ▶ grants rulemaking authority to the division;
- ▶ describes a person who is eligible to receive expedited services under this bill;
- ▶ provides that the division shall establish criteria to determine the order of priority for receiving services under this bill;
- ▶ provides that the services provided under the pilot program described in this bill do not constitute an entitlement and shall be provided and funded separately from the Medicaid program;
- ▶ requires the director of the Division of Services for People with Disabilities to report, for consideration and decision, to the Health and Human Services Interim Committee during the 2008 interim regarding whether the pilot program created by this bill should be modified or converted into an ongoing program;
- ▶ provides, under the Legislative Oversight and Sunset Act, that the pilot program created by this bill will be repealed on July 1, 2009; and
- ▶ makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 63-55-262

Enacts 62A-5-103.2

Effective April 30, 2007

Chapter 135, Laws of Utah 2007

HB 48 Department of Natural Resources Amendments *(Richard W. Wheeler)*

This bill makes changes to provisions governing the Department of Natural Resources.

This bill:

- ▶ clarifies the definition of a trophy animal in the Wildlife Resources Code;
- ▶ allows a nonresident peace officer employed by the state to obtain a resident license to fish and hunt;
- ▶ invalidates any wildlife permit or tag obtained by fraud;
- ▶ clarifies the effect of a fraudulent residency claim;
- ▶ amends the penalties for license or permit suspensions;
- ▶ authorizes the Wildlife Board to make rules regarding suspension durations;
- ▶ allows the Wildlife Board to authorize locations where a person may donate protected wildlife;
- ▶ changes the definition of an all-terrain type I vehicle;
- ▶ extends the statute of limitations for wildland fire cost recovery;
- ▶ updates the terminology regarding fires caused by locomotive engines;
- ▶ directs state agencies and political subdivisions to pursue opportunities to open public land for responsible off-highway vehicle use;
- ▶ changes the requirement for the application to extend the amount of time a person has to put water to a beneficial use;
- ▶ requires the state engineer to send notice of expiration to a fixed time applicant;
- ▶ allows the state engineer to send notice by regular mail;
- ▶ clarifies a water right violation;
- ▶ allows the state engineer to employ a deputy;
- ▶ extends a recovery permit to five years and allows for an extension of time;
- ▶ clarifies the requirement for water users to install measuring devices; and
- ▶ makes technical changes.

Amends 23-13-2, 23-19-4, 23-19-5, 23-19-9, 23-20-9, 41-22-2, 41-22-12, 56-1-15, 65A-1-4, 65A-6-8, 73-1-4, 73-2-4, 73-2-25, 73-3-8, 73-3-12, 73-3b-206, 73-4-3, 73-4-4, 73-4-11, 73-5-4, 73-18b-1, 78-12-23;

Renumbers and Amends 63-11-57 to 65A-8-301, 63-11-58 to 65A-8-302, 63-11-59 to 65A-8-303, 63-11-60 to 65A-8-304, 63-11-60.3 to 65A-8-305, 63-11-60.4 to 65A-8-306, 63-11-61 to 65A-8-307, 63-11-64 to 65A-8-308, 63-11-65 to 65A-8-309, 65A-8-1 to 65A-8-101, 65A-8-1.1 to 65A-8-104, 65A-8-1.2 to 65A-8-105, 65A-8-2 to 65A-8-102, 65A-8-3 to 65A-8-103, 65A-8-4 to 65A-8-201, 65A-8-5 to 65A-8-202, 65A-8-6 to 65A-8-203, 65A-8-6.1 to 65A-8-204, 65A-8-6.2 to 65A-8-205, 65A-8-6.3 to 65A-8-206, 65A-8-6.4 to 65A-8-207, 65A-8-6.5 to 65A-8-208, 65A-8-7 to 65A-8-209, 65A-8-8 to 65A-8-210, 65A-8-9 to 65A-8-211, 65A-8-10 to 65A-8-212

Effective April 30, 2007

Chapter 136, Laws of Utah 2007

HB 51 Adoption Amendments (*Sheryl L. Allen*)

This bill amends the Adoption chapter of the Judicial Code and related provisions.

This bill:

- ▶ defines terms;
- ▶ modifies the background check requirements with regard to a prospective adoptive parent who is not a resident of Utah;
- ▶ modifies and clarifies requirements necessary for an unmarried biological father to preserve his right to notice and consent for an adoption;
- ▶ modifies requirements relating to notice of an adoption proceeding;
- ▶ describes the circumstances under which an adoption may or may not be contested;
- ▶ expands and describes provisions relating to who may take consents or relinquishments for adoption;
- ▶ provides for, and describes, the jurisdiction of a district court to terminate parental rights under certain circumstances;
- ▶ describes the grounds upon which a district court may terminate parental rights;
- ▶ describes when a birth parent's parental rights and duties are dissolved in relation to a child who is to be adopted;
- ▶ provides that a court may, for good cause, order a final decree of adoption earlier than the six-month and one-year requirements currently provided for by law; and
- ▶ makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 78-30-3.6, 78-30-4.13, 78-30-4.14, 78-30-4.16, 78-30-4.18, 78-30-8, 78-30-11, 78-30-14, 78-45c-103

Enacts 78-30-7.1

Effective April 30, 2007

Chapter 196, Laws of Utah 2007

HB 52 Driver License Fee Amendments (*Bradley M. Daw*)

This bill modifies the Uniform Driver License Act by increasing selected driver license fees.

This bill:

- ▶ increases selected driver license fees; and
- ▶ creates a separate identification card application fee for a person with a disability.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Transportation Interim Committee

Amends 53-3-105

Effective July 1, 2007

Chapter 296, Laws of Utah 2007

HB 53 Share Assessment Act (*James R. Gowans*)

This bill modifies provisions for assessing corporate shares.

This bill:

- ▶ defines terms;
- ▶ describes how shares may be assessed;
- ▶ provides rules for assessing shares; and
- ▶ allows enforcement of assessments by various methods, including sale of shares with unpaid assessments.

The original bill was recommended by the Water Issues Task Force

Enacts 16-4-101, 16-4-102, 16-4-201, 16-4-202, 16-4-203, 16-4-204, 16-4-205, 16-4-206, 16-4-301, 16-4-302, 16-4-303, 16-4-304, 16-4-305, 16-4-306, 16-4-307, 16-4-308, 16-4-309, 16-4-310, 16-4-311, 16-4-312; Repeals 16-4-4, 16-4-5, 16-4-6, 16-4-7, 16-4-8, 16-4-9, 16-4-10, 16-4-12, 16-4-13, 16-4-14, 16-4-15, 16-4-16, 16-4-17, 16-4-18, 16-4-19, 16-4-20, 16-4-21, 16-4-22, 16-4-23, 16-4-24

Effective April 30, 2007

Chapter 367, Laws of Utah 2007

HB 54 Occupational and Professional Licensure Review Committee (*Michael T. Morley*)

This bill modifies provisions related to the Occupational and Professional Licensure Review Committee.

This bill:

- ▶ defines terms;
- ▶ modifies provisions related to the structure and conduct of the committee;
- ▶ modifies the duties of the committee including reporting requirements;
- ▶ addresses the sunrise review process; and
- ▶ makes technical changes.
- ▶ None

The original bill was recommended by the Business and Labor Interim Committee

Amends 36-23-102, 36-23-103, 36-23-104, 36-23-106, 36-23-107

Enacts 36-23-101.5

Effective April 30, 2007

Chapter 137, Laws of Utah 2007

HB 55 Deceptive Trade Practices Amendments (*Stephen D. Clark*)

This bill makes technical changes to provisions related to truth in advertising.

This bill:

- ▶ makes technical changes related to defining when a deceptive trade practice occurs, including clarifying sentence structure.

The original bill was recommended by the Business and Labor Interim Committee

Amends 13-11a-3

Effective April 30, 2007

Chapter 138, Laws of Utah 2007

HB 56 Emergency Administration of Epinephrine *(Todd E. Kiser)*

This bill amends the Emergency Injection for Anaphylactic Reaction Act to authorize the administration of epinephrine auto-injectors in an emergency by a person designated to receive training by the Department of Health.

This bill:

- ▶ amends definitions;
- ▶ requires the Department of Health to approve training programs for the use and storage of epinephrine auto-injectors in an emergency;
- ▶ authorizes the Department of Health, as funding is available, to conduct educational programs to train people in the use and storage of epinephrine auto-injectors;
- ▶ establishes a standard for when a person has a need for training in the use of epinephrine auto-injectors;
- ▶ authorizes a person trained in the use and storage of epinephrine auto-injectors to obtain a prescription for the epinephrine auto-injector from a physician, pharmacist, or other person authorized to prescribe or sell drugs; and
- ▶ authorizes the Department of Health to adopt administrative rules.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 26-41-102, 26-41-103, 26-41-104, 26-41-105

Effective April 30, 2007

Chapter 37, Laws of Utah 2007

HB 57 Public Health Amendments *(Bradley G. Last)*

This bill amends the Health Code to clarify changes made to the Communicable Disease and Control Act during the 2006 General Session.

This bill:

- ▶ allows a public health official to testify in court regarding an individual or group of individuals who are subject to an order of restriction; and
- ▶ allows the district court to balance an individual's personal belief regarding medical treatment and the ability of public health to control a public health threat.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 26-6-28, 26-6b-6

Effective April 30, 2007

Chapter 38, Laws of Utah 2007

HB 58 **New School District Property Tax Amendments** (*Bradley M. Daw*)

This bill amends the Property Tax Act and the State System of Public Education Code related to property tax revenues when a new school district is created.

This bill:

- ▶ defines terms;
- ▶ prohibits certain new school districts from levying a property tax prior to the year in which the district assumes responsibility for student instruction;
- ▶ allows the existing district to impose a property tax on the new district during the period it provides instruction to the new district's students;
- ▶ allows the new district, after taking over student instruction, to continue imposing certain property tax levies previously approved by a vote of the predecessor district electorate and places limitations on the levies;
- ▶ requires the new school district and the remaining district to publish certain advertisements and hold certain hearings before levying a property tax in the first year the new district takes over student instruction; and
- ▶ makes technical changes.

Amends 53A-2-117

Enacts 53A-2-118.2, 59-2-918.6

Effective April 30, 2007

Chapter 297, Laws of Utah 2007

HB 59 **Utah International Trade Commission** (*Sheryl L. Allen*)

This bill extends the sunset date for the Utah International Trade Commission.

This bill:

- ▶ extends the sunset date for the Utah International Trade Commission; and
- ▶ extends the sunset date for a provision related to the Utah International Trade Commission.

The original bill was recommended by the Utah International Trade Commission

Amends 63-55-236, 63-55-267

Effective April 30, 2007

Chapter 39, Laws of Utah 2007

HB 60 **Notary Public Revisions** (*Glenn A. Donnelson*)

This bill modifies the Notaries Public Reform Act by amending certain definitions.

This bill:

- ▶ amends the definition of "acknowledgment" to require a notary to know or obtain evidence of the identity of a signer of a document; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 46-1-2

Effective April 30, 2007

Chapter 237, Laws of Utah 2007

HB 61 Election Law Amendments (*Douglas C. Aagard*)

This bill modifies provisions of the Election Code.

This bill:

- ▶ changes the deadline for challenging the nomination of a person in a primary election from ten days after the date of the primary election to ten days after the date of the primary election's canvass;
- ▶ changes the date for the lieutenant governor to certify the ballot titles for constitutional amendments to be consistent with the certification date for the names of judges up for retention election;
- ▶ modifies the deadline for publishing notice of open offices to provide consistency with county notice requirements;
- ▶ changes the date for the lieutenant governor to certify the names of candidates to be consistent with the certification date for the names of judges up for retention election; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-4-403, 20A-5-101, 20A-7-103, 20A-9-701

Effective April 30, 2007

Chapter 238, Laws of Utah 2007

HB 62 Lobbyist Disclosure Technical Amendments (*Glenn A. Donnelson*)

This bill modifies the Lobbyist Disclosure and Regulation Act to clarify certain reporting requirement provisions.

This bill:

- ▶ amends a section cross-reference to clarify a distinction between reporting requirements for travel expenses and for other expenses made by lobbyists to benefit public officials; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 36-11-201

Effective April 30, 2007

Chapter 239, Laws of Utah 2007

HB 63 Initiative and Referendum - Signature Verification Procedures (*Neal B. Hendrickson*)

This bill establishes uniform standards for signature verification on initiative and referendum petitions.

This bill:

- ▶ establishes uniform standards for determining whether a signer's signature on an initiative or referendum petition is valid or not;
- ▶ provides for the optional placement of birth date or age information on referendum and initiative petitions; and
- ▶ provides a statement on each signature sheet that:
 - explains how the age or birth date information will be used; and
 - states that age and birth date information is optional.

Amends 20A-7-203, 20A-7-206.3, 20A-7-303, 20A-7-306, 20A-7-503, 20A-7-506.3, 20A-7-603, 20A-7-606

Enacts 20A-7-306.3, 20A-7-606.3

Effective April 30, 2007

Chapter 78, Laws of Utah 2007

HB 64 Impact of Administrative Rules on Small Businesses (*Stephen D. Clark*)

This bill modifies the Utah Administrative Rulemaking Act by requiring that the agency analysis for a proposed rule include the financial impact on business, including small businesses.

This bill:

- ▶ defines "small business" under the Utah Administrative Rulemaking Act; and
- ▶ requires that state agencies, as part of filing a proposed administrative rule or an amendment to an existing administrative rule, provide an assessment of anticipated costs or savings regarding businesses in general and also small businesses.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Business and Labor Interim Committee

Amends 63-46a-2, 63-46a-4

Effective July 1, 2007

Chapter 102, Laws of Utah 2007

HB 65 Special and Local Districts Amendments (*Brad L. Dee*)

This bill modifies provisions relating to special districts and local districts.

This bill:

- ▶ substantially rewrites, reorganizes, and renumbers provisions related to independent special districts and dependent special districts known as county improvement districts and municipal improvement districts;
- ▶ consolidates and standardizes provisions relating to district authority, including taxing, bonding, and eminent domain authority, district boards of trustees, actions contesting a district resolution or other action, local district validation proceedings, and other matters, and repeals redundant or inconsistent provisions;
- ▶ changes terminology applicable to entities previously known as independent special districts, except special service districts, so that they will be known as local districts;
- ▶ changes terminology applicable to what have previously been known as county improvement districts and municipal improvement districts so that they will be known as assessment areas;
- ▶ expands the entities that are authorized to designate assessment areas from counties and municipalities to include local districts and special service districts;
- ▶ authorizes the creation of a new type of limited purpose local government entity known as a basic local district and provides for its authority and the makeup of its board of trustees;
- ▶ authorizes the creation of a local district by another local district whose boundaries completely encompass the proposed local district if the proposed local district is being created to provide one or more components of the same service that the initiating local district is authorized to provide;
- ▶ extends eminent domain authority to cemetery maintenance districts and standardizes language related to the eminent domain authority of all local districts that have eminent domain authority;
- ▶ authorizes local districts to acquire, lease, or construct and operate electrical generation, transmission, and distribution facilities if the facilities are to harness energy that results inherently from the district's operations, the primary purpose of the facilities is incidental to the district's primary operations, and the operation of the facilities will not hinder or interfere with the district's primary operations;
- ▶ modifies the types of services that local districts may provide;

- ▶ eliminates a redundant provision regarding the circumstances under which a local district is conclusively presumed to be incorporated;
- ▶ modifies a provision prohibiting board of trustees members from being employed by the local district and provides an exception for remote districts;
- ▶ authorizes a local district's board of trustees to determine the district's fiscal year;
- ▶ authorizes local districts to combine a notice and hearing related to the district's budget with the notice and hearing on a proposed fee increase;
- ▶ authorizes local districts to charge on a single bill for multiple commodities, services, or facilities the district provides and to suspend furnishing the commodity, service, or facility for a customer's failure to pay;
- ▶ authorizes local districts to certify delinquent fees or charges to the county treasurer so that they become a lien on the customer's property;
- ▶ increases the debt limit of a former regional service area from 5% to 12% of the value of taxable property in the service area;
- ▶ modifies who appoints members to the board of trustees of certain cemetery maintenance districts;
- ▶ increases the debt limit of a cemetery maintenance district from .0001 to .004 of the value of taxable property in the district;
- ▶ increases the debt limit of a mosquito abatement district from .0001 to .0004 of the value of taxable property in the district;
- ▶ modifies the calculation of the debt limit of a drainage district from \$1.50 per acre to .002 of the value of taxable property in the district;
- ▶ establishes a debt limit for basic local districts;
- ▶ modifies the basis for calculating the debt limit of some districts from taxable value to fair market value;
- ▶ allows a municipality within an improvement district to elect not to appoint a member to the board of trustees and participate instead in the election of board members;
- ▶ provides an exception to a residency requirement for board of trustees members in a district with a specified percentage of seasonally occupied homes;
- ▶ eliminates county legislative body approval as a requirement for a drainage district to levy a property tax;
- ▶ expands the authority of drainage districts to incur debt and authorizes them to incur long-term debt;
- ▶ modifies a provision relating to fire protection districts boards of trustees;
- ▶ authorizes mosquito abatement districts to establish a reserve fund for extraordinary abatement measures;
- ▶ authorizes local districts to allow another political subdivision to use surplus capacity or have an ownership interest in district facilities for monetary, nonmonetary, or no consideration;
- ▶ authorizes local districts to allow another political subdivision or a public or private property owner to use the surface of land on which the district has a right-of-way, for monetary, nonmonetary, or no consideration;
- ▶ validates existing fire protection district boards of trustees;
- ▶ modifies provisions relating to the board of trustees of a metropolitan water district;
- ▶ modifies the area within which a mosquito abatement district may provide service;
- ▶ eliminates a public transit district provision relating to labor dispute arbitration;
- ▶ transforms a former regional service area into a service area and makes the former regional service area subject to provisions applicable to service area;
- ▶ rewrites and modifies powers of water conservancy districts and other political subdivisions to enter into agreements related to water and water works;

- ▶ rewrites and consolidates provisions relating to different classes of water conservancy district assessments;
- ▶ authorizes a local government entity to finance operation and maintenance costs of improvements through an assessment area;
- ▶ authorizes a local government entity to add additional property to a designated assessment area under certain circumstances;
- ▶ authorizes a local government entity to issue bond anticipation notes with respect to anticipated bonds secured by property in an assessment area;
- ▶ authorizes the levy of assessments in an assessment area by zones;
- ▶ modifies provisions related to a board of equalization with respect to assessments levied in an assessment area;
- ▶ authorizes a local government entity to designate a trustee for purposes of foreclosing a lien after a delinquency;
- ▶ modifies provisions relating to a guaranty fund and reserve fund for paying obligations relating to an assessment area;
- ▶ allows property owners to waive requirements applicable to the designation of an assessment area and the levying of an assessment in an assessment area; and
- ▶ makes technical and conforming changes.
- ▶ This bill coordinates with H.B. 103, Statewide Mutual Aid Act, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 140, Safe Drinking Water Amendments, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 222, Open and Public Meetings - Electronic Notice, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 253, Allowing State Memorials on State Property, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 272, Prohibition Relating to Fees on Foster Homes for the Use of Emergency Services, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 337, Local Government Post-Employment Benefit Trust Fund Amendments, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 372, Local District Amendments, by providing substantive amendments.
- ▶ This bill coordinates with H.B. 430, Public Employees Union Financial Responsibility Act, by providing changes in terminology.
- ▶ This bill coordinates with H.B. 450, Law Enforcement Districts, by providing changes in terminology and substantive amendments.
- ▶ This bill coordinates with S.B. 22, Sales and Use Tax Exemptions For Certain Governmental Entities, and Entities Within the State Systems of Public and Higher Education by providing technical changes.
- ▶ This bill coordinates with S.B. 95, Permanent Instream Flow to Preserve Water Quality, by providing changes in terminology and technical changes.
- ▶ This bill coordinates with S.B. 98, Governmental Immunity for Trails, by providing changes in terminology and substantive amendments.
- ▶ This bill coordinates with S.B. 111, Free Exercise of Religion Without Government Interference, by providing changes in terminology.
- ▶ This bill coordinates with S.B. 172, Municipal Land Use, Development, and Management Changes, by providing changes in terminology.
- ▶ This bill coordinates with S.B. 232, Military Installation Development Authority, by providing changes in terminology.
- ▶ This bill provides revisor instructions.

Amends 8-5-5, 10-1-117, 10-2-101, 10-2-106, 10-2-401, 10-2-403, 10-2-406, 10-2-412, 10-2-413, 10-2-414, 10-2-418, 10-2-419, 10-2-425, 10-2-428, 10-5-119, 10-6-131, 10-7-14.2, 10-9a-103, 10-9a-305, 11-2-1, 11-13-103, 11-14-102, 11-14-301, 11-14a-1, 11-27-2, 11-30-2, 11-31-2, 11-34-1, 11-36-102, 11-36-201, 11-36-202, 11-36-501, 11-39-101, 11-39-103, 11-39-107, 11-40-101, 14-1-18, 15-7-2, 17-23-17, 17-27a-103, 17-27a-305, 17-35b-302, 17-35b-303, 17-36-9, 17-36-29, 17-41-101, 17-43-201, 17-43-301, 17-50-103, 17-52-403, 17A-2-1314, 17A-2-1315, 17A-2-1326, 17A-2-1330, 17C-1-102, 19-3-301, 19-4-111, 19-6-502, 20A-1-102, 20A-1-201.5, 20A-1-202, 20A-1-512, 20A-2-101, 20A-3-101, 20A-3-102, 20A-3-501, 20A-4-301, 20A-4-304, 20A-4-305, 20A-4-401, 20A-5-101, 20A-5-201, 20A-5-302, 20A-5-400.5, 20A-5-401, 20A-5-403, 20A-5-407, 20A-5-602, 20A-9-101, 20A-9-503, 20A-11-1202, 26-8a-405.1, 32A-2-103, 32A-3-106, 32A-4-106, 32A-4-307, 32A-5-107, 34-30-14, 34-32-1.1, 34-41-101, 36-12-13, 49-11-102, 51-4-2, 52-4-203, 53-3-207, 53-7-104, 53-10-605, 53-13-103, 53A-2-123, 53B-16-104, 54-3-28, 54-8c-1, 54-14-103, 57-8-27, 59-2-102, 59-2-511, 59-2-912, 59-2-924, 59-2-1101, 59-12-104, 59-12-501, 59-12-502, 59-12-1001, 59-12-1502, 59-12-1503, 59-12-1703, 63-2-103, 63-6-1 (Effective 07/01/07), 63-30d-102, 63-30d-401, 63-38-3.3, 63-38d-102, 63-38d-601, 63-38f-2002, 63-51-2, 63-56-102, 63-56-201, 63-90a-1, 63-90b-102, 63-91-102, 63-93-102, 63-96-102, 63A-9-401, 63C-7-103, 63D-2-102, 63E-1-102, 63F-1-507, 67-1a-6.5, 67-3-1, 67-11-2, 67-21-2, 71-8-1, 71-10-1, 72-1-208, 72-1-303, 72-2-201, 72-10-601, 73-1-4, 73-2-1, 73-5-15, 73-10-1, 73-10-21, 73-10-32, 76-10-1503, 78-27-63

Enacts 11-42-101, 11-42-102, 11-42-103, 11-42-104, 11-42-105, 11-42-106, 11-42-107, 11-42-108, 11-42-109, 11-42-201, 11-42-202, 11-42-203, 11-42-204, 11-42-205, 11-42-206, 11-42-207, 11-42-208, 11-42-301, 11-42-302, 11-42-401, 11-42-402, 11-42-403, 11-42-404, 11-42-405, 11-42-406, 11-42-407, 11-42-408, 11-42-409, 11-42-410, 11-42-411, 11-42-412, 11-42-413, 11-42-414, 11-42-415, 11-42-416, 11-42-501, 11-42-502, 11-42-503, 11-42-504, 11-42-505, 11-42-506, 11-42-601, 11-42-602, 11-42-603, 11-42-604, 11-42-605, 11-42-606, 11-42-607, 11-42-608, 11-42-609, 11-42-701, 11-42-702, 11-42-703, 11-42-704, 11-42-705, 11-42-706, 17B-1-101, 17B-1-103, 17B-1-112, 17B-1-114, 17B-1-115, 17B-1-116, 17B-1-117, 17B-1-308, 17B-1-313, 17B-1-501, 17B-1-623, 17B-1-901, 17B-1-1001, 17B-1-1002, 17B-1-1101, 17B-1-1102, 17B-1-1103, 17B-1-1104, 17B-1-1105, 17B-1-1106, 17B-1-1107, 17B-1-1201, 17B-1-1202, 17B-1-1203, 17B-1-1204, 17B-1-1205, 17B-1-1206, 17B-1-1207, 17B-1-1401, 17B-1-1402, 17B-2a-101, 17B-2a-102, 17B-2a-103, 17B-2a-104, 17B-2a-105, 17B-2a-106, 17B-2a-107, 17B-2a-201, 17B-2a-202, 17B-2a-203, 17B-2a-204, 17B-2a-205, 17B-2a-206, 17B-2a-207, 17B-2a-208, 17B-2a-209, 17B-2a-210, 17B-2a-211, 17B-2a-301, 17B-2a-302, 17B-2a-303, 17B-2a-304, 17B-2a-305, 17B-2a-306, 17B-2a-401, 17B-2a-402, 17B-2a-404, 17B-2a-405, 17B-2a-501, 17B-2a-502, 17B-2a-503, 17B-2a-504, 17B-2a-505, 17B-2a-506, 17B-2a-507, 17B-2a-508, 17B-2a-509, 17B-2a-510, 17B-2a-511, 17B-2a-512, 17B-2a-513, 17B-2a-514, 17B-2a-515, 17B-2a-516, 17B-2a-601, 17B-2a-602, 17B-2a-603, 17B-2a-604, 17B-2a-605, 17B-2a-606, 17B-2a-607, 17B-2a-701, 17B-2a-702, 17B-2a-703, 17B-2a-704, 17B-2a-801, 17B-2a-802, 17B-2a-803, 17B-2a-804, 17B-2a-805, 17B-2a-806, 17B-2a-808, 17B-2a-810, 17B-2a-811, 17B-2a-812, 17B-2a-813, 17B-2a-815, 17B-2a-816, 17B-2a-817, 17B-2a-818, 17B-2a-819, 17B-2a-820, 17B-2a-824, 17B-2a-901, 17B-2a-902, 17B-2a-903, 17B-2a-904, 17B-2a-905, 17B-2a-906, 17B-2a-1001, 17B-2a-1002, 17B-2a-1003, 17B-2a-1004, 17B-2a-1006, 17B-2a-1007, 17B-2a-1008

Renumbers and Amends 17A-1-201 to 17B-1-110, 17A-1-202 to 17B-1-109, 17A-1-203 to 17B-1-111, 17A-1-204 to 17B-1-105, 17A-1-303 to 17B-1-304, 17A-1-304 to 17B-1-305, 17A-1-305 to 17B-1-306, 17A-1-306 to 17B-1-311, 17A-1-404 to 17B-1-601, 17A-1-405 to 17B-1-602, 17A-1-406 to 17B-1-603, 17A-1-407 to 17B-1-604, 17A-1-408 to 17B-1-605, 17A-1-409 to 17B-1-606, 17A-1-410 to 17B-1-607, 17A-1-411 to 17B-1-608, 17A-1-412 to 17B-1-609, 17A-1-413 to 17B-1-610, 17A-1-414 to 17B-1-611, 17A-1-415 to 17B-1-612, 17A-1-416 to 17B-1-613, 17A-1-417 to 17B-1-614, 17A-1-418 to 17B-1-615, 17A-1-419 to 17B-1-616, 17A-1-420 to 17B-1-617, 17A-1-421 to 17B-1-618, 17A-1-422 to 17B-1-619, 17A-1-423 to 17B-1-620, 17A-1-424 to 17B-1-621, 17A-1-425 to 17B-1-622, 17A-1-427 to 17B-1-624, 17A-1-428 to 17B-1-625, 17A-1-429 to 17B-1-626, 17A-1-430 to 17B-1-627, 17A-1-431 to 17B-1-628, 17A-1-432 to 17B-1-629, 17A-1-433 to 17B-1-630, 17A-1-434 to 17B-1-631, 17A-1-436 to 17B-1-632, 17A-1-437 to 17B-1-633, 17A-1-438 to 17B-1-634, 17A-1-439 to 17B-1-635, 17A-1-440 to 17B-1-636, 17A-1-441 to 17B-1-637, 17A-1-442 to

17B-1-638, 17A-1-443 to 17B-1-639, 17A-1-444 to 17B-1-640, 17A-1-445 to 17B-1-641, 17A-1-447 to 17B-1-642, 17A-1-448 to 17B-1-643, 17A-1-501 to 17B-1-701, 17A-1-502 to 17B-1-702, 17A-1-503 to 17B-1-703, 17A-1-504 to 17B-1-113, 17A-1-601 to 17B-1-801, 17A-1-602 to 17B-1-802, 17A-1-603 to 17B-1-803, 17A-1-604 to 17B-1-804, 17A-1-701 to 17B-1-107, 17A-1-802 to 17B-1-108, 17A-2-102 to 17B-1-312, 17A-2-103 to 17B-1-217, 17A-2-105 to 17B-1-644, 17A-2-301 to 17B-2a-403, 17A-2-302 to 17B-2a-406, 17A-2-413 to 17B-2a-907, 17A-2-910 to 17B-2a-705, 17A-2-1038 to 17B-2a-807, 17A-2-1050 to 17B-2a-814, 17A-2-1060.1 to 17B-2a-809, 17A-2-1061 to 17B-2a-821, 17A-2-1062 to 17B-2a-822, 17A-2-1063 to 17B-2a-823, 17A-2-1409 to 17B-2a-1005, 17B-2-101 to 17B-1-102, 17B-2-102 to 17B-1-104, 17B-2-104 to 17B-1-106, 17B-2-201 to 17B-1-201, 17B-2-202 to 17B-1-202, 17B-2-203 to 17B-1-203, 17B-2-204 to 17B-1-204, 17B-2-205 to 17B-1-205, 17B-2-206 to 17B-1-206, 17B-2-207 to 17B-1-207, 17B-2-208 to 17B-1-208, 17B-2-209 to 17B-1-209, 17B-2-210 to 17B-1-210, 17B-2-211 to 17B-1-211, 17B-2-212 to 17B-1-212, 17B-2-213 to 17B-1-213, 17B-2-214 to 17B-1-214, 17B-2-215 to 17B-1-215, 17B-2-216 to 17B-1-216, 17B-2-401 to 17B-1-301, 17B-2-402 to 17B-1-302, 17B-2-403 to 17B-1-303, 17B-2-404 to 17B-1-307, 17B-2-405 to 17B-1-309, 17B-2-406 to 17B-1-310, 17B-2-501 to 17B-1-401, 17B-2-502 to 17B-1-402, 17B-2-503 to 17B-1-403, 17B-2-504 to 17B-1-404, 17B-2-505 to 17B-1-405, 17B-2-506 to 17B-1-406, 17B-2-507 to 17B-1-407, 17B-2-508 to 17B-1-408, 17B-2-509 to 17B-1-409, 17B-2-510 to 17B-1-410, 17B-2-511 to 17B-1-411, 17B-2-512 to 17B-1-412, 17B-2-513 to 17B-1-413, 17B-2-514 to 17B-1-414, 17B-2-515 to 17B-1-415, 17B-2-515.5 to 17B-1-416, 17B-2-516 to 17B-1-417, 17B-2-517 to 17B-1-418, 17B-2-601 to 17B-1-502, 17B-2-602 to 17B-1-503, 17B-2-603 to 17B-1-504, 17B-2-603.5 to 17B-1-505, 17B-2-604 to 17B-1-506, 17B-2-605 to 17B-1-507, 17B-2-606 to 17B-1-508, 17B-2-607 to 17B-1-509, 17B-2-608 to 17B-1-510, 17B-2-609 to 17B-1-511, 17B-2-610 to 17B-1-512, 17B-2-611 to 17B-1-513, 17B-2-701 to 17B-1-1301, 17B-2-702 to 17B-1-1302, 17B-2-703 to 17B-1-1303, 17B-2-704 to 17B-1-1304, 17B-2-705 to 17B-1-1305, 17B-2-706 to 17B-1-1306, 17B-2-707 to 17B-1-1307, 17B-2-708 to 17B-1-1308, 17B-2-801 to 17B-1-904, 17B-2-802 to 17B-1-903, 17B-2-803 to 17B-1-902; Repeals 17A-1-101, 17A-1-102, 17A-1-205, 17A-1-301, 17A-1-302, 17A-1-401, 17A-1-402, 17A-1-403, 17A-1-426, 17A-1-446, 17A-1-801, 17A-2-101, 17A-2-101.3, 17A-2-104, 17A-2-201, 17A-2-208, 17A-2-210, 17A-2-216, 17A-2-217, 17A-2-219, 17A-2-221, 17A-2-222, 17A-2-223, 17A-2-226, 17A-2-305, 17A-2-306, 17A-2-307, 17A-2-308, 17A-2-309, 17A-2-310, 17A-2-312, 17A-2-313, 17A-2-315, 17A-2-317, 17A-2-318, 17A-2-319, 17A-2-320, 17A-2-322, 17A-2-323, 17A-2-325, 17A-2-327, 17A-2-328, 17A-2-329, 17A-2-401, 17A-2-402, 17A-2-403, 17A-2-405, 17A-2-411, 17A-2-412, 17A-2-414, 17A-2-415, 17A-2-416, 17A-2-418, 17A-2-419, 17A-2-423, 17A-2-424, 17A-2-425, 17A-2-426, 17A-2-428, 17A-2-429, 17A-2-431, 17A-2-502, 17A-2-506, 17A-2-509, 17A-2-511, 17A-2-512, 17A-2-514, 17A-2-522, 17A-2-523, 17A-2-524, 17A-2-525, 17A-2-526, 17A-2-527, 17A-2-528, 17A-2-530, 17A-2-532, 17A-2-533, 17A-2-534, 17A-2-535, 17A-2-536, 17A-2-537, 17A-2-538, 17A-2-539, 17A-2-540, 17A-2-541, 17A-2-542, 17A-2-543, 17A-2-544, 17A-2-545, 17A-2-548, 17A-2-549, 17A-2-550, 17A-2-551, 17A-2-552, 17A-2-553, 17A-2-554, 17A-2-555, 17A-2-556, 17A-2-557, 17A-2-559, 17A-2-560, 17A-2-601, 17A-2-607, 17A-2-609, 17A-2-610, 17A-2-611, 17A-2-612, 17A-2-613, 17A-2-615, 17A-2-616, 17A-2-617, 17A-2-618, 17A-2-619, 17A-2-620, 17A-2-621, 17A-2-622, 17A-2-623, 17A-2-701.1, 17A-2-701.2, 17A-2-701.5, 17A-2-706, 17A-2-707, 17A-2-711, 17A-2-712, 17A-2-713, 17A-2-717.5, 17A-2-718, 17A-2-719.5, 17A-2-721, 17A-2-722, 17A-2-724, 17A-2-726, 17A-2-728, 17A-2-729, 17A-2-730, 17A-2-738, 17A-2-739, 17A-2-749, 17A-2-750, 17A-2-751, 17A-2-752, 17A-2-753, 17A-2-754, 17A-2-755, 17A-2-756, 17A-2-757, 17A-2-758, 17A-2-759, 17A-2-760, 17A-2-761, 17A-2-762, 17A-2-763, 17A-2-764, 17A-2-765, 17A-2-766, 17A-2-767, 17A-2-801, 17A-2-802, 17A-2-803, 17A-2-810, 17A-2-818, 17A-2-819, 17A-2-820, 17A-2-821, 17A-2-823, 17A-2-824, 17A-2-826, 17A-2-827, 17A-2-828, 17A-2-829, 17A-2-830, 17A-2-831, 17A-2-833, 17A-2-834, 17A-2-835, 17A-2-836, 17A-2-837, 17A-2-838, 17A-2-839, 17A-2-840, 17A-2-843, 17A-2-845, 17A-2-846, 17A-2-847, 17A-2-848, 17A-2-849, 17A-2-850, 17A-2-851, 17A-2-901, 17A-2-906, 17A-2-907, 17A-2-908, 17A-2-909, 17A-2-911, 17A-2-914, 17A-2-1001, 17A-2-1002, 17A-2-1003, 17A-2-1004, 17A-2-1016, 17A-2-1017, 17A-2-1018, 17A-2-1019, 17A-2-1020, 17A-2-1021, 17A-2-1022, 17A-2-1023, 17A-2-1024, 17A-2-1025, 17A-2-1026, 17A-2-1027, 17A-2-1028, 17A-2-1029, 17A-2-1030, 17A-2-1031, 17A-2-1032, 17A-2-1033, 17A-2-1034, 17A-2-1035, 17A-2-1036, 17A-2-1037, 17A-2-1039, 17A-2-1040, 17A-2-1041, 17A-2-1042, 17A-2-1043, 17A-2-1044, 17A-2-1045, 17A-2-1046, 17A-2-1047, 17A-2-1048, 17A-2-1051, 17A-2-1052, 17A-2-1053, 17A-2-1054, 17A-2-1055, 17A-2-1056, 17A-2-1057, 17A-2-1058, 17A-2-1059, 17A-2-1060, 17A-2-1401,

17A-2-1402, 17A-2-1412, 17A-2-1413, 17A-2-1414, 17A-2-1415, 17A-2-1416, 17A-2-1417, 17A-2-1418, 17A-2-1419, 17A-2-1420, 17A-2-1421, 17A-2-1422, 17A-2-1423, 17A-2-1424, 17A-2-1425, 17A-2-1426, 17A-2-1427, 17A-2-1428, 17A-2-1429, 17A-2-1430, 17A-2-1431, 17A-2-1432, 17A-2-1433, 17A-2-1434, 17A-2-1435, 17A-2-1436, 17A-2-1439, 17A-2-1440, 17A-2-1441, 17A-2-1442, 17A-2-1443, 17A-2-1444, 17A-2-1445, 17A-2-1446, 17A-2-1447, 17A-2-1448, 17A-2-1449, 17A-2-1801, 17A-2-1802, 17A-2-1803, 17A-2-1804, 17A-2-1805, 17A-2-1806, 17A-2-1807, 17A-2-1808, 17A-2-1821, 17A-2-1822, 17A-2-1823, 17A-2-1824, 17A-2-1826, 17A-2-1828, 17A-2-1829, 17A-2-1830, 17A-2-1831, 17A-2-1832, 17A-3-201, 17A-3-202, 17A-3-203, 17A-3-204, 17A-3-205, 17A-3-206, 17A-3-207, 17A-3-208, 17A-3-209, 17A-3-210, 17A-3-211, 17A-3-212, 17A-3-213, 17A-3-214, 17A-3-215, 17A-3-216, 17A-3-217, 17A-3-218, 17A-3-219, 17A-3-220, 17A-3-221, 17A-3-222, 17A-3-223, 17A-3-224, 17A-3-225, 17A-3-226, 17A-3-227, 17A-3-228, 17A-3-229, 17A-3-230, 17A-3-231, 17A-3-232, 17A-3-233, 17A-3-234, 17A-3-235, 17A-3-236, 17A-3-237, 17A-3-238, 17A-3-239, 17A-3-240, 17A-3-241, 17A-3-242, 17A-3-243, 17A-3-244, 17A-3-301, 17A-3-302, 17A-3-303, 17A-3-304, 17A-3-305, 17A-3-306, 17A-3-307, 17A-3-308, 17A-3-309, 17A-3-310, 17A-3-311, 17A-3-312, 17A-3-313, 17A-3-314, 17A-3-315, 17A-3-316, 17A-3-317, 17A-3-318, 17A-3-319, 17A-3-320, 17A-3-321, 17A-3-322, 17A-3-323, 17A-3-324, 17A-3-325, 17A-3-326, 17A-3-327, 17A-3-328, 17A-3-329, 17A-3-330, 17A-3-331, 17A-3-332, 17A-3-333, 17A-3-334, 17A-3-335, 17A-3-336, 17A-3-337, 17A-3-338, 17A-3-339, 17A-3-340, 17A-3-341, 17A-3-342, 17A-3-344, 17A-3-345, 17B-2-217, 17B-2-804, 17B-2-805, 54-3-25

Effective April 30, 2007

Chapter 329, Laws of Utah 2007

HB 67 **Age Amendments for Hunting Big Game** (*Curtis Oda*)

This bill changes the age requirement for hunting big game.

This bill:

- ▶ changes the age requirement to hunt big game from 14 to 12;
- ▶ prohibits a person under the age of 14 from obtaining certain permits; and
- ▶ makes technical changes.

Amends 23-19-22

Effective April 30, 2007

Chapter 139, Laws of Utah 2007

HB 69 **County and Municipal Land Use Provisions Regarding Schools** (*Larry B. Wiley*)

This bill modifies county and municipal land use provisions relating to schools.

This bill:

- ▶ adds additional building inspections to a list of requirements that a county and municipality may not impose on school districts or charter schools;
- ▶ modifies the criteria for an improvement project for which a county and municipality may not require a school district or charter school to pay an impact fee;
- ▶ clarifies that a school district building inspector that a school district or charter school may use is, for the school district, the school district's inspector or, for the charter school, the building inspector from the district in which the charter school is located; and
- ▶ makes technical changes.

Amends 10-9a-305, 17-27a-305

Effective April 30, 2007

Chapter 197, Laws of Utah 2007

HB 71 **Ballot Form Amendments** (*Christine A. Johnson*)

This bill modifies certain ballot form requirements in the Election Code.

This bill:

- ▶ requires that the word “party” be included at the end of the name of each political party listed in the straight party selection area of ballot sheets and electronic ballots; and
- ▶ makes technical changes.

Amends 20A-6-303, 20A-6-304

Effective April 30, 2007

Chapter 198, Laws of Utah 2007

HB 72 **Brand Inspection of Livestock Seized by the Federal Government** (*Michael E. Noel*)

This bill prevents the brand inspection of animals seized by the federal government unless certain conditions are met.

This bill:

- ▶ prohibits a brand inspector from issuing a brand inspection certificate for livestock seized by the federal government and whose owner is known without:
 - a court order authorizing the seizure; or
 - consent by the owner; and
- ▶ makes technical changes.

Amends 4-24-12

Effective April 30, 2007

Chapter 240, Laws of Utah 2007

HB 76 **Public Safety Dispatcher Compensation** (*DeMar Bud Bowman*)

This bill modifies the Utah State Personnel Management Act regarding the survey process for determining the salary range for public safety dispatchers employed by the state.

This bill:

- ▶ requires that the salary range of public safety dispatchers employed by the Communications Bureau of the Department of Public Safety be based on a survey of comparable positions; and
- ▶ requires that a market comparability study include three special service districts or other political subdivision entities in Utah that employ public safety dispatchers in a similar consolidated operation.

Amends 67-19-12.3

Effective April 30, 2007

Chapter 140, Laws of Utah 2007

HB 79 **Concurrent Enrollment Amendments** (*Kory M. Holdaway*)

This bill modifies the State System of Public Education Code relating to concurrent enrollments.

This bill:

- ▶ separates concurrent enrollment from other programs in the accelerated learning programs appropriation;
- ▶ requires the appropriation for concurrent enrollment to increase based upon the increase in the value of the weighted pupil unit;
- ▶ provides for the distribution of the concurrent enrollment appropriation:
 - between the State System of Public Education and the State System of Higher Education; and
 - among public schools and institutions of higher education that participate in concurrent enrollment; and
- ▶ makes technical corrections.
- ▶ This bill takes effect on July 1, 2007.
- ▶ This bill coordinates with H.B. 3 by providing that certain amendments in this bill supersede the amendments in H.B. 3 and that certain amendments in H.B. 3 supersede the amendments in this bill.
- ▶ This bill coordinates with H.B. 160 by providing that certain amendments in this bill supersede the amendments in H.B. 160 and that certain amendments in H.B. 160 supersede the amendments in this bill.

Amends 53A-15-101, 53A-17a-104, 53A-17a-120

Enacts 53A-17a-120.5

Effective July 1, 2007

Chapter 368, Laws of Utah 2007

HB 80 **Health Insurance Amendments** (*James A. Dunnigan*)

This bill amends the Comprehensive Health Insurance Pool Act.

This bill:

- ▶ makes technical amendments to the definition of insurer;
- ▶ deletes obsolete language;
- ▶ amends the lifetime benefit maximum; and
- ▶ amends eligibility for the high risk pool.

Amends 31A-29-103, 31A-29-104, 31A-29-110, 31A-29-111, 31A-29-113, 31A-29-117, 31A-29-119

Effective April 30, 2007

Chapter 40, Laws of Utah 2007

HB 83 **Forgery Amendments** (*Douglas C. Aagard*)

This bill modifies the Criminal Code regarding elements of the offense of forgery.

This bill:

- ▶ provides that the crime of forgery includes situations where a person, acting with the intent to defraud, makes a writing and claims to be representing a third party and claims to have the third party's consent; and
- ▶ also provides that this offense includes a writing the person signs with his or her own name when the person does not have authority to sign the writing.

Amends 76-6-501

Effective April 30, 2007

Chapter 141, Laws of Utah 2007

HB 85 **Sentence Reduction Clarification** (*Scott L Wyatt*)

This bill modifies the Criminal Code regarding the procedure for reducing an offense by one or two degrees during the sentencing process.

This bill:

- ▶ clarifies that “next lower degree of offense” includes removal of a statutory enhancement;
- ▶ provides the opportunity for the prosecutor and victim to be heard regarding the reduction of the offense;
- ▶ imposes conditions on reducing the offense if the defendant has been placed on probation;
- ▶ provides that if a sentence is reduced, the actual title of the offense may not be changed; and
- ▶ clarifies that sex offenders may not obtain an offense reduction if the sex offender is subject to registration regarding the offense.

Amends 76-3-402

Effective April 30, 2007

Chapter 103, Laws of Utah 2007

HB 86 **Penalties for Sexual Offenses and Kidnapping** (*Carl Wimmer*)

This bill amends provisions of the Utah Criminal Code relating to penalties for sexual offenses and child kidnapping.

This bill:

- ▶ defines terms;
- ▶ increases the base penalties for certain sexual offenses and kidnapping offenses;
- ▶ provides for greater penalties for certain sexual offenses and kidnapping offenses when the defendant causes serious bodily injury to another during the course of the commission of the offense;
- ▶ provides that a person who commits certain sexual offenses after previously being convicted of a grievous sexual offense shall be sentenced to life imprisonment without parole;
- ▶ describes the order of precedence of certain sentencing enhancements;
- ▶ modifies or replaces existing sentencing enhancements;
- ▶ expands the list of crimes for which probation, suspension of sentence, reduction of the category of offense, or hospitalization may not be granted; and
- ▶ makes technical changes.

Amends 34A-2-110, 76-1-601, 76-3-201, 76-3-203.2, 76-3-203.5, 76-3-203.6, 76-3-203.7, 76-3-406, 76-5-301.1, 76-5-302, 76-5-402, 76-5-402.1, 76-5-402.2, 76-5-402.3, 76-5-403, 76-5-403.1, 76-5-404, 76-5-404.1, 76-5-405

Repeals 76-3-408

Repeals and Reenacts 76-3-407

Effective April 30, 2007

Chapter 339, Laws of Utah 2007

HB 87 Severance Tax Related Amendments (*Gordon E. Snow*)

This bill amends provisions related to the Uintah Basin Revitalization Fund, the Navajo Revitalization Fund, and provisions on oil and gas severance tax revenues.

This bill:

- ▶ modifies definitions;
- ▶ modifies how monies are allocated from the Uintah Basin Revitalization Fund to each county and the Ute Indian Tribe of the Uintah and Ouray Reservation, including clarifying the relationship between statute and an interlocal agreement amongst the parties;
- ▶ addresses how monies from the Uintah Basin Revitalization Fund may be used by the Tribe;
- ▶ removes date restrictions on deposits into the Uintah Basin Revitalization Fund;
- ▶ increases on an ongoing basis the cap on deposits into the Uintah Basin Revitalization Fund;
- ▶ eliminates the requirement that the governor annually approve that grants and loans may be made from the Navajo Revitalization Fund;
- ▶ modifies the cap on severance tax monies that are deposited into the Navajo Revitalization Fund;
- ▶ amends oil and gas severance tax provisions to eliminate the tax exemption for the first \$50,000 annually in gross value of oil and gas wells; and
- ▶ makes technical changes.
- ▶ This bill has retrospective operation to January 1, 2007.

Amends 9-10-101, 9-10-104, 9-10-106, 9-11-107, 59-5-102, 59-5-116, 59-5-119

Effective April 30, 2007

Chapter 104, Laws of Utah 2007

HB 88 Automated Teller Machine Charges for International Accounts (*Julie Fisher*)

This bill modifies the Financial Institutions Act addressing agreements entered into related to transaction fees for automated teller machines.

This bill:

- ▶ restricts agreements with the charging of certain fees without limiting surcharge free networks; and
- ▶ makes technical changes.

Amends 7-16a-202

Effective April 30, 2007

Chapter 17, Laws of Utah 2007

HB 89 Government Assistance Expenditure Report (*Michael T. Morley*)

This bill amends the duties of the Office of Legislative Fiscal Analyst to provide an annual report on government assistance expenditures.

This bill:

- ▶ requires the Office of Legislative Fiscal Analyst to submit to the Executive Appropriations Committee of the Legislature an annual report of state and federal funds expended to provide financial assistance and services to low-income individuals and families;
- ▶ describes the content of the annual report described in the preceding paragraph; and
- ▶ makes technical changes.

Amends 36-12-13

Effective April 30, 2007

Chapter 41, Laws of Utah 2007

HB 91 Commission on Criminal and Juvenile Justice Funding (*Brad L. Dee*)

This bill modifies the code provisions regarding distribution of the criminal surcharge to also allocate funds for law enforcement purposes. This bill also modifies the membership of the Commission on Criminal and Juvenile Justice.

This bill:

- ▶ creates the Law Enforcement Operations Account as a restricted account within the General Fund;
- ▶ provides that the balance of the criminal surcharge collected will be allocated to the Law Enforcement Operations Account;
- ▶ provides that funds from the account shall be appropriated to the Commission on Criminal and Juvenile Justice, which shall allocate the funds to law enforcement and other appropriate agencies that work on illegal drug and crime issues, and provides subsequent priorities, with the first priority being state, local, or multijurisdictional drug and crime forces;
- ▶ adds the director of the Division of Substance Abuse and Mental Health as a member of the Commission on Criminal and Juvenile Justice;
- ▶ provides that the Commission on Criminal and Juvenile Justice shall allocate and administer law enforcement grants from monies in the Law Enforcement Operations Account; and
- ▶ directs that the Commission on Criminal and Juvenile Justice allocate \$2,500,000 annually from the Law Enforcement Operations Account as grants for these task forces, depending on funding available.
- ▶ This bill takes effect on July 1, 2007.

Amends 63-25a-102, 63-25a-104, 63-63a-2

Enacts 63-63a-10

Effective July 1, 2007

Chapter 330, Laws of Utah 2007

HB 92 Adoption of an Adult Provisions (*John G. Mathis*)

This bill amends the provisions of the Juvenile Court Act of 1996 relating to the adoption of an adult.

This bill:

- ▶ describes the requirements that apply to the adoption of an adult;
- ▶ provides for the disclosure, under certain circumstances, of records relating to the adoption of an adult; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 51 by providing substantive amendments.

Amends 78-30-1, 78-30-15

Enacts 78-30-1.2

Effective April 30, 2007

Chapter 298, Laws of Utah 2007

HB 93 Capital Offenses Amendments *(Paul Ray)*

This bill modifies the Criminal Code regarding the elements of aggravated murder as related to the homicide of a child.

This bill:

- ▶ provides that the commission or attempt to commit specified offenses, including sexual offenses, against a child as a part of the commission of the homicide constitutes aggravated murder, if committed with reckless indifference to human life;
- ▶ modifies an element of aggravated murder regarding acting for pecuniary gain; and
- ▶ modifies an element of murder to specify "knowing" as the level of intent when the defendant acts with depraved indifference.

Amends 76-5-202, 76-5-203

Effective April 30, 2007

Chapter 340, Laws of Utah 2007

HB 96 Motor Vehicle Dealer Amendments *(Patrick Painter)*

This bill modifies the Motor Vehicle Business Regulation Act by amending provisions relating to motor vehicle dealer license requirements.

This bill:

- ▶ provides that each transaction a person arranges, offers to arrange, or brokers involving the sale or lease of a motor vehicle for a fee, commission, or other compensation is a separate violation if the person:
 - has sold two or more motor vehicles in the previous consecutive 12-month period; and
 - is not licensed as a dealer;
- ▶ provides that once a person has committed the offense of acting as a dealer without a license, each additional motor vehicle the person sells, displays for sale, offers for sale or exchange, or leases in the 12-month period is a separate violation; and
- ▶ makes technical changes.

Amends 41-3-201.5, 41-3-701

Effective April 30, 2007

Chapter 105, Laws of Utah 2007

HB 97 Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off-highway Vehicle Education (*Michael E. Noel*)

This bill modifies the Motor Vehicles Code by creating a voluntary contribution checkoff for motor vehicle registrations.

This bill:

- ▶ authorizes a voluntary contribution checkoff for protecting access to public lands and off-highway vehicle education on motor vehicle registrations;
- ▶ creates the Off-highway Access and Education Restricted Account;
- ▶ provides that the Division of Motor Vehicles shall collect the contributions and transfer them to the account;
- ▶ requires the Board of Parks and Recreation to distribute funds collected into the account;
- ▶ establishes criteria that an organization must meet to apply for funds from the account;
- ▶ requires the board to make rules for an organization to apply for funds;
- ▶ prohibits the board from considering proposals that do not:
 - protect access to public lands by motor vehicle and off-highway vehicle operators; and
 - educate the public about appropriate off-highway vehicle use;
- ▶ prohibits the board from:
 - requiring matching funds for proposals; or
 - prohibiting the use of funds for certain purposes; and
- ▶ makes technical changes.
- ▶ This bill takes effect October 1, 2007.

Amends 41-22-10

Enacts 41-1a-230.6, 41-22-19.5

Effective October 1, 2007

Chapter 299, Laws of Utah 2007

HB 98 County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments *(Craig A. Frank)*

This bill modifies the Local Government Bonding Act, the Sales and Use Tax Act, and the Transportation Finances Act by amending provisions relating to certain transportation local option sales and use tax provisions.

This bill:

- ▶ provides definitions;
- ▶ provides that a local political subdivision may issue negotiable bonds to pay for all or part of:
 - new construction, renovation, or an improvement to a state highway within the local political subdivision's boundaries; or
 - an environmental study for a state highway within the local political subdivision's boundaries;
- ▶ provides that a city, town, or county may use certain imposed excise tax revenues as an estimate to determine certain bond payment requirements;
- ▶ authorizes sales and use tax revenues generated by the County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit to be used on local highway projects of regional significance;
- ▶ provides that funds allocated for state highway projects within the county may be expended on local highway of regional significance projects in addition to or in substitution of state highway projects within the county by counties that imposed the sales and use tax prior to July 1, 2007;
- ▶ requires the department to transfer funds to the county legislative body from the Highway Projects Within Counties Fund if the county legislative body submits a written request; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 11-14-103, 11-14-307, 59-12-1502, 59-12-1503, 72-2-121.1

Effective February 23, 2007

Chapter 10, Laws of Utah 2007

HB 99 Water Loan Program Amendments *(Patrick Painter)*

This bill amends the loan and grant programs for water projects administered by the Department of Environmental Quality.

This bill:

- ▶ changes the drinking water, nonpoint source, and wastewater project definitions;
- ▶ changes the type of wastewater project that the Water Quality Board may fund;
- ▶ changes the type of drinking water project that the Drinking Water Board may fund;
- ▶ authorizes the Water Quality Board to give a grant for a nonpoint source project;
- ▶ authorizes the Water Quality Board and Drinking Water Board to charge an origination fee;
- ▶ establishes a repeal date for an uncodified section regarding fees;
- ▶ creates two origination fee subaccounts; and
- ▶ makes technical changes.

Amends 73-10c-2, 73-10c-4, 73-10c-4.5, 73-10c-5

Enacts 73-10c-10

Effective April 30, 2007

Chapter 142, Laws of Utah 2007

HB 100 Accessing Pornography on School Property (*DeMar Bud Bowman*)

This bill establishes penalties for accessing pornography on school property.

This bill:

- ▶ allows a school to suspend or expel a student for accessing pornographic material at school; and
- ▶ makes it a crime to access pornographic material on school property.

Amends 53A-11-904

Enacts 76-10-1234

Effective April 30, 2007

Chapter 79, Laws of Utah 2007

HB 102 Land and Water Reinvestment (*David Clark*)

This bill appropriates \$2,000,000 each to the LeRay McAllister Critical Land Conservation Fund, the Rangeland Improvement Fund, and the Department of Natural Resources to fund land and water projects.

This bill:

- ▶ appropriates \$2,000,000 to the Department of Natural Resources for watershed rehabilitation;
- ▶ appropriates \$2,000,000 to fund the LeRay McAllister Critical Land Conservation Fund; and
- ▶ appropriates \$2,000,000 to fund the Rangeland Improvement Fund.
- ▶ This bill:
- ▶ appropriates \$2,000,000 to the Department of Natural Resources for watershed rehabilitation;€appropriates \$2,000,000 to fund the LeRay McAllister Critical Land Conservation Fund; and€appropriates \$2,000,000 to fund the Rangeland Improvement Fund.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 143, Laws of Utah 2007

HB 103 Statewide Mutual Aid Act (*Curtis Oda*)

This bill enacts provisions related to a statewide mutual aid system among political subdivisions of the state.

This bill:

- ▶ establishes a statewide mutual aid system among participating political subdivisions that provide public safety service;
- ▶ defines terms;
- ▶ establishes a statewide mutual aid committee, provides for its membership, terms, and procedures, and prohibits compensation for its members;
- ▶ allows a county, municipality, or public safety special district or interlocal entity to withdraw from the statewide mutual aid system;
- ▶ provides for the duties of participating political subdivisions;
- ▶ establishes a process for a participating political subdivision to request assistance from another participating political subdivision;
- ▶ provides for reimbursement to be paid to a responding political subdivision;
- ▶ establishes rules applicable to personnel who respond to a request for assistance; and
- ▶ enacts a severability provision.

Enacts 53-2-401, 53-2-402, 53-2-403, 53-2-404, 53-2-405, 53-2-406, 53-2-407, 53-2-408, 53-2-409, 53-2-410

Effective April 30, 2007

Chapter 331, Laws of Utah 2007

HB 104 Alcoholic Beverage Licensees and Gambling-like Activities *(Stephen E. Sandstrom)*

This bill modifies the Alcoholic Beverage Control Act to address gambling-like activities.

This bill:

- ▶ prohibits certain gambling-like activities;
- ▶ provides for an exclusion; and
- ▶ makes technical changes.

Amends 32A-4-106, 32A-4-206, 32A-4-307, 32A-4-406, 32A-5-107, 32A-7-106, 32A-10-206, 32A-10-306, 32A-15a-102

Effective April 30, 2007

Chapter 341, Laws of Utah 2007

HB 107 Funding for Prosecution and Prevention of Child Pornography Offenses *(Ron Bigelow)*

This bill appropriates certain ongoing General Fund monies to the Office of the Attorney General to fund certain programs related to fighting child pornography crimes.

This bill:

- ▶ appropriates monies to the Office of the Attorney General for the following items related to Title 76, Chapter 5a, Sexual Exploitation of Children:
 - replacement of federal funding cuts to the ICAC (Internet Crimes Against Children) grant program;
 - training of ICAC Task Force members and affiliate entities;
 - grants for state and local law enforcement and prosecution agencies; and
 - one new civilian investigative technician to assist with the ICAC unit operations; and
- ▶ appropriates monies to the State Commission on Criminal and Juvenile Justice for grants for approved education programs to help prevent the sexual exploitation of children and requires certain reporting.
- ▶ This bill appropriates from the General Fund as follows:
 - ▶ to the Office of the Attorney General as an ongoing appropriation subject to future budget constraints, \$273,250 for fiscal year 2007-08; and
 - ▶ to the State Commission on Criminal and Juvenile Justice as an ongoing appropriation subject to future budget constraints, \$1,000,000 for fiscal year 2007-08.

Effective April 30, 2007

Chapter 342, Laws of Utah 2007

HB 108 Transportation Study - East-west Corridors in Salt Lake County and Counties of the Second Class *(Ron Bigelow)*

This bill requires the Department of Transportation to complete a study of east-west transportation improvements in Salt Lake County and counties of the second class.

This bill:

- ▶ requires the Department of Transportation to study the need for east-west transportation improvements in Salt Lake County and counties of the second class; and
- ▶ requires the department to report study findings to the Legislature prior to September 30, 2008.
- ▶ This bill appropriates:
 - ▶ for fiscal year 2006-07 only, \$3,500,000 from the General Fund to the Department of Transportation.

Effective April 30, 2007

Chapter 80, Laws of Utah 2007

HB 110 State Fleet Efficiency Requirements (*Fred R. Hunsaker*)

This bill modifies the Division of Fleet Operations and Administration of State Motor Vehicles chapter to amended provisions related to the purchase and management of state vehicles and reporting of state agency vehicle fleet efficiency.

This bill:

- ▶ requires the director of the Division of Fleet Operations to make rules establishing standards and procedures for purchasing economically appropriate vehicles for the purposes and driving conditions for which they will be used, including procedures for granting exceptions by the executive director of the Department of Administrative Services;
- ▶ requires the division to conduct an annual market analysis of proposed rates and fees;
- ▶ requires the division to establish a standard vehicle size and type for replacement and fleet expansion vehicles;
- ▶ requires agencies to file written requests and justifications for obtaining a nonstandard vehicle size or type;
- ▶ requires the Division of Fleet Operations to develop and coordinate the implementation of a statewide vehicle fleet cost efficiency plan to ensure continuing progress toward statewide overall cost reduction in government vehicle costs;
- ▶ provides for the content of the cost efficiency plan;
- ▶ requires state agencies to develop, implement, and submit agency vehicle fleet cost efficiency plans to the division;
- ▶ requires state agencies that own or lease vehicles to include their vehicle fleet cost efficiency plans and standard cost measures with their annual reports submitted to the division; and
- ▶ makes technical changes.

Amends 63A-9-401, 63A-9-402

Enacts 63A-9-401.5

Effective April 30, 2007

Chapter 106, Laws of Utah 2007

HB 111 Personal Property - Certified Tax Rate Amendments (*John Dougall*)

This bill amends the Minimum School Program Act and the Property Tax Act relating to personal property and the calculation of the certified revenue levy and the certified tax rate.

This bill:

- ▶ defines terms;
 - ▶ eliminates certain personal property from the calculation of the certified revenue levy;
 - ▶ eliminates certain personal property from the certified tax rate calculation;
 - ▶ modifies the calculation of the certified tax rate; and
 - ▶ makes technical changes.
- ▶ This bill has retrospective operation to January 1, 2007.

Amends 53A-17a-103, 59-2-102, 59-2-913, 59-2-924

Effective April 30, 2007

Chapter 107, Laws of Utah 2007

HB 112 Utah Council on Victims of Crime (*Scott L Wyatt*)

This bill creates a Council on Victims of Crime within the Governor's Office.

This bill:

- ▶ creates a 24 member council on victims of crime;
- ▶ defines specific membership of the council and appointment responsibilities;
- ▶ sets out duties and requirements;
- ▶ provides for compensation of members; and
- ▶ requires the Commission on Criminal and Juvenile Justice to provide staff to the council.

Amends 63-25a-406, 77-37-5

Enacts 63-25a-601, 63-25a-602, 63-25a-603, 63-25a-604, 63-25a-605

Effective April 30, 2007

Chapter 300, Laws of Utah 2007

HB 114 Prisoner Long-term Health Care (*Jackie Biskupski*)

This bill modifies the chapter "Department of Corrections - State Prison" to require certain actions by a corrections department or agency and by a nursing care facility or assisted living facility administrator to which an offender is released from prison or parole.

This bill:

- ▶ provides definitions;
- ▶ provides that if an inmate is given an early release, pardon, or parole due to a chronic or terminal illness and is admitted as a resident of a nursing or assisted living facility, the department or another state's agency placing the offender shall provide:
 - notice to the facility administrator, no later than 15 days prior to the offender's admission as a resident of a facility and also provide contact information;
 - information to the public on the Utah Department of Corrections' website, and upon request, regarding the offenders placed in health care facilities, including the name and address of the facility where the offenders reside, and the date the offenders were placed at the facility; and
 - a training program for employees who work in facilities where offenders reside;
- ▶ requires the nursing or assisted living facility administrator to provide staff trained by the Department of Corrections in the safe management of offenders; and
- ▶ provides a penalty for failure to provide:
 - notice to other facility residents; and
 - employees trained in the safe management of offenders.

Amends 64-13-39.5

Enacts 64-13-39.6

Effective April 30, 2007

Chapter 343, Laws of Utah 2007

HB 117 Transfer of Density (*Gage Froerer*)

This bill modifies county and municipal land use, development, and management provisions relating to the transfer of development rights.

This bill:

- ▶ authorizes counties and municipalities to designate areas as sending and receiving zones and to allow the transfer of development rights from a landowner in a sending zone to a landowner in a receiving zone;
- ▶ defines terms; and
- ▶ makes technical changes.

Amends 10-9a-103, 17-27a-103

Enacts 10-9a-509.5, 17-27a-509.5

Effective April 30, 2007

Chapter 199, Laws of Utah 2007

HB 118 Residency Requirements for In-state Tuition (*Jack R. Draxler*)

This bill amends the definition of a resident student for tuition purposes within the state system of higher education.

This bill:

- ▶ provides definitions;
- ▶ repeals the requirements for a nonresident student to complete 60 semester hours or have three years of residency prior to registration as a resident student;
- ▶ requires a nonresident student to maintain continuous Utah residency status for one full year prior to registration as a resident student;
- ▶ modifies the provisions that require objective evidence to be submitted that the student has taken overt steps to establish permanent residency in Utah;
- ▶ allows exceptions to the general residency rules for:
 - a person who marries a Utah resident;
 - a dependent student who has at least one parent who has been domiciled in Utah for at least 12 months;
 - a person who has established domicile in Utah based on an employer requested transfer to Utah, recruitment by a Utah employer, or a comparable work-related move for full-time permanent employment in Utah;
 - a person who is in residence in Utah to participate in a United States Olympic athlete training program; or
 - a person who has established domicile in Utah for reasons related to divorce, the death of a spouse, or long-term health care responsibilities for an immediate family member;
- ▶ exempts certain students from paying the nonresident portion of total tuition; and
- ▶ makes technical corrections.
- ▶ This bill takes effect on July 1, 2007.

Amends 53B-8-102

Effective July 1, 2007

Chapter 369, Laws of Utah 2007

HB 119 Emergency Communication Funding (*Brad L. Dee*)

This bill makes changes to funds for emergency communication services.

This bill:

- ▶ eliminates provisions reimbursing certain communications providers for costs associated with Phase I E-911 service;
- ▶ allows monies from the E-911 Emergency Service Fund to be used to assist in development of Phase II E-911 service;
- ▶ imposes the emergency services telephone charge on services with access to the public switched telephone network, including voice over Internet protocol;
- ▶ reduces a charge on communications services that funds emergency communication services from 65 cents per line to 61 cents;
- ▶ changes the date on which a charge levied to fund E-911 service is reduced from July 1, 2008 to July 1, 2007; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 53-10-603, 53-10-605, 69-2-5, 69-2-5.6

Effective July 1, 2007

Chapter 241, Laws of Utah 2007

HB 120 Utility Facility Review Board (*Aaron Tilton*)

This bill amends Title 54, Chapter 14, Electrical Facility Review Board Act, to apply to a gas corporation.

This bill:

- ▶ applies the provisions of Title 54, Chapter 14, Electrical Facility Review Board Act, to a gas corporation;
- ▶ reduces the time within which the board must issue a written decision; and
- ▶ makes technical changes.

Amends 54-14-101, 54-14-102, 54-14-103, 54-14-301, 54-14-305

Effective April 30, 2007

Chapter 242, Laws of Utah 2007

HB 125 Centers of Excellence Amendments (*Bradley M. Daw*)

This bill modifies the Centers of Excellence Act by creating a commercialization grant component to more readily link companies with college and university researchers in transitioning their research developed technologies into industry.

This bill:

- ▶ modifies the recognized purposes of the Centers of Excellence Act to include facilitating the transition of research generated technologies from the state's colleges and universities into industry to grow and expand the state's economy;
- ▶ provides that, in addition to state colleges and universities, Centers of Excellence grants may be awarded to companies that are working in partnership with colleges and universities and their researchers to transition their research generated technologies into industry for economic development;
- ▶ provides that a repayment by a college or university of grant proceeds or a portion of grant proceeds shall come only from the proceeds of a license established between the company and the college or university, or in the case of a company that receives a grant, from the proceeds of the license to that company; and
- ▶ provides that the Governor's Office of Economic Development may enter into work agreements with business team consultants, who would assist colleges and universities in facilitating the transition of technology into industry.

Amends 63-38f-701, 63-38f-703, 63-38f-704

Enacts 63-38f-705

Effective April 30, 2007

Chapter 11, Laws of Utah 2007

HB 128 Divorce Orientation (*Lorie D. Fowlke*)

This bill creates an intermediate step before a divorce filing and a mandatory divorce orientation course for couples.

This bill:

- ▶ creates an optional temporary separation order as an intermediate step before filing for divorce;
- ▶ makes an exception for couples with no minor children;
- ▶ requires the parties to the temporary separation order attend a divorce orientation course;
- ▶ sets the fee for a temporary separation order at \$25;
- ▶ establishes a mandatory divorce orientation course;
- ▶ sets guidelines and course requirements for the divorce orientation course; and
- ▶ allows a credit for the temporary separation order fee to apply to a subsequent filing for divorce.

Amends 78-7-35

Enacts 30-3-4.5, 30-3-11.4

Effective April 30, 2007

Chapter 301, Laws of Utah 2007

HB 129 **Land Use Provisions** *(Michael T. Morley)*

This bill modifies county and municipal land use development and management provisions.

This bill:

- ▶ modifies the standard that county and municipal land use authorities use in determining whether to vacate, alter, or amend a plat; and
- ▶ modifies the county and municipal officials who are involved in the process of vacating or altering a street or alley.
- ▶ This bill provides an immediate effective date.

Amends 10-9a-609, 10-9a-609.5, 17-27a-609, 17-27a-609.5

Effective March 14, 2007

Chapter 243, Laws of Utah 2007

HB 130 Funeral Services Licensing Act Amendments *(Kay L. McIff)*

This bill modifies provisions of the Funeral Services Licensing Act regarding licensure classifications, the composition of the Board of Funeral Service, qualifications for licensure, the supervision of funeral service interns, the determination of the disposition of a deceased person, preneed funeral arrangements, including required trust accounts, and unlawful and unprofessional conduct by funeral service establishments and their employees.

This bill:

- ▶ modifies the definition of a funeral service establishment in the Funeral Services Licensing Act to include the furnishing of services, merchandise, and products purchased under a preneed funeral arrangement;
- ▶ modifies the composition of the Board of Funeral Service by increasing the number of funeral service directors serving on the board from three to four and eliminating the owner or officer of an endowment care cemetery member;
- ▶ eliminates the license classification of preneed funeral arrangement provider by combining it with the funeral service establishment license classification;
- ▶ modifies qualifications for licensure as a funeral service director, funeral service establishment, preneed funeral arrangement sales agent, and funeral service intern and changes the current designation of "funeral service apprentice" to "funeral service intern";
- ▶ provides for the conditional continuing licensure of a funeral service establishment upon the death or termination from employment of an establishment's funeral service director;
- ▶ modifies the licensure by endorsement provisions;
- ▶ modifies the unlawful and unprofessional conduct provisions of the act;
- ▶ modifies provisions related to the right and duty to control the disposition of a deceased person by surviving relatives or other individuals;
- ▶ provides for forfeiture of the right of disposition under specified circumstances;
- ▶ provides for the resolution of disputes on the right of disposition of a decedent by a probate court upon petitioning by relatives of the decedent or a funeral director who has custody of the decedent's remains;
- ▶ provides a funeral service establishment and funeral service director with immunity from civil and criminal liability and disciplinary action in carrying out the disposition of a decedent's remains;
- ▶ modifies provisions related to preneed funeral arrangement contracts and associated trust agreements; and
- ▶ makes certain technical changes.

Amends 26-4-16, 58-9-102, 58-9-201, 58-9-301, 58-9-302, 58-9-303, 58-9-305, 58-9-306, 58-9-307, 58-9-501, 58-9-502, 58-9-503, 58-9-602, 58-9-701, 58-9-703, 58-9-706, 58-9-707

Enacts 58-9-605, 58-9-606

Repeals and Reenacts 58-9-603

Effective April 30, 2007

Chapter 144, Laws of Utah 2007

HB 132 Registration and License Requirements for Pesticide Businesses and Applicators*(Jack R. Draxler)*

This bill requires pesticide businesses to register with the Department of Agriculture and Food.

This bill:

- ▶ defines terms;
- ▶ authorizes the Department of Agriculture and Food to adopt:
 - rules establishing qualifications to operate a pesticide business; and
 - a registration fee;
- ▶ authorizes the Department of Agriculture and Food to retain fees as dedicated credits;
- ▶ requires a pesticide business to register with the department;
- ▶ clarifies the license requirements and duration for a pesticide applicator; and
- ▶ makes technical changes.

Amends 4-14-2, 4-14-3, 4-14-6, 4-14-9, 4-14-12

Enacts 4-14-13

Effective April 30, 2007

Chapter 370, Laws of Utah 2007

HB 133 Parent-time Amendments *(Lorie D. Fowlke)*

This bill adds a separate section for parent-time for infants aged 12 to 18 months to allow for some overnight parent-time, and adds Halloween to the list of holidays with specific conditions.

This bill:

- ▶ provides for overnight parent-time for infants aged 12-18 months every other weekend;
- ▶ alternates the overnight parent-time with eight hour parent-time;
- ▶ eliminates the reference to Easter for school holidays and leaves spring break; and
- ▶ adds Halloween as a holiday for parent-time purposes, and provides that it takes precedence over weekend parent-time if it falls on a weekend.

Amends 30-3-35, 30-3-35.5

Effective April 30, 2007

Chapter 302, Laws of Utah 2007

HB 134 School and Institutional Trust Lands Amendments (*John G. Mathis*)

This bill changes the distribution of mineral revenue generated from lands acquired by the School and Institutional Trust Lands Administration from the federal government.

This bill:

- ▶ defines terms;
- ▶ creates the Land Exchange Distribution Account;
- ▶ distributes the state's share of mineral revenues from school and institutional trust lands to:
 - the counties from which the revenue is generated;
 - the counties where school and institutional trust lands were relinquished to the United States;
 - the Constitutional Defense Restricted Account;
 - the Permanent Community Impact Fund;
 - the State Board of Education;
 - the Utah Geological Survey; and
 - the Water Research Laboratory at Utah State University;
- ▶ designates how the state's share of mineral revenues from school and institutional trust lands are to be used;
- ▶ eliminates the contributions of mineral revenue from school and institutional trust lands to:
 - the Rural Electronic Commerce Communications System Fund;
 - the Rural Development Fund; and
 - the Mineral Lease Account;
- ▶ changes how administrative costs are determined;
- ▶ provides for revenue generated on SITLA land exchanged with the federal government;
- ▶ directs the Division of Finance to transfer the balance of the Rural Development Fund and the Rural Electronic Commerce Communications System to the Permanent Community Impact Fund when the funds are repealed;
- ▶ repeals provisions relating to the Rural Development Fund;
- ▶ repeals provisions relating to the Rural Electronic Commerce Communications System Fund; and
- ▶ makes technical changes.
- ▶ This bill provides an effective date and a repeal date.

Amends 9-4-302, 9-4-303, 9-4-307, 9-15-102, 11-14-308, 53C-3-201, 53C-3-202, 59-21-1, 59-21-2, 63C-4-103

Enacts 53C-3-203

Repeals 9-14-101, 9-14-102, 9-14-103, 9-14-104, 9-14-105, 9-14-106, 9-15-101, 9-15-102, 9-15-103, 9-15-104, 9-15-105, 9-15-106

Effective March 15, 2007

Chapter 303, Laws of Utah 2007

HB 135 Utah Uniform Building Standards Act Amendments (*Larry B. Wiley*)

This bill modifies provisions of the Utah Uniform Building Standards Act related to unlawful and unprofessional conduct by building inspectors and factory built housing dealers and provides penalties for that conduct, to include the issuing of citations to violators by the Division of Occupational and Professional Licensing.

This bill:

- ▶ defines unlawful and unprofessional conduct for purposes of the Utah Uniform Building Standards Act, specifically as related to building inspectors and factory built housing set-up contractors;
- ▶ provides the Division of Occupational and Professional Licensing with authority to issue citations to persons who violate the unlawful conduct provisions of the Utah Uniform Building Standards Act;
- ▶ provides grounds for the immediate suspension of a licensee's license by the division to include the issuance of a citation for violations of unlawful conduct;
- ▶ provides that the division may issue cease and desist orders and assess fines for violating the unlawful conduct provisions of the Utah Uniform Building Standards Act; and
- ▶ provides a procedure for the collection of unpaid fines.

Amends 58-56-3

Enacts 58-56-9.1, 58-56-9.3, 58-56-9.5

Effective April 30, 2007

Chapter 145, Laws of Utah 2007

HB 137 Pain Medication Management and Education (*Bradley M. Daw*)

This bill modifies Title 26, Chapter 1, Department of Health Organization, establishing a two-year program in the department to reduce deaths and other harm from prescription opiates utilized for chronic pain.

This bill:

- ▶ requires the Utah Department of Health to coordinate with the Utah attorney general, the Labor Commission, and the Division of Occupational and Professional Licensure to:
 - investigate causes and risk factors and solutions for deaths and nonfatal complications of prescription opiate use and misuse in Utah by using the Utah Controlled Substance Database;
 - study risks associated with prescription opiate medications used for chronic pain; and
 - educate health care providers, patients, insurers, and the general public on the appropriate management of pain; and
- ▶ requires the department to report to the legislative Health and Human Services Interim Committee and the legislative Business and Labor Interim Committee no later than the November meetings in 2007 and 2008 and present its recommendations on:
 - the use of the Utah Controlled Substances Database to identify and prevent:
 - misuse of opiates;
 - inappropriate prescribing; and
 - adverse outcomes of prescription opiate medications;
 - interventions to prevent the diversion of prescription opiate medications; and
 - medical treatment and quality care guidelines.
- ▶ This bill appropriates to the Utah Department of Health for this two-year program \$150,000 one-time from the General Fund for fiscal year 2007-08 only and \$150,000 one-time from the General Fund for fiscal year 2008-09.
- ▶ This bill takes effect on July 1, 2007.

Enacts 26-1-36

Effective July 1, 2007

Chapter 200, Laws of Utah 2007

HB 142 Fee in Lieu of Property Tax Amendments *(Richard W. Wheeler)*

This bill amends the Interlocal Cooperation Act to provide payment of an annual fee in lieu of property taxes.

This bill:

- ▶ requires certain public agencies to pay an annual fee in lieu of a property tax;
- ▶ provides a method of calculation to determine the amount of the annual fee;
- ▶ provides that certain public agencies have the same obligations, credits, rights, and protections as a project entity; and
- ▶ makes technical changes.

Amends 11-13-302

Effective April 30, 2007

Chapter 108, Laws of Utah 2007

HB 145 Farmers Market Exemptions *(Ronda Rudd Menlove)*

This bill exempts farmers markets from certain regulation and permits local governments to operate farmers markets.

This bill:

- ▶ defines terms;
- ▶ exempts farmers markets from the definition of food establishment;
- ▶ exempts farmers markets from the definition of food handler; and
- ▶ allows counties and municipalities to:
 - operate farmers markets; and
 - indemnify farmers market participants.

Amends 4-5-2, 26-15-1

Enacts 10-8-85.8, 17-50-323

Effective April 30, 2007

Chapter 146, Laws of Utah 2007

HB 146 County Tax Sales of Property *(Michael T. Morley)*

This bill amends the Property Tax Act to amend the provisions relating to tax sales.

This bill:

- ▶ defines terms;
- ▶ limits the amount that certain tax sale purchasers may receive from a subsequent sale of property bought at a tax sale when the purchaser owns an undivided interest in the real property sold during the tax sale;
- ▶ provides that certain tax sale purchasers may not object to a subsequent sale of the tax sale property under certain circumstances; and
- ▶ makes technical changes.

Enacts 59-2-1351.7

Effective April 30, 2007

Chapter 109, Laws of Utah 2007

HB 147 Restitution Amendments (*Kevin S. Garn*)

This bill makes provision for juvenile restitution orders and adds the payment of restitution to the expungement statute.

This bill:

- ▶ provides for the transfer of unpaid fines and of restitution orders from juvenile court as a judgment when the juvenile court terminates jurisdiction; and
- ▶ adds payment of restitution to the requirements for juvenile expungements.

Amends 78-3a-121, 78-3a-905

Enacts 78-3a-122

Effective April 30, 2007

Chapter 304, Laws of Utah 2007

HB 148 Education Vouchers (*Stephen H. Urquhart*)

This bill creates a program to award scholarships to students to attend a private school.

This bill:

- ▶ specifies criteria for qualifying for a scholarship;
- ▶ specifies criteria for private schools to enroll scholarship students;
- ▶ specifies the amount, timing, and form of scholarship payments;
- ▶ requires the State Board of Education to make rules;
- ▶ gives the State Board of Education enforcement authority;
- ▶ requires the Legislature to annually appropriate money from the General Fund for scholarship payments; and
- ▶ allows a school district to retain in enrollment a student that transfers to a private school for a period of five years, with a deduction equal to the average scholarship amount.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$100,000 from the General Fund for fiscal year 2006-07 to the State Board of Education.

Enacts 53A-1a-801, 53A-1a-802, 53A-1a-803, 53A-1a-804, 53A-1a-805, 53A-1a-806, 53A-1a-807, 53A-1a-808, 53A-1a-809, 53A-1a-810, 53A-1a-811

Effective April 30, 2007

Chapter 4, Laws of Utah 2007

HB 150 New Fiscal Year Supplemental Appropriations Act (*Ron Bigelow*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

This bill:

- ▶ provides appropriations for the use and support of certain state agencies;
- ▶ provides appropriations for the use and support of certain institutions of higher education;
- ▶ provides appropriations for other purposes as described;
- ▶ provides intent language;
- ▶ approves employment levels for internal service funds;
- ▶ approves capital acquisition amounts for internal service funds;
- ▶ authorizes rates and fees.
- ▶ This bill appropriates for fiscal year 2008:
 - ▶ \$561,463,900 from the General Fund;
 - ▶ \$46,466,400 from the Uniform School Fund;
 - ▶ \$76,046,000 from the Education Fund;
 - ▶ \$232,923,400 from various sources as detailed in this bill.
- ▶ This bill takes effect July 1, 2007.

Effective July 1, 2007

Chapter 371, Laws of Utah 2007

HB 155 Student Achievement Assessment Amendments (*Merlynn T. Newbold*)

This bill modifies U-PASS (Utah Performance Assessment System for Students) and requirements for reading achievement plans and the reporting of students' reading grade level.

This bill:

- ▶ modifies U-PASS by:
 - expanding the basic skill courses tested to include intermediate algebra;
 - eliminating criterion-referenced testing in grade 1;
 - eliminating norm-referenced testing in grade 11; and
 - adding a reading test in grade 3;
- ▶ modifies assessment, intervention, and reporting elements of schools' reading achievement plans for students in kindergarten through grade 3;
- ▶ modifies reporting requirements regarding U-PASS test results;
- ▶ modifies eligibility requirements for stipends for basic skills education to enable students to pass the Utah Basic Skills Competency Test; and
- ▶ requires the State Board of Education to consider administering the Utah Basic Skills Competency Test on a Saturday to preserve instructional time.

Amends 53A-1-602, 53A-1-603, 53A-1-607, 53A-1-612, 53A-3-602.5

Repeals 53A-1-606

Repeals and Reenacts 53A-1-606.5

Effective April 30, 2007

Chapter 244, Laws of Utah 2007

HB 157 **Victim Restitution** (*Stephen D. Clark*)

This bill requires the court to order that victims owed restitution be paid within 60 days of receipt of payments by the court or department.

This bill:

- ▶ clarifies when a victim is to be paid restitution.

Amends 77-38a-404

Effective April 30, 2007

Chapter 305, Laws of Utah 2007

HB 158 **Amendments to Transportation Provisions** (*Wayne A. Harper*)

This bill amends provisions relating to transportation.

This bill:

- ▶ provides definitions;
- ▶ renames the Public Transportation System Tax Highway Fund as the County of the First Class State Highway Projects Fund and requires fund monies to be used to pay debt service and bond issuance costs for certain general obligation bonds;
- ▶ provides that the following shall be deposited in the County of the First Class State Highway Projects Fund:
 - a portion of the local corridor preservation fee imposed in a county of the first class; and
 - a portion of the public transit tax revenue in a county of the first class;
- ▶ authorizes issuance of \$100,000,000 general obligation bonds to pay all or part of the cost of acquiring rights-of-way and constructing a highway construction project within the Mountain View Corridor;
- ▶ exempts the general obligation bonds from certain debt limitation provisions;
- ▶ authorizes the Department of Transportation to spend revenues deposited in the Transportation Corridor Preservation Revolving Loan Fund on administrative costs for transportation corridor preservation;
- ▶ restricts the use of the Local Transportation Corridor Preservation Fund revenue to preserve highway corridors that are rights-of-way for certain highways;
- ▶ provides that local revenues from a county of the first class that are deposited in the County of the First Class State Highway Projects Fund shall be considered a local matching contribution; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 41-1a-1222, 59-12-502, 59-12-1703, 63-38c-402, 72-2-117, 72-2-117.5, 72-2-121

Enacts 63B-16-101

Effective July 1, 2007

Chapter 201, Laws of Utah 2007

HB 160 Minimum School Program Budget Amendments (*Bradley G. Last*)

This bill provides funding for the Minimum School Program.

This bill:

- ▶ modifies provisions governing the inclusion of foreign exchange students for the purpose of apportioning state monies;
- ▶ establishes the value of the weighted pupil unit at \$2,514;
- ▶ establishes a ceiling for the state contribution to the maintenance and operations portion of the Minimum School Program for fiscal year 2007-08 of \$2,272,474,120; and
- ▶ makes one-time appropriations for fiscal year 2007-08 for:
 - instructional technology;
 - classroom supplies;
 - a uniform online summative test system;
 - pupil transportation;
 - the Capital Outlay Foundation Program; and
 - the Enrollment Growth Program.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation, \$2,173,474,120 from the Uniform School Fund for fiscal year 2007-08;
 - ▶ as an ongoing appropriation, \$21,000,000 from the Interest and Dividends Account for fiscal year 2007-08; and
 - ▶ for fiscal year 2007-08 only, \$128,000,000 from the Uniform School Fund.
- ▶ This bill takes effect on July 1, 2007.
- ▶ This bill coordinates with H.B. 3 by providing that certain amendments in this bill supersede the amendments in H.B. 3.
- ▶ This bill coordinates with H.B. 79 by providing substantive amendments.

Amends 53A-2-206, 53A-17a-103, 53A-17a-104, 53A-17a-113, 53A-17a-114, 53A-17a-116

Effective July 1, 2007

Chapter 372, Laws of Utah 2007

HB 164 Charter School Amendments (*Ron Bigelow*)

This bill modifies provisions relating to charter schools.

This bill:

- ▶ provides definitions;
- ▶ modifies charter school application and authorization provisions;
- ▶ modifies certain requirements for charter schools, including those relating to charter school assets and school closures;
- ▶ modifies charter school funding provisions;
- ▶ regulates certain transactions and relationships relating to charter schools;
- ▶ requires the State Board of Education and the State Charter School Board to develop a joint proposal and submit the proposal to the Executive Appropriations Committee;
- ▶ makes a nonlapsing appropriation; and
- ▶ makes technical corrections.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$35,971,488 from the Uniform School Fund for fiscal year 2007-08 to the State Board of Education for charter schools;
 - ▶ \$9,500,000 from the Uniform School Fund for fiscal year 2007-08 only to the State Board of Education for charter schools; and
 - ▶ \$6,000,000 from the Uniform School Fund for fiscal year 2007-08 only to the Charter School Building Subaccount within the School Building Revolving Account.
- ▶ This bill takes effect on July 1, 2007.
- ▶ This bill coordinates with H.B. 3 by providing that certain amendments in this bill supersede the amendments in H.B. 3 and that certain amendments in H.B. 3 supersede the amendments in this bill.
- ▶ This bill coordinates with H.B. 160 by providing that certain amendments in this bill supersede the amendments in H.B. 160 and that certain amendments in H.B. 160 supersede the amendments in this bill.

Amends 53A-1a-501.3, 53A-1a-501.6, 53A-1a-502.5, 53A-1a-504, 53A-1a-506, 53A-1a-507, 53A-1a-508, 53A-1a-510, 53A-1a-514, 53A-1a-515, 53A-17a-104, 53A-17a-108, 53A-21-104

Enacts 53A-1a-506.5, 53A-1a-510.5, 53A-1a-517, 53A-1a-518

Repeals 53A-1a-501.8

Effective July 1, 2007

Chapter 344, Laws of Utah 2007

HB 174 Education Voucher Amendments (*Bradley G. Last*)

This bill modifies a program to award scholarships to students to attend a private school.

This bill:

- ▶ modifies criteria for qualifying for a scholarship;
- ▶ modifies criteria for private schools to enroll scholarship students;
- ▶ modifies provisions relating to the State Board of Education; and
- ▶ modifies the review by the legislative auditor general.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$100,000 from the General Fund for fiscal year 2007-08 to the State Board of Education.
- ▶ This bill coordinates with H.B. 148, Education Vouchers, by providing substantively superseding amendments.

Enacts 53A-1a-804, 53A-1a-805, 53A-1a-806, 53A-1a-808, 53A-1a-811

Effective April 30, 2007

Chapter 30, Laws of Utah 2007

HB 176 **Certain County Debt Forgiven** (*David Clark*)

This bill forgives certain loans for disaster relief outstanding as of June 30, 2007.

This bill:

- ▶ forgives loans issued for disaster relief that are outstanding on June 30, 2007; and
- ▶ makes technical and conforming changes.

Amends 53-2-102.5

Effective April 30, 2007

Chapter 245, Laws of Utah 2007

HB 185 **Higher Education Partnerships Appropriation** (*Gordon E. Snow*)

This bill appropriates monies to institutions of higher education to extend partnerships with other state institutions of higher education and to enhance regional programs.

This bill:

- ▶ appropriates monies to institutions of higher education to provide increased degree opportunities in high-demand academic areas;
- ▶ extends Utah State University's partnerships with the College of Eastern Utah, and Snow College; and
- ▶ develops Utah State University's regional programs at its Uintah Basin, Tooele, and Brigham City campuses.
- ▶ This bill appropriates as an ongoing appropriation subject to future budget constraints, \$4,789,200 from the Education Fund for fiscal year 2007-08.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 42, Laws of Utah 2007

HB 188 **Easements - Counties and Municipalities** (*Aaron Tilton*)

This bill addresses the realignment of easements acquired by a county or municipality.

This bill:

- ▶ allows a property owner to realign certain easements acquired by a county or municipality using eminent domain powers at the owner's expense; and
- ▶ makes technical changes.

Amends 10-8-14.5; Enacts 17-15-29

Effective April 30, 2007

Chapter 246, Laws of Utah 2007

HB 192 Revoking Authority to Use State Lands as a Bird Refuge *(Ben C. Ferry)*

This bill repeals the statutes granting authority to the United States to use state lands as a bird refuge.

This bill:

- ▶ repeals uncodified material that:
 - authorizes the state to convey certain lands to the United States for use as a migratory bird refuge and game preserve; and
 - authorizes the United States to use state lands to establish and maintain a Bear River migratory bird refuge.
- ▶ This bill takes effect on May 5, 2008.

Repeals Section 1, Chapter 2, Laws of Utah 1929, Section 1, Chapter 56, Laws of Utah 1927, Section 2, Chapter 2, Laws of Utah 1929

Effective May 5, 2008

Chapter 373, Laws of Utah 2007

HB 194 Tampering with Evidence Amendments *(Lorie D. Fowlke)*

This bill modifies the Criminal Code offense of tampering with evidence.

This bill:

- ▶ amends the offense of tampering with evidence to:
 - define “thing or item” and “official proceeding”; and
 - clarify acts that are included in the offense of tampering with evidence.

Amends 76-8-510.5

Effective April 30, 2007

Chapter 110, Laws of Utah 2007

HB 195 Higher Education Tuition Assistance Amendments *(Scott L Wyatt)*

This bill amends the Utah Higher Education Tuition Assistance Program.

This bill:

- ▶ changes requirements for the Utah Higher Education Tuition Assistance Program; and
- ▶ makes technical changes.

Amends 53B-7-502

Effective April 30, 2007

Chapter 247, Laws of Utah 2007

HB 196 Higher Education Criminal Background Checks (*Ronda Rudd Menlove*)

This bill requires the State Board of Regents to adopt a policy providing for criminal background checks of certain prospective and existing employees of higher education institutions.

This bill:

- ▶ directs the State Board of Regents to adopt a policy requiring:
 - an applicant for a position in a higher education institution that involves significant contact with a minor or a position that is security sensitive to submit to a criminal background check as a condition of employment; and
 - an existing employee of a higher education institution to submit to a criminal background check, where reasonable cause exists;
- ▶ authorizes higher education institutions to request the Utah Bureau of Criminal Identification to conduct criminal background checks;
- ▶ addresses the payment of the costs of criminal background checks; and
- ▶ requires notice of criminal background checks to prospective and existing employees and an opportunity for review of information obtained through a criminal background check.

Enacts 53B-1-110

Effective April 30, 2007

Chapter 248, Laws of Utah 2007

HB 197 Amendments to Background Checks by Department of Health (*D. Gregg Buxton*)

This bill amends the Department of Health authority to conduct background checks for health care facilities, emergency medical technicians, and child care facilities.

This bill:

- ▶ allows the Department of Health to have access to juvenile records for certification or licensing of people with direct responsibility for the safety of children, the elderly, or the disabled in health care facilities, or as an EMT, if the applicant:
 - is under the age of 28; or
 - is over the age of 28 if the individual has a criminal record as an adult;
- ▶ limits the department's current authority to access juvenile records for certain people associated with child care facilities to those people:
 - under the age of 28; or
 - over the age of 28 if the individual has a criminal record as an adult; and
- ▶ establishes consistent rulemaking authority for the department to grant exceptions to licensing prohibitions when licensing applicants for health facilities, day care centers, and EMTs.
- ▶ This bill takes effect July 1, 2007.

Amends 26-8a-310, 26-21-9.5, 26-39-107

Effective July 1, 2007

Chapter 43, Laws of Utah 2007

HB 200 Standardizing Documents Filed with County Recorder (*Craig A. Frank*)

This bill modifies provisions relating to county recorders.

This bill:

- ▶ establishes requirements for documents submitted for recording with the county recorder's office;
- ▶ authorizes county recorders to establish certain standards for documents submitted for recording with the county recorder's office;
- ▶ requires a county recorder who intends to establish those standards to provide notice and an effective date at least three months after the notice;
- ▶ authorizes county recorders to charge and collect an additional fee for documents that fail to comply with formatting requirements;
- ▶ provides exceptions to the requirements for certain documents; and
- ▶ makes technical changes.

Amends 17-21-20

Effective April 30, 2007

Chapter 147, Laws of Utah 2007

HB 201 Governance of Local Ordinances Regarding Smoking (*Paul Ray*)

This bill amends the Utah Indoor Clean Air Act.

This bill:

- ▶ amends the prohibition against political subdivisions adopting ordinances that restrict smoking.

Amends 26-38-6

Effective April 30, 2007

Chapter 44, Laws of Utah 2007

HB 202 Medical Recommendations for Children (*Michael T. Morley*)

This bill prohibits school personnel from making certain medical recommendations for a student, including the use of psychotropic medications, and prohibits removal of a child from parental custody based on a parent's refusal to consent to the administration of psychotropic medications.

This bill:

- ▶ prohibits school personnel from making certain medical recommendations for a student, including the use of psychotropic medications; and
- ▶ prohibits the removal of a child from parental custody based on a parent's refusal to consent to the administration of psychotropic medications.

Amends 78-3a-301

Enacts 53A-11-605

Effective April 30, 2007

Chapter 111, Laws of Utah 2007

HB 204 Modifications to Open and Public Meetings (*Scott L Wyatt*)

This bill modifies the Open and Public Meetings Act by amending certain provisions.

This bill:

- ▶ modifies definitions;
- ▶ clarifies that public bodies created by the Utah Constitution are subject to the requirements of the act;
- ▶ clarifies that notice of an emergency meeting shall include notice of the time, place, and topics of the meeting;
- ▶ provides that, at the discretion of the presiding member of the public body, topics raised by the public may be discussed at a meeting even if they have not been placed on the agenda, provided that no final action is taken at the meeting; and
- ▶ makes technical changes.

Amends 52-4-103, 52-4-202, 52-4-207

Effective April 30, 2007

Chapter 45, Laws of Utah 2007

HB 205 Public Demonstrations At Funerals (*Ron Bigelow*)

This bill provides a criminal penalty for certain activities done with the intent to disrupt a funeral or memorial service.

This bill:

- ▶ provides definitions; and
- ▶ provides that it is a class B misdemeanor for a person to do any of the following during the period starting 60 minutes before a memorial service and ending 60 minutes after conclusion of the memorial service with intent to disrupt the memorial service:
 - knowingly block or impede entry to or from the memorial service;
 - block or impede a funeral procession;
 - engage in certain disruptive activities within 200 feet of a memorial service; or
 - engage in unreasonable noise.

Enacts 76-9-108

Effective April 30, 2007

Chapter 46, Laws of Utah 2007

HB 206 County Jail - Work Release Process Amendments (*Scott L Wyatt*)

This bill modifies the Criminal Code and the Code of Criminal Procedure regarding the release of jail inmates for work or education.

This bill:

- ▶ clarifies that the court may order whether the inmate is allowed to be released; and
- ▶ specifies that the custodial authority of the jail determines the terms and conditions of an inmate's release.

Amends 76-3-403.5, 77-19-3, 77-19-4

Effective April 30, 2007

Chapter 148, Laws of Utah 2007

HB 207 School Truancy and Compulsory Education Amendments *(Eric K. Hutchings)*

This bill amends provisions related to compulsory education and truancy.

This bill:

- ▶ defines terms;
- ▶ directs a local school board, local charter board, or school district to preapprove an extended absence of a school-age minor if it is determined that the absence will not adversely impact the school-age minor's education;
- ▶ describes compulsory education requirements relating to school-age minors;
- ▶ provides for the service of a notice of compulsory education violation on a parent or guardian of a school-age child who is less than 14 years old if the child has been absent without a valid excuse at least five times during the school year;
- ▶ makes it a class B misdemeanor for a parent or guardian to intentionally or recklessly:
 - fail to enroll the parent's school-age minor in school, unless the school-age minor is exempt from enrollment; or
 - after being served with a notice of compulsory education violation, fail to meet and discuss a school-age child's school attendance problems with school authorities or fail to prevent a school-age child from being truant five or more times during the remainder of the school year;
- ▶ provides for juvenile court jurisdiction of habitual truant proceedings and compulsory education violations;
- ▶ establishes school attendance requirements for a school-age minor;
- ▶ provides for the issuance of a notice of truancy to a school-age minor who is at least 12 years old and has been truant at least five times during the school year;
- ▶ establishes a procedure for resolving truancy problems of a school-age minor who is at least 12 years old;
- ▶ modifies and describes requirements for proceedings on, and the issuance of, citations and notices relating to truancy;
- ▶ removes provisions permitting the issuance of a truancy citation, except for a habitual truant citation;
- ▶ provides that a notice of truancy or a habitual truant citation may only be issued by a school administrator or truancy specialist authorized by a local school board, local charter board, or by the school administrator's designee;
- ▶ modifies and describes the duties of a local school board, local charter board, or school district for attempting to resolve a minor's school attendance problems;
- ▶ clarifies civil liability limitations relating to compulsory education and truancy;
- ▶ changes the term "truancy officer" to "truancy specialist"; and
- ▶ makes technical changes.

Amends 35A-3-304, 53A-11-101, 53A-11-102, 53A-11-102.5, 53A-11-103, 53A-11-104, 53A-11-105, 53A-11-106, 62A-2-108.1, 62A-4a-606, 78-3a-801

Enacts 53A-11-101.3, 53A-11-101.5, 53A-11-101.7

Effective April 30, 2007

Chapter 81, Laws of Utah 2007

HB 210 County Sheriff Qualification Amendments *(Brad L. Dee)*

This bill modifies Title 17, Counties, regarding the probationary period for appointed county law enforcement officers.

This bill:

- ▶ changes the probationary period for a peace officer appointed to serve as a county deputy sheriff from six months to one year; and
- ▶ makes technical changes.

Amends 17-30-11

Effective April 30, 2007

Chapter 149, Laws of Utah 2007

HB 211 Background Checks for Division of Services for People with Disabilities *(Rebecca D. Lockhart)*

This bill amends the definition of a direct service worker in the Services for People with Disabilities chapter of the Utah Human Services Code.

This bill:

- ▶ expands the definition of a direct service worker to include an employee of the Division of Services for People with Disabilities who provides services to a person with a disability while the employee has physical access to the person; and
- ▶ makes technical changes.

Amends 62A-5-101

Effective April 30, 2007

Chapter 150, Laws of Utah 2007

HB 212 School Discipline Amendments *(Lorie D. Fowlke)*

This bill modifies the State System of Public Education Code by directing the state superintendent of public instruction to research methods of motivating and providing incentives to students.

This bill:

- ▶ directs the state superintendent of public instruction, in cooperation with school districts and charter schools, to:
 - research methods of motivating and providing incentives to students and evaluate the benefits and costs of those methods;
 - publish a report that incorporates the research findings, provides model plans with suggested resource pools, and makes recommendations for local school boards and school personnel;
 - submit the report to the Education Interim Committee; and
 - maintain data for purposes of accountability, later reporting, and future analysis.

Amends 53A-11-906

Effective April 30, 2007

Chapter 82, Laws of Utah 2007

HB 215 School Reporting Amendments (*Karen W. Morgan*)

This bill modifies requirements for the reporting of certain data on public schools.

This bill:

- ▶ specifies how average class size shall be calculated for the purpose of reporting class size by grade and subject on annual school performance reports; and
- ▶ modifies the contents of the state superintendent's annual report.

Amends 53A-1-301, 53A-3-602.5

Effective April 30, 2007

Chapter 112, Laws of Utah 2007

HB 216 Division of Facilities Construction and Management Amendments (*D. Gregg Buxton*)

This bill modifies the State Building Board and Division of Facilities Construction and Management provisions by adjusting the cost thresholds for certain projects which require legislative approval and amending provisions for state entity supervision of construction of new facilities.

This bill:

- ▶ increases the cost thresholds of capital development projects that must have legislative approval prior to construction;
- ▶ increases the cost thresholds of prioritized capital improvements required to be submitted to the Legislature for review and approval;
- ▶ amends certain definitions;
- ▶ requires state entities to assure compliance with certain division standards for new facilities that are under direct supervision of the state entity;
- ▶ modifies definitions to increase the threshold for a high-cost lease; and
- ▶ makes technical changes.

Amends 63A-5-104, 63A-5-206, 63A-5-301

Effective April 30, 2007

Chapter 12, Laws of Utah 2007

HB 218 Utah Children's Health Insurance Program (*James A. Dunnigan*)

This bill amends the Children's Health Insurance Program.

This bill:

- ▶ amends the program benefits by July 1, 2008.

Amends 26-40-106

Effective April 30, 2007

Chapter 47, Laws of Utah 2007

HB 219 Unclaimed Property Act Provisions (*Fred R. Hunsaker*)

This bill modifies provisions of the Unclaimed Property Act.

This bill:

- ▶ reduces the time after which the following unclaimed property is considered to be abandoned from five years to three years:
 - net intangible property;
 - a bank draft;
 - a deposit in a financial institution;
 - a stock, shareholding, or other intangible ownership in a business;
 - intangible property or income held in an agent or fiduciary capacity; or
 - mineral proceeds;
- ▶ provides that all unclaimed funds held or owing under a life or endowment insurance policy are considered to be abandoned after three years;
- ▶ changes the month in which reports of unclaimed property are to be filed from June to November;
- ▶ raises the dollar amount at which unclaimed property must be accompanied by specific information and be reported individually from \$25 to \$50;
- ▶ permits an electronic book entry to be used as proof of ownership of stock or other intangible interests;
- ▶ requires that the administrator publish notice of unclaimed property within 12 months of the date the property was received;
- ▶ removes certain content requirements for publication of unclaimed property via newspaper;
- ▶ permits sale of abandoned property via the Internet;
- ▶ provides procedures for delivery of property and deductions of reasonable fees and expenses at the time of sale;
- ▶ modifies procedures and requirements for the sale of securities;
- ▶ permits the administrator to examine records pertaining to abandoned or unclaimed property that are in the possession of an agent of a business association or a financial association;
- ▶ permits the administrator to require a person to file a verified report stating whether or not the person is holding any unclaimed property subject to the act;
- ▶ provides that a person who fails to pay or deliver property when required by the act shall pay interest on the value of the property at the rate of 12% per annum; and
- ▶ makes technical changes.

Amends 67-4a-201, 67-4a-203, 67-4a-204, 67-4a-205, 67-4a-208, 67-4a-209, 67-4a-214, 67-4a-301, 67-4a-302, 67-4a-402, 67-4a-403, 67-4a-601, 67-4a-701, 67-4a-703

Effective April 30, 2007

Chapter 18, Laws of Utah 2007

HB 221 Timing to Commence a Civil Action by the Department of Environmental Quality (*Ronda Rudd Menlove*)

This bill expands which Department of Environmental Quality actions toll the running of the period to commence a civil action.

This bill:

- ▶ provides that a notice of violation, agency action, or order tolls the running of the time in which the department may commence a civil action for a penalty; and
- ▶ makes technical changes.

Amends 19-1-305

Effective April 30, 2007

Chapter 151, Laws of Utah 2007

HB 222 Open and Public Meetings - Electronic Notice (*John Dougall*)

This bill modifies the Open and Public Meetings Act to amend provisions related to electronic notice of public meetings and to establish a Utah Public Notice Website.

This bill:

- ▶ modifies notice requirements in the Interlocal Cooperation Act to ensure compliance with notice provisions of the Open and Public Meetings Act;
- ▶ requires a public body to provide public notice of its meetings on the Utah Public Notice Website;
- ▶ provides exceptions for posting notice on the Utah Public Notice Website by a municipality or a district that has a budget of less than \$1 million;
- ▶ prohibits a court from voiding a final action of a public body due to a technology failure affecting posting public notice on the Internet under certain circumstances;
- ▶ amends the duties of the Division of Archives and Records Service;
- ▶ authorizes the Division of Archives and Records Service, with the technical assistance of the Department of Technology Services, to establish and maintain the Utah Public Notice Website;
- ▶ provides requirements for the website;
- ▶ provides that responsibility for the content of notices posted and the timing of notices posted is the responsibility of the public body posting the notice; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 65, Special and Local Districts Amendments, by providing for changing terminology.

Amends 11-13-223, 52-4-202, 52-4-302, 63-2-901

Enacts 63F-1-701, 63F-1-702

Effective April 30, 2007

Chapter 249, Laws of Utah 2007

HB 223 **Voter Information Website** (*Wayne A. Harper*)

This bill modifies the Election Code and the Lieutenant Governor Chapter by establishing the Statewide Electronic Voter Information Website Program administered by the lieutenant governor.

This bill:

- ▶ establishes the Statewide Electronic Voter Information Website Program administered by the lieutenant governor in cooperation with the county clerks;
- ▶ requires the lieutenant governor to develop and implement a website that includes all information currently provided in the voter information pamphlet and to include information on local races, candidates, and ballot propositions;
- ▶ requires local election officials to submit information to the lieutenant governor for each ballot label under the election official's direct responsibility so the information may be placed on the website;
- ▶ provides certain deadlines for submitting the election information;
- ▶ provides for the lieutenant governor's review of submitted information;
- ▶ requires certain frequently asked voter questions and answers to be included on the website;
- ▶ provides a deadline for the website to be ready for use;
- ▶ allows the expansion of the information to include other elections;
- ▶ requires the filing clerk to inform qualified candidates of the program;
- ▶ amends the duties of the lieutenant governor to provide election information to the public by providing it on the Internet; and
- ▶ makes technical changes.

Amends 20A-9-201, 20A-9-203, 67-1a-2

Enacts 20A-7-801

Effective April 30, 2007

Chapter 83, Laws of Utah 2007

HB 226 **Sales and Use Tax - Highways and Public Transportation Amendments** (*John Dougall*)

This bill amends the Sales and Use Tax Act relating to highways and public transportation.

This bill:

- ▶ provides that a county, city, or town is not required to be located within a transit district to impose certain local option sales and use taxes for highways, public transportation, and fixed guideways;
- ▶ modifies the percentages of revenues designated for certain uses for purposes of the revenues generated by the additional public transit tax within a county of the first class;
- ▶ repeals the requirement that a project relating to a fixed guideway system or a system for public transit be owned and operated by a public transit district in order for a county to expend revenues generated by the tax under Title 59, Chapter 12, Part 15, County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems for Public Transit, to fund that project; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-501, 59-12-502, 59-12-1503

Effective July 1, 2007

Chapter 202, Laws of Utah 2007

HB 227 Motorboat Liability Insurance Revisions (*Kerry W. Gibson*)

This bill modifies the Financial Responsibility of Motorboat Owners and Operators Act by amending provisions relating to owner's and operator's security requirements for motorboats.

This bill:

- ▶ amends the definition of motorboat to exclude airboats for purposes of owner's and operator's security requirements for motorboats; and
- ▶ makes technical changes.

Amends 73-18c-102

Effective April 30, 2007

Chapter 113, Laws of Utah 2007

HB 228 Penalty for Homicide of a Child (*Carl Wimmer*)

This bill amends the Criminal Code to provide that murder of a child younger than 14 years of age is a capital felony.

This bill:

- ▶ amends the definition of aggravated murder, which is a capital offense, to include the intentional or knowing murder of a child younger than 14 years of age.

Amends 76-5-202

Effective April 30, 2007

Chapter 345, Laws of Utah 2007

HB 231 Controlled Substances Penalty Amendments (*Wayne A. Harper*)

This bill modifies the Utah Controlled Substances Act regarding violations of controlled substance laws in the presence of children, and regarding committing offenses in specified locations, including modifying the scope of the area surrounding the locations and modifying the list of locations.

This bill:

- ▶ amends the current crime of committing drug offenses in the "immediate presence" of persons younger than 18 to remove the word "immediate";
- ▶ amends the increased penalty for committing drug offenses in specified locations to address areas within 1,000 feet of the locations; and
- ▶ adds libraries to the list of areas.

Amends 58-37-8

Effective April 30, 2007

Chapter 374, Laws of Utah 2007

HB 234 Compensation of Local School Board Members (*John Dougall*)

This bill modifies the State System of Public Education Code by authorizing local school boards to adopt compensation schedules for their members.

This bill:

- ▶ authorizes local school boards to adopt board compensation schedules for the compensation and expenses of their members beginning on July 1, 2007;
- ▶ specifies procedures for the adoption or amendment of board compensation schedules; and
- ▶ makes technical corrections.
- ▶ This bill takes effect on July 1, 2007.

Amends 53A-3-202

Effective July 1, 2007

Chapter 375, Laws of Utah 2007

HB 236 Student Clubs Amendments (*Aaron Tilton*)

This bill modifies the State System of Public Education Code's regulation of curricular and noncurricular clubs.

This bill:

- ▶ provides definitions;
- ▶ provides requirements and procedures for the authorization of curricular and noncurricular clubs;
- ▶ regulates the use of school buildings by authorized clubs;
- ▶ provides for faculty oversight of authorized clubs;
- ▶ provides requirements for club membership, including parental consent;
- ▶ requires the investigation of complaints, provides school options for violations, and establishes appeals procedures;
- ▶ allows additional rulemaking by the State Board of Education and provides additional rulemaking authority for local school governing boards;
- ▶ provides severability; and
- ▶ makes technical corrections.

Amends 53A-3-420, 53A-13-101.2; Enacts 53A-11-1201, 53A-11-1202, 53A-11-1203, 53A-11-1204, 53A-11-1205, 53A-11-1206, 53A-11-1207, 53A-11-1208, 53A-11-1209, 53A-11-1210, 53A-11-1211, 53A-11-1212, 53A-11-1213, 53A-11-1214

Repeals 53A-3-419

Effective April 30, 2007

Chapter 114, Laws of Utah 2007

HB 238 Municipal Telecommunications License Tax Amendments (*Wayne A. Harper*)

This bill amends the Municipal Telecommunications License Tax Act to address the rate at which the tax is imposed or collected, to address notice requirements, and to repeal obsolete language.

This bill:

- ▶ beginning on July 1, 2007, reduces the municipal telecommunications license tax rate from a maximum rate of 4% to a maximum rate of 3.5%;
- ▶ exempts a municipality from providing notice to the State Tax Commission before changing the rate of a municipal telecommunications license tax under certain circumstances;
- ▶ modifies notice requirements for a municipality to change the rate of a municipal telecommunications license tax under certain circumstances;
- ▶ addresses the rate at which the State Tax Commission shall collect a municipal telecommunications license tax;
- ▶ repeals obsolete language requiring a report on rate information; and
- ▶ makes technical changes.

Amends 10-1-403, 10-1-405, 59-1-403, 62A-11-328

Repeals 10-1-409

Effective April 30, 2007

Chapter 250, Laws of Utah 2007

HB 240 Public Education Job Enhancement Program Amendments (*Ronda Rudd Menlove*)

This bill modifies the Public Education Job Enhancement Program.

This bill:

- ▶ expands the positions that may qualify for cash awards and scholarships under the Public Education Job Enhancement Program.
- ▶ This bill takes effect on July 1, 2007.

Amends 53A-1a-601, 53A-1a-602

Effective July 1, 2007

Chapter 115, Laws of Utah 2007

HB 241 Appropriation for Terrel H. Bell Program (*Ronda Rudd Menlove*)

This bill appropriates money for the Terrel H. Bell Teaching Incentive Loans Program.

This bill:

- ▶ appropriates money to the State Board of Regents for the Terrel H. Bell Teaching Incentive Loans Program that:
 - provides loans to students who enter a teacher licensure program and declare an intent to teach in the state; and
 - waives repayment of the loan based upon the number of years the loan recipient teaches in the state.
- ▶ This bill appropriates:
- ▶ as on ongoing appropriation subject to future budget constraints, \$1,200,000 from the Education Fund for fiscal year 2007-08 to the State Board of Regents.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 116, Laws of Utah 2007

HB 242 Medicaid False Claims Act Amendments (*Bradley G. Last*)

This bill amends the Medicaid False Claims Act in the Health Code.

This bill:

- ▶ amends definitions;
- ▶ clarifies the required mental state for a civil and a criminal prosecution;
- ▶ amends penalties for a violation of the act;
- ▶ grants concurrent civil enforcement authority to the attorney general and the Department of Health;
- ▶ provides a statute of limitations period;
- ▶ establishes burden of proof for civil actions;
- ▶ gives authority to issue civil investigative demands; and
- ▶ amends the duties of the attorney general.

Amends 26-20-1, 26-20-2, 26-20-5, 26-20-7, 26-20-9, 26-20-9.5, 26-20-13, 67-5-1

Enacts 26-20-14, 26-20-15

Repeals and Reenacts 26-20-4, 26-20-12

Effective April 30, 2007

Chapter 48, Laws of Utah 2007

HB 243 Energy Policy Amendments (*Roger E. Barrus*)

This bill makes additions to the state's energy policy.

This bill:

- ▶ includes hydroelectric in a list of renewable energy resources;
- ▶ adds language supporting energy related educational programs; and
- ▶ makes technical changes.

Amends 63-53b-301

Effective April 30, 2007

Chapter 346, Laws of Utah 2007

HB 244 Repeal of Utah Technology Commission (*John Dougall*)

This bill repeals the Utah Technology Commission.

This bill:

- ▶ repeals the Utah Technology Commission;
- ▶ requires certain functions of the Utah Technology Commission to be fulfilled by the Public Utilities and Technology Interim Committee; and
- ▶ makes technical changes.

Amends 63F-1-201, 63F-1-207

Repeals 63D-1a-101, 63D-1a-102, 63D-1a-201, 63D-1a-202, 63D-1a-203, 63D-1a-401, 63D-1a-402, 63D-1a-403

Effective April 30, 2007

Chapter 117, Laws of Utah 2007

HB 245 Child Welfare Amendments (*Merlynn T. Newbold*)

This bill amends the Utah Human Services Code and the Judicial Code in order to comply with federal requirements, including those contained in The Adam Walsh Child Protection and Safety Act of 2006 and the Safe and Timely Interstate Placement of Foster Care Children Act of 2006, and to make corrections to certain child welfare provisions.

This bill:

- ▶ amends the background check procedures of the Office of Licensing, within the Department of Human Services, as they relate to background checks conducted for the purpose of licensing a prospective foster home or approving a prospective adoptive placement of a child in state custody;
- ▶ requires that before a prospective foster home is licensed, and before a child in state custody is placed with a prospective foster parent or a prospective adoptive parent, the Department of Human Services shall check the child abuse and neglect registry of each state where the prospective foster parent, prospective adoptive parent, or an adult residing in the home of the prospective foster parent or prospective adoptive parent, resided during the five years immediately preceding placement of the child;
- ▶ permits the information within the Management Information System, maintained by the Division of Child and Family Services, within the Department of Human Services, to be disclosed for the purpose of:
 - complying with an abuse and neglect registry check requested by another state; and
 - complying with the federal requirements for maintaining an electronic national registry of substantiated cases of child abuse and neglect;
- ▶ provides for the recognition within Utah of home studies conducted outside of Utah;
- ▶ amends the background check procedures for direct service workers when a child in the legal custody of the Department of Human Services, or a division of the department, is placed with the direct service worker;
- ▶ requires a court to consider appropriate in-state and out-of-state placements for a child who is removed from the custody of the child's parents;
- ▶ describes the entitlement or right of a child and others to be given notice of, to be present at, and to be heard at, each hearing and proceeding in an abuse, neglect, or dependency case;
- ▶ amends background check requirements for preplacement adoptive evaluations; and
- ▶ makes technical changes.

Amends 62A-2-120, 62A-2-121, 62A-4a-1003, 62A-5-103.5, 78-3a-307.1, 78-3a-312, 78-3a-314, 78-30-3.5, 78-30-3.6

Enacts 62A-4a-710

Effective April 30, 2007

Chapter 152, Laws of Utah 2007

HB 247 Special Service District Authority to Provide Jail Facilities (*John G. Mathis*)

This bill modifies provisions relating to special service districts that are authorized to provide jail facilities.

This bill:

- ▶ modifies a provision authorizing a special service district to provide jail facilities so that it applies to all special service districts, not just those in a county of the first class; and
- ▶ limits application of certain administrative control board provisions to special service districts providing jail service that are established by counties of the first class.

Amends 17A-2-1304, 17A-2-1326

Effective April 30, 2007

Chapter 203, Laws of Utah 2007

HB 253 Allowing State Memorials on State Property (*Wayne A. Harper*)

This bill modifies Title 11, Cities, Counties, and Local Taxing Units, and Title 63, Chapter 9, State Buildings and Grounds, to provide for the placement of certain memorials on public property.

This bill:

- ▶ provides certain definitions;
- ▶ permits the state, a state agency, or a political subdivision to authorize the use or donation of public land for the purpose of maintaining, erecting, or contributing to the erection or maintenance of a memorial to commemorate certain individuals;
- ▶ specifies certain provisions on the use or donation of public land for a memorial; and
- ▶ allows the state, state agency, or political subdivision to specify the form, placement, and design of a memorial that is subject to this section.

Enacts 11-42-101, 11-42-102, 63-9-68

Effective April 30, 2007

Chapter 118, Laws of Utah 2007

HB 257 Open and Public Meetings Act Amendments (*Glenn A. Donnelson*)

This bill modifies the Open and Public Meetings Act by amending provisions related to written or recorded minutes for certain special districts.

This bill:

- ▶ provides that all special districts under Title 17A with annual budgeted expenditures of \$50,000 or less may keep either written minutes or a recording of their open meetings.

Amends 52-4-203

Effective April 30, 2007

Chapter 204, Laws of Utah 2007

HB 258 Continuing Education Requirements for Architects (*Brad L. Dee*)

This bill requires an architect to complete a course of qualified continuing professional education during a licensing cycle in order to renew the license.

This bill:

- ▶ provides that as a condition for renewal of an architect's license, the licensee shall, during the license cycle, complete 16 hours of qualified continuing professional education; and
- ▶ provides that the required hours of continuing education may be proportionately increased or decreased if a renewal period is extended or shortened by the Division of Occupational and Professional Licensing.

Enacts 58-3a-303.5

Effective April 30, 2007

Chapter 251, Laws of Utah 2007

HB 259 Mechanics Liens on Certain New Development Housing (*Patrick Painter*)

This bill changes the definition of "real estate developer" for purposes of Title 38, Chapter 11, Residence Lien Restriction and Lien Recovery Fund Act.

This bill:

- ▶ defines "real estate developer" to include a licensed contractor as a real estate developer under certain circumstances; and
- ▶ makes technical changes.

Amends 38-11-102

Effective April 30, 2007

Chapter 84, Laws of Utah 2007

HB 260 Post Retirement Employment (*Glenn A. Donnelson*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending reemployment restrictions for certain retirees.

This bill:

- ▶ defines “agency” to clarify the applicability of reemployment restrictions for certain retirees; and
- ▶ makes technical changes.

Amends 49-11-102

Effective April 30, 2007

Chapter 252, Laws of Utah 2007

HB 261 Expiration of Gift Certificates (*Wayne A. Harper*)

This bill prohibits the issuance of a gift certificate that expires sooner than five years after issuance.

This bill:

- ▶ makes it a violation of Title 13, Chapter 11, Utah Consumer Sales Practices Act, to issue a gift certificate that has an expiration date or deducts a fee without disclosing the expiration date or fee on the gift certificate or its packaging;
- ▶ provides that a gift certificate that does not disclose an expiration date or fee neither expires nor is subject to a fee; and
- ▶ makes technical changes.

Amends 13-11-4

Effective April 30, 2007

Chapter 19, Laws of Utah 2007

HB 262 Search Warrant Amendments (*Scott L Wyatt*)

This bill amends the Utah Code of Criminal Procedure and related provisions to remove several provisions related to search warrants that will be incorporated into the Utah Rules of Criminal Procedure.

This bill:

- ▶ repeals several code provisions related to search warrants;
- ▶ amends the Utah Controlled Substances Act, the Criminal Procedure chapter of the Alcoholic Beverage Control Act, the Utah Labor Code, and the Interception of Communications Act by providing that procedures relating to search warrants and administrative warrants are governed by the Utah Rules of Criminal Procedure; and
- ▶ makes technical changes.

Amends 32A-13-103, 34A-6-301, 58-37-10, 77-23-205, 77-23-210, 77-23a-15.5

Repeals 77-23-201, 77-23-202, 77-23-203, 77-23-204, 77-23-206, 77-23-207, 77-23-208, 77-23-209, 77-23-211, 77-23-212

Effective April 30, 2007

Chapter 153, Laws of Utah 2007

HB 263 Jail Expenses Amendments (*Curtis Oda*)

This bill modifies Title 76, Utah Criminal Code, and Title 77, Utah Code of Criminal Procedure, regarding reimbursement by defendants of incurred costs.

This bill:

- ▶ changes the process for requiring defendants to pay restitution of the costs of incarceration from one requiring action by the court to one that becomes a requirement unless otherwise ordered by the court;
- ▶ requires the defendant to pay the costs of incarceration to the county correctional facility before and after sentencing, unless the amount is reduced or eliminated by the court; and
- ▶ specifies that the costs of incarceration are to be determined by the county correctional facility, but are not to exceed:
 - the daily core inmate incarceration costs and medical and transportation costs established under Section 64-13c-302; and
 - the costs of transportation services and medical care that exceed the negotiated reimbursement rate established under Subsection 64-13c-302(2).

Amends 76-3-201, 77-38a-404

Effective April 30, 2007

Chapter 154, Laws of Utah 2007

HB 264 Revisor's Statute (*Stephen H. Urquhart*)

This bill modifies parts of the Utah Code to make technical corrections including eliminating references to repealed provisions, making minor wording changes, updating cross references, and correcting numbering.

This bill:

- ▶ modifies parts of the Utah Code to make technical corrections including eliminating references to repealed provisions, making minor wording changes, updating cross references, and correcting numbering.

The original bill was recommended by the Joint House and Senate Rules Committee

Amends 3-1-9, 3-1-17, 3-1-41, 7-1-104, 7-7-12, 10-8-2, 10-9a-801, 11-13-314, 13-5-9, 13-11a-3, 13-21-7, 16-6a-822, 17-27a-801, 17A-2-412, 23-13-1, 26-18-503, 26-34-2, 26-39-104, 31A-16-105, 31A-17-402, 31A-26-210, 32A-13-103, 34-19-5, 35A-3-313, 36-26-102, 38-1-27, 38-2-3.2, 40-10-9, 41-3-408, 41-12a-305, 41-22-29, 49-12-203, 49-12-402, 49-13-203, 53A-1-706, 53A-2-120, 53A-2-213, 53A-8-105, 53A-17a-107, 53A-28-401, 53B-8a-108, 53C-1-201, 54-1-3, 54-4-8, 54-8-24, 54-9-103, 57-1-31.5, 57-2a-4, 57-2a-7, 57-12-2, 57-12-14, 58-13-2, 58-17b-504, 58-61-307, 59-2-201, 59-2-1108, 59-2-1302, 59-2-1331, 59-2-1347, 59-7-605, 59-10-1009, 59-11-102, 59-13-204, 59-14-208, 59-22-304, 59-22-307, 61-2b-25, 62A-4a-107, 63-11-1, 63-30d-203, 63-38f-501, 63-46b-3, 63-46b-8, 63-55-259, 63-55-263, 63-55b-154, 63-55b-159, 63-55b-163, 63-55b-178, 63-56-806, 63-65-2, 63-90-2, 63A-3-205, 63F-1-205, 64-13-14, 67-11-2, 67-11-3, 67-11-4, 67-11-5, 67-11-6, 70A-2-504, 70A-3-312, 70A-10-102, 70C-7-107, 73-10-23, 75-2-1105, 75-3-902, 75-5-428, 76-6-505, 76-6-506.2, 76-6-603, 77-13-1, 77-19-4, 77-27-24, 77-27-29, 77-30-23, 77-30-25, 77-32-303, 78-13-1, 78-14-9.5, 78-24-14, 78-25-16, 78-31a-121, 78-34-4.5, 78-34-9, 78-34-21, 78-39-15, 78-45-7.5

Effective April 30, 2007

Chapter 306, Laws of Utah 2007

HB 265 Obstructing a Warrant or Order to Show Cause of a Parolee or Probationer
(*Rebecca D. Lockhart*)

This bill modifies the Criminal Code regarding obstructing service of a Board of Pardons and Parole warrant or an order to show cause regarding a probation or parole violation.

This bill:

- ▶ provides that a person is guilty of a third degree felony who:
 - aids a parolee to evade service of a warrant issued by the Board of Pardons and Parole for a parole violation; or
 - aids a probationer to evade service of an order to show cause regarding a violation of the probation agreement.

Enacts 76-8-306.5

Effective April 30, 2007

Chapter 155, Laws of Utah 2007

HB 268 Special Group License Plate Symbol Decal Reorder Amendments (*Ronda Rudd Menlove*)

This bill modifies the Motor Vehicles Code by amending provisions relating to special group license plates.

This bill:

- ▶ exempts the recognition special group license plate for a currently employed, volunteer, or retired firefighter from the symbol decal reorder fee if the decal is reordered on or after July 1, 2007, but on or before June 30, 2008; and
- ▶ makes technical changes.

Amends 41-1a-419

Effective April 30, 2007

Chapter 376, Laws of Utah 2007

HB 270 Amendments to Extradition Statute (*Scott L Wyatt*)

This bill modifies Title 77, Chapter 30, Extradition, regarding persons in Utah who have violated a parole or probation agreement entered into with another state.

This bill:

- ▶ provides that a person in Utah who has violated a probation, parole, bail, or other release agreement the person entered into with another state may be released to the demanding state without the need for a governor's warrant of extradition;
- ▶ provides that Utah may, prior to returning the person to the demanding state, try the person for any offenses the person committed in Utah; and
- ▶ clarifies that the person may return voluntarily to the demanding state.

Enacts 77-30-26.5

Effective April 30, 2007

Chapter 156, Laws of Utah 2007

HB 271 Corporation Law Amendments (*Kevin S. Garn*)

This bill makes changes relating to the election and service of corporate directors.

This bill:

- ▶ addresses the resignation of a director;
- ▶ allows a corporation to require that a nominee receive a majority of votes to serve a full term as a director;
- ▶ provides for a nominee's brief service as a director despite the failure to receive a majority of votes; and
- ▶ makes technical changes.

Amends 16-10a-805, 16-10a-807, 16-10a-1021

Enacts 16-10a-1023

Effective April 30, 2007

Chapter 85, Laws of Utah 2007

HB 273 Indoor Smoking Amendments (*Curtis Oda*)

This bill amends the Indoor Clean Air Act.

This bill:

- ▶ permits smoking in class B fraternal organizations until January 1, 2009 if:
 - the class B club is licensed prior to May 15, 2006; and
 - there are no children allowed in the class B club; and
- ▶ amends provisions for class D clubs and taverns that were licensed prior to May 15, 2006, to permit those clubs that have a change in ownership after May 15, 2006 to retain their smoking status until January 1, 2009.

Amends 26-38-3

Effective April 30, 2007

Chapter 20, Laws of Utah 2007

HB 274 Violent Crime in Presence of a Child (*Janice M. Fisher*)

This bill modifies the Criminal Code regarding aggravating factors to be considered by the judge or the Board of Pardons and Parole.

This bill:

- ▶ provides that the sentencing judge or the Board of Pardons and Parole shall consider the defendant's commission of a violent offense in the presence of a child 14 years of age or younger as an aggravating factor and clarifies that this provision does not affect any other provision regarding judicial discretion; and
- ▶ provides definitions.

Enacts 76-3-203.9

Effective April 30, 2007

Chapter 347, Laws of Utah 2007

HB 275 Offense Against Peace Officers (*Curtis Oda*)

This bill modifies the Criminal Code regarding the offense of propelling an item at a peace officer or correctional officer.

This bill:

- ▶ amends the offense of propelling substances at peace and correctional officers to include persons other than prisoners; and
- ▶ provides that the offense of propelling a bodily substance at an officer when the actor is infected with HIV, hepatitis B, or hepatitis C includes the requirement that the actor know that he or she is infected.

Amends 76-5-102.6

Effective April 30, 2007

Chapter 157, Laws of Utah 2007

HB 276 Health Facility Committee Amendments (*Christopher N. Herrod*)

This bill amends the Health Care Facility Licensing and Inspection Act.

This bill:

- ▶ amends the membership requirements for the Health Care Facility Committee.

Amends 26-21-3

Effective April 30, 2007

Chapter 158, Laws of Utah 2007

HB 277 Construction Amendments (*Michael T. Morley*)

This bill addresses construction related lien provisions.

This bill:

- ▶ clarifies the time limits for filing a lien notice;
- ▶ addresses information and forms required to be provided to the owner of a residence that is the subject of an action to enforce a lien;
- ▶ addresses the effect of a notice of commencement on earlier work;
- ▶ exempts wage laborers from filing a preliminary notice with the State Construction Registry;
- ▶ addresses rights under Title 38, Chapter 11, Residence Lien Restriction and Lien Recovery Fund Act; and
- ▶ makes technical changes.

Amends 38-1-7, 38-1-11, 38-1-25, 38-1-31, 38-1-32, 38-1-33, 38-11-204

Effective April 30, 2007

Chapter 332, Laws of Utah 2007

HB 279 Camcorder Piracy of Media (*Kevin S. Gam*)

This bill modifies Title 13, Commerce and Trade, by prohibiting the recording of a motion picture being displayed in a theater and providing criminal penalties.

This bill:

- ▶ provides definitions;
- ▶ establishes the offense of using any camcorder or similar device to record or transmit a motion picture displayed in a motion picture theater;
- ▶ provides that the first offense is a class A misdemeanor and any subsequent violation is a third degree felony;
- ▶ provides for detention of the offender by the theater owner or employee while law enforcement is contacted;
- ▶ provides protection from liability for an employer or employee who in good faith detains a person; and
- ▶ exempts law enforcement and investigation operations acting within the motion picture theater.

Enacts 13-10b-101, 13-10b-102, 13-10b-201, 13-10b-301, 13-10b-302, 13-10b-401

Effective April 30, 2007

Chapter 159, Laws of Utah 2007

HB 285 Land Use Development Management Act Amendments (*Aaron Tilton*)

This bill modifies county and municipal land use development and land use provisions relating to subdivision plats.

This bill:

- ▶ clarifies that the subdivision plat approval of an owner or operator of underground and utility facilities does not:
 - warrant or verify the location of those facilities; or
 - affect the owner or operator's rights.

Amends 10-9a-603, 17-27a-603

Effective April 30, 2007

Chapter 160, Laws of Utah 2007

HB 286 School Discipline and Conduct Amendments *(Eric K. Hutchings)*

This bill amends provisions of the State System of Public Education relating to school discipline and conduct.

This bill:

- ▶ defines terms;
- ▶ clarifies that school discipline and conduct provisions relate to all public schools, including charter schools;
- ▶ provides that it is unlawful to engage in disruptive student behavior;
- ▶ provides for standards, procedures, and administrative penalties to address disruptive student behavior;
- ▶ provides for the issuance of:
 - a notice of disruptive student behavior; or
 - a habitual disruptive student behavior citation;
- ▶ provides that a school-age minor who receives a habitual disruptive behavior citation is subject to the jurisdiction of the juvenile court; and
- ▶ makes technical corrections.

Amends 53A-11-901, 53A-11-902, 53A-11-903, 53A-11-904, 53A-11-905, 53A-11-906, 53A-11-907, 53A-11-908

Enacts 53A-11-910

Effective April 30, 2007

Chapter 161, Laws of Utah 2007

HB 292 Regulation of Direct Pathology Billing *(Mark W. Walker)*

This bill amends the unlawful and unprofessional conduct provisions of the Division of Occupational and Professional Licensing.

This bill:

- ▶ defines terms, including:
 - “health care provider”; and
 - “anatomic pathology services”; and
- ▶ prohibits a health care provider from marking up a bill or making a profit on certain anatomic pathology services.

Amends 58-1-501

Enacts 58-1-501.5

Effective April 30, 2007

Chapter 162, Laws of Utah 2007

HB 293 Centrally Assessed Property (*Kay L. McIff*)

This bill amends provisions of the Property Tax Act relating to the mailing of property tax assessment notices.

This bill:

- ▶ requires the State Tax Commission to notify an owner of certain centrally assessed property of its property tax assessment by certified mail;
- ▶ requires the State Tax Commission to notify an assessor of the county in which certain centrally assessed property is located of the property tax assessment by certified mail;
- ▶ provides that an owner of centrally assessed property, or the county assessor of the county in which the centrally assessed property is located, may object to the State Tax Commission's assessment within 30 days after the property tax assessment notice is mailed; and
- ▶ makes technical changes.

Amends 59-2-201, 59-2-1007

Effective April 30, 2007

Chapter 119, Laws of Utah 2007

HB 295 Insurance Law Amendments (*James A. Dunnigan*)

This bill modifies the Insurance Code.

This bill:

- ▶ addresses definitions;
- ▶ addresses examinations and costs of examinations;
- ▶ clarifies laws applicable to executive compensation;
- ▶ clarifies that certain acknowledgment forms are to be filed with the department;
- ▶ modifies certain policy and annuity examination periods;
- ▶ addresses accident and health insurance coverage related to birth or adoption;
- ▶ addresses requirements for the commissioner's adoption of a Basic Health Care Plan;
- ▶ addresses independent review organizations;
- ▶ addresses groups eligible for group or blanket insurance;
- ▶ removes certain references to a federal employer identification number;
- ▶ clarifies application of special requirements to title insurance producers which are agencies;
- ▶ allows for an insurer to provide incentives to participate in programs or activities designed to reduce claims or claims expenses;
- ▶ clarifies provisions related to sharing of commissions;
- ▶ addresses health care claims practices;
- ▶ modifies the Individual, Small Employer, and Group Health Insurance Act;
- ▶ addresses appointments to the Bail Bond Surety Oversight Board;
- ▶ addresses provisions applicable to a viatical settlement provider or viatical settlement producer;
- ▶ clarifies provisions related to examinations of captive insurance companies; and
- ▶ makes technical changes including correcting citations.
- ▶ This bill coordinates with H.B. 340, Insurer Receivership Act, to make technical changes.

Amends 31A-1-301, 31A-2-205, 31A-5-416, 31A-21-104, 31A-21-503, 31A-22-305, 31A-22-305.3, 31A-22-423, 31A-22-610, 31A-22-613.5, 31A-22-629, 31A-22-701, 31A-23a-104, 31A-23a-105, 31A-23a-117, 31A-23a-204, 31A-23a-401, 31A-23a-402, 31A-23a-504, 31A-25-202, 31A-26-202, 31A-26-301.6, 31A-27-331, 31A-30-103, 31A-30-107.3, 31A-30-107.5, 31A-30-112, 31A-35-201, 31A-36-102, 31A-36-104, 31A-36-105, 31A-36-106, 31A-36-107, 31A-36-108, 31A-36-109, 31A-36-110, 31A-36-111, 31A-36-112, 31A-36-113, 31A-36-117, 31A-36-119, 31A-37-502, 61-1-13

Effective April 30, 2007

Chapter 307, Laws of Utah 2007

HB 297 Calculation of Credit for Certain Repossessions of a Motor Vehicle (*Wayne A. Harper*)

This bill amends the Sales and Use Tax Act relating to a credit for certain repossessions of a motor vehicle.

This bill:

- ▶ provides that the credit for certain repossessions of a motor vehicle may not be reduced by any amount of a motor vehicle's unpaid purchase price that a seller recovers as a result of reselling the vehicle, regardless of whether that amount is included in calculating the credit; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-104.3

Effective July 1, 2007

Chapter 120, Laws of Utah 2007

HB 299 Nurse Practice Act Amendments (*Rebecca D. Lockhart*)

This bill amends how a licensee or potential licensee charged with a felony is treated under the Nurse Practice Act for purposes of licensure.

This bill:

- ▶ deletes existing licensing provisions under the Nurse Practice Act for persons charged with a felony;
- ▶ enacts new provisions that make a distinction between violent and nonviolent felonies; and
- ▶ specifies what impact a felony charge has on a person's license or ability to seek licensure under the Nurse Practice Act.

Amends 58-31b-302

Effective April 30, 2007

Chapter 49, Laws of Utah 2007

HB 300 Fireworks Display Fee Amendment (*Ronda Rudd Menlove*)

This bill modifies the Utah Fire Prevention and Safety Act regarding firework display license fees and the definition of certain explosives.

This bill:

- ▶ increases the fee for a display or special effects fireworks display operator license from \$10 to \$40; and
- ▶ amends the definition of classes A, B, and C explosives to reflect U.S. Department of Transportation definitions.

Amends 53-7-202, 53-7-223

Effective April 30, 2007

Chapter 253, Laws of Utah 2007

HB 301 Department of Transportation Projects - Categorically Excluded Environmental Projects
(Stephen H. Urquhart)

This bill modifies the Transportation Code by amending provisions relating to implementing certain federal highway programs.

This bill:

- ▶ authorizes the department to assume responsibility for:
 - determining whether state highway design or construction projects are categorically excluded from requirements for environmental assessments or environmental impact statements; and
 - environmental review, consultation, or other actions required under federal law for categorically excluded projects;
- ▶ authorizes the waiver of the state's immunity under the 11th Amendment of the United States Constitution if:
 - the executive director executes a memorandum of understanding with the United States Department of Transportation accepting jurisdiction of the federal courts for certain responsibilities that the Department of Transportation has assumed;
 - the attorney general has issued an opinion letter finding that the memorandum of understanding is valid and binding on the state; and
 - the act or omission that is the subject of the lawsuit arises out of or relates to compliance, discharge, or enforcement of responsibilities assumed by the Department of Transportation; and
- ▶ grants the Department of Transportation rulemaking authority to implement the program.

Amends 72-1-207

Enacts 72-6-120

Effective April 30, 2007

Chapter 333, Laws of Utah 2007

HB 302 Medical Examiner - Testing for Substances in Cases of Suspected Suicide
(Wayne A. Harper)

This bill amends the Utah Medical Examiner Act to provide for testing, in suicide cases, to determine the types of drugs or other substances that are present in the body of the deceased.

This bill:

- ▶ requires the medical examiner to endeavor to have tests conducted, for the presence of certain drugs or other substances, on a sample taken from the body of a deceased person who is suspected to have committed suicide;
- ▶ requires the medical examiner to maintain information regarding the types of drugs detected in the tests described in the preceding paragraph;
- ▶ requires the Department of Health to present a report regarding the information maintained under this bill to the Health and Human Services Interim Committee, on an annual basis, beginning in 2008; and
- ▶ requires that, within funds appropriated by the Legislature, the medical examiner shall provide compensation, at a standard rate determined by the medical examiner, to a deputy medical examiner who collects samples for the purposes described in this bill.

Enacts 26-4-28

Effective April 30, 2007

Chapter 205, Laws of Utah 2007

HB 304 State Treasurer Compensation (*David Clark*)

This bill modifies the salary for the state treasurer.

This bill:

- ▶ establishes the salary of the state treasurer at 95% of the governor's salary; and
- ▶ makes technical corrections.

Amends 67-22-1

Effective April 30, 2007

Chapter 13, Laws of Utah 2007

HB 307 Certified Investment Adviser (*Julie Fisher*)

This bill modifies the State Money Management Act by eliminating the option of using a noncertified dealer.

This bill:

- ▶ eliminates the option for certified investment advisers to use noncertified dealers; and
- ▶ makes technical changes.

Amends 51-7-11.5

Effective April 30, 2007

Chapter 254, Laws of Utah 2007

HB 309 Scott B. Lundell Tuition Waiver for Military Members' Surviving Dependents (*Gregory H. Hughes*)

This bill provides a tuition waiver for surviving dependents of military members under specified conditions.

This bill:

- ▶ waives the undergraduate tuition at state institutions of higher education for surviving dependents of Utah resident military members killed on federal active duty.

Enacts 53B-8-107

Effective April 30, 2007

Chapter 163, Laws of Utah 2007

HB 310 Transfer of Student Records (*Tim M. Cosgrove*)

This bill modifies the requirements of schools relating to transfer students' records.

This bill:

- ▶ requires a school that has been requested to forward a copy of a transferring student's record to the new school to comply within 30 school days of the request; and
- ▶ makes technical corrections.

Amends 53A-11-504

Effective April 30, 2007

Chapter 164, Laws of Utah 2007

HB 311 Utah Dairy Act Amendments (*Kerry W. Gibson*)

This bill amends the Utah Dairy Act to allow the sale of raw milk under certain conditions.

This bill:

- ▶ defines terms;
- ▶ prohibits cow-share programs; and
- ▶ allows a producer to sell raw milk at a self-owned retail store if certain requirements are met.

Amends 4-3-1, 4-3-10, 4-3-14

Effective April 30, 2007

Chapter 165, Laws of Utah 2007

HB 314 Transportation Funding Revisions *(Rebecca D. Lockhart)*

This bill amends provisions relating to funding for transportation.

This bill:

- ▶ creates the Critical Highway Needs Fund;
- ▶ requires the Division of Finance to annually deposit \$90,000,000 of certain sales and use tax revenue into the Critical Highway Needs Fund;
- ▶ authorizes the issuance of general obligation bonds to pay for certain state highway construction or reconstruction projects;
- ▶ specifies the use of general obligation bond proceeds and the manner of issuance;
- ▶ exempts certain transportation transfers or appropriations from certain appropriations limit provisions;
- ▶ exempts the general obligation bonds from certain debt limitation provisions;
- ▶ requires the Division of Finance to transfer funds from the Centennial Highway Fund Restricted Account into the Transportation Investment Fund of 2005 if the fund monies are not required to pay certain costs for highway projects in the Centennial Highway Program in the current fiscal year;
- ▶ requires the Department of Transportation to establish and the Transportation Commission to prioritize a list of highway construction or reconstruction projects based on certain criteria using monies deposited into the Critical Highway Needs Fund and the bond proceeds authorized;
- ▶ requires the Department of Transportation and the Transportation Commission to report the list of prioritized projects and the amount of bonds needed to fund the projects in the next fiscal year to the Executive Appropriations Committee of the Legislature before the bonds may be issued;
- ▶ requires the Division of Finance to transfer the Critical Highway Needs Fund revenue source and any existing fund balance to the Transportation Investment Fund of 2005 when certain general obligation bonds are paid off and certain projects completed;
- ▶ requires the Division of Finance to:
 - monitor certain general obligation bonds; and
 - report on the status of the bonds to the Executive Appropriations Committee upon request;
- ▶ requires the Department of Transportation to:
 - monitor certain highway projects;
 - report on the status of the projects to the Executive Appropriations Committee upon request;
- ▶ requires the Department of Transportation to establish a finance plan and scope of work for the construction of Interstate 15 in Utah County and report to the Executive Appropriations Committee of the Legislature prior to November 30, 2007; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-103, 63-38c-103, 63-38c-402, 72-2-118

Enacts 63B-16-101, 72-2-125

Effective July 1, 2007

Chapter 206, Laws of Utah 2007

HB 315 Regulation of Electric Personal Assistive Mobility Devices (*Aaron Tilton*)

This bill modifies the Motor Vehicles Code by amending provisions relating to electric personal assistive mobility devices.

This bill:

- ▶ amends definitions;
- ▶ authorizes the use of an electric personal assistive mobility device on a sidewalk, trail, or roadway where bicycles are allowed in certain circumstances;
- ▶ provides requirements for the operation of an electric personal assistive mobility device on a sidewalk, trail, or highway where bicycles are allowed;
- ▶ authorizes the use of an electric personal assistive mobility device at night if certain lighting requirements are satisfied;
- ▶ prohibits a person from operating an electric personal assistive mobility device while carrying certain items;
- ▶ provides that only one person may operate an electric personal assistive mobility device at a time;
- ▶ prohibits parking an electric personal assistive mobility device in a manner that obstructs vehicular or pedestrian traffic;
- ▶ authorizes a local authority to adopt an ordinance regulating the use of an electric personal assistive mobility device; and
- ▶ makes technical changes.

Amends 13-35-102, 41-1a-202, 41-6a-102, 41-6a-1116, 41-6a-1505, 41-12a-301

Enacts 41-6a-1116.5

Effective April 30, 2007

Chapter 86, Laws of Utah 2007

HB 316 Expansion of Career Service to the Office of Attorney General (*Rebecca D. Lockhart*)

This bill modifies Title 67, State Officers and Employees, to move employees of the Office of the Attorney General from career service and classified service provisions under the Department of Human Resource Management to their own career service system.

This bill:

- ▶ expands the career service system now applicable to attorneys employed by the Office of the Attorney General to include all employees employed by the Office of the Attorney General;
- ▶ expands the exemption from classified service provisions under the Department of Human Resource Management from attorneys employed in the Office of the Attorney General to include all employees employed by the Office of the Attorney General;
- ▶ expands the exemption from career service provisions under the Department of Human Resource Management to all employees in the Office of the Attorney General; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 15, 2007.

Amends 67-5-7, 67-5-8, 67-5-9, 67-5-11, 67-5-12, 67-5-13, 67-19-12, 67-19-15

Effective July 15, 2007

Chapter 166, Laws of Utah 2007

HB 317 Capitol Hill Complex - Legislative Space (*Wayne A. Harper*)

This bill amends the Legislative Code to outline those areas of Capitol hill that are defined as legislative space.

This bill:

- ▶ amends the Legislative Code to outline those areas of Capitol hill that are defined as legislative space;
- ▶ amends certain definitions;
- ▶ defines legislative space in the State Capitol, Senate Building, and House Building;
- ▶ provides exceptions as to Legislative Management Committee's jurisdiction over the legislative area; and
- ▶ makes technical changes.
- ▶ This bill provides an effective date.

Amends 36-5-1, 36-12-18

Effective April 30, 2007

Chapter 121, Laws of Utah 2007

HB 318 Charter School Facilities Financing Act (*Stephen H. Urquhart*)

This bill creates the State Charter School Financing Authority to provide financing for charter school facilities.

This bill:

- ▶ creates the State Charter School Financing Authority;
- ▶ defines the authority's powers and duties, including the power to issue obligations under the Utah Industrial Facilities and Development Act; and
- ▶ provides that obligations issued by the authority do not constitute a debt, moral obligation, or liability of the state or any political subdivision of the state.

Enacts 11-17-20, 53A-20b-101, 53A-20b-102, 53A-20b-103, 53A-20b-104, 53A-20b-105, 53A-20b-106

Effective April 30, 2007

Chapter 167, Laws of Utah 2007

HB 323 Education Fund Conforming Amendments (*Ron Bigelow*)

This bill modifies sections of the Utah Code to reflect changes necessary because of the creation of the Education Fund.

This bill:

- ▶ modifies sections to ensure the appropriate deposits and transfers into, and appropriations and transfers from, the Education Fund; and
- ▶ adjusts the definitions in the State Appropriations and Tax Limitation Act to ensure that the exemption for public education expenditures is preserved.

Amends 53A-16-101, 59-7-532, 59-7-614, 59-7-614.1, 59-10-544, 59-10-1005, 59-10-1014, 59-10-1105, 63-38-2.6, 63-38-9, 63-38c-103

Effective April 30, 2007

Chapter 122, Laws of Utah 2007

HB 326 **Repeal of Juvenile Justice Services Victim Restitution Account** (*Douglas C. Aagard*)

This bill repeals the Juvenile Justice Services Victim Restitution Account.

This bill:

- ▶ repeals the Juvenile Justice Services Victim Restitution Account created in Section 62A-7-110.5; and
- ▶ makes technical amendments.

Amends 62A-7-111.5

Repeals 62A-7-110.5

Effective April 30, 2007

Chapter 308, Laws of Utah 2007

HB 327 **State Agency Timely Adoption of Administrative Rules** (*David Clark*)

This bill requires state agencies to submit administrative rules required by law to the Division of Administrative Rules for publishing within six months of the passage of the law and requires state agencies who do not meet the deadline to show cause.

This bill:

- ▶ requires state agencies to submit to the Division of Administrative Rules for publishing any rules required by statute within 180 days of the effective date of the statute; and
- ▶ requires state agencies that do not meet the deadline for publishing required rules to appear before the legislative Administrative Rules Review Committee to provide reasons for the delay.

Amends 63-46a-4

Effective April 30, 2007

Chapter 168, Laws of Utah 2007

HB 328 Child Protection and Parental Rights Amendments (*Wayne A. Harper*)

This bill amends provisions of the Utah Human Services Code and the Juvenile Court Act of 1996 relating to the placement of abused, neglected, and dependent children.

This bill:

- ▶ replaces the term “emergency kinship placement” with “emergency placement”;
- ▶ provides that investigative interviews of a child in protective custody, if the child is at least nine years old, may be conducted without recording the interview, if the child refuses to have the interview recorded;
- ▶ provides that investigative interviews of a child in protective custody may be conducted without a support person present, if the child refuses the presence of a support person;
- ▶ modifies the requirement regarding notification of former foster parents when a child reenters custody of the Division of Child and Family Services;
- ▶ expands the options for emergency placement of a child to include placement with a friend of the child’s parents if the friend is licensed as a foster parent or with another foster family;
- ▶ provides that the Division of Child and Family Services, within the Department of Human Services, has the discretion to determine whether the division will seek and contact references as part of the division’s emergency placement background check;
- ▶ removes the requirement that the division convene a family unity meeting before a shelter hearing;
- ▶ establishes the order of priority among potential placements for a child;
- ▶ expands the options for placing a child in shelter care to include placement with a friend of the child’s parent if the friend is licensed as a foster parent;
- ▶ requires, subject to certain exceptions, that a child be present at certain hearings in an abuse, neglect, or dependency case;
- ▶ requires, subject to certain exceptions, that the court allow a child to address the court or testify during certain court appearances relating to the abuse, neglect, or dependency of the child;
- ▶ requires the Department of Human Services to expedite the process for licensing a friend of a parent whose child is in the custody of the Division of Child and Family Services as a foster parent, and requires the court to determine whether it is in the best interest of the child to be placed with the parent’s friend if the friend becomes licensed as a foster parent; and
- ▶ makes technical changes.

Amends 62A-4a-202.1, 62A-4a-202.3, 62A-4a-205, 62A-4a-206.1, 62A-4a-209, 62A-4a-414, 78-3a-306, 78-3a-307, 78-3a-312

Enacts 78-3a-305.5

Effective April 30, 2007

Chapter 169, Laws of Utah 2007

HB 333 Materials Harmful to Minors (*Aaron Tilton*)

This bill modifies criminal provisions related to materials harmful to minors.

This bill:

- ▶ defines and modifies terms;
- ▶ provides as an affirmative defense the use of blinder racks or other physical means preventing the display of outer portions of materials harmful to minors;
- ▶ allows for local regulation of the use of blinder racks;
- ▶ addresses provisions related to indecent public displays to minors; and
- ▶ makes technical and conforming amendments.

Amends 76-10-1201, 76-10-1208, 76-10-1210, 76-10-1227, 76-10-1228

Effective April 30, 2007

Chapter 123, Laws of Utah 2007

HB 335 Local Government - Charitable Contributions (*Brad L. Dee*)

This bill modifies a provision relating to county assistance to nonprofit entities.

This bill:

- ▶ clarifies that a county may use its own funds or funds the county receives from the state or any other source in providing monetary assistance to a nonprofit entity; and
- ▶ makes technical changes.

Amends 17-50-303

Effective April 30, 2007

Chapter 377, Laws of Utah 2007

HB 337 Local Government Post-employment Benefit Trust Funds Amendments (*Keith Grover*)

This bill modifies the State Money Management Act by amending provisions related to local government other post-employment benefits trust funds.

This bill:

- ▶ provides that local government other post-employment benefits trust funds are exempt from the requirements to invest monies in certain assets;
- ▶ defines certain terms;
- ▶ requires all local government other post-employment benefits trust fund monies in the custody of a public treasurer to be established in a separate trust fund;
- ▶ requires monies in a local government OPEB trust fund to be deposited or invested in certain types of assets that meet certain criteria;
- ▶ provides that the state treasurer may develop and offer a variety of asset allocation options for monies in an OPEB trust fund and review the options for efficiency as needed;
- ▶ allows the state treasurer to charge an administrative fee for cost incurred in the management of local government OPEB funds within an asset allocation option; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 7, Post-Retirement Benefits Trust Fund, by inserting new substantive language.

Amends 51-7-3, 51-7-11

Enacts 51-7-12.2

Effective April 30, 2007

Chapter 207, Laws of Utah 2007

HB 339 Regulation of Cottage Food Production Operation (*Roger E. Barrus*)

This bill amends the Utah Wholesome Food Production Act to provide for the registration of cottage food production operations as food establishments.

This bill:

- ▶ defines terms, including cottage food production operation and potentially hazardous food product;
- ▶ requires the Department of Agriculture and Food to develop administrative rules to register cottage food production operations as food establishments; and
- ▶ clarifies the jurisdiction of the Department of Agriculture and Food and local health departments regarding the regulation of cottage food production operations.

Enacts 4-5-9.5

Effective April 30, 2007

Chapter 334, Laws of Utah 2007

HB 340 Insurer Receivership Act (*James A. Dunnigan*)

This bill modifies the Insurance Code by repealing existing insurer rehabilitation and liquidation provisions and enacting the Insurer Receivership Act.

This bill:

- ▶ repeals most provisions of Title 31A, Chapter 27, Insurers Rehabilitation and Liquidation, and enacts Title 31A, Chapter 27a, Insurer Receivership Act;
- ▶ rennumbers and amends provisions in Title 31A, Chapter 27, related to administrative actions;
- ▶ provides general provisions relating to:
 - construction and commissioner's powers;
 - definitions;
 - insurer receivership laws;
 - persons covered;
 - court proceedings including jurisdiction, venue, notice and hearings, injunctions, orders, and statutes of limitations;
 - exemptions from fees;
 - cooperation of officers, owners, and employees;
 - actions by and against a receiver, providing immunity and indemnification, and the possession and control of an insurer's records by a receiver;
 - affiliates;
 - executory contracts;
 - financial obligations, including approval and payment of expenses and financial reporting;
 - reporting;
 - records;
 - the affect of delinquency proceedings commenced before April 30, 2007; and
 - severability;
- ▶ provides procedures governing delinquency proceedings, including:
 - commencing delinquency proceedings, expedited trials, decisions, and appeals;
 - preserving the confidentiality of the proceedings; and
 - finding grounds for rehabilitation or liquidation, and the entry and effect of an order of rehabilitation or liquidation;
- ▶ provides provisions governing the rehabilitation of an insurer, including:
 - issuing rehabilitation orders;
 - establishing the powers and duties of the rehabilitator;
 - filing of rehabilitation plans;
 - terminating rehabilitation; and
 - requiring coordination with guaranty associations to assist in the orderly transition to rehabilitation or liquidation;
- ▶ establishes provisions for liquidation of an insurer, including:
 - addressing liquidation orders;
 - addressing continuance of coverage;
 - providing for the sale or dissolution of the corporate entity;
 - establishing the power of the liquidator;

- providing notice requirements; and
- duties of agents;
- ▶ addresses asset recovery, including:
 - turning over assets;
 - recovering from affiliates;
 - addressing unauthorized postpetition transfers;
 - addressing voidable preferences and liens;
 - addressing avoidance of property title transfers;
 - addressing fraudulent transfers and obligations;
 - addressing receiver as lien creditor;
 - addressing liability of transferees;
 - providing for setoffs;
 - providing for assessments;
 - addressing a reinsurer's liability;
 - reinsurance;
 - recovering of premiums owed;
 - commutation and release agreements; and
 - requiring in certain circumstances reinsurance recoverable trust;
- ▶ establishes claim procedures relating to:
 - filing, proof, and allowance of claims;
 - claims under occurrence policies, surety bonds, and surety undertakings;
 - allowance of contingent and unliquidated claims;
 - provisions for third party claims, disputed claims, codebtors, and secured creditors' claims;
 - qualified financial contracts; and
 - provides for the administration of deductive policies and insured collateral;
- ▶ provides for distribution of assets, including priority for distribution, early distribution, and partial and final distribution;
- ▶ establishes discharge and termination of delinquency proceedings;
- ▶ establishes provisions relating to interstate relations; and
- ▶ makes technical and conforming changes.

Amends 31A-1-106, 31A-2-108, 31A-2-203, 31A-2-204, 31A-2-206, 31A-2-207, 31A-2-212, 31A-2-308, 31A-5-212, 31A-5-217, 31A-5-305, 31A-5-416, 31A-5-504, 31A-5-506, 31A-8-213, 31A-9-502, 31A-9-504, 31A-11-104, 31A-11-109, 31A-13-107, 31A-14-206, 31A-14-215, 31A-14-217, 31A-15-105, 31A-17-605, 31A-17-606, 31A-17-609, 31A-17-610, 31A-18-106, 31A-22-617, 31A-23a-704, 31A-28-108, 31A-28-114, 31A-28-207, 31A-28-213, 31A-35-103, 31A-37-504

Enacts 31A-27-502, 31A-27a-101, 31A-27a-102, 31A-27a-103, 31A-27a-104, 31A-27a-105, 31A-27a-106, 31A-27a-107, 31A-27a-108, 31A-27a-109, 31A-27a-110, 31A-27a-111, 31A-27a-112, 31A-27a-113, 31A-27a-114, 31A-27a-115, 31A-27a-116, 31A-27a-117, 31A-27a-119, 31A-27a-120, 31A-27a-201, 31A-27a-202, 31A-27a-203, 31A-27a-204, 31A-27a-205, 31A-27a-206, 31A-27a-207, 31A-27a-208, 31A-27a-209, 31A-27a-301, 31A-27a-302, 31A-27a-303, 31A-27a-304, 31A-27a-305, 31A-27a-401, 31A-27a-402, 31A-27a-403, 31A-27a-404, 31A-27a-405, 31A-27a-406, 31A-27a-407, 31A-27a-501, 31A-27a-502, 31A-27a-503, 31A-27a-504, 31A-27a-505, 31A-27a-506, 31A-27a-507,

31A-27a-508, 31A-27a-509, 31A-27a-510, 31A-27a-511, 31A-27a-512, 31A-27a-513, 31A-27a-514, 31A-27a-515, 31A-27a-516, 31A-27a-601, 31A-27a-602, 31A-27a-603, 31A-27a-604, 31A-27a-605, 31A-27a-606, 31A-27a-607, 31A-27a-608, 31A-27a-609, 31A-27a-610, 31A-27a-611, 31A-27a-612, 31A-27a-701, 31A-27a-702, 31A-27a-703, 31A-27a-704, 31A-27a-705, 31A-27a-801, 31A-27a-802, 31A-27a-803, 31A-27a-804, 31A-27a-805, 31A-27a-901, 31A-27a-902

Renumbers and Amends 31A-27-101 to 31A-27-501, 31A-27-107 to 31A-27a-118, 31A-27-201 to 31A-27-503, 31A-27-203 to 31A-27-504

Repeals 31A-27-102, 31A-27-103, 31A-27-104, 31A-27-105, 31A-27-106, 31A-27-108, 31A-27-109, 31A-27-110, 31A-27-202, 31A-27-301, 31A-27-302, 31A-27-303, 31A-27-304, 31A-27-305, 31A-27-306, 31A-27-307, 31A-27-308, 31A-27-309, 31A-27-310, 31A-27-311, 31A-27-311.5, 31A-27-312, 31A-27-313, 31A-27-314, 31A-27-315, 31A-27-316, 31A-27-317, 31A-27-318, 31A-27-319, 31A-27-320, 31A-27-321, 31A-27-322, 31A-27-323, 31A-27-324, 31A-27-325, 31A-27-326, 31A-27-327, 31A-27-328, 31A-27-329, 31A-27-330, 31A-27-330.5, 31A-27-330.6, 31A-27-331, 31A-27-332, 31A-27-333, 31A-27-334, 31A-27-335, 31A-27-335.5, 31A-27-336, 31A-27-337, 31A-27-338, 31A-27-339, 31A-27-340, 31A-27-341, 31A-27-342, 31A-27-401, 31A-27-402, 31A-27-403, 31A-27-404, 31A-27-405, 31A-27-406, 31A-27-407, 31A-27-408, 31A-27-409, 31A-27-410, 31A-27-411

Effective April 30, 2007

Chapter 309, Laws of Utah 2007

HB 341 Attorney General Crime Violence Prevention Special Revenue Fund
(Paul A. Neuenschwander)

This bill creates a restricted special revenue fund for the receipt and expenditure of certain charitable gifts and donations to the Office of the Attorney General.

This bill:

- ▶ creates a restricted special revenue fund known as the Attorney General Crime and Violence Prevention Fund for the receipt and expenditure of certain charitable gifts and donations to the Office of the Attorney General; and
- ▶ provides for the administration and use of the fund.

Enacts 67-5-22

Effective April 30, 2007

Chapter 124, Laws of Utah 2007

HB 343 Foster Placement and Adoption Amendments (Lorie D. Fowlke)

This bill amends provisions of the Judicial Code relating to foster placements and adoption.

This bill:

- ▶ subject to certain exceptions, establishes a priority for placing a child with a man and a woman who are married to each other when the child is placed in a foster placement or for adoption;
- ▶ prohibits taking religion into account, or discriminating against a particular religion, when determining the placement of a child in foster care, unless religion is taken into account for the purpose of placing the child with a person or family of the same religion as the child; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 328 by providing substantive and technical amendments.

Amends 78-3a-307, 78-30-1

Effective April 30, 2007

Chapter 255, Laws of Utah 2007

HB 347 Municipal Election Law Provisions (*Douglas C. Aagard*)

This bill modifies provisions of the Election Code.

This bill:

- ▶ makes technical amendments;
- ▶ modifies definitions;
- ▶ moves the date of the municipal primary election from October to September;
- ▶ modifies provisions governing the days and hours of poll operation for early voting in local special elections, municipal primary elections, and municipal general elections;
- ▶ provides that use of machines that provide disability access is not required for early voting in local special elections, municipal primary elections, and municipal elections;
- ▶ permits municipalities to combine up to four voting precincts into a single precinct for voting purposes in municipal elections;
- ▶ provides that the use of electronic voting machines is not required for municipal primary elections or municipal general elections;
- ▶ permits poll workers who are assigned to a voting precinct during a municipal election to reside within the county, rather than within the precinct they are assigned to; and
- ▶ adjusts the deadline for filing declarations of candidacy and nomination petitions for municipal elections.

Amends 10-3-201, 10-3-208, 20A-1-102, 20A-1-201.5, 20A-3-601, 20A-3-602, 20A-3-603, 20A-5-301, 20A-5-302, 20A-5-602, 20A-9-203, 20A-9-404

Effective April 30, 2007

Chapter 256, Laws of Utah 2007

HB 349 Accounting Audit Standards (*Keith Grover*)

This bill modifies the Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act.

This bill:

- ▶ modifies definitions to clarify that financial reporting by local governments be done in conformity with generally accepted accounting principles.

Amends 51-2a-102

Effective April 30, 2007

Chapter 170, Laws of Utah 2007

HB 351 Revolving Loan Fund for Certain Energy Efficient Projects (*Roger E. Barrus*)

This bill creates a revolving loan fund for use by school districts to improve energy efficiency in school district buildings.

This bill:

- ▶ establishes a revolving loan fund to fund energy efficiency projects in buildings in school districts;
- ▶ establishes the revenue and use of the fund;
- ▶ authorizes the Board of Utah Geologic Survey to make rules establishing eligibility and prioritization criteria for disbursing monies from the fund;
- ▶ grants the board other powers and directions regarding making loans from the fund; and
- ▶ adds the new fund to the list of revolving loan funds for which the Division of Finance exercises some oversight and jurisdiction.
- ▶ This bill appropriates:
\$5,000,000 for fiscal year 2007-2008 only, to the Energy Efficiency Fund.

Amends 63A-3-205

Enacts 53A-20b-101, 53A-20b-102

Effective April 30, 2007

Chapter 335, Laws of Utah 2007

HB 352 Local Government Regulation of Billboards (*Melvin R. Brown*)

This bill modifies county and municipal land use development and management provisions relating to billboards.

This bill:

- ▶ provides that a county or municipality is considered to have initiated the acquisition of a billboard structure by eminent domain if the county or municipality prevents a billboard owner from structurally modifying or upgrading a billboard or relocating a billboard to another specified location;
- ▶ provides that a relocated billboard may be erected to a certain height and angle;
- ▶ clarifies a provision allowing for a county or municipal issued billboard permit to remain valid until a period after a required state permit is issued; and
- ▶ makes technical changes

Amends 10-9a-511, 10-9a-513, 17-27a-510, 17-27a-512

Effective April 30, 2007

Chapter 171, Laws of Utah 2007

HB 354 Bus Passenger Safety Act Amendments (*Mark W. Walker*)

This bill modifies provisions of the Bus Passenger Safety Act related to the carrying of concealed dangerous weapons or hazardous materials or devices into a bus terminal or aboard a bus.

This bill:

- ▶ provides uniformity in the exceptions provisions of the Bus Passenger Safety Act regarding individuals who may carry a weapon or firearm into a bus terminal or onto a bus;
- ▶ modifies contradictory felony penalty provisions for a violation of boarding a bus with a concealed dangerous weapon or firearm; and
- ▶ makes certain technical changes.

Amends 76-10-1504, 76-10-1507

Effective April 30, 2007

Chapter 310, Laws of Utah 2007

HB 356 DNA Exoneration Amendments (*David Litvack*)

This bill modifies the Public Safety Code regarding procedures and funding for convicted persons' requests for DNA testing.

This bill:

- ▶ provides that when a convicted person requests a DNA analysis in order to prove innocence, the test:
 - must be made using a scientifically accepted procedure; and
 - will be paid for from monies appropriated to the DNA Specimen Restricted Account for use of the Department of Corrections, if:
 - the court has ordered the DNA test upon petition from the defendant;
 - the state crime laboratory does not have the resources to conduct the ordered DNA test; and
 - the defendant is incarcerated and indigent.

Amends 53-10-407, 78-35a-301

Effective April 30, 2007

Chapter 125, Laws of Utah 2007

HB 358 Cervical Cancer Prevention (*Karen W. Morgan*)

This bill amends the Health Promotion and Risk Reduction chapter of the Health Code.

This bill:

- ▶ directs the Department of Health to establish a public awareness campaign to educate parents, healthcare providers, and women about the causes and risks of cervical cancer and the prevention of cervical cancer.

Enacts 26-7-3

Effective April 30, 2007

Chapter 208, Laws of Utah 2007

HB 360 Orderly School Termination Act Amendments (*Bradley G. Last*)

This bill modifies procedures for the termination or discontinuation of a career employees' contract.

This bill:

- ▶ amends definitions;
- ▶ amends procedures for the termination or discontinuation of a career employees' contract; and
- ▶ makes technical corrections.

Amends 53A-8-102, 53A-8-104

Effective April 30, 2007

Chapter 348, Laws of Utah 2007

HB 362 Annexation Amendments (*Gregory H. Hughes*)

This bill modifies provisions relating to municipal annexations.

This bill:

- ▶ changes a time period before which a public hearing on a proposed annexation may not be held from 60 to 30 days after adoption of a resolution proposing the annexation;
- ▶ authorizes a municipality to adopt an annexation ordinance without allowing or considering protests if the owners of 75% of the land with 75% of the value have consented to the annexation;
- ▶ modifies the protest threshold for a certain type of annexation;
- ▶ eliminates the requirement of county legislative body approval for a certain type of annexation;
- ▶ modifies the criteria for a municipality to annex an unincorporated island or peninsula without an annexation petition;
- ▶ prohibits a municipality from annexing an area that is within the conical surface area of an airport operated or to be operated by another municipality without that other municipality's consent;
- ▶ prohibits a municipality that does not consent to an annexation by another municipality of an area that is within the conical surface area of the municipality's airport from denying an annexation petition proposing the annexation of that same area to that municipality;
- ▶ exempts certain annexations from provisions relating to the effective date of annexations; and
- ▶ establishes an immediate conclusive presumption in favor of annexations that have been finalized without allowing or considering protests.
- ▶ This bill provides an effective date.

Amends 10-2-402, 10-2-418, 10-2-425

Effective March 20, 2007

Chapter 378, Laws of Utah 2007

HB 364 Public School Textbook Evaluation (*Gage Froerer*)

This bill establishes requirements related to public education instructional materials.

This bill:

- ▶ prohibits a school district from purchasing certain instructional materials unless the materials have been evaluated by an independent party for alignment with the core curriculum;
- ▶ requires that the alignment evaluation be made available on a website at no charge; and
- ▶ exempts charter schools from the evaluation requirements.

Amends 53A-1a-511

Enacts 53A-14-107

Effective April 30, 2007

Chapter 349, Laws of Utah 2007

HB 365 Eminent Domain Authority of Community Development and Renewal Agencies
(Stephen H. Urquhart)

This bill modifies provisions relating to community development and renewal agencies.

This bill:

- ▶ authorizes community development and renewal agencies to acquire property by eminent domain in an urban renewal project area under certain circumstances and in an earlier established project area if, under prior law, the agency made a finding of blight and other conditions are met;
- ▶ conditions an agency's authority to acquire by eminent domain single-family owner occupied residential property or commercial property on the owner's consent or on a petition by other property owners and a 2/3 vote of the agency board;
- ▶ modifies requirements for notice of a blight hearing;
- ▶ imposes prerequisites on community development and renewal agencies before they may acquire property by eminent domain;
- ▶ authorizes a property owner to bring a civil action against a community development and renewal agency for the agency's violation of a requirement to provide a written declaration;
- ▶ requires an agency to keep a record of its good faith negotiations with the property owner; and
- ▶ authorizes a court to award court costs, attorney fees, relocation expenses, and compensation for damage to fixtures or other personal property.

Amends 17C-1-206, 17C-2-503; Enacts 17C-2-601, 17C-2-602, 17C-2-603

Effective April 30, 2007

Chapter 379, Laws of Utah 2007

HB 367 Global Positioning Reference Network (Kory M. Holdaway)

This bill modifies provisions relating to the Statewide Global Positioning Reference Network.

This bill:

- ▶ gives a name to a previously unnamed committee that advises the Automated Geographic Reference Center;
- ▶ changes the membership of the advisory committee; and
- ▶ requires the chief information officer, rather than the Division of Integrated Technology, to make rules for operating policies and procedures for the Statewide Global Positioning Reference Network.

Amends 63F-1-509

Effective April 30, 2007

Chapter 257, Laws of Utah 2007

HB 368 Early Voting Polling Places (*Mark W. Walker*)

This bill modifies provisions in the Election Code relating to early voting polling places.

This bill:

- ▶ requires that, during regular general elections and regular primary elections, counties of the first and second class shall ensure that:
 - at least one early voting polling place is located within each complete or partial Utah State Senate district in the county; and
 - within each of the above districts, at least one early voting polling place is open on each day that early voting is offered; and
- ▶ makes technical changes.

Amends 20A-3-603

Effective April 30, 2007

Chapter 258, Laws of Utah 2007

HB 369 Nursing Care Facility Licensure Modifications (*Stephen H. Urquhart*)

This bill amends the Long-term Care Facility - Licensing part of the Health Code.

This bill:

- ▶ defines terms;
- ▶ places restrictions on the Department of Health's authority to issue a license for certain nursing care facilities; and
- ▶ adds a sunset date of July 1, 2009.
- ▶ This bill provides an immediate effective date.
- ▶ This bill provides revisor instructions.

Amends 26-18-503, 63-55-226; Enacts 26-21-23

Effective February 28, 2007

Chapter 24, Laws of Utah 2007

HB 371 Applied Technology Education Amendments (*Ron Bigelow*)

This bill modifies provisions relating to applied technology education, including merging the Southeast Applied Technology College with the College of Eastern Utah.

This bill:

- ▶ provides definitions;
- ▶ requires specific parental notification and consent before minor public education students may participate in the clinical experience segment of health care occupation programs;
- ▶ removes the Southeast Applied Technology College from the Utah College of Applied Technology and transfers its functions and responsibilities to the College of Eastern Utah;
- ▶ provides tuition uniformity for duplicate programs;
- ▶ creates an applied technology advisory committee at the College of Eastern Utah and specifies its membership and duties;
- ▶ modifies applied technology education reporting provisions; and
- ▶ makes technical corrections.
- ▶ This bill takes effect on July 1, 2007.

Amends 53A-15-202, 53B-2a-101, 53B-2a-102, 53B-2a-103, 53B-2a-104, 53B-2a-105, 53B-2a-106, 53B-2a-108, 53B-16-201

Enacts 53B-16-207, 53B-16-208

Effective July 1, 2007

Chapter 259, Laws of Utah 2007

HB 374 Integrated Health System Fair Practices Act (*Rebecca D. Lockhart*)

This bill creates the Integrated Health System Fair Practices Act.

This bill:

- ▶ defines terms; and
- ▶ requires an integrated health system to restrict certain communications between affiliates and subsidiaries in certain circumstances.

Enacts 13-5b-101, 13-5b-102, 13-5b-103

Effective April 30, 2007

Chapter 172, Laws of Utah 2007

HB 375 Sex Offender Restrictions (*Gregory H. Hughes*)

This bill modifies the Code of Criminal Procedure to limit where persons may be if they are sex offenders against children and defines these restricted areas and places. This bill also amends lewdness provisions.

This bill:

- ▶ increases the penalties for lewdness offenses committed by a sex offender; and
- ▶ restricts locations where offenders convicted of specified sex offenses may be, with certain exceptions.

Amends 76-9-702, 76-9-702.5

Enacts 77-27-21.7

Effective April 30, 2007

Chapter 350, Laws of Utah 2007

HB 382 Amendments to Education Funding (*Brad L. Dee*)

This bill provides salary increases and bonuses for educators and bonuses for classified personnel employed by school districts, charter schools, and the Utah Schools for the Deaf and the Blind.

This bill:

- ▶ directs the Legislature, subject to future budget constraints, to appropriate money for educator salary adjustments;
- ▶ defines “educator”;
- ▶ provides that the salary adjustment shall be the same for each full-time-equivalent educator position;
- ▶ provides that only educators who have had a satisfactory or better evaluation are eligible for salary adjustments;
- ▶ authorizes the State Board of Education to make rules as necessary to administer the salary adjustment;
- ▶ provides bonuses for educators and classified personnel employed by school districts, charter schools, and the Utah Schools for the Deaf and the Blind; and
- ▶ modifies provisions relating to the adjustment of salaries for nonadministrative licensed staff of the Utah Schools for the Deaf and the Blind.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation, \$68,700,000 from the Uniform School Fund for fiscal year 2007-08; and
 - ▶ for fiscal year 2007-08 only, \$40,000,000 from the Uniform School Fund.
- ▶ This bill takes effect on July 1, 2007.

Amends 53A-25-111

Enacts 53A-17a-153

Effective July 1, 2007

Chapter 380, Laws of Utah 2007

HB 383 Amendments to Transportation Funding Provisions (*Rebecca D. Lockhart*)

This bill modifies the Sales and Use Tax Act and the Transportation Code by amending provisions relating to transportation funding.

This bill:

- ▶ reallocates the 1/16% sales and use tax revenue dedication for class B and class C roads, corridor preservation, and the State Park Access Highways Improvement Program to the Transportation Fund;
- ▶ changes the percentage of the Transportation Fund revenue that is deposited in the class B and class C roads account from 25% to 30%;
- ▶ excludes certain sales and use tax revenue from the calculation of the appropriation of revenue from the Transportation Fund to the class B and class C roads account;
- ▶ amends certain reapportionment provisions for the distribution of the class B and class C roads account;
- ▶ provides that the department shall commit funds for certain state park access highway projects; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-103, 72-2-107, 72-2-108, 72-3-207

Effective July 1, 2007

Chapter 126, Laws of Utah 2007

HB 393 Truth in Bonding (*Gregory H. Hughes*)

This bill requires certain information be included in ballot propositions for bond elections.

This bill:

- ▶ requires that the ballot proposition for bond elections include information about property tax increases required to service the bonds.

Amends 11-14-206

Effective April 30, 2007

Chapter 351, Laws of Utah 2007

HB 396 Higher Education Task Force (*Kory M. Holdaway*)

This bill creates the Higher Education Task Force.

This bill:

- ▶ designates five members of the Senate, appointed by the president of the Senate;
- ▶ designates seven members of the House of Representatives, appointed by the speaker of the House; and
- ▶ requires the task force to study issues concerning the state system of higher education, including institutional missions, tuition, and other issues.
- ▶ This bill appropriates:€\$10,050 to the Senate; and€\$14,070 to the House of Representatives.
- ▶ This bill is repealed on November 30, 2007.

Effective April 30, 2007

Chapter 260, Laws of Utah 2007

HB 402 Pawnshop Transaction Information Amendments (*Rebecca D. Lockhart*)

This bill amends the Pawnshop Transaction Information Act to include secondhand merchandise dealers.

This bill:

- ▶ defines secondhand merchandise dealers;
- ▶ defines persons and entities who are not secondhand merchandise dealers, including antique shops;
- ▶ requires that secondhand merchandise dealers comply with all transaction identification, recordkeeping, reporting, training, and other provisions that apply to pawnbrokers, with the exception of regulation of pawn tickets; and
- ▶ requires that secondhand merchandise dealers provide data to the online database currently used by pawnbrokers.

Amends 13-32a-101, 13-32a-102, 13-32a-103, 13-32a-104, 13-32a-105, 13-32a-106, 13-32a-107, 13-32a-108, 13-32a-109, 13-32a-109.8, 13-32a-111, 13-32a-112, 13-32a-114, 63-2-304

Effective April 30, 2007

Chapter 352, Laws of Utah 2007

HB 419 Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments (*Stephen D. Clark*)

This bill modifies the Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act to provide a stand-alone barbering license.

This bill:

- ▶ provides for stand-alone barber licensing and apprenticeships, and licensing and apprenticeship requirements, that are separate from cosmetology/barber licensing and apprenticeship requirements;
- ▶ modifies the unprofessional and unlawful conduct provisions;
- ▶ removes the 200 hours of training or an equivalent number of credit hours in lymphatic massage required for licensure as a master esthetician; and
- ▶ makes technical corrections.

Amends 58-11a-101, 58-11a-102, 58-11a-103, 58-11a-201, 58-11a-301, 58-11a-302, 58-11a-304, 58-11a-306, 58-11a-501, 58-11a-502, 58-11a-503

Effective April 30, 2007

Chapter 209, Laws of Utah 2007

HB 426 Change to Department of Veterans' Affairs (*Gregory H. Hughes*)

This bill changes the Division of Veterans' Affairs to a department.

This bill:

- ▶ converts the Division of Veterans' Affairs to a department; and
- ▶ makes conforming amendments throughout the code.
- ▶ This bill takes effect on July 1, 2007.

Amends 39-1-12, 41-1a-418, 41-1a-421, 41-1a-422, 53-3-205, 53-3-804, 53-3-805, 53B-8e-103, 61-2c-105, 63-13-5.6, 71-7-3, 71-7-4, 71-8-1, 71-8-2, 71-8-3, 71-8-4, 71-9-1, 71-9-2, 71-11-2, 71-11-3, 71-11-4, 71-11-5, 71-11-7, 71-11-8, 71-11-10

Effective July 1, 2007

Chapter 173, Laws of Utah 2007

HB 427 Nonresident Sales of Motor Homes (*LaWanna Lou Shurtliff*)

This bill amends provisions of the Property Tax Act relating to sales of motor homes.

This bill:

- ▶ exempts certain motor home sales from proportional assessment; and
- ▶ makes technical changes.

Amends 59-2-402

Effective April 30, 2007

Chapter 210, Laws of Utah 2007

HB 432 Identity Theft Database Amendments (*Eric K. Hutchings*)

This bill requires the attorney general to maintain an Internet website to assist victims of identity-related crimes.

This bill:

- ▶ requires the attorney general to maintain an Internet website to assist victims of identity-related crimes;
- ▶ requires that the Internet website allow a victim of an identity-related crime to report the crime and have the report routed to the appropriate law enforcement agency; and
- ▶ allows the attorney general to expand the website to include additional services.
- ▶ This bill appropriates:
\$400,000 from the General Fund for fiscal year 2007-08 only, to the attorney general.

Enacts 67-5-22

Effective April 30, 2007

Chapter 311, Laws of Utah 2007

HB 438 Jail Contracting - Jail Compensation Amendments (*Michael E. Noel*)

This bill repeals the Jail Reimbursement chapter of Title 64, State Institutions, and enacts a new chapter entitled, State Payment and Reimbursement to County Correctional Facilities.

This bill:

- ▶ defines terms;
- ▶ permits the Department of Corrections to contract with a county to house state inmates, subject to legislative approval in most cases;
- ▶ establishes requirements and procedures for setting the rate for payment by the Department of Corrections to a county for a contract described in the preceding paragraph;
- ▶ requires a contracting county to provide an annual report to the Department of Corrections;
- ▶ requires a county to accept, or contract with another county to accept, state probationary inmates and state parole inmates into a county correctional facility;
- ▶ establishes requirements and procedures for setting the rate for reimbursement by the Department of Corrections to a county for housing the inmates described in the preceding paragraph;
- ▶ grants rulemaking authority to the Department of Corrections;
- ▶ requires a county that is reimbursed for housing state probationary or state parole inmates to provide an annual report to the Department of Corrections;
- ▶ establishes requirements and procedures for setting the state daily incarceration rate;
- ▶ requires the Department of Corrections to submit an annual report to the Law Enforcement and Criminal Justice Interim Committee of the Legislature relating to state inmates, state probationary inmates, and state parole inmates housed in county facilities, and the rates for payment or reimbursement to the counties for housing these inmates; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 263 by providing substantive and technical amendments.

Amends 10-8-58, 63-55b-164, 76-3-201

Enacts 64-13e-101, 64-13e-102, 64-13e-103, 64-13e-104, 64-13e-105, 64-13e-106

Repeals 64-13c-101, 64-13c-201, 64-13c-301, 64-13c-302, 64-13c-303, 64-13c-304, 64-13c-401

Effective April 30, 2007

Chapter 353, Laws of Utah 2007

HB 449 Accident Report Records Access (*Mark W. Walker*)

This bill modifies provisions related to access to law enforcement accident reports under the Traffic Code.

This bill:

- ▶ provides a general acute hospital with access to traffic accident reports prepared by law enforcement agencies if:
 - the hospital has an emergency room; and
 - the hospital has provided emergency services to a person in connection with the accident.

Amends 41-6a-404

Effective April 30, 2007

Chapter 312, Laws of Utah 2007

HB 461 Education Revisions (*Stephen E. Sandstrom*)

This bill appropriates money for the K-3 Reading Improvement Program.

This bill:

- ▶ provides an ongoing appropriation, subject to future budget constraints, to the State Board of Education for the K-3 Reading Improvement Program.

This bill appropriates:

- ▶ as an ongoing appropriation, \$2,500,000 from the Uniform School Fund for fiscal year 2007-08.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 381, Laws of Utah 2007

HB 462 County Personnel Management Act (*David Litvack*)

This bill modifies a provision of the County Personnel Management Act.

This bill:

- ▶ adds an exemption from career service provisions for employees appointed to perform limited duration work or work with limited funding.

Amends 17-33-8

Effective April 30, 2007

Chapter 211, Laws of Utah 2007

HB 463 **Crime of Claiming Military Award by Nonrecipient** (*Gage Froerer*)

This bill makes it a crime for a person to intentionally make a false representation that the person has been awarded a decoration, medal, or badge of the armed forces of the United States, or to, with the intent to defraud or to make a false representation, wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof.

This bill:

- ▶ defines terms;
- ▶ makes it a class C misdemeanor for a person to intentionally make a false representation that the person has been awarded a service medal; and
- ▶ makes it a class C misdemeanor for a person, without legal authorization, and with the intent to defraud or to falsely represent that the person or another person has been awarded a service medal, to wear, ship, or make a service medal, or a colorable imitation thereof, or to take part in, or attempt to take part in, an exchange for a service medal or a colorable imitation thereof.

Enacts 76-9-706

Effective April 30, 2007

Chapter 313, Laws of Utah 2007

HB 466 **Incorporation of a Town Amendments** (*Melvin R. Brown*)

This bill modifies a provision relating to the incorporation of a town.

This bill:

- ▶ modifies the requirements applicable to a petition for incorporation as a town;
- ▶ requires each county that receives a petition representing 1/2 or less of the property value in the area proposed to be incorporated as a town to commission and pay for a feasibility study;
- ▶ with respect to a petition representing 1/2 or less of the property value in the area proposed to be incorporated, authorizes a county to grant the petition, deny the petition, or, with the consent of the petition sponsors, grant the petition with conditions or alterations;
- ▶ requires counties of the second, third, fourth, fifth, or sixth class to grant a petition that represents over 1/2 of the property value in the area proposed to be incorporated as a town;
- ▶ modifies the process of appointing the mayor and council members in a newly incorporated town to require the officials to be selected from a list provided by petition sponsors; and
- ▶ requires a newly incorporated town to operate under a six-member council form of government.

Amends 10-2-125, 67-1a-6.5

Effective April 30, 2007

Chapter 212, Laws of Utah 2007

HB 473 Revenue Bond and Capital Facilities Authorizations (*D. Gregg Buxton*)

This bill authorizes certain state agencies and higher education institutions to issue revenue bonds, build capital facilities using agency or institutional funds, or acquire or exchange property.

This bill:

- ▶ authorizes the issuance of revenue bonds by the State Building Ownership Authority and the State Board of Regents;
- ▶ authorizes other capital facility construction from agency or institutional funds;
- ▶ authorizes the acquisition or exchange of certain higher education property;
- ▶ approves the sale of a state building and directs the use of the sale proceeds;
- ▶ approves the purchase of a building and directs its use; and
- ▶ directs that the Division of Facilities Construction and Management enter into a lease with the new owner of the sold building to allow the building's current tenants to continue to occupy it until alternatives become available.

Enacts 63B-16-101, 63B-16-102, 63B-16-201, 63B-16-301

Effective April 30, 2007

Chapter 174, Laws of Utah 2007

HCR 1 Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission (*Stephen D. Clark*)

This concurrent resolution of the Legislature and the Governor approves the state's participation in the interlocal agreement establishing the Utah Lake Commission.

This resolution:

- ▶ approves the state's participation in the Interlocal Cooperation Agreement Establishing the Utah Lake Commission that requires the state to pay 35% of the commission's budget.

Effective March 9, 2007

Laws of Utah 2007

HCR 2 Concurrent Resolution Supporting Airport Surveillance Radar Acquisition (*Stephen E. Sandstrom*)

This concurrent resolution of the Legislature and the Governor expresses support for acquiring a second airport surveillance radar facility for the Salt Lake International Airport and full radar coverage for the general aviation airports of Salt Lake Airport II, Provo Airport, and Spanish Fork Airport.

This resolution:

- ▶ expresses support for acquiring ASR-11 (automated surveillance radar) to provide radar redundancy for the Salt Lake International Airport;
- ▶ supports full radar coverage for Salt Lake Airport II in West Jordan, the Provo Airport, and the Spanish Fork Airport; and
- ▶ requests that Utah's Congressional Delegation seek the appropriation of funds in the 2008 Federal Aviation Administration's Facilities and Equipment budget needed to acquire ASR-11, as well as to finalize site selection and to acquire property to the extent needed for the installation of the system.

Effective March 9, 2007

Laws of Utah 2007

HCR 3 Resolution Urging Congress to Stop Internet Pornography to Children and Employees
(Bradley M. Daw)

This concurrent resolution of the Legislature and the Governor urges the United States Congress to take action to help stop children and employees from accessing Internet pornography.

This resolution:

- ▶ urges the United States Congress to take action to help stop children and employees from accessing Internet pornography; and
- ▶ urges the United States Congress to enact legislation to facilitate a technology-based solution allowing parents and employers to obtain Internet access services that exclude adult content.

Effective February 23, 2007

Laws of Utah 2007

HCR 4 Resolution Encouraging State Universities' and School Institutional Trust Lands' Efforts in Enhancing State Trust Lands
(Eric K. Hutchings)

This concurrent resolution of the Legislature and the Governor encourages state colleges and universities and the School and Institutional Trust Lands Administration to work together as natural resources, located on School and Institutional Trust Lands, are identified and developed to maximize the economic benefits of the trust beneficiaries.

This resolution:

- ▶ encourages state colleges and universities to notify the School and Institutional Trust Lands Administration whenever research results uncover innovative ways in which resources with the potential to provide significant revenues, such as hydrocarbons, precious and industrial metals, and renewable energy sources, could be utilized to maximize the economic benefits in the best interests of the trust beneficiaries; and
- ▶ encourages the development of resources on lands administered by the School and Institutional Trust Lands Administration as a critical source to build the permanent State School Fund to provide greater future education funding.

Effective March 9, 2007

Laws of Utah 2007

HCR 5 Early Childhood Reading Readiness Resolution
(Karen W. Morgan)

This concurrent resolution of the Legislature and the Governor encourages "Reading With a Child 20 Minutes a Day."

This resolution:

- ▶ recognizes the value that "Reading with a Child 20 Minutes a Day" contributes to the lifelong learning and success of children and the well-being of society as a whole; and
- ▶ encourages "Reading with a Child 20 Minutes a Day" to help children prepare for and advance through their schooling.

Effective March 14, 2007

Laws of Utah 2007

HCR 6 Utah Farming Heritage District Resolution
(Patrick Painter)

This concurrent resolution of the Legislature and the Governor expresses support for the efforts of Santaquin City to establish the Utah Farming Heritage District in Santaquin.

This resolution:

- ▶ recognizes the efforts of Santaquin City in working to establish a Utah Farming Heritage District to honor and interpret the history of agriculture, and the western lifestyle of Utah, for the benefit of future generations.

Effective March 9, 2007

Laws of Utah 2007

HCR 7 Resolution Honoring Victims and Family Members Impacted by Trolley Square Tragedy
(Jackie Biskupski)

This concurrent resolution of the Legislature and the Governor honors victims and family members impacted by the Trolley Square tragedy.

This resolution:

- ▶ honors the victims of the Trolley Square shootings, both living and dead, their loved ones, those who managed to flee to safety, those who prevented further loss of life, and those who must carry on with tragic memories of the incident.

Effective March 15, 2007

Laws of Utah 2007

HJR 1 Joint Resolution Regarding Action on Groundwater in Snake Valley *(Richard W. Wheeler)*

This joint resolution of the Legislature expresses to the Governor the will of the Legislature regarding the division of the aquifer shared with Nevada.

This resolution:

- ▶ urges the Governor to:
 - consider the consequences of a potential groundwater development project;
 - involve the citizens in developing the division agreement with Nevada; and
 - refrain from entering into the division agreement with Nevada until scientific studies have been completed and the agreement provides how to divide the water; and
- ▶ directs a copy of the resolution be sent to various parties.

Effective February 9, 2007

Laws of Utah 2007

HJR 4 Resolution Revising Executive Officer Succession Provisions *(Stephen H. Urquhart)*

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to succession in the offices of Governor and Lieutenant Governor.

This resolution proposes to amend the Utah Constitution to:

- ▶ provide that the Lieutenant Governor becomes Governor upon a vacancy in the office of Governor, that the President of the Senate becomes Governor upon simultaneous vacancies in the offices of Governor and Lieutenant Governor, and that the Speaker of the House of Representatives becomes Governor upon simultaneous vacancies in the offices of Governor, Lieutenant Governor, and President of the Senate;
- ▶ provide what constitutes a vacancy in the offices of Governor and Lieutenant Governor;
- ▶ provide for succession to the duties of the office of Governor during a temporary disability of the Governor;
- ▶ modify provisions relating to determining the disability of the Governor or person acting as Governor;
- ▶ modify the process for appointing a person to fill a vacancy in the office of Lieutenant Governor by requiring the consent of the Senate; and
- ▶ provide a process for determining the disability of the Lieutenant Governor.
- ▶ This resolution directs the lieutenant governor to submit this proposal to voters.
- ▶ This resolution provides a contingent effective date of January 1, 2009 for this proposal.

Amends Article VII, Section 10, Article VII, Section 11

Effective January 1, 2009

Laws of Utah 2007

HJR 5 Resolution Approving Compensation of In-session Employees *(Merlynn T. Newbold)*

This joint resolution of the Legislature fixes the compensation for legislative in-session employees for 2007.

This resolution:

- ▶ fixes the compensation for legislative in-session employees for 2007.

Effective January 26, 2007

Laws of Utah 2007

HJR 6 Joint Rules Resolution - Appropriation Subcommittees *(Ron Bigelow)*

This resolution modifies joint rules by changing the names of certain appropriation subcommittees.

This resolution:

- ▶ renames the Commerce and Revenue Subcommittee to the Commerce and Workforce Services Subcommittee;
- ▶ renames the Economic Development Subcommittee to the Economic Development and Revenue Subcommittee; and
- ▶ renames the Capital Facilities and Administrative Services Subcommittee to the Capital Facilities and Government Operations Subcommittee.

The original bill was recommended by the Joint House and Senate Rules Committee

Amends JR3-2-302

Effective February 2, 2007

Laws of Utah 2007

HJR 9 Joint Rules Resolution - Executive Appropriations Committee Membership *(David Clark)*

This resolution modifies the membership of the Executive Appropriations Committee.

This resolution:

- ▶ modifies the membership of the Executive Appropriations Committee to allow the vice chairs to be voting members of the Committee; and
- ▶ makes technical corrections.

Amends JR3-2-401

Effective February 20, 2007

Laws of Utah 2007

HJR 11 Joint Rules Resolution - Recodification and Revisions (*Stephen H. Urquhart*)

This bill recodifies and makes certain changes to the Legislature's Joint Rules.

This resolution:

- ▶ recodifies and revises joint rules governing bills and resolutions, legislative expenses, and ethics.
- ▶ Legislative Rules Affected:

Enacts JR4-1-101, JR4-1-201, JR4-1-202, JR4-1-203, JR4-1-301, JR4-1-302, JR4-1-303, JR4-1-401, JR4-2-101, JR4-2-102, JR4-2-103, JR4-2-201, JR4-2-202, JR4-2-203, JR4-2-204, JR4-2-301, JR4-2-401, JR4-2-402, JR4-2-403, JR4-2-501, JR4-2-502, JR4-2-503, JR4-2-504, JR4-3-101, JR4-3-201, JR4-4-101, JR4-4-102, JR4-4-103, JR4-4-104, JR4-4-105, JR4-4-106, JR4-4-107, JR4-4-108, JR4-4-109, JR4-4-201, JR4-4-202, JR4-4-203, JR4-5-101, JR4-5-201, JR4-5-202, JR4-5-203, JR4-5-301, JR4-6-101, JR4-6-102, JR4-6-103, JR4-6-201, JR4-6-202, JR5-1-101, JR5-1-102, JR5-2-101, JR5-2-102, JR5-3-101, JR5-3-102, JR5-3-103, JR5-4-101, JR6-1-101, JR6-1-102, JR6-1-201, JR6-1-202, JR6-2-101, JR6-2-102, JR6-2-201, JR6-2-202, JR6-3-101, JR6-4-101, JR6-4-102, JR6-4-201, JR6-4-202, JR6-4-203, JR6-4-204, JR6-4-205, JR6-4-206, JR6-4-207, JR6-4-301, JR6-4-302, JR6-4-303, JR6-4-304, JR6-4-305, JR6-4-306, JR6-4-307, JR6-4-308, JR6-4-309, JR6-4-310, JR6-5-101

Repeals JR-4.01, JR-4.02, JR-4.03, JR-4.04, JR-4.05, JR-4.06, JR-4.07, JR-4.08, JR-4.09, JR-4.10, JR-4.11, JR-4.12, JR-4.13, JR-4.14, JR-4.15, JR-4.16, JR-4.17, JR-4.18, JR-4.19, JR-4.20, JR-4.20.1, JR-4.21, JR-4.22, JR-4.22.1, JR-4.23, JR-4.24, JR-4.25, JR-4.26, JR-4.27, JR-4.28, JR-4.29, JR-4.30, JR-4.31, JR-4.32, JR-4.33, JR-4.34, JR-4.35, JR-4.36, JR-4.38, JR-4.39, JR-4.40, JR-6.01, JR-6.02, JR-6.03, JR-6.04, JR-7.01, JR-8.01, JR-8.02, JR-8.03, JR-8.04, JR-8.05, JR-9.01, JR-9.02, JR-9.03, JR-13.01, JR-13.02, JR-13.03, JR-13.04, JR-13.05, JR-13.06, JR-13.07, JR-13.08, JR-13.09, JR-13.10, JR-13.11, JR-13.12, JR-13.13, JR-13.19, JR-13.20, JR-13.21, JR-13.22, JR-13.23, JR-13.24, JR-13.25, JR-13.26, JR-13.27, JR-13.28, JR-13.29, JR-13.30, JR-13.31, JR-15.01, JR-15.02, JR-15.03, JR-15.04, JR-15.05, JR-16.01, JR-16.02, JR-16.03, JR-16.04, JR-16.05, JR-16.06, JR-16.07, JR-19.01, JR-19.02, JR-19.03, JR-19.04, JR-19.05, JR-19.06, JR-19.07

Effective February 26, 2007

Laws of Utah 2007

HJR 14 Master Study Resolution (*David Clark*)

This joint resolution of the Legislature gives the Legislative Management Committee items of study it may assign to the appropriate interim committee.

This resolution:

- ▶ gives the Legislative Management Committee items of study it may assign to the appropriate interim committee during the 2007 legislative interim;
- ▶ directs interim committees assigned these studies to study and make recommendations for legislative action to the 57th Legislature prior to the 2008 Annual General Session; and
- ▶ suggests in approving studies the Legislative Management Committee give consideration to the available time of legislators and the budget and capacity of staff to respond.

Effective February 28, 2007

Laws of Utah 2007

HJR 16 Joint Resolution Supporting Governor's Child and Family Cabinet Council (*Paul Ray*)

This joint resolution of the Legislature supports the formation of the Utah Governor's Child and Family Cabinet Council.

This resolution:

- ▶ supports the formation of the Utah Governor's Child and Family Cabinet Council to focus on the issues of child abuse, substance abuse, neglect, and domestic violence and their threat to Utah's children and families.

Effective February 28, 2007

Laws of Utah 2007

HR 1 House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report (*Michael T. Morley*)

This resolution modifies the responsibilities of the House Rules Committee, House standing committees, and the Office of Legislative Research and General Counsel related to receipt of summary reports of the Occupational and Professional Licensure Review Committee.

This resolution:

- ▶ requires certain actions regarding a summary report related to newly regulating an occupation or profession, including requiring a chair of a standing committee that receives a summary report from the House Rules Committee to ensure that the report is read in a meeting before the standing committee takes action on the related legislation; and
- ▶ makes technical changes.
- ▶ This resolution provides an effective date and is contingent on the passage of H.B. 54, Occupational and Professional Licensure Review Committee.

The original bill was recommended by the Business and Labor Interim Committee

Amends HR-24.01, HR-24.12

Effective April 30, 2007

Laws of Utah 2007

HR 2 Resolution Opposing Real Id Act (*Glenn A. Donnelson*)

This resolution of the Utah House of Representatives urges Congress and the United States Department of Homeland Security to suspend implementation of the REAL ID Act or repeal the REAL ID Act.

This resolution:

- ▶ urges Congress and the United States Department of Homeland Security to suspend implementation of the REAL ID Act or repeal the REAL ID Act; and
- ▶ provides for distribution of the resolution.

Effective February 16, 2007

Laws of Utah 2007

SB 1 **Current Fiscal Year Supplemental Appropriations Act** (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ provides budget increases and decreases for the use and support of certain institutions of higher education;
- ▶ provides budget increases and decreases for other purposes as described;
- ▶ provides intent language.
- ▶ This bill appropriates for fiscal year 2007:
 - ▶ \$16,634,400 from the General Fund;
 - ▶ \$29,982,300 from the Uniform School Fund;
 - ▶ (\$4,903,400) from the Education Fund;
 - ▶ \$2,527,400 from various sources as detailed in this bill.
- ▶ This bill takes effect immediately.

Effective March 20, 2007

Chapter 382, Laws of Utah 2007

SB 3 Appropriation Adjustments (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal years beginning July 1, 2006 and ending June 30, 2007 and beginning July 1, 2007 and ending June 30, 2008.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ provides funds for the bills with fiscal impact passed in the 2007 General Session;
- ▶ provides budget increases and decreases for other purposes as described;
- ▶ provides intent language;
- ▶ This bill appropriates for fiscal year 2007:
 - ▶ \$720,000 from the General Fund;
 - ▶ (\$13,433,600) from the Uniform School Fund;
 - ▶ \$2,203,133,600 from the Education Fund;
- ▶ \$7,100,000 from various sources as detailed in this bill. This bill appropriates for fiscal year 2008:
 - ▶ (\$92,673,300) from the General Fund;
 - ▶ \$219,400 from the Uniform School Fund;
 - ▶ \$2,856,233,600 from the Education Fund;
 - ▶ \$41,723,500 from various sources as detailed in this bill.
- ▶ Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2007.

Effective March 20, 2007

Chapter 383, Laws of Utah 2007

SB 4 Driving Under the Influence Amendments (*Carlene M. Walker*)

This bill modifies the Motor Vehicles Code and the Public Safety Code by amending provisions related to driving under the influence.

This bill:

- ▶ clarifies the application of the ten-year look back period for felony driving under the influence violations;
- ▶ amends the definition of alcohol restricted driver;
- ▶ provides that a court shall order an ignition interlock system as a condition of probation for an alcohol restricted driver violation or describe why the order would not be appropriate;
- ▶ increases the fee for a license reinstatement application for an alcohol or drug-related offense;
- ▶ increases the administrative fee for license reinstatement after an alcohol or drug-related offense and increases the amount of revenue generated by the administrative fee that is deposited in the State Laboratory Drug Testing restricted account;
- ▶ provides that the Driver License Division shall deny, suspend, disqualify, or revoke a person's license for certain violations;
- ▶ requires the Driver License Division to reinstate a person's license if the person's charges for certain violations are reduced or dismissed within the suspension period;
- ▶ requires the Driver License Division to immediately revoke, deny, suspend, or disqualify a person's driver license upon receiving record of a person's conviction for operating a vehicle without an ignition interlock system if the person is an interlock restricted driver; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-6a-503, 41-6a-521, 41-6a-529, 41-6a-530, 53-3-105, 53-3-106, 53-3-220, 53-3-223, 53-3-224, 53-3-227, 53-3-231, 53-3-418

Effective April 30, 2007

Chapter 261, Laws of Utah 2007

SB 5 Tax Penalty Amendments (*Howard A. Stephenson*)

This bill amends the Revenue and Taxation title relating to penalties and tax return filing requirements.

This bill:

- ▶ amends the penalty provisions for a failure to file a tax return to exempt the return from a penalty if no tax is due on the tax return;
- ▶ amends the mailing requirements for a notice of an assessed penalty and demand for payment; and
- ▶ makes technical changes.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-1-401

Effective April 30, 2007

Chapter 175, Laws of Utah 2007

SB 6 Uninsured Motorist Identification Database Program Amendments (*Carlene M. Walker*)

This bill modifies the Insurance Code and Motor Vehicles Code by amending provisions relating to the Uninsured Motorist Identification Database Program.

This bill:

- ▶ amends the definition of commercial motor vehicle insurance coverage and repeals the requirement that the Insurance Department make rules establishing a procedure to approve certain policies;
- ▶ provides that the Uninsured Motorist Identification Database Program shall be audited by the State Tax Commission at least every three years rather than annually; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 31A-22-315, 41-12a-803

Effective April 30, 2007

Chapter 262, Laws of Utah 2007

SB 7 Exploitation of a Vulnerable Adult Amendments (*Lyle W. Hillyard*)

This bill amends the Utah Human Services Code to provide that a court may, under certain circumstances, award court costs and reasonable attorney fees to a prevailing party in an action for exploitation of a vulnerable adult.

This bill:

- ▶ provides that, if the plaintiff prevails in an action for exploitation of a vulnerable adult, the court may order the defendant to pay the court costs and reasonable attorney fees of the plaintiff; and
- ▶ provides that, if the defendant prevails in an action for exploitation of a vulnerable adult, the court may order the plaintiff to pay the court costs and reasonable attorney fees of the defendant, if the action was frivolous, unreasonable, or taken in bad faith.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 62A-3-314

Effective April 30, 2007

Chapter 176, Laws of Utah 2007

SB 8 Use of State Engineer Fees *(Margaret Dayton)*

This bill authorizes the state engineer to use fees for water right conveyance.

This bill:

- ▶ allows the state engineer to use fees to process reports of water right conveyance.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / Water Issues Task Force

Amends 73-2-14

Effective April 30, 2007

Chapter 314, Laws of Utah 2007

SB 9 Nonprofit Corporation Amendments *(Lyle W. Hillyard)*

This bill amends provisions concerning nonprofit corporations.

This bill:

- ▶ defines the term "mutual benefit corporation";
- ▶ addresses property rights of members of a nonprofit corporation;
- ▶ addresses voting requirements for nonprofit corporations;
- ▶ addresses the time required for allowing members to vote;
- ▶ authorizes distributions from one nonprofit corporation to another upon dissolution;
- ▶ addresses transactions where an officer or director has a conflict of interest;
- ▶ prevents the transfer of title in water rights upon dissolution of a nonprofit corporation;
- ▶ exempts nonprofit corporations from the effects of Title 61, Chapter 6, Control Shares Acquisition Act; and
- ▶ makes technical changes.

Amends 16-6a-102, 16-6a-611, 16-6a-709, 16-6a-711, 16-6a-825, 16-6a-1302, 16-6a-1405, 61-6-5

Effective April 30, 2007

Chapter 315, Laws of Utah 2007

SB 10 Industrial Assistance Fund Amendments - Rural Fast Track Program (*John W. Hickman*)

This bill modifies provisions of the Industrial Assistance Fund by creating a Rural Fast Track Program as a component of the fund to help provide an efficient way for small companies in rural Utah to receive incentives for creating high paying jobs in the rural areas of the state and to further promote business and economic development in rural Utah.

This bill:

- ▶ creates the Rural Fast Track Program as a funded component of the economically disadvantaged rural areas designation within the Industrial Assistance Fund to provide a financial incentive for small companies in rural Utah that create high paying jobs;
- ▶ provides that 20% of the money in the Industrial Assistance Fund shall be used to fund the program and for a reallocation of money not used in the program by the end of the third quarter of any given fiscal year;
- ▶ provides for an application procedure, qualification criteria, and an approval process;
- ▶ provides criteria on which awards are based for the creation of new incremental high paying jobs in rural Utah; and
- ▶ provides for quarterly reports to the Board of Business and Economic Development and annual reports to the Legislature on awards made under the program.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Enacts 63-38f-903.5

Effective April 30, 2007

Chapter 50, Laws of Utah 2007

SB 11 Unemployment Compensation - Social Security Offset (*John W. Hickman*)

This bill modifies employment security provisions of the Utah Workforce Services Code related to unemployment benefits and eligibility.

This bill:

- ▶ removes the provision that provides for the 50% Social Security benefits offset to an individual's weekly unemployment benefit amount to be funded from federal Reed Act moneys; and
- ▶ makes certain technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-4-401

Effective April 30, 2007

Chapter 263, Laws of Utah 2007

SB 14 Family Employment Program Amendments (*Dan R. Eastman*)

This bill modifies eligibility requirements for receiving cash assistance benefits under the Family Employment Program administered by the Employment Development Division of the Department of Workforce Services.

This bill:

- ▶ provides that the division may not count up to a maximum of three months of transitional support cash payments received by a parent client toward the cash assistance time limits set for families in the Family Employment Program; and
- ▶ modifies the employment requirement for a parent client to receive additional cash assistance beyond the 36-month time limit set for families in the Family Employment Program.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-3-306

Effective April 30, 2007

Chapter 51, Laws of Utah 2007

SB 15 Workforce Services - Reporting Misuse of Personal Identifying Information (*Carlene M. Walker*)

This bill modifies the Employment Security Act by allowing the Department of Workforce Services to disclose to an individual and law enforcement agencies responsible for investigating identity fraud the suspected misuse of the individual's personal identifying information.

This bill:

- ▶ provides that the Department of Workforce Services may disclose to an individual the suspected misuse of the individual's personal identifying information;
- ▶ provides that the suspected misuse may also be reported to appropriate law enforcement agencies responsible for investigating identity fraud violations;
- ▶ provides that the suspected use of personal identifying information includes a Social Security number under which wages are being reported by two or more individuals or that of an individual under the age of 16 with reported wages exceeding \$1,000 for a single reporting quarter; and
- ▶ reduces from a class A to a class C misdemeanor a violation of the disclosure provisions of Section 35A-4-312.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 76-8-1301; Enacts 35A-4-312.5

Effective April 30, 2007

Chapter 264, Laws of Utah 2007

SB 16 Lending Registration Acts (*Ed Mayne*)

This bill modifies the Check Cashing Registration Act and the Title Lending Registration Act.

This bill:

- ▶ addresses dishonored instrument remedies available to a check casher;
- ▶ provides for an administrative fine under certain circumstances related to the failure to be registered under the registration acts;
- ▶ expands requirements for contracts of loans under the registration acts;
- ▶ adds to the operational requirements of lenders under the registration acts, including requirements for rolling over a deferred deposit loan;
- ▶ addresses timing of examinations;
- ▶ addresses enforcement, including providing for the imposition of administrative fines in general; and
- ▶ makes technical changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 7-15-1, 7-15-2, 7-23-103, 7-23-105, 7-23-106, 7-23-107, 7-23-108, 7-24-201, 7-24-202, 7-24-301, 7-24-303

Effective April 30, 2007

Chapter 87, Laws of Utah 2007

SB 17 Traffic Code Amendments (*Scott K. Jenkins*)

This bill modifies the Motor Vehicles Code by amending traffic code provisions.

This bill:

- ▶ provides that an unmarked vehicle may be used for routine enforcement of certain violations;
- ▶ provides that an authorized emergency vehicle may violate certain provisions while engaged in routine patrolling activities;
- ▶ requires the Department of Transportation to establish the safe and prudent speed limit on each section of highway under its jurisdiction and requires that each speed limit be based on a traffic and engineering study;
- ▶ provides that an operator of a vehicle traveling in the left lane may not impede the free flow of traffic and shall, upon being overtaken by a vehicle in the same lane, yield to the vehicle;
- ▶ provides that if an operator is being followed by a vehicle in the left lane within a certain distance, it is prima facie evidence that the operator is impeding the free flow of traffic;
- ▶ provides that an operator of a vehicle shall follow another vehicle so that at least two seconds elapse before reaching the location of the vehicle directly in front of the operator's vehicle;
- ▶ provides that a signal of intention to turn right or left shall be given continuously for two rather than three seconds before making the indicated action;
- ▶ defines and prohibits careless driving; and
- ▶ makes technical changes.

Amends 41-1a-407, 41-6a-212, 41-6a-602, 41-6a-704, 41-6a-711, 41-6a-804

Enacts 41-6a-1715

Effective April 30, 2007

Chapter 52, Laws of Utah 2007

SB 18 Creation of Severance Tax and Infrastructure and Economic Diversification Accounts
(Lyle W. Hillyard)

This bill appropriates \$20,000,000 to the Severance Tax Holding Account and creates two restricted accounts.

This bill:

- ▶ creates the Infrastructure and Economic Diversification Investment Account;
- ▶ creates the Severance Tax Holding Account;
- ▶ appropriates \$20,000,000 to the Severance Tax Holding Account;
- ▶ provides that monies in the Severance Tax Holding Account be transferred to the permanent state trust fund under certain circumstances;
- ▶ provides that certain earnings are credited to the Infrastructure and Economic Diversification Investment Account; and
- ▶ makes technical changes.
- ▶ This bill appropriates:
 - ▶ \$20,000,000 to the Severance Tax Holding Account.
 - ▶ This bill takes effect on July 1, 2007.

Amends 63-97-301

Enacts 63-97a-101, 63-97a-102, 63-97a-201, 63-97a-202

Effective July 1, 2007

Chapter 384, Laws of Utah 2007

SB 19 Commercial Driver License Amendments (*Carlene M. Walker*)

This bill modifies the Public Safety Code by amending provisions relating to commercial driver licenses.

This bill:

- ▶ increases certain commercial driver license fees;
- ▶ provides that certain report exemptions for speeding violations do not apply for CDL holders or violations that occurred in a commercial motor vehicle;
- ▶ amends certain definitions;
- ▶ authorizes the Driver License Division to impose concurrent CDL disqualification periods while a driver is disqualified by the Secretary of the United States Department of Transportation;
- ▶ provides that persons convicted of certain CDL or traffic violations are subject to civil penalties;
- ▶ prohibits employers from knowingly allowing, requiring, permitting, or authorizing a person to violate certain CDL or traffic provisions and provides that employers are subject to civil penalties if convicted;
- ▶ requires the Driver License Division to furnish CDL holder records to certain persons within ten days;
- ▶ requires the Driver License Division to disqualify a person from driving a commercial motor vehicle if convicted of certain violations;
- ▶ clarifies the beginning effective date of certain CDL disqualification periods;
- ▶ provides that a person must take and pass the knowledge test for hazardous materials endorsement to obtain a hazardous materials endorsement or transfer a hazardous materials endorsement;
- ▶ requires the division to notify the CDLIS within ten days of any changes in the identifying information of a CDL holder;
- ▶ clarifies that the opportunity for reduction of a lifetime disqualification of a CDL does not apply if a person is convicted of certain violations;
- ▶ clarifies the CDL disqualification period for certain offenses; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 53-3-105, 53-3-221, 53-3-402, 53-3-413, 53-3-414, 53-3-415, 53-3-420

Effective April 30, 2007

Chapter 53, Laws of Utah 2007

SB 20 State Highway Amendments (*Carlene M. Walker*)

This bill modifies the Designation of State Highways Act by amending the definitions of selected state highways.

This bill:

- ▶ combines SR-41 into SR-28;
- ▶ eliminates SR-195 from the state highway system;
- ▶ requires the Department of Transportation to study selected highway transfers and the need for a new state highway prior to November 1, 2007; and
- ▶ makes technical changes.

Amends 72-4-108, 72-4-110, 72-4-125

Effective April 30, 2007

Chapter 213, Laws of Utah 2007

SB 21 Workforce Services' Work Experience or Training Programs *(Peter C. Knudson)*

This bill modifies provisions of the Utah Workforce Services Code relating to individuals directed to participate in a work experience or training program funded by the Department of Workforce Services.

This bill:

- ▶ provides that a client or applicant, rather than a customer, for services provided by or through the Department of Workforce Services who is directed to participate in a work experience or training program funded by the department is considered to be a volunteer of the department solely for the purpose of receiving workers' compensation medical benefits.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-1-108

Effective April 30, 2007

Chapter 54, Laws of Utah 2007

SB 22 Sales and Use Tax Exemptions for Certain Governmental Entities and Entities Within the State Systems of Public and Higher Education *(Howard A. Stephenson)*

This bill amends the Sales and Use Tax Act relating to sales and use tax exemptions for certain governmental entities and entities within the state systems of public and higher education.

This bill:

- ▶ defines:
 - "governmental entity"; and
 - "publication";
- ▶ clarifies the definition of "school" to include the Electronic High School for purposes of the sales and use tax exemptions for sales relating to schools and fundraising sales;
- ▶ modifies the sales and use tax exemption for photocopies to provide an exemption for sales of photocopies by a governmental entity or an entity within the state system of public education;
- ▶ provides a sales and use tax exemption for sales of publications by a governmental entity;
- ▶ grants rulemaking authority to the State Tax Commission to define the term "photocopy"; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-12-102, 59-12-104

Effective July 1, 2007

Chapter 214, Laws of Utah 2007

SB 23 **Child Support Guidelines** (*Gregory S. Bell*)

This bill modifies child support guidelines and related issues.

This bill:

- ▶ provides for a phase in of new child support tables;
- ▶ repeals the existing tables as of January 1, 2010;
- ▶ modifies definition provisions including defining "temporary" as a period of time projected to be less than 12 months;
- ▶ addresses deviations from child support guidelines;
- ▶ addresses when adjustments to ordered support are to be made;
- ▶ directs the use of a portion of child support under specific circumstances;
- ▶ addresses the determination of income;
- ▶ addresses calculation of obligations;
- ▶ requires the use of the same table when adjusting child support amounts due to certain changes related to a child;
- ▶ requires the use of the existing tables under specific circumstances;
- ▶ recalculates and updates the child support tables;
- ▶ clarifies obligation for certain medical expenses;
- ▶ addresses obligation for child care expenses;
- ▶ addresses claim of tax exemption; and
- ▶ makes technical corrections.
- ▶ This bill takes effect on July 1, 2007.

Amends 63-55b-178, 78-45-2, 78-45-7.2, 78-45-7.5, 78-45-7.7, 78-45-7.10, 78-45-7.14, 78-45-7.15

Effective July 1, 2007

Chapter 354, Laws of Utah 2007

SB 24 **Probate Code Amendments** (*Ross I. Romero*)

This bill increases the total amount of an estate which may be settled by affidavit from \$25,000 to \$100,000.

This bill:

- ▶ provides that an estate of less than \$100,000 may be settled by affidavit.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 75-3-1201

Effective April 30, 2007

Chapter 316, Laws of Utah 2007

SB 25 **Warranty Deed - Technical Amendments** (*Dennis E. Stowell*)

This bill modifies the language related to warranty deeds to update terminology.

This bill:

- ▶ makes technical changes to the statute related to the form of a warranty deed such as replacing the term "seised" with a more updated term; and
- ▶ makes related technical changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 57-1-12

Effective April 30, 2007

Chapter 55, Laws of Utah 2007

SB 26 Utah Commission on Aging (*Patricia W. Jones*)

This bill amends provisions relating to the Utah Commission on Aging and extends the commission until July 1, 2009.

This bill:

- ▶ defines terms;
- ▶ extends the sunset date for the Utah Commission on Aging to July 1, 2009;
- ▶ modifies the membership of the commission;
- ▶ provides for the replacement of an appointed member of the commission if the member has three consecutive unexcused absences;
- ▶ provides that the Center on Aging within the University of Utah shall:
 - pay the salary, and oversee the performance of, the executive director of the commission;
 - provide staff support for the executive director of the commission and the commission; and
 - provide office space, furnishings, and supplies to the commission, the executive director of the commission, and support staff;
- ▶ provides that the executive director of the commission will be appointed by the executive director of the Center on Aging and that the appointment must be ratified by the governor;
- ▶ provides that the funds appropriated by the Legislature for the commission may only be used for the purposes described in the chapter relating to the commission; and
- ▶ makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 63-55-263, 63-99-102, 63-99-104, 63-99-105

Repeals and Reenacts 63-99-110

Effective April 30, 2007

Chapter 317, Laws of Utah 2007

SB 27 Technical Amendments to Assumption of Indebtedness on Residential Real Property (*Scott K. Jenkins*)

This bill makes technical changes to provisions related to assumption of indebtedness on residential real property.

This bill:

- ▶ makes technical changes to a provision addressing accelerating or maturing an indebtedness, including clarifying sentence structure and updating language.

The original bill was recommended by the Business and Labor Interim Committee

Amends 57-15-8.5

Effective April 30, 2007

Chapter 56, Laws of Utah 2007

SB 28 Water Conveyance Easements (*Dennis E. Stowell*)

This bill provides for notice of an easement.

This bill:

- ▶ authorizes recording an easement for a water conveyance.

The original bill was recommended by the Water Issues Task Force

Enacts 57-13a-103

Effective April 30, 2007

Chapter 318, Laws of Utah 2007

SB 30 **Creation of New School District Amendments** (*Carlene M. Walker*)

This bill modifies provisions related to the creation of a new school district.

This bill:

- ▶ adds a vote to elect school district board members resulting from the creation of a new school district to the list of special elections that a local political subdivision may call;
- ▶ adds a definition relating to the creation of a new school district;
- ▶ provides a process for certifying the creation of a new school district and establishes the date that the new district is created;
- ▶ clarifies the duties of a new district and the district from which the new district was created with respect to providing educational services;
- ▶ makes exceptions to requirements applicable to a proposal by interlocal agreement participants to create a new school district where the proposal would otherwise geographically isolate an area within a municipality that is served by a separate school district;
- ▶ provides for the election of school district board members of a new school district and of the school district from which the new district was created, and provides for the terms of those members;
- ▶ establishes a process for allocating the property of an existing school district between a newly created district and the school district from which it was created, including:
 - transition teams to represent the new district and the district from which the new district was created; and
 - a requirement that disputes about the allocation of property be decided by binding arbitration;
- ▶ shifts from the board of a new school district to the board of the district from which the new district was created the responsibility to continue to levy a tax on property in the new district to pay the new district's proportionate share of bonds issued before the new district was created;
- ▶ prohibits a school district board from issuing bonds approved but not issued before the creation of a new district under certain circumstances;
- ▶ authorizes a mayor or the mayor's designee of a municipality that is partly or entirely within the boundaries of a school district to attend and participate in school board meetings;
- ▶ requires local school boards to give notice of board meetings to the mayor or the mayor's designee of each municipality that is partly or entirely within the boundaries of the school district; and
- ▶ makes technical, conforming, and clarifying changes.

Amends 20A-1-203, 20A-14-201, 53A-2-104, 53A-2-105, 53A-2-117, 53A-2-118, 53A-2-118.1, 53A-2-119, 53A-2-120, 53A-2-121, 53A-3-409

Effective April 30, 2007

Chapter 215, Laws of Utah 2007

SB 31 **Sunset Review and Reauthorizations** (*Curtis S. Bramble*)

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2008 Annual General Session of the Utah Legislature.

This bill:

- ▶ reauthorizes certain named state entities and programs that are scheduled to sunset before the 2008 Annual General Session; and
- ▶ makes technical changes.

The original bill was recommended by the Legislative Management Committee

Amends 63-55-213, 63-55-231, 63-55-235, 63-55-236, 63-55-258, 63-55-259, 63-55-263, 63-55-267, 63-55-278, 63-55b-126, 63-55b-153, 63-55b-178

Effective April 30, 2007

Chapter 216, Laws of Utah 2007

SB 32 **Filings of Administrative Rules, Orders, and Regulations** (*Howard A. Stephenson*)

This bill updates the code regarding a reference to the Division of Administrative Rules to conform with current law.

This bill:

- ▶ deletes the reference to the Division of Archives and replaces it with a reference to the Division of Administrative Rules, to reflect statute provisions regarding filings of orders, rules, and regulations of the governor or an entity of the executive branch.

The original bill was recommended by the Administrative Rules Review Committee

Amends 63-5a-7

Effective April 30, 2007

Chapter 177, Laws of Utah 2007

SB 33 **Special Group License Plate - Gold Star Family** (*Carlene M. Walker*)

This bill modifies the Motor Vehicles Code by creating a special group license plate for the parents, spouse, or siblings of a person who is killed while serving in the United States armed forces.

This bill:

- ▶ creates a special group license plate for the parents, spouse, or siblings of a person who is killed while serving in the United States armed forces; and
- ▶ makes technical changes.
- ▶ This bill takes effect on October 1, 2007.

Amends 41-1a-418, 41-1a-421

Effective October 1, 2007

Chapter 217, Laws of Utah 2007

SB 35 Uniform Child Abduction Prevention Act (*Lyle W. Hillyard*)

This bill enacts the Utah Uniform Child Abduction Prevention Act.

This bill:

- ▶ sets guidelines for judges to determine when a child is at risk for abduction;
- ▶ requires a party to file a petition with the court specifying risk factors that might lead to an abduction;
- ▶ addresses specific issues for international abductions; and
- ▶ allows a court to issue a warrant to take immediate physical custody of a child it determines is at risk for abduction.
- ▶ This bill takes effect on January 1, 2008.

Enacts 78-62-101, 78-62-102, 78-62-103, 78-62-104, 78-62-105, 78-62-106, 78-62-107, 78-62-108, 78-62-109, 78-62-110, 78-62-111, 78-62-112

Effective January 1, 2008

Chapter 265, Laws of Utah 2007

SB 38 Juvenile Court Judge (*Carlene M. Walker*)

This bill adds one new judge to the third judicial district.

This bill:

- ▶ increases the number of juvenile court judges in the third judicial district to ten.

Amends 78-1-2.3

Effective April 30, 2007

Chapter 319, Laws of Utah 2007

SB 41 Local Issues Amendments (*Carlene M. Walker*)

This bill modifies a provision relating to a form of municipal government and creates the Local Issues Task Force.

This bill:

- ▶ prohibits the establishment of a manager form of municipal government until May 5, 2008;
- ▶ requires the repeal of an ordinance establishing a manager form of government if adopted on or after January 1, 2007; and
- ▶ creates the Local Issues Task Force, providing for membership and compensation of members and duties of the task force and requiring a report to the Political Subdivisions Interim Committee.
- ▶ This bill appropriates:
 - ▶ \$4,000 to the Senate; and
 - ▶ \$11,000 to the House of Representatives.
- ▶ This bill repeals uncodified material on November 30, 2007.
- ▶ This bill coordinates with S.B. 30, Creation of New School District Amendments, by providing substantive amendments.

Amends 10-3-830

Effective April 30, 2007

Chapter 266, Laws of Utah 2007

SB 42 Preferred Prescription Drug List (*Allen M. Christensen*)

This bill amends the Medical Assistance Act of the Health Code.

This bill:

- ▶ amends provisions related to the Medicaid drug program;
- ▶ deletes language related to the department study of drug programs in 2003 and the department report to the Executive Appropriations Committee in 2003;
- ▶ permits the department to develop a Medicaid drug program that may include placing some drugs on a preferred drug list; and
- ▶ requires the department to report on any drug program by August 2008.

Amends 26-18-2.4

Effective April 30, 2007

Chapter 385, Laws of Utah 2007

SB 44 Scrap Metal Transactions (*Jon J. Greiner*)

This bill modifies the Criminal Code and requires identification and related procedures for the sale of specified metals and imposes penalties for participating in transactions involving these metals without providing appropriate identification.

This bill:

- ▶ defines "regulated metals";
- ▶ specifies identification that must be provided in order to sell regulated metals to dealers;
- ▶ requires that dealers post a sign advising sellers that they must provide identification in compliance with state law;
- ▶ requires that dealers keep a written or electronic log of identification and sales for not less than one year;
- ▶ requires authorization from a governmental entity in order to sell certain regulated metals such as manhole covers;
- ▶ requires authorization of the owner in order to sell specified regulated metals that are defined as "suspect metals," such as copper and grave site vases;
- ▶ allows a law enforcement agency to place a hold up to 60 days if the agency believes the metal is stolen;
- ▶ provides an exemption for businesses with established accounts who maintain specified records with the dealer;
- ▶ provides that violation of these requirements by the dealer or the seller is a class C misdemeanor; and
- ▶ repeals the current identification and records requirements for dealers in junk other than regulated metals.

Amends 76-10-901, 76-10-907, 76-10-908, 76-10-910

Enacts 76-10-900.5, 76-10-907.1, 76-10-907.2, 76-10-907.3, 76-10-910.5

Repeals 76-10-909

Effective April 30, 2007

Chapter 320, Laws of Utah 2007

SB 45 **Nursing Amendments** *(Peter C. Knudson)*

This bill amends the Nurse Practice Act, the Advanced Practice Registered Nurse Compact, and the Nurse Midwife Practice Act.

This bill:

- ▶ removes the definition of “practice of nurse anesthesia”;
- ▶ removes the license classification of certified registered nurse anesthesia;
- ▶ creates the license classification of advanced practice registered nurse - without prescriptive authority;
- ▶ changes the license category for licensed nurse anesthetist to advanced practice registered nurse without prescriptive authority;
- ▶ makes technical amendments necessary to remove references to licensed nurse anesthetists;
- ▶ adds certified nurse midwives to the list of APRN subject to the Advanced Practice Registered Nurse Compact; and
- ▶ beginning July 2010, amends the qualifications for licensure as a nurse midwife.

Amends 58-31b-102, 58-31b-301, 58-31b-302, 58-31b-305, 58-31d-103, 58-44a-302

Effective April 30, 2007

Chapter 57, Laws of Utah 2007

SB 46 **Health Care Amendments** *(Peter C. Knudson)*

This bill amends the local health department’s code.

This bill:

- ▶ requires local health departments to develop and implement plans to investigate and respond to disease outbreaks, including strengthening:
 - the Medical Reserve Corps;
 - disease surveillance systems; and
 - emergency preparation and response plans.
- ▶ This bill appropriates:€from the General Fund for fiscal year 2007-08 only, to the Department of Health to be used to assist the local health departments to implement the emergency preparedness and surge capacity plans required by Section 26A-1-127.

Enacts 26A-1-127

Effective April 30, 2007

Chapter 178, Laws of Utah 2007

SB 47 Department of Agriculture Amendments (*Margaret Dayton*)

This bill amends several provisions relating to the Department of Agriculture and Food.

This bill:

- ▶ changes the membership of the Soil Conservation Commission;
- ▶ changes the name of the Soil Conservation Commission;
- ▶ requires the Department of Agriculture and Food to follow the fee statute;
- ▶ removes references to the agricultural development division;
- ▶ clarifies the definition of a producer;
- ▶ repeals the chapter regarding the regulation of flour and cereal;
- ▶ repeals several sections regarding the conservation corps; and
- ▶ makes technical changes.

Amends 4-1-4, 4-2-2, 4-2-10, 4-3-1, 4-3-4, 4-3-7, 4-3-8, 4-3-10, 4-3-14, 4-4-4, 4-5-6, 4-5-7, 4-5-10, 4-5-15, 4-5-17, 4-8-7, 4-10-2, 4-10-7, 4-11-15, 4-12-2, 4-12-5, 4-13-2, 4-13-4, 4-13-6, 4-14-3, 4-14-9, 4-15-5, 4-15-6, 4-17-6, 4-18-1, 4-18-3, 4-18-4, 4-18-5, 4-18-6, 4-19-1, 4-19-2, 4-19-3, 4-19-4, 4-20-1.5, 4-20-1.6, 4-30-6, 4-31-3, 4-31-10, 4-31-13, 4-31-16, 4-32-3, 4-32-5, 4-32-13, 4-32-18, 4-32-20, 4-32-22, 17-41-201, 17A-1-301, 17A-3-800, 41-1a-422, 54-3-25, 63-38-2, 73-5-15, 73-10-26

Repeals 4-6-1, 4-6-2, 4-6-3, 4-6-4, 4-18-14, 4-18-15, 4-18-16, 4-18-17, 4-18-18, 4-18-19, 4-18-20, 4-18-21, 4-18-22, 4-18-23, 4-18-24, 4-18-25, 4-18-26, 4-18-27

Effective April 30, 2007

Chapter 179, Laws of Utah 2007

SB 48 Amendments to Coal Mining and Reclamation (*Mike Dmitrich*)

This bill amends a coal mining and reclamation requirement.

This bill:

- ▶ authorizes a person proposing to extend the area of a coal mining permit to file an application for a significant revision of the permit; and
- ▶ makes technical changes.

Amends 40-10-12

Effective April 30, 2007

Chapter 321, Laws of Utah 2007

SB 49 **Optional Extended-day Kindergarten** (*Lyle W. Hillyard*)

This bill establishes a voluntary extended-day kindergarten program, with certain funding priorities.

This bill:

- ▶ establishes a program, administered by the State Board of Education, through which school districts and charter schools may provide voluntary extended-day kindergarten;
 - ▶ establishes program requirements and funding priorities;
 - ▶ requires districts to report certain information on the use of program monies and on the program's outcomes to the State Board of Education;
 - ▶ requires the Superintendent of Public Instruction to report to the Education Interim Committee on the program;
 - ▶ provides for review of and a sunset date for the program; and
 - ▶ makes certain appropriations nonlapsing.
- This bill appropriates:
- ▶ \$30,000,000 from the Uniform School Fund for fiscal year 2007-08 only, to the State Board of Education.
 - ▶ This bill takes effect on July 1, 2007.

Amends 63-55-253

Enacts 53A-1a-801, 53A-1a-802, 53A-1a-803

Effective July 1, 2007

Chapter 386, Laws of Utah 2007

SB 50 Drug Offenders Reform Act (*D. Chris Buttars*)

This bill modifies provisions of the Utah Substance Abuse and Anti-Violence Coordinating Council and the Code of Criminal Procedure to implement provisions relating to screening, assessment, and substance abuse treatment for offenders. These provisions are referred to as the Drug Offender Reform Act.

This bill:

- ▶ requires the Utah Substance Abuse and Anti-Violence Coordinating Council to coordinate and evaluate the implementation of the screening and assessment program;
- ▶ requires that on and after July 1, 2007, offenders convicted of any felony offense participate in the screening and assessment process; and
- ▶ requires that the results of any screening and assessment of an offender be provided to the court prior to sentencing.
- ▶ This bill appropriates as nonlapsing funds:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$27,000 from the General Fund, for fiscal year 2007-08 to the Commission on Criminal and Juvenile Justice;
 - ▶ as a one time appropriation from the General Fund, (\$3,000) for fiscal year 2007-08 to the Commission on Criminal and Juvenile Justice;
 - ▶ as an ongoing appropriation subject to future budget constraints, \$3,419,500 from the General Fund, for fiscal year 2007-08, to the Department of Corrections;
 - ▶ as a one time appropriation from the General Fund, (\$379,900) for fiscal year 2007-08 to the Department of Corrections;
 - ▶ as an ongoing appropriation subject to future budget constraints, \$5,456,300 from the General Fund, for fiscal year 2007-08, to the Department of Human Services;
 - ▶ as a one time appropriation from the General Fund, (\$606,300) for fiscal year 2007-08 to the Department of Human Services;
 - ▶ as an ongoing appropriation subject to future budget constraints, \$56,700 from the General Fund, for fiscal year 2007-08, to the Administrative Office of the Courts;
 - ▶ as a one time appropriation from the General Fund, (\$6,300) for fiscal year 2007-08 to the Administrative Office of the Courts;
 - ▶ as an ongoing appropriation subject to future budget constraints, \$40,500 to the Board of Pardons and Parole; and
 - ▶ as a one time appropriation from the General Fund, (\$4,500) for fiscal year 2007-08 to the Board of Pardons and Parole.
- ▶ This bill takes effect on July 1, 2007.

Amends 63-25a-203, 63-25a-205.5, 77-18-1, 77-18-1.1, 77-27-9

Effective July 1, 2007

Chapter 218, Laws of Utah 2007

SB 51 Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments (*Michael G. Waddoups*)

This bill modifies the Alcoholic Beverage Control Act to address distribution of monies related to the Alcoholic Beverage Enforcement and Treatment Restricted Account.

This bill:

- ▶ expands the list of state agencies that could be awarded grants by the Utah Substance Abuse and Anti-Violence Coordinating Council; and
- ▶ makes technical changes.

Amends 32A-1-115

Effective April 30, 2007

Chapter 58, Laws of Utah 2007

SB 52 Health Regulations for Public Indoor Tanning Beds (*Patricia W. Jones*)

This bill amends the Health Code to authorize the Department of Health to regulate public tanning facilities.

This bill:

- ▶ defines terms;
- ▶ authorizes local health departments to issue permits for tanning facilities; and
- ▶ requires a person younger than 18 to obtain parental consent before using a tanning facility.

Amends 26-15-2

Enacts 26-15-13

Effective April 30, 2007

Chapter 25, Laws of Utah 2007

SB 53 Higher Education Engineering Partnership (*Gregory S. Bell*)

This bill provides for and funds a higher education engineering partnership.

This bill:

- ▶ provides for an engineering partnership between Weber State University and Utah State University to meet the demand for electrical engineers in the state, including the demand at Hill Air Force Base; and
- ▶ appropriates funds to be used for the engineering partnership.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints:
 - \$305,600 from the Education Fund for fiscal year 2007-08 to Weber State University; and
 - \$405,200 from the Education Fund for fiscal year 2007-08 to Utah State University; and
 - ▶ for fiscal year 2007-08 only:
 - \$100,200 from the Education Fund to Weber State University; and
 - \$765,200 from the Education Fund to Utah State University.
- ▶ This bill takes effect on July 1, 2007.

Enacts 53B-18-1101

Effective July 1, 2007

Chapter 336, Laws of Utah 2007

SB 54 Motor Vehicle Dealer Performance Bond Amendments (*Dan R. Eastman*)

This bill modifies the Motor Vehicle Business Regulation Act by amending motor vehicle dealer bond provisions.

This bill:

- ▶ provides that a surety or principal may not make a payment on a surety bond until six months have expired after the first claim on a bond was filed;
- ▶ provides that six months after a claim on a bond has been filed, the surety or principal shall assess the validity of all bond claims and submit a distribution assessment to all bond claimants;
- ▶ provides that if the total verifiable bond claims do not exceed the bond amount, the claimants shall receive the full amount of all valid bond claims;
- ▶ provides that if the total verifiable bond claims exceed the bond amount, the bond proceeds shall be distributed pro rata to bond claimants of all valid bond claims;
- ▶ provides that if a distribution assessment is not unanimously approved by all bond claimants, the surety or principal shall file an interpleader action in the state district court where the defaulting dealer is licensed;
- ▶ provides that a surety or principal may not be awarded attorney fees that exceed \$2,500 for an interpleader action; and
- ▶ makes technical changes.

Amends 41-3-205

Effective April 30, 2007

Chapter 267, Laws of Utah 2007

SB 55 Transfer and Disposition of Protected Property Amendments (*Darin G. Peterson*)

This bill modifies statutory forfeiture procedures, including transfer of a forfeiture to a federal agency.

This bill:

- ▶ provides additional procedural requirements regarding transfer of a forfeiture process to a federal agency, including protection of the rights of affected parties;
- ▶ clarifies that forfeiture proceeds are allocated to the Criminal Forfeiture Restricted Account;
- ▶ corrects specified cross references; and
- ▶ makes technical amendments.

Amends 24-1-8, 24-1-15, 32A-13-103, 53A-16-101, 76-10-1107, 76-10-1108, 76-10-1603.5

Effective April 30, 2007

Chapter 180, Laws of Utah 2007

SB 56 Education Employee Association Amendments (*Mark B. Madsen*)

This bill enacts provisions in Chapter 53A, State System of Public Education, related to policies and procedures governing education employee associations.

This bill:

- ▶ requires school districts and charter schools to allow education employee associations equal access to the following activities:
 - distribution of information to teachers' or employees' physical or electronic mailboxes; and
 - membership solicitation at new teacher or employee orientation;
- ▶ prohibits school districts and charter schools from:
 - establishing or maintaining procedures that favor one education employee association over another; or
 - explicitly or implicitly endorsing an education employee association; and
- ▶ prohibits a school's calendars and publications from referring to the name of any education employee organization in reference to any break in the school calendar.

Enacts 53A-3-426

Effective April 30, 2007

Chapter 88, Laws of Utah 2007

SB 59 Exemption from Fishing License (*Dennis E. Stowell*)

This bill authorizes residents younger than 14 years old to fish without a license during a youth organization activity.

This bill:

- ▶ authorizes residents younger than 14 years old to fish during a youth organization activity without a fishing license if the organization receives proper documentation;
- ▶ requires the adult leader to instruct the youth members on fishing laws;
- ▶ requires the Division of Wildlife Resources to provide educational materials on fishing laws; and
- ▶ authorizes the Division of Wildlife Resources to make rules to implement this section.

Enacts 23-19-14.5

Effective April 30, 2007

Chapter 355, Laws of Utah 2007

SB 60 **Uniform Prudent Management of Institutional Funds** (*Lyle W. Hillyard*)

This bill establishes standards and criteria for management of certain charitable funds held by certain institutions.

This bill:

- ▶ establishes a standard of conduct for managing and investing institutional funds;
- ▶ establishes guidelines for appropriating institutional funds for expenditure or accumulation;
- ▶ establishes procedures and standards for modifying restrictions on a fund's management, investment, or purpose;
- ▶ authorizes institutions to delegate the management and investment of institutional funds to an agent and provides a standard of care and limited immunity for an institution that performs that delegation;
- ▶ establishes standards for the review of and implementation of the chapter; and
- ▶ incorporates certain additional provisions added by Utah to the current Uniform Act into this Act.

Enacts 51-8-101, 51-8-102, 51-8-201, 51-8-202, 51-8-301, 51-8-302, 51-8-303, 51-8-304, 51-8-401, 51-8-501, 51-8-601, 51-8-602, 51-8-603, 51-8-604

Repeals 13-29-1, 13-29-2, 13-29-3, 13-29-4, 13-29-5, 13-29-6, 13-29-7, 13-29-8, 13-29-9, 13-29-10

Effective April 30, 2007

Chapter 59, Laws of Utah 2007

SB 64 **Tourism, Recreation, Cultural, and Convention Facilities Tax - Advisory Board** (*Michael G. Waddoups*)

This bill amends the Tourism, Recreation, Cultural, and Convention Facilities Tax part.

This bill:

- ▶ requires an advisory board to be established to advise a county of the first class on the expenditure of revenues collected from a tax under Title 59, Chapter 12, Part 6, Tourism, Recreation, Cultural, and Convention Facilities Tax; and
- ▶ makes technical changes.

Amends 59-12-603

Effective April 30, 2007

Chapter 219, Laws of Utah 2007

SB 69 **Local Transportation Corridor Preservation Fund Amendments** (*Sheldon L. Killpack*)

This bill modifies the Transportation Finances Act by amending provisions relating to the Local Transportation Corridor Preservation Fund.

This bill:

- ▶ clarifies that the Local Transportation Corridor Preservation Fund shall be used to preserve highway corridors;
- ▶ requires the county's council of governments to establish a priority list of highway corridor preservation projects within the county and obtain approval of the list from the county's legislative body;
- ▶ provides that a county's council of governments may only submit one priority list of highway corridor preservation projects within the county per calendar year and the county legislative body may only consider and approve one priority list of highway corridor preservation projects per calendar year;
- ▶ provides that a highway authority may not apply for monies to purchase a right-of-way for a state highway unless the highway authority has:
 - a transportation corridor property acquisition policy or ordinance in effect that meets federal requirements; and
 - an access management policy or ordinance in effect that meets certain requirements; and
- ▶ makes technical changes.

Amends 72-2-117.5

Effective April 30, 2007

Chapter 181, Laws of Utah 2007

SB 70 **Utah Valley University Institutional Name Change** (*John L. Valentine*)

This bill modifies the State System of Higher Education Code by changing the name of Utah Valley State College to Utah Valley University.

This bill:

- ▶ changes the name of Utah Valley State College to Utah Valley University effective on July 1, 2008;
- ▶ clarifies the status of the university as a continuation of the college; and
- ▶ makes technical corrections.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$8,000,000 from the General Fund for fiscal year 2007-08 to Utah Valley University.
- ▶ This bill takes effect on July 1, 2007.

Amends 53B-1-102, 53B-2-101, 53B-2-104, 53B-2a-108, 53B-3-102, 53B-7-502, 53B-8-101, 53B-16-201, 63-91-201, 76-8-701

Enacts 53B-2-110

Effective July 1, 2007

Chapter 356, Laws of Utah 2007

SB 71 County Recorder Amendments (*Dennis E. Stowell*)

This bill modifies provisions relating to county recorders and documents submitted to county recorders for recording.

This bill:

- ▶ clarifies that a document relating to parcels designated as a community area is to be treated the same as a document relating to a parcel designated as a common area;
- ▶ eliminates a requirement that fidelity bonds be recorded;
- ▶ modifies procedures and requirements applicable to the recording of documents;
- ▶ modifies procedures applicable to a subdivision plat that includes a public utility easement;
- ▶ provides an affidavit form for the termination on an interest in real estate; and
- ▶ makes permissible rather than mandatory a county recorder's refusal to accept for recording a document that fails to comply with applicable requirements.

Amends 10-9a-606, 17-16-11, 17-21-12, 17-27a-606, 54-3-27, 57-1-5.1, 57-3-105, 57-3-106, 57-8-11, 57-8-14, 57-8-27

Repeals 17-21-13

Effective April 30, 2007

Chapter 268, Laws of Utah 2007

SB 73 New Utah License Plate Design (*Dan R. Eastman*)

This bill modifies the Motor Vehicles Act by amending provisions relating to license plates.

This bill:

- ▶ requires the Division of Motor Vehicles to issue license plates with the "Life Elevated" slogan and with a certain color and design once the division determines that the existing inventories of statehood centennial and Ski Utah license plates are exhausted;
- ▶ requires that license plates shall be renewed annually and specifies decal requirements for registration renewals;
- ▶ specifies application location requirements for registration renewal decals on license plates;
- ▶ repeals certain license plate slogan requirements; and
- ▶ makes technical changes.

Amends 41-1a-402

Repeals 41-1a-405

Effective April 30, 2007

Chapter 220, Laws of Utah 2007

SB 74 Penalties Relating to Taxes, Fees, or Charges (*Howard A. Stephenson*)

This bill amends the State Tax Commission chapter relating to penalties and related payments.

This bill:

- ▶ defines terms;
- ▶ modifies penalty and related payment provisions that apply to taxes, fees, or charges with respect to the failure to:
 - file a return; or
 - pay a tax, fee, or charge due;
- ▶ enacts uncodified language requiring the Utah Tax Review Commission to conduct a study on penalties relating to taxes, fees, or charges; and
- ▶ makes technical changes.

Amends 59-1-401, 59-7-507, 59-10-516

Effective April 30, 2007

Chapter 269, Laws of Utah 2007

SB 75 Advance Health Care Directive Act (*Allen M. Christensen*)

This bill repeals the Personal Choice and Living Will Act and enacts the Advance Health Care Directive Act.

This bill:

- ▶ establishes legislative intent;
- ▶ defines terms;
- ▶ gives preference to current health care decisions;
- ▶ creates a presumption that an individual has capacity to make health care decisions and appoint an agent;
- ▶ establishes:
 - powers of a health care agent;
 - surrogate decision makers when an agent is not available;
 - scope of surrogate powers;
 - priority of decision makers; and
 - powers of court-appointed guardians;
- ▶ coordinates the role of agents and surrogates as personal representatives of an individual;
- ▶ provides for the revocation of a health care directive;
- ▶ requires notice to health care providers of a health care directive or the appointment of an agent;
- ▶ establishes the duties of a health care provider and a health care facility regarding implementing a health care directive;
- ▶ creates a presumption of validity of health care directives;
- ▶ creates a presumptive statutory form for health care directives;
- ▶ prohibits the illegal destruction or forgery of a health care directive;
- ▶ prohibits a life or health insurer from:
 - denying benefits under a policy because an individual signed an advance health care directive which authorizes the withdrawal of life support; or
 - requiring an individual to create a health care directive in order to be insured; and
- ▶ provides for reciprocity for health care directives or similar documents from other states.
- ▶ This bill takes effect on January 1, 2008.

Amends 62A-3-301, 76-5-111

Enacts 75-2a-1101, 75-2a-1102, 75-2a-1103, 75-2a-1104, 75-2a-1105, 75-2a-1105.5, 75-2a-1106, 75-2a-1107, 75-2a-1108, 75-2a-1109, 75-2a-1110, 75-2a-1111, 75-2a-1112, 75-2a-1113, 75-2a-1114, 75-2a-1115, 75-2a-1116, 75-2a-1117, 75-2a-1118, 75-2a-1119, 75-2a-1120, 75-2a-1121, 75-2a-1122, 75-2a-1123

Repeals 75-2-1101, 75-2-1102, 75-2-1103, 75-2-1104, 75-2-1105, 75-2-1105.5, 75-2-1106, 75-2-1107, 75-2-1108, 75-2-1109, 75-2-1110, 75-2-1111, 75-2-1112, 75-2-1113, 75-2-1114, 75-2-1115, 75-2-1116, 75-2-1117, 75-2-1118, 75-2-1119

Effective January 1, 2008

Chapter 31, Laws of Utah 2007

SB 77 **Insurable Interest Amendments** (*Ross I. Romero*)

This bill modifies the Insurance Code to address insurable interest requirements.

This bill:

- ▶ addresses what constitutes an insurable interest;
- ▶ addresses when an insurable interest requirement is to be met;
- ▶ provides for how insurable interests of employers or trusts are to be treated;
- ▶ addresses scope of the provisions; and
- ▶ makes technical changes.
- ▶ This bill provides revisor instructions.

Amends 31A-21-104

Effective April 30, 2007

Chapter 89, Laws of Utah 2007

SB 80 **Education Reform - Critical Languages Program** (*Howard A. Stephenson*)

This bill modifies the State System of Education Code by establishing a critical languages program.

This bill:

- ▶ establishes the Critical Languages Program; and
- ▶ authorizes a pilot program.
- ▶ This bill appropriates:
 - ▶ as an ongoing appropriation subject to future budget constraints, \$230,000 from the Uniform School Fund for fiscal year 2007-08 to the State Board of Education.
- ▶ This bill takes effect on July 1, 2007.

Enacts 53A-15-104

Effective July 1, 2007

Chapter 221, Laws of Utah 2007

SB 83 **Acupuncture Licensing Act Amendments** (*Scott D. McCoy*)

This bill modifies provisions of the Acupuncture Licensing Act.

This bill:

- ▶ modifies the definition of the practice of acupuncture and changes the designation of "acupuncturist" to "licensed acupuncturist";
- ▶ modifies provisions regarding the licensing and the renewal of a license of an acupuncturist;
- ▶ makes conforming changes in the manner in which the title "licensed acupuncturist" may be used with an individual's name and practice;
- ▶ modifies a provision dealing with presumptions related to third party insurance payments to a person practicing acupuncture; and
- ▶ makes certain technical changes.

Amends 58-72-102, 58-72-201, 58-72-302, 58-72-303, 58-72-501, 58-72-601

Effective April 30, 2007

Chapter 90, Laws of Utah 2007

SB 85 Mining Test Fees (*Mike Dmitrich*)

This bill designates fees collected by the Labor Commission as dedicated credits.

This bill:

- ▶ designates fees collected by the Labor Commission for mining certification tests as dedicated credits; and
- ▶ directs the Labor Commission to use the fees to administer the certification test.
- ▶ This bill takes effect on July 1, 2007.

Amends 40-2-15

Effective July 1, 2007

Chapter 222, Laws of Utah 2007

SB 86 Repeal of Libel and Slander Provisions (*Scott D. McCoy*)

This bill modifies the Criminal Code to repeal the unconstitutional criminal libel provision and to repeal related sections. This bill also repeals criminal slander statutes.

This bill:

- ▶ repeals the criminal libel statute, which was found unconstitutional by the Utah Supreme Court;
- ▶ repeals the definition and presumptions relating to the criminal libel offense; and
- ▶ repeals the Criminal Code offense of slander regarding female chastity.

Repeals 76-9-501, 76-9-502, 76-9-507, 76-9-508

Effective April 30, 2007

Chapter 270, Laws of Utah 2007

SB 87 Homeowners Association Requirements (*John W. Hickman*)

This bill addresses requirements in Title 57, Chapter 8, Condominium Ownership Act, and Chapter 8a, Community Association Act.

This bill:

- ▶ addresses restrictions on amending governing documents for condominium projects and community associations; and
- ▶ addresses the duration of service contracts entered into by the association during a period of administrative control.

Enacts 57-8-39, 57-8a-104

Effective April 30, 2007

Chapter 223, Laws of Utah 2007

SB 89 Revising Death Certificates (*Carlene M. Walker*)

This bill amends the Vital Statistics Act to prohibit the display of Social Security numbers on death certificates.

This bill:

- ▶ prohibits the display of Social Security numbers on death certificates.

Amends 26-2-4, 26-2-13

Effective April 30, 2007

Chapter 32, Laws of Utah 2007

SB 90 Higher Education Enhancements (*John W. Hickman*)

This bill appropriates monies to certain institutions within the State System of Higher Education.

This bill:

- ▶ appropriates, with the approval of the State Board of Regents, monies to the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State College of Utah, the College of Eastern Utah, and Salt Lake Community College to:
 - expand current degree programs;
 - establish new degree programs; or
 - hire additional personnel.
- ▶ This bill appropriates:
- ▶ as an ongoing appropriation subject to future budget constraints, \$7,500,000 from the Education Fund for fiscal year 2007-08 to certain institutions within the State System of Higher Education.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 271, Laws of Utah 2007

SB 91 Uniform Commercial Code - General Provisions (*Lyle W. Hillyard*)

This bill modifies the general provisions of the Uniform Commercial Code.

This bill:

- ▶ repeals Title 70A, Chapter 1, General Provisions;
- ▶ enacts the revised Article 1 of the Uniform Commercial Code as Title 70A, Chapter 1a, General Provisions, including provisions related to:
 - the construction and interpretation of the Uniform Commercial Code;
 - the relationship between the Uniform Commercial Code and other laws;
 - the applicability of the Uniform Commercial Code; and
 - defining terms;
- ▶ amends other provisions of the Uniform Commercial Code, to conform with the adoption of Title 70A, Chapter 1a, General Provisions; and
- ▶ makes technical amendments.

Amends 11-14-501, 15-8-4, 24-1-3, 32A-11a-102, 41-1a-601, 46-4-103, 46-4-403, 70A-2-103, 70A-2-202, 70A-2a-103, 70A-2a-501, 70A-2a-518, 70A-2a-519, 70A-2a-527, 70A-2a-528, 70A-3-103, 70A-4-104, 70A-4a-105, 70A-4a-106, 70A-4a-204, 70A-5-103, 70A-7a-102, 70A-8-101, 70A-9a-102.1, 70A-10-104, 70C-2-204

Enacts 70A-1a-101, 70A-1a-102, 70A-1a-103, 70A-1a-104, 70A-1a-105, 70A-1a-106, 70A-1a-107, 70A-1a-108, 70A-1a-201, 70A-1a-202, 70A-1a-203, 70A-1a-204, 70A-1a-205, 70A-1a-206, 70A-1a-301, 70A-1a-302, 70A-1a-303, 70A-1a-304, 70A-1a-305, 70A-1a-306, 70A-1a-307, 70A-1a-308, 70A-1a-309, 70A-1a-310

Repeals 70A-1-101, 70A-1-102, 70A-1-103, 70A-1-104, 70A-1-105, 70A-1-106, 70A-1-107, 70A-1-108, 70A-1-109, 70A-1-201, 70A-1-202, 70A-1-203, 70A-1-204, 70A-1-205, 70A-1-206, 70A-1-207, 70A-1-208

Effective April 30, 2007

Chapter 272, Laws of Utah 2007

SB 92 **Revised Uniform Anatomical Gift Act** (*Lyle W. Hillyard*)

This bill repeals the Uniform Anatomical Gift Act and enacts the Revised Uniform Anatomical Gift Act.

This bill:

- ▶ defines terms;
- ▶ establishes who can make an anatomical gift before the donor's death and the manner of making a gift before death;
- ▶ establishes:
 - procedures for amending or revoking an anatomical gift before death;
 - procedures for refusal to make an anatomical gift and the effect of a refusal;
 - the preclusive effect of an anatomical gift, amendment, or revocation;
 - who may make a gift of a decedent's body or part;
 - the manner of making, amending, or revoking an anatomical gift of a decedent's body or part;
 - persons that may receive an anatomical gift;
 - which persons should make a reasonable search for documents of gift; and
 - rights and duties of procurement organizations and others;
- ▶ coordinates procurement and use;
- ▶ prohibits the sale or purchase of parts, and other certain acts;
- ▶ provides limited immunity to a person that acts in accordance with the act;
- ▶ provides choice of laws as to execution of document and a presumption of validity;
- ▶ authorizes the Department of Public Safety to establish or contract with another to establish a donor registry;
- ▶ establishes the effect of an anatomical gift on an advanced health care directive;
- ▶ requires certain cooperation between the medical examiner and a procurement organization;
- ▶ establishes relationship of the act with electronic global and national electronic signatures act; and
- ▶ makes technical and conforming amendments.
- ▶ This bill takes effect on July 1, 2007.

Amends 26-2-17, 26-4-4, 53-1-106, 53-3-205, 53-3-207, 53-3-804, 53-3-805, 76-9-704

Enacts 26-28-101, 26-28-102, 26-28-103, 26-28-104, 26-28-105, 26-28-106, 26-28-107, 26-28-108, 26-28-109, 26-28-110, 26-28-111, 26-28-112, 26-28-113, 26-28-114, 26-28-115, 26-28-116, 26-28-117, 26-28-118, 26-28-119, 26-28-120, 26-28-121, 26-28-122, 26-28-123, 26-28-124, 26-28-125

Repeals 26-28-1, 26-28-2, 26-28-3, 26-28-4, 26-28-5, 26-28-6, 26-28-7, 26-28-8, 26-28-9, 26-28-10, 26-28-11, 26-28-12

Effective July 1, 2007

Chapter 60, Laws of Utah 2007

SB 93 **Governor's Rural Partnership Board Amendments** (*John W. Hickman*)

This bill modifies provisions of the State Commissions and Councils Code related to compensation of members serving on the Governor's Rural Partnership Board.

This bill provides that members of the Governor's Rural Partnership Board may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance.

Amends 63C-10-102

Effective April 30, 2007

Chapter 182, Laws of Utah 2007

SB 94 Use of Mineral Lease Funds by Special Service Districts *(Mike Dmitrich)*

This bill modifies a provision relating to the services that special service districts may provide.

This bill:

- ▶ authorizes special service districts to spend mineral lease funds on providing construction and maintenance of public facilities, traditional government services, and planning, as a means for mitigating the impacts from extractive mineral industries; and
- ▶ repeals language allowing special service districts to use mineral lease funds on certain economic development activities.

Amends 17A-2-1304

Effective April 30, 2007

Chapter 183, Laws of Utah 2007

SB 96 Sales and Use Tax Exemption for Disposable Home Medical Equipment or Supplies *(Sheldon L. Killpack)*

This bill amends the Sales and Use Tax Act to enact a sales and use tax exemption.

This bill:

- ▶ defines the term “disposable home medical equipment or supplies”;
- ▶ enacts a sales and use tax exemption for sales of disposable home medical equipment or supplies; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-102, 59-12-104

Effective July 1, 2007

Chapter 224, Laws of Utah 2007

SB 97 Constitutional Revision Commission Membership *(Peter C. Knudson)*

This bill modifies provisions relating to the Utah Constitutional Revision Commission.

This bill:

- ▶ modifies a 12-year limit on a Utah Constitutional Revision Commission member’s term to specify that the limit applies if the 12 years are consecutive.

Amends 63-54-103

Effective April 30, 2007

Chapter 273, Laws of Utah 2007

SB 98 **Governmental Immunity for Trails** (*D. Chris Buttars*)

This bill modifies the Governmental Immunity Act of Utah, the Water and Irrigation Title, and the Judicial Code to amend provisions related to immunity for certain trails along a ditch, canal, stream, or river and to amend immunity provisions for inherent risks of certain activities.

This bill:

- ▶ provides that governmental immunity is not waived for a pedestrian or equestrian trail that is along a ditch, canal, stream, or river, regardless of ownership or operation of the ditch, canal, stream, or river, if the trail is designated under a general plan adopted by a municipality or a county and other requirements are met;
- ▶ provides that the owner or operator of a ditch, canal, stream, or river property is immune from suit if:
 - the damage or personal injury results from the use of a pedestrian or equestrian trail that is along a ditch, canal, stream, or river;
 - the trail is designated under a general plan adopted by a municipality or county; and
 - the trail right-of-way owner has a written agreement with the municipality or county opening the right-of-way to public use;
- ▶ requires the written agreement to provide that the owner of the right-of-way where the trail is located has, at minimum, the same level of immunity as the governmental entity from suit in connection with or resulting from the use of the trail;
- ▶ amends the definition of recreational activity, used in connection with inherent risks of certain recreational activities, to include walking, running, and jogging;
- ▶ provides that a person who is injured or suffers property damage while participating in a recreational activity may not seek recovery from the owner of property that is made available to a county, municipality, special district, or local district for recreational activity purposes; and
- ▶ makes technical changes.

Amends 63-30d-301, 73-1-8, 78-27-63

Effective April 30, 2007

Chapter 357, Laws of Utah 2007

SB 99 **Revised Business Corporations Act Amendments** (*Lyle W. Hillyard*)

This bill clarifies a definition concerning corporate distributions.

This bill:

- ▶ clarifies the definition of "distribution" in Title 16, Chapter 10a, Utah Revised Business Corporation Act; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 16-10a-102

Effective February 27, 2007

Chapter 21, Laws of Utah 2007

SB 100 Motor Vehicle License and Registration Fees Exemption for Purple Heart License Plates
(John W. Hickman)

This bill exempts from motor vehicle license and registration fees motor vehicles with Purple Heart special group license plates.

This bill:

- ▶ exempts a recipient of a Purple Heart special group license plate from paying the following motor vehicle license and registration fees:
 - automobile driver education fee;
 - motor vehicle registration fee;
 - selected license plate issuance fees;
 - uninsured motorist identification fee; and
 - local option transportation corridor preservation fee; and
- ▶ makes technical changes.

Amends 41-1a-1204, 41-1a-1206, 41-1a-1211, 41-1a-1218, 41-1a-1222

Effective April 30, 2007

Chapter 274, Laws of Utah 2007

SB 101 Credit Services Organizations Act Changes (Lyle W. Hillyard)

This bill clarifies the relationship between Title 13, Chapter 21, Credit Services Organizations Act, and Title 13, Chapter 42, Uniform Debt-Management Services Act.

This bill:

- ▶ provides that a person who provides debt-management services under Title 13, Chapter 42, Uniform Debt-Management Services Act, is not considered a credit services organization under Title 13, Chapter 21, Credit Services Organizations Act; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 13-21-2 (Effective 07/01/07)

Effective July 1, 2007

Chapter 61, Laws of Utah 2007

SB 103 Ineligibility for Unemployment Compensation Benefits (Dan R. Eastman)

This bill clarifies the disqualification provisions of the Employment Security Act related to an individual's unreported or underreported work or earnings, or both, in situations where the individual would have been eligible for benefits had the information been correctly reported.

This bill:

- ▶ provides that a claimant for unemployment benefits who does not report or underreports work or earnings, or both, for a particular week does not lose eligibility for that week because of the misreporting if the claimant would have been eligible for benefits had the information been reported correctly; and
- ▶ provides that a claimant who does not report or underreports work or earnings, or both, is subject to disqualification of benefits for subsequent weeks.

Amends 35A-4-405

Effective April 30, 2007

Chapter 225, Laws of Utah 2007

SB 104 Office of Recovery Services Fee (*Allen M. Christensen*)

This bill brings the state into compliance with the federal Deficit Reduction Act by requiring the Office of Recovery Services to charge an annual fee for child support services rendered to a custodial parent who has never received TANF assistance.

This bill:

- ▶ imposes an annual fee of \$25 in each case where child support services are provided by the Office of Recovery Services to a custodial parent who has never received TANF assistance, if the office has collected at least \$500 of child support for the custodial parent; and
- ▶ provides that the fees collected under the provisions of this bill will be deposited into the General Fund as a dedicated credit to be used by the Office of Recovery Services for the purpose of collecting child support.
- ▶ This bill takes effect on July 1, 2007.

Enacts 62A-11-303.7

Effective July 1, 2007

Chapter 184, Laws of Utah 2007

SB 106 Motor Vehicle Business Fee Amendments (*Lyle W. Hillyard*)

This bill modifies the Motor Vehicle Business Regulation Act by amending provisions relating to motor vehicle business regulation fees.

This bill:

- ▶ provides that the fee for a temporary permit or a temporary sports event registration certificate shall be established by the State Tax Commission;
- ▶ provides that certain fees are nonlapsing dedicated credits that shall be used toward costs of the Motor Vehicle Enforcement Division;
- ▶ repeals provisions that impose a \$6.75 fee for a temporary permit or a temporary sports event registration certificate; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 41-3-601, 41-3-602

Repeals 41-3-603

Effective July 1, 2007

Chapter 185, Laws of Utah 2007

SB 108 Workers' Compensation - Time Limitations (*Ed Mayne*)

This bill modifies the Workers' Compensation Act to address time limitations related to medical benefits.

This bill:

- ▶ deletes the three-year time requirement for entitlement to medical benefits;
- ▶ addresses the time period to submit a claim for medical expenses; and
- ▶ makes technical changes.

Amends 34A-2-417

Effective April 30, 2007

Chapter 62, Laws of Utah 2007

SB 109 Transfers of Structured Settlements (*Ed Mayne*)

This bill modifies provisions related to transfers of structured settlements, including rights to periodic payments under workers' compensation.

This bill:

- ▶ addresses transfers of payment rights under workers' compensation;
- ▶ removes payment rights under workers' compensation from the application of the Structured Settlement Protection Act; and
- ▶ makes technical and conforming changes.

Amends 34A-2-422, 78-59-102, 78-59-107

Effective April 30, 2007

Chapter 63, Laws of Utah 2007

SB 110 Membership and Service of Utah Commissioners on National Conference of Commissioners on Uniform State Laws (*Lyle W. Hillyard*)

This bill amends the Utah commission whose members serve on the National Conference of Commissioners on Uniform State Laws.

This bill:

- ▶ adds a member to the Utah commission;
- ▶ expands the commission to include any Utah commissioner elected to life membership in the National Conference of Commissioners on Uniform State Laws;
- ▶ provides for expenses of life members; and
- ▶ makes technical changes.

Amends 68-4-5, 68-4-6, 68-4-9

Effective April 30, 2007

Chapter 91, Laws of Utah 2007

SB 112 Methamphetamine Precursor Access Amendments (*D. Chris Buttars*)

This bill modifies the Utah Controlled Substance Precursor Act regarding the quantity of products containing ephedrine, pseudoephedrine, or phenylpropanolamine that may be sold or possessed at one time, and requires that retail distributors limit customers' access to these products. This bill requires retail distributors to keep a log of purchasers of these products. This bill also imposes a specified penalty for offenses related to clandestine drug laboratories.

This bill:

- ▶ reduces the amount of products containing ephedrine, pseudoephedrine, or phenylpropanolamine that may be possessed at one time from 12 grams to 9 grams;
- ▶ provides that products containing ephedrine, pseudoephedrine, or phenylpropanolamine may not be sold as over-the-counter medications and requires:
 - that any of these products sold in one day, regardless of the number of transactions, may not contain more than 3.6 grams of ephedrine, pseudoephedrine, or phenylpropanolamine;
 - that any of these products sold by mobile retail vendors within 30 days, regardless of the number of transactions, may not contain more than 7.5 grams of ephedrine, pseudoephedrine, or phenylpropanolamine;
 - that the retailer keep the products in an area not accessible to customers, such as in a locked cabinet;
 - that the purchaser provide identification that includes a photo and birth date;
 - that the purchaser write into the log his name, address, date of birth, and time of transaction; and
 - that the seller verify the information provided by the purchaser and enter the brand name and quantity of the product; and
 - that the retailer keep a log of the transactions, including the date, identification of the purchaser, and the product purchased, for not less than two years;
- ▶ provides that any violation of these provisions is a class B misdemeanor, and that subsequent violations are class A misdemeanors; and
- ▶ provides that specified offenses involving clandestine drug laboratories, which are second degree felonies, are punishable by the specified penalty of imprisonment for an indeterminate term of not less than 3 years nor more than 15 years.

Amends 58-37c-8, 58-37c-20, 58-37d-4

Enacts 58-37c-20.5

Effective April 30, 2007

Chapter 358, Laws of Utah 2007

SB 113 Limitation of Actions (*Gregory S. Bell*)

This bill modifies the Judicial Code regarding limitations on commencing an action.

This bill:

- ▶ amends the current provision that allows a plaintiff whose action failed for specified causes to commence a new action by providing that the new action may only be brought one time; and
- ▶ makes technical changes.

Amends 78-12-40

Effective April 30, 2007

Chapter 127, Laws of Utah 2007

SB 114 **Aggravated Murder Amendments** (*Gregory S. Bell*)

This bill modifies the Criminal Code regarding charging aggravated murder as a capital felony or as a noncapital felony and related sentencing procedures.

This bill:

- ▶ provides that aggravated murder is a capital felony if the prosecutor elects to file notice of intent to seek the death penalty within 60 days after the arraignment;
- ▶ provides that the court may not receive a plea to a noncapital first degree aggravated homicide offense during the filing period unless agreed to by the prosecution;
- ▶ provides that if the prosecutor does not file notice of intent to seek the death penalty, the offense is noncapital first degree felony aggravated homicide;
- ▶ provides that a person who has been convicted of or has pled to a noncapital aggravated homicide offense:
 - shall be sentenced by the court; and
 - shall be sentenced to life in prison without parole or an indeterminate term of 20 years to life;
- ▶ amends the Indigent Capital Defense Trust Fund to address aggravated murder offenses rather than capital offenses;
- ▶ clarifies that a trial jury for a noncapital first degree felony aggravated murder case consists of eight members, rather than twelve; and
- ▶ makes technical language corrections.

Amends 76-3-207, 76-5-202, 77-32-601, 78-46-5

Enacts 76-3-207.7

Effective April 30, 2007

Chapter 275, Laws of Utah 2007

SB 117 **Medicaid Recovery Amendments** (*Allen M. Christensen*)

This bill amends the Medicaid Benefits Recovery Act and the Insurance Code to comply with the federal Deficit Reduction Act.

This bill:

- ▶ defines terms;
- ▶ establishes, as a condition of doing business in the state, requirements for health insurance entities relating to providing information to the state, accepting the right of the state to recover Medicaid expenses, and approving valid claims by the state;
- ▶ permits a claim for Medicaid recovery to be submitted up to three years after the day on which the health care item or service upon which the claim is based was provided;
- ▶ extends the statute of limitations for an action to recover Medicaid expenses, unless the action was time-barred on or before April 30, 2007;
- ▶ prohibits insurance policies from imposing a Medicaid insurance recovery deadline that is earlier than the deadline provided for in this bill;
- ▶ provides for enforcement of the provisions of this bill and for penalties against health insurance entities that are regulated by the Department of Insurance; and
- ▶ makes technical changes.

Amends 26-19-2, 26-19-8, 75-7-508

Enacts 26-19-4.7, 31A-4-107.5

Effective April 30, 2007

Chapter 64, Laws of Utah 2007

SB 118 Mechanics' Lien and Payment Amendments (*Scott K. Jenkins*)

This bill makes changes to a provision related to waiving mechanics' lien rights.

This bill:

- ▶ defines the term "receives payment";
- ▶ allows the use of waiver language different from the statutory language;
- ▶ unifies language used for a restrictive endorsement that waives a mechanics' lien right;
- ▶ removes provisions from the statutory waiver form concerning disputed claims;
- ▶ addresses the effect of failure to comply with lien waiver requirements; and
- ▶ makes technical changes.

Amends 38-1-39

Effective April 30, 2007

Chapter 226, Laws of Utah 2007

SB 119 Municipal License Fee or Tax on Public Assembly Facilities (*Brent H. Goodfellow*)

This bill modifies a provision relating to a municipal license fee or tax on public assembly facilities.

This bill:

- ▶ increases the maximum per ticket license fee or tax that a municipality may impose on a public assembly facility from \$1 to \$5;
- ▶ clarifies that a municipality may not impose a license fee or tax on a public assembly facility owned and operated by another political subdivision, other than a community development and renewal agency, without written consent; and
- ▶ makes technical changes.

Amends 10-1-203

Effective April 30, 2007

Chapter 276, Laws of Utah 2007

SB 122 Administrative Rules Reauthorization (*Howard A. Stephenson*)

This bill provides legislative action regarding administrative rules.

This bill:

- ▶ reauthorizes all state agency administrative rules except as specified.
- ▶ This bill takes effect on May 1, 2007.

The original bill was recommended by the Administrative Rules Review Committee

Effective May 1, 2007

Chapter 227, Laws of Utah 2007

SB 125 **Repeal of Prisoner Demands for Disposition** (*Lyle W. Hillyard*)

This bill modifies the Code of Criminal Procedure by repealing provisions that allow defendants serving a term of imprisonment to demand a trial setting on a new offense within a shorter period of time than would apply to other criminal defendants.

This bill:

- ▶ deletes provisions that:
 - allow a defendant who is serving a sentence of imprisonment and is charged with another crime to demand that the new charge be brought to trial within 120 days of the demand for a trial; and
 - allow dismissal of the new charge if the defendant is not brought to trial on the new charge within the 120 days; and
- ▶ does not amend provisions that apply generally to ensuring a timely trial for defendants charged with criminal offenses.
- ▶ This bill provides an immediate effective date.

Repeals 77-29-1, 77-29-2, 77-29-4

Effective February 23, 2007

Chapter 14, Laws of Utah 2007

SB 126 **Sales Representative Commission Payment Act** (*Sheldon L. Killpack*)

This bill modifies provisions related to Labor in General to enact the Sales Representative Commission Payment Act.

This bill:

- ▶ enacts the Sales Representative Commission Payment Act;
- ▶ defines terms;
- ▶ addresses jurisdiction;
- ▶ addresses void provisions;
- ▶ requires written agreements;
- ▶ provides for payment requirements, including upon termination and settlement;
- ▶ addresses revocable commission offers; and
- ▶ addresses remedies.

Enacts 34-44-101, 34-44-102, 34-44-103, 34-44-104, 34-44-201, 34-44-202, 34-44-203, 34-44-301, 34-44-302

Effective April 30, 2007

Chapter 65, Laws of Utah 2007

SB 127 **Tourism Marketing Performance Account Appropriation** (*Scott K. Jenkins*)

This bill provides an appropriation of \$3,000,000 from the General Fund to the Tourism Marketing Performance Account for the state's advertising, marketing, and branding campaign and for promotion of the state.

This bill:

- ▶ appropriates \$3,000,000 to the Tourism Marketing Performance Account as the state's funding source for the statewide advertising, marketing, and branding campaign for promotion of the state by the Governor's Office of Economic Development.
- ▶ This bill appropriates:
 - ▶ for fiscal year 2006-07 only, \$3,000,000 from the General Fund.
 - ▶ This bill provides an immediate effective date.

Effective February 16, 2007

Chapter 7, Laws of Utah 2007

SB 128 State Government Law Revisions - Withdrawal from Education Compact *(Margaret Dayton)*

This bill provides for the withdrawal of the state from the Compact for Education.

This bill:

- ▶ repeals provisions relating to the Compact for Education, which is governed by the Education Commission of the States and organized for the purpose of facilitating the improvement of state and local educational systems; and
- ▶ directs the governor to notify the party states of Utah's withdrawal from the compact.

Repeals 53A-27-101, 53A-27-102, 53A-27-103

Effective April 30, 2007

Chapter 359, Laws of Utah 2007

SB 131 Retirement and Independent Entities Committee *(Curtis S. Bramble)*

This bill modifies the Independent Entities Code by amending the membership of the Retirement and Independent Entities Committee.

This bill:

- ▶ increases the number of legislators on the Retirement and Independent Entities Committee; and
- ▶ increases the number of senators on the committee from five to six.
- ▶ This bill provides an immediate effective date.

Amends 63E-1-201

Effective February 12, 2007

Chapter 5, Laws of Utah 2007

SB 133 Local School Board Public Hearing Requirements *(Patricia W. Jones)*

This bill requires a school board to hold a public hearing prior to taking certain actions.

This bill:

- ▶ requires a school board to hold a public hearing prior to taking certain actions; and
- ▶ establishes notice requirements for the public hearing.

Amends 53A-3-402, 53A-19-102

Effective April 30, 2007

Chapter 92, Laws of Utah 2007

SB 134 Psychologist Licensing Act Amendments *(Lyle W. Hillyard)*

This bill modifies the Psychologist Licensing Act by allowing an applicant for a psychologist's license to satisfy the 4,000-hour training requirement for licensure as a psychologist while working towards the completion of a doctoral degree in psychology.

This bill:

- ▶ allows an applicant for licensure as a psychologist to satisfy the 4,000 hours of psychology training required for licensing while working towards completing the requirements for a doctoral degree in psychology; and
- ▶ makes certain technical changes.

Amends 58-61-304

Effective April 30, 2007

Chapter 387, Laws of Utah 2007

SB 135 Public Employees Disability Benefits Limitations (*Lyle W. Hillyard*)

This bill modifies the Public Employees' Long-Term Disability Act to amend provisions related to disability claims.

This bill:

- ▶ provides that an employee is not eligible for long-term disability benefits during any period that the employee claims to be able to work or has an action pending in which the employee claims to be able to work;
- ▶ provides that an employer may obtain long-term disability information for certain pending cases in which the employer is a party;
- ▶ provides that monthly disability benefits paid for long-term disability may be reduced or reimbursed for certain amounts received during eligibility including when the employee receives a judgment, settlement, or other payment as a result of a claim against an employer related to the period of disability; and
- ▶ makes technical changes.

Amends 49-21-401, 49-21-402

Effective April 30, 2007

Chapter 93, Laws of Utah 2007

SB 136 Unlawful Detainer Amendments (*Michael G. Waddoups*)

This bill makes changes to provisions concerning the unlawful detainer of real property.

This bill:

- ▶ changes and clarifies time limits related to unlawful detainer actions;
- ▶ provides that a person is guilty of unlawful detainer for committing a criminal act on the property;
- ▶ addresses notice provisions related to a violation of a lease that cannot be made compliant;
- ▶ requires a lease signer to be made a party defendant to an unlawful detainer action;
- ▶ addresses the time allowed by a summons for a defendant's appearance in an unlawful detainer action;
- ▶ addresses requirements for the payment of a bond ordered in an unlawful detainer action;
- ▶ outlines judicial conduct of certain unlawful detainer actions;
- ▶ provides that a lessee is obligated for lease payments after forfeiture of the lease; and
- ▶ makes technical changes.

Amends 78-36-3, 78-36-7, 78-36-8, 78-36-8.5, 78-36-10, 78-36-10.5

Enacts 78-36-9.5

Effective April 30, 2007

Chapter 360, Laws of Utah 2007

SB 137 Homeland Security Amendments (*Jon J. Greiner*)

This bill changes the name of the Division of Emergency Services and Homeland Security to the Division of Homeland Security, and changes the name of the Emergency Services and Homeland Security Act to the Homeland Security Act.

This bill:

- ▶ changes the name of the Division of Emergency Services and Homeland Security, and all references thereto, to the Division of Homeland Security;
- ▶ changes the name of the Emergency Services and Homeland Security Act to the Homeland Security Act; and
- ▶ makes technical changes.

Amends 19-3-112, 26-23b-110, 53-1-104, 53-2-101, 53-2-102, 53-2-103, 53-2-108, 63-2-304, 63-5-4, 63-5a-8, 63-5b-102, 63-5b-301, 63-38d-502, 63-53b-201, 63C-6-101, 63C-6-104

Effective April 30, 2007

Chapter 66, Laws of Utah 2007

SB 138 Administrative Rule Criminal and Civil Penalty Amendments (*Howard A. Stephenson*)

This bill modifies certain statutes granting authority to assess criminal and civil penalties.

This bill:

- ▶ repeals the authority in certain statutes to specify by administrative rule conduct that may constitute a misdemeanor or a felony in the statutory areas of Agriculture, Community and Culture, Alcoholic Beverage Control, Mines and Mining, Motor Vehicles, Public Funds and Accounts, Public Safety, Revenue and Taxation, and State Lands;
- ▶ brings certain administrative rule provisions into the statutory Motor Vehicle Code;
- ▶ provides for civil penalties regarding Motor Vehicles, Public Funds and Accounts, and State Commissions and Councils;
- ▶ provides additional enforcement authority regarding Motor Vehicles, Public Safety, and Revenue and Taxation; and
- ▶ makes technical changes.

Amends 4-38-7, 9-4-612, 32A-12-104, 40-6-12, 40-8-9, 41-3-210, 41-3-701, 41-3-702, 41-6a-1115, 51-7-22.4, 53-7-226, 59-14-212, 63A-5-103, 63C-9-301, 65A-3-1, 76-10-1233

Enacts 76-10-1234

Effective April 30, 2007

Chapter 322, Laws of Utah 2007

SB 140 Identity Fraud Amendments (*Carlene M. Walker*)

This bill amends provisions of the Utah Criminal Code related to identity fraud.

This bill:

- ▶ modifies the definition of "personal identifying information";
- ▶ provides that it is a felony of the second degree when a person fraudulently uses personal identifying information and that use results, directly or indirectly, in bodily injury to another person; and
- ▶ makes technical changes.

Amends 76-6-1102

Effective April 30, 2007

Chapter 94, Laws of Utah 2007

SB 143 Personal Use of State Vehicles Authorized for Law Enforcement Officers in the Office of the Attorney General (*Darin G. Peterson*)

This bill modifies Title 67, Chapter 5, Attorney General, to allow the attorney general to authorize personal use of state vehicles for certain law enforcement officers.

This bill:

- ▶ allows the attorney general to authorize personal use of state vehicles for up to 28 law enforcement officers employed in the Office of the Attorney General.

Enacts 67-5-22

Effective April 30, 2007

Chapter 67, Laws of Utah 2007

SB 144 Financial Institutions Amendments (*Lyle W. Hillyard*)

This bill modifies the Financial Institutions Act.

This bill:

- ▶ amends definitions including definitions of “control” and “financial institution holding company”;
- ▶ amends provisions related to certain fees;
- ▶ addresses how the authority for a limited liability company to form as a series applies to depository institutions;
- ▶ addresses the formation of banks as corporations or limited liability companies; and
- ▶ makes technical changes including restructuring of provisions.

Amends 7-1-103, 7-1-401, 7-1-701, 7-1-810, 7-3-3, 7-3-10, 7-5-14

Effective April 30, 2007

Chapter 277, Laws of Utah 2007

SB 147 Exemptions from Licensure Modifications (*Mike Dmitrich*)

This bill removes an exemption provision in the Utah Construction Trades Licensing Act related to the use of persons who would otherwise be subject to electrician licensure requirements and who are under contract with certain public or private entities.

This bill:

- ▶ removes the electrician licensing exemption provision for a person who is under contract with a railroad corporation, telephone corporation, elevator contractor or constructor, street railway system, public service corporation, rural electrification association, or certain municipal utilities to do electrical work.

Amends 58-55-305

Effective April 30, 2007

Chapter 186, Laws of Utah 2007

SB 148 Boat Registration Amendments (*Michael G. Waddoups*)

This bill authorizes the Board of Parks and Recreation to set the boat registration fee.

This bill:

- ▶ removes the maximum boat registration fee;
- ▶ authorizes the Board of Parks and Recreation to set the boat registration fee by following the fee schedule statute; and
- ▶ makes technical corrections.
- ▶ This bill provides an immediate effective date.

Amends 73-18-7

Effective February 23, 2007

Chapter 15, Laws of Utah 2007

SB 150 Property Exempt from Execution (*Lyle W. Hillyard*)

This bill modifies the Judicial Code to include additional exemptions from judgment executions.

This bill:

- ▶ adds the following to the list of property exempt from judgment execution:
 - proceeds or benefits of any trust of which the debtor, spouse, or children are beneficiaries; and
 - proceeds and avails of any revocable grantor trust created by the debtor.

Amends 78-23-5

Effective April 30, 2007

Chapter 323, Laws of Utah 2007

SB 151 Case Management Pilot Project (*Gregory S. Bell*)

This bill authorizes the creation of a case management project coordinator in the district and juvenile courts in the Third Judicial District as a pilot project.

This bill:

- ▶ authorizes the creation of the position of case management project coordinator in the district and juvenile courts in the Third Judicial District;
- ▶ requires a report to the Judiciary Interim Committee regarding the effectiveness of the program and a recommendation for statewide implementation; and
- ▶ provides a sunset date for the program.

Amends 63-55-278, 78-3-25

Effective April 30, 2007

Chapter 324, Laws of Utah 2007

SB 153 Malpractice Liability During Pandemic Event (*Gregory S. Bell*)

This bill amends the Health Care Providers Immunity From Liability Act.

This bill:

- ▶ in certain circumstances, expands the application of immunity from liability during an emergency to health care facilities;
- ▶ protects health care providers including facilities, from malpractice liability when they respond to a natural disaster, pandemic event, or bioterrorism unless the health care provider:
 - is grossly negligent;
 - caused the emergency; or
 - has engaged in criminal conduct; and
- ▶ applies the limited liability protections to a health care provider even if:
 - the provider has a duty to respond; or
 - the provider has an expectation of payment or remuneration.

Enacts 58-13-2.6

Effective April 30, 2007

Chapter 33, Laws of Utah 2007

SB 154 Statement Under Penalty of Perjury (*Scott D. McCoy*)

This bill establishes that documents may be self authenticated by affixing one's signature to the document under penalty of perjury.

This bill:

- ▶ allows a person to authenticate documents by attesting that the document is true and correct under penalty of perjury.

Enacts 46-5-101

Effective April 30, 2007

Chapter 278, Laws of Utah 2007

SB 155 Waste Amendments (*Darin G. Peterson*)

This bill exempts certain radioactive waste disposal facilities from certain approval and siting requirements.

This bill:

- ▶ exempts a radioactive waste disposal facility license in effect on or before December 31, 2006 from local government planning and zoning approval, legislative and gubernatorial approval, and certain siting requirements; and
- ▶ exempts an amendment to or renewal of a radioactive waste disposal facility license in effect on or before December 31, 2006 from local government planning and zoning approval, legislative and gubernatorial approval, and certain siting requirements unless the amendment or renewal would authorize waste disposal at a different geographic location.

Amends 19-3-104, 19-3-105

Effective April 30, 2007

Chapter 26, Laws of Utah 2007

SB 156 Public Service Commission - Equipment Distribution Program *(Brent H. Goodfellow)*

This bill allows the Public Service Commission to determine what telecommunications devices will be distributed to a hearing impaired person.

This bill:

- ▶ allows the Public Service Commission to determine by rule what telecommunications devices will be distributed to a hearing impaired person;
- ▶ allows distribution of telecommunications devices to customers of wireless telecommunications providers; and
- ▶ makes technical changes.

Amends 54-8b-10

Effective April 30, 2007

Chapter 68, Laws of Utah 2007

SB 158 B and C Roads Amendments *(Dennis E. Stowell)*

This bill modifies the Transportation Code by amending provisions relating to B and C roads.

This bill:

- ▶ authorizes a county or municipality to use the Federal Emergency Management Agency schedule of equipment rates when providing an accounting of costs and expenditures for an improvement performed by force account on a class B or C road; and
- ▶ makes technical changes.

Amends 72-6-109

Effective April 30, 2007

Chapter 69, Laws of Utah 2007

SB 160 Pharmacy Practice Act Amendments *(Peter C. Knudson)*

This bill amends the Pharmacy Practice Act.

This bill:

- ▶ deletes archaic language related to the conversion of pharmacy licenses in existence prior to July 1, 2004;
- ▶ as a condition of licensure, requires a pharmacy intern who has received a degree from a school or college of pharmacy accredited by the Accreditation Council on Pharmacy Education to also have completed any intern hours required by division rule;
- ▶ extends the term of a pharmacy intern license held by a pharmacy student, resident, or fellow from four years to five years;
- ▶ amends the definition of “unprofessional conduct” as it relates to compensation for patient referral;
- ▶ amends the definition of “unprofessional conduct” as it relates to compensation for acts in violation of the Pharmacy Practice Act;
- ▶ adds violations of the Division of Occupational and Professional Licensing Act as a basis for disciplinary action under the Pharmacy Practice Act;
- ▶ specifies that prescription drugs must be dispensed at licensed pharmacies unless they are delivered via the United States Postal Service, licensed common carrier, or supportive personnel;
- ▶ exempts class E pharmacies from the requirement that pharmacies be under the supervision of a pharmacist-in-charge;
- ▶ changes the deadline for the reporting of various matters by pharmacies to the Division of Occupational and Professional Licensing;
- ▶ makes clarifying changes; and
- ▶ makes technical corrections.

Amends 58-17b-302, 58-17b-304, 58-17b-308, 58-17b-502, 58-17b-504, 58-17b-602, 58-17b-612, 58-17b-614

Effective April 30, 2007

Chapter 279, Laws of Utah 2007

SB 161 **Hunting and Fishing License Amendments** (*Allen M. Christensen*)

This bill amends provisions relating to hunting and fishing licenses and permits.

This bill:

- ▶ alters the combination license to allow a licensee to:
 - fish;
 - hunt small game; and
 - apply for or obtain a big game, cougar, bear, or turkey hunting permit;
- ▶ changes how certain fees may be used;
- ▶ changes the name of the small game license to a hunting license;
- ▶ creates a hunting license that allows the licensee to:
 - hunt small game; and
 - apply for or obtain a big game, cougar, bear, or turkey hunting permit;
- ▶ requires a person 12 years of age or older to have a fishing license;
- ▶ requires a person to have a hunting license before applying for a big game, cougar, bear, or turkey hunting permit; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 23-19-17, 23-19-17.5, 23-19-21, 23-19-22, 23-19-22.5, 23-19-22.6, 23-19-24, 23-19-26, 23-19-34.5, 23-19-38, 23-19-38.2, 23-19-42, 23-19-47

Effective July 1, 2007

Chapter 187, Laws of Utah 2007

SB 163 **Amendments to Municipal and County Land Use** (*Dennis E. Stowell*)

This bill modifies county and municipal land use development and management provisions relating to plat approval.

This bill:

- ▶ defines “fire authority”; and
- ▶ encourages counties and municipalities to receive a recommendation from the fire authority before approving a plat.

Amends 10-9a-103, 10-9a-603, 17-27a-103, 17-27a-603

Effective April 30, 2007

Chapter 188, Laws of Utah 2007

SB 166 **Notary Public Amendments** (*Ross I. Romero*)

This bill addresses criminal liability of a notary public.

This bill:

- ▶ makes it a class B misdemeanor for a notary public to engage in certain conduct, including providing legal advice if the notary is not an attorney; and
- ▶ makes technical changes.

Amends 46-1-11, 46-1-18

Effective April 30, 2007

Chapter 95, Laws of Utah 2007

SB 167 Utah Sports Authority (*Mike Dmitrich*)

This bill creates the Utah Sports Authority and moves the Pete Suazo Utah Athletic Commission to the authority.

This bill:

- ▶ defines terms;
- ▶ creates the Utah Sports Authority;
- ▶ provides for the appointment of authority members and the conduct of authority business;
- ▶ provides for the authority's powers and duties;
- ▶ moves the Pete Suazo Utah Athletic Commission from the Department of Commerce to the authority;
- ▶ exempts sparring from the prohibition on club fighting;
- ▶ temporarily reduces the size of the commission from five to three members;
- ▶ addresses the manner of appointment of commission members;
- ▶ eliminates the required licensing of security guards;
- ▶ eliminates provisions relating to evaluating a licensee's good character;
- ▶ changes the manner of calculating a fee for holding a contest or event;
- ▶ eliminates a provision requiring reports relevant to the calculation of the fee for a contest or event;
- ▶ provides for the transition of licenses issued by the Department of Commerce to the authority;
- ▶ addresses commission approval of a contest;
- ▶ addresses the provision of medical information concerning a contestant to the commission;
- ▶ provides for the appointment and authority of a ringside physician;
- ▶ allows the commission to make rules governing the conduct of a contest;
- ▶ provides for the formation of an ad hoc working group to consider statutory and administrative changes; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Enacts 63C-11-101, 63C-11-102, 63C-11-201, 63C-11-202, 63C-11-319, 63C-11-326

Renumbers and Amends 13-33-101 to 63C-11-301, 13-33-102 to 63C-11-302, 13-33-201 to 63C-11-303, 13-33-202 to 63C-11-304, 13-33-203 to 63C-11-305, 13-33-204 to 63C-11-306, 13-33-205 to 63C-11-307, 13-33-301 to 63C-11-308, 13-33-302 to 63C-11-309, 13-33-303 to 63C-11-310, 13-33-304 to 63C-11-311, 13-33-305 to 63C-11-312, 13-33-401 to 63C-11-313, 13-33-402 to 63C-11-314, 13-33-403 to 63C-11-315, 13-33-404 to 63C-11-316, 13-33-405 to 63C-11-317, 13-33-406 to 63C-11-318, 13-33-503 to 63C-11-320, 13-33-504 to 63C-11-321, 13-33-505 to 63C-11-322, 13-33-506 to 63C-11-323, 13-33-507 to 63C-11-324, 13-33-508 to 63C-11-325

Repeals 13-33-502

Effective July 1, 2007

Chapter 361, Laws of Utah 2007

SB 170 **Distribution of Local Sales and Use Tax Revenues** (*Gene Davis*)

This bill amends the Local Sales and Use Tax Act to modify the distribution of revenues collected from the tax.

This bill:

- ▶ modifies the calculation of the minimum tax revenue distribution certain counties, cities, and towns receive; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 59-12-205

Effective July 1, 2007

Chapter 228, Laws of Utah 2007

SB 173 **Criminal Intent Amendments** (*Scott D. McCoy*)

This bill modifies provisions of the Utah Code regarding descriptions of criminal intent.

This bill:

- ▶ changes references to “malicious” or “willful” in specified criminal offenses to the terms “intentionally” or “knowingly” in order to appropriately indicate the level of criminal intent that is an element of the offense;
- ▶ deletes offenses involving malicious destruction of real property that are currently addressed in other code sections that contain standard statutory intent language; and
- ▶ makes corresponding cross-reference amendments.

Amends 40-1-11, 41-1a-1309, 63-11-65, 76-2-103, 76-3-203.3, 76-3-203.5, 76-8-420, 76-10-1510, 78-45g-406

Repeals 76-8-706, 76-8-714, 76-8-715

Effective April 30, 2007

Chapter 229, Laws of Utah 2007

SB 179 **Immunity of Counties and Municipalities for Sky Diving Activities** (*Brent H. Goodfellow*)

This bill provides immunity for counties and municipalities for skydiving activities.

This bill:

- ▶ provides that no person may make a claim against or recover from a county, municipality, or independent special district for personal injury or property damage resulting from the inherent risks of skydiving.

Amends 78-27-63

Effective April 30, 2007

Chapter 280, Laws of Utah 2007

SB 181 Fees to Cover Cost of Electronic Payments (*Wayne L. Niederhauser*)

This bill modifies the Motor Vehicles Code, the Revenue and Taxation Code, and the State Boating Act by amending certain fee provisions.

This bill:

- ▶ provides definitions;
- ▶ authorizes the Motor Vehicle Division to impose a fee on certain motor vehicle, off-highway vehicle, and boat registrations and renewals of registration to cover the costs of electronic payments;
- ▶ authorizes the Motor Vehicle Enforcement Division to impose a fee on certain motor vehicle business transactions to cover the costs of electronic payments;
- ▶ provides that the fees authorized:
 - shall be imposed regardless of the method of payment;
 - need not be separately identified; and
 - shall be used as nonlapsing dedicated credits to cover the costs of electronic payments;
- ▶ authorizes the State Tax Commission to charge convenience fees to cover the costs of electronic payments of taxes and fees administered by the commission and provides that the fees shall be used as dedicated credits by the commission; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 41-1a-1221, 41-3-602, 41-3-604, 41-22-36, 73-18-25

Enacts 59-1-305

Effective July 1, 2007

Chapter 281, Laws of Utah 2007

SB 182 Child Support Modifications for TANF Recipients (*Lyle W. Hillyard*)

This bill brings the Office of Recovery Services into compliance with the federal Deficit Reduction Act of 2006 regarding the collection and modification of child support awards.

This bill:

- ▶ provides for the adjustment or modification of child support awards under specific circumstances; and
- ▶ brings current statutes into compliance with the federal Deficit Reduction Act of 2006.

Amends 78-45-7.2; Enacts 62A-11-306.2

Effective April 30, 2007

Chapter 282, Laws of Utah 2007

SB 183 Restrictions on Designation of Wetlands (*Sheldon L. Killpack*)

This bill enacts provisions relating to county and municipal land use and development authority.

This bill:

- ▶ prohibits counties and municipalities from designating or treating land as wetlands unless the land has been designated as wetlands by an agency of the federal government.

Enacts 10-9a-521, 17-27a-520

Effective April 30, 2007

Chapter 388, Laws of Utah 2007

SB 186 Motor Vehicle Amendments (*Dan R. Eastman*)

This bill modifies the Motor Vehicle Business Regulation Act by amending provisions relating to motor vehicle business licenses.

This bill:

- ▶ provides that a dealer supplemental license for an additional place of business may only be issued if the dealer is licensed and bonded and is in compliance with existing administrative rules promulgated by the administrator of the Motor Vehicle Enforcement Division;
- ▶ provides that a dealer supplemental license for an additional place of business for a new motor vehicle dealer may not be issued for an additional place of business that is beyond the geographic specifications of a new motor vehicle dealer's area of responsibility as determined in the dealer's franchise agreement;
- ▶ requires a new motor vehicle dealer to submit a copy of the portion of the dealer's franchise agreement to the administrator before being issued a supplemental license for an additional place of business; and
- ▶ provides an exception to the restriction:
 - if the license is being issued for the sale of used motor vehicles; or
 - for trade shows or exhibitions.

Enacts 41-3-201.7

Effective April 30, 2007

Chapter 70, Laws of Utah 2007

SB 188 Wildlife Resources Conservation Easement Restricted Account (*Dennis E. Stowell*)

This bill creates the Wildlife Resources Conservation Easement Restricted Account.

This bill:

- ▶ creates within the General Fund a restricted account consisting of grants and donations from foundations, the Quality Growth Commission, local governments, the state, the federal government, and landowners; and
- ▶ specifies that the monies in the restricted account are to be used to monitor and manage conservation easements held by the Division of Wildlife Resources.

Enacts 23-14-14.2

Effective April 30, 2007

Chapter 189, Laws of Utah 2007

SB 189 Medicaid Home and Community-based Long-term Care (*Gene Davis*)

This bill requires the Department of Health to provide financial assistance for room and board to Medicaid clients participating in a new home and community-based services long-term care program.

This bill:

- ▶ requires the Department of Health to provide financial assistance for room and board to Medicaid clients participating in a new home and community-based services long-term care program.
- ▶ This bill appropriates:
- ▶ \$214,000 from the General Fund for fiscal year 2007-08 only to the Division of Health Care Financing within the Department of Health.

Enacts 26-18-404

Effective April 30, 2007

Chapter 190, Laws of Utah 2007

SB 191 **Governmental Immunity Limits Amendments** (*Howard A. Stephenson*)

This bill modifies the Governmental Immunity Act of Utah by amending provisions related to limitations of judgments.

This bill:

- ▶ amends judgment limitation amounts to reflect amounts currently in effect as adjusted by the state risk manager based on changes in the Consumer Price Index;
- ▶ adds language to clarify that judgment limitation amounts specified in the statute are periodically adjusted; and
- ▶ makes technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 63-30d-604 (Effective 07/01/07)

Effective July 1, 2007

Chapter 71, Laws of Utah 2007

SB 192 **Service Animals** (*Scott D. McCoy*)

This bill amends provisions related to service animals, including guide dogs, emotional support animals, and search and rescue animals.

This bill:

- ▶ amends provisions related to attacking dogs by replacing “assistance animal” with “service animal”;
- ▶ amends portions of the Utah Health Code by:
 - providing definitions;
 - replacing “blind, visually impaired, hearing impaired, or otherwise physically disabled person” and similar references with “person with a disability”;
 - amending a provision that permits requiring a person to provide identification for a service animal; and
 - encouraging that a mental health therapist be permitted to be accompanied by a psychiatric therapy animal on the same basis that a person with a disability is permitted to be accompanied by a service animal;
- ▶ amends portions of the Utah Criminal Code by:
 - amending definitions; and
 - replacing “assistance animal” with “service animal”;
- ▶ creates misdemeanor penalties for falsely representing that an animal is a service animal, or for misrepresenting to a health care provider the need for a service animal;
- ▶ amends portions of the Utah Judicial Code by:
 - amending definitions; and
 - replacing “assistance animal” with “service animal”;
- ▶ makes clarifying and conforming changes; and
- ▶ makes technical corrections.

Amends 18-1-3, 76-9-307, 78-20-101, 78-20-102, 78-20-103

Enacts 62A-5b-101, 62A-5b-102

Renumbers and Amends 26-30-1 to 62A-5b-103, 26-30-2 to 62A-5b-104, 26-30-3 to 62A-5b-105, 26-30-4 to 62A-5b-106, 26-30-5 to 62A-5b-107

Effective April 30, 2007

Chapter 22, Laws of Utah 2007

SB 193 Amendments to Mental Health Professional Practice Act (*Patricia W. Jones*)

This bill provides for licensing of substance abuse counselors.

This bill:

- ▶ defines terms;
- ▶ creates additional licenses for substance abuse counselors;
- ▶ establishes standards for licensing substance abuse counselors;
- ▶ addresses the supervision of substance abuse counselors;
- ▶ provides for the transition to new requirements by current prospective licensees; and
- ▶ makes technical changes.

Amends 58-60-502, 58-60-503, 58-60-504, 58-60-506, 58-60-507, 58-60-508, 58-60-509, 58-60-510

Enacts 58-60-511

Effective April 30, 2007

Chapter 283, Laws of Utah 2007

SB 195 Fish Health Amendments (*Darin G. Peterson*)

This bill amends the Aquaculture Act.

This bill:

- ▶ requires the Fish Health Policy Board to adopt rules consistent with the American Fisheries Society's bluebook;
- ▶ allows an aquaculture facility to be retested for a health approval number;
- ▶ requires an aquaculture facility to notify the Department of Agriculture and Food of an inspection;
- ▶ allows the Division of Wildlife to use more sensitive procedures when testing a public aquaculture facility;
- ▶ requires the Department of Agriculture and Food to maintain a list of approved laboratories and fish health inspectors;
- ▶ authorizes the Fish Health Policy Board to waive requirements established in rule;
- ▶ designates the presiding officer for a review of certain agency orders; and
- ▶ makes technical changes.

Amends 4-37-109, 4-37-501, 4-37-502, 4-37-503, 4-37-602

Effective April 30, 2007

Chapter 191, Laws of Utah 2007

SB 196 Executive Compensation Amendments (*Curtis S. Bramble*)

This bill modifies the process for setting salary ranges for department and other agency heads.

This bill:

- ▶ creates a single salary range for all "appointed executives";
- ▶ bases that range on the salaries of the deputies to the appointed executives who are not medical doctors; and
- ▶ makes conforming and technical changes.
- ▶ This bill provides an immediate effective date.
- ▶ This bill coordinates with H.B. 2, Executive Compensation Revisions, by providing superseding amendments.

Amends 67-8-1, 67-8-4, 67-8-5, 67-19-15, 67-22-2

Effective March 6, 2007

Chapter 34, Laws of Utah 2007

SB 197 Local Initiative and Petition Ballot Titles (*Peter C. Knudson*)

This bill modifies Election Code provisions related to ballot titles for local initiatives and local referendums.

This bill:

- ▶ provides that a local attorney that drafts a ballot title for a local initiative or referendum shall:
 - prepare a proposed ballot title;
 - permit the local legislative body and the sponsors of the petition to submit written comments on the proposed ballot title; and
 - review the written comments when preparing a final ballot title;
- ▶ provides procedures and a time line for preparation of the ballot title;
- ▶ permits the local legislative body to appeal the local attorney's determination of a ballot title;
- ▶ provides that the Supreme Court may be permitted to certify a local ballot title upon appeal, rather than requiring the Supreme Court to do so; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 20A-7-508, 20A-7-608

Effective February 28, 2007

Chapter 27, Laws of Utah 2007

SB 198 Tourism Amendments (*Curtis S. Bramble*)

This bill modifies provisions of the Tourism Marketing Performance Account related to advertising, marketing, branding, and promoting Utah in attracting sporting events into the state.

This bill:

- ▶ for the fiscal year beginning July 1, 2007, increases from 7.5% to 10% the allocation of Tourism Marketing Performance Account monies appropriated to the Governor's Office of Economic Development for advertising, marketing, branding, and promoting Utah in attracting sporting events into the state;
- ▶ removes the \$750,000 ceiling on the allocation; and
- ▶ makes certain technical changes.

Amends 63-38f-1411

Effective April 30, 2007

Chapter 128, Laws of Utah 2007

SB 199 Division of Real Estate and Title Insurance Related Amendments (*Sheldon L. Killpack*)

This bill modifies the Title and Escrow Commission Act, provisions related to the Division of Real Estate, and related statutes.

This bill:

- ▶ addresses definitions;
- ▶ requires disclosure of certain business interests by members of the Title and Escrow Commission;

- ▶ requires notice to the Real Estate Commission with regard to rules made by the Title and Escrow Commission;
- ▶ requires reporting of complaint information by the Commissioner of Insurance;
- ▶ addresses limitations on conducting title insurance business when licensed by the Department of Insurance and the Division of Real Estate;
- ▶ provides for revocation of certain licenses or certificates held by a dual licensed title licensee;
- ▶ modifies reserve fund requirements for title insurance producers and agencies;
- ▶ authorizes the Utah Housing Opportunity special group license plate to support organizations that create affordable housing for those in severe need;
- ▶ requires applicants for the plate to:
 - contribute \$30 annually to the Utah Housing Opportunity Restricted Account; and
 - be a member of a trade organization for real estate licensees that has more than 15,000 Utah members;
- ▶ creates the Utah Housing Opportunity Restricted Account;
- ▶ provides an exemption from licensure for certain Department of Transportation employees;
- ▶ provides an exemption from licensure for certain municipal employees;
- ▶ addresses when the Real Estate Commission may hold administrative hearings related to violations of the real estate chapter;
- ▶ addresses appointment of members on the Real Estate Commission;
- ▶ addresses relicensing when a real estate license is revoked;
- ▶ requires fingerprints and criminal background checks for out-of-state applicants for a real estate broker license;
- ▶ requires a 12-month waiting period for a mortgage and real estate license applicant to reapply if the first license is automatically revoked for failing to disclose a criminal history;
- ▶ permits investigation of and administrative action against unlicensed persons acting in the capacity of a person required to be licensed as a real estate agent or broker, real estate appraiser, or mortgage officer;
- ▶ includes failing to respond to requests by the division in an investigation to be grounds for administrative or disciplinary action;
- ▶ addresses powers of the division related to investigations;
- ▶ addresses when a branch or associate broker may fill out settlement documents;
- ▶ addresses disciplinary proceedings including:
 - modifying administrative sanctions available to the Real Estate Commission, Appraisal Board, and Mortgage Commission, such as providing for education requirements, monetary civil penalties, cease and desist orders, and combinations of sanctions; and
 - allowing a civil penalty to be imposed as part of an administrative hearing for a cease and desist order;
- ▶ provides that investigations of fraud under the real estate chapter may be funded from the Real Estate Education, Research, and Recovery Fund;
- ▶ addresses who can sign a certified appraiser report;
- ▶ clarifies that an active mortgage license requires affiliation with an active principal lending manager;
- ▶ clarifies that civil penalties from violations of the mortgage chapter are paid into the Residential Mortgage Loan Education, Research, and Recovery Fund;
- ▶ provides that investigations of fraud under the mortgage chapter may be funded from the Residential Mortgage Loan Education, Research, and Recovery Fund;
- ▶ deletes out-dated language; and
- ▶ makes technical changes and conforming amendments.

- ▶ This bill has multiple effective dates.

Amends 31A-2-402, 31A-2-403, 31A-2-404, 31A-19a-209, 31A-23a-106, 31A-23a-204, 31A-23a-402, 31A-23a-406, 31A-23a-415, 31A-26-204, 41-1a-418, 41-1a-422, 57-11-17, 61-2-3, 61-2-5.5, 61-2-6, 61-2-9, 61-2-11, 61-2-11.5, 61-2-12, 61-2-20, 61-2-21, 61-2a-12, 61-2b-7, 61-2b-17, 61-2b-28, 61-2b-29, 61-2b-31, 61-2c-102, 61-2c-104, 61-2c-201, 61-2c-202, 61-2c-203, 61-2c-205, 61-2c-206, 61-2c-208, 61-2c-301, 61-2c-302, 61-2c-401, 61-2c-402, 61-2c-403, 61-2c-404, 61-2c-502, 61-2c-510

Enacts 10-11-1110, 31A-2-405, 61-2-28, 72-5-116

Repeals 61-2b-10.5, 61-2c-201.1

Effective April 30, 2007

Chapter 325, Laws of Utah 2007

SB 200 **Reduced Cigarette Ignition Propensity** (*Ed Mayne*)

This bill enacts The Reduced Cigarette Ignition Propensity and Firefighter Protection Act within the Utah Fire Prevention and Safety Act of the Public Safety Code.

This bill:

- ▶ defines terms;
- ▶ creates test methods and performance standards for cigarettes;
- ▶ requires certification and product marking to ensure compliance with the act;
- ▶ creates a Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement restricted account within the General Fund;
- ▶ requires marking of cigarette packages;
- ▶ establishes penalties for violations of the act;
- ▶ gives the state fire marshal and the State Tax Commission enforcement powers;
- ▶ gives the attorney general and the state fire marshal the power to inspect records;
- ▶ clarifies application to sales outside of the state;
- ▶ establishes state preemption of local ordinances; and
- ▶ provides that the state law is preempted by any subsequent federal law that may preempt state law.
- ▶ This bill takes effect on July 1, 2008.

Enacts 53-7-401, 53-7-402, 53-7-403, 53-7-404, 53-7-405, 53-7-406, 53-7-407, 53-7-408, 53-7-409, 53-7-410, 53-7-411

Effective July 1, 2008

Chapter 362, Laws of Utah 2007

SB 203 **Disclosure of Property Tax Information** (*Howard A. Stephenson*)

This bill amends the Revenue and Taxation title to address the confidentiality of certain property tax information.

This bill:

- ▶ defines terms;
- ▶ amends the confidentiality provisions related to the usage or production of commercial property tax information; and
- ▶ makes technical changes.

Amends 59-1-404

Effective April 30, 2007

Chapter 230, Laws of Utah 2007

SB 204 Human Remains Related Amendments (*Darin G. Peterson*)

This bill modifies provisions related to discovery and disposition of human remains on nonfederal lands within the state.

This bill:

- ▶ modifies definitions;
- ▶ addresses the powers and duties of the Antiquities Section of the Division of History related to human remains discovered within the state;
- ▶ provides for a process when ancient human remains are discovered on nonfederal lands that are not state land;
- ▶ addresses the determination of ownership and the disposition of Native American remains discovered on nonfederal lands;
- ▶ addresses rulemaking; and
- ▶ makes technical and conforming amendments.

Amends 9-8-302, 9-8-304, 9-9-402, 9-9-403, 76-9-704

Enacts 9-8-309

Effective April 30, 2007

Chapter 231, Laws of Utah 2007

SB 205 Alcoholic Beverage Control Amendments *(Peter C. Knudson)*

This bill modifies the Alcoholic Beverage Control Act.

This bill:

- ▶ provides for severability;
- ▶ modifies and adds definitions;
- ▶ addresses terms of commissioners;
- ▶ addresses appointment and removal of the director;
- ▶ addresses purchases of alcoholic beverages by the department;
- ▶ addresses disciplinary proceedings and judicial review of those proceedings;
- ▶ adjusts markups by the department and diverts a portion of certain gross sales revenues to the school lunch program;
- ▶ repeals the wine and liquor tax;
- ▶ addresses standards for attire, conduct, and entertainment on premises of licensees and permittees;
- ▶ addresses minors including:
 - addressing hiring minors;
 - addressing admitting minors onto premises; and
 - addressing unlawful acts by minors;
- ▶ addresses certain licensees and permittees including on-premise banquet licenses, on-premise beer retailer, and those holding a permit for industrial or manufacturing use;
- ▶ addresses alcohol-related compliance check investigations;
- ▶ provides for suspension of driving privileges;
- ▶ addresses advertising;
- ▶ removes redundant or out-of-date language; and
- ▶ makes technical and conforming amendments.
- ▶ This bill has multiple effective dates.

Amends 32A-1-102, 32A-1-105, 32A-1-106, 32A-1-108, 32A-1-116, 32A-1-119, 32A-1-120, 32A-1-122, 32A-1-401, 32A-4-102, 32A-4-106, 32A-4-206, 32A-4-303, 32A-4-307, 32A-4-401, 32A-4-402, 32A-4-406, 32A-5-102, 32A-5-107, 32A-6-301, 32A-6-302, 32A-7-106, 32A-8-102, 32A-8-106, 32A-8-505, 32A-10-101, 32A-10-102, 32A-10-103, 32A-10-202, 32A-10-206, 32A-10-306, 32A-12-209, 32A-12-213, 32A-12-401, 32A-14a-102, 53-3-219, 62A-15-401, 76-9-701, 78-3a-506

Enacts 32A-1-601, 32A-1-602, 32A-1-603, 32A-1-604, 32A-12-209.5

Repeals 59-16-101, 59-16-102

Effective April 30, 2007

Chapter 284, Laws of Utah 2007

SB 211 Election Law Changes (*Howard A. Stephenson*)

This bill amends provisions of the Election Code to extend provisional ballot eligibility to persons registered anywhere within the state instead of within the county and to replace satellite registration with an extended registration period.

This bill:

- ▶ removes unused definitions;
- ▶ eliminates satellite registration;
- ▶ requires all counties to use the statewide voter database;
- ▶ provides that voters who register in person at the office of the county clerk after the voter registration deadline but at least 15 days before the date of the election may vote on the day of the election, but not during early voting;
- ▶ permits a provisional ballot to be counted if the person voting was registered to vote anywhere in the state instead of just in the county where the provisional ballot was cast, provided that other, existing voting requirements are met;
- ▶ modifies provisional ballot envelope language; and
- ▶ makes technical changes.

Amends 20A-1-102, 20A-2-102.5, 20A-2-105, 20A-2-109, 20A-2-201, 20A-4-107, 20A-6-105, 20A-9-804

Repeals 20A-2-203, 20A-2-303, 20A-5-201, 20A-5-202

Effective April 30, 2007

Chapter 285, Laws of Utah 2007

SB 215 Amendments to Land Use Development and Management Act (*Gregory S. Bell*)

This bill modifies county and municipal land use, development, and management provisions.

This bill:

- ▶ modifies language relating to the purposes of the county and municipal land use, development, and management provisions;
- ▶ enacts provisions relating to a county or municipality's processing of a land use application; and
- ▶ modifies the standard that applies in determining the validity of a county or municipal decision, ordinance, or regulation.

Amends 10-9a-102, 10-9a-509, 10-9a-801, 17-27a-102, 17-27a-508, 17-27a-801

Enacts 10-9a-509.5, 17-27a-509.5

Effective April 30, 2007

Chapter 363, Laws of Utah 2007

SB 217 Science and Technology Education Program Amendments (*Peter C. Knudson*)

This bill expands an informal science and technology education program within the Governor's Office of Economic Development.

This bill:

- ▶ expands an informal science and technology education program within the Governor's Office of Economic Development.
- ▶ This bill appropriates:
- ▶ as an ongoing appropriation subject to future budget constraints, \$50,000 from the General Fund for fiscal year 2007-08 to the Governor's Office of Economic Development.
- ▶ This bill takes effect on July 1, 2007.

Amends 63-38f-608

Effective July 1, 2007

Chapter 286, Laws of Utah 2007

SB 218 Community Development and Renewal Agency Amendments (*Curtis S. Bramble*)

This bill modifies provisions relating to community development and renewal agencies.

This bill:

- ▶ modifies the definition of urban renewal to include environmental remediation;
- ▶ modifies the definition of base taxable value to mean, for a project on an inactive industrial site, the year after the date the inactive industrial site is sold for remediation and development;
- ▶ expands the permissible uses of tax increment to cover environmental remediation activities that occur both after and before adoption of a project area plan;
- ▶ provides an exception to blight study and blight hearing requirements for agencies that find blight based on a finding relating to an inactive industrial site;
- ▶ prohibits a taxing entity committee from disapproving an agency's finding of blight unless the committee demonstrates that the blight conditions the agency found to exist in the urban renewal project area do not exist;
- ▶ authorizes the taxing entity committee to hire a consultant to assist in the taxing entity committee's approval or disapproval of an agency's finding of blight, requires the agency to pay the consultant's expenses, and makes the consultant's findings binding;
- ▶ modifies the amount of tax increment an agency board may provide in a project area budget for the agency to be paid for an urban renewal project area plan that proposes development of an inactive industrial site;
- ▶ makes an exception to a combined incremental value limit if the budget is based on a project area where a finding of blight is made because of the presence of a superfund site or an inactive industrial site;
- ▶ authorizes an agency to use certain tax increment funds for relocating mobile home park residents who are displaced;
- ▶ eliminates taxing entity committee and community legislative body consent requirements for the use of tax increment and sales tax proceeds for certain improvements undertaken in connection with a community development project area plan;
- ▶ modifies a provision related to the collection of a taxing entity's tax increment if the taxing entity elects not to have its tax increment collected and used for other taxing entities;
- ▶ clarifies that a contest period applies also to a resolution regarding the use of tax proceeds; and
- ▶ makes technical changes.

Amends 17C-1-102, 17C-1-402, 17C-1-405, 17C-1-409, 17C-1-410, 17C-1-411, 17C-1-412, 17C-2-102, 17C-2-106, 17C-2-110, 17C-2-202, 17C-2-301, 17C-2-302, 17C-2-303, 17C-2-304, 17C-4-202

Effective April 30, 2007

Chapter 364, Laws of Utah 2007

SB 219 Real Estate Modifications (*Dennis E. Stowell*)

This bill addresses the conveyance of real property and the effect of certain changes to recorded documents.

This bill:

- ▶ eliminates language identifying specific types of deeds by which an after-acquired interest in real property may pass;
- ▶ addresses the effect of recording an affidavit of correction of a recorded document;
- ▶ addresses the effect of reexecuting and rerecording a recorded document; and
- ▶ makes technical changes.

Amends 57-1-10, 57-3-106

Effective April 30, 2007

Chapter 287, Laws of Utah 2007

SB 221 Judicial Selection Procedures and Retention Election Task Force (*D. Chris Butters*)

This bill creates the Judicial Retention Election Task Force.

This bill:

- ▶ designates four members of the Senate, appointed by the president of the Senate;
- ▶ designates seven members of the House of Representatives, appointed by the speaker of the House;
- ▶ designates three judges appointed by the president of the Senate and speaker of the House, in consultation with the Utah Judicial Council; and
- ▶ authorizes a task force to review and make recommendations to the Judicial Council and the Legislature on issues related to the judicial selection procedures, the manner of judicial retention elections, and the information provided to the public regarding a judge's judicial performance.
- ▶ This bill appropriates:
 - ▶ \$8,120 to the Senate; and
 - ▶ \$14,210 to the House of Representatives.
- ▶ This bill is repealed on November 30, 2007.

Effective April 30, 2007

Chapter 389, Laws of Utah 2007

SB 223 Tax Amendments (*Wayne L. Niederhauser*)

This bill amends the Revenue and Taxation title and the Rural Health Services chapter.

This bill:

- ▶ modifies the membership of the Utah Tax Review Commission to include the chairs of the Revenue and Taxation Interim Committee;
- ▶ repeals a repeal date for tax credits for research activities in the state;
- ▶ increases the percentage of expenses or payments that serve as the basis for calculating tax credits for research activities in the state;
- ▶ provides a nonrefundable tax credit equal to 5% of a taxpayer's qualified research expenses for the current taxable year in addition to other tax credits for research activities in the state allowed under current statute;
- ▶ provides that the tax credits for qualified research expenses may not be carried forward;
- ▶ requires a review of the tax credits for research activities in the state by the Utah Tax Review Commission;
- ▶ extends the availability of the renewable energy tax credit;
- ▶ provides for the Utah Tax Review Commission to review the renewable energy tax credit;
- ▶ expands the renewable energy tax credit to include some geothermal sources;
- ▶ makes the renewable energy tax credit on commercial energy systems a refundable tax credit;
- ▶ changes the calculation of the tax credit for commercial energy systems;
- ▶ removes language reimbursing the Uniform School Fund for renewable energy tax credits taken;
- ▶ provides that a tax under the Individual Income Tax Act that is imposed on the basis of graduated brackets and rates may not be imposed for taxable years beginning on or after January 1, 2008;
- ▶ provides and modifies definitions;

- ▶ reduces the single rate individual income tax rate from 5.35% to 5%;
- ▶ enacts a nonrefundable tax credit under the Single Rate Individual Income Tax Act allowed on the basis of:
 - the deductions a person claims; and
 - personal exemptions;
- ▶ enacts nonrefundable retirement tax credits under the Single Rate Individual Income Tax Act;
- ▶ phases out the above nonrefundable tax credits under the Single Rate Individual Income Tax Act at certain income levels;
- ▶ requires the apportionment of the above nonrefundable tax credits under the Single Rate Individual Income Tax Act for a nonresident individual or part-year resident individual;
- ▶ modifies the definition of "prosthetic device," the sale of which is exempt from sales and use taxation, to include a dental prosthesis;
- ▶ reduces the state sales and use tax rate from 4.75% to 4.65%;
- ▶ reduces the state sales and use tax rate imposed on food and food ingredients, except with respect to certain bundled transactions;
- ▶ provides a sales and use tax exemption for certain machinery, equipment, or repair or replacement parts purchased or leased by certain establishments relating to mining that are listed under the North American Industry Classification System;
- ▶ modifies State Tax Commission rulemaking authority;
- ▶ authorizes certain counties, cities, or towns to increase certain tax rates from .25% to .30% and exempts those tax rate increases from voter approval requirements;
- ▶ provides that food and food ingredients are not subject to certain local sales and use taxes, except with respect to certain bundled transactions;
- ▶ addresses State Tax Commission notice requirements to enact, repeal, or change the tax rate of certain local sales and use taxes;
- ▶ creates a restricted special revenue fund to distribute monies to fund rural health care facilities and services that are impacted by providing that food and food ingredients are not generally subject to local sales and use taxes for rural health care facilities and services, including:
 - addressing the distribution and expenditure of fund revenues; and
 - providing that unexpended monies remaining in the fund at the end of a fiscal year lapse into the General Fund;
- ▶ requires the State Tax Commission to provide data to the executive director of the Department of Health;
- ▶ increases the maximum tax rate for the resort communities local sales and use tax from 1% to 1.1%;
- ▶ enacts an additional state sales and use tax and provides that the revenues collected from the tax shall be deposited into the General Fund;
- ▶ provides a nonrefundable tax credit under the Multi-Channel Video or Audio Service Tax Act for a multi-channel video or audio service provider;
- ▶ requires a multi-channel video or audio service provider to pass through an amount equal to the tax credit to purchasers located within the state;
- ▶ provides that a tax on amounts paid or charged for multi-channel video or audio service may not be reduced as a result of the amount a multi-channel video or audio service provider passes through to its customers within the state;
- ▶ requires a Revenue and Taxation Interim Committee study on repealing the state individual income tax imposed on the basis of graduated brackets and rates; and
- ▶ makes technical changes.
- ▶ This bill appropriates:

- ▶ for fiscal year 2007-08 only, \$277,500 from the General Fund to the Rural Health Care Facilities Fund; and
- ▶ as an ongoing appropriation subject to future budget constraints, \$555,000 from the General Fund for fiscal year 2008-09 to the Rural Health Care Facilities Fund.
- ▶ This bill provides effective dates and provides for retrospective operation.
- ▶ This bill provides revisor instructions.
- ▶ This bill coordinates with H.B. 27, Sales and Use Tax Modifications, by merging substantive amendments.

Amends 59-1-210, 59-1-901, 59-7-612, 59-10-104, 59-10-1012, 59-10-1014, 59-10-1202, 59-10-1203, 59-12-102, 59-12-103, 59-12-104, 59-12-401, 59-12-402, 59-12-403, 59-12-501, 59-12-502, 59-12-504, 59-12-703, 59-12-802, 59-12-804, 59-12-1001, 59-12-1302, 59-12-1402, 59-12-1503, 59-12-1703, 59-26-102, 59-26-103

Enacts 26-9-4, 59-10-1106, 59-10-1206.1, 59-10-1206.2, 59-10-1206.9, 59-12-1801, 59-12-1802, 59-12-1803, 59-26-104.5

Repeals and Reenacts 59-7-614

Effective January 1, 2008

Chapter 288, Laws of Utah 2007

SB 224 **Judiciary Amendments** (*Lyle W. Hillyard*)

This bill makes changes to the Tax and Judicial Codes regarding overpayment of taxes, court commissioners, earmarked funds, and other changes.

This bill:

- ▶ deletes a provision that required the court to reduce the amount of bail by the amount it received from an overpayment of taxes;
- ▶ includes court commissioners in the definition of judge for the purpose of imposing penalties for persons who threaten, intimidate, or interfere with a commissioner, or who retaliate against a commissioner for the performance of the commissioner's official duties;
- ▶ increases the amount of per annum compensation a presiding judge receives;
- ▶ provides that child protective orders expire when the subject of the order is 18 years of age, unless a judge vacates the order before the subject of the order is 18 years of age;
- ▶ increases the amount of money allocated to the Children's Legal Defense Account and the Dispute Resolution Fund; and
- ▶ clarifies that a defendant has the right to a hearing within three days, if the defendant demands a hearing within three days of being served with notice that the plaintiff has filed a possession bond.
- ▶ This bill coordinates with S.B. 136, Unlawful Detainer Amendments, by providing which amendments supersede.

Amends 59-10-529, 63-63a-8, 76-8-316, 78-3-29, 78-3h-105, 78-7-35, 78-31b-9, 78-36-8.5

Effective April 30, 2007

Chapter 326, Laws of Utah 2007

SB 227 **Utah Fire Prevention Board Amendment** (*Peter C. Knudson*)

This bill modifies the Utah Fire Prevention and Safety Act regarding the administrative duties of the Utah Fire Prevention Board.

This bill:

- ▶ requires the Utah Fire Prevention Board to establish training and certification standards for agencies that respond to hazardous material emergencies.

Amends 53-7-204

Effective April 30, 2007

Chapter 96, Laws of Utah 2007

SB 228 State Agency and Higher Education Compensation Amendments (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government. The bill funds compensation changes for state and higher education employees for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

This bill:

- ▶ provides budget increases and decreases for the compensation of state employees not including school district personnel;
- ▶ provides for a 3.5% cost of living allowance for state and higher education employees not including judges and school district personnel;
- ▶ provides for a 1.5% discretionary salary increase for state and higher education employees not including school district personnel;
- ▶ provides for a 10% cost of living allowance for judges;
- ▶ provides funding for certain market comparability increases;
- ▶ provides funding for an increase in the premiums charged for state and higher education employee health benefits;
- ▶ provides funding for an increase in the cost of retirement for certain employees;
- ▶ provides funding for an increase in the rates charged to cover accrued leave payments;
- ▶ adjusts funding for changes in the cost of unemployment compensation insurance;
- ▶ provides funding for a 6% cost of living increase for certain local contract service providers.
- ▶ This bill appropriates for fiscal year 2008:
 - ▶ \$52,358,900 from the General Fund;
 - ▶ \$2,769,100 from the Uniform School Fund;
 - ▶ \$32,613,800 from the Education Fund;
 - ▶ \$61,275,000 from various sources as detailed in this bill.
- ▶ This bill takes effect on July 1, 2007.

Effective July 1, 2007

Chapter 390, Laws of Utah 2007

SB 232 Military Installation Development Authority (*Sheldon L. Killpack*)

This bill enacts provisions related to the Military Installation Development Authority.

This bill:

- ▶ creates a separate, independent, nonprofit body corporate and politic known as the Military Installation Development Authority;
- ▶ provides for an appointed board to govern the authority;
- ▶ provides for the authority's powers;
- ▶ authorizes an authority to develop military land, use tax increment, and issue bonds;
- ▶ exempts an authority from land use laws;
- ▶ provides a process for an authority to adopt a project area plan;
- ▶ provides for budgeting, auditing, and financial reports; and
- ▶ enacts provisions relating to an authority's dissolution.
- ▶ This bill provides an immediate effective date.

Enacts 63H-1-101, 63H-1-102, 63H-1-201, 63H-1-301, 63H-1-302, 63H-1-303, 63H-1-401, 63H-1-402, 63H-1-403, 63H-1-404, 63H-1-501, 63H-1-502, 63H-1-601, 63H-1-602, 63H-1-603, 63H-1-604, 63H-1-605, 63H-1-606, 63H-1-701, 63H-1-702, 63H-1-703, 63H-1-704, 63H-1-705, 63H-1-801

Effective February 27, 2007

Chapter 23, Laws of Utah 2007

SB 234 Occupational and Environmental Health Amendments (*Ed Mayne*)

This bill modifies provisions related to the University of Utah.

This bill:

- ▶ defines terms;
- ▶ codifies the creation of the Rocky Mountain Center for Occupational and Environmental Health at the University of Utah;
- ▶ requires the creation of an advisory board;
- ▶ requires reporting by the advisory board;
- ▶ addresses the appointment of the director of the Rocky Mountain Center for Occupational and Environmental Health;
- ▶ addresses offsets related to that center; and
- ▶ makes technical and conforming amendments.

Amends 34A-2-202.5, 59-9-102.5

Enacts 53B-17-801, 53B-17-802, 53B-17-803, 53B-17-804, 53B-17-805

Effective April 30, 2007

Chapter 232, Laws of Utah 2007

SB 235 Public Utilities Amendments (*Gregory S. Bell*)

This bill makes changes to Title 54, Chapter 17, Energy Resource Procurement Act, allowing a waiver of requirements for solicitation and approval of acquisition or construction of a significant energy resource.

This bill:

- ▶ eliminates existing language concerning a waiver of the requirement for solicitation of significant energy resource acquisition;
- ▶ provides a process for obtaining a waiver of requirements for solicitation and approval of acquisition or construction of a significant energy resource, including providing for:
 - participation by any interested person; and
 - protection of confidential information disclosed in the waiver application; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 54-17-201, 54-17-302; Enacts 54-17-501

Effective March 14, 2007

Chapter 289, Laws of Utah 2007

SB 236 Trademark Protection Act (*Dan R. Eastman*)

This bill establishes a new type of mark, called an electronic registration mark, that may not be used to trigger advertising for a competitor and creates a database for use in administering marks.

This bill:

- ▶ defines terms;
- ▶ addresses the fees for an electronic registration mark;
- ▶ prohibits the use of a registered electronic registration mark to trigger advertising for a business, goods, or services of the same class as those represented by the electronic registration mark;
- ▶ provides for the creation and maintenance of a database of marks, including:
 - search functions; and
 - management of electronic registration marks;
- ▶ provides for the use of excess funds to promote business-related activity; and
- ▶ makes technical changes.

Amends 70-3a-103, 70-3a-203, 70-3a-302, 70-3a-304, 70-3a-305, 70-3a-306, 70-3a-402

Enacts 70-3a-501, 70-3a-502

Effective April 30, 2007

Chapter 365, Laws of Utah 2007

SB 238 Motor Vehicle Insurance Amendments (*Sheldon L. Killpack*)

This bill modifies the Insurance Code by amending provisions relating to motor vehicle insurance.

This bill:

- ▶ provides that a rental company's owner's or operator's security applies only when there is no other valid or collectible insurance;
- ▶ provides that when there is no other valid or collectible insurance for a rental vehicle, a rental company is required to meet the minimum requirements for owner's or operator's security;
- ▶ clarifies that rental company owner's or operator's security requirements do not expand or reduce liability or impair the rental company's right to indemnity, contribution, or both; and
- ▶ makes technical changes.

Amends 31A-22-314

Effective April 30, 2007

Chapter 391, Laws of Utah 2007

SB 240 **Litigation Fund Restricted Account for Highway Projects** (*Sheldon L. Killpack*)

This bill creates a restricted account to be used to fund litigation expenses for highway projects.

This bill:

- ▶ creates a restricted account;
- ▶ establishes the account's revenue sources and use;
- ▶ authorizes the Division of Finance to:
 - create subaccounts in the restricted account; and
 - apportion interest and donations to the subaccounts;
- ▶ provides intent language for the appropriation;
- ▶ provides that monies not spent from the subaccounts be appropriated by the Legislature to the LeRay McAllister Critical Land Conservation Fund; and
- ▶ creates an exception to the statutory cap on the LeRay McAllister Critical Land Conservation Fund so that all of those appropriations can be deposited in the fund.
- ▶ This bill appropriates:
 - ▶ \$5,000,000 one-time to the Litigation Fund for Highway Projects Account.
 - ▶ This bill takes effect on July 1, 2007.

Amends 11-38-301

Enacts 67-5-22

Effective July 1, 2007

Chapter 392, Laws of Utah 2007

SB 241 **Election Law Modifications** (*Peter C. Knudson*)

This bill modifies provisions in the Election Code.

This bill:

- ▶ permits the election officer to process and count absentee ballots prior to the date of the canvass, provided that the election officer does not release the results of the count until the time of the canvass;
- ▶ requires each election officer to publicly release the results of all absentee ballots counted as of the date of the election;
- ▶ requires each election officer to publicly release, on the date after the election:
 - the number of absentee ballots received by the election officer as of that time; and
 - the number of provisional ballots that were cast in the election within the election officer's jurisdiction;
- ▶ permits the election officer, during the period between the election and the date of the canvass, to publicly update the number of absentee ballots that the election officer has received;
- ▶ requires the lieutenant governor to certify the name of each candidate as it appears on the candidate's declaration of candidacy;
- ▶ prohibits the amendment or modification of a declaration of candidacy or nomination petition after the last date established for filing a declaration of candidacy;
- ▶ requires election officers that accept declarations of candidacy to inform the candidate that the candidate's name will appear on the ballot as it appears on the declaration of candidacy;
- ▶ moves the last day to declare candidacy for the Western States Presidential Primary from January 15 to October 15 of the previous year;
- ▶ amends language relating to the election of members of Congress; and
- ▶ makes other technical changes.

Amends 20A-3-309, 20A-4-202, 20A-9-201, 20A-9-203, 20A-9-701, 20A-9-803, 20A-13-101 (Contingently Effective)

Effective April 30, 2007

Chapter 97, Laws of Utah 2007

SB 246 Government Law Changes (*Sheldon L. Killpack*)

This bill modifies provisions in the Lobbyist Disclosure and Regulation Act, the Utah Public Officers' and Employees' Ethics Act, and the campaign finance requirements of the Election Code.

This bill:

- ▶ requires that officeholders file annual campaign finance summary reports;
- ▶ provides and modifies definitions;
- ▶ removes reporting exemptions from certain travel, lodging, and meal expense reimbursements;
- ▶ clarifies disclosure requirements for public officials, elected officials of local governments, and certain state employees under the Lobbyist Disclosure and Regulation Act;
- ▶ requires that financial expenditure reports be filed on a quarterly schedule;
- ▶ requires the report due on January 10 to list total expenditures for the previous year;
- ▶ permits financial reports to be filed electronically, consistent with current practice;
- ▶ requires that lobbyists file quarterly expense reports even when no expenses have been made;
- ▶ requires that lobbyists and principals be subject to reporting requirements until they cease lobbying;
- ▶ requires a lobbyist, principal, government officer, or member of a lobbyist group to disclose a recipient's name, the amount of the benefit conferred on each recipient, and other information for the following:
 - reimbursement or payment for travel or lodging costs;
 - the cost of admission to a professional or collegiate sporting event;
 - the cost of tangible personal property, if the aggregate daily expenditures made for the recipient are more than \$10;
 - the cost of food and beverage, if the aggregate daily expenditures made for the recipient are valued at more than \$50; and
 - the cost of any other expenditure, if the aggregate daily expenditures made for the recipient are more than \$50;
- ▶ provides that other reportable expenditures are reported by public official type, rather than by name;
- ▶ establishes conflict of interest standards for lobbyists;
- ▶ modifies a provision in the Public Officers' and Employees' Ethics Act; and
- ▶ makes technical changes.
- ▶ This bill coordinates with H.B. 62, Lobbyist Disclosure Technical Amendments, by providing superseding amendments.

Amends 20A-11-401, 36-11-102, 36-11-201, 36-11-304, 67-16-5

Enacts 36-11-201.3, 36-11-306

Effective April 30, 2007

Chapter 233, Laws of Utah 2007

SB 247 Retirement Systems Membership Exclusions (*Mike Dmitrich*)

This bill modifies the Utah State Retirement and Benefit Act by adding certain positions that may be excluded from membership in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System.

This bill:

- ▶ allows certain employees of an interlocal cooperative agency to be excluded, upon written request, from coverage in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System.

Amends 49-12-203, 49-13-203

Effective April 30, 2007

Chapter 192, Laws of Utah 2007

SB 251 Higher Education - Concealed Firearms Restrictions (*Gregory S. Bell*)

This bill modifies provisions related to the possession and carrying of concealed firearms at institutions of higher education.

This bill:

- ▶ authorizes a higher education institution to make a rule that allows a dormitory resident to request only roommates who are not licensed to carry a concealed firearm under Section 53-5-704 or 53-5-705.

Amends 53B-3-103

Effective April 30, 2007

Chapter 193, Laws of Utah 2007

SB 254 Private Investigator Regulation Amendments (*Margaret Dayton*)

This bill amends the Private Investigator Regulation Act.

This bill:

- ▶ clarifies that apprentice licenses are to be issued within five days of receipt of the application; and
- ▶ specifies that licensed apprentices and agency employees shall work for agencies licensed in Utah and located in Utah.

Amends 53-9-103, 53-9-108

Effective April 30, 2007

Chapter 290, Laws of Utah 2007

SB 255 Crane Safety Amendments (*Gene Davis*)

This bill modifies provisions of the Utah Construction Trades Licensing Act dealing with the definition of a crane operator and the penalties for unlawful conduct provisions of the act.

This bill:

- ▶ modifies the definition of a crane operator as related to the description of the type of crane used on a commercial construction project for which the crane operator must be certified to operate;
- ▶ provides penalties for a violation of the crane operator's certification provision in the Utah Construction Trades Licensing Act; and
- ▶ makes certain technical changes.
- ▶ This bill takes effect on July 1, 2007.

Amends 58-55-503, 58-55-504 (Effective 07/01/07)

Effective July 1, 2007

Chapter 98, Laws of Utah 2007

SB 260 **Property Tax - Definition of Goodwill** *(Wayne L. Niederhauser)*

This bill amends the definition of goodwill under the Property Tax Act.

This bill:

- ▶ amends the definition of goodwill for purposes of the property tax exemption for intangible property; and
- ▶ makes technical changes.
- ▶ This bill has retrospective operation to January 1, 2006.

Amends 59-2-102

Effective April 30, 2007

Chapter 234, Laws of Utah 2007

SB 261 **Disposition of Real Property** *(Wayne L. Niederhauser)*

This bill addresses the disposition of property by a county or municipality.

This bill:

- ▶ requires the disposition of property by a county or municipality to be in the public interest;
- ▶ addresses a county's or municipality's disposal of property acquired by exaction; and
- ▶ makes technical changes.

Amends 10-8-2, 10-9a-508, 17-27a-507, 17-50-312

Effective April 30, 2007

Chapter 291, Laws of Utah 2007

SB 266 **Income Tax Filing Amendments** *(Wayne L. Niederhauser)*

This bill amends the Individual Income Tax Act to address return filing requirements.

This bill:

- ▶ provides that for certain returns required to be filed with the state, if the Internal Revenue Service provides a due date for a corresponding federal return that is different from the state due date, the return shall be filed on or before the due date provided by the Internal Revenue Service for filing the return; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 59-10-514, 59-10-518

Effective February 28, 2007

Chapter 28, Laws of Utah 2007

SB 268 Rural Broadband Service Fund (*John W. Hickman*)

This bill establishes a restricted account within the General Fund to be used for grants to providers deploying broadband service in rural areas.

This bill:

- ▶ establishes a restricted account within the General Fund to be used for grants to providers deploying broadband service in rural areas;
- ▶ provides an application process for grants from the fund;
- ▶ provides for the deposit of fund monies into the General Fund on July 1, 2010;
- ▶ requires an annual report to the Legislature; and
- ▶ allows rulemaking by the director of the Governor's Office of Economic Development for the administration of the fund.
- ▶ This bill appropriates:€\$1,000,000 from the General Fund for fiscal year 2007-08 only, to the Rural Broadband Service Fund Restricted Account.
- ▶ This bill takes effect on July 1, 2007.

Enacts 63-38f-2201, 63-38f-2202, 63-38f-2203, 63-38f-2204, 63-38f-2205, 63-38f-2206

Effective July 1, 2007

Chapter 327, Laws of Utah 2007

SB 271 Solid and Hazardous Waste Act Amendments (*Sheldon L. Killpack*)

This bill amends the Solid and Hazardous Waste Act.

This bill:

- ▶ defines terms;
- ▶ authorizes a person who is a current owner of property subject to an operation plan to submit a request for approval to the executive secretary without the consent of a person obligated under an operation plan who is not a current owner;
- ▶ prohibits the executive secretary from:
 - withholding approval because a person obligated under an operation permit who is not a current owner has not consented to the approval request; and
 - giving approval before receiving consent of the current owner;
- ▶ authorizes the executive secretary to:
 - issue enforceable written assurances;
 - make determinations regarding corrective action; and
 - partition real property from a permit; and
- ▶ authorizes the Solid and Hazardous Waste Control Board to make rules.
- ▶ This bill provides an immediate effective date.

Amends 19-6-102, 19-6-104, 19-6-108

Enacts 19-6-108.3

Effective March 7, 2007

Chapter 72, Laws of Utah 2007

SB 277 Securities Law Amendments (*Curtis S. Bramble*)

This bill modifies the Utah Uniform Securities Act.

This bill:

- ▶ removes the requirement that a broker-dealer notify the division of the failure to settle certain securities transactions occurring on or after October 1, 2006;
- ▶ addresses liability for failure to file the notice including waiver of penalties or amounts owed for reasonable cause;
- ▶ addresses liability for certain persons if the broker-dealer fails to give the required notice;
- ▶ modifies definitions;
- ▶ addresses causes of action created by the Utah Uniform Securities Act; and
- ▶ makes technical and conforming changes.

Amends 61-1-5, 61-1-13, 61-1-22

Effective April 30, 2007

Chapter 292, Laws of Utah 2007

SCR 1 Resolution Urging Congress to Address Social Security Number Identity Theft (*Carlene M. Walker*)

This concurrent resolution of the Legislature and the Governor urges the United States Congress to pass legislation to resolve federal identity theft and fraud issues.

This resolution:

- ▶ urges the United States Congress to pass identity theft and fraud legislation related to the intentional misuse of a Social Security number by an individual or a company;
- ▶ urges that the legislation include increased and effective verification requirements by companies, accompanied by the tools and resources necessary to adequately verify whether or not a Social Security number is fraudulent, increased penalties for individuals who intentionally use fraudulent Social Security numbers to obtain employment, avoid child support obligations, or for other personal gain; and
- ▶ urges that the legislation include increased penalties for companies who repeatedly report wages on employees with fraudulent Social Security numbers.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Effective March 8, 2007

Laws of Utah 2007

SCR 2 Resolution Promoting Legislators Back to School Program (*Margaret Dayton*)

This concurrent resolution of the Legislature and the Governor expresses support for civic education and Utah's Legislators Back to School Program.

This resolution:

- ▶ emphasizes the importance of legislators promoting greater understanding of the legislative process and building public trust and confidence in representative democracy through civic education;
- ▶ recognizes Utah's high level of participation in the National Conference of State Legislatures' Legislators Back to School Program from students, teachers, and legislators during 2006; and
- ▶ urges continued support for and participation in Utah's Legislators Back to School Program during the 2007-08 school year.

Effective March 14, 2007

Laws of Utah 2007

SCR 4 **Concurrent Resolution Urging Participation by Taiwan in World Health Organization**
(Curtis S. Bramble)

This concurrent resolution of the Legislature and the Governor urges the Bush Administration to support Taiwan's participation in the World Health Organization.

This resolution:

- ▶ urges the Bush Administration to support Taiwan in obtaining appropriate and meaningful participation in the World Health Organization (WHO); and
- ▶ urges that United States' policy should include the pursuit of an initiative in the WHO which will give Taiwan meaningful participation in the manner that is consistent with the organization's requirements.

Effective March 7, 2007

Laws of Utah 2007

SCR 5 **Resolution Opposing Divine Strake** (Gene Davis)

This concurrent resolution of the Legislature and the Governor expresses opposition to the Divine Strake explosive test to be conducted in Nevada in 2007.

This resolution:

- ▶ expresses opposition to the Divine Strake high-explosive test to be conducted by the Defense Threat Reduction Agency at the United States Department of Energy Nevada Test Site in 2007.

Effective February 22, 2007

Laws of Utah 2007

SCR 7 **Concurrent Resolution Approving Settlement of Lawsuit** (Curtis S. Bramble)

This concurrent resolution of the Legislature and the Governor gives approval to the Utah Department of Health to enter into a settlement agreement to resolve a pending lawsuit.

This resolution:

- ▶ gives approval to the Utah Department of Health to execute a settlement agreement with the Plaintiffs in the case of B.C.B.U, Inc., doing business as Rocky Mountain Care-Bountiful, et al. v. State of Utah, Department of Health, Division of Health Care Financing, Civil No. 020914469 (Third District Court).

The original bill was recommended by the Legislative Management Committee

Effective March 12, 2007

Laws of Utah 2007

SJR 1 Utah Athletic Foundation Resolution (*Dan R. Eastman*)

This joint resolution approves the negotiation of sales of portions of the Winter Sports Park under certain conditions and addresses other issues related to the Utah Athletic Foundation.

This resolution:

- ▶ approves the Foundation's negotiation of sales of portions of the Winter Sports Park under certain conditions;
- ▶ authorizes changes to the governing documents of the Foundation including:
 - modifications to the purposes of the Foundation;
 - revisions to the Foundation's investment policy; and
 - modifications of requirements related to the board of directors;
- ▶ directs changes to the governing documents of the Foundation regarding the imposition of a minimum number of voting members on the board of directors;
- ▶ directs the Foundation to provide certain financial information in annual reports;
- ▶ requires the Foundation to provide the Legislature amended governing documents;
- ▶ addresses the effect of this resolution on prior resolutions; and
- ▶ provides for the distribution of the resolution.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Effective February 2, 2007

Laws of Utah 2007

SJR 2 Resolution Regarding Permanent State Trust Fund (*Lyle W. Hillyard*)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to a permanent state trust fund.

This resolution proposes to amend the Utah Constitution to:

- ▶ provide that a permanent state trust fund includes money and assets given to the fund under any provision of law.
- ▶ This resolution directs the lieutenant governor to submit this proposal to voters.
- ▶ This resolution provides a contingent effective date of January 1, 2009 for this proposal.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends Article XXII, Section 4

Effective January 1, 2009

Laws of Utah 2007

SJR 3 Resolution Encouraging Congressional Funding for State Children's Health Insurance Program *(Peter C. Knudson)*

This joint resolution of the Legislature urges Utah's congressional delegation and Governor Huntsman to work with the United States Congress for the passage of the Children's Health Insurance Program to benefit Utah's children.

This resolution:

- ▶ urges Utah's congressional delegation to work with the United States Congress for the passage of the Children's Health Insurance Program (CHIP) in a timely manner;
- ▶ urges Governor Huntsman to assist Utah's congressional delegation in this effort;
- ▶ urges all components of state government to work to ensure that all available public and private assistance for providing health benefits to uninsured children in Utah is used to the maximum extent possible; and
- ▶ urges the Governor to ensure that children who qualify for Medicaid or Utah's CHIP are identified and enrolled.

Effective February 26, 2007

Laws of Utah 2007

SJR 7 Joint Resolution Supporting Department of Corrections Contracting for Bed Spaces in Davis County Jail *(Michael G. Waddoups)*

This joint resolution of the Legislature supports the Department of Corrections contracting for bed spaces in the Davis County Jail.

This resolution:

- ▶ supports the Department of Corrections obtaining additional bed spaces in the Davis County Jail by means of a contract between the Department of Corrections and Davis County.

Effective January 31, 2007

Laws of Utah 2007

SJR 8 Joint Resolution Supporting Kane County Expansion of Correctional Facilities *(Dennis E. Stowell)*

This joint resolution of the Legislature supports jail expansion in Kane County through a contract with the Utah Department of Corrections.

This resolution:

- ▶ supports Kane County's expansion of its correctional facilities by means of a contract between the county and the Utah Department of Corrections.

Effective February 23, 2007

Laws of Utah 2007

SJR 9 Resolution Supporting Presidential Trade Promotion Authority *(Mark B. Madsen)*

This joint resolution of the Legislature supports reauthorization of the Presidential Trade Promotion Authority under certain conditions.

This resolution:

- ▶ supports reauthorization of the Presidential Trade Promotion Authority provided that certain conditions impacting the state's interests are included.

The original bill was recommended by the Utah International Trade Commission

Effective February 14, 2007

Laws of Utah 2007

SJR 12 Resolution Amending Utah Constitution (*John L. Valentine*)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to annual general sessions of the Legislature.

This resolution proposes to amend the Utah Constitution to:

- ▶ change the beginning of annual general sessions of the Legislature from the third Monday in January to the fourth Monday in January; and
- ▶ exclude federal holidays in the calculation of the 45-day period for annual general sessions.
- ▶ This resolution directs the lieutenant governor to submit this proposal to voters.
- ▶ This resolution provides a contingent effective date of January 1, 2009 for this proposal.

Amends Article VI, Section 2, Article VI, Section 16

Effective January 1, 2009

Laws of Utah 2007

SR 1 Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report (*Scott K. Jenkins*)

This resolution modifies the responsibilities of the Senate Rules Committee, Senate standing committees, and the Office of Legislative Research and General Counsel related to receipt of summary reports of the Occupational and Professional Licensure Review Committee.

This resolution:

- ▶ requires certain actions regarding a summary report related to newly regulating an occupation or profession, including requiring a chair of a standing committee that receives a summary report from the Senate Rules Committee to ensure that the report is read in a meeting before the standing committee takes action on the related legislation; and
- ▶ makes technical changes.
- ▶ This resolution provides an effective date and is contingent on the passage of H.B. 54, Occupational and Professional Licensure Review Committee.

The original bill was recommended by the Business and Labor Interim Committee

Amends SR-24.01, SR-24.12

Effective April 30, 2007

Laws of Utah 2007

SR 3 Resolution Increasing Public Awareness of Capital Gains Tax Deduction (*Wayne L. Niederhauser*)

This resolution of the Senate encourages Utah citizens to consider their eligibility for a capital gains tax deduction.

This resolution:

- ▶ encourages citizens of the state to determine whether they are eligible for a capital gains tax deduction.

Effective February 19, 2007

Laws of Utah 2007

Utah Code Sections Affected for Bills Passed 2007 General Session

Legend: The action taken on each section is as follows:

A	Amended
E	Enacted
R	Repealed
X	Repealed and Reenacted
N	Renumbered and Amended

Duplicate and incorrect section cites are currently being technically renumbered by the Office of Legislative Research and General Counsel and will appear in a separate publication available after May 1, 2006 and on the web site - <http://le.utah.gov>.

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
4-2-8.3	E	SB 67		118	4-12-5	A	SB 47		132
3-1-9	A	HB 264		76	4-13-2	A	SB 47		132
3-1-17	A	HB 264		76	4-13-4	A	SB 47		132
3-1-41	A	HB 264		76	4-13-6	A	SB 47		132
4-1-4	A	SB 47		132	4-14-2	A	HB 132		49
4-2-2	A	SB 47		132	4-14-3	A	HB 132		49
4-2-10	A	SB 47		132			SB 47		132
4-3-1	A	HB 311		86	4-14-6	A	HB 132		49
		SB 47		132	4-14-9	A	HB 132		49
4-3-4	A	SB 47		132			SB 47		132
4-3-7	A	SB 47		132	4-14-12	A	HB 132		49
4-3-8	A	SB 47		132	4-14-13	E	HB 132		49
4-3-10	A	HB 311		86	4-15-5	A	SB 47		132
		SB 47		132	4-15-6	A	SB 47		132
4-3-14	A	HB 311		86	4-17-6	A	SB 47		132
		SB 47		132	4-18-1	A	SB 47		132
4-4-4	A	SB 47		132	4-18-3	A	SB 47		132
4-5-2	A	HB 145		52	4-18-4	A	SB 47		132
4-5-6	A	SB 47		132	4-18-5	A	SB 47		132
4-5-7	A	SB 47		132	4-18-6	A	SB 47		132
4-5-9.5	E	HB 339		92	4-18-14	R	SB 47		132
4-5-10	A	SB 47		132	4-18-15	R	SB 47		132
4-5-15	A	SB 47		132	4-18-16	R	SB 47		132
4-5-17	A	SB 47		132	4-18-17	R	SB 47		132
4-6-1	R	SB 47		132	4-18-18	R	SB 47		132
4-6-2	R	SB 47		132	4-18-19	R	SB 47		132
4-6-3	R	SB 47		132	4-18-20	R	SB 47		132
4-6-4	R	SB 47		132	4-18-21	R	SB 47		132
4-8-7	A	SB 47		132	4-18-22	R	SB 47		132
4-10-2	A	SB 47		132	4-18-23	R	SB 47		132
4-10-7	A	SB 47		132	4-18-24	R	SB 47		132
4-11-15	A	SB 47		132	4-18-25	R	SB 47		132
4-12-2	A	SB 47		132	4-18-26	R	SB 47		132

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
4-18-27	R	SB 47		132	9-8-302	A	SB 204		173
4-19-1	A	SB 47		132	9-8-304	A	SB 204		173
4-19-2	A	SB 47		132	9-8-309	E	SB 204		173
4-19-3	A	SB 47		132	9-9-402	A	SB 204		173
4-19-4	A	SB 47		132	9-9-403	A	SB 204		173
4-20-1.5	A	SB 47		132	9-10-101	A	HB 87		35
4-20-1.6	A	SB 47		132	9-10-104	A	HB 87		35
4-24-12	A	HB 72		32	9-10-106	A	HB 87		35
4-30-6	A	SB 47		132	9-11-107	A	HB 87		35
4-31-3	A	SB 47		132	9-14-101	R	HB 134		50
4-31-10	A	SB 47		132	9-14-102	R	HB 134		50
4-31-13	A	SB 47		132	9-14-103	R	HB 134		50
4-31-16	A	SB 47		132	9-14-104	R	HB 134		50
4-32-3	A	SB 47		132	9-14-105	R	HB 134		50
4-32-5	A	SB 47		132	9-14-106	R	HB 134		50
4-32-13	A	SB 47		132	9-15-101	R	HB 134		50
4-32-18	A	SB 47		132	9-15-102	A	HB 134		50
4-32-20	A	SB 47		132		R	HB 134		50
4-32-22	A	SB 47		132	9-15-103	R	HB 134		50
4-37-109	A	SB 195		169	9-15-104	R	HB 134		50
4-37-501	A	SB 195		169	9-15-105	R	HB 134		50
4-37-502	A	SB 195		169	9-15-106	R	HB 134		50
4-37-503	A	SB 195		169	10-1-117	A	HB 65		29
4-37-602	A	SB 195		169	10-1-203	A	SB 119		153
4-38-7	A	SB 138		157	10-1-403	A	HB 238		70
7-1-103	A	SB 144		158	10-1-405	A	HB 238		70
7-1-104	A	HB 264		76			HB 27		11
7-1-401	A	SB 144		158	10-1-409	R	HB 238		70
7-1-701	A	SB 144		158	10-2-101	A	HB 65		29
7-1-810	A	SB 144		158	10-2-106	A	HB 65		29
7-3-3	A	SB 144		158	10-2-125	A	HB 466		108
7-3-10	A	SB 144		158	10-2-401	A	HB 65		29
7-5-14	A	SB 144		158	10-2-402	A	HB 362		99
7-7-12	A	HB 264		76	10-2-403	A	HB 65		29
7-15-1	A	SB 16		121	10-2-406	A	HB 65		29
7-15-2	A	SB 16		121	10-2-412	A	HB 65		29
7-16a-202	A	HB 88		35	10-2-413	A	HB 65		29
7-23-103	A	SB 16		121	10-2-414	A	HB 65		29
7-23-105	A	SB 16		121	10-2-418	A	HB 362		99
7-23-106	A	SB 16		121			HB 65		29
7-23-107	A	SB 16		121	10-2-419	A	HB 65		29
7-23-108	A	SB 16		121	10-2-425	A	HB 362		99
7-24-201	A	SB 16		121			HB 65		29
7-24-202	A	SB 16		121	10-2-428	A	HB 65		29
7-24-301	A	SB 16		121	10-3-201	A	HB 347		96
7-24-303	A	SB 16		121	10-3-208	A	HB 347		96
8-5-5	A	HB 65		29	10-3-830	A	SB 41		129
9-4-302	A	HB 134		50	10-5-118	A	HB 46		18
9-4-303	A	HB 134		50	10-5-119	A	HB 65		29
9-4-307	A	HB 134		50	10-6-129	A	HB 46		18
9-4-612	A	SB 138		157	10-6-131	A	HB 65		29

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
10-7-14.2	A	HB 65		29	11-39-103	A	HB 65		29
10-8-2	A	HB 264		76	11-39-107	A	HB 65		29
		SB 261		186	11-40-101	A	HB 65		29
10-8-14.5	A	HB 188		58	11-41-102	A	HB 27		11
10-8-58	A	HB 438		106	11-42-101	E	HB 253		74
10-8-85.8	E	HB 145		52			HB 65		29
10-9a-102	A	SB 215		175	11-42-102	E	HB 253		74
10-9a-103	A	HB 117		44			HB 65		29
		HB 65		29	11-42-103	E	HB 65		29
		SB 163		163	11-42-104	E	HB 65		29
10-9a-305	A	HB 65		29	11-42-105	E	HB 65		29
		HB 69		31	11-42-106	E	HB 65		29
10-9a-508	A	SB 261		186	11-42-107	E	HB 65		29
10-9a-509	A	SB 215		175	11-42-108	E	HB 65		29
10-9a-509.5	E	HB 117		44	11-42-109	E	HB 65		29
		SB 215		175	11-42-201	E	HB 65		29
10-9a-511	A	HB 352		97	11-42-202	E	HB 65		29
10-9a-513	A	HB 352		97	11-42-203	E	HB 65		29
10-9a-521	E	SB 183		166	11-42-204	E	HB 65		29
10-9a-603	A	HB 285		80	11-42-205	E	HB 65		29
		SB 163		163	11-42-206	E	HB 65		29
10-9a-606	A	SB 71		140	11-42-207	E	HB 65		29
10-9a-609	A	HB 129		47	11-42-208	E	HB 65		29
10-9a-609.5	A	HB 129		47	11-42-301	E	HB 65		29
10-9a-801	A	HB 264		76	11-42-302	E	HB 65		29
		SB 215		175	11-42-401	E	HB 65		29
10-11-1110	E	SB 199		172	11-42-402	E	HB 65		29
11-2-1	A	HB 65		29	11-42-403	E	HB 65		29
11-13-103	A	HB 65		29	11-42-404	E	HB 65		29
11-13-223	A	HB 222		67	11-42-405	E	HB 65		29
11-13-302	A	HB 142		52	11-42-406	E	HB 65		29
11-13-314	A	HB 264		76	11-42-407	E	HB 65		29
11-14-102	A	HB 65		29	11-42-408	E	HB 65		29
11-14-103	A	HB 98		39	11-42-409	E	HB 65		29
11-14-206	A	HB 393		104	11-42-410	E	HB 65		29
11-14-301	A	HB 65		29	11-42-411	E	HB 65		29
11-14-307	A	HB 98		39	11-42-412	E	HB 65		29
11-14-308	A	HB 134		50	11-42-413	E	HB 65		29
11-14-501	A	SB 91		144	11-42-414	E	HB 65		29
11-14a-1	A	HB 65		29	11-42-415	E	HB 65		29
11-17-20	E	HB 318		89	11-42-416	E	HB 65		29
11-27-2	A	HB 65		29	11-42-501	E	HB 65		29
11-30-2	A	HB 65		29	11-42-502	E	HB 65		29
11-31-2	A	HB 65		29	11-42-503	E	HB 65		29
11-34-1	A	HB 65		29	11-42-504	E	HB 65		29
11-36-102	A	HB 65		29	11-42-505	E	HB 65		29
11-36-201	A	HB 65		29	11-42-506	E	HB 65		29
11-36-202	A	HB 65		29	11-42-601	E	HB 65		29
11-36-501	A	HB 65		29	11-42-602	E	HB 65		29
11-38-301	A	SB 240		183	11-42-603	E	HB 65		29
11-39-101	A	HB 65		29	11-42-604	E	HB 65		29

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
11-42-605	E	HB 65		29	13-33-201	N	SB 167	63C-11-303	164
11-42-606	E	HB 65		29	13-33-202	N	SB 167	63C-11-304	164
11-42-607	E	HB 65		29	13-33-203	N	SB 167	63C-11-305	164
11-42-608	E	HB 65		29	13-33-204	N	SB 167	63C-11-306	164
11-42-609	E	HB 65		29	13-33-205	N	SB 167	63C-11-307	164
11-42-701	E	HB 65		29	13-33-301	N	SB 167	63C-11-308	164
11-42-702	E	HB 65		29	13-33-302	N	SB 167	63C-11-309	164
11-42-703	E	HB 65		29	13-33-303	N	SB 167	63C-11-310	164
11-42-704	E	HB 65		29	13-33-304	N	SB 167	63C-11-311	164
11-42-705	E	HB 65		29	13-33-305	N	SB 167	63C-11-312	164
11-42-706	E	HB 65		29	13-33-401	N	SB 167	63C-11-313	164
13-5-9	A	HB 264		76	13-33-402	N	SB 167	63C-11-314	164
13-5b-101	E	HB 374		102	13-33-403	N	SB 167	63C-11-315	164
13-5b-102	E	HB 374		102	13-33-404	N	SB 167	63C-11-316	164
13-5b-103	E	HB 374		102	13-33-405	N	SB 167	63C-11-317	164
13-10b-101	E	HB 279		80	13-33-406	N	SB 167	63C-11-318	164
13-10b-102	E	HB 279		80	13-33-502	R	SB 167		164
13-10b-201	E	HB 279		80	13-33-503	N	SB 167	63C-11-320	164
13-10b-301	E	HB 279		80	13-33-504	N	SB 167	63C-11-321	164
13-10b-302	E	HB 279		80	13-33-505	N	SB 167	63C-11-322	164
13-10b-401	E	HB 279		80	13-33-506	N	SB 167	63C-11-323	164
13-11-4	A	HB 261		75	13-33-507	N	SB 167	63C-11-324	164
13-11a-3	A	HB 264		76	13-33-508	N	SB 167	63C-11-325	164
		HB 55		22	13-35-102	A	HB 315		88
13-21-2	A	SB 101		148	14-1-18	A	HB 65		29
13-21-7	A	HB 264		76	15-7-2	A	HB 65		29
13-29-1	R	SB 60		138	15-8-4	A	SB 91		144
13-29-2	R	SB 60		138	16-4-4	R	HB 53		22
13-29-3	R	SB 60		138	16-4-5	R	HB 53		22
13-29-4	R	SB 60		138	16-4-6	R	HB 53		22
13-29-5	R	SB 60		138	16-4-7	R	HB 53		22
13-29-6	R	SB 60		138	16-4-8	R	HB 53		22
13-29-7	R	SB 60		138	16-4-9	R	HB 53		22
13-29-8	R	SB 60		138	16-4-10	R	HB 53		22
13-29-9	R	SB 60		138	16-4-12	R	HB 53		22
13-29-10	R	SB 60		138	16-4-13	R	HB 53		22
13-32a-101	A	HB 402		104	16-4-14	R	HB 53		22
13-32a-102	A	HB 402		104	16-4-15	R	HB 53		22
13-32a-103	A	HB 402		104	16-4-16	R	HB 53		22
13-32a-104	A	HB 402		104	16-4-17	R	HB 53		22
13-32a-105	A	HB 402		104	16-4-18	R	HB 53		22
13-32a-106	A	HB 402		104	16-4-19	R	HB 53		22
13-32a-107	A	HB 402		104	16-4-20	R	HB 53		22
13-32a-108	A	HB 402		104	16-4-21	R	HB 53		22
13-32a-109	A	HB 402		104	16-4-22	R	HB 53		22
13-32a-109.8	A	HB 402		104	16-4-23	R	HB 53		22
13-32a-111	A	HB 402		104	16-4-24	R	HB 53		22
13-32a-112	A	HB 402		104	16-4-101	E	HB 53		22
13-32a-114	A	HB 402		104	16-4-102	E	HB 53		22
13-33-101	N	SB 167	63C-11-301	164	16-4-201	E	HB 53		22
13-33-102	N	SB 167	63C-11-302	164	16-4-202	E	HB 53		22

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
16-4-203	E	HB 53		22	17-27a-609	A	HB 129		47
16-4-204	E	HB 53		22	17-27a-609.5	A	HB 129		47
16-4-205	E	HB 53		22	17-27a-801	A	HB 264		76
16-4-206	E	HB 53		22			SB 215		175
16-4-301	E	HB 53		22	17-30-11	A	HB 210		64
16-4-302	E	HB 53		22	17-31-5.5	A	HB 38		15
16-4-303	E	HB 53		22	17-33-8	A	HB 462		107
16-4-304	E	HB 53		22	17-35b-302	A	HB 65		29
16-4-305	E	HB 53		22	17-35b-303	A	HB 65		29
16-4-306	E	HB 53		22	17-36-9	A	HB 65		29
16-4-307	E	HB 53		22	17-36-27	A	HB 46		18
16-4-308	E	HB 53		22	17-36-29	A	HB 65		29
16-4-309	E	HB 53		22	17-41-101	A	HB 65		29
16-4-310	E	HB 53		22	17-41-201	A	SB 47		132
16-4-311	E	HB 53		22	17-43-201	A	HB 65		29
16-4-312	E	HB 53		22	17-43-301	A	HB 65		29
16-6a-102	A	SB 9		118	17-50-103	A	HB 65		29
16-6a-611	A	SB 9		118	17-50-303	A	HB 335		92
16-6a-709	A	SB 9		118	17-50-312	A	SB 261		186
16-6a-711	A	SB 9		118	17-50-323	E	HB 145		52
16-6a-822	A	HB 264		76	17-52-403	A	HB 65		29
16-6a-825	A	SB 9		118	17A-1-101	R	HB 65		30
16-6a-1302	A	SB 9		118	17A-1-102	R	HB 65		30
16-6a-1405	A	SB 9		118	17A-1-201	N	HB 65	17B-1-110	29
16-10a-102	A	SB 99		147	17A-1-202	N	HB 65	17B-1-109	29
16-10a-805	A	HB 271		78	17A-1-203	N	HB 65	17B-1-111	29
16-10a-807	A	HB 271		78	17A-1-204	N	HB 65	17B-1-105	29
16-10a-1021	A	HB 271		78	17A-1-205	R	HB 65		30
16-10a-1023	E	HB 271		78	17A-1-301	A	SB 47		132
17-15-29	E	HB 188		58		R	HB 65		30
17-16-11	A	SB 71		140	17A-1-302	R	HB 65		30
17-21-12	A	SB 71		140	17A-1-303	N	HB 65	17B-1-304	29
17-21-13	R	SB 71		140	17A-1-304	N	HB 65	17B-1-305	29
17-21-20	A	HB 200		61	17A-1-305	N	HB 65	17B-1-306	29
17-23-17	A	HB 65		29	17A-1-306	N	HB 65	17B-1-311	29
17-27a-102	A	SB 215		175	17A-1-401	R	HB 65		30
17-27a-103	A	HB 117		44	17A-1-402	R	HB 65		30
		HB 65		29	17A-1-403	R	HB 65		30
		SB 163		163	17A-1-404	N	HB 65	17B-1-601	29
17-27a-305	A	HB 65		29	17A-1-405	N	HB 65	17B-1-602	29
		HB 69		31	17A-1-406	N	HB 65	17B-1-603	29
17-27a-507	A	SB 261		186	17A-1-407	N	HB 65	17B-1-604	29
17-27a-508	A	SB 215		175	17A-1-408	N	HB 65	17B-1-605	29
17-27a-509.5	E	HB 117		44	17A-1-409	N	HB 65	17B-1-606	29
		SB 215		175	17A-1-410	N	HB 65	17B-1-607	29
17-27a-510	A	HB 352		97	17A-1-411	N	HB 65	17B-1-608	29
17-27a-512	A	HB 352		97	17A-1-412	N	HB 65	17B-1-609	29
17-27a-520	E	SB 183		166	17A-1-413	N	HB 65	17B-1-610	29
17-27a-603	A	HB 285		80	17A-1-414	N	HB 65	17B-1-611	29
		SB 163		163	17A-1-415	N	HB 65	17B-1-612	29
17-27a-606	A	SB 71		140	17A-1-416	N	HB 65	17B-1-613	29

A=Amended

E=Enacted

R=Repealed

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N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17A-1-417	N	HB 65	17B-1-614	29	17A-2-216	R	HB 65		30
17A-1-418	N	HB 65	17B-1-615	29	17A-2-217	R	HB 65		30
17A-1-419	N	HB 65	17B-1-616	29	17A-2-219	R	HB 65		30
17A-1-420	N	HB 65	17B-1-617	29	17A-2-221	R	HB 65		30
17A-1-421	N	HB 65	17B-1-618	29	17A-2-222	R	HB 65		30
17A-1-422	N	HB 65	17B-1-619	29	17A-2-223	R	HB 65		30
17A-1-423	N	HB 65	17B-1-620	29	17A-2-226	R	HB 65		30
17A-1-424	N	HB 65	17B-1-621	29	17A-2-301	N	HB 65	17B-2a-403	29
17A-1-425	N	HB 65	17B-1-622	29	17A-2-302	N	HB 65	17B-2a-406	29
17A-1-426	R	HB 65		30	17A-2-305	R	HB 65		30
17A-1-427	N	HB 65	17B-1-624	29	17A-2-306	R	HB 65		30
17A-1-428	N	HB 65	17B-1-625	29	17A-2-307	R	HB 65		30
17A-1-429	N	HB 65	17B-1-626	29	17A-2-308	R	HB 65		30
17A-1-430	N	HB 65	17B-1-627	29	17A-2-309	R	HB 65		30
17A-1-431	N	HB 65	17B-1-628	29	17A-2-310	R	HB 65		30
17A-1-432	N	HB 65	17B-1-629	29	17A-2-312	R	HB 65		30
17A-1-433	N	HB 65	17B-1-630	29	17A-2-313	R	HB 65		30
17A-1-434	N	HB 65	17B-1-631	29	17A-2-315	R	HB 65		30
17A-1-436	N	HB 65	17B-1-632	29	17A-2-317	R	HB 65		30
17A-1-437	N	HB 65	17B-1-633	29	17A-2-318	R	HB 65		30
17A-1-438	N	HB 65	17B-1-634	29	17A-2-319	R	HB 65		30
17A-1-439	N	HB 65	17B-1-635	29	17A-2-320	R	HB 65		30
17A-1-440	N	HB 65	17B-1-636	29	17A-2-322	R	HB 65		30
17A-1-441	N	HB 65	17B-1-637	29	17A-2-323	R	HB 65		30
17A-1-442	N	HB 65	17B-1-638	29	17A-2-325	R	HB 65		30
17A-1-443	N	HB 65	17B-1-639	29	17A-2-327	R	HB 65		30
17A-1-444	N	HB 65	17B-1-640	29	17A-2-328	R	HB 65		30
17A-1-445	N	HB 65	17B-1-641	29	17A-2-329	R	HB 65		30
17A-1-446	R	HB 65		30	17A-2-401	R	HB 65		30
17A-1-447	N	HB 65	17B-1-642	29	17A-2-402	R	HB 65		30
17A-1-448	N	HB 65	17B-1-643	29	17A-2-403	R	HB 65		30
17A-1-501	N	HB 65	17B-1-701	29	17A-2-405	R	HB 65		30
17A-1-502	N	HB 65	17B-1-702	29	17A-2-411	R	HB 65		30
17A-1-503	N	HB 65	17B-1-703	29	17A-2-412	A	HB 264		76
17A-1-504	N	HB 65	17B-1-113	29		R	HB 65		30
17A-1-601	N	HB 65	17B-1-801	29	17A-2-413	N	HB 65	17B-2a-907	29
17A-1-602	N	HB 65	17B-1-802	29	17A-2-414	R	HB 65		30
17A-1-603	N	HB 65	17B-1-803	29	17A-2-415	R	HB 65		30
17A-1-604	N	HB 65	17B-1-804	29	17A-2-416	R	HB 65		30
17A-1-701	N	HB 65	17B-1-107	29	17A-2-418	R	HB 65		30
17A-1-801	R	HB 65		30	17A-2-419	R	HB 65		30
17A-1-802	N	HB 65	17B-1-108	29	17A-2-423	R	HB 65		30
17A-2-101	R	HB 65		30	17A-2-424	R	HB 65		30
17A-2-101.3	R	HB 65		30	17A-2-425	R	HB 65		30
17A-2-102	N	HB 65	17B-1-312	29	17A-2-426	R	HB 65		30
17A-2-103	N	HB 65	17B-1-217	29	17A-2-428	R	HB 65		30
17A-2-104	R	HB 65		30	17A-2-429	R	HB 65		30
17A-2-105	N	HB 65	17B-1-644	29	17A-2-431	R	HB 65		30
17A-2-201	R	HB 65		30	17A-2-502	R	HB 65		30
17A-2-208	R	HB 65		30	17A-2-506	R	HB 65		30
17A-2-210	R	HB 65		30	17A-2-509	R	HB 65		30

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17A-2-511	R	HB 65		30	17A-2-622	R	HB 65		30
17A-2-512	R	HB 65		30	17A-2-623	R	HB 65		30
17A-2-514	R	HB 65		30	17A-2-701.1	R	HB 65		30
17A-2-522	R	HB 65		30	17A-2-701.2	R	HB 65		30
17A-2-523	R	HB 65		30	17A-2-701.5	R	HB 65		30
17A-2-524	R	HB 65		30	17A-2-706	R	HB 65		30
17A-2-525	R	HB 65		30	17A-2-707	R	HB 65		30
17A-2-526	R	HB 65		30	17A-2-711	R	HB 65		30
17A-2-527	R	HB 65		30	17A-2-712	R	HB 65		30
17A-2-528	R	HB 65		30	17A-2-713	R	HB 65		30
17A-2-530	R	HB 65		30	17A-2-717.5	R	HB 65		30
17A-2-532	R	HB 65		30	17A-2-718	R	HB 65		30
17A-2-533	R	HB 65		30	17A-2-719.5	R	HB 65		30
17A-2-534	R	HB 65		30	17A-2-721	R	HB 65		30
17A-2-535	R	HB 65		30	17A-2-722	R	HB 65		30
17A-2-536	R	HB 65		30	17A-2-724	R	HB 65		30
17A-2-537	R	HB 65		30	17A-2-726	R	HB 65		30
17A-2-538	R	HB 65		30	17A-2-728	R	HB 65		30
17A-2-539	R	HB 65		30	17A-2-729	R	HB 65		30
17A-2-540	R	HB 65		30	17A-2-730	R	HB 65		30
17A-2-541	R	HB 65		30	17A-2-738	R	HB 65		30
17A-2-542	R	HB 65		30	17A-2-739	R	HB 65		30
17A-2-543	R	HB 65		30	17A-2-749	R	HB 65		30
17A-2-544	R	HB 65		30	17A-2-750	R	HB 65		30
17A-2-545	R	HB 65		30	17A-2-751	R	HB 65		30
17A-2-548	R	HB 65		30	17A-2-752	R	HB 65		30
17A-2-549	R	HB 65		30	17A-2-753	R	HB 65		30
17A-2-550	R	HB 65		30	17A-2-754	R	HB 65		30
17A-2-551	R	HB 65		30	17A-2-755	R	HB 65		30
17A-2-552	R	HB 65		30	17A-2-756	R	HB 65		30
17A-2-553	R	HB 65		30	17A-2-757	R	HB 65		30
17A-2-554	R	HB 65		30	17A-2-758	R	HB 65		30
17A-2-555	R	HB 65		30	17A-2-759	R	HB 65		30
17A-2-556	R	HB 65		30	17A-2-760	R	HB 65		30
17A-2-557	R	HB 65		30	17A-2-761	R	HB 65		30
17A-2-559	R	HB 65		30	17A-2-762	R	HB 65		30
17A-2-560	R	HB 65		30	17A-2-763	R	HB 65		30
17A-2-601	R	HB 65		30	17A-2-764	R	HB 65		30
17A-2-607	R	HB 65		30	17A-2-765	R	HB 65		30
17A-2-609	R	HB 65		30	17A-2-766	R	HB 65		30
17A-2-610	R	HB 65		30	17A-2-767	R	HB 65		30
17A-2-611	R	HB 65		30	17A-2-801	R	HB 65		30
17A-2-612	R	HB 65		30	17A-2-802	R	HB 65		30
17A-2-613	R	HB 65		30	17A-2-803	R	HB 65		30
17A-2-615	R	HB 65		30	17A-2-810	R	HB 65		30
17A-2-616	R	HB 65		30	17A-2-818	R	HB 65		30
17A-2-617	R	HB 65		30	17A-2-819	R	HB 65		30
17A-2-618	R	HB 65		30	17A-2-820	R	HB 65		30
17A-2-619	R	HB 65		30	17A-2-821	R	HB 65		30
17A-2-620	R	HB 65		30	17A-2-823	R	HB 65		30
17A-2-621	R	HB 65		30	17A-2-824	R	HB 65		30

A=Amended

E=Enacted

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X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17A-2-826	R	HB 65		30	17A-2-1033	R	HB 65		30
17A-2-827	R	HB 65		30	17A-2-1034	R	HB 65		30
17A-2-828	R	HB 65		30	17A-2-1035	R	HB 65		30
17A-2-829	R	HB 65		30	17A-2-1036	R	HB 65		30
17A-2-830	R	HB 65		30	17A-2-1037	R	HB 65		30
17A-2-831	R	HB 65		30	17A-2-1038	N	HB 65	17B-2a-807	29
17A-2-833	R	HB 65		30	17A-2-1039	R	HB 65		30
17A-2-834	R	HB 65		30	17A-2-1040	R	HB 65		30
17A-2-835	R	HB 65		30	17A-2-1041	R	HB 65		30
17A-2-836	R	HB 65		30	17A-2-1042	R	HB 65		30
17A-2-837	R	HB 65		30	17A-2-1043	R	HB 65		30
17A-2-838	R	HB 65		30	17A-2-1044	R	HB 65		30
17A-2-839	R	HB 65		30	17A-2-1045	R	HB 65		30
17A-2-840	R	HB 65		30	17A-2-1046	R	HB 65		30
17A-2-843	R	HB 65		30	17A-2-1047	R	HB 65		30
17A-2-845	R	HB 65		30	17A-2-1048	R	HB 65		30
17A-2-846	R	HB 65		30	17A-2-1050	N	HB 65	17B-2a-814	29
17A-2-847	R	HB 65		30	17A-2-1051	R	HB 65		30
17A-2-848	R	HB 65		30	17A-2-1052	R	HB 65		30
17A-2-849	R	HB 65		30	17A-2-1053	R	HB 65		30
17A-2-850	R	HB 65		30	17A-2-1054	R	HB 65		30
17A-2-851	R	HB 65		30	17A-2-1055	R	HB 65		30
17A-2-901	R	HB 65		30	17A-2-1056	R	HB 65		30
17A-2-906	R	HB 65		30	17A-2-1057	R	HB 65		30
17A-2-907	R	HB 65		30	17A-2-1058	R	HB 65		30
17A-2-908	R	HB 65		30	17A-2-1059	R	HB 65		30
17A-2-909	R	HB 65		30	17A-2-1060	R	HB 65		30
17A-2-910	N	HB 65	17B-2a-705	29	17A-2-1060.1	N	HB 65	17B-2a-809	29
17A-2-911	R	HB 65		30	17A-2-1061	N	HB 65	17B-2a-821	29
17A-2-914	R	HB 65		30	17A-2-1062	N	HB 65	17B-2a-822	29
17A-2-1001	R	HB 65		30	17A-2-1063	N	HB 65	17B-2a-823	29
17A-2-1002	R	HB 65		30	17A-2-1304	A	HB 247		73
17A-2-1003	R	HB 65		30			SB 94		146
17A-2-1004	R	HB 65		30	17A-2-1314	A	HB 65		29
17A-2-1016	R	HB 65		30	17A-2-1315	A	HB 65		29
17A-2-1017	R	HB 65		30	17A-2-1326	A	HB 247		73
17A-2-1018	R	HB 65		30			HB 65		29
17A-2-1019	R	HB 65		30	17A-2-1330	A	HB 65		29
17A-2-1020	R	HB 65		30	17A-2-1401	R	HB 65		30
17A-2-1021	R	HB 65		30	17A-2-1402	R	HB 65		30
17A-2-1022	R	HB 65		30	17A-2-1409	N	HB 65	17B-2a-1005	29
17A-2-1023	R	HB 65		30	17A-2-1412	R	HB 65		30
17A-2-1024	R	HB 65		30	17A-2-1413	R	HB 65		30
17A-2-1025	R	HB 65		30	17A-2-1414	R	HB 65		30
17A-2-1026	R	HB 65		30	17A-2-1415	R	HB 65		30
17A-2-1027	R	HB 65		30	17A-2-1416	R	HB 65		30
17A-2-1028	R	HB 65		30	17A-2-1417	R	HB 65		30
17A-2-1029	R	HB 65		30	17A-2-1418	R	HB 65		30
17A-2-1030	R	HB 65		30	17A-2-1419	R	HB 65		30
17A-2-1031	R	HB 65		30	17A-2-1420	R	HB 65		30
17A-2-1032	R	HB 65		30	17A-2-1421	R	HB 65		30

A=Amended

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<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17A-2-1422	R	HB 65		30	17A-3-208	R	HB 65		30
17A-2-1423	R	HB 65		30	17A-3-209	R	HB 65		30
17A-2-1424	R	HB 65		30	17A-3-210	R	HB 65		30
17A-2-1425	R	HB 65		30	17A-3-211	R	HB 65		30
17A-2-1426	R	HB 65		30	17A-3-212	R	HB 65		30
17A-2-1427	R	HB 65		30	17A-3-213	R	HB 65		30
17A-2-1428	R	HB 65		30	17A-3-214	R	HB 65		30
17A-2-1429	R	HB 65		30	17A-3-215	R	HB 65		30
17A-2-1430	R	HB 65		30	17A-3-216	R	HB 65		30
17A-2-1431	R	HB 65		30	17A-3-217	R	HB 65		30
17A-2-1432	R	HB 65		30	17A-3-218	R	HB 65		30
17A-2-1433	R	HB 65		30	17A-3-219	R	HB 65		30
17A-2-1434	R	HB 65		30	17A-3-220	R	HB 65		30
17A-2-1435	R	HB 65		30	17A-3-221	R	HB 65		30
17A-2-1436	R	HB 65		30	17A-3-222	R	HB 65		30
17A-2-1439	R	HB 65		30	17A-3-223	R	HB 65		30
17A-2-1440	R	HB 65		30	17A-3-224	R	HB 65		30
17A-2-1441	R	HB 65		30	17A-3-225	R	HB 65		30
17A-2-1442	R	HB 65		30	17A-3-226	R	HB 65		30
17A-2-1443	R	HB 65		30	17A-3-227	R	HB 65		30
17A-2-1444	R	HB 65		30	17A-3-228	R	HB 65		30
17A-2-1445	R	HB 65		30	17A-3-229	R	HB 65		30
17A-2-1446	R	HB 65		30	17A-3-230	R	HB 65		30
17A-2-1447	R	HB 65		30	17A-3-231	R	HB 65		30
17A-2-1448	R	HB 65		30	17A-3-232	R	HB 65		30
17A-2-1449	R	HB 65		30	17A-3-233	R	HB 65		30
17A-2-1801	R	HB 65		30	17A-3-234	R	HB 65		30
17A-2-1802	R	HB 65		30	17A-3-235	R	HB 65		30
17A-2-1803	R	HB 65		30	17A-3-236	R	HB 65		30
17A-2-1804	R	HB 65		30	17A-3-237	R	HB 65		30
17A-2-1805	R	HB 65		30	17A-3-238	R	HB 65		30
17A-2-1806	R	HB 65		30	17A-3-239	R	HB 65		30
17A-2-1807	R	HB 65		30	17A-3-240	R	HB 65		30
17A-2-1808	R	HB 65		30	17A-3-241	R	HB 65		30
17A-2-1821	R	HB 65		30	17A-3-242	R	HB 65		30
17A-2-1822	R	HB 65		30	17A-3-243	R	HB 65		30
17A-2-1823	R	HB 65		30	17A-3-244	R	HB 65		30
17A-2-1824	R	HB 65		30	17A-3-301	R	HB 65		30
17A-2-1826	R	HB 65		30	17A-3-302	R	HB 65		30
17A-2-1828	R	HB 65		30	17A-3-303	R	HB 65		30
17A-2-1829	R	HB 65		30	17A-3-304	R	HB 65		30
17A-2-1830	R	HB 65		30	17A-3-305	R	HB 65		30
17A-2-1831	R	HB 65		30	17A-3-306	R	HB 65		30
17A-2-1832	R	HB 65		30	17A-3-307	R	HB 65		30
17A-3-201	R	HB 65		30	17A-3-308	R	HB 65		30
17A-3-202	R	HB 65		30	17A-3-309	R	HB 65		30
17A-3-203	R	HB 65		30	17A-3-310	R	HB 65		30
17A-3-204	R	HB 65		30	17A-3-311	R	HB 65		30
17A-3-205	R	HB 65		30	17A-3-312	R	HB 65		30
17A-3-206	R	HB 65		30	17A-3-313	R	HB 65		30
17A-3-207	R	HB 65		30	17A-3-314	R	HB 65		30

A=Amended

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N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17A-3-315	R	HB 65		30	17B-1-1107	E	HB 65		29
17A-3-316	R	HB 65		30	17B-1-1201	E	HB 65		29
17A-3-317	R	HB 65		30	17B-1-1202	E	HB 65		29
17A-3-318	R	HB 65		30	17B-1-1203	E	HB 65		29
17A-3-319	R	HB 65		30	17B-1-1204	E	HB 65		29
17A-3-320	R	HB 65		30	17B-1-1205	E	HB 65		29
17A-3-321	R	HB 65		30	17B-1-1206	E	HB 65		29
17A-3-322	R	HB 65		30	17B-1-1207	E	HB 65		29
17A-3-323	R	HB 65		30	17B-1-1401	E	HB 65		29
17A-3-324	R	HB 65		30	17B-1-1402	E	HB 65		29
17A-3-325	R	HB 65		30	17B-2-101	N	HB 65	17B-1-102	29
17A-3-326	R	HB 65		30	17B-2-102	N	HB 65	17B-1-104	29
17A-3-327	R	HB 65		30	17B-2-104	N	HB 65	17B-1-106	29
17A-3-328	R	HB 65		30	17B-2-201	N	HB 65	17B-1-201	29
17A-3-329	R	HB 65		30	17B-2-202	N	HB 65	17B-1-202	29
17A-3-330	R	HB 65		30	17B-2-203	N	HB 65	17B-1-203	29
17A-3-331	R	HB 65		30	17B-2-204	N	HB 65	17B-1-204	29
17A-3-332	R	HB 65		30	17B-2-205	N	HB 65	17B-1-205	29
17A-3-333	R	HB 65		30	17B-2-206	N	HB 65	17B-1-206	29
17A-3-334	R	HB 65		30	17B-2-207	N	HB 65	17B-1-207	29
17A-3-335	R	HB 65		30	17B-2-208	N	HB 65	17B-1-208	29
17A-3-336	R	HB 65		30	17B-2-209	N	HB 65	17B-1-209	29
17A-3-337	R	HB 65		30	17B-2-210	N	HB 65	17B-1-210	29
17A-3-338	R	HB 65		30	17B-2-211	N	HB 65	17B-1-211	29
17A-3-339	R	HB 65		30	17B-2-212	N	HB 65	17B-1-212	29
17A-3-340	R	HB 65		30	17B-2-213	N	HB 65	17B-1-213	29
17A-3-341	R	HB 65		30	17B-2-214	N	HB 65	17B-1-214	29
17A-3-342	R	HB 65		30	17B-2-215	N	HB 65	17B-1-215	29
17A-3-344	R	HB 65		30	17B-2-216	N	HB 65	17B-1-216	29
17A-3-345	R	HB 65		30	17B-2-217	R	HB 65		30
17A-3-800	A	SB 47		132	17B-2-401	N	HB 65	17B-1-301	29
17B-1-101	E	HB 65		29	17B-2-402	N	HB 65	17B-1-302	29
17B-1-103	E	HB 65		29	17B-2-403	N	HB 65	17B-1-303	29
17B-1-112	E	HB 65		29	17B-2-404	N	HB 65	17B-1-307	29
17B-1-114	E	HB 65		29	17B-2-405	N	HB 65	17B-1-309	29
17B-1-115	E	HB 65		29	17B-2-406	N	HB 65	17B-1-310	29
17B-1-116	E	HB 65		29	17B-2-501	N	HB 65	17B-1-401	29
17B-1-117	E	HB 65		29	17B-2-502	N	HB 65	17B-1-402	29
17B-1-308	E	HB 65		29	17B-2-503	N	HB 65	17B-1-403	29
17B-1-313	E	HB 65		29	17B-2-504	N	HB 65	17B-1-404	29
17B-1-501	E	HB 65		29	17B-2-505	N	HB 65	17B-1-405	29
17B-1-623	E	HB 65		29	17B-2-506	N	HB 65	17B-1-406	29
17B-1-901	E	HB 65		29	17B-2-507	N	HB 65	17B-1-407	29
17B-1-1001	E	HB 65		29	17B-2-508	N	HB 65	17B-1-408	29
17B-1-1002	E	HB 65		29	17B-2-509	N	HB 65	17B-1-409	29
17B-1-1101	E	HB 65		29	17B-2-510	N	HB 65	17B-1-410	29
17B-1-1102	E	HB 65		29	17B-2-511	N	HB 65	17B-1-411	29
17B-1-1103	E	HB 65		29	17B-2-512	N	HB 65	17B-1-412	29
17B-1-1104	E	HB 65		29	17B-2-513	N	HB 65	17B-1-413	29
17B-1-1105	E	HB 65		29	17B-2-514	N	HB 65	17B-1-414	29
17B-1-1106	E	HB 65		29	17B-2-515	N	HB 65	17B-1-415	29

A=Amended

E=Enacted

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X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17B-2-515.5	N	HB 65	17B-1-416	29	17B-2a-306	E	HB 65		29
17B-2-516	N	HB 65	17B-1-417	29	17B-2a-401	E	HB 65		29
17B-2-517	N	HB 65	17B-1-418	29	17B-2a-402	E	HB 65		29
17B-2-601	N	HB 65	17B-1-502	29	17B-2a-404	E	HB 65		29
17B-2-602	N	HB 65	17B-1-503	29	17B-2a-405	E	HB 65		29
17B-2-603	N	HB 65	17B-1-504	29	17B-2a-501	E	HB 65		29
17B-2-603.5	N	HB 65	17B-1-505	29	17B-2a-502	E	HB 65		29
17B-2-604	N	HB 65	17B-1-506	29	17B-2a-503	E	HB 65		29
17B-2-605	N	HB 65	17B-1-507	29	17B-2a-504	E	HB 65		29
17B-2-606	N	HB 65	17B-1-508	29	17B-2a-505	E	HB 65		29
17B-2-607	N	HB 65	17B-1-509	29	17B-2a-506	E	HB 65		29
17B-2-608	N	HB 65	17B-1-510	29	17B-2a-507	E	HB 65		29
17B-2-609	N	HB 65	17B-1-511	29	17B-2a-508	E	HB 65		29
17B-2-610	N	HB 65	17B-1-512	29	17B-2a-509	E	HB 65		29
17B-2-611	N	HB 65	17B-1-513	29	17B-2a-510	E	HB 65		29
17B-2-701	N	HB 65	17B-1-1301	29	17B-2a-511	E	HB 65		29
17B-2-702	N	HB 65	17B-1-1302	29	17B-2a-512	E	HB 65		29
17B-2-703	N	HB 65	17B-1-1303	29	17B-2a-513	E	HB 65		29
17B-2-704	N	HB 65	17B-1-1304	29	17B-2a-514	E	HB 65		29
17B-2-705	N	HB 65	17B-1-1305	29	17B-2a-515	E	HB 65		29
17B-2-706	N	HB 65	17B-1-1306	29	17B-2a-516	E	HB 65		29
17B-2-707	N	HB 65	17B-1-1307	29	17B-2a-601	E	HB 65		29
17B-2-708	N	HB 65	17B-1-1308	29	17B-2a-602	E	HB 65		29
17B-2-801	N	HB 65	17B-1-904	29	17B-2a-603	E	HB 65		29
17B-2-802	N	HB 65	17B-1-903	29	17B-2a-604	E	HB 65		29
17B-2-803	N	HB 65	17B-1-902	29	17B-2a-605	E	HB 65		29
17B-2-804	R	HB 65		30	17B-2a-606	E	HB 65		29
17B-2-805	R	HB 65		30	17B-2a-607	E	HB 65		29
17B-2a-101	E	HB 65		29	17B-2a-701	E	HB 65		29
17B-2a-102	E	HB 65		29	17B-2a-702	E	HB 65		29
17B-2a-103	E	HB 65		29	17B-2a-703	E	HB 65		29
17B-2a-104	E	HB 65		29	17B-2a-704	E	HB 65		29
17B-2a-105	E	HB 65		29	17B-2a-801	E	HB 65		29
17B-2a-106	E	HB 65		29	17B-2a-802	E	HB 65		29
17B-2a-107	E	HB 65		29	17B-2a-803	E	HB 65		29
17B-2a-201	E	HB 65		29	17B-2a-804	E	HB 65		29
17B-2a-202	E	HB 65		29	17B-2a-805	E	HB 65		29
17B-2a-203	E	HB 65		29	17B-2a-806	E	HB 65		29
17B-2a-204	E	HB 65		29	17B-2a-808	E	HB 65		29
17B-2a-205	E	HB 65		29	17B-2a-810	E	HB 65		29
17B-2a-206	E	HB 65		29	17B-2a-811	E	HB 65		29
17B-2a-207	E	HB 65		29	17B-2a-812	E	HB 65		29
17B-2a-208	E	HB 65		29	17B-2a-813	E	HB 65		29
17B-2a-209	E	HB 65		29	17B-2a-815	E	HB 65		29
17B-2a-210	E	HB 65		29	17B-2a-816	E	HB 65		29
17B-2a-211	E	HB 65		29	17B-2a-817	E	HB 65		29
17B-2a-301	E	HB 65		29	17B-2a-818	E	HB 65		29
17B-2a-302	E	HB 65		29	17B-2a-819	E	HB 65		29
17B-2a-303	E	HB 65		29	17B-2a-820	E	HB 65		29
17B-2a-304	E	HB 65		29	17B-2a-824	E	HB 65		29
17B-2a-305	E	HB 65		29	17B-2a-901	E	HB 65		29

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17B-2a-902	E	HB 65		29	20A-1-201.5	A	HB 347		96
17B-2a-903	E	HB 65		29			HB 65		29
17B-2a-904	E	HB 65		29	20A-1-202	A	HB 65		29
17B-2a-905	E	HB 65		29	20A-1-203	A	SB 30		127
17B-2a-906	E	HB 65		29	20A-1-512	A	HB 65		29
17B-2a-1001	E	HB 65		29	20A-1-602	A	HB 14		6
17B-2a-1002	E	HB 65		29	20A-2-101	A	HB 65		29
17B-2a-1003	E	HB 65		29	20A-2-102.5	A	SB 211		175
17B-2a-1004	E	HB 65		29	20A-2-104	A	HB 14		6
17B-2a-1006	E	HB 65		29	20A-2-105	A	SB 211		175
17B-2a-1007	E	HB 65		29	20A-2-107.5	A	HB 14		6
17B-2a-1008	E	HB 65		29	20A-2-109	A	SB 211		175
17C-1-102	A	HB 65		29	20A-2-201	A	SB 211		175
		SB 218		176	20A-2-203	R	SB 211		175
17C-1-206	A	HB 365		100	20A-2-303	R	SB 211		175
17C-1-402	A	SB 218		176	20A-2-306	A	HB 14		6
17C-1-405	A	SB 218		176	20A-3-101	A	HB 65		29
17C-1-409	A	SB 218		176	20A-3-102	A	HB 65		29
17C-1-410	A	SB 218		176	20A-3-105	A	HB 14		6
17C-1-411	A	SB 218		176	20A-3-105.5	A	HB 14		6
17C-1-412	A	SB 218		176	20A-3-107	A	HB 14		6
17C-2-102	A	SB 218		176	20A-3-108	A	HB 14		6
17C-2-106	A	SB 218		176	20A-3-109	A	HB 14		6
17C-2-110	A	SB 218		176	20A-3-202	A	HB 14		6
17C-2-202	A	SB 218		176	20A-3-308	A	HB 14		6
17C-2-301	A	SB 218		176	20A-3-309	A	SB 241		183
17C-2-302	A	SB 218		176	20A-3-501	A	HB 14		6
17C-2-303	A	SB 218		176			HB 65		29
17C-2-304	A	SB 218		176	20A-3-601	A	HB 347		96
17C-2-503	A	HB 365		100	20A-3-602	A	HB 347		96
17C-2-601	E	HB 365		100	20A-3-603	A	HB 347		96
17C-2-602	E	HB 365		100			HB 368		101
17C-2-603	E	HB 365		100	20A-4-101	A	HB 14		6
17C-4-202	A	SB 218		176	20A-4-107	A	HB 14		6
18-1-3	A	SB 192		168			SB 211		175
19-1-305	A	HB 221		66	20A-4-202	A	HB 14		6
19-3-104	A	SB 155		160	SB 241		183		
19-3-105	A	SB 155		160	20A-4-301	A	HB 14		6
19-3-112	A	SB 137		157			HB 65		29
19-3-301	A	HB 65		29	20A-4-304	A	HB 65		29
19-4-111	A	HB 65		29	20A-4-305	A	HB 65		29
19-6-102	A	SB 271		187	20A-4-306	A	HB 14		6
19-6-104	A	SB 271		187	20A-4-401	A	HB 65		29
19-6-108	A	SB 271		187	20A-4-403	A	HB 61		25
19-6-108.3	E	SB 271		187	20A-4-505	A	HB 14		6
19-6-502	A	HB 65		29	20A-5-101	A	HB 61		25
20A-1-102	A	HB 14		6			HB 65		29
		HB 347		96	20A-5-201	A	HB 14		6
		HB 65		29			HB 65		29
		SB 211		175		R	SB 211		175

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
20A-5-202	R	SB 211		175	20A-14-201	A	SB 30		127
20A-5-301	A	HB 347		96	23-13-1	A	HB 264		76
20A-5-302	A	HB 347		96	23-13-2	A	HB 48		20
		HB 65		29	23-14-14.2	E	SB 188		167
20A-5-400.5	A	HB 65		29	23-19-4	A	HB 48		20
20A-5-401	A	HB 65		29	23-19-5	A	HB 48		20
20A-5-403	A	HB 65		29	23-19-9	A	HB 48		20
20A-5-405	A	HB 14		6	23-19-14.5	E	SB 59		137
20A-5-407	A	HB 65		29	23-19-17	A	SB 161		163
20A-5-601	A	HB 14		6	23-19-17.5	A	SB 161		163
20A-5-602	A	HB 14		6	23-19-21	A	SB 161		163
		HB 347		96	23-19-22	A	HB 67		31
		HB 65		29			SB 161		163
20A-5-603	A	HB 14		6	23-19-22.5	A	SB 161		163
20A-5-604	A	HB 14		6	23-19-22.6	A	SB 161		163
20A-5-605	A	HB 14		6	23-19-24	A	SB 161		163
20A-5-701	A	HB 14		6	23-19-26	A	SB 161		163
20A-5-703	A	HB 14		6	23-19-34.5	A	SB 161		163
20A-6-105	A	SB 211		175	23-19-38	A	SB 161		163
20A-6-303	A	HB 71		32	23-19-38.2	A	SB 161		163
20A-6-304	A	HB 71		32	23-19-42	A	SB 161		163
20A-6-402	A	HB 14		6	23-19-47	A	SB 161		163
20A-7-103	A	HB 61		25	23-20-9	A	HB 48		20
20A-7-203	A	HB 63		25	24-1-3	A	SB 91		144
20A-7-206.3	A	HB 63		25	24-1-8	A	SB 55		136
20A-7-303	A	HB 63		25	24-1-15	A	SB 55		136
20A-7-306	A	HB 63		25	26-1-36	E	HB 137		51
20A-7-306.3	E	HB 63		25	26-2-4	A	SB 89		143
20A-7-503	A	HB 63		25	26-2-13	A	SB 89		143
20A-7-506.3	A	HB 63		25	26-2-17	A	SB 92		145
20A-7-508	A	SB 197		170	26-4-4	A	SB 92		145
20A-7-603	A	HB 63		25	26-4-16	A	HB 130		48
20A-7-606	A	HB 63		25	26-4-28	E	HB 302		84
20A-7-606.3	E	HB 63		25	26-6-28	A	HB 57		23
20A-7-608	A	SB 197		170	26-6b-6	A	HB 57		23
20A-7-801	E	HB 223		68	26-7-3	E	HB 358		98
20A-9-101	A	HB 65		29	26-8a-310	A	HB 197		60
20A-9-201	A	HB 223		68	26-8a-405.1	A	HB 65		29
		SB 241		183	26-9-4	E	SB 223		179
20A-9-203	A	HB 223		68	26-15-1	A	HB 145		52
		HB 347		96	26-15-2	A	SB 52		135
		SB 241		183	26-15-13	E	SB 52		135
20A-9-404	A	HB 347		96	26-18-2.4	A	SB 42		130
20A-9-503	A	HB 65		29	26-18-404	E	SB 189		167
20A-9-701	A	HB 61		25	26-18-503	A	HB 264		76
		SB 241		183			HB 369		101
20A-9-803	A	SB 241		183	26-19-2	A	SB 117		152
20A-9-804	A	SB 211		175	26-19-4.7	E	SB 117		152
20A-11-401	A	SB 246		184	26-19-8	A	SB 117		152
20A-11-1202	A	HB 65		29	26-20-1	A	HB 242		71
20A-13-101	A	SB 241		183	26-20-2	A	HB 242		71

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
26-20-4	X	HB 242		71	26-30-2	N	SB 192	62A-5b-104	168
26-20-5	A	HB 242		71	26-30-3	N	SB 192	62A-5b-105	168
26-20-7	A	HB 242		71	26-30-4	N	SB 192	62A-5b-106	168
26-20-9	A	HB 242		71	26-30-5	N	SB 192	62A-5b-107	168
26-20-9.5	A	HB 242		71	26-33a-104	A	HB 9		5
26-20-12	X	HB 242		71	26-34-2	A	HB 264		76
26-20-13	A	HB 242		71	26-38-3	A	HB 273		78
26-20-14	E	HB 242		71	26-38-6	A	HB 201		61
26-20-15	E	HB 242		71	26-39-104	A	HB 264		76
26-21-3	A	HB 276		79	26-39-107	A	HB 197		60
26-21-9.5	A	HB 197		60	26-40-106	A	HB 218		65
26-21-23	E	HB 369		101	26-41-102	A	HB 56		23
26-23b-110	A	SB 137		157	26-41-103	A	HB 56		23
26-28-1	R	SB 92		145	26-41-104	A	HB 56		23
26-28-2	R	SB 92		145	26-41-105	A	HB 56		23
26-28-3	R	SB 92		145	26A-1-127	E	SB 46		131
26-28-4	R	SB 92		145	26A-33a-106.1	E	HB 9		5
26-28-5	R	SB 92		145	30-3-4.5	E	HB 128		46
26-28-6	R	SB 92		145	30-3-11.4	E	HB 128		46
26-28-7	R	SB 92		145	30-3-35	A	HB 133		49
26-28-8	R	SB 92		145	30-3-35.5	A	HB 133		49
26-28-9	R	SB 92		145	31A-1-106	A	HB 340		94
26-28-10	R	SB 92		145	31A-1-301	A	HB 295		82
26-28-11	R	SB 92		145	31A-2-108	A	HB 340		94
26-28-12	R	SB 92		145	31A-2-203	A	HB 340		94
26-28-101	E	SB 92		145	31A-2-204	A	HB 340		94
26-28-102	E	SB 92		145	31A-2-205	A	HB 295		82
26-28-103	E	SB 92		145	31A-2-206	A	HB 340		94
26-28-104	E	SB 92		145	31A-2-207	A	HB 340		94
26-28-105	E	SB 92		145	31A-2-212	A	HB 340		94
26-28-106	E	SB 92		145	31A-2-308	A	HB 340		94
26-28-107	E	SB 92		145	31A-2-402	A	SB 199		172
26-28-108	E	SB 92		145	31A-2-403	A	SB 199		172
26-28-109	E	SB 92		145	31A-2-404	A	SB 199		172
26-28-110	E	SB 92		145	31A-2-405	E	SB 199		172
26-28-111	E	SB 92		145	31A-4-107.5	E	SB 117		152
26-28-112	E	SB 92		145	31A-5-212	A	HB 340		94
26-28-113	E	SB 92		145	31A-5-217	A	HB 340		94
26-28-114	E	SB 92		145	31A-5-305	A	HB 340		94
26-28-115	E	SB 92		145	31A-5-416	A	HB 295		82
26-28-116	E	SB 92		145			HB 340		94
26-28-117	E	SB 92		145	31A-5-504	A	HB 340		94
26-28-118	E	SB 92		145	31A-5-506	A	HB 340		94
26-28-119	E	SB 92		145	31A-8-213	A	HB 340		94
26-28-120	E	SB 92		145	31A-9-502	A	HB 340		94
26-28-121	E	SB 92		145	31A-9-504	A	HB 340		94
26-28-122	E	SB 92		145	31A-11-104	A	HB 340		94
26-28-123	E	SB 92		145	31A-11-109	A	HB 340		94
26-28-124	E	SB 92		145	31A-13-107	A	HB 340		94
26-28-125	E	SB 92		145	31A-14-206	A	HB 340		94
26-30-1	N	SB 192	62A-5b-103	168	31A-14-215	A	HB 340		94

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
31A-14-217	A	HB 340		94	31A-27-109	R	HB 340		95
31A-15-105	A	HB 340		94	31A-27-110	R	HB 340		95
31A-16-105	A	HB 264		76	31A-27-201	N	HB 340	31A-27-503	95
31A-17-402	A	HB 264		76	31A-27-202	R	HB 340		95
31A-17-605	A	HB 340		94	31A-27-203	N	HB 340	31A-27-504	95
31A-17-606	A	HB 340		94	31A-27-301	R	HB 340		95
31A-17-609	A	HB 340		94	31A-27-302	R	HB 340		95
31A-17-610	A	HB 340		94	31A-27-303	R	HB 340		95
31A-18-106	A	HB 340		94	31A-27-304	R	HB 340		95
31A-19a-209	A	SB 199		172	31A-27-305	R	HB 340		95
31A-19a-211	A	HB 15		7	31A-27-306	R	HB 340		95
31A-21-104	A	HB 295		82	31A-27-307	R	HB 340		95
		SB 77		142	31A-27-308	R	HB 340		95
31A-21-503	A	HB 295		82	31A-27-309	R	HB 340		95
31A-22-305	A	HB 295		82	31A-27-310	R	HB 340		95
31A-22-305.3	A	HB 295		82	31A-27-311	R	HB 340		95
31A-22-314	A	SB 238		182	31A-27-311.5	R	HB 340		95
31A-22-315	A	SB 6		117	31A-27-312	R	HB 340		95
31A-22-321	A	HB 44		18	31A-27-313	R	HB 340		95
31A-22-423	A	HB 295		82	31A-27-314	R	HB 340		95
31A-22-610	A	HB 295		82	31A-27-315	R	HB 340		95
31A-22-613.5	A	HB 295		82	31A-27-316	R	HB 340		95
31A-22-617	A	HB 340		94	31A-27-317	R	HB 340		95
31A-22-629	A	HB 295		82	31A-27-318	R	HB 340		95
31A-22-701	A	HB 295		82	31A-27-319	R	HB 340		95
31A-23a-104	A	HB 295		82	31A-27-320	R	HB 340		95
31A-23a-105	A	HB 295		82	31A-27-321	R	HB 340		95
31A-23a-106	A	SB 199		172	31A-27-322	R	HB 340		95
31A-23a-117	A	HB 295		82	31A-27-323	R	HB 340		95
31A-23a-204	A	HB 295		82	31A-27-324	R	HB 340		95
		SB 199		172	31A-27-325	R	HB 340		95
31A-23a-401	A	HB 295		82	31A-27-326	R	HB 340		95
31A-23a-402	A	HB 295		82	31A-27-327	R	HB 340		95
		SB 199		172	31A-27-328	R	HB 340		95
31A-23a-406	A	SB 199		172	31A-27-329	R	HB 340		95
31A-23a-415	A	SB 199		172	31A-27-330	R	HB 340		95
31A-23a-504	A	HB 295		82	31A-27-330.5	R	HB 340		95
31A-23a-704	A	HB 340		94	31A-27-330.6	R	HB 340		95
31A-25-202	A	HB 295		82	31A-27-331	A	HB 295		82
31A-26-202	A	HB 295		82		R	HB 340		95
31A-26-204	A	SB 199		172	31A-27-332	R	HB 340		95
31A-26-210	A	HB 264		76	31A-27-333	R	HB 340		95
31A-26-301.6	A	HB 295		82	31A-27-334	R	HB 340		95
31A-27-101	N	HB 340	31A-27-501	95	31A-27-335	R	HB 340		95
31A-27-102	R	HB 340		95	31A-27-335.5	R	HB 340		95
31A-27-103	R	HB 340		95	31A-27-336	R	HB 340		95
31A-27-104	R	HB 340		95	31A-27-337	R	HB 340		95
31A-27-105	R	HB 340		95	31A-27-338	R	HB 340		95
31A-27-106	R	HB 340		95	31A-27-339	R	HB 340		95
31A-27-107	N	HB 340	31A-27a-118	95	31A-27-340	R	HB 340		95
31A-27-108	R	HB 340		95	31A-27-341	R	HB 340		95

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
31A-27-342	R	HB 340		95	31A-27a-406	E	HB 340		94
31A-27-401	R	HB 340		95	31A-27a-407	E	HB 340		94
31A-27-402	R	HB 340		95	31A-27a-501	E	HB 340		94
31A-27-403	R	HB 340		95	31A-27a-502	E	HB 340		94
31A-27-404	R	HB 340		95	31A-27a-503	E	HB 340		94
31A-27-405	R	HB 340		95	31A-27a-504	E	HB 340		94
31A-27-406	R	HB 340		95	31A-27a-505	E	HB 340		94
31A-27-407	R	HB 340		95	31A-27a-506	E	HB 340		94
31A-27-408	R	HB 340		95	31A-27a-507	E	HB 340		94
31A-27-409	R	HB 340		95	31A-27a-508	E	HB 340		94
31A-27-410	R	HB 340		95	31A-27a-509	E	HB 340		94
31A-27-411	R	HB 340		95	31A-27a-510	E	HB 340		94
31A-27-502	E	HB 340		94	31A-27a-511	E	HB 340		94
31A-27a-101	E	HB 340		94	31A-27a-512	E	HB 340		94
31A-27a-102	E	HB 340		94	31A-27a-513	E	HB 340		94
31A-27a-103	E	HB 340		94	31A-27a-514	E	HB 340		94
31A-27a-104	E	HB 340		94	31A-27a-515	E	HB 340		94
31A-27a-105	E	HB 340		94	31A-27a-516	E	HB 340		94
31A-27a-106	E	HB 340		94	31A-27a-601	E	HB 340		94
31A-27a-107	E	HB 340		94	31A-27a-602	E	HB 340		94
31A-27a-108	E	HB 340		94	31A-27a-603	E	HB 340		94
31A-27a-109	E	HB 340		94	31A-27a-604	E	HB 340		94
31A-27a-110	E	HB 340		94	31A-27a-605	E	HB 340		94
31A-27a-111	E	HB 340		94	31A-27a-606	E	HB 340		94
31A-27a-112	E	HB 340		94	31A-27a-607	E	HB 340		94
31A-27a-113	E	HB 340		94	31A-27a-608	E	HB 340		94
31A-27a-114	E	HB 340		94	31A-27a-609	E	HB 340		94
31A-27a-115	E	HB 340		94	31A-27a-610	E	HB 340		94
31A-27a-116	E	HB 340		94	31A-27a-611	E	HB 340		94
31A-27a-117	E	HB 340		94	31A-27a-612	E	HB 340		94
31A-27a-119	E	HB 340		94	31A-27a-701	E	HB 340		94
31A-27a-120	E	HB 340		94	31A-27a-702	E	HB 340		94
31A-27a-201	E	HB 340		94	31A-27a-703	E	HB 340		94
31A-27a-202	E	HB 340		94	31A-27a-704	E	HB 340		94
31A-27a-203	E	HB 340		94	31A-27a-705	E	HB 340		94
31A-27a-204	E	HB 340		94	31A-27a-801	E	HB 340		94
31A-27a-205	E	HB 340		94	31A-27a-802	E	HB 340		94
31A-27a-206	E	HB 340		94	31A-27a-803	E	HB 340		94
31A-27a-207	E	HB 340		94	31A-27a-804	E	HB 340		94
31A-27a-208	E	HB 340		94	31A-27a-805	E	HB 340		94
31A-27a-209	E	HB 340		94	31A-27a-901	E	HB 340		94
31A-27a-301	E	HB 340		94	31A-27a-902	E	HB 340		94
31A-27a-302	E	HB 340		94	31A-28-108	A	HB 340		94
31A-27a-303	E	HB 340		94	31A-28-114	A	HB 340		94
31A-27a-304	E	HB 340		94	31A-28-207	A	HB 340		94
31A-27a-305	E	HB 340		94	31A-28-213	A	HB 340		94
31A-27a-401	E	HB 340		94	31A-29-103	A	HB 80		33
31A-27a-402	E	HB 340		94	31A-29-104	A	HB 80		33
31A-27a-403	E	HB 340		94	31A-29-110	A	HB 80		33
31A-27a-404	E	HB 340		94	31A-29-111	A	HB 80		33
31A-27a-405	E	HB 340		94	31A-29-113	A	HB 80		33

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
31A-29-117	A	HB 80		33	32A-4-401	A	SB 205		174
31A-29-119	A	HB 80		33	32A-4-402	A	SB 205		174
31A-30-103	A	HB 295		82	32A-4-406	A	HB 104		41
31A-30-107.3	A	HB 295		82			SB 205		174
31A-30-107.5	A	HB 295		82	32A-5-102	A	SB 205		174
31A-30-112	A	HB 295		82	32A-5-107	A	HB 104		41
31A-33-106	A	HB 13		5			HB 65		29
31A-33-107	A	HB 13		5			SB 205		174
31A-35-103	A	HB 340		94	32A-6-301	A	SB 205		174
31A-35-201	A	HB 295		82	32A-6-302	A	SB 205		174
31A-36-102	A	HB 295		82	32A-7-106	A	HB 104		41
31A-36-104	A	HB 295		82			SB 205		174
31A-36-105	A	HB 295		82	32A-8-102	A	SB 205		174
31A-36-106	A	HB 295		82	32A-8-106	A	SB 205		174
31A-36-107	A	HB 295		82	32A-8-505	A	SB 205		174
31A-36-108	A	HB 295		82	32A-10-101	A	SB 205		174
31A-36-109	A	HB 295		82	32A-10-102	A	SB 205		174
31A-36-110	A	HB 295		82	32A-10-103	A	SB 205		174
31A-36-111	A	HB 295		82	32A-10-202	A	SB 205		174
31A-36-112	A	HB 295		82	32A-10-206	A	HB 104		41
31A-36-113	A	HB 295		82			SB 205		174
31A-36-117	A	HB 295		82	32A-10-306	A	HB 104		41
31A-36-119	A	HB 295		82			SB 205		174
31A-37-502	A	HB 295		82	32A-11a-102	A	SB 91		144
31A-37-504	A	HB 340		94	32A-12-104	A	SB 138		157
32A-1-102	A	SB 205		174	32A-12-209	A	SB 205		174
32A-1-105	A	SB 205		174	32A-12-209.5	E	SB 205		174
32A-1-106	A	SB 205		174	32A-12-213	A	SB 205		174
32A-1-108	A	SB 205		174	32A-12-401	A	SB 205		174
32A-1-115	A	SB 51		134	32A-13-103	A	HB 262		75
32A-1-116	A	SB 205		174			HB 264		76
32A-1-119	A	SB 205		174			SB 55		136
32A-1-120	A	SB 205		174	32A-14a-102	A	SB 205		174
32A-1-122	A	SB 205		174	32A-15a-102	A	HB 104		41
32A-1-401	A	SB 205		174	34-19-5	A	HB 264		76
32A-1-601	E	SB 205		174	34-30-14	A	HB 65		29
32A-1-602	E	SB 205		174	34-32-1.1	A	HB 65		29
32A-1-603	E	SB 205		174	34-41-101	A	HB 65		29
32A-1-604	E	SB 205		174	34-44-101	E	SB 126		154
32A-2-103	A	HB 65		29	34-44-102	E	SB 126		154
32A-3-106	A	HB 65		29	34-44-103	E	SB 126		154
32A-4-102	A	SB 205		174	34-44-104	E	SB 126		154
32A-4-106	A	HB 104		41	34-44-201	E	SB 126		154
		HB 65		29	34-44-202	E	SB 126		154
		SB 205		174	34-44-203	E	SB 126		154
32A-4-206	A	HB 104		41	34-44-301	E	SB 126		154
		SB 205		174	34-44-302	E	SB 126		154
32A-4-303	A	SB 205		174	34A-2-110	A	HB 86		34
32A-4-307	A	HB 104		41	34A-2-202.5	A	SB 234		181
		HB 65		29	34A-2-417	A	SB 108		149
		SB 205		174	34A-2-422	A	SB 109		150

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
34A-6-301	A	HB 262		75	41-1a-418	A	HB 426		105
35A-1-108	A	SB 21		124			SB 199		172
35A-3-102	A	HB 24		10			SB 33		128
35A-3-304	A	HB 207		63	41-1a-419	A	HB 268		77
35A-3-306	A	SB 14		120	41-1a-421	A	HB 426		105
35A-3-313	A	HB 24		10			SB 33		128
		HB 264		76	41-1a-422	A	HB 426		105
35A-4-305	A	HB 23		9			SB 199		172
35A-4-312.5	E	SB 15		120			SB 47		132
35A-4-401	A	SB 11		119	41-1a-601	A	SB 91		144
35A-4-405	A	SB 103		148	41-1a-1204	A	SB 100		148
36-5-1	A	HB 317		89	41-1a-1206	A	SB 100		148
36-11-102	A	SB 246		184	41-1a-1211	A	SB 100		148
36-11-201	A	HB 62		25	41-1a-1218	A	SB 100		148
		SB 246		184	41-1a-1221	A	SB 181		166
36-11-201.3	E	SB 246		184	41-1a-1222	A	HB 158		55
36-11-304	A	SB 246		184			SB 100		148
36-11-306	E	SB 246		184	41-1a-1309	A	SB 173		165
36-12-13	A	HB 65		29	41-3-201.5	A	HB 96		37
		HB 89		35	41-3-201.7	E	SB 186		167
36-12-18	A	HB 317		89	41-3-205	A	SB 54		136
36-23-101.5	E	HB 54		22	41-3-210	A	SB 138		157
36-23-102	A	HB 54		22	41-3-408	A	HB 264		76
36-23-103	A	HB 54		22	41-3-601	A	SB 106		149
36-23-104	A	HB 54		22	41-3-602	A	SB 106		149
36-23-106	A	HB 54		22	SB 181		166		
36-23-107	A	HB 54		22	41-3-603	R	SB 106		149
36-26-102	A	HB 264		76	41-3-604	A	SB 181		166
38-1-7	A	HB 277		79	41-3-701	A	HB 96		37
38-1-11	A	HB 277		79			SB 138		157
38-1-25	A	HB 277		79	41-3-702	A	SB 138		157
38-1-27	A	HB 264		76	41-6a-102	A	HB 315		88
38-1-31	A	HB 277		79	41-6a-212	A	SB 17		121
38-1-32	A	HB 277		79	41-6a-401	A	HB 22		9
38-1-33	A	HB 277		79	41-6a-401.3	E	HB 22		9
38-1-39	A	SB 118		153	41-6a-401.5	E	HB 22		9
38-2-3.2	A	HB 264		76	41-6a-401.7	E	HB 22		9
38-11-102	A	HB 259		74	41-6a-403	A	HB 15		7
38-11-204	A	HB 277		79	41-6a-404	A	HB 449		107
39-1-12	A	HB 426		105	41-6a-503	A	SB 4		116
40-1-11	A	SB 173		165	41-6a-521	A	SB 4		116
40-2-15	A	SB 85		143	41-6a-529	A	SB 4		116
40-6-12	A	SB 138		157	41-6a-530	A	SB 4		116
40-8-9	A	SB 138		157	41-6a-602	A	SB 17		121
40-10-9	A	HB 264		76	41-6a-704	A	SB 17		121
40-10-12	A	SB 48		132	41-6a-711	A	SB 17		121
41-1a-202	A	HB 315		88	41-6a-804	A	SB 17		121
41-1a-230.6	E	HB 97		38	41-6a-1115	A	SB 138		157
41-1a-402	A	SB 73		140	41-6a-1116	A	HB 315		88
41-1a-405	R	SB 73		140	41-6a-1116.5	E	HB 315		88
41-1a-407	A	SB 17		121	41-6a-1505	A	HB 315		88

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
41-6a-1715	E	SB 17		121	51-8-102	E	SB 60		138
41-12a-301	A	HB 315		88	51-8-201	E	SB 60		138
41-12a-302	A	HB 22		9	51-8-202	E	SB 60		138
41-12a-305	A	HB 264		76	51-8-301	E	SB 60		138
41-12a-803	A	SB 6		117	51-8-302	E	SB 60		138
41-22-2	A	HB 48		20	51-8-303	E	SB 60		138
41-22-10	A	HB 97		38	51-8-304	E	SB 60		138
41-22-12	A	HB 48		20	51-8-401	E	SB 60		138
41-22-19.5	E	HB 97		38	51-8-501	E	SB 60		138
41-22-29	A	HB 264		76	51-8-601	E	SB 60		138
41-22-36	A	SB 181		166	51-8-602	E	SB 60		138
46-1-2	A	HB 60		24	51-8-603	E	SB 60		138
46-1-11	A	SB 166		163	51-8-604	E	SB 60		138
46-1-18	A	SB 166		163	52-4-103	A	HB 10		5
46-4-103	A	SB 91		144			HB 204		62
46-4-403	A	SB 91		144	52-4-202	A	HB 204		62
46-5-101	E	SB 154		160			HB 222		67
49-11-102	A	HB 260		75	52-4-203	A	HB 10		5
		HB 65		29			HB 257		74
		HB 8		4			HB 65		29
49-11-504	A	HB 8		4	52-4-207	A	HB 204		62
49-11-612	A	HB 8		4	52-4-302	A	HB 222		67
49-11-613	A	HB 8		4	53-1-104	A	SB 137		157
49-12-203	A	HB 264		76	53-1-106	A	SB 92		145
		SB 247		185	53-2-101	A	SB 137		157
49-12-402	A	HB 264		76	53-2-102	A	SB 137		157
		HB 8		4	53-2-102.5	A	HB 176		58
49-13-203	A	HB 264		76			HB 46		18
		SB 247		185	53-2-103	A	SB 137		157
49-13-402	A	HB 8		4	53-2-104	A	HB 46		18
49-15-204	A	HB 21		9	53-2-108	A	SB 137		157
49-16-602	A	HB 8		4	53-2-401	E	HB 103		40
49-17-301	A	HB 8		4			HB 46		18
49-18-301	A	HB 8		4	53-2-402	E	HB 103		40
49-20-201	A	HB 8		4			HB 46		18
49-20-402	A	HB 8		4	53-2-403	E	HB 103		40
49-20-409	A	HB 8		4			HB 46		18
49-20-410	A	HB 8		4	53-2-404	E	HB 103		40
49-21-102	A	HB 8		4			HB 46		18
49-21-401	A	HB 8		4	53-2-405	E	HB 103		40
		SB 135		156			HB 46		18
49-21-402	A	SB 135		156	53-2-406	E	HB 103		40
51-2a-102	A	HB 349		96			HB 46		18
51-4-2	A	HB 65		29	53-2-407	E	HB 103		40
51-7-2	A	HB 7		4	53-2-408	E	HB 103		40
51-7-3	A	HB 337		92	53-2-409	E	HB 103		40
51-7-11	A	HB 337		92	53-2-410	E	HB 103		40
51-7-11.5	A	HB 307		85	53-3-102	A	HB 15		7
51-7-12.2	E	HB 337		92	53-3-105	A	HB 52		21
51-7-22.4	A	SB 138		157			SB 19		123
51-8-101	E	SB 60		138			SB 4		116

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
53-3-106	A	SB 4		116	53A-1-301	A	HB 215		65
53-3-205	A	HB 426		105	53A-1-602	A	HB 155		54
		SB 92		145	53A-1-603	A	HB 155		54
53-3-207	A	HB 65		29	53A-1-606	R	HB 155		54
		SB 92		145	53A-1-606.5	X	HB 155		54
53-3-219	A	SB 205		174	53A-1-607	A	HB 155		54
53-3-220	A	SB 4		116	53A-1-612	A	HB 155		54
53-3-221	A	HB 15		7	53A-1-706	A	HB 264		76
		SB 19		123	53A-1a-501.3	A	HB 164		57
53-3-221.5	E	HB 15		7	53A-1a-501.6	A	HB 164		57
53-3-223	A	SB 4		116	53A-1a-501.8	R	HB 164		57
53-3-224	A	SB 4		116	53A-1a-502.5	A	HB 164		57
53-3-227	A	SB 4		116	53A-1a-504	A	HB 164		57
53-3-231	A	SB 4		116	53A-1a-506	A	HB 164		57
53-3-402	A	SB 19		123	53A-1a-506.5	E	HB 164		57
53-3-413	A	SB 19		123	53A-1a-507	A	HB 164		57
53-3-414	A	HB 22		9	53A-1a-508	A	HB 164		57
		SB 19		123	53A-1a-510	A	HB 164		57
53-3-415	A	SB 19		123	53A-1a-510.5	E	HB 164		57
53-3-418	A	SB 4		116	53A-1a-511	A	HB 364		99
53-3-420	A	SB 19		123	53A-1a-514	A	HB 164		57
53-3-804	A	HB 426		105	53A-1a-515	A	HB 164		57
		SB 92		145	53A-1a-517	E	HB 164		57
53-3-805	A	HB 426		105	53A-1a-518	E	HB 164		57
		SB 92		145	53A-1a-601	A	HB 240		71
53-3-806.5	E	HB 31		12	53A-1a-602	A	HB 240		71
53-3-807	A	HB 31		12	53A-1a-801	E	HB 148		53
53-5-707	A	HB 39		16		SB 49		133	
53-7-104	A	HB 65		29	53A-1a-802	E	HB 148		53
53-7-202	A	HB 300		83		SB 49		133	
53-7-204	A	SB 227		179	53A-1a-803	E	HB 148		53
53-7-223	A	HB 300		83		SB 49		133	
53-7-226	A	SB 138		157	53A-1a-804	E	HB 148		53
53-7-401	E	SB 200		172		HB 174		57	
53-7-402	E	SB 200		172	53A-1a-805	E	HB 148		53
53-7-403	E	SB 200		172		HB 174		57	
53-7-404	E	SB 200		172	53A-1a-806	E	HB 148		53
53-7-405	E	SB 200		172		HB 174		57	
53-7-406	E	SB 200		172	53A-1a-807	E	HB 148		53
53-7-407	E	SB 200		172	53A-1a-808	E	HB 148		53
53-7-408	E	SB 200		172		HB 174		57	
53-7-409	E	SB 200		172	53A-1a-809	E	HB 148		53
53-7-410	E	SB 200		172	53A-1a-810	E	HB 148		53
53-7-411	E	SB 200		172	53A-1a-811	E	HB 148		53
53-9-103	A	SB 254		185		HB 174		57	
53-9-108	A	SB 254		185	53A-2-104	A	SB 30		127
53-10-407	A	HB 356		98	53A-2-105	A	SB 30		127
53-10-603	A	HB 119		45	53A-2-117	A	HB 58		24
53-10-605	A	HB 119		45		SB 30		127	
		HB 65		29	53A-2-118	A	SB 30		127
53-13-103	A	HB 65		29	53A-2-118.1	A	SB 30		127

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
53A-2-118.2	E	HB 58		24	53A-11-1210	E	HB 236		70
53A-2-119	A	SB 30		127	53A-11-1211	E	HB 236		70
53A-2-120	A	HB 264		76	53A-11-1212	E	HB 236		70
		SB 30		127	53A-11-1213	E	HB 236		70
53A-2-121	A	SB 30		127	53A-11-1214	E	HB 236		70
53A-2-123	A	HB 65		29	53A-13-101.2	A	HB 236		70
53A-2-206	A	HB 160		56	53A-14-107	E	HB 364		99
53A-2-213	A	HB 264		76	53A-15-101	A	HB 79		33
53A-3-202	A	HB 234		69	53A-15-104	E	SB 80		142
53A-3-402	A	SB 133		155	53A-15-202	A	HB 371		101
53A-3-409	A	SB 30		127	53A-16-101	A	HB 323		89
53A-3-419	R	HB 236		70			SB 55		136
53A-3-420	A	HB 236		70	53A-17a-103	A	HB 111		42
53A-3-426	E	SB 56		137			HB 160		56
53A-3-602.5	A	HB 155		54	53A-17a-104	A	HB 160		56
		HB 215		65			HB 164		57
53A-8-102	A	HB 360		98			HB 3		2
53A-8-104	A	HB 360		98			HB 79		33
53A-8-105	A	HB 264		76	53A-17a-107	A	HB 264		76
53A-11-101	A	HB 207		63	53A-17a-108	A	HB 164		57
53A-11-101.3	E	HB 207		63	53A-17a-113	A	HB 160		56
53A-11-101.5	E	HB 207		63	53A-17a-114	A	HB 160		56
53A-11-101.7	E	HB 207		63	53A-17a-116	A	HB 160		56
53A-11-102	A	HB 207		63	53A-17a-120	A	HB 79		33
53A-11-102.5	A	HB 207		63	53A-17a-120.5	E	HB 79		33
53A-11-103	A	HB 207		63	53A-17a-135	A	HB 3		2
53A-11-104	A	HB 207		63	53A-17a-153	E	HB 382		103
53A-11-105	A	HB 207		63	53A-19-102	A	SB 133		155
53A-11-106	A	HB 207		63	53A-20b-101	E	HB 318		89
53A-11-504	A	HB 310		85			HB 351		97
53A-11-605	E	HB 202		61	53A-20b-102	E	HB 318		89
53A-11-901	A	HB 286		81			HB 351		97
53A-11-902	A	HB 286		81	53A-20b-103	E	HB 318		89
53A-11-903	A	HB 286		81	53A-20b-104	E	HB 318		89
53A-11-904	A	HB 100		40	53A-20b-105	E	HB 318		89
		HB 286		81	53A-20b-106	E	HB 318		89
53A-11-905	A	HB 286		81	53A-21-104	A	HB 164		57
53A-11-906	A	HB 212		64	53A-21-105	A	HB 3		2
		HB 286		81	53A-25-111	A	HB 382		103
53A-11-907	A	HB 286		81	53A-27-101	R	SB 128		155
53A-11-908	A	HB 286		81	53A-27-102	R	SB 128		155
53A-11-910	E	HB 286		81	53A-27-103	R	SB 128		155
53A-11-1201	E	HB 236		70	53A-28-401	A	HB 264		76
53A-11-1202	E	HB 236		70	53B-1-102	A	SB 70		139
53A-11-1203	E	HB 236		70	53B-1-110	E	HB 196		60
53A-11-1204	E	HB 236		70	53B-2-101	A	SB 70		139
53A-11-1205	E	HB 236		70	53B-2-104	A	SB 70		139
53A-11-1206	E	HB 236		70	53B-2-110	E	SB 70		139
53A-11-1207	E	HB 236		70	53B-2a-101	A	HB 371		101
53A-11-1208	E	HB 236		70	53B-2a-102	A	HB 371		101
53A-11-1209	E	HB 236		70	53B-2a-103	A	HB 371		101

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
53B-2a-104	A	HB 371		101	54-14-102	A	HB 120		45
53B-2a-105	A	HB 371		101	54-14-103	A	HB 120		45
53B-2a-106	A	HB 371		101			HB 65		29
53B-2a-108	A	HB 371		101	54-14-301	A	HB 120		45
		SB 70		139	54-14-305	A	HB 120		45
53B-3-102	A	SB 70		139	54-17-201	A	SB 235		181
53B-3-103	A	SB 251		185	54-17-302	A	SB 235		181
53B-7-502	A	HB 195		59	54-17-501	E	SB 235		181
		SB 70		139	56-1-15	A	HB 48		20
53B-8-101	A	SB 70		139	57-1-5.1	A	SB 71		140
53B-8-102	A	HB 118		44	57-1-10	A	SB 219		176
53B-8-107	E	HB 309		85	57-1-12	A	SB 25		125
53B-8a-102	A	HB 36		14	57-1-31.5	A	HB 264		76
53B-8a-103	A	HB 36		14	57-2a-4	A	HB 264		76
53B-8a-104	A	HB 36		14	57-2a-7	A	HB 264		76
53B-8a-105	A	HB 36		14	57-3-105	A	SB 71		140
53B-8a-106	A	HB 36		14	57-3-106	A	SB 219		176
53B-8a-107	A	HB 36		14			SB 71		140
53B-8a-108	A	HB 264		76	57-8-11	A	SB 71		140
		HB 36		14	57-8-14	A	SB 71		140
53B-8a-109	A	HB 36		14	57-8-27	A	HB 65		29
53B-8a-111	A	HB 36		14			SB 71		140
53B-8a-112	A	HB 36		14	57-8-39	E	SB 87		143
53B-8a-113	A	HB 36		14	57-8a-104	E	SB 87		143
53B-8e-103	A	HB 426		105	57-11-17	A	SB 199		172
53B-16-104	A	HB 65		29	57-12-2	A	HB 264		76
53B-16-201	A	HB 371		101	57-12-14	A	HB 264		76
		SB 70		139	57-13a-103	E	SB 28		126
53B-16-207	E	HB 371		101	57-15-8.5	A	SB 27		126
53B-16-208	E	HB 371		101	58-1-501	A	HB 292		81
53B-17-801	E	SB 234		181	58-1-501.5	E	HB 292		81
53B-17-802	E	SB 234		181	58-3a-303.5	E	HB 258		74
53B-17-803	E	SB 234		181	58-9-102	A	HB 130		48
53B-17-804	E	SB 234		181	58-9-201	A	HB 130		48
53B-17-805	E	SB 234		181	58-9-301	A	HB 130		48
53B-18-1101	E	SB 53		135	58-9-302	A	HB 130		48
53C-1-201	A	HB 264		76	58-9-303	A	HB 130		48
53C-3-201	A	HB 134		50	58-9-305	A	HB 130		48
53C-3-202	A	HB 134		50	58-9-306	A	HB 130		48
53C-3-203	E	HB 134		50	58-9-307	A	HB 130		48
54-1-3	A	HB 264		76	58-9-501	A	HB 130		48
54-3-25	A	SB 47		132	58-9-502	A	HB 130		48
	R	HB 65		30	58-9-503	A	HB 130		48
54-3-27	A	SB 71		140	58-9-602	A	HB 130		48
54-3-28	A	HB 65		29	58-9-603	X	HB 130		48
54-4-8	A	HB 264		76	58-9-605	E	HB 130		48
54-8-24	A	HB 264		76	58-9-606	E	HB 130		48
54-8b-10	A	SB 156		161	58-9-701	A	HB 130		48
54-8c-1	A	HB 65		29	58-9-703	A	HB 130		48
54-9-103	A	HB 264		76	58-9-706	A	HB 130		48
54-14-101	A	HB 120		45	58-9-707	A	HB 130		48

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
58-11a-101	A	HB 419		105	58-60-503	A	SB 193		169
58-11a-102	A	HB 419		105	58-60-504	A	SB 193		169
58-11a-103	A	HB 419		105	58-60-506	A	SB 193		169
58-11a-201	A	HB 419		105	58-60-507	A	SB 193		169
58-11a-301	A	HB 419		105	58-60-508	A	SB 193		169
58-11a-302	A	HB 419		105	58-60-509	A	SB 193		169
58-11a-304	A	HB 419		105	58-60-510	A	SB 193		169
58-11a-306	A	HB 419		105	58-60-511	E	SB 193		169
58-11a-501	A	HB 419		105	58-61-304	A	SB 134		155
58-11a-502	A	HB 419		105	58-61-307	A	HB 264		76
58-11a-503	A	HB 419		105	58-72-102	A	SB 83		142
58-13-2	A	HB 264		76	58-72-201	A	SB 83		142
58-13-2.6	E	SB 153		160	58-72-302	A	SB 83		142
58-17b-302	A	SB 160		162	58-72-303	A	SB 83		142
58-17b-304	A	SB 160		162	58-72-501	A	SB 83		142
58-17b-308	A	SB 160		162	58-72-601	A	SB 83		142
58-17b-502	A	SB 160		162	59-1-210	A	SB 223		179
58-17b-504	A	HB 264		76	59-1-305	E	SB 181		166
		SB 160		162	59-1-401	A	SB 5		117
58-17b-602	A	SB 160		162			SB 74		140
58-17b-612	A	SB 160		162	59-1-403	A	HB 238		70
58-17b-614	A	SB 160		162	59-1-404	A	SB 203		172
58-31b-102	A	SB 45		131	59-1-901	A	SB 223		179
58-31b-301	A	SB 45		131	59-2-102	A	HB 111		42
58-31b-302	A	HB 299		83			HB 65		29
		SB 45		131			SB 260		186
58-31b-305	A	SB 45		131	59-2-201	A	HB 264		76
58-31d-103	A	SB 45		131			HB 293		82
58-37-7.5	A	HB 6		3	59-2-402	A	HB 427		105
58-37-8	A	HB 231		69	59-2-511	A	HB 65		29
58-37-10	A	HB 262		75	59-2-912	A	HB 65		29
58-37c-8	A	SB 112		151	59-2-913	A	HB 111		42
58-37c-20	A	SB 112		151	59-2-918.6	E	HB 58		24
58-37c-20.5	E	SB 112		151	59-2-924	A	HB 111		42
58-37d-4	A	SB 112		151			HB 65		29
58-44a-302	A	SB 45		131	59-2-1007	A	HB 293		82
58-55-305	A	SB 147		158	59-2-1101	A	HB 65		29
58-55-503	A	SB 255		185	59-2-1108	A	HB 264		76
58-55-504	A	SB 255		185	59-2-1115	A	HB 26		10
58-56-3	A	HB 135		51	59-2-1302	A	HB 264		76
58-56-9.1	E	HB 135		51	59-2-1331	A	HB 264		76
58-56-9.3	E	HB 135		51	59-2-1347	A	HB 264		76
58-56-9.5	E	HB 135		51	59-2-1351.7	E	HB 146		52
58-59-102	A	HB 29		12	59-5-102	A	HB 87		35
58-59-302	A	HB 29		12	59-5-116	A	HB 87		35
58-59-302.5	E	HB 29		12	59-5-119	A	HB 87		35
58-59-303.5	A	HB 29		12	59-7-105	A	HB 36		14
58-59-305	R	HB 29		12	59-7-106	A	HB 36		14
58-59-306	A	HB 29		12	59-7-507	A	SB 74		140
58-59-306.5	E	HB 29		12	59-7-532	A	HB 323		89
58-60-502	A	SB 193		169	59-7-605	A	HB 264		76

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
59-7-612	A	SB 223		179	59-12-301	A	HB 38		15
59-7-614	A	HB 323		89	59-12-401	A	SB 223		179
	X	SB 223		179	59-12-402	A	SB 223		179
59-7-614.1	A	HB 323		89	59-12-403	A	SB 223		179
59-9-102.5	A	SB 234		181	59-12-501	A	HB 226		68
59-10-104	A	SB 223		179			HB 65		29
59-10-114	A	HB 36		14			SB 223		179
59-10-201	A	HB 36		14	59-12-502	A	HB 158		55
59-10-202	A	HB 36		14			HB 226		68
59-10-514	A	SB 266		186			HB 65		29
59-10-516	A	SB 74		140			SB 223		179
59-10-518	A	SB 266		186	59-12-504	A	SB 223		179
59-10-529	A	SB 224		179	59-12-603	A	HB 27		11
59-10-544	A	HB 323		89			HB 38		15
59-10-1005	A	HB 323		89			SB 64		138
59-10-1009	A	HB 264		76	59-12-703	A	SB 223		179
59-10-1012	A	SB 223		179	59-12-802	A	SB 223		179
59-10-1014	A	HB 323		89	59-12-804	A	SB 223		179
		SB 223		179	59-12-1001	A	HB 65		29
59-10-1105	A	HB 323		89			SB 223		179
59-10-1106	E	SB 223		179	59-12-1302	A	SB 223		179
59-10-1202	A	HB 36		14	59-12-1402	A	SB 223		179
		SB 223		179	59-12-1502	A	HB 65		29
59-10-1203	A	HB 36		14			HB 98		39
SB 223		179			59-12-1503	A	HB 226		68
59-10-1206.1	E	HB 36		14			HB 65		29
		SB 223		179			HB 98		39
59-10-1206.2	E	SB 223		179			SB 223		179
59-10-1206.9	E	HB 36		14	59-12-1703	A	HB 158		55
		SB 223		179			HB 65		29
59-11-102	A	HB 264		76			SB 223		179
59-12-102	A	HB 27		11	59-12-1801	E	SB 223		179
		SB 22		124	59-12-1802	E	SB 223		179
		SB 223		179	59-12-1803	E	SB 223		179
		SB 96		146	59-13-203.1	A	HB 40		16
59-12-103	A	HB 27		11	59-13-204	A	HB 264		76
		HB 314		87	59-13-302	A	HB 40		16
		HB 383		103	59-14-102	A	HB 37		15
		HB 41		17	59-14-204	A	HB 37		15
		SB 223		179	59-14-205	A	HB 37		15
59-12-104	A	HB 33		13	59-14-208	A	HB 264		76
		HB 34		13	59-14-208.5	E	HB 37		15
		HB 42		17	59-14-212	A	SB 138		157
		HB 65		29	59-14-303	A	HB 37		15
		SB 22		124	59-14-410	E	HB 37		15
		SB 223		179	59-16-101	R	SB 205		174
		SB 96		146	59-16-102	R	SB 205		174
59-12-104.3	A	HB 27		11	59-21-1	A	HB 134		50
		HB 297		83	59-21-2	A	HB 134		50
59-12-108	A	HB 27		11	59-22-304	A	HB 264		76
59-12-205	A	SB 170		165	59-22-307	A	HB 264		76

A=Amended

E=Enacted

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X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
59-26-102	A	SB 223		179	62A-4a-202.3	A	HB 328		91
59-26-103	A	SB 223		179	62A-4a-205	A	HB 328		91
59-26-104.5	E	SB 223		179	62A-4a-206.1	A	HB 328		91
61-1-5	A	SB 277		188	62A-4a-209	A	HB 328		91
61-1-13	A	HB 295		82	62A-4a-414	A	HB 328		91
		SB 277		188	62A-4a-606	A	HB 207		63
61-1-22	A	SB 277		188	62A-4a-710	E	HB 245		73
61-2-3	A	SB 199		172	62A-4a-1003	A	HB 245		73
61-2-5.5	A	SB 199		172	62A-5-101	A	HB 16		8
61-2-6	A	SB 199		172			HB 211		64
61-2-9	A	SB 199		172	62A-5-103.2	E	HB 47		19
61-2-11	A	SB 199		172	62A-5-103.5	A	HB 245		73
61-2-11.5	A	SB 199		172	62A-5b-101	E	SB 192		168
61-2-12	A	SB 199		172	62A-5b-102	E	SB 192		168
61-2-20	A	SB 199		172	62A-7-110.5	R	HB 326		90
61-2-21	A	SB 199		172	62A-7-111.5	A	HB 326		90
61-2-28	E	SB 199		172	62A-11-303.7	E	SB 104		149
61-2a-12	A	SB 199		172	62A-11-306.2	E	SB 182		166
61-2b-7	A	SB 199		172	62A-11-328	A	HB 238		70
61-2b-10.5	R	SB 199		172	62A-11-403	A	HB 18		8
61-2b-17	A	SB 199		172	62A-11-403.1	E	HB 18		8
61-2b-25	A	HB 264		76	62A-11-502	A	HB 18		8
61-2b-28	A	SB 199		172	62A-11-502.1	E	HB 18		8
61-2b-29	A	SB 199		172	62A-11-601	E	HB 15		7
61-2b-31	A	SB 199		172	62A-11-602	E	HB 15		7
61-2c-102	A	SB 199		172	62A-11-603	E	HB 15		7
61-2c-104	A	SB 199		172	62A-11-604	E	HB 15		7
61-2c-105	A	HB 426		105	62A-15-401	A	SB 205		174
61-2c-201	A	SB 199		172	63-2-103	A	HB 65		29
61-2c-201.1	R	SB 199		172	63-2-304	A	HB 402		104
61-2c-202	A	SB 199		172			SB 137		157
61-2c-203	A	SB 199		172	63-2-901	A	HB 222		67
61-2c-205	A	SB 199		172	63-5-4	A	SB 137		157
61-2c-206	A	SB 199		172	63-5a-7	A	SB 32		128
61-2c-208	A	SB 199		172	63-5a-8	A	HB 46		18
61-2c-301	A	SB 199		172			SB 137		157
61-2c-302	A	SB 199		172	63-5b-102	A	SB 137		157
61-2c-401	A	SB 199		172	63-5b-301	A	SB 137		157
61-2c-402	A	SB 199		172	63-6-1	A	HB 65		29
61-2c-403	A	SB 199		172	63-9-68	E	HB 253		74
61-2c-404	A	SB 199		172	63-11-1	A	HB 264		76
61-2c-502	A	SB 199		172	63-11-57	N	HB 48	65A-8-301	20
61-2c-510	A	SB 199		172	63-11-58	N	HB 48	65A-8-302	20
61-6-5	A	SB 9		118	63-11-59	N	HB 48	65A-8-303	20
62A-2-108.1	A	HB 207		63	63-11-60	N	HB 48	65A-8-304	20
62A-2-120	A	HB 245		73	63-11-60.3	N	HB 48	65A-8-305	20
62A-2-121	A	HB 245		73	63-11-60.4	N	HB 48	65A-8-306	20
62A-3-301	A	SB 75		141	63-11-61	N	HB 48	65A-8-307	20
62A-3-314	A	SB 7		117	63-11-64	N	HB 48	65A-8-308	20
62A-4a-107	A	HB 264		76	63-11-65	A	SB 173		165
62A-4a-202.1	A	HB 328		91		N	HB 48	65A-8-309	20

A=Amended

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<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
63-13-5.6	A	HB 20		8	63-46a-4	A	HB 327		90
		HB 426		105			HB 64		26
63-25a-102	A	HB 91		36	63-46b-3	A	HB 264		76
63-25a-104	A	HB 91		36	63-46b-8	A	HB 264		76
63-25a-203	A	SB 50		134	63-51-2	A	HB 65		29
63-25a-205.5	A	SB 50		134	63-53b-201	A	SB 137		157
63-25a-406	A	HB 112		43	63-53b-301	A	HB 243		72
63-25a-601	E	HB 112		43	63-54-103	A	SB 97		146
63-25a-602	E	HB 112		43	63-55-213	A	SB 31		128
63-25a-603	E	HB 112		43	63-55-226	A	HB 369		101
63-25a-604	E	HB 112		43	63-55-231	A	SB 31		128
63-25a-605	E	HB 112		43	63-55-235	A	SB 31		128
63-30d-102	A	HB 65		29	63-55-236	A	HB 59		24
63-30d-203	A	HB 264		76			SB 31		128
63-30d-301	A	SB 98		147	63-55-253	A	SB 49		133
63-30d-401	A	HB 65		29	63-55-258	A	SB 31		128
63-30d-604	A	SB 191		168	63-55-259	A	HB 264		76
63-38-2	A	SB 47		132			SB 31		128
63-38-2.6	A	HB 323		89	63-55-262	A	HB 47		19
63-38-2.7	E	HB 46		18	63-55-263	A	HB 264		76
63-38-3.3	A	HB 65		29			SB 26		126
63-38-9	A	HB 323		89			SB 31		128
63-38c-103	A	HB 314		87	63-55-267	A	HB 59		24
		HB 323		89			SB 31		128
		HB 46		18	63-55-278	A	SB 151		159
63-38c-402	A	HB 158		55			SB 31		128
		HB 314		87	63-55b-126	A	SB 31		128
63-38d-102	A	HB 65		29	63-55b-153	A	SB 31		128
63-38d-502	A	SB 137		157	63-55b-154	A	HB 264		76
63-38d-601	A	HB 65		29	63-55b-159	A	HB 264		76
63-38f-501	A	HB 264		76	63-55b-163	A	HB 264		76
63-38f-608	A	SB 217		175	63-55b-164	A	HB 438		106
63-38f-701	A	HB 125		46	63-55b-178	A	HB 264		76
63-38f-703	A	HB 125		46			SB 23		125
63-38f-704	A	HB 125		46			SB 31		128
63-38f-705	E	HB 125		46	63-56-102	A	HB 65		29
63-38f-903.5	E	SB 10		119	63-56-201	A	HB 65		29
63-38f-904	A	HB 46		18	63-56-806	A	HB 264		76
63-38f-1411	A	SB 198		170	63-63a-2	A	HB 91		36
63-38f-2002	A	HB 65		29	63-63a-8	A	SB 224		179
63-38f-2201	E	HB 38		15	63-63a-10	E	HB 91		36
		SB 268		187	63-65-2	A	HB 264		76
63-38f-2202	E	HB 38		15	63-90-2	A	HB 264		76
		SB 268		187	63-90a-1	A	HB 65		29
63-38f-2203	E	HB 38		15	63-90b-102	A	HB 65		29
		SB 268		187	63-91-102	A	HB 65		29
63-38f-2204	E	SB 268		187	63-91-201	A	SB 70		139
63-38f-2205	E	SB 268		187	63-93-102	A	HB 65		29
63-38f-2206	E	SB 268		187	63-96-102	A	HB 65		29
63-46a-2	A	HB 64		26	63-97-301	A	SB 18		122

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
63-97a-101	E	SB 18		122	63F-1-509	A	HB 367		100
63-97a-102	E	SB 18		122	63F-1-701	E	HB 222		67
63-97a-201	E	SB 18		122	63F-1-702	E	HB 222		67
63-97a-202	E	SB 18		122	63H-1-101	E	SB 232		180
63-99-102	A	SB 26		126	63H-1-102	E	SB 232		180
63-99-104	A	SB 26		126	63H-1-201	E	SB 232		180
63-99-105	A	SB 26		126	63H-1-301	E	SB 232		180
63-99-110	X	SB 26		126	63H-1-302	E	SB 232		180
63A-3-205	A	HB 264		76	63H-1-303	E	SB 232		180
		HB 351		97	63H-1-401	E	SB 232		180
63A-5-103	A	SB 138		157	63H-1-402	E	SB 232		180
63A-5-104	A	HB 216		65	63H-1-403	E	SB 232		180
63A-5-206	A	HB 216		65	63H-1-404	E	SB 232		180
63A-5-301	A	HB 216		65	63H-1-501	E	SB 232		180
63A-9-401	A	HB 110		42	63H-1-502	E	SB 232		180
		HB 65		29	63H-1-601	E	SB 232		180
63A-9-401.5	E	HB 110		42	63H-1-602	E	SB 232		180
63A-9-402	A	HB 110		42	63H-1-603	E	SB 232		180
63B-16-101	E	HB 158		55	63H-1-604	E	SB 232		180
		HB 314		87	63H-1-605	E	SB 232		180
		HB 473		109	63H-1-606	E	SB 232		180
63B-16-102	E	HB 473		109	63H-1-701	E	SB 232		180
63B-16-201	E	HB 473		109	63H-1-702	E	SB 232		180
63B-16-301	E	HB 473		109	63H-1-703	E	SB 232		180
63C-4-103	A	HB 134		50	63H-1-704	E	SB 232		180
63C-6-101	A	SB 137		157	63H-1-705	E	SB 232		180
63C-6-104	A	SB 137		157	63H-1-801	E	SB 232		180
63C-7-103	A	HB 65		29	64-13-14	A	HB 264		76
63C-9-301	A	SB 138		157	64-13-39.5	A	HB 114		43
63C-10-102	A	SB 93		145	64-13-39.6	E	HB 114		43
63C-11-101	E	SB 167		164	64-13c-101	R	HB 438		106
63C-11-102	E	SB 167		164	64-13c-201	R	HB 438		106
63C-11-201	E	SB 167		164	64-13c-301	R	HB 438		106
63C-11-202	E	SB 167		164	64-13c-302	R	HB 438		106
63C-11-319	E	SB 167		164	64-13c-303	R	HB 438		106
63C-11-326	E	SB 167		164	64-13c-304	R	HB 438		106
63D-1a-101	R	HB 244		72	64-13c-401	R	HB 438		106
63D-1a-102	R	HB 244		72	64-13e-101	E	HB 438		106
63D-1a-201	R	HB 244		72	64-13e-102	E	HB 438		106
63D-1a-202	R	HB 244		72	64-13e-103	E	HB 438		106
63D-1a-203	R	HB 244		72	64-13e-104	E	HB 438		106
63D-1a-401	R	HB 244		72	64-13e-105	E	HB 438		106
63D-1a-402	R	HB 244		72	64-13e-106	E	HB 438		106
63D-1a-403	R	HB 244		72	65A-1-4	A	HB 48		20
63D-2-102	A	HB 65		29	65A-3-1	A	SB 138		157
63E-1-102	A	HB 65		29	65A-6-8	A	HB 48		20
63E-1-201	A	SB 131		155	65A-8-1	N	HB 48	65A-8-101	20
63F-1-201	A	HB 244		72	65A-8-1.1	N	HB 48	65A-8-104	20
63F-1-205	A	HB 264		76	65A-8-1.2	N	HB 48	65A-8-105	20
63F-1-207	A	HB 244		72	65A-8-2	N	HB 48	65A-8-102	20
63F-1-507	A	HB 65		29	65A-8-3	N	HB 48	65A-8-103	20

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
65A-8-4	N	HB 48	65A-8-201	20	67-11-6	A	HB 264		76
65A-8-5	N	HB 48	65A-8-202	20	67-16-5	A	SB 246		184
65A-8-6	N	HB 48	65A-8-203	20	67-19-12	A	HB 316		88
65A-8-6.1	N	HB 48	65A-8-204	20	67-19-12.3	A	HB 76		32
65A-8-6.2	N	HB 48	65A-8-205	20	67-19-14.2	A	HB 8		4
65A-8-6.3	N	HB 48	65A-8-206	20	67-19-14.4	A	HB 8		4
65A-8-6.4	N	HB 48	65A-8-207	20	67-19-15	A	HB 316		88
65A-8-6.5	N	HB 48	65A-8-208	20			SB 196		169
65A-8-7	N	HB 48	65A-8-209	20	67-19d-101	E	HB 7		4
65A-8-8	N	HB 48	65A-8-210	20	67-19d-102	E	HB 7		4
65A-8-9	N	HB 48	65A-8-211	20	67-19d-201	E	HB 7		4
65A-8-10	N	HB 48	65A-8-212	20	67-19d-202	E	HB 7		4
67-1a-2	A	HB 14		6	67-19d-301	E	HB 7		4
		HB 223		68	67-19d-302	E	HB 7		4
67-1a-6.5	A	HB 466		108	67-21-2	A	HB 65		29
		HB 65		29	67-22-1	A	HB 2		1
67-3-1	A	HB 65		29			HB 304		85
67-4a-201	A	HB 219		66	67-22-2	A	HB 2		1
67-4a-203	A	HB 219		66			SB 196		169
67-4a-204	A	HB 219		66	68-4-5	A	SB 110		150
67-4a-205	A	HB 219		66	68-4-6	A	SB 110		150
67-4a-208	A	HB 219		66	68-4-9	A	SB 110		150
67-4a-209	A	HB 219		66	69-2-5	A	HB 119		45
67-4a-214	A	HB 219		66	69-2-5.6	A	HB 119		45
67-4a-301	A	HB 219		66	70-3a-103	A	SB 236		182
67-4a-302	A	HB 219		66	70-3a-203	A	SB 236		182
67-4a-402	A	HB 219		66	70-3a-302	A	SB 236		182
67-4a-403	A	HB 219		66	70-3a-304	A	SB 236		182
67-4a-601	A	HB 219		66	70-3a-305	A	SB 236		182
67-4a-701	A	HB 219		66	70-3a-306	A	SB 236		182
67-4a-703	A	HB 219		66	70-3a-402	A	SB 236		182
67-5-1	A	HB 242		71	70-3a-501	E	SB 236		182
67-5-7	A	HB 316		88	70-3a-502	E	SB 236		182
67-5-8	A	HB 316		88	70A-1-101	R	SB 91		144
67-5-9	A	HB 316		88	70A-1-102	R	SB 91		144
67-5-11	A	HB 316		88	70A-1-103	R	SB 91		144
67-5-12	A	HB 316		88	70A-1-104	R	SB 91		144
67-5-13	A	HB 316		88	70A-1-105	R	SB 91		144
67-5-19	R	HB 5		3	70A-1-106	R	SB 91		144
67-5-22	E	HB 341		95	70A-1-107	R	SB 91		144
		HB 432		106	70A-1-108	R	SB 91		144
		SB 143		158	70A-1-109	R	SB 91		144
		SB 240		183	70A-1-201	R	SB 91		144
67-8-1	A	SB 196		169	70A-1-202	R	SB 91		144
67-8-4	A	SB 196		169	70A-1-203	R	SB 91		144
67-8-5	A	SB 196		169	70A-1-204	R	SB 91		144
67-11-2	A	HB 264		76	70A-1-205	R	SB 91		144
		HB 65		29	70A-1-206	R	SB 91		144
67-11-3	A	HB 264		76	70A-1-207	R	SB 91		144
67-11-4	A	HB 264		76	70A-1-208	R	SB 91		144
67-11-5	A	HB 264		76	70A-1a-101	E	SB 91		144

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
70A-1a-102	E	SB 91		144	71-8-3	A	HB 426		105
70A-1a-103	E	SB 91		144	71-8-4	A	HB 426		105
70A-1a-104	E	SB 91		144	71-9-1	A	HB 426		105
70A-1a-105	E	SB 91		144	71-9-2	A	HB 426		105
70A-1a-106	E	SB 91		144	71-10-1	A	HB 65		29
70A-1a-107	E	SB 91		144	71-11-2	A	HB 426		105
70A-1a-108	E	SB 91		144	71-11-3	A	HB 426		105
70A-1a-201	E	SB 91		144	71-11-4	A	HB 426		105
70A-1a-202	E	SB 91		144	71-11-5	A	HB 426		105
70A-1a-203	E	SB 91		144	71-11-7	A	HB 426		105
70A-1a-204	E	SB 91		144	71-11-8	A	HB 426		105
70A-1a-205	E	SB 91		144	71-11-10	A	HB 426		105
70A-1a-206	E	SB 91		144	72-1-207	A	HB 301		84
70A-1a-301	E	SB 91		144	72-1-208	A	HB 65		29
70A-1a-302	E	SB 91		144	72-1-303	A	HB 65		29
70A-1a-303	E	SB 91		144	72-2-107	A	HB 383		103
70A-1a-304	E	SB 91		144	72-2-108	A	HB 383		103
70A-1a-305	E	SB 91		144	72-2-117	A	HB 158		55
70A-1a-306	E	SB 91		144	72-2-117.5	A	HB 158		55
70A-1a-307	E	SB 91		144			SB 69		139
70A-1a-308	E	SB 91		144	72-2-118	A	HB 314		87
70A-1a-309	E	SB 91		144	72-2-121	A	HB 158		55
70A-1a-310	E	SB 91		144	72-2-121.1	A	HB 98		39
70A-2-103	A	SB 91		144	72-2-125	E	HB 314		87
70A-2-202	A	SB 91		144	72-2-201	A	HB 65		29
70A-2-504	A	HB 264		76	72-3-207	A	HB 383		103
70A-2a-103	A	SB 91		144	72-4-108	A	SB 20		123
70A-2a-501	A	SB 91		144	72-4-110	A	SB 20		123
70A-2a-518	A	SB 91		144	72-4-125	A	SB 20		123
70A-2a-519	A	SB 91		144	72-5-116	E	SB 199		172
70A-2a-527	A	SB 91		144	72-6-109	A	SB 158		161
70A-2a-528	A	SB 91		144	72-6-120	E	HB 301		84
70A-3-103	A	SB 91		144	72-10-601	A	HB 65		29
70A-3-312	A	HB 264		76	73-1-4	A	HB 48		20
70A-4-104	A	SB 91		144			HB 65		29
70A-4a-105	A	SB 91		144	73-1-8	A	SB 98		147
70A-4a-106	A	SB 91		144	73-2-1	A	HB 65		29
70A-4a-204	A	SB 91		144	73-2-4	A	HB 48		20
70A-5-103	A	SB 91		144	73-2-14	A	SB 8		118
70A-7a-102	A	SB 91		144	73-2-25	A	HB 48		20
70A-8-101	A	SB 91		144	73-3-8	A	HB 48		20
70A-9a-102.1	A	SB 91		144	73-3-12	A	HB 48		20
70A-10-102	A	HB 264		76	73-3b-206	A	HB 48		20
70A-10-104	A	SB 91		144	73-4-3	A	HB 48		20
70C-2-204	A	SB 91		144	73-4-4	A	HB 48		20
70C-7-107	A	HB 264		76	73-4-11	A	HB 48		20
71-7-3	A	HB 426		105	73-5-4	A	HB 48		20
71-7-4	A	HB 426		105	73-5-15	A	HB 65		29
71-8-1	A	HB 426		105			SB 47		132
		HB 65		29	73-10-1	A	HB 65		29
71-8-2	A	HB 426		105	73-10-21	A	HB 65		29
A=Amended	E=Enacted		R=Repealed		X=Repealed and Reenacted		N=Renumbered and Amended		

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
73-10-23	A	HB 264		76	75-2a-1118	E	SB 75		141
73-10-26	A	SB 47		132	75-2a-1119	E	SB 75		141
73-10-32	A	HB 65		29	75-2a-1120	E	SB 75		141
73-10c-2	A	HB 99		39	75-2a-1121	E	SB 75		141
73-10c-4	A	HB 99		39	75-2a-1122	E	SB 75		141
73-10c-4.5	A	HB 99		39	75-2a-1123	E	SB 75		141
73-10c-5	A	HB 99		39	75-3-902	A	HB 264		76
73-10c-10	E	HB 99		39	75-3-1201	A	SB 24		125
73-18-7	A	SB 148		159	75-5-428	A	HB 264		76
73-18-25	A	SB 181		166	75-7-508	A	SB 117		152
73-18b-1	A	HB 48		20	76-1-601	A	HB 86		34
73-18c-102	A	HB 227		69	76-2-103	A	SB 173		165
75-2-1101	R	SB 75		141	76-3-201	A	HB 263		76
75-2-1102	R	SB 75		141			HB 438		106
75-2-1103	R	SB 75		141			HB 86		34
75-2-1104	R	SB 75		141	76-3-203.2	A	HB 86		34
75-2-1105	A	HB 264		76	76-3-203.3	A	SB 173		165
	R	SB 75		141	76-3-203.5	A	HB 86		34
75-2-1105.5	R	SB 75		141			SB 173		165
75-2-1106	R	SB 75		141	76-3-203.6	A	HB 86		34
75-2-1107	R	SB 75		141	76-3-203.7	A	HB 86		34
75-2-1108	R	SB 75		141	76-3-203.9	E	HB 274		78
75-2-1109	R	SB 75		141	76-3-207	A	SB 114		152
75-2-1110	R	SB 75		141	76-3-207.7	E	SB 114		152
75-2-1111	R	SB 75		141	76-3-402	A	HB 85		34
75-2-1112	R	SB 75		141	76-3-403.5	A	HB 206		62
75-2-1113	R	SB 75		141	76-3-406	A	HB 86		34
75-2-1114	R	SB 75		141	76-3-407	X	HB 86		34
75-2-1115	R	SB 75		141	76-3-408	R	HB 86		34
75-2-1116	R	SB 75		141	76-4-401	A	HB 5		3
75-2-1117	R	SB 75		141	76-5-102.6	A	HB 275		79
75-2-1118	R	SB 75		141	76-5-111	A	SB 75		141
75-2-1119	R	SB 75		141	76-5-202	A	HB 228		69
75-2a-1101	E	SB 75		141			HB 93		37
75-2a-1102	E	SB 75		141			SB 114		152
75-2a-1103	E	SB 75		141	76-5-203	A	HB 93		37
75-2a-1104	E	SB 75		141	76-5-301.1	A	HB 86		34
75-2a-1105	E	SB 75		141	76-5-302	A	HB 86		34
75-2a-1105.5	E	SB 75		141	76-5-402	A	HB 86		34
75-2a-1106	E	SB 75		141	76-5-402.1	A	HB 86		34
75-2a-1107	E	SB 75		141	76-5-402.2	A	HB 86		34
75-2a-1108	E	SB 75		141	76-5-402.3	A	HB 86		34
75-2a-1109	E	SB 75		141	76-5-403	A	HB 86		34
75-2a-1110	E	SB 75		141	76-5-403.1	A	HB 86		34
75-2a-1111	E	SB 75		141	76-5-404	A	HB 86		34
75-2a-1112	E	SB 75		141	76-5-404.1	A	HB 86		34
75-2a-1113	E	SB 75		141	76-5-405	A	HB 86		34
75-2a-1114	E	SB 75		141	76-6-501	A	HB 83		33
75-2a-1115	E	SB 75		141	76-6-505	A	HB 264		76
75-2a-1116	E	SB 75		141	76-6-506.2	A	HB 264		76
75-2a-1117	E	SB 75		141	76-6-603	A	HB 264		76

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
76-6-1102	A	SB 140		157	76-10-1507	A	HB 354		97
76-8-306.5	E	HB 265		77	76-10-1510	A	SB 173		165
76-8-316	A	SB 224		179	76-10-1602	A	HB 4		2
76-8-420	A	SB 173		165	76-10-1603.5	A	HB 4		2
76-8-510.5	A	HB 194		59			SB 55		136
76-8-701	A	SB 70		139	77-13-1	A	HB 264		76
76-8-706	R	SB 173		165	77-18-1	A	SB 50		134
76-8-714	R	SB 173		165	77-18-1.1	A	SB 50		134
76-8-715	R	SB 173		165	77-19-3	A	HB 206		62
76-8-1301	A	SB 15		120	77-19-4	A	HB 206		62
76-9-108	E	HB 205		62			HB 264		76
76-9-307	A	SB 192		168	77-23-201	R	HB 262		75
76-9-501	R	SB 86		143	77-23-202	R	HB 262		75
76-9-502	R	SB 86		143	77-23-203	R	HB 262		75
76-9-507	R	SB 86		143	77-23-204	R	HB 262		75
76-9-508	R	SB 86		143	77-23-205	A	HB 262		75
76-9-701	A	SB 205		174	77-23-206	R	HB 262		75
76-9-702	A	HB 375		102	77-23-207	R	HB 262		75
76-9-702.5	A	HB 375		102	77-23-208	R	HB 262		75
76-9-704	A	SB 204		173	77-23-209	R	HB 262		75
		SB 92		145	77-23-210	A	HB 262		75
76-9-706	E	HB 463		108	77-23-211	R	HB 262		75
76-10-900.5	E	SB 44		130	77-23-212	R	HB 262		75
76-10-901	A	SB 44		130	77-23a-15.5	A	HB 262		75
76-10-907	A	SB 44		130	77-27-9	A	SB 50		134
76-10-907.1	E	SB 44		130	77-27-21.5	A	HB 5		3
76-10-907.2	E	SB 44		130	77-27-21.7	E	HB 375		102
76-10-907.3	E	SB 44		130	77-27-24	A	HB 264		76
76-10-908	A	SB 44		130	77-27-29	A	HB 264		76
76-10-909	R	SB 44		130	77-29-1	R	SB 125		154
76-10-910	A	SB 44		130	77-29-2	R	SB 125		154
76-10-910.5	E	SB 44		130	77-29-4	R	SB 125		154
76-10-1107	A	SB 55		136	77-30-23	A	HB 264		76
76-10-1108	A	SB 55		136	77-30-25	A	HB 264		76
76-10-1201	A	HB 333		91	77-30-26.5	E	HB 270		77
		HB 5		3	77-32-303	A	HB 264		76
76-10-1204	A	HB 5		3	77-32-601	A	SB 114		152
76-10-1205	A	HB 5		3	77-37-5	A	HB 112		43
76-10-1206	A	HB 5		3	77-38a-404	A	HB 157		55
76-10-1208	A	HB 333		91			HB 263		76
76-10-1210	A	HB 333		91	78-1-2.3	A	SB 38		129
76-10-1227	A	HB 333		91	78-3-25	A	SB 151		159
76-10-1228	A	HB 333		91	78-3-29	A	SB 224		179
76-10-1230	A	HB 5		3	78-3a-121	A	HB 147		53
76-10-1231	A	HB 5		3	78-3a-122	E	HB 147		53
76-10-1232	R	HB 5		3	78-3a-301	A	HB 202		61
76-10-1233	A	SB 138		157	78-3a-305.5	E	HB 328		91
76-10-1234	E	HB 100		40	78-3a-306	A	HB 328		91
		SB 138		157	78-3a-307	A	HB 328		91
76-10-1503	A	HB 65		29			HB 343		95
76-10-1504	A	HB 354		97	78-3a-307.1	A	HB 245		73

A=Amended

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X=Repealed and Reenacted

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<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
78-3a-312	A	HB 245		73	78-34-4.5	A	HB 264		76
		HB 328		91	78-34-9	A	HB 264		76
78-3a-314	A	HB 245		73	78-34-21	A	HB 264		76
78-3a-506	A	SB 205		174	78-35a-301	A	HB 356		98
78-3a-801	A	HB 207		63	78-36-3	A	SB 136		156
78-3a-905	A	HB 147		53	78-36-7	A	SB 136		156
78-3h-105	A	SB 224		179	78-36-8	A	SB 136		156
78-7-35	A	HB 128		46	78-36-8.5	A	SB 136		156
		SB 224		179			SB 224		179
78-12-23	A	HB 48		20	78-36-9.5	E	SB 136		156
78-12-40	A	SB 113		151	78-36-10	A	SB 136		156
78-13-1	A	HB 264		76	78-36-10.5	A	SB 136		156
78-14-9.5	A	HB 264		76	78-39-15	A	HB 264		76
78-20-101	A	SB 192		168	78-45-2	A	SB 23		125
78-20-102	A	SB 192		168	78-45-7.2	A	SB 182		166
78-20-103	A	SB 192		168			SB 23		125
78-23-5	A	SB 150		159	78-45-7.5	A	HB 264		76
78-24-14	A	HB 264		76			SB 23		125
78-25-16	A	HB 264		76	78-45-7.7	A	SB 23		125
78-27-63	A	HB 65		29	78-45-7.10	A	SB 23		125
		SB 179		165	78-45-7.14	A	SB 23		125
		SB 98		147	78-45-7.15	A	SB 23		125
78-30-1	A	HB 343		95	78-45c-103	A	HB 51		21
		HB 92		36	78-45g-406	A	SB 173		165
78-30-1.2	E	HB 92		36	78-46-5	A	SB 114		152
78-30-3.5	A	HB 245		73	78-59-102	A	SB 109		150
78-30-3.6	A	HB 245		73	78-59-107	A	SB 109		150
		HB 51		21	78-62-101	E	SB 35		129
78-30-4.13	A	HB 51		21	78-62-102	E	SB 35		129
78-30-4.14	A	HB 51		21	78-62-103	E	SB 35		129
78-30-4.16	A	HB 51		21	78-62-104	E	SB 35		129
78-30-4.18	A	HB 51		21	78-62-105	E	SB 35		129
78-30-7.1	E	HB 51		21	78-62-106	E	SB 35		129
78-30-8	A	HB 51		21	78-62-107	E	SB 35		129
78-30-11	A	HB 51		21	78-62-108	E	SB 35		129
78-30-14	A	HB 51		21	78-62-109	E	SB 35		129
78-30-15	A	HB 92		36	78-62-110	E	SB 35		129
78-31a-121	A	HB 264		76	78-62-111	E	SB 35		129
78-31b-9	A	SB 224		179	78-62-112	E	SB 35		129

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INTRODUCED LEGISLATION 2007 GENERAL SESSION

HB 1	State Agency and Higher Education Base Budget Appropriations (<i>Ron Bigelow</i>)	Passed
HB 2	Executive Compensation Revisions (<i>David Clark</i>)	Passed
HB 3	Minimum School Program Base Budget Amendments (<i>Bradley G. Last</i>)	Passed
HB 4	Organized Retail Theft (<i>Paul Ray</i>)	Passed
HB 5	Internet Sexual Content - Protection of Minors (<i>Paul Ray</i>)	Passed
HB 6	Controlled Substance Database Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 7	State Post-retirement Benefits Trust Fund (<i>Keith Grover</i>)	Passed
HB 8	Retirement Office Amendments (<i>David Clark</i>)	Passed
HB 9	Health Care Cost and Quality Data (<i>Michael T. Morley</i>)	Passed
HB 10	Open and Public Meetings Act Amendments (<i>Wayne A. Harper</i>)	Passed
HB 11	Observing Juneteenth Day by the State (<i>Neil A. Hansen</i>)	Failed
HB 12	Additional State Retirement Benefit (<i>LaWanna Lou Shurtliff</i>)	Failed
HB 13	Workers' Compensation Fund - Board Amendments (<i>David Clark</i>)	Passed
HB 14	Election Law Revisions (<i>Douglas C. Aagard</i>)	Passed
HB 15	Driver License Privilege Suspension for Failure to Pay Child Support (<i>Julie Fisher</i>)	Passed
HB 16	Designated Mental Retardation Professional Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 17	Child Support Bond (<i>Lorie D. Fowlke</i>)	Failed
HB 18	Child Support Collection Amendments (<i>Julie Fisher</i>)	Passed
HB 19	Navajo Revitalization Fund (<i>Brad King</i>)	Failed
HB 20	State Declaration of State Water Week (<i>Ralph Becker</i>)	Passed
HB 21	Public Safety Retirement Conversion Window (<i>Merlynn T. Newbold</i>)	Passed
HB 22	Motor Vehicles Code Revisions (<i>James A. Dunnigan</i>)	Passed
HB 23	Employment Security Act Amendments (<i>Steven R. Mascaro</i>)	Passed
HB 24	Employment Support Act - Technical Changes (<i>Karen W. Morgan</i>)	Passed
HB 25	Mortgage Fraud (<i>Paul Ray</i>)	Failed
HB 26	Property Tax Exemption for Personal Property (<i>John Dougall</i>)	Passed
HB 27	Sales and Use Tax Modifications (<i>Ben C. Ferry</i>)	Passed
HB 28	Domestic Violence and Dating Violence Amendments (<i>David Litvack</i>)	Failed
HB 29	Professional Employer Organization Related Amendments (<i>James A. Dunnigan</i>)	Passed
HB 30	Renewable Energy Tax Credit (<i>Sheryl L. Allen</i>)	Failed
HB 31	Driver License or Identification Card Requirement for Sex Offenders (<i>Paul Ray</i>)	Passed
HB 32	Expedited Parent-time Enforcement (<i>Julie Fisher</i>)	Failed
HB 33	Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State (<i>Patrick Painter</i>)	Passed
HB 34	Sales and Use Tax Exemptions for Certain Property Brought into the State (<i>Rebecca D. Lockhart</i>)	Passed
HB 35	Required Headlight Use on Vehicles (<i>John Dougall</i>)	Failed
HB 36	Income Tax Additions, Subtractions, and Credits for Higher Education Savings (<i>Fred R. Hunsaker</i>)	Passed
HB 37	Cigarette and Tobacco Tax and Licensing Amendments (<i>Craig A. Frank</i>)	Passed
HB 38	Amendments to Local Option Sales and Use Taxes on Certain Accommodations and Services (<i>Merlynn T. Newbold</i>)	Passed
HB 39	Concealed Weapons Fees Amendments (<i>Curtis Oda</i>)	Passed

HB 40	Fuel Tax Bonding Requirements (<i>Wayne A. Harper</i>)	Passed
HB 41	Sales and Use Tax - Common Carriers (<i>Wayne A. Harper</i>)	Passed
HB 42	Sales and Use Tax Exemption for Authorized Carriers (<i>Wayne A. Harper</i>)	Passed
HB 43	Individual Income Tax Subtractions for Insurance Relating to Medical Care (<i>James A. Dunnigan</i>)	Failed
HB 44	Motor Vehicle Insurance Arbitration Amendments (<i>Stephen H. Urquhart</i>)	Passed
HB 45	Comparative Fault Amendments (<i>Scott L Wyatt</i>)	Failed
HB 46	Disaster Recovery Funding (<i>Curtis Oda</i>)	Passed
HB 47	Pilot Program for Family Preservation Services (<i>Ronda Rudd Menlove</i>)	Passed
HB 48	Department of Natural Resources Amendments (<i>Richard W. Wheeler</i>)	Passed
HB 49	Pilot Program for Day Support Services (<i>Ronda Rudd Menlove</i>)	Failed
HB 50	Material Harmful to Minors Amendments (<i>Scott L Wyatt</i>)	Failed
HB 51	Adoption Amendments (<i>Sheryl L. Allen</i>)	Passed
HB 52	Driver License Fee Amendments (<i>Bradley M. Daw</i>)	Passed
HB 53	Share Assessment Act (<i>James R. Gowans</i>)	Passed
HB 54	Occupational and Professional Licensure Review Committee (<i>Michael T. Morley</i>)	Passed
HB 55	Deceptive Trade Practices Amendments (<i>Stephen D. Clark</i>)	Passed
HB 56	Emergency Administration of Epinephrine (<i>Todd E. Kiser</i>)	Passed
HB 57	Public Health Amendments (<i>Bradley G. Last</i>)	Passed
HB 58	New School District Property Tax Amendments (<i>Bradley M. Daw</i>)	Passed
HB 59	Utah International Trade Commission (<i>Sheryl L. Allen</i>)	Passed
HB 60	Notary Public Revisions (<i>Glenn A. Donnelson</i>)	Passed
HB 61	Election Law Amendments (<i>Douglas C. Aagard</i>)	Passed
HB 62	Lobbyist Disclosure Technical Amendments (<i>Glenn A. Donnelson</i>)	Passed
HB 63	Initiative and Referendum - Signature Verification Procedures (<i>Neal B. Hendrickson</i>)	Passed
HB 64	Impact of Administrative Rules on Small Businesses (<i>Stephen D. Clark</i>)	Passed
HB 65	Special and Local Districts Amendments (<i>Brad L. Dee</i>)	Passed
HB 66	Restricting Regulation of Natural Hot Springs (<i>Curtis Oda</i>)	Failed
HB 67	Age Amendments for Hunting Big Game (<i>Curtis Oda</i>)	Passed
HB 68	School Fee Waiver Amendments (<i>LaWanna Lou Shurtliff</i>)	Failed
HB 69	County and Municipal Land Use Provisions Regarding Schools (<i>Larry B. Wiley</i>)	Passed
HB 70	Assault on a Peace Officer - Penalty Amendment (<i>Paul Ray</i>)	Failed
HB 71	Ballot Form Amendments (<i>Christine A. Johnson</i>)	Passed
HB 72	Brand Inspection of Livestock Seized by the Federal Government (<i>Michael E. Noel</i>)	Passed
HB 73	Price Controls During Emergencies Act (<i>LaWanna Lou Shurtliff</i>)	Failed
HB 74	School Impact Fees (<i>Steven R. Mascaro</i>)	Failed
HB 75	Procedures for Dividing School Districts (<i>Steven R. Mascaro</i>)	Failed
HB 76	Public Safety Dispatcher Compensation (<i>DeMar Bud Bowman</i>)	Passed
HB 77	High School Diploma Amendments (<i>Kory M. Holdaway</i>)	Failed
HB 78	Property Tax Deferral - Senior Citizens (<i>Gage Froerer</i>)	Failed
HB 79	Concurrent Enrollment Amendments (<i>Kory M. Holdaway</i>)	Passed
HB 80	Health Insurance Amendments (<i>James A. Dunnigan</i>)	Passed
HB 81	Highway Jurisdictional Transfer (<i>Jim Bird</i>)	Failed
HB 82	Driving by Minors Amendments (<i>Craig A. Frank</i>)	Failed
HB 83	Forgery Amendments (<i>Douglas C. Aagard</i>)	Passed
HB 84	Traumatic Brain Injury Fund (<i>James R. Gowans</i>)	Failed

HB 85	Sentence Reduction Clarification (<i>Scott L Wyatt</i>)	Passed
HB 86	Penalties for Sexual Offenses and Kidnapping (<i>Carl Wimmer</i>)	Passed
HB 87	Severance Tax Related Amendments (<i>Gordon E. Snow</i>)	Passed
HB 88	Automated Teller Machine Charges for International Accounts (<i>Julie Fisher</i>)	Passed
HB 89	Government Assistance Expenditure Report (<i>Michael T. Morley</i>)	Passed
HB 90	Garnishment Fees (<i>Fred R. Hunsaker</i>)	Failed
HB 91	Commission on Criminal and Juvenile Justice Funding (<i>Brad L. Dee</i>)	Passed
HB 92	Adoption of an Adult Provisions (<i>John G. Mathis</i>)	Passed
HB 93	Capital Offenses Amendments (<i>Paul Ray</i>)	Passed
HB 94	Class Size Reduction (<i>Carol Spackman Moss</i>)	Failed
HB 95	Accelerated Learning Program Amendments (<i>Carol Spackman Moss</i>)	Failed
HB 96	Motor Vehicle Dealer Amendments (<i>Patrick Painter</i>)	Passed
HB 97	Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off-highway Vehicle Education (<i>Michael E. Noel</i>)	Passed
HB 98	County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments (<i>Craig A. Frank</i>)	Passed
HB 99	Water Loan Program Amendments (<i>Patrick Painter</i>)	Passed
HB 100	Accessing Pornography on School Property (<i>DeMar Bud Bowman</i>)	Passed
HB 101	Fee Waiver Reimbursements (<i>Jack R. Draxler</i>)	Failed
HB 102	Land and Water Reinvestment (<i>David Clark</i>)	Passed
HB 103	Statewide Mutual Aid Act (<i>Curtis Oda</i>)	Passed
HB 104	Alcoholic Beverage Licensees and Gambling-like Activities (<i>Stephen E. Sandstrom</i>)	Passed
HB 105	Illegal Immigration Enforcement Act (<i>Glenn A. Donnelson</i>)	Failed
HB 106	Registration Targeting Women and Minority-owned Enterprises (<i>Mark A. Wheatley</i>)	Failed
HB 107	Funding for Prosecution and Prevention of Child Pornography Offenses (<i>Ron Bigelow</i>)	Passed
HB 108	Transportation Study - East-west Corridors in Salt Lake County and Counties of the Second Class (<i>Ron Bigelow</i>)	Passed
HB 109	Municipal Voting Requirement for Sale of Public Land (<i>Neil A. Hansen</i>)	Failed
HB 110	State Fleet Efficiency Requirements (<i>Fred R. Hunsaker</i>)	Passed
HB 111	Personal Property - Certified Tax Rate Amendments (<i>John Dougall</i>)	Passed
HB 112	Utah Council on Victims of Crime (<i>Scott L Wyatt</i>)	Passed
HB 113	Discharge of a Firearm Amendments (<i>Carl Wimmer</i>)	Failed
HB 114	Prisoner Long-term Health Care (<i>Jackie Biskupski</i>)	Passed
HB 115	Honoring Heroes Special Group License Plate (<i>Paul Ray</i>)	Failed
HB 116	Juror Transport Amendments (<i>Scott L Wyatt</i>)	Failed
HB 117	Transfer of Density (<i>Gage Froerer</i>)	Passed
HB 118	Residency Requirements for In-state Tuition (<i>Jack R. Draxler</i>)	Passed
HB 119	Emergency Communication Funding (<i>Brad L. Dee</i>)	Passed
HB 120	Utility Facility Review Board (<i>Aaron Tilton</i>)	Passed
HB 121	Surface Owner Protection Act (<i>John G. Mathis</i>)	Failed
HB 122	Clean Air and Efficient Vehicle Tax Incentives (<i>Rosalind J. McGee</i>)	Failed
HB 123	Tax Revisions (<i>John Dougall</i>)	Failed
HB 124	Agricultural Education (<i>Ronda Rudd Menlove</i>)	Failed
HB 125	Centers of Excellence Amendments (<i>Bradley M. Daw</i>)	Passed
HB 126	Reporting of Fraudulent Insurance Acts (<i>Douglas C. Aagard</i>)	Failed
HB 127	Employee Verification, Procurement, and Incentives (<i>Stephen E. Sandstrom</i>)	Failed

HB 128	Divorce Orientation (<i>Lorie D. Fowlke</i>)	Passed
HB 129	Land Use Provisions (<i>Michael T. Morley</i>)	Passed
HB 130	Funeral Services Licensing Act Amendments (<i>Kay L. McIff</i>)	Passed
HB 131	Document Fraud (<i>Karen W. Morgan</i>)	Failed
HB 132	Registration and License Requirements for Pesticide Businesses and Applicators (<i>Jack R. Draxler</i>)	Passed
HB 133	Parent-time Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 134	School and Institutional Trust Lands Amendments (<i>John G. Mathis</i>)	Passed
HB 135	Utah Uniform Building Standards Act Amendments (<i>Larry B. Wiley</i>)	Passed
HB 136	Discounts on Medical Health Care (<i>Larry B. Wiley</i>)	Failed
HB 137	Pain Medication Management and Education (<i>Bradley M. Daw</i>)	Passed
HB 138	Uintah Basin Revitalization Fund (<i>Gordon E. Snow</i>)	Failed
HB 139	Parental Consent to Abortion Amendments (<i>Kerry W. Gibson</i>)	Failed
HB 140	Safe Drinking Water Amendments (<i>Sylvia S. Andersen</i>)	Failed
HB 141	Health Insurance and Health Care Payment Amendments (<i>Bradley M. Daw</i>)	Failed
HB 142	Fee in Lieu of Property Tax Amendments (<i>Richard W. Wheeler</i>)	Passed
HB 143	Controlled Substances Amendments - Suda Controls (<i>Neil A. Hansen</i>)	Failed
HB 144	School District Superintendent Retention Elections (<i>Kenneth W. Sumsion</i>)	Failed
HB 145	Farmers Market Exemptions (<i>Ronda Rudd Menlove</i>)	Passed
HB 146	County Tax Sales of Property (<i>Michael T. Morley</i>)	Passed
HB 147	Restitution Amendments (<i>Kevin S. Garn</i>)	Passed
HB 148	Education Vouchers (<i>Stephen H. Urquhart</i>)	Passed
HB 149	Class Size Reduction in Grades Kindergarten Through Three (<i>Karen W. Morgan</i>)	Failed
HB 150	New Fiscal Year Supplemental Appropriations Act (<i>Ron Bigelow</i>)	Passed
HB 151	Minimum Basic Levy and Other Property Tax Amendments (<i>Aaron Tilton</i>)	Failed
HB 152	Small Business Health Plan Task Force (<i>Steven R. Mascaro</i>)	Failed
HB 153	Securities Amendments (<i>Jim Bird</i>)	Failed
HB 154	Exoneration and Innocence Assistance (<i>David Litvack</i>)	Failed
HB 155	Student Achievement Assessment Amendments (<i>Merlynn T. Newbold</i>)	Passed
HB 156	Utah Employment Verification Act (<i>Glenn A. Donnelson</i>)	Failed
HB 157	Victim Restitution (<i>Stephen D. Clark</i>)	Passed
HB 158	Amendments to Transportation Provisions (<i>Wayne A. Harper</i>)	Passed
HB 159	Check Cashing Registration Act Study (<i>Lorie D. Fowlke</i>)	Failed
HB 160	Minimum School Program Budget Amendments (<i>Bradley G. Last</i>)	Passed
HB 161	Corporate Franchise and Income Tax Credits Relating to Biodiesel or Syngas Production (<i>Michael E. Noel</i>)	Failed
HB 162	Illegal Drug Sites Contamination Amendments (<i>David Litvack</i>)	Failed
HB 163	Options for Health Care (<i>James A. Dunnigan</i>)	Failed
HB 164	Charter School Amendments (<i>Ron Bigelow</i>)	Passed
HB 165	School Fee Amendments (<i>Craig A. Frank</i>)	Failed
HB 166	Transportation Revisions (<i>Wayne A. Harper</i>)	Failed
HB 167	Human Trafficking Provisions (<i>David Litvack</i>)	Failed
HB 169	Virtual Charter Schools (<i>Stephen H. Urquhart</i>)	Failed
HB 172	Utah Virtual Schools (<i>Ben C. Ferry</i>)	Failed
HB 174	Education Voucher Amendments (<i>Bradley G. Last</i>)	Passed
HB 175	Vehicle Use Regarding Illegal Drugs (<i>Paul Ray</i>)	Failed

HB 176	Certain County Debt Forgiven (<i>David Clark</i>)	Passed
HB 177	Correctional Facility Bidding Process - Privatization of Correctional Facilities (<i>Gregory H. Hughes</i>)	Failed
HB 178	Regulation of Lobbyists and Gifts (<i>Ralph Becker</i>)	Failed
HB 179	Expungement Law Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 180	Parole Amendments (<i>Curtis Oda</i>)	Failed
HB 181	Licensing of Security Services (<i>Stephen E. Sandstrom</i>)	Failed
HB 182	Regulating Hands-free Wireless Telephone Use While Operating a Motor Vehicle (<i>Carol Spackman Moss</i>)	Failed
HB 183	Employee Noncompetition Contracts (<i>Lorie D. Fowlke</i>)	Failed
HB 184	State Office of Education Human Resource Management Amendments (<i>Ronda Rudd Menlove</i>)	Failed
HB 185	Higher Education Partnerships Appropriation (<i>Gordon E. Snow</i>)	Passed
HB 186	School Safety Amendments (<i>Carol Spackman Moss</i>)	Failed
HB 187	Eminent Domain Amendments (<i>Roger E. Barrus</i>)	Failed
HB 188	Easements - Counties and Municipalities (<i>Aaron Tilton</i>)	Passed
HB 189	Criminal Statute of Limitations Amendments (<i>Carl Wimmer</i>)	Failed
HB 190	Controlled Substance Schedule Amendment (<i>Paul Ray</i>)	Failed
HB 191	Health Insurance Coverage of Mammography (<i>Carol Spackman Moss</i>)	Failed
HB 192	Revoking Authority to Use State Lands as a Bird Refuge (<i>Ben C. Ferry</i>)	Passed
HB 193	Instructional Expenses Requirements (<i>Gregory H. Hughes</i>)	Failed
HB 194	Tampering with Evidence Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 195	Higher Education Tuition Assistance Amendments (<i>Scott L Wyatt</i>)	Passed
HB 196	Higher Education Criminal Background Checks (<i>Ronda Rudd Menlove</i>)	Passed
HB 197	Amendments to Background Checks by Department of Health (<i>D. Gregg Buxton</i>)	Passed
HB 198	Public Safety Retirement (<i>Ron Bigelow</i>)	Failed
HB 199	Speed Restrictions on Commercial Vehicles (<i>Sheryl L. Allen</i>)	Failed
HB 200	Standardizing Documents Filed with County Recorder (<i>Craig A. Frank</i>)	Passed
HB 201	Governance of Local Ordinances Regarding Smoking (<i>Paul Ray</i>)	Passed
HB 202	Medical Recommendations for Children (<i>Michael T. Morley</i>)	Passed
HB 203	Local Option Distribution Formula for the Distribution of the Local Option Sales and Use Tax (<i>Scott L Wyatt</i>)	Failed
HB 204	Modifications to Open and Public Meetings (<i>Scott L Wyatt</i>)	Passed
HB 205	Public Demonstrations At Funerals (<i>Ron Bigelow</i>)	Passed
HB 206	County Jail - Work Release Process Amendments (<i>Scott L Wyatt</i>)	Passed
HB 207	School Truancy and Compulsory Education Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 208	Child Protection - Gang Association (<i>Eric K. Hutchings</i>)	Failed
HB 209	Child Restraint Device Amendments (<i>Tim M. Cosgrove</i>)	Failed
HB 210	County Sheriff Qualification Amendments (<i>Brad L. Dee</i>)	Passed
HB 211	Background Checks for Division of Services for People with Disabilities (<i>Rebecca D. Lockhart</i>)	Passed
HB 212	School Discipline Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 213	Driver License - Application of Minor (<i>David Litvack</i>)	Failed
HB 214	Senior Permits for State Parks (<i>Sheryl L. Allen</i>)	Failed
HB 215	School Reporting Amendments (<i>Karen W. Morgan</i>)	Passed
HB 216	Division of Facilities Construction and Management Amendments (<i>D. Gregg Buxton</i>)	Passed

HB 217	Cell Phone Restriction for Teen Drivers (<i>Kory M. Holdaway</i>)	Failed
HB 218	Utah Children's Health Insurance Program (<i>James A. Dunnigan</i>)	Passed
HB 219	Unclaimed Property Act Provisions (<i>Fred R. Hunsaker</i>)	Passed
HB 220	Driver License Qualification Amendments (<i>Glenn A. Donnelson</i>)	Failed
HB 221	Timing to Commence a Civil Action by the Department of Environmental Quality (<i>Ronda Rudd Menlove</i>)	Passed
HB 222	Open and Public Meetings - Electronic Notice (<i>John Dougall</i>)	Passed
HB 223	Voter Information Website (<i>Wayne A. Harper</i>)	Passed
HB 224	Repeal of Exemptions from Nonresident Tuition (<i>Glenn A. Donnelson</i>)	Failed
HB 225	Morbid Obesity - Insurance Coverage (<i>Steven R. Mascaro</i>)	Failed
HB 226	Sales and Use Tax - Highways and Public Transportation Amendments (<i>John Dougall</i>)	Passed
HB 227	Motorboat Liability Insurance Revisions (<i>Kerry W. Gibson</i>)	Passed
HB 228	Penalty for Homicide of a Child (<i>Carl Wimmer</i>)	Passed
HB 229	School and Institutional Trust Lands Management Act Amendments (<i>Keith Grover</i>)	Failed
HB 230	Child Care Provider Amendments (<i>Glenn A. Donnelson</i>)	Failed
HB 231	Controlled Substances Penalty Amendments (<i>Wayne A. Harper</i>)	Passed
HB 232	Sheriff Qualifications (<i>Kerry W. Gibson</i>)	Failed
HB 233	Environmentally Restricted Zoning Districts (<i>Michael T. Morley</i>)	Failed
HB 234	Compensation of Local School Board Members (<i>John Dougall</i>)	Passed
HB 235	Abortion Law Revisions (<i>Paul Ray</i>)	Failed
HB 236	Student Clubs Amendments (<i>Aaron Tilton</i>)	Passed
HB 237	Requirements for Off-highway Vehicles (<i>Aaron Tilton</i>)	Failed
HB 238	Municipal Telecommunications License Tax Amendments (<i>Wayne A. Harper</i>)	Passed
HB 239	School Community Council Amendments (<i>Ronda Rudd Menlove</i>)	Failed
HB 240	Public Education Job Enhancement Program Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 241	Appropriation for Terrel H. Bell Program (<i>Ronda Rudd Menlove</i>)	Passed
HB 242	Medicaid False Claims Act Amendments (<i>Bradley G. Last</i>)	Passed
HB 243	Energy Policy Amendments (<i>Roger E. Barrus</i>)	Passed
HB 244	Repeal of Utah Technology Commission (<i>John Dougall</i>)	Passed
HB 245	Child Welfare Amendments (<i>Merlynn T. Newbold</i>)	Passed
HB 246	Campaign Contribution Amendments (<i>John Dougall</i>)	Failed
HB 247	Special Service District Authority to Provide Jail Facilities (<i>John G. Mathis</i>)	Passed
HB 248	Revolving Door Limitations for Public Officials to Become Lobbyists (<i>Carol Spackman Moss</i>)	Failed
HB 249	Budget Priority for In-home and Community Based Long-term Care (<i>Eric K. Hutchings</i>)	Failed
HB 250	Consumer Access to Health Care Charges (<i>Eric K. Hutchings</i>)	Failed
HB 251	Auditing of Leases Related to Revenue Bonds (<i>Neil A. Hansen</i>)	Failed
HB 252	Utah Suicide Prevention Act (<i>Wayne A. Harper</i>)	Failed
HB 253	Allowing State Memorials on State Property (<i>Wayne A. Harper</i>)	Passed
HB 254	Pete Suazo Athletic Commission (<i>Gregory H. Hughes</i>)	Failed
HB 255	Prohibition of Citation Quotas (<i>Neil A. Hansen</i>)	Failed
HB 256	Minimum Wage Provisions (<i>Neil A. Hansen</i>)	Failed
HB 257	Open and Public Meetings Act Amendments (<i>Glenn A. Donnelson</i>)	Passed
HB 258	Continuing Education Requirements for Architects (<i>Brad L. Dee</i>)	Passed
HB 259	Mechanics Liens on Certain New Development Housing (<i>Patrick Painter</i>)	Passed
HB 260	Post Retirement Employment (<i>Glenn A. Donnelson</i>)	Passed

HB 261	Expiration of Gift Certificates (<i>Wayne A. Harper</i>)	Passed
HB 262	Search Warrant Amendments (<i>Scott L Wyatt</i>)	Passed
HB 263	Jail Expenses Amendments (<i>Curtis Oda</i>)	Passed
HB 264	Revisor's Statute (<i>Stephen H. Urquhart</i>)	Passed
HB 265	Obstructing a Warrant or Order to Show Cause of a Parolee or Probationer (<i>Rebecca D. Lockhart</i>)	Passed
HB 266	Amendments to State Highway System (<i>Kerry W. Gibson</i>)	Failed
HB 267	Utah Premium Partnership Program (<i>Kory M. Holdaway</i>)	Failed
HB 268	Special Group License Plate Symbol Decal Reorder Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 269	Committee of Consumer Services Membership Amendments (<i>Gordon E. Snow</i>)	Failed
HB 270	Amendments to Extradition Statute (<i>Scott L Wyatt</i>)	Passed
HB 271	Corporation Law Amendments (<i>Kevin S. Garn</i>)	Passed
HB 272	Prohibition Relating to Fees on Foster Homes for the Use of Emergency Services (<i>Wayne A. Harper</i>)	Failed
HB 273	Indoor Smoking Amendments (<i>Curtis Oda</i>)	Passed
HB 274	Violent Crime in Presence of a Child (<i>Janice M. Fisher</i>)	Passed
HB 275	Offense Against Peace Officers (<i>Curtis Oda</i>)	Passed
HB 276	Health Facility Committee Amendments (<i>Christopher N. Herrod</i>)	Passed
HB 277	Construction Amendments (<i>Michael T. Morley</i>)	Passed
HB 278	Community-based Self-sufficiency Grants (<i>Jennifer M. Seelig</i>)	Failed
HB 279	Camcorder Piracy of Media (<i>Kevin S. Garn</i>)	Passed
HB 280	Centennial Nonmotorized Paths and Trail Crossings Program Appropriation (<i>Kory M. Holdaway</i>)	Failed
HB 281	Crime Victim Reparations Amendments (<i>Scott L Wyatt</i>)	Failed
HB 282	Sales and Use Taxation of Food and Food Ingredients (<i>Merlynn T. Newbold</i>)	Failed
HB 283	Protective Order Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 284	Sex Offenders Registry Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 285	Land Use Development Management Act Amendments (<i>Aaron Tilton</i>)	Passed
HB 286	School Discipline and Conduct Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 287	Election Day Voter Registration (<i>Neil A. Hansen</i>)	Failed
HB 288	Zion National Park Special Group License Plate (<i>Bradley G. Last</i>)	Failed
HB 289	Provisions for Health Insurance Equity (<i>Larry B. Wiley</i>)	Failed
HB 290	Personal Use of Campaign Funds (<i>Ralph Becker</i>)	Failed
HB 291	Students Qualifying for Services for Deaf (<i>Kenneth W. Sumsion</i>)	Failed
HB 292	Regulation of Direct Pathology Billing (<i>Mark W. Walker</i>)	Passed
HB 293	Centrally Assessed Property (<i>Kay L. McIlff</i>)	Passed
HB 294	Benefits and Insurance of Constitutional Officers (<i>Michael E. Noel</i>)	Failed
HB 295	Insurance Law Amendments (<i>James A. Dunnigan</i>)	Passed
HB 296	Approval of Subdivisions (<i>Gage Froerer</i>)	Failed
HB 297	Calculation of Credit for Certain Repossessions of a Motor Vehicle (<i>Wayne A. Harper</i>)	Passed
HB 298	County Trust Fund Amendments (<i>John G. Mathis</i>)	Failed
HB 299	Nurse Practice Act Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 300	Fireworks Display Fee Amendment (<i>Ronda Rudd Menlove</i>)	Passed
HB 301	Department of Transportation Projects - Categorically Excluded Environmental Projects (<i>Stephen H. Urquhart</i>)	Passed

HB 302	Medical Examiner - Testing for Substances in Cases of Suspected Suicide (<i>Wayne A. Harper</i>)	Passed
HB 303	Campaign Finance Filing Requirements (<i>Gregory H. Hughes</i>)	Failed
HB 304	State Treasurer Compensation (<i>David Clark</i>)	Passed
HB 305	County Appointed Officers (<i>Keith Grover</i>)	Failed
HB 306	Municipal License Fees and Taxes Amendments (<i>Gregory H. Hughes</i>)	Failed
HB 307	Certified Investment Adviser (<i>Julie Fisher</i>)	Passed
HB 308	Invest More for Education Fund - Voluntary Contribution to Public Education (<i>Gregory H. Hughes</i>)	Failed
HB 309	Scott B. Lundell Tuition Waiver for Military Members' Surviving Dependents (<i>Gregory H. Hughes</i>)	Passed
HB 310	Transfer of Student Records (<i>Tim M. Cosgrove</i>)	Passed
HB 311	Utah Dairy Act Amendments (<i>Kerry W. Gibson</i>)	Passed
HB 312	Funding for Department of Health Early Intervention Programs (<i>Stephen H. Urquhart</i>)	Failed
HB 313	Administration of Medication to Students Amendments (<i>Rebecca D. Lockhart</i>)	Failed
HB 314	Transportation Funding Revisions (<i>Rebecca D. Lockhart</i>)	Passed
HB 315	Regulation of Electric Personal Assistive Mobility Devices (<i>Aaron Tilton</i>)	Passed
HB 316	Expansion of Career Service to the Office of Attorney General (<i>Rebecca D. Lockhart</i>)	Passed
HB 317	Capitol Hill Complex - Legislative Space (<i>Wayne A. Harper</i>)	Passed
HB 318	Charter School Facilities Financing Act (<i>Stephen H. Urquhart</i>)	Passed
HB 319	Mobile Home Park - Notice of Sale of Underlying Property (<i>Mark A. Wheatley</i>)	Failed
HB 320	Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants (<i>Karen W. Morgan</i>)	Failed
HB 321	Off-highway Vehicle Amendments (<i>Michael E. Noel</i>)	Failed
HB 322	Driver Education Curriculum (<i>Aaron Tilton</i>)	Failed
HB 323	Education Fund Conforming Amendments (<i>Ron Bigelow</i>)	Passed
HB 324	Construction Trades - Exemptions (<i>Keith Grover</i>)	Failed
HB 325	Public Employees 25 Year Retirement (<i>Neil A. Hansen</i>)	Failed
HB 326	Repeal of Juvenile Justice Services Victim Restitution Account (<i>Douglas C. Aagard</i>)	Passed
HB 327	State Agency Timely Adoption of Administrative Rules (<i>David Clark</i>)	Passed
HB 328	Child Protection and Parental Rights Amendments (<i>Wayne A. Harper</i>)	Passed
HB 329	Deferred Deposit Loans (<i>LaWanna Lou Shurtliff</i>)	Failed
HB 330	Pornographic and Harmful Materials and Performances Amendments (<i>Bradley M. Daw</i>)	Failed
HB 331	School Board Alternatives to Basic Skills Competency Test (<i>Bradley M. Daw</i>)	Failed
HB 332	Mobile Home Owners' Rights (<i>Phil Riesen</i>)	Failed
HB 333	Materials Harmful to Minors (<i>Aaron Tilton</i>)	Passed
HB 334	Eminent Domain (<i>Aaron Tilton</i>)	Failed
HB 335	Local Government - Charitable Contributions (<i>Brad L. Dee</i>)	Passed
HB 336	Utility Costs of Deployed Servicemembers (<i>Stephen E. Sandstrom</i>)	Failed
HB 337	Local Government Post-employment Benefit Trust Funds Amendments (<i>Keith Grover</i>)	Passed
HB 338	Emergency Room Tort Reform (<i>Bradley G. Last</i>)	Failed
HB 339	Regulation of Cottage Food Production Operation (<i>Roger E. Barrus</i>)	Passed
HB 340	Insurer Receivership Act (<i>James A. Dunnigan</i>)	Passed
HB 341	Attorney General Crime Violence Prevention Special Revenue Fund (<i>Paul A. Neuenschwander</i>)	Passed
HB 342	Protective Order Revisions (<i>Scott L Wyatt</i>)	Failed

HB 343	Foster Placement and Adoption Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 344	Vehicles Included in State Fleet (<i>Brad King</i>)	Failed
HB 345	Hospital Lien Amendments (<i>Stephen H. Urquhart</i>)	Failed
HB 346	Compact Agreement among the States to Elect the President by National Popular Vote (<i>Neil A. Hansen</i>)	Failed
HB 347	Municipal Election Law Provisions (<i>Douglas C. Aagard</i>)	Passed
HB 348	County Government Reform (<i>Melvin R. Brown</i>)	Failed
HB 349	Accounting Audit Standards (<i>Keith Grover</i>)	Passed
HB 350	Marriage Preparation Education (<i>Rosalind J. McGee</i>)	Failed
HB 351	Revolving Loan Fund for Certain Energy Efficient Projects (<i>Roger E. Barrus</i>)	Passed
HB 352	Local Government Regulation of Billboards (<i>Melvin R. Brown</i>)	Passed
HB 353	Study of Administrative Hearings Related to Labor Laws (<i>Stephen H. Urquhart</i>)	Failed
HB 354	Bus Passenger Safety Act Amendments (<i>Mark W. Walker</i>)	Passed
HB 355	Innkeeper's Rights Act Modifications (<i>Mark W. Walker</i>)	Failed
HB 356	DNA Exoneration Amendments (<i>David Litvack</i>)	Passed
HB 357	Mechanics Lien Amendments (<i>Gage Froerer</i>)	Failed
HB 358	Cervical Cancer Prevention (<i>Karen W. Morgan</i>)	Passed
HB 359	Controlled Substance Amendments (<i>Curtis Oda</i>)	Failed
HB 360	Orderly School Termination Act Amendments (<i>Bradley G. Last</i>)	Passed
HB 361	State Purchase of Real Property (<i>DeMar Bud Bowman</i>)	Failed
HB 362	Annexation Amendments (<i>Gregory H. Hughes</i>)	Passed
HB 363	Medical Injury Payment Amendments (<i>Paul Ray</i>)	Failed
HB 364	Public School Textbook Evaluation (<i>Gage Froerer</i>)	Passed
HB 365	Eminent Domain Authority of Community Development and Renewal Agencies (<i>Stephen H. Urquhart</i>)	Passed
HB 366	Health Insurance - Screening Coverage (<i>Christine A. Johnson</i>)	Failed
HB 367	Global Positioning Reference Network (<i>Kory M. Holdaway</i>)	Passed
HB 368	Early Voting Polling Places (<i>Mark W. Walker</i>)	Passed
HB 369	Nursing Care Facility Licensure Modifications (<i>Stephen H. Urquhart</i>)	Passed
HB 370	Severance Tax Revisions (<i>John G. Mathis</i>)	Failed
HB 371	Applied Technology Education Amendments (<i>Ron Bigelow</i>)	Passed
HB 372	Local District Amendments (<i>Rebecca D. Lockhart</i>)	Failed
HB 373	Independent, Bipartisan Redistricting Commission (<i>Rosalind J. McGee</i>)	Failed
HB 374	Integrated Health System Fair Practices Act (<i>Rebecca D. Lockhart</i>)	Passed
HB 375	Sex Offender Restrictions (<i>Gregory H. Hughes</i>)	Passed
HB 377	Retirement Benefit Amendments (<i>John Dougall</i>)	Failed
HB 378	Sales and Use Tax Amendments (<i>Wayne A. Harper</i>)	Failed
HB 380	State Facility Water Conservation Program (<i>Larry B. Wiley</i>)	Failed
HB 381	Professional Excellence Programs (<i>Ronda Rudd Menlove</i>)	Failed
HB 382	Amendments to Education Funding (<i>Brad L. Dee</i>)	Passed
HB 383	Amendments to Transportation Funding Provisions (<i>Rebecca D. Lockhart</i>)	Passed
HB 385	Process Server Amendments (<i>LaWanna Lou Shurtliff</i>)	Failed
HB 386	Insurance Department Funding (<i>James A. Dunnigan</i>)	Failed
HB 387	Post-retirement Benefits Restrictions (<i>John Dougall</i>)	Failed
HB 388	Motor and Special Fuel Tax Amendments (<i>Craig A. Frank</i>)	Failed
HB 391	Utah State Hospital Amendments (<i>Rebecca D. Lockhart</i>)	Failed

HB 392	Western States Presidential Preference Poll (<i>Douglas C. Aagard</i>)	Failed
HB 393	Truth in Bonding (<i>Gregory H. Hughes</i>)	Passed
HB 395	Waivers of Immunity - Exceptions (<i>Gregory H. Hughes</i>)	Failed
HB 396	Higher Education Task Force (<i>Kory M. Holdaway</i>)	Passed
HB 397	Workers' Compensation Amendments (<i>Ron Bigelow</i>)	Failed
HB 402	Pawnshop Transaction Information Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 406	Income Tax Credits for Certain Health Insurance Premiums Paid by a Small Employer (<i>Wayne A. Harper</i>)	Failed
HB 407	Early Immune Testing for Infants and Toddlers (<i>Eric K. Hutchings</i>)	Failed
HB 409	Sentencing of a Pregnant Person for Certain Drug or Alcohol Related Offenses (<i>Eric K. Hutchings</i>)	Failed
HB 411	Fire Management Areas (<i>Michael E. Noel</i>)	Failed
HB 414	Aviation Amendments (<i>Wayne A. Harper</i>)	Failed
HB 415	Title Insurance and Real Estate Related Transactions and Regulation (<i>John Dougall</i>)	Failed
HB 416	Teacher Loan Program (<i>Lynn N. Hemingway</i>)	Failed
HB 419	Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments (<i>Stephen D. Clark</i>)	Passed
HB 421	Suspension of Hunting or Fishing Privileges for Illegal Vehicle Use (<i>Fred R. Hunsaker</i>)	Failed
HB 422	Dividing Groundwater with Another State (<i>Jackie Biskupski</i>)	Failed
HB 424	Definition of Agri-tourism (<i>Michael T. Morley</i>)	Failed
HB 425	Street-legal All-terrain Vehicle Amendments (<i>Michael E. Noel</i>)	Failed
HB 426	Change to Department of Veterans' Affairs (<i>Gregory H. Hughes</i>)	Passed
HB 427	Nonresident Sales of Motor Homes (<i>LaWanna Lou Shurtliff</i>)	Passed
HB 428	Amendments to Permanent Easements over Trust Land (<i>Michael E. Noel</i>)	Failed
HB 429	Use of Surplus Education Fund and Uniform School Fund Monies (<i>Steven R. Mascaro</i>)	Failed
HB 430	Public Employees Union Financial Responsibility Act (<i>Gregory H. Hughes</i>)	Failed
HB 432	Identity Theft Database Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 434	Review of Parent-time, Custody, and Child Support Laws (<i>Scott L Wyatt</i>)	Failed
HB 435	Regulating Credit Records of a Minor (<i>Eric K. Hutchings</i>)	Failed
HB 436	Municipal Energy Sales and Use Tax Revisions (<i>Gregory H. Hughes</i>)	Failed
HB 437	Limitation on Government Benefits to Aliens Unlawfully Present in the United States (<i>Christopher N. Herrod</i>)	Failed
HB 438	Jail Contracting - Jail Compensation Amendments (<i>Michael E. Noel</i>)	Passed
HB 440	Drug Product Equivalent Amendments (<i>Eric K. Hutchings</i>)	Failed
HB 444	Promotion of Health Efficiencies (<i>Bradley G. Last</i>)	Failed
HB 445	Utah Housing Opportunity Special Group License Plate (<i>Gage Froerer</i>)	Failed
HB 446	Charitable Solicitations Act Amendments (<i>James R. Gowans</i>)	Failed
HB 447	Burglary of a Railroad Car (<i>James R. Gowans</i>)	Failed
HB 449	Accident Report Records Access (<i>Mark W. Walker</i>)	Passed
HB 450	Law Enforcement Districts (<i>Mark W. Walker</i>)	Failed
HB 451	Critical Needs Hiring Practices for Teachers (<i>Eric K. Hutchings</i>)	Failed
HB 453	Amendments to Driving Under the Influence Provisions (<i>Craig A. Frank</i>)	Failed
HB 454	Voting Machines Used by Municipalities (<i>Neil A. Hansen</i>)	Failed
HB 456	Joint Legal Custody Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 457	Municipal Amendments (<i>Christopher N. Herrod</i>)	Failed
HB 459	Unfair Practices Act Amendments (<i>Stephen D. Clark</i>)	Failed

HB 460	Child and Family Protection (<i>Lorie D. Fowlke</i>)	Failed
HB 461	Education Revisions (<i>Stephen E. Sandstrom</i>)	Passed
HB 462	County Personnel Management Act (<i>David Litvack</i>)	Passed
HB 463	Crime of Claiming Military Award by Nonrecipient (<i>Gage Froerer</i>)	Passed
HB 464	Limited Liability Company Amendments (<i>Paul A. Neuenschwander</i>)	Failed
HB 466	Incorporation of a Town Amendments (<i>Melvin R. Brown</i>)	Passed
HB 468	Transitional Services to Children (<i>David Clark</i>)	Failed
HB 469	Failure to Disclose Identity (<i>Curtis Oda</i>)	Failed
HB 470	Traffic Light Enforcement (<i>Jennifer M. Seelig</i>)	Failed
HB 473	Revenue Bond and Capital Facilities Authorizations (<i>D. Gregg Buxton</i>)	Passed
HCR 1	Concurrent Resolution Approving the Interlocal Agreement Creating the Utah Lake Commission (<i>Stephen D. Clark</i>)	Passed
HCR 2	Concurrent Resolution Supporting Airport Surveillance Radar Acquisition (<i>Stephen E. Sandstrom</i>)	Passed
HCR 3	Resolution Urging Congress to Stop Internet Pornography to Children and Employees (<i>Bradley M. Daw</i>)	Passed
HCR 4	Resolution Encouraging State Universities' and School Institutional Trust Lands' Efforts in Enhancing State Trust Lands (<i>Eric K. Hutchings</i>)	Passed
HCR 5	Early Childhood Reading Readiness Resolution (<i>Karen W. Morgan</i>)	Passed
HCR 6	Utah Farming Heritage District Resolution (<i>Patrick Painter</i>)	Passed
HCR 7	Resolution Honoring Victims and Family Members Impacted by Trolley Square Tragedy (<i>Jackie Biskupski</i>)	Passed
HJR 1	Joint Resolution Regarding Action on Groundwater in Snake Valley (<i>Richard W. Wheeler</i>)	Passed
HJR 2	Resolution Supporting Energy Efficiency (<i>Ralph Becker</i>)	Failed
HJR 3	Resolution Changing Executive Officer Succession Provisions (<i>Sheryl L. Allen</i>)	Failed
HJR 4	Resolution Revising Executive Officer Succession Provisions (<i>Stephen H. Urquhart</i>)	Passed
HJR 5	Resolution Approving Compensation of In-session Employees (<i>Merlynn T. Newbold</i>)	Passed
HJR 6	Joint Rules Resolution - Appropriation Subcommittees (<i>Ron Bigelow</i>)	Passed
HJR 7	Resolution Urging United States Withdrawal from Security and Prosperity Partnership of North America (<i>Stephen E. Sandstrom</i>)	Failed
HJR 8	Resolution Amending Annual General Session Date (<i>Ralph Becker</i>)	Failed
HJR 9	Joint Rules Resolution - Executive Appropriations Committee Membership (<i>David Clark</i>)	Passed
HJR 10	Joint Rules Resolution - Legislative Expense Reimbursement Process (<i>Bradley G. Last</i>)	Failed
HJR 11	Joint Rules Resolution - Recodification and Revisions (<i>Stephen H. Urquhart</i>)	Passed
HJR 12	Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance (<i>Kerry W. Gibson</i>)	Failed
HJR 13	Resolution Supporting Working Families Economic Development Initiative (<i>Tim M. Cosgrove</i>)	Failed
HJR 14	Master Study Resolution (<i>David Clark</i>)	Passed
HJR 15	Resolution Urging Attorneys General to Defend the Prohibition of Overly Violent Video Games to Minors (<i>Scott L Wyatt</i>)	Failed
HJR 16	Joint Resolution Supporting Governor's Child and Family Cabinet Council (<i>Paul Ray</i>)	Passed
HR 1	House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report (<i>Michael T. Morley</i>)	Passed
HR 2	Resolution Opposing Real Id Act (<i>Glenn A. Donnelson</i>)	Passed
SB 1	Current Fiscal Year Supplemental Appropriations Act (<i>Lyle W. Hillyard</i>)	Passed
SB 3	Appropriation Adjustments (<i>Lyle W. Hillyard</i>)	Passed

SB 4	Driving Under the Influence Amendments (<i>Carlene M. Walker</i>)	Passed
SB 5	Tax Penalty Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 6	Uninsured Motorist Identification Database Program Amendments (<i>Carlene M. Walker</i>)	Passed
SB 7	Exploitation of a Vulnerable Adult Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 8	Use of State Engineer Fees (<i>Margaret Dayton</i>)	Passed
SB 9	Nonprofit Corporation Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 10	Industrial Assistance Fund Amendments - Rural Fast Track Program (<i>John W. Hickman</i>)	Passed
SB 11	Unemployment Compensation - Social Security Offset (<i>John W. Hickman</i>)	Passed
SB 12	Funding for Purchase of State Highway Rights of Way (<i>Howard A. Stephenson</i>)	Failed
SB 13	Tax Incentives for Alternate Power Generation (<i>Howard A. Stephenson</i>)	Failed
SB 14	Family Employment Program Amendments (<i>Dan R. Eastman</i>)	Passed
SB 15	Workforce Services - Reporting Misuse of Personal Identifying Information (<i>Carlene M. Walker</i>)	Passed
SB 16	Lending Registration Acts (<i>Ed Mayne</i>)	Passed
SB 17	Traffic Code Amendments (<i>Scott K. Jenkins</i>)	Passed
SB 18	Creation of Severance Tax and Infrastructure and Economic Diversification Accounts (<i>Lyle W. Hillyard</i>)	Passed
SB 19	Commercial Driver License Amendments (<i>Carlene M. Walker</i>)	Passed
SB 20	State Highway Amendments (<i>Carlene M. Walker</i>)	Passed
SB 21	Workforce Services' Work Experience or Training Programs (<i>Peter C. Knudson</i>)	Passed
SB 22	Sales and Use Tax Exemptions for Certain Governmental Entities and Entities Within the State Systems of Public and Higher Education (<i>Howard A. Stephenson</i>)	Passed
SB 23	Child Support Guidelines (<i>Gregory S. Bell</i>)	Passed
SB 24	Probate Code Amendments (<i>Ross I. Romero</i>)	Passed
SB 25	Warranty Deed - Technical Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 26	Utah Commission on Aging (<i>Patricia W. Jones</i>)	Passed
SB 27	Technical Amendments to Assumption of Indebtedness on Residential Real Property (<i>Scott K. Jenkins</i>)	Passed
SB 28	Water Conveyance Easements (<i>Dennis E. Stowell</i>)	Passed
SB 29	Instream Flow to Protect Trout Habitat (<i>Peter C. Knudson</i>)	Failed
SB 30	Creation of New School District Amendments (<i>Carlene M. Walker</i>)	Passed
SB 31	Sunset Review and Reauthorizations (<i>Curtis S. Bramble</i>)	Passed
SB 32	Filings of Administrative Rules, Orders, and Regulations (<i>Howard A. Stephenson</i>)	Passed
SB 33	Special Group License Plate - Gold Star Family (<i>Carlene M. Walker</i>)	Passed
SB 34	Minimum Wage Amendments (<i>Ed Mayne</i>)	Failed
SB 35	Uniform Child Abduction Prevention Act (<i>Lyle W. Hillyard</i>)	Passed
SB 36	Safety Belt Amendments (<i>Patricia W. Jones</i>)	Failed
SB 37	Sales and Use Tax - Dental Prostheses (<i>Peter C. Knudson</i>)	Failed
SB 38	Juvenile Court Judge (<i>Carlene M. Walker</i>)	Passed
SB 39	Public Safety Retirement Death Benefit Modifications (<i>Jon J. Greiner</i>)	Failed
SB 40	Earned Income Tax Credit (<i>Darin G. Peterson</i>)	Failed
SB 41	Local Issues Amendments (<i>Carlene M. Walker</i>)	Passed
SB 42	Preferred Prescription Drug List (<i>Allen M. Christensen</i>)	Passed
SB 43	Smoking Ban in Vehicle When a Child Is Present (<i>Scott D. McCoy</i>)	Failed
SB 44	Scrap Metal Transactions (<i>Jon J. Greiner</i>)	Passed

SB 45	Nursing Amendments (<i>Peter C. Knudson</i>)	Passed
SB 46	Health Care Amendments (<i>Peter C. Knudson</i>)	Passed
SB 47	Department of Agriculture Amendments (<i>Margaret Dayton</i>)	Passed
SB 48	Amendments to Coal Mining and Reclamation (<i>Mike Dmitrich</i>)	Passed
SB 49	Optional Extended-day Kindergarten (<i>Lyle W. Hillyard</i>)	Passed
SB 50	Drug Offenders Reform Act (<i>D. Chris Buttars</i>)	Passed
SB 51	Alcoholic Beverage Enforcement and Treatment Restricted Account Amendments (<i>Michael G. Waddoups</i>)	Passed
SB 52	Health Regulations for Public Indoor Tanning Beds (<i>Patricia W. Jones</i>)	Passed
SB 53	Higher Education Engineering Partnership (<i>Gregory S. Bell</i>)	Passed
SB 54	Motor Vehicle Dealer Performance Bond Amendments (<i>Dan R. Eastman</i>)	Passed
SB 55	Transfer and Disposition of Protected Property Amendments (<i>Darin G. Peterson</i>)	Passed
SB 56	Education Employee Association Amendments (<i>Mark B. Madsen</i>)	Passed
SB 57	High School Graduation Amendments (<i>Mark B. Madsen</i>)	Failed
SB 58	Wrongful Death Amendments (<i>Scott D. McCoy</i>)	Failed
SB 59	Exemption from Fishing License (<i>Dennis E. Stowell</i>)	Passed
SB 60	Uniform Prudent Management of Institutional Funds (<i>Lyle W. Hillyard</i>)	Passed
SB 61	Portability of Medical Assistance Funds (<i>Ed Mayne</i>)	Failed
SB 62	College and University Tuition Tax Credits (<i>Gregory S. Bell</i>)	Failed
SB 63	State Zero-based Budgeting (<i>Wayne L. Niederhauser</i>)	Failed
SB 64	Tourism, Recreation, Cultural, and Convention Facilities Tax - Advisory Board (<i>Michael G. Waddoups</i>)	Passed
SB 65	Elementary School Math Initiative (<i>Gregory S. Bell</i>)	Failed
SB 66	Employer Health Insurance Options - Cafeteria Plans (<i>Michael G. Waddoups</i>)	Failed
SB 67	Utah Public Notice Website Provisions (<i>Dennis E. Stowell</i>)	Failed
SB 68	Funding for Tourism Promotion (<i>Wayne L. Niederhauser</i>)	Failed
SB 69	Local Transportation Corridor Preservation Fund Amendments (<i>Sheldon L. Killpack</i>)	Passed
SB 70	Utah Valley University Institutional Name Change (<i>John L. Valentine</i>)	Passed
SB 71	County Recorder Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 72	Crime Victim Reparations Records (<i>Gregory S. Bell</i>)	Failed
SB 73	New Utah License Plate Design (<i>Dan R. Eastman</i>)	Passed
SB 74	Penalties Relating to Taxes, Fees, or Charges (<i>Howard A. Stephenson</i>)	Passed
SB 75	Advance Health Care Directive Act (<i>Allen M. Christensen</i>)	Passed
SB 76	Electronic Device Recycling (<i>Scott D. McCoy</i>)	Failed
SB 77	Insurable Interest Amendments (<i>Ross I. Romero</i>)	Passed
SB 78	Protection of Constitutionally Guaranteed Activities in Certain Private Venues (<i>Mark B. Madsen</i>)	Failed
SB 79	Local Community Rail Security Act (<i>Ed Mayne</i>)	Failed
SB 80	Education Reform - Critical Languages Program (<i>Howard A. Stephenson</i>)	Passed
SB 81	Home School and Extracurricular Activity Amendments (<i>Mark B. Madsen</i>)	Failed
SB 82	Amendments to Utah Comprehensive Health Insurance Pool (<i>Gene Davis</i>)	Failed
SB 83	Acupuncture Licensing Act Amendments (<i>Scott D. McCoy</i>)	Passed
SB 84	Confidentiality of Reports to Driver License Division (<i>Allen M. Christensen</i>)	Failed
SB 85	Mining Test Fees (<i>Mike Dmitrich</i>)	Passed
SB 86	Repeal of Libel and Slander Provisions (<i>Scott D. McCoy</i>)	Passed
SB 87	Homeowners Association Requirements (<i>John W. Hickman</i>)	Passed

SB 88	Uniform Real Property Electronic Recording (<i>Lyle W. Hillyard</i>)	Failed
SB 89	Revising Death Certificates (<i>Carlene M. Walker</i>)	Passed
SB 90	Higher Education Enhancements (<i>John W. Hickman</i>)	Passed
SB 91	Uniform Commercial Code - General Provisions (<i>Lyle W. Hillyard</i>)	Passed
SB 92	Revised Uniform Anatomical Gift Act (<i>Lyle W. Hillyard</i>)	Passed
SB 93	Governor's Rural Partnership Board Amendments (<i>John W. Hickman</i>)	Passed
SB 94	Use of Mineral Lease Funds by Special Service Districts (<i>Mike Dmitrich</i>)	Passed
SB 95	Permanent Instream Flow to Preserve Water Quality (<i>Mike Dmitrich</i>)	Failed
SB 96	Sales and Use Tax Exemption for Disposable Home Medical Equipment or Supplies (<i>Sheldon L. Killpack</i>)	Passed
SB 97	Constitutional Revision Commission Membership (<i>Peter C. Knudson</i>)	Passed
SB 98	Governmental Immunity for Trails (<i>D. Chris Buttars</i>)	Passed
SB 99	Revised Business Corporations Act Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 100	Motor Vehicle License and Registration Fees Exemption for Purple Heart License Plates (<i>John W. Hickman</i>)	Passed
SB 101	Credit Services Organizations Act Changes (<i>Lyle W. Hillyard</i>)	Passed
SB 102	Master Plumber Licensing (<i>Scott K. Jenkins</i>)	Failed
SB 103	Ineligibility for Unemployment Compensation Benefits (<i>Dan R. Eastman</i>)	Passed
SB 104	Office of Recovery Services Fee (<i>Allen M. Christensen</i>)	Passed
SB 105	Authorization of Opinion Question to Voters (<i>Ed Mayne</i>)	Failed
SB 106	Motor Vehicle Business Fee Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 107	Notice of Available Charity Care (<i>Michael G. Waddoups</i>)	Failed
SB 108	Workers' Compensation - Time Limitations (<i>Ed Mayne</i>)	Passed
SB 109	Transfers of Structured Settlements (<i>Ed Mayne</i>)	Passed
SB 110	Membership and Service of Utah Commissioners on National Conference of Commissioners on Uniform State Laws (<i>Lyle W. Hillyard</i>)	Passed
SB 111	Free Exercise of Religion Without Government Interference (<i>D. Chris Buttars</i>)	Failed
SB 112	Methamphetamine Precursor Access Amendments (<i>D. Chris Buttars</i>)	Passed
SB 113	Limitation of Actions (<i>Gregory S. Bell</i>)	Passed
SB 114	Aggravated Murder Amendments (<i>Gregory S. Bell</i>)	Passed
SB 115	Emergency Medicine Tort Reform (<i>Sheldon L. Killpack</i>)	Failed
SB 116	Contribution Limits for State Constitutional Officers (<i>Gregory S. Bell</i>)	Failed
SB 117	Medicaid Recovery Amendments (<i>Allen M. Christensen</i>)	Passed
SB 118	Mechanics' Lien and Payment Amendments (<i>Scott K. Jenkins</i>)	Passed
SB 119	Municipal License Fee or Tax on Public Assembly Facilities (<i>Brent H. Goodfellow</i>)	Passed
SB 120	Vehicle Towing Requirements (<i>Brent H. Goodfellow</i>)	Failed
SB 121	Department of Commerce Fund Amendments (<i>Kevin T. VanTassell</i>)	Failed
SB 122	Administrative Rules Reauthorization (<i>Howard A. Stephenson</i>)	Passed
SB 123	Amendment Regarding Search Warrant Procedure (<i>Jon J. Greiner</i>)	Failed
SB 124	Dental Hygienist Licensing Act Amendments (<i>Michael G. Waddoups</i>)	Failed
SB 125	Repeal of Prisoner Demands for Disposition (<i>Lyle W. Hillyard</i>)	Passed
SB 126	Sales Representative Commission Payment Act (<i>Sheldon L. Killpack</i>)	Passed
SB 127	Tourism Marketing Performance Account Appropriation (<i>Scott K. Jenkins</i>)	Passed
SB 128	State Government Law Revisions - Withdrawal from Education Compact (<i>Margaret Dayton</i>)	Passed
SB 129	Private Investigator Regulation Act Amendments (<i>D. Chris Buttars</i>)	Failed

SB 130	Municipal Code Amendments (<i>Dan R. Eastman</i>)	Failed
SB 131	Retirement and Independent Entities Committee (<i>Curtis S. Bramble</i>)	Passed
SB 132	Property Tax Abatement or Deferral (<i>Dennis E. Stowell</i>)	Failed
SB 133	Local School Board Public Hearing Requirements (<i>Patricia W. Jones</i>)	Passed
SB 134	Psychologist Licensing Act Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 135	Public Employees Disability Benefits Limitations (<i>Lyle W. Hillyard</i>)	Passed
SB 136	Unlawful Detainer Amendments (<i>Michael G. Waddoups</i>)	Passed
SB 137	Homeland Security Amendments (<i>Jon J. Greiner</i>)	Passed
SB 138	Administrative Rule Criminal and Civil Penalty Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 139	Legislative Management Committee Membership (<i>Curtis S. Bramble</i>)	Failed
SB 140	Identity Fraud Amendments (<i>Carlene M. Walker</i>)	Passed
SB 141	Commission and Council Seats in Counties of the First and Second Class (<i>Sheldon L. Killpack</i>)	Failed
SB 142	Sales and Use Tax Exemption for Certain Business Inputs (<i>Howard A. Stephenson</i>)	Failed
SB 143	Personal Use of State Vehicles Authorized for Law Enforcement Officers in the Office of the Attorney General (<i>Darin G. Peterson</i>)	Passed
SB 144	Financial Institutions Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 145	Multi-channel Video or Audio Service Tax - County or Municipality Franchise Fee Tax Credit (<i>Wayne L. Niederhauser</i>)	Failed
SB 146	Prescriptive Practice of Legend Drugs (<i>Peter C. Knudson</i>)	Failed
SB 147	Exemptions from Licensure Modifications (<i>Mike Dmitrich</i>)	Passed
SB 148	Boat Registration Amendments (<i>Michael G. Waddoups</i>)	Passed
SB 149	Limit on Gifts to Legislators (<i>Gregory S. Bell</i>)	Failed
SB 150	Property Exempt from Execution (<i>Lyle W. Hillyard</i>)	Passed
SB 151	Case Management Pilot Project (<i>Gregory S. Bell</i>)	Passed
SB 152	Presumptive Personal Representative (<i>Gregory S. Bell</i>)	Failed
SB 153	Malpractice Liability During Pandemic Event (<i>Gregory S. Bell</i>)	Passed
SB 154	Statement Under Penalty of Perjury (<i>Scott D. McCoy</i>)	Passed
SB 155	Waste Amendments (<i>Darin G. Peterson</i>)	Passed
SB 156	Public Service Commission - Equipment Distribution Program (<i>Brent H. Goodfellow</i>)	Passed
SB 157	Parental Notification of Child Interview by Law Enforcement (<i>D. Chris Buttars</i>)	Failed
SB 158	B and C Roads Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 159	Labor Organizations Amendments (<i>Howard A. Stephenson</i>)	Failed
SB 160	Pharmacy Practice Act Amendments (<i>Peter C. Knudson</i>)	Passed
SB 161	Hunting and Fishing License Amendments (<i>Allen M. Christensen</i>)	Passed
SB 162	Pete Suazo Utah Athletic Commission (<i>Ed Mayne</i>)	Failed
SB 163	Amendments to Municipal and County Land Use (<i>Dennis E. Stowell</i>)	Passed
SB 164	Statute of Limitations for Bodily Injury (<i>Gregory S. Bell</i>)	Failed
SB 165	Producer and Affiliate Disclosure Amendments (<i>Michael G. Waddoups</i>)	Failed
SB 166	Notary Public Amendments (<i>Ross I. Romero</i>)	Passed
SB 167	Utah Sports Authority (<i>Mike Dmitrich</i>)	Passed
SB 168	Vehicle Safety Inspection Amendments (<i>Gregory S. Bell</i>)	Failed
SB 169	Sodomy Amendments (<i>Scott D. McCoy</i>)	Failed
SB 170	Distribution of Local Sales and Use Tax Revenues (<i>Gene Davis</i>)	Passed
SB 171	Research Activities Tax Credit Amendments (<i>Howard A. Stephenson</i>)	Failed
SB 172	Municipal Land Use, Development, and Management Changes (<i>Sheldon L. Killpack</i>)	Failed

SB 173	Criminal Intent Amendments (<i>Scott D. McCoy</i>)	Passed
SB 174	Education Transportation Amendments (<i>Darin G. Peterson</i>)	Failed
SB 176	Utah Business Assistance Center Pilot Act (<i>Dennis E. Stowell</i>)	Failed
SB 177	Income Tax Credits, Additions, and Subtractions for College Savings (<i>Wayne L. Niederhauser</i>)	Failed
SB 178	Custody Amendments (<i>Gregory S. Bell</i>)	Failed
SB 179	Immunity of Counties and Municipalities for Sky Diving Activities (<i>Brent H. Goodfellow</i>)	Passed
SB 180	School Construction Contract Amendments (<i>Scott K. Jenkins</i>)	Failed
SB 181	Fees to Cover Cost of Electronic Payments (<i>Wayne L. Niederhauser</i>)	Passed
SB 182	Child Support Modifications for TANF Recipients (<i>Lyle W. Hillyard</i>)	Passed
SB 183	Restrictions on Designation of Wetlands (<i>Sheldon L. Killpack</i>)	Passed
SB 184	Revisions to Child Support Definitions (<i>Lyle W. Hillyard</i>)	Failed
SB 185	Utility Improvement District Revisions (<i>Kevin T. VanTassell</i>)	Failed
SB 186	Motor Vehicle Amendments (<i>Dan R. Eastman</i>)	Passed
SB 187	Utah Relocation Assistance Act Amendments (<i>Lyle W. Hillyard</i>)	Failed
SB 188	Wildlife Resources Conservation Easement Restricted Account (<i>Dennis E. Stowell</i>)	Passed
SB 189	Medicaid Home and Community-based Long-term Care (<i>Gene Davis</i>)	Passed
SB 190	Animal Cruelty Offenses (<i>Gene Davis</i>)	Failed
SB 191	Governmental Immunity Limits Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 192	Service Animals (<i>Scott D. McCoy</i>)	Passed
SB 193	Amendments to Mental Health Professional Practice Act (<i>Patricia W. Jones</i>)	Passed
SB 194	Boards of Education Membership Amendments (<i>Curtis S. Bramble</i>)	Failed
SB 195	Fish Health Amendments (<i>Darin G. Peterson</i>)	Passed
SB 196	Executive Compensation Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 197	Local Initiative and Petition Ballot Titles (<i>Peter C. Knudson</i>)	Passed
SB 198	Tourism Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 199	Division of Real Estate and Title Insurance Related Amendments (<i>Sheldon L. Killpack</i>)	Passed
SB 200	Reduced Cigarette Ignition Propensity (<i>Ed Mayne</i>)	Passed
SB 201	Rights of Citizens to Carry Firearms in Declared Emergency (<i>Mark B. Madsen</i>)	Failed
SB 202	Legislature's Counsel to United States Senators (<i>Howard A. Stephenson</i>)	Failed
SB 203	Disclosure of Property Tax Information (<i>Howard A. Stephenson</i>)	Passed
SB 204	Human Remains Related Amendments (<i>Darin G. Peterson</i>)	Passed
SB 205	Alcoholic Beverage Control Amendments (<i>Peter C. Knudson</i>)	Passed
SB 206	Punitive Damages Amendments (<i>Lyle W. Hillyard</i>)	Failed
SB 207	Waste Tire Recycling Act Revisions (<i>Fred J. Fife</i>)	Failed
SB 208	Judicial Review, Attorney Fees, and Procedure Relating to Tax Commission Decisions (<i>Howard A. Stephenson</i>)	Failed
SB 209	State Franchising Authority for Video Services (<i>Curtis S. Bramble</i>)	Failed
SB 211	Election Law Changes (<i>Howard A. Stephenson</i>)	Passed
SB 212	Revisors Directive on Unconstitutional Statutes (<i>Scott D. McCoy</i>)	Failed
SB 214	Certificate of Need for Certain Ambulance Services (<i>Darin G. Peterson</i>)	Failed
SB 215	Amendments to Land Use Development and Management Act (<i>Gregory S. Bell</i>)	Passed
SB 216	Utah Antitrust Act Amendments (<i>Lyle W. Hillyard</i>)	Failed
SB 217	Science and Technology Education Program Amendments (<i>Peter C. Knudson</i>)	Passed
SB 218	Community Development and Renewal Agency Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 219	Real Estate Modifications (<i>Dennis E. Stowell</i>)	Passed

SB 220	Water Conservancy Districts - Selection of Board of Trustees (<i>Wayne L. Niederhauser</i>)	Failed
SB 221	Judicial Selection Procedures and Retention Election Task Force (<i>D. Chris Buttars</i>)	Passed
SB 222	Kindergarten Readiness Initiative (<i>Howard A. Stephenson</i>)	Failed
SB 223	Tax Amendments (<i>Wayne L. Niederhauser</i>)	Passed
SB 224	Judiciary Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 227	Utah Fire Prevention Board Amendment (<i>Peter C. Knudson</i>)	Passed
SB 228	State Agency and Higher Education Compensation Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 230	Liability for Contaminated Property (<i>Fred J. Fife</i>)	Failed
SB 231	Veterans Amendments (<i>Fred J. Fife</i>)	Failed
SB 232	Military Installation Development Authority (<i>Sheldon L. Killpack</i>)	Passed
SB 234	Occupational and Environmental Health Amendments (<i>Ed Mayne</i>)	Passed
SB 235	Public Utilities Amendments (<i>Gregory S. Bell</i>)	Passed
SB 236	Trademark Protection Act (<i>Dan R. Eastman</i>)	Passed
SB 238	Motor Vehicle Insurance Amendments (<i>Sheldon L. Killpack</i>)	Passed
SB 240	Litigation Fund Restricted Account for Highway Projects (<i>Sheldon L. Killpack</i>)	Passed
SB 241	Election Law Modifications (<i>Peter C. Knudson</i>)	Passed
SB 242	Income Tax Additions, Subtractions, and Tax Credits for Higher Education Savings (<i>Gregory S. Bell</i>)	Failed
SB 243	Direct-entry Midwife Amendments (<i>Margaret Dayton</i>)	Failed
SB 245	General Government Revisions - Authorization of Sales Tax Opinion Question (<i>Curtis S. Bramble</i>)	Failed
SB 246	Government Law Changes (<i>Sheldon L. Killpack</i>)	Passed
SB 247	Retirement Systems Membership Exclusions (<i>Mike Dmitrich</i>)	Passed
SB 248	Parent and Child Amendments (<i>Curtis S. Bramble</i>)	Failed
SB 249	Economic Development Incentives Modifications (<i>John W. Hickman</i>)	Failed
SB 250	Military Justice Code Amendments (<i>Peter C. Knudson</i>)	Failed
SB 251	Higher Education - Concealed Firearms Restrictions (<i>Gregory S. Bell</i>)	Passed
SB 253	Sales and Use Tax Exemption for Railroad Common Carrier Locomotive Engine Fuel (<i>Peter C. Knudson</i>)	Failed
SB 254	Private Investigator Regulation Amendments (<i>Margaret Dayton</i>)	Passed
SB 255	Crane Safety Amendments (<i>Gene Davis</i>)	Passed
SB 256	County Attorney Amendments (<i>Gene Davis</i>)	Failed
SB 260	Property Tax - Definition of Goodwill (<i>Wayne L. Niederhauser</i>)	Passed
SB 261	Disposition of Real Property (<i>Wayne L. Niederhauser</i>)	Passed
SB 262	Real Property Amendments (<i>Mark B. Madsen</i>)	Failed
SB 266	Income Tax Filing Amendments (<i>Wayne L. Niederhauser</i>)	Passed
SB 268	Rural Broadband Service Fund (<i>John W. Hickman</i>)	Passed
SB 271	Solid and Hazardous Waste Act Amendments (<i>Sheldon L. Killpack</i>)	Passed
SB 276	Transfer-on-Death Deeds for Real Property (<i>Ross I. Romero</i>)	Failed
SB 277	Securities Law Amendments (<i>Curtis S. Bramble</i>)	Passed
SCR 1	Resolution Urging Congress to Address Social Security Number Identity Theft (<i>Carlene M. Walker</i>)	Passed
SCR 2	Resolution Promoting Legislators Back to School Program (<i>Margaret Dayton</i>)	Passed
SCR 4	Concurrent Resolution Urging Participation by Taiwan in World Health Organization (<i>Curtis S. Bramble</i>)	Passed
SCR 5	Resolution Opposing Divine Strake (<i>Gene Davis</i>)	Passed

SCR 6	Resolution Urging States Rights to Innovate Health Care (<i>Gregory S. Bell</i>)	Failed
SCR 7	Concurrent Resolution Approving Settlement of Lawsuit (<i>Curtis S. Bramble</i>)	Passed
SCR 8	Concurrent Resolution Affirming Fundamental Rights of Muslim Community of Utah (<i>Peter C. Knudson</i>)	Failed
SJR 1	Utah Athletic Foundation Resolution (<i>Dan R. Eastman</i>)	Passed
SJR 2	Resolution Regarding Permanent State Trust Fund (<i>Lyle W. Hillyard</i>)	Passed
SJR 3	Resolution Encouraging Congressional Funding for State Children's Health Insurance Program (<i>Peter C. Knudson</i>)	Passed
SJR 4	Resolution Relating to Health Care (<i>Scott D. McCoy</i>)	Failed
SJR 5	Joint Resolution - Constitutional Amendment Relating to Appraising and Assessing Certain Property (<i>Gregory S. Bell</i>)	Failed
SJR 6	Resolution Submitting Minimum Wage Question to Voters (<i>Ed Mayne</i>)	Failed
SJR 7	Joint Resolution Supporting Department of Corrections Contracting for Bed Spaces in Davis County Jail (<i>Michael G. Waddoups</i>)	Passed
SJR 8	Joint Resolution Supporting Kane County Expansion of Correctional Facilities (<i>Dennis E. Stowell</i>)	Passed
SJR 9	Resolution Supporting Presidential Trade Promotion Authority (<i>Mark B. Madsen</i>)	Passed
SJR 10	Joint Resolution Supporting Garfield County Expansion of Correctional Facilities (<i>Dennis E. Stowell</i>)	Failed
SJR 11	Resolution Providing Appointment of State Superintendent of Education (<i>Wayne L. Niederhauser</i>)	Failed
SJR 12	Resolution Amending Utah Constitution (<i>John L. Valentine</i>)	Passed
SJR 13	Resolution Submitting Question to Voters on Removing the State and Local Sales and Use Taxes on Food and Food Ingredients (<i>Wayne L. Niederhauser</i>)	Failed
SR 1	Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report (<i>Scott K. Jenkins</i>)	Passed
SR 2	Resolution Affirming Fundamental Rights of Muslim Community of Utah (<i>Peter C. Knudson</i>)	Failed
SR 3	Resolution Increasing Public Awareness of Capital Gains Tax Deduction (<i>Wayne L. Niederhauser</i>)	Passed

SUBJECT INDEX OF LEGISLATION NOT PASSED 2007 GENERAL SESSION

ABORTION

Abortion Law Revisions - HB 235
Parental Consent to Abortion Amendments - HB 139

ABUSE

Sentencing of a Pregnant Person for Certain Drug or
Alcohol Related Offenses - HB 409

AERONAUTICS

Aviation Amendments - HB 414

AGRICULTURE

Agricultural Education - HB 124
Definition of Agri-tourism - HB 424

ANTITRUST LAW

Utah Antitrust Act Amendments - SB 216

APPLIED TECHNOLOGY EDUCATION

Utah Applied Technology College
Governance Act - SB 229

APPROPRIATIONS

Class Size Reduction - HB 94
Funding for Purchase of State Highway Rights of Way -
SB 12
General Obligation Bond Authorizations - SB 2
Use of Surplus Education Fund and Uniform School Fund
Monies - HB 429
Veterans Amendments - SB 231

ARBITRATION/MEDIATION

Real Property Amendments - SB 262

ATTORNEYS

County Attorney Amendments - SB 256
Judicial Review, Attorney Fees, and Procedure Relating
to Tax Commission Decisions - SB 208

BOARD OF PARDONS AND PAROLE

Comparative Fault Amendments - HB 45
Expungement Law Amendments - HB 179
Parole Amendments - HB 180

BONDS

Auditing of Leases Related to Revenue Bonds - HB 251
General Obligation Bond Authorizations - SB 2

BOXCAR LEGISLATION

Class Size Reduction Revisions - HB 405
Crimes Against Senior Registry - HB 404
Drug Pedigree Amendments - HB 433

Early Education Intervention Amendments - HB 399
General Government Law Amendments - HB 465
General Government Modifications - SB 269
General Tax Amendments - SB 272
General Tax Revisions - SB 273
Government Operations - HB 170
Government Operations Revisions - HB 173
Higher Education Revisions - SB 275
Historic Monument Provisions - SB 263
Income and Sales and Use Tax Amendments - HB 394
Legislative Process Amendments - SB 274
Public and Higher Education Amendments - SB 270
Retirement Amendments - SB 267
Retirement Benefit Amendments - HB 377
Retirement Benefit Modifications - SB 265
School and Institutional Trust Lands Revisions - SB 175
School Seismic Safety - HB 458
Tax Changes - HB 420
Tax Modifications - SB 244
Utah School Seismic Hazard Inventory - HB 431
Waste Modifications - SB 264

BUDGETING

State Zero-based Budgeting - SB 63

BUSINESS

Charitable Solicitations Act Amendments - HB 446
Check Cashing Registration Act Study - HB 159
Committee of Consumer Services Membership
Amendments - HB 269
Deferred Deposit Loans - HB 329
Definition of Agri-tourism - HB 424
Department of Commerce Fund Amendments - SB 121
Employee Noncompetition Contracts - HB 183
Employee Verification, Procurement,
and Incentives - HB 127
Garnishment Fees - HB 90
Hospital Lien Amendments - HB 345
Insurance Department Funding - HB 386
Limited Liability Company Amendments - HB 464
Master Plumber Licensing - SB 102
Mechanics Lien Amendments - HB 357
Minimum Wage Amendments - SB 34
Minimum Wage Provisions - HB 256
Mobile Home Owners' Rights - HB 332
Mobile Home Park - Notice of Sale of Underlying Property
- HB 319
Pete Suazo Athletic Commission - HB 254
Registration Targeting Women and Minority-owned
Enterprises - HB 106
Regulating Credit Records of a Minor - HB 435
Reporting of Fraudulent Insurance Acts - HB 126

Resolution Submitting Minimum Wage Question to Voters
- SJR 6

Securities Amendments - HB 153

Small Business Health Plan Task Force - HB 152

Title Insurance and Real Estate Related Transactions and
Regulation - HB 415

Transfer-on-Death Deeds for Real Property - SB 276

Unfair Practices Act Amendments - HB 459

Uniform Real Property Electronic Recording - SB 88

Utah Business Assistance Center Pilot Act - SB 176

Utah Employment Verification Act - HB 156

Utah Relocation Assistance Act Amendments - SB 187

CAMPAIGN FINANCE

Campaign Finance Filing Requirements - HB 303

CHARITIES

Amendments to Gift to Community Provisions - HB 400

Charitable Solicitations Act Amendments - HB 446

CHARTER SCHOOLS

Virtual Charter Schools - HB 169

CHILD CARE

Child Care Provider Amendments - HB 230

CHILD RESTRAINTS

Child Restraint Device Amendments - HB 209

CHILD SUPPORT

Child Support Bond - HB 17

Review of Parent-time, Custody, and Child Support Laws
- HB 434

Revisions to Child Support Definitions - SB 184

CHILD WELFARE

Child and Family Protection - HB 460

Parent and Child Amendments - SB 248

Transitional Services to Children - HB 468

Waivers of Immunity - Exceptions - HB 395

CHILDREN

Child and Family Protection - HB 460

Child Custody Amendments - HB 423

Child Protection - Gang Association - HB 208

Child Restraint Device Amendments - HB 209

Custody Amendments - SB 178

Early Immune Testing for Infants and Toddlers - HB 407

Expedited Parent-time Enforcement - HB 32

Joint Legal Custody Amendments - HB 456

Parent and Child Amendments - SB 248

Parental Notification of Child Interview by Law
Enforcement - SB 157

Penalties for Sex Offense Against a Child - HB 376

Review of Parent-time, Custody, and Child Support Laws
- HB 434

Sentencing of a Pregnant Person for Certain Drug or
Alcohol Related Offenses - HB 409

Smoking Ban in Vehicle When a Child Is Present - SB 43

Transitional Services to Children - HB 468

CODE OF CRIMINAL PROCEDURE

Criminal Statute of Limitations Amendments - HB 189

Expungement Law Amendments - HB 179

Parental Notification of Child Interview by Law
Enforcement - SB 157

Sex Offenders Registry Amendments - HB 284

COMMERCE AND TRADE

Child Protection Registry Information - HB 379

Price Controls During Emergencies Act - HB 73

COMMITTEES, LEGISLATIVE

Legislative Management Committee

Membership - SB 139

Revisors Directive on Unconstitutional Statutes - SB 212

State Zero-based Budgeting - SB 63

COMMUNITY AND CULTURE DEVELOPMENT

Community-based Self-sufficiency Grants - HB 278

Navajo Revitalization Fund - HB 19

Uintah Basin Revitalization Fund - HB 138

COMMUNITY, CULTURE, AND ECONOMIC DEVELOPMENT

Definition of Agri-tourism - HB 424

Economic Development Incentives Modifications - SB 249

Utah Business Assistance Center Pilot Act - SB 176

CONSTITUTION

Joint Resolution - Constitutional Amendment Relating to
Appraising and Assessing Certain Property -SJR005

CONSTRUCTION INDUSTRIES

Construction Trades - Exemptions - HB 324

Mechanics Lien Amendments - HB 357

CONSUMER CREDIT

Regulating Credit Records of a Minor - HB 435

CONSUMER PROTECTION

Committee of Consumer Services Membership
Amendments - HB 269

Department of Commerce Fund Amendments - SB 121

Unfair Practices Act Amendments - HB 459

CONTRACTS

Deferred Deposit Loans - HB 329

Employee Noncompetition Contracts - HB 183

CONTROLLED SUBSTANCES

Controlled Substance Amendments - HB 359
Controlled Substance Schedule Amendment - HB 190
Controlled Substances Amendments - Suda Controls - HB 143
Drug Product Equivalent Amendments - HB 440
Illegal Drug Sites Contamination Amendments - HB 162
Liability for Contaminated Property - SB 230
Prescriptive Practice of Legend Drugs - SB 146
Vehicle Use Regarding Illegal Drugs - HB 175

CORPORATE TAX

Corporate Franchise and Income Tax Credits Relating to Biodiesel or Syngas Production - HB 161
Tax Incentives for Alternate Power Generation - SB 13

COUNTIES

Approval of Subdivisions - HB 296
Auditing of Leases Related to Revenue Bonds - HB 251
Commission and Council Seats in Counties of the First and Second Class - SB 141
County and Municipalities Boundary Adjustments - HB 408
County Appointed Officers - HB 305
County Attorney Amendments - SB 256
County Government Reform - HB 348
County Trust Fund Amendments - HB 298
Environmentally Restricted Zoning Districts - HB 233
Government Boundary Changes - HB 401
Joint Resolution Supporting Garfield County Expansion of Correctional Facilities - SJR010
Land Use Development and Management Act Amendments - SB 237
Law Enforcement Districts - HB 450
Sheriff Qualifications - HB 232
Transient Room Taxes Amendments - HB 389
Utility Improvement District Revisions - SB 185

COUNTY GOVERNMENT

Commission and Council Seats in Counties of the First and Second Class - SB 141
County Government Reform - HB 348

COURT PROCEDURE

Juror Transport Amendments - HB 116
Process Server Amendments - HB 385
Punitive Damages Amendments - SB 206

COURT RULES

Juror Transport Amendments - HB 116
Process Server Amendments - HB 385
Punitive Damages Amendments - SB 206

COURTS

Child Support Bond - HB 17

Exoneration and Innocence Assistance - HB 154
Expedited Parent-time Enforcement - HB 32
Joint Legal Custody Amendments - HB 456
Juror Transport Amendments - HB 116
Protective Order Revisions - HB 342
Punitive Damages Amendments - SB 206

CREDIT

Check Cashing Registration Act Study - HB 159
Deferred Deposit Loans - HB 329
Regulating Credit Records of a Minor - HB 435

CRIMINAL CODE

Abortion Law Revisions - HB 235
Animal Cruelty Offenses - SB 190
Burglary of a Railroad Car - HB 447
Crime Victim Reparations Records - SB 72
Discharge of a Firearm Amendments - HB 113
Failure to Disclose Identity - HB 469
Human Trafficking Provisions - HB 167
Material Harmful to Minors Amendments - HB 50
Mortgage Fraud - HB 25
Parole Amendments - HB 180
Pornographic and Harmful Materials and Performances Amendments - HB 330
Private Investigator Regulation Act Amendments - SB 129
Sex Offenders Registry Amendments - HB 284
Sodomy Amendments - SB 169
Statute of Limitations for Bodily Injury - SB 164

DEATH

Transfer-on-Death Deeds for Real Property - SB 276

DEPARTMENT OF ADMINISTRATIVE SERVICES

Unclaimed Property Amendments - HB 443

DEPARTMENT OF COMMERCE

Department of Commerce Fund Amendments - SB 121
Pete Suazo Athletic Commission - HB 254
Securities Amendments - HB 153

DEPARTMENT OF CORRECTIONS

Amendment Regarding Search Warrant Procedure - SB 123
Correctional Facility Bidding Process - Privatization of Correctional Facilities - HB 177
Joint Resolution Supporting Garfield County Expansion of Correctional Facilities - SJR 10
Parole Amendments - HB 180

DEPARTMENT OF HEALTH

Funding for Department of Health Early Intervention Programs - HB 312
Illegal Drug Sites Contamination Amendments - HB 162
Restricting Regulation of Natural Hot Springs - HB 66
Sales and Use Taxation of Food and Food Ingredients - HB 282

Utah Premium Partnership Program - HB 267

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

State Office of Education Human Resource Management Amendments - HB 184

DEPARTMENT OF NATURAL RESOURCES

Centennial Nonmotorized Paths and Trail Crossings Program Appropriation - HB 280

DEPARTMENT OF PUBLIC SAFETY

Utah Junk Dealer and Scrap Metal Processor Amendments - HB 452

DEPARTMENT OF TRANSPORTATION

Amendments to State Highway System - HB 266
Transportation Revisions - HB 166

DISABILITIES

Pilot Program for Day Support Services - HB 49
Students Qualifying for Services for Deaf - HB 291

DIVISION OF CORPORATIONS AND COMMERCIAL CODE

Registration Targeting Women and Minority-owned Enterprises - HB 106

DOMESTIC VIOLENCE

Domestic Violence and Dating Violence Amendments - HB 28
Protective Order Amendments - HB 283
Protective Order Revisions - HB 342

DRIVER LICENSE

Cell Phone Restriction for Teen Drivers - HB 217
Confidentiality of Reports to Driver License Division - SB 84
Driver Education Curriculum - HB 322
Driver License - Application of Minor - HB 213
Driver License Qualification Amendments - HB 220
Driving by Minors Amendments - HB 82

DRIVING UNDER THE INFLUENCE (DUI)

Amendments to Driving Under the Influence Provisions - HB 453

ECONOMIC DEVELOPMENT

Economic Development Incentives Modifications - SB 249
Employee Verification, Procurement, and Incentives - HB 127

EDUCATION

Accelerated Learning Program Amendments - HB 95
Addressing Disruptive Behavior at Post Secondary Institutions - SB 259

Administration of Medication to Students Amendments - HB 313
Boards of Education Membership Amendments - SB 194
Class Size Reduction - HB 94
Class Size Reduction - Grades Kindergarten Through 3 - HB 168
Class Size Reduction in Grades Kindergarten Through Three - HB 149
Class Size Reduction Revisions - HB 405
College and University Tuition Tax Credits - SB 62
Continuing Education Requirements for National Guard - HB 441
Critical Needs Hiring Practices for Teachers - HB 451
Early Education Intervention Amendments - HB 399
Education Governance Amendments - SB 226
Education Transportation Amendments - SB 174
Elementary School Math Initiative - SB 65
Fee Waiver Reimbursements - HB 101
High School Diploma Amendments - HB 77
High School Graduation Amendments - SB 57
Higher Education Revisions - SB 275
Home School and Extracurricular Activity Amendments - SB 81
Instructional Expenses Requirements - HB 193
Kindergarten Readiness Initiative - SB 222
Minimum Basic Levy and Other Property Tax Amendments - HB 151
Procedures for Dividing School Districts - HB 75
Professional Excellence Programs - HB 381
Public and Higher Education Amendments - SB 270
Regulation of Terminations of Dormitory Residents of Institutions of Higher Education - SB 252
Repeal of Exemptions from Nonresident Tuition - HB 224
Resident Tuition and Assistance Amendments - HB 384
School and Institutional Trust Lands Management Act Amendments - HB 229
School Board Alternatives to Basic Skills Competency Test - HB 331
School Community Council Amendments - HB 239
School Construction Contract Amendments - SB 180
School Discipline - HB 472
School District Superintendent Retention Elections - HB 144
School Fee Amendments - HB 165
School Fee Waiver Amendments - HB 68
School Impact Fees - HB 74
School Safety Amendments - HB 186
School Seismic Safety - HB 458
State Office of Education Human Resource Management Amendments - HB 184
Students Qualifying for Services for Deaf - HB 291
Teacher Loan Program - HB 416
Use of Surplus Education Fund and Uniform School Fund Monies - HB 429

Utah Applied Technology College
Governance Act - SB 229
Utah Virtual Schools - HB 172
Virtual Charter Schools - HB 169

ELDERLY

Crimes Against Senior Registry - HB 404
Property Tax Abatement or Deferral - SB 132
Property Tax Deferral - Senior Citizens - HB 78

ELECTIONS

Authorization of Opinion Question to Voters - SB 105
Campaign Finance Filing Requirements - HB 303
Compact Agreement among the States to Elect the
President by National Popular Vote - HB 346
Election Day Voter Registration - HB 287
Municipal Voting Requirement for Sale of Public Land -
HB 109
Personal Use of Campaign Funds - HB 290
Proof of Citizenship Required to Vote - SB 225
Voting Machines Used by Municipalities - HB 454
Western States Presidential Preference Poll - HB 392

ELECTRONIC DATABASES

Child Protection Registry Information - HB 379

ELECTRONIC INFORMATION

Uniform Real Property Electronic Recording - SB 88
Utah Public Notice Website Provisions - SB 67

ELECTRONIC PRIVACY

Child Protection Registry Information - HB 379

EMERGENCY MANAGEMENT

Price Controls During Emergencies Act - HB 73

**EMINENT DOMAIN (GOVERNMENT LAND TAKE
OVER)**

Eminent Domain - HB 334
Eminent Domain Amendments - HB 187

EMPLOYEES AND COMPENSATION, LEGISLATIVE

Joint Rules Resolution - Legislative Expense
Reimbursement Process - HJR 10

ENERGY

Municipal Energy Sales and Use Tax Revisions - HB 436
Resolution Supporting Energy Efficiency - HJR 2

ENVIRONMENT

Commercial Radioactive Waste Disposal Facility - Repeal
of Perpetual Care Requirements - HB 410
Electronic Device Recycling - SB 76
Permanent Instream Flow to Preserve
Water Quality - SB 95

Waste Modifications - SB 264
Waste Tire Recycling Act Revisions - SB 207

EQUIPMENT, MOTOR VEHICLES

Required Headlight Use on Vehicles - HB 35

ETHICS

Resolution Encouraging Architects' and Engineers'
Professional Ethics - SCR 3

EXECUTIVE BRANCH

Resolution Changing Executive Officer Succession
Provisions - HJR 3

FAMILY

Child Protection - Gang Association - HB 208
Custody Amendments - SB 178
Expedited Parent-time Enforcement - HB 32
Protective Order Amendments - HB 283
Review of Parent-time, Custody, and Child Support Laws
- HB 434

FEDERAL GOVERNMENT

Recovery of Federal Reimbursement for Costs Associated
with Illegal Immigrants - HB 320

FEES

Municipal License Fees and Taxes Amendments - HB 306
Prohibition Relating to Fees on Foster Homes for the Use
of Emergency Services - HB 272
School Fee Waiver Amendments - HB 68
School Impact Fees - HB 74

FINANCIAL INSTITUTIONS

Check Cashing Registration Act Study - HB 159
Deferred Deposit Loans - HB 329

FIRE PROTECTION

Fire Management Areas - HB 411

FISH AND GAME

Instream Flow to Protect Trout Habitat - SB 29
Licensing Outdoor Guides - HB 412
Suspension of Hunting or Fishing Privileges for Illegal
Vehicle Use - HB 421

FOSTER CARE

Prohibition Relating to Fees on Foster Homes for the Use
of Emergency Services - HB 272

FRAUD

Document Fraud - HB 131

FREEDOM OF RELIGION - CONSTITUTION

Concurrent Resolution Affirming Fundamental Rights of
Muslim Community of Utah - SCR 8

Free Exercise of Religion Without Government
Interference - SB 111
Resolution Affirming Fundamental Rights of Muslim
Community of Utah - SR 2

GANGS

Discharge of a Firearm Amendments - HB 113

GOVERNMENT OPERATIONS (STATE ISSUES)

Authorization of Opinion Question to Voters - SB 105
Campaign Contribution Amendments - HB 246
Campaign Finance Filing Requirements - HB 303
Compact Agreement among the States to Elect the
President by National Popular Vote - HB 346
Contribution Limits for State Constitutional
Officers - SB 116
Election Day Voter Registration - HB 287
Free Exercise of Religion Without Government
Interference - SB 111
Funding for Purchase of State Highway Rights of Way -
SB 12
General Government Provisions - SB 257
General Government Revisions - Authorization of Sales
Tax Opinion Question - SB 245
Government Operations - HB 170
Government Operations Revisions - HB 173
Independent, Bipartisan Redistricting
Commission - HB 373
Labor Organizations Amendments - SB 159
Legislature's Counsel to United States Senators - SB 202
Limit on Gifts to Legislators - SB 149
Military Justice Code Amendments - SB 250
Observing Juneteenth Day by the State - HB 11
Personal Use of Campaign Funds - HB 290
Proof of Citizenship Required to Vote - SB 225
Protection of Constitutionally Guaranteed Activities in
Certain Private Venues - SB 78
Regulation of Lobbyists and Gifts - HB 178
Resolution Reaffirming the Words, Under God, in the
Pledge of Allegiance - HJR 12
Revolving Door Limitations for Public Officials to Become
Lobbyists - HB 248
State Purchase of Real Property - HB 361
Unclaimed Property Amendments - HB 443
Utah Public Notice Website Provisions - SB 67
Vehicles Included in State Fleet - HB 344
Veterans Amendments - SB 231
Veterans Home - SB 258
Voting Machines Used by Municipalities - HB 454
Waivers of Immunity - Exceptions - HB 395
Western States Presidential Preference Poll - HB 392

GOVERNMENTAL IMMUNITY

Waivers of Immunity - Exceptions - HB 395

HAZARDOUS SUBSTANCES

Commercial Radioactive Waste Disposal Facility - Repeal
of Perpetual Care Requirements - HB 410
Electronic Device Recycling - SB 76
Waste Modifications - SB 264

HEALTH

Administration of Medication to Students Amendments -
HB 313
Amendments to Gift to Community Provisions - HB 400
Amendments to Utah Comprehensive Health Insurance
Pool - SB 82
Budget Priority for In-home and Community Based
Long-term Care - HB 249
Certificate of Need for Certain Ambulance
Services - SB 214
Child Care Provider Amendments - HB 230
Consumer Access to Health Care Charges - HB 250
Direct-entry Midwife Amendments - SB 243
Discounts on Medical Health Care - HB 136
Drug Pedigree Amendments - HB 433
Drug Product Equivalent Amendments - HB 440
Early Immune Testing for Infants and Toddlers - HB 407
Emergency Medicine Tort Reform - SB 115
Emergency Room Tort Reform - HB 338
Employer Health Insurance Options -
Cafeteria Plans - SB 66
Funding for Department of Health Early Intervention
Programs - HB 312
Health Insurance - Screening Coverage - HB 366
Health Insurance and Health Care Payment Amendments
- HB 141
Health Insurance Coverage of Mammography - HB 191
High Risk Pool Insurance Access Amendments - HB 439
Insurance Agent Commission Disclosure - HB 171
Medical Expert Witness Amendments - HB 442
Morbid Obesity - Insurance Coverage - HB 225
Notice of Available Charity Care - SB 107
Options for Health Care - HB 163
Portability of Medical Assistance Funds - SB 61
Prescriptive Practice of Legend Drugs - SB 146
Provisions for Health Insurance Equity - HB 289
Resolution Relating to Health Care - SJR 4
Restricting Regulation of Natural Hot Springs - HB 66
Utah Premium Partnership Program - HB 267

HEALTH CARE

Budget Priority for In-home and Community Based
Long-term Care - HB 249
Certificate of Need for Certain Ambulance
Services - SB 214
Consumer Access to Health Care Charges - HB 250
Direct-entry Midwife Amendments - SB 243
Discounts on Medical Health Care - HB 136

Employer Health Insurance Options -
Cafeteria Plans - SB 66
Medical Injury Payment Amendments - HB 363
Notice of Available Charity Care - SB 107
Options for Health Care - HB 163
Promotion of Health Efficiencies - HB 444
Resolution Relating to Health Care - SJR 4
Resolution Urging States Rights to Innovate Health Care -
SCR 6

HEALTH CARE FACILITIES

Emergency Medicine Tort Reform - SB 115

HEALTH CARE PROVIDERS

Provisions for Health Insurance Equity - HB 289

HIGHER EDUCATION

Addressing Disruptive Behavior at Post Secondary
Institutions - SB 259
College and University Tuition Tax Credits - SB 62
Higher Education Revisions - SB 275
Income Tax Credits, Additions, and Subtractions for
College Savings - SB 177
Public and Higher Education Amendments - SB 270
Regulation of Terminations of Dormitory Residents of
Institutions of Higher Education - SB 252
Repeal of Exemptions from Nonresident Tuition - HB 224
Resident Tuition and Assistance Amendments - HB 384
State Purchase of Real Property - HB 361
Utah Applied Technology College
Governance Act - SB 229

HIGHWAYS

Amendments to Permanent Easements over Trust Land -
HB 428
Amendments to State Highway System - HB 266
Funding for Purchase of State Highway Rights of Way -
SB 12
Highway Amendments - SB 233
Highway Jurisdictional Transfer - HB 81
Prohibition of Studded Snow Tires on State Highways -
HB 448
Rights of Way Act Amendments - SB 213
Street-legal All-terrain Vehicle Amendments - HB 425
Traffic Light Enforcement - HB 470

HOTELS AND HOTEL KEEPERS

Innkeeper's Rights Act Modifications - HB 355

HOUSING

Mobile Home Owners' Rights - HB 332
Mobile Home Park - Notice of Sale of Underlying Property
- HB 319
Real Property Amendments - SB 262

HOUSING AND COMMUNITY DEVELOPMENT

Community-based Self-sufficiency Grants - HB 278

HUMAN SERVICES

Abortion Law Revisions - HB 235
Child and Family Protection - HB 460
Child Protection - Gang Association - HB 208
Crimes Against Senior Registry - HB 404
Domestic Violence and Dating Violence Amendments -
HB 28
Human Trafficking Provisions - HB 167
Parent and Child Amendments - SB 248
Parental Notification of Child Interview by Law
Enforcement - SB 157
Pilot Program for Day Support Services - HB 49
Portability of Medical Assistance Funds - SB 61
Prohibition Relating to Fees on Foster Homes for the Use
of Emergency Services - HB 272
Transitional Services to Children - HB 468
Traumatic Brain Injury Fund - HB 84
Utah State Hospital Amendments - HB 391
Utah Suicide Prevention Act - HB 252
Waivers of Immunity - Exceptions - HB 395

ILLEGAL ALIENS

Document Fraud - HB 131
Limitation on Government Benefits to Aliens Unlawfully
Present in the United States - HB 437
Recovery of Federal Reimbursement for Costs Associated
with Illegal Immigrants - HB 320

IMMIGRATION

Document Fraud - HB 131
Illegal Immigration Enforcement Act - HB 105
Recovery of Federal Reimbursement for Costs Associated
with Illegal Immigrants - HB 320

INCOME TAX

College and University Tuition Tax Credits - SB 62
Deduction for Long-Term Care Savings - SB 239
Earned Income Tax Credit - SB 40
Income and Sales and Use Tax Amendments - HB 394
Income Tax Additions, Subtractions, and Tax Credits for
Higher Education Savings - SB 242
Income Tax Credits for Certain Health Insurance
Premiums Paid by a Small Employer - HB 406
Income Tax Credits, Additions, and Subtractions for
College Savings - SB 177
Individual Income Tax Subtractions for Insurance Relating
to Medical Care - HB 43
Invest More for Education Fund - Voluntary Contribution
to Public Education - HB 308
Property Tax Deferral - Senior Citizens - HB 78
Renewable Energy Tax Credit - HB 30
Resolution Supporting Working Families Economic
Development Initiative - HJR 13

Tax Revisions - HB 123

INDEPENDENT ENTITIES

Workers' Compensation Amendments - HB 397

INDIAN AFFAIRS

Navajo Revitalization Fund - HB 19

Utah Basin Revitalization Fund - HB 138

INMATES

Exoneration and Innocence Assistance - HB 154

INSURANCE

Additional State Retirement Benefit - HB 12

Insurance Department Funding - HB 386

Producer and Affiliate Disclosure Amendments - SB 165

Reporting of Fraudulent Insurance Acts - HB 126

INSURANCE DEPARTMENT

Insurance Agent Commission Disclosure - HB 171

Producer and Affiliate Disclosure Amendments - SB 165

Reporting of Fraudulent Insurance Acts - HB 126

Title Insurance and Real Estate Related Transactions and Regulation - HB 415

Workers' Compensation Amendments - HB 397

INSURANCE, HEALTH

Amendments to Utah Comprehensive Health Insurance Pool - SB 82

Employer Health Insurance Options - Cafeteria Plans - SB 66

Health Insurance - Screening Coverage - HB 366

Health Insurance and Health Care Payment Amendments - HB 141

Health Insurance Coverage of Mammography - HB 191

High Risk Pool Insurance Access Amendments - HB 439

Hospital Lien Amendments - HB 345

Income Tax Credits for Certain Health Insurance Premiums Paid by a Small Employer - HB 406

Individual Income Tax Subtractions for Insurance Relating to Medical Care - HB 43

Insurance Agent Commission Disclosure - HB 171

Morbid Obesity - Insurance Coverage - HB 225

Provisions for Health Insurance Equity - HB 289

Small Business Health Plan Task Force - HB 152

Utah Premium Partnership Program - HB 267

INTERNET

Utah Public Notice Website Provisions - SB 67

JUDICIARY

Child Custody Amendments - HB 423

Child Support Bond - HB 17

Comparative Fault Amendments - HB 45

Crime Victim Reparations Amendments - HB 281

Criminal Statute of Limitations Amendments - HB 189

Custody Amendments - SB 178

Exoneration and Innocence Assistance - HB 154

Expedited Parent-time Enforcement - HB 32

Garnishment Fees - HB 90

Joint Legal Custody Amendments - HB 456

Juror Transport Amendments - HB 116

Parental Consent to Abortion Amendments - HB 139

Presumptive Personal Representative - SB 152

Process Server Amendments - HB 385

Protective Order Amendments - HB 283

Punitive Damages Amendments - SB 206

Review of Parent-time, Custody, and Child Support Laws - HB 434

Revisions to Child Support Definitions - SB 184

Statute of Limitations for Bodily Injury - SB 164

Study of Administrative Hearings Related to Labor Laws - HB 353

Utah Antitrust Act Amendments - SB 216

Wrongful Death Amendments - SB 58

JUVENILES

Child Protection - Gang Association - HB 208

Protective Order Amendments - HB 283

LABOR

Employee Noncompetition Contracts - HB 183

Employee Verification, Procurement, and Incentives - HB 127

Minimum Wage Amendments - SB 34

Minimum Wage Provisions - HB 256

Public Employees Union Financial Responsibility Act - HB 430

Resolution Submitting Minimum Wage Question to Voters - SJR 6

Study of Administrative Hearings Related to Labor Laws - HB 353

Utah Employment Verification Act - HB 156

Workers' Compensation Amendments - HB 397

LABOR COMMISSION

Study of Administrative Hearings Related to Labor Laws - HB 353

LABOR ORGANIZATIONS

Labor Organizations Amendments - SB 159

Public Employees Union Financial Responsibility Act - HB 430

LAND USE

Approval of Subdivisions - HB 296

Environmentally Restricted Zoning Districts - HB 233

Land Use Development and Management Act Amendments - SB 237

Municipal Land Use, Development, and Management Changes - SB 172

LANDLORD - TENANT

Liability for Contaminated Property - SB 230
 Mobile Home Owners' Rights - HB 332
 Mobile Home Park - Notice of Sale of Underlying Property
 - HB 319

LAW ENFORCEMENT AND CRIMINAL JUSTICE

Amendment Regarding Search Warrant
 Procedure - SB 123
 Animal Cruelty Offenses - SB 190
 Assault on a Peace Officer - Penalty Amendment - HB 70
 Burglary of a Railroad Car - HB 447
 Controlled Substance Amendments - HB 359
 Controlled Substance Schedule Amendment - HB 190
 Controlled Substances Amendments -
 Suda Controls - HB 143
 Correctional Facility Bidding Process - Privatization of
 Correctional Facilities - HB 177
 Crime Victim Reparations Records - SB 72
 Discharge of a Firearm Amendments - HB 113
 Employer Liability - Dependant on Allowance of Lawful
 Guns on Premises - SB 210
 Exoneration and Innocence Assistance - HB 154
 Expungement Law Amendments - HB 179
 Failure to Disclose Identity - HB 469
 Human Trafficking Provisions - HB 167
 Illegal Drug Sites Contamination Amendments - HB 162
 Illegal Immigration Enforcement Act - HB 105
 Material Harmful to Minors Amendments - HB 50
 Mortgage Fraud - HB 25
 Parental Consent to Abortion Amendments - HB 139
 Parental Notification of Child Interview by Law
 Enforcement - SB 157
 Parole Amendments - HB 180
 Penalties for Sex Offense Against a Child - HB 376
 Pete Suazo Utah Athletic Commission - SB 162
 Pornographic and Harmful Materials and Performances
 Amendments - HB 330
 Private Investigator Regulation Act Amendments - SB 129
 Prohibition of Citation Quotas - HB 255
 Resolution Urging Attorneys General to Defend the
 Prohibition of Overly Violent Video Games to Minors -
 HJR 15
 Rights of Citizens to Carry Firearms in Declared
 Emergency - SB 201
 Sentencing of a Pregnant Person for Certain Drug or
 Alcohol Related Offenses - HB 409
 Sex Offender Law Amendments - HB 403
 Sex Offenders Registry Amendments - HB 284
 Sodomy Amendments - SB 169
 Utah Junk Dealer and Scrap Metal Processor
 Amendments - HB 452
 Vehicle Use Regarding Illegal Drugs - HB 175
 Weapons Modifications - HB 390

LEGISLATIVE AFFAIRS

Campaign Contribution Amendments - HB 246
 Document Fraud - HB 131
 General Government Revisions - Authorization of Sales
 Tax Opinion Question - SB 245
 Joint Rules Resolution - Legislative Expense
 Reimbursement Process - HJR 10
 Legislative Management Committee Membership -
 SB 139
 Legislative Process Amendments - SB 274
 Legislature's Counsel to United States Senators - SB 202
 Limit on Gifts to Legislators - SB 149
 Resolution Amending Annual General
 Session Date - HJR 8
 Resolution Submitting Minimum Wage Question to Voters
 - SJR 6
 Resolution Submitting Question to Voters on Removing
 the State and Local Sales and Use Taxes on Food
 Ingredients - SJR 13
 Resolution Urging States Rights to Innovate Health Care -
 SCR 6
 Revisors Directive on Unconstitutional Statutes - SB 212
 Revolving Door Limitations for Public Officials to Become
 Lobbyists - HB 248
 State Zero-based Budgeting - SB 63

LEGISLATURE

Legislative Management Committee
 Membership - SB 139
 Limit on Gifts to Legislators - SB 149
 Resolution Amending Annual General
 Session Date - HJR 8
 Revisors Directive on Unconstitutional Statutes - SB 212
 State Zero-based Budgeting - SB 63

LIABILITY

Emergency Medicine Tort Reform - SB 115

LIENS

Hospital Lien Amendments - HB 345
 Mechanics Lien Amendments - HB 357

LIMITED LIABILITY COMPANY

Limited Liability Company Amendments - HB 464

LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES

Government Boundary Changes - HB 401
 Law Enforcement Districts - HB 450
 Local District Amendments - HB 372

LOBBYING

Campaign Contribution Amendments - HB 246
 Limit on Gifts to Legislators - SB 149
 Regulation of Lobbyists and Gifts - HB 178
 Revolving Door Limitations for Public Officials to Become
 Lobbyists - HB 248

LOCAL BOARDS OF EDUCATION

Boards of Education Membership Amendments - SB 194
Procedures for Dividing School Districts - HB 75
School Construction Contract Amendments - SB 180
School District Superintendent
Retention Elections - HB 144

LOCAL HEALTH DEPARTMENTS

Illegal Drug Sites Contamination Amendments - HB 162

MARRIAGE / DIVORCE

Custody Amendments - SB 178
Expedited Parent-time Enforcement - HB 32
Joint Legal Custody Amendments - HB 456
Marriage Preparation Education - HB 350
Revisions to Child Support Definitions - SB 184

MEDICAID

Portability of Medical Assistance Funds - SB 61
Promotion of Health Efficiencies - HB 444

MEDICAL MALPRACTICE

Emergency Room Tort Reform - HB 338
Medical Expert Witness Amendments - HB 442
Medical Injury Payment Amendments - HB 363

MENTAL HEALTH

Utah State Hospital Amendments - HB 391

MENTAL HEALTH PROFESSIONAL

Utah Suicide Prevention Act - HB 252

MILITARY SERVICES

Continuing Education Requirements for National Guard -
HB 441
Military Justice Code Amendments - SB 250
Utility Costs of Deployed Servicemembers - HB 336
Veterans Amendments - SB 231
Veterans Home - SB 258

MINORS

Cell Phone Restriction for Teen Drivers - HB 217
Driver License - Application of Minor - HB 213
Driving by Minors Amendments - HB 82
Home School and Extracurricular Activity Amendments -
SB 81
Material Harmful to Minors Amendments - HB 50
Parental Consent to Abortion Amendments - HB 139
Resolution Urging Attorneys General to Defend the
Prohibition of Overly Violent Video Games to Minors
-HJR 15

MORTGAGE

Mortgage Fraud - HB 25

MOTOR FUEL AND SPECIAL FUEL TAXES

Clean Air and Efficient Vehicle Tax Incentives - HB 122
Motor and Special Fuel Tax Amendments - HB 388

MOTOR VEHICLES

Amendments to Driving Under the Influence Provisions -
HB 453
Cell Phone Restriction for Teen Drivers - HB 217
Child Restraint Device Amendments - HB 209
Confidentiality of Reports to Driver
License Division - SB 84
Driver License - Application of Minor - HB 213
Driving by Minors Amendments - HB 82
Honoring Heroes Special Group License Plate - HB 115
Prohibition of Studded Snow Tires on State Highways -
HB 448
Regulating Hands-free Wireless Telephone Use While
Operating a Motor Vehicle - HB 182
Required Headlight Use on Vehicles - HB 35
Requirements for Off-highway Vehicles - HB 237
Safety Belt Amendments - SB 36
Smoking Ban in Vehicle When a Child Is Present - SB 43
Special License Plate for Deaf and Hard of Hearing - HB
471
Speed Restrictions on Commercial Vehicles - HB 199
Street-legal All-terrain Vehicle Amendments - HB 425
Suspension of Hunting or Fishing Privileges for Illegal
Vehicle Use - HB 421
Utah Housing Opportunity Special Group License Plate -
HB 445
Vehicle Safety Inspection Amendments - SB 168
Vehicle Towing Requirements - SB 120
Vehicles Included in State Fleet - HB 344
Zion National Park Special Group License Plate - HB 288

NATURAL RESOURCES

Centennial Nonmotorized Paths and Trail Crossings
Program Appropriation - HB 280
Dividing Groundwater with Another State - HB 422
Fire Management Areas - HB 411
Instream Flow to Protect Trout Habitat - SB 29
Licensing Outdoor Guides - HB 412
Permanent Instream Flow to Preserve
Water Quality - SB 95
Safe Drinking Water Amendments - HB 140
School and Institutional Trust Lands Revisions - SB 175
Senior Permits for State Parks - HB 214
State Facility Water Conservation Program - HB 380
Surface Owner Protection Act - HB 121
Suspension of Hunting or Fishing Privileges for Illegal
Vehicle Use - HB 421
Trust Requirement for Division of Shared Groundwater -
HB 418

OCCUPATIONAL LICENSING

Construction Trades - Exemptions - HB 324
Licensing of Security Services - HB 181
Licensing Outdoor Guides - HB 412
Master Plumber Licensing - SB 102
Private Investigator Regulation Act Amendments - SB 129

OCCUPATIONS AND PROFESSIONS

Construction Trades - Exemptions - HB 324
Dental Hygienist Licensing Act Amendments - SB 124
Emergency Medicine Tort Reform - SB 115
Licensing of Security Services - HB 181
Master Plumber Licensing - SB 102
Prescriptive Practice of Legend Drugs - SB 146
Registration Targeting Women and Minority-owned Enterprises - HB 106

OFFENSES

Amendment Regarding Search Warrant Procedure - SB 123
Animal Cruelty Offenses - SB 190
Assault on a Peace Officer - Penalty Amendment - HB 70
Burglary of a Railroad Car - HB 447
Crimes Against Senior Registry - HB 404
Material Harmful to Minors Amendments - HB 50
Mortgage Fraud - HB 25

OFF-HIGHWAY VEHICLES

Off-highway Vehicle Amendments - HB 321
Requirements for Off-highway Vehicles - HB 237
Suspension of Hunting or Fishing Privileges for Illegal Vehicle Use - HB 421

OIL AND GAS

Severance Tax Revisions - HB 370
Surface Owner Protection Act - HB 121

PARKS

Senior Permits for State Parks - HB 214

PEACE OFFICER

Assault on a Peace Officer - Penalty Amendment - HB 70
Failure to Disclose Identity - HB 469
Prohibition of Citation Quotas - HB 255
Protective Order Revisions - HB 342
Sheriff Qualifications - HB 232

POLITICAL SUBDIVISIONS (LOCAL ISSUES)

Approval of Subdivisions - HB 296
Auditing of Leases Related to Revenue Bonds - HB 251
County and Municipalities Boundary Adjustments - HB 408
County Appointed Officers - HB 305
County Attorney Amendments - SB 256
County Government Reform - HB 348

County Trust Fund Amendments - HB 298
Eminent Domain - HB 334
Eminent Domain Amendments - HB 187
Environmentally Restricted Zoning Districts - HB 233
Government Boundary Changes - HB 401
Juror Transport Amendments - HB 116
Land Use Development and Management Act Amendments - SB 237
Law Enforcement Districts - HB 450
Local District Amendments - HB 372
Local Option Distribution Formula for the Distribution of the Local Option Sales and Use Tax - HB 203
Municipal Amendments - HB 457
Municipal Code Amendments - SB 130
Municipal Land Use, Development, and Management Changes - SB 172
Municipal License Fees and Taxes Amendments - HB 306
Municipal Voting Requirement for Sale of Public Land - HB 109
Prohibition Relating to Fees on Foster Homes for the Use of Emergency Services - HB 272
Sales and Use Tax Incentive Payment by a County or Municipality - HB 398
School Impact Fees - HB 74
Sheriff Qualifications - HB 232
State Franchising Authority for Video Services - SB 209
Utah Relocation Assistance Act Amendments - SB 187
Utility Improvement District Revisions - SB 185
Water Conservancy Districts - Selection of Board of Trustees - SB 220

PORNOGRAPHY

Pornographic and Harmful Materials and Performances Amendments - HB 330

PROPERTY TAX

Amendments to Property Tax - HB 417
Aviation Amendments - HB 414
Joint Resolution - Constitutional Amendment Relating to Appraising and Assessing Certain Property -SJR 5
Minimum Basic Levy and Other Property Tax Amendments - HB 151
Property Tax Abatement or Deferral - SB 132
Property Tax Modifications - HB 467
Property Tax Rate Freeze - HB 413

PROPERTY TAX RELIEF

Amendments to Gift to Community Provisions - HB 400
Property Tax Abatement or Deferral - SB 132
Property Tax Rate Freeze - HB 413

PUBLIC EDUCATION

Accelerated Learning Program Amendments - HB 95
Administration of Medication to Students Amendments - HB 313

Boards of Education Membership Amendments - SB 194
 Class Size Reduction - HB 94
 Class Size Reduction - Grades Kindergarten Through 3 - HB 168
 Class Size Reduction in Grades Kindergarten Through Three - HB 149
 Class Size Reduction Revisions - HB 405
 Critical Needs Hiring Practices for Teachers - HB 451
 Driver Education Curriculum - HB 322
 Early Education Intervention Amendments - HB 399
 Education Transportation Amendments - SB 174
 Elementary School Math Initiative - SB 65
 Fee Waiver Reimbursements - HB 101
 High School Diploma Amendments - HB 77
 High School Graduation Amendments - SB 57
 Instructional Expenses Requirements - HB 193
 Kindergarten Readiness Initiative - SB 222
 Procedures for Dividing School Districts - HB 75
 Professional Excellence Programs - HB 381
 Public and Higher Education Amendments - SB 270
 School Board Alternatives to Basic Skills Competency Test - HB 331
 School Community Council Amendments - HB 239
 School Construction Contract Amendments - SB 180
 School Discipline - HB 472
 School District Superintendent Retention Elections - HB 144
 School Fee Amendments - HB 165
 School Fee Waiver Amendments - HB 68
 School Safety Amendments - HB 186
 School Seismic Safety - HB 458
 State Office of Education Human Resource Management Amendments - HB 184
 Students Qualifying for Services for Deaf - HB 291
 Teacher Loan Program - HB 416
 Use of Surplus Education Fund and Uniform School Fund Monies - HB 429
 Utah Applied Technology College Governance Act - SB 229
 Utah School Seismic Hazard Inventory - HB 431
 Utah Virtual Schools - HB 172
 Virtual Charter Schools - HB 169

PUBLIC FUNDS AND ACCOUNTS

Department of Commerce Fund Amendments - SB 121
 Navajo Revitalization Fund - HB 19
 Traumatic Brain Injury Fund - HB 84
 Uintah Basin Revitalization Fund - HB 138
 Use of Surplus Education Fund and Uniform School Fund Monies - HB 429

PUBLIC OFFICERS

County Appointed Officers - HB 305

PUBLIC SAFETY

Driver License Qualification Amendments - HB 220
 Pete Suazo Utah Athletic Commission - SB 162
 Private Investigator Regulation Act Amendments - SB 129
 Prohibition of Citation Quotas - HB 255
 Public Safety Retirement - HB 198
 Public Safety Retirement Death Benefit Modifications - SB 39

PUBLIC TRANSIT DISTRICTS

Local District Amendments - HB 372
 Transportation Revisions - HB 166

PUBLIC UTILITIES

Committee of Consumer Services Membership Amendments - HB 269
 Tax Incentives for Alternate Power Generation - SB 13
 Utility Costs of Deployed Servicemembers - HB 336

RADIATION

Commercial Radioactive Waste Disposal Facility - Repeal of Perpetual Care Requirements - HB 410
 Waste Modifications - SB 264

RAILROADS

Burglary of a Railroad Car - HB 447
 Local Community Rail Security Act - SB 79

REAL ESTATE

Liability for Contaminated Property - SB 230
 Mobile Home Owners' Rights - HB 332
 Mobile Home Park - Notice of Sale of Underlying Property - HB 319
 Mortgage Fraud - HB 25
 Real Property Amendments - SB 262
 Title Insurance and Real Estate Related Transactions and Regulation - HB 415
 Transfer-on-Death Deeds for Real Property - SB 276
 Uniform Real Property Electronic Recording - SB 88
 Utah Relocation Assistance Act Amendments - SB 187

RECREATION

Centennial Nonmotorized Paths and Trail Crossings Program Appropriation - HB 280
 Funding for Tourism Promotion - SB 68

RECYCLING

Electronic Device Recycling - SB 76
 Waste Tire Recycling Act Revisions - SB 207

REDISTRICTING

Independent, Bipartisan Redistricting Commission - HB 373

REGISTRATION AND REGISTRATION FEES

Honoring Heroes Special Group License Plate - HB 115

Special License Plate for Deaf and
Hard of Hearing - HB 471
Utah Housing Opportunity Special Group License Plate -
HB 445
Zion National Park Special Group License Plate - HB 288

RESOLUTIONS

Concurrent Resolution Affirming Fundamental Rights of
Muslim Community of Utah - SCR 8
Joint Resolution - Constitutional Amendment Relating to
Appraising and Assessing Certain Property -SJR 5
Joint Resolution Supporting Garfield County Expansion of
Correctional Facilities - SJR 10
Joint Rules Resolution - Legislative Expense
Reimbursement Process - HJR 10
Resolution Affirming Fundamental Rights of Muslim
Community of Utah - SR 2
Resolution Amending Annual General
Session Date - HJR 8
Resolution Changing Executive Officer Succession
Provisions - HJR 3
Resolution Encouraging Architects' and Engineers'
Professional Ethics - SCR 3
Resolution Providing Appointment of State
Superintendent of Education - SJR 11
Resolution Reaffirming the Words, Under God, in the
Pledge of Allegiance - HJR 12
Resolution Relating to Health Care - SJR 4
Resolution Submitting Minimum Wage Question to Voters
- SJR 6
Resolution Submitting Question to Voters on Removing
the State and Local Sales and Use Taxes on Food and
Food Ingredients - SJR 13
Resolution Supporting Energy Efficiency - HJR 2
Resolution Supporting Working Families Economic
Development Initiative - HJR 13
Resolution Urging Attorneys General to Defend the
Prohibition of Overly Violent Video Games to Minors -
HJR 15
Resolution Urging States Rights to Innovate Health Care -
SCR 6
Resolution Urging United States Withdrawal from Security
and Prosperity Partnership of North America -HJR 7

RESOLUTIONS, CONSTITUTIONAL

Concurrent Resolution Affirming Fundamental Rights of
Muslim Community of Utah - SCR 8
Joint Resolution - Constitutional Amendment Relating to
Appraising and Assessing Certain Property - SJR 5
Resolution Affirming Fundamental Rights of Muslim
Community of Utah - SR 2
Resolution Amending Annual General
Session Date - HJR 8

Resolution Changing Executive Officer Succession
Provisions - HJR 3
Resolution Providing Appointment of State
Superintendent of Education - SJR 11
Resolution Relating to Health Care - SJR 4

RESOLUTIONS, RULES

Joint Rules Resolution - Legislative Expense
Reimbursement Process - HJR 10

RESTITUTION

Crime Victim Reparations Records - SB 72

RETIREMENT

Additional State Retirement Benefit - HB 12
Benefits and Insurance of Constitutional Officers - HB 294
Critical Needs Hiring Practices for Teachers - HB 451
Post-retirement Benefits Restrictions - HB 387
Public Employees 25 Year Retirement - HB 325
Public Safety Retirement - HB 198
Public Safety Retirement Death Benefit
Modifications - SB 39
Retirement Amendments - SB 267
Retirement Benefit Amendments - HB 377
Retirement Benefit Modifications - SB 265
Small Business Health Plan Task Force - HB 152

RETIREMENT AND INDEPENDENT ENTITIES

Post-retirement Benefits Restrictions - HB 387
Public Employees 25 Year Retirement - HB 325
Retirement Amendments - SB 267
Retirement Benefit Amendments - HB 377
Retirement Benefit Modifications - SB 265

REVENUE AND TAXATION

Amendments to Property Tax - HB 417
Aviation Amendments - HB 414
Clean Air and Efficient Vehicle Tax Incentives - HB 122
College and University Tuition Tax Credits - SB 62
Corporate Franchise and Income Tax Credits Relating to
Biodiesel or Syngas Production - HB 161
Deduction for Long-Term Care Savings - SB 239
Earned Income Tax Credit - SB 40
Funding for Tourism Promotion - SB 68
General Tax Amendments - SB 272
General Tax Revisions - SB 273
Income and Sales and Use Tax Amendments - HB 394
Income Tax Additions, Subtractions, and Tax Credits for
Higher Education Savings - SB 242
Income Tax Credits for Certain Health Insurance
Premiums Paid by a Small Employer - HB 406
Income Tax Credits, Additions, and Subtractions for
College Savings - SB 177
Individual Income Tax Subtractions for Insurance Relating
to Medical Care - HB 43

Invest More for Education Fund - Voluntary Contribution to Public Education - HB 308

Joint Resolution - Constitutional Amendment Relating to Appraising and Assessing Certain Property -SJR 5

Judicial Review, Attorney Fees, and Procedure Relating to Tax Commission Decisions - SB 208

Local Option Distribution Formula for the Distribution of the Local Option Sales and Use Tax - HB 203

Minimum Basic Levy and Other Property Tax Amendments - HB 151

Motor and Special Fuel Tax Amendments - HB 388

Multi-channel Video or Audio Service Tax - County or Municipality Franchise Fee Tax Credit - SB 145

Municipal Energy Sales and Use Tax Revisions - HB 436

Property Tax Abatement or Deferral - SB 132

Property Tax Deferral - Senior Citizens - HB 78

Property Tax Modifications - HB 467

Property Tax Rate Freeze - HB 413

Renewable Energy Tax Credit - HB 30

Research Activities Tax Credit Amendments - SB 171

Resolution Submitting Question to Voters on Removing the State and Local Sales and Use Taxes on Food and Food Ingredients - HJR 15

Resolution Supporting Working Families Economic Development Initiative - HJR 13

Sales and Use Tax - Dental Prostheses - SB 37

Sales and Use Tax Amendments - HB 378

Sales and Use Tax Exemption for Certain Business Inputs - SB 142

Sales and Use Tax Exemption for Railroad Common Carrier Locomotive Engine Fuel - SB 253

Sales and Use Tax Incentive Payment by a County or Municipality - HB 398

Sales and Use Taxation of Food and Food Ingredients - HB 282

Severance Tax Revisions - HB 370

Tax Changes - HB 420

Tax Incentives for Alternate Power Generation - SB 13

Tax Modifications - SB 244

Tax Revisions - HB 123

Transient Room Taxes Amendments - HB 389

REVISOR LEGISLATION

Revisors Directive on Unconstitutional Statutes - SB 212

RIGHT OF WAY

Amendments to Permanent Easements over Trust Land - HB 428

Rights of Way Act Amendments - SB 213

RURAL DEVELOPMENT

Utah Business Assistance Center Pilot Act - SB 176

SAFETY INSPECTION, MOTOR VEHICLES

Vehicle Safety Inspection Amendments - SB 168

SALES AND USE TAX

Income and Sales and Use Tax Amendments - HB 394

Local Option Distribution Formula for the Distribution of the Local Option Sales and Use Tax - HB 203

Municipal Energy Sales and Use Tax Revisions - HB 436

Research Activities Tax Credit Amendments - SB 171

Resolution Submitting Question to Voters on Removing the State and Local Sales and Use Taxes on Food and Food Ingredients - HJR 15

Sales and Use Tax - Dental Prostheses - SB 37

Sales and Use Tax Amendments - HB 378

Sales and Use Tax Exemption for Certain Business Inputs - SB 142

Sales and Use Tax Exemption for Railroad Common Carrier Locomotive Engine Fuel - SB 253

Sales and Use Tax Incentive Payment by a County or Municipality - HB 398

Sales and Use Taxation of Food and Food Ingredients - HB 282

Tax Revisions - HB 123

SCHOOL FINANCE

Education Transportation Amendments - SB 174

Instructional Expenses Requirements - HB 193

SCHOOL PERSONNEL

Critical Needs Hiring Practices for Teachers - HB 451

Professional Excellence Programs - HB 381

School District Superintendent Retention Elections - HB 144

State Office of Education Human Resource Management Amendments - HB 184

Teacher Loan Program - HB 416

SCHOOL SAFETY

School Discipline - HB 472

School Safety Amendments - HB 186

SEAT BELT LAWS

Safety Belt Amendments - SB 36

SECURITIES

Department of Commerce Fund Amendments - SB 121

Securities Amendments - HB 153

SEVERANCE TAX

Severance Tax Revisions - HB 370

SEXUAL OFFENSES

Penalties for Sex Offense Against a Child - HB 376

Sex Offender Law Amendments - HB 403

Sex Offenders Registry Amendments - HB 284

SIGNS

Traffic Light Enforcement - HB 470

SOLID WASTE

Waste Modifications - SB 264

SPECIAL DISTRICTS

Law Enforcement Districts - HB 450

Municipal Land Use, Development, and Management Changes - SB 172

Utility Improvement District Revisions - SB 185

Water Conservancy Districts - Selection of Board of Trustees - SB 220

SPEED LIMITS

Speed Restrictions on Commercial Vehicles - HB 199

STATE AFFAIRS IN GENERAL

Crime Victim Reparations Amendments - HB 281

Eminent Domain - HB 334

Eminent Domain Amendments - HB 187

Free Exercise of Religion Without Government Interference - SB 111

General Government Law Amendments - HB 465

General Government Modifications - SB 269

General Government Provisions - SB 257

Historic Monument Provisions - SB 263

Observing Juneteenth Day by the State - HB 11

Protection of Constitutionally Guaranteed Activities in Certain Private Venues - SB 78

Resolution Urging United States Withdrawal from Security and Prosperity Partnership of North America - HJR 7

STATE BOARD OF EDUCATION

Boards of Education Membership Amendments - SB 194

Education Governance Amendments - SB 226

Resolution Providing Appointment of State Superintendent of Education - SJR 11

STATE BOARDS, COMMISSIONS, AND COUNCILS

Utah Business Assistance Center Pilot Act - SB 176

STATE BUILDINGS

State Facility Water Conservation Program - HB 380

STATE LANDS

Fire Management Areas - HB 411

Senior Permits for State Parks - HB 214

STATE OFFICERS AND EMPLOYEES

Benefits and Insurance of Constitutional Officers - HB 294

Contribution Limits for State Constitutional Officers - SB 116

Public Employees 25 Year Retirement - HB 325

STATE TAX COMMISSION

Invest More for Education Fund - Voluntary Contribution to Public Education - HB 308

Judicial Review, Attorney Fees, and Procedure Relating to Tax Commission Decisions - SB 208

TASK FORCE / COMMITTEES

Eminent Domain - HB 334

Small Business Health Plan Task Force - HB 152

Utah Suicide Prevention Act - HB 252

TECHNOLOGY

Child Protection Registry Information - HB 379

TELECOMMUNICATIONS

State Franchising Authority for Video Services - SB 209

TELEPHONE

Cell Phone Restriction for Teen Drivers - HB 217

Regulating Hands-free Wireless Telephone Use While Operating a Motor Vehicle - HB 182

TELEVISION

State Franchising Authority for Video Services - SB 209

TOBACCO

Smoking Ban in Vehicle When a Child Is Present - SB 43

TOURISM

Definition of Agri-tourism - HB 424

Funding for Tourism Promotion - SB 68

TRANSPORTATION

Amendments to Driving Under the Influence Provisions - HB 453

Amendments to Permanent Easements over Trust Land - HB 428

Amendments to State Highway System - HB 266

Aviation Amendments - HB 414

Cell Phone Restriction for Teen Drivers - HB 217

Child Restraint Device Amendments - HB 209

Confidentiality of Reports to Driver License Division - SB 84

Driver Education Curriculum - HB 322

Driver License - Application of Minor - HB 213

Driver License Qualification Amendments - HB 220

Driving by Minors Amendments - HB 82

Highway Amendments - SB 233

Highway Jurisdictional Transfer - HB 81

Honoring Heroes Special Group License Plate - HB 115

Local Community Rail Security Act - SB 79

Motor and Special Fuel Tax Amendments - HB 388

Off-highway Vehicle Amendments - HB 321

Prohibition of Studded Snow Tires on State Highways - HB 448

Regulating Hands-free Wireless Telephone Use While Operating a Motor Vehicle - HB 182

Required Headlight Use on Vehicles - HB 35
 Requirements for Off-highway Vehicles - HB 237
 Rights of Way Act Amendments - SB 213
 Safety Belt Amendments - SB 36
 Smoking Ban in Vehicle When a Child Is Present - SB 43
 Special License Plate for Deaf and
 Hard of Hearing - HB 471
 Speed Restrictions on Commercial Vehicles - HB 199
 Street-legal All-terrain Vehicle Amendments - HB 425
 Suspension of Hunting or Fishing Privileges for Illegal
 Vehicle Use - HB 421
 Traffic Light Enforcement - HB 470
 Transportation Amendments - HB 455
 Transportation Revisions - HB 166
 Utah Housing Opportunity Special Group License Plate -
 HB 445
 Vehicle Safety Inspection Amendments - SB 168
 Vehicle Towing Requirements - SB 120
 Vehicles Included in State Fleet - HB 344
 Zion National Park Special Group License Plate - HB 288

TRANSPORTATION FUND

Motor and Special Fuel Tax Amendments - HB 388

TRUST LANDS

Amendments to Permanent Easements over Trust Land -
 HB 428
 School and Institutional Trust Lands Management Act
 Amendments - HB 229
 School and Institutional Trust Lands Revisions - SB 175

UNIFORM FEES

Aviation Amendments - HB 414

UNIFORM LAWS

Uniform Real Property Electronic Recording - SB 88

UNIFORM PROBATE CODE

Presumptive Personal Representative - SB 152
 Wrongful Death Amendments - SB 58

UTAH MUNICIPAL CODE

Approval of Subdivisions - HB 296
 County and Municipalities Boundary
 Adjustments - HB 408
 Environmentally Restricted Zoning Districts - HB 233
 Government Boundary Changes - HB 401
 Multi-channel Video or Audio Service Tax - County or
 Municipality Franchise Fee Tax Credit - SB 145
 Municipal Amendments - HB 457
 Municipal Code Amendments - SB 130
 Municipal Energy Sales and Use Tax Revisions - HB 436
 Municipal Land Use, Development, and Management
 Changes - SB 172
 Municipal License Fees and Taxes Amendments - HB 306

Municipal Voting Requirement for Sale of Public Land -
 HB 109
 Prohibition of Citation Quotas - HB 255
 Transient Room Taxes Amendments - HB 389
 Utility Improvement District Revisions - SB 185
 Voting Machines Used by Municipalities - HB 454

VICTIMS' RIGHTS

Crime Victim Reparations Amendments - HB 281
 Crime Victim Reparations Records - SB 72
 Domestic Violence and Dating Violence Amendments -
 HB 28
 Juror Transport Amendments - HB 116

WAGES

Minimum Wage Amendments - SB 34
 Minimum Wage Provisions - HB 256
 Resolution Submitting Minimum Wage Question to Voters
 - SJR 6

WATER AND IRRIGATION

Dividing Groundwater with Another State - HB 422
 Instream Flow to Protect Trout Habitat - SB 29
 Permanent Instream Flow to Preserve
 Water Quality - SB 95
 State Facility Water Conservation Program - HB 380
 Trust Requirement for Division of Shared Groundwater -
 HB 418
 Water Conservancy Districts - Selection of Board of
 Trustees - SB 220

WATER QUALITY

Permanent Instream Flow to Preserve
 Water Quality - SB 95
 Safe Drinking Water Amendments - HB 140

WEAPONS

Discharge of a Firearm Amendments - HB 113
 Employer Liability - Dependant on Allowance of Lawful
 Guns on Premises - SB 210
 Innkeeper's Rights Act Modifications - HB 355
 Rights of Citizens to Carry Firearms in Declared
 Emergency - SB 201
 Weapons Modifications - HB 390

WORKERS' COMPENSATION

Workers' Compensation Amendments - HB 397

WORKFORCE SERVICES CODE

Dental Hygienist Licensing Act Amendments - SB 124
 Limitation on Government Benefits to Aliens Unlawfully
 Present in the United States - HB 437
 Marriage Preparation Education - HB 350
 Resolution Encouraging Architects' and Engineers'
 Professional Ethics - SCR 3

ZONING

Environmentally Restricted Zoning Districts - HB 233

Statistical Summary of Legislation

2007 General Session

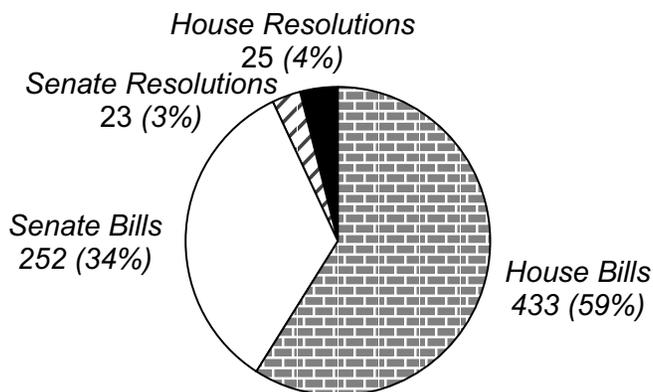
	House	Senate	Total
Total Bills and Resolutions Introduced	458	275	733
Total Bills and Resolutions Passed	246	177	423
Total Bills and Resolutions Enacted	246	177	423

Bills Introduced	433	252	685
Bills Passed	229	163	392
Bills Vetoed	0	0	0
Bills with Line Items Vetoed	0	0	0
Total Bills Enacted	229	163	392

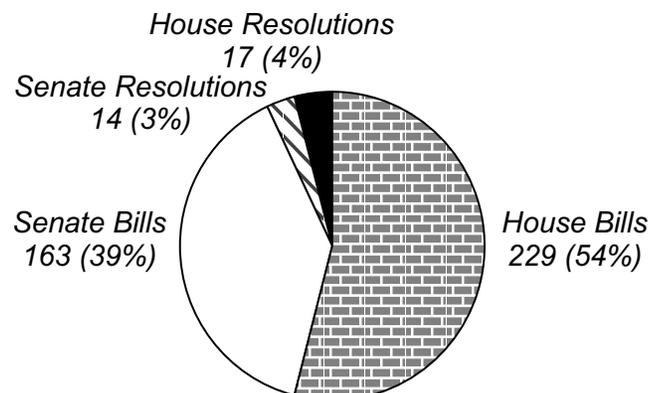
Joint Resolutions Introduced	16	13	29
Concurrent Resolutions Introduced	7	5	14
House & Senate Resolutions Introduced	2	3	5
Total Resolutions Introduced	25	23	48

Joint Resolutions Passed	8	7	15
Concurrent Resolutions Passed	7	5	12
House & Senate Resolutions Passed	2	2	4
Total Resolutions Passed	17	14	31

Introduced - 733

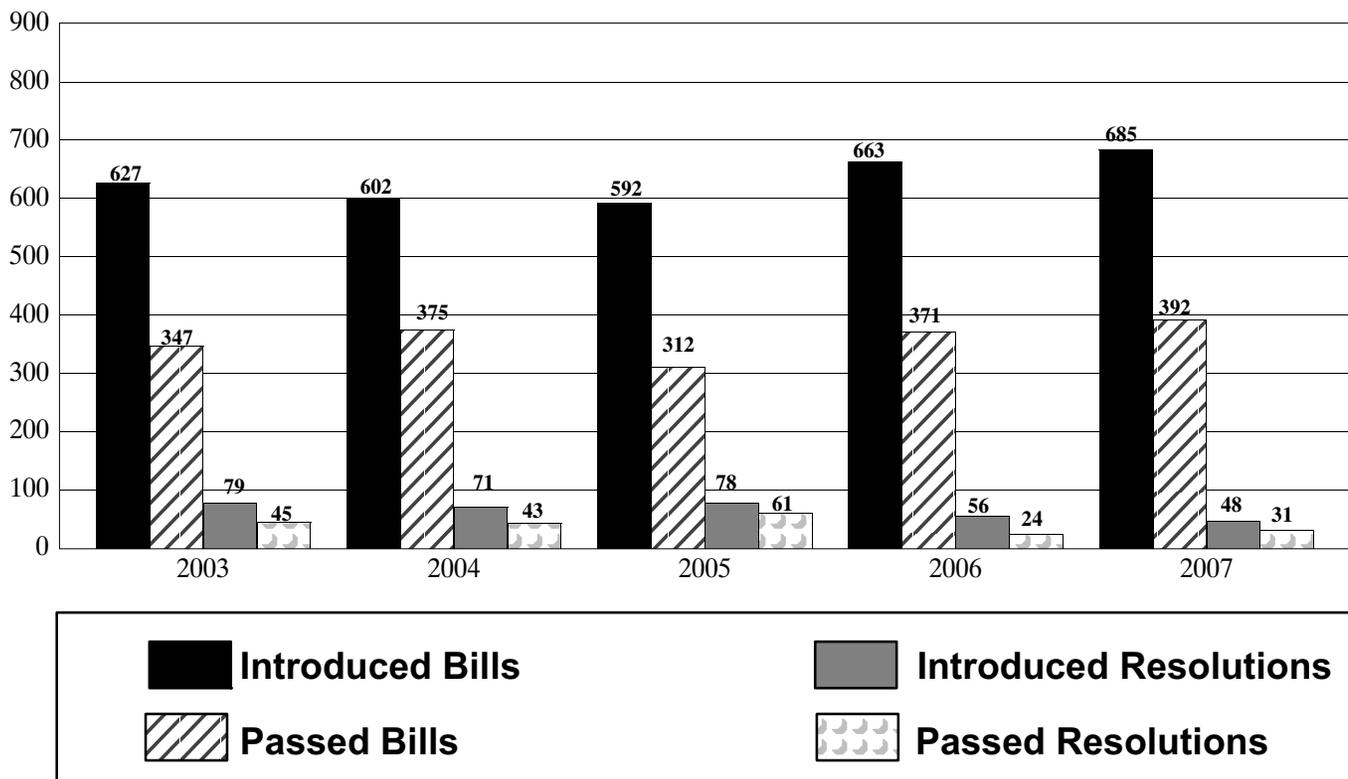


Passed - 423



Statistical Summary of General Sessions 2003-2007

	2003	2004	2005	2006	2007
Bills Introduced	627	602	592	663	685
Bills Passed	347	375	312	371	392
Percentage of Bills Passed	55%	62%	53%	56%	57%
Bills Vetoed	4	6	2	4	0
Veto Overridden	0	2	0	0	0
Bills Failed Due to Lack of Presentment			1	0	0
Joint Resolutions Introduced	40	36	41	38	29
Joint Resolutions Passed	21	18	32	13	15
Concurrent Resolutions Introduced	22	21	24	11	14
Concurrent Resolutions Passed	11	15	20	5	12
House & Senate Resolutions Introduced	17	14	13	7	5
House & Senate Resolutions Passed	13	10	9	6	4



DIGEST OF LEGISLATION

2006 THIRD SPECIAL SESSION of the 56th Legislature

**Convened May 24, 2006
and Adjourned May 24, 2006**

*Prepared by the
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Utah State Capitol Complex
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PASSED LEGISLATION 2006 THIRD SPECIAL SESSION

HB 3001 Technical Reallocation of Transportation Funding (*Ron Bigelow*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ revises transportation related items of appropriation vetoed by the Governor for technical reasons following the 2006 General Session.
- ▶ This bill appropriates for fiscal year 2007:
 - ▶ \$291,000,000 from the General Fund;
 - ▶ \$205,706,600 from various sources as detailed in this bill.
- ▶ If approved by two-thirds of all the members elected to each house, this bill takes effect July 1, 2006.

Effective July 24, 2006

Chapter 6, Laws of Utah 2006, THIRD SPECIAL SESSION

HB 3002 Appropriation to Fund New Drivers License Programs (*Ron Bigelow*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ provides intent language;
- ▶ appropriates restricted revenue to implement the provisions of Driver License - Learner Permit Provisions (House Bill 363, 2006 General Session);
- ▶ appropriates restricted revenue to implement the provisions of Disclosure of Driver License Records (Senate Bill 88, 2006 General Session).
- ▶ This bill appropriates for fiscal year 2007:
 - ▶ \$597,300 from restricted revenue as detailed in this bill.
- ▶ If approved by two-thirds of all the members elected to each house, this bill takes effect July 1, 2006.

Effective July 1, 2006

Chapter 7, Laws of Utah 2006, THIRD SPECIAL SESSION

HB 3003 Shelter Hearing Technical Amendments (*Wayne A. Harper*)

This bill amends the portion of the Juvenile Court Act of 1996 that relates to shelter hearings.

This bill:

- ▶ amends protective custody provisions to conform to the definitions of "child" and "minor";
- ▶ deletes conflicting language relating to establishing prima facie evidence at a shelter hearing that a child is at risk of suffering abuse or neglect if the child is released from protective custody; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 78-3a-306

Effective May 26, 2006

Chapter 8, Laws of Utah 2006, THIRD SPECIAL SESSION

HB 3004 Sales and Use Tax Relating to Food *(Ben C. Ferry)*

This bill modifies the Sales and Use Tax Act relating to food.

This bill:

- ▶ modifies the definitions of:
 - “bundled transaction”;
 - “food and food ingredients”; and
 - “prepared food”;
- ▶ repeals provisions relating to the taxation of a transaction involving the sale of food and food ingredients at the same location;
- ▶ modifies an effective date relating to an appropriation to the State Tax Commission for distribution to certain sellers to reimburse some of their costs in complying with the reduced sales and use tax rate imposed on food and food ingredients;
- ▶ modifies provisions relating to that appropriation; and
- ▶ makes technical changes.
- ▶ This bill provides an effective date.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-12-102 (Effective 01/01/07), 59-12-103 (Effective 01/01/07), Section 5, Chapter 282, Laws of Utah 2006, Section 6, Chapter 282, Laws of Utah 2006

Effective January 1, 2007

Chapter 9, Laws of Utah 2006, THIRD SPECIAL SESSION

HJR 301 Resolution Approving Use of Federal Funds by the Department of Natural Resources *(David Clark)*

This joint resolution of the Legislature approves a new federal funds request for an endangered species grant made by the Department of Natural Resources.

This resolution:

- ▶ approves a high impact federal funds request made by the Department of Natural Resources for land acquisition to protect desert tortoise habitat, as required by the Endangered Species Act.

Effective May 24, 2006

Laws of Utah 2006, THIRD SPECIAL SESSION

SB 3001 Appropriation Transfer for Division of Museum Services (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ transfers appropriations among line items to implement the provisions of Office of Museum Services (Senate Bill 23, 2006 General Session).
- ▶ This bill in sum appropriates nothing for fiscal year 2007.
- ▶ If approved by two-thirds of all the members elected to each house, this bill takes effect July 1, 2006.

Effective July 1, 2006

Chapter 1, Laws of Utah 2006, THIRD SPECIAL SESSION

SB 3002 Access to Information Gained by the State Tax Commission from Returns (*Curtis S. Bramble*)

This bill amends the Revenue and Taxation title to allow the Office of the Legislative Fiscal Analyst and the Office of Legislative Research and General Counsel to receive under certain circumstances information gained by the State Tax Commission that is required to be attached to or included in returns filed with the State Tax Commission.

This bill:

- ▶ defines terms;
- ▶ allows the following offices to receive under certain circumstances information gained by the State Tax Commission that is required to be attached to or included in returns filed with the State Tax Commission:
 - the Office of the Legislative Fiscal Analyst; and
 - the Office of Legislative Research and General Counsel;
- ▶ provides that an office may not request and the State Tax Commission may not disclose a person's:
 - address;
 - name;
 - Social Security number; or
 - taxpayer identification number;
- ▶ requires the State Tax Commission to protect the privacy of a person by not disclosing the information described in the above paragraph;
- ▶ limits the ability of an office to provide information:
 - gained by the State Tax Commission that is required to be attached to or included in returns filed with the State Tax Commission; and
 - that the office receives from the State Tax Commission;
- ▶ addresses the circumstances under which a person may request from an office information:
 - gained by the State Tax Commission that is required to be attached to or included in returns filed with the State Tax Commission; and
 - that the office receives from the State Tax Commission;
- ▶ provides that penalty provisions do not apply under certain circumstances; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 59-1-403

Effective May 26, 2006

Chapter 2, Laws of Utah 2006, THIRD SPECIAL SESSION

SB 3003 Uniform Interstate Enforcement of Domestic Violence Protection Orders Act - Transitional Provisions (*Lyle W. Hillyard*)

This bill amends the transitional application provision of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

This bill:

- ▶ amends the transitional application provision of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act to correctly coordinate with the act's July 1, 2006 effective date.
- ▶ If approved by two-thirds of all the members elected to each house, this bill takes effect on July 1, 2006.

Amends 30-6a-111

Effective July 1, 2006

Chapter 3, Laws of Utah 2006, THIRD SPECIAL SESSION

SB 3004 Securities Amendments (*Curtis S. Bramble*)

This bill modifies the Utah Uniform Securities Act.

This bill:

- ▶ requires a broker-dealer to notify the division of the failure to settle certain securities transactions occurring on or after October 1, 2006;
- ▶ addresses liability for failure to file the notice including waiver of penalties or amounts owed for reasonable cause;
- ▶ addresses liability for certain persons if the broker-dealer fails to give the required notice;
- ▶ defines "threshold security";
- ▶ addresses what causes of action are created by the Utah Uniform Securities Act; and
- ▶ makes technical changes.
- ▶ This bill provides an immediate effective date.

Amends 61-1-5, 61-1-13, 61-1-22

Effective May 26, 2006

Chapter 4, Laws of Utah 2006, THIRD SPECIAL SESSION

SB 3007 Economic Development Tax Incentive Fund Appropriation Modification (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ provides intent language;
- ▶ appropriates restricted revenue to support economic development.
- ▶ This bill appropriates for fiscal year 2007:
- ▶ \$1,528,000 from restricted revenue as detailed in this bill.
- ▶ This bill provides an effective date.

Effective July 24, 2006

Chapter 5, Laws of Utah 2006, THIRD SPECIAL SESSION

SCR 301 Approval of Transportation Maintenance Shed Construction (*John W. Hickman*)

This concurrent resolution of the Legislature and the Governor approves the construction of the new transportation maintenance shed near Meadow, Utah.

This resolution:

- ▶ approves the construction of the new transportation maintenance shed near Meadow, Utah.

Effective May 26, 2006

Laws of Utah 2006, THIRD SPECIAL SESSION

SCR 302 Resolution Approving Parking Structure for Capitol Complex (*L. Alma Mansell*)

This concurrent resolution of the Legislature and the Governor authorizes the Capitol Preservation Board to expend certain appropriations to construct an underground parking structure east of the state capitol building and to reconfigure the northeast capitol hill parking area.

This resolution:

- ▶ authorizes the Capitol Preservation Board to divert up to \$15 million from existing appropriations to construct an underground parking structure east of the state capitol building and to reconfigure the northeast capitol hill parking area.

Effective May 26, 2006

Laws of Utah 2006, THIRD SPECIAL SESSION

SUBJECT INDEX OF PASSED LEGISLATION 2006 THIRD SPECIAL SESSION

APPROPRIATIONS

Appropriation to Fund New Drivers License Programs - HB 3002	265
Appropriation Transfer for Division of Museum Services - SB 3001	267
Technical Reallocation of Transportation Funding - HB 3001	265

BUSINESS

Securities Amendments - SB 3004	268
---------------------------------------	-----

CAPITOL HILL

Resolution Approving Parking Structure for Capitol Complex - SCR 302	269
---	-----

DEPARTMENT OF NATURAL RESOURCES

Resolution Approving Use of Federal Funds by the Department of Natural Resources - HJR 301	266
---	-----

DOMESTIC VIOLENCE

Shelter Hearing Technical Amendments - HB 3003	265
Uniform Interstate Enforcement of Domestic Violence Protection Orders Act - Transitional Provisions - SB 3003	268

DRIVER LICENSE

Appropriation to Fund New Drivers License Programs - HB 3002	265
---	-----

ECONOMIC DEVELOPMENT

Economic Development Tax Incentive Fund Appropriation Modification - SB 3007	268
---	-----

GOVERNMENT OPERATIONS (STATE ISSUES)

Appropriation Transfer for Division of Museum Services - SB 3001	267
Economic Development Tax Incentive Fund Appropriation Modification - SB 3007	268

HUMAN SERVICES

Shelter Hearing Technical Amendments - HB 3003	265
Uniform Interstate Enforcement of Domestic Violence Protection Orders Act - Transitional Provisions - SB 3003	268

LEGISLATIVE AFFAIRS

Resolution Approving Parking Structure for Capitol Complex - SCR 302	269
---	-----

MUSEUMS

Appropriation Transfer for Division of Museum Services - SB 3001	267
---	-----

RESOLUTIONS

Resolution Approving Use of Federal Funds by the Department of Natural Resources - HJR 301	266
Resolution Approving Parking Structure for Capitol Complex - SCR 302	269

REVENUE AND TAXATION

Access to Information Gained by the State Tax Commission from Returns - SB 3002	267
Sales and Use Tax Relating to Food - HB 3004	266

SALES AND USE TAX

Sales and Use Tax Relating to Food - HB 3004	266
--	-----

SECURITIES

Securities Amendments - SB 3004	268
---------------------------------------	-----

SPECIAL SESSION

Access to Information Gained by the State Tax Commission from Returns - SB 3002	267
Appropriation to Fund New Drivers License Programs - HB 3002	265
Appropriation Transfer for Division of Museum Services - SB 3001	267
Approval of Transportation Maintenance Shed Construction - SCR 301	269
Economic Development Tax Incentive Fund Appropriation Modification - SB 3007	268
Resolution Approving Use of Federal Funds by the Department of Natural Resources - HJR 301	266
Sales and Use Tax Relating to Food - HB 3004	266
Shelter Hearing Technical Amendments - HB 3003	265
Technical Reallocation of Transportation Funding - HB 3001	265
Uniform Interstate Enforcement of Domestic Violence Protection Orders Act - Transitional Provisions - SB 3003	268
Resolution Approving Parking Structure for Capitol Complex - SCR 302	269

STATE LANDS

Approval of Transportation Maintenance Shed Construction - SCR 301	269
---	-----

TRANSPORTATION

Appropriation to Fund New Drivers License Programs - HB 3002	265
---	-----

Approval of Transportation Maintenance Shed
Construction - SCR 301 269

Technical Reallocation of Transportation
Funding - HB 3001 265

VICTIMS' RIGHTS

Uniform Interstate Enforcement of Domestic
Violence Protection Orders Act - Transitional
Provisions - SB 3003 268

Utah Code Sections Affected 2006 Third Special Session

Legend: The action taken on each section is as follows:

A Amended
E Enacted
R Repealed
X Repealed and Reenacted
N Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
30-6a-111	A	SB 3003		268	61-1-5	A	SB 3004		268
59-1-403	A	SB 3002		267	61-1-13	A	SB 3004		268
59-12-102	A	HB 3004		266	61-1-22	A	SB 3004		268
59-12-103	A	HB 3004		266	78-3a-306	A	HB 3003		265

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

SUBJECT INDEX OF LEGISLATION NOT PASSED 2006 THIRD SPECIAL SESSION

EXECUTIVE BRANCH

Executive Compensation Amendments - SB 3005

GOVERNMENT OPERATIONS (STATE ISSUES)

Executive Compensation Amendments - SB 3005

HEALTH

Authorizing Expenditure of Certain Medicaid Funds for
Emergency Dental Services - HB 3005

MEDICAID

Authorizing Expenditure of Certain Medicaid Funds for
Emergency Dental Services - HB 3005

Providing Medicaid Benefits for Emergency Dental
Services - SB 3008

MEDICAL ASSISTANCE PROGRAMS

Authorizing Expenditure of Certain Medicaid Funds for
Emergency Dental Services - HB 3005

Providing Medicaid Benefits for Emergency Dental
Services - SB 3008

SPECIAL SESSION

Authorizing Expenditure of Certain Medicaid Funds for
Emergency Dental Services - HB 3005

Executive Compensation Amendments - SB 3005

STATE OFFICERS AND EMPLOYEES

Executive Compensation Amendments - SB 3005

INTRODUCED LEGISLATION 2006 THIRD SPECIAL SESSION

HB 3001	Technical Reallocation of Transportation Funding (<i>Ron Bigelow</i>)	Passed
HB 3002	Appropriation to Fund New Drivers License Programs (<i>Ron Bigelow</i>)	Passed
HB 3003	Shelter Hearing Technical Amendments (<i>Wayne A. Harper</i>)	Passed
HB 3004	Sales and Use Tax Relating to Food (<i>Ben C. Ferry</i>)	Passed
HB 3005	Authorizing Expenditure of Certain Medicaid Funds for Emergency Dental Services (<i>Steven R. Mascaro</i>)	Failed
HJR 301	Resolution Approving Use of Federal Funds by the Department of Natural Resources (<i>David Clark</i>)	Passed
SB 3001	Appropriation Transfer for Division of Museum Services (<i>Lyle W. Hillyard</i>)	Passed
SB 3002	Access to Information Gained by the State Tax Commission from Returns (<i>Curtis S. Bramble</i>)	Passed
SB 3003	Uniform Interstate Enforcement of Domestic Violence Protection Orders Act - Transitional Provisions (<i>Lyle W. Hillyard</i>)	Passed
SB 3004	Securities Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 3005	Executive Compensation Amendments (<i>Peter C. Knudson</i>)	Failed
SB 3007	Economic Development Tax Incentive Fund Appropriation Modification (<i>Lyle W. Hillyard</i>)	Passed
SCR 301	Approval of Transportation Maintenance Shed Construction (<i>John W. Hickman</i>)	Passed
SCR 302	Resolution Approving Parking Structure for Capitol Complex (<i>L. Alma Mansell</i>)	Passed

DIGEST OF LEGISLATION

2006 FOURTH SPECIAL SESSION of the 56th Legislature

**Convened September 19, 2006
and Adjourned September 19, 2006**

*Prepared by the
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**PASSED LEGISLATION
2006 FOURTH SPECIAL SESSION**

HB 4001 County Option Funding for Regionally Significant Transportation Infrastructure
(Rebecca D. Lockhart)

This bill modifies the County Powers, the Sales and Use Tax Act, and Transportation Finances Act to address transportation funding for counties.

This bill:

- ▶ prohibits a county legislative body from using property taxes to fund fixed guideways; provides definitions; authorizes a county legislative body to impose a local option sales and use tax of up to .25% beginning on or after April 1, 2007 for certain transportation uses; requires a county imposing the tax to establish a prioritization process with weighted criteria; requires at least 25% of the revenues collected in a county of the first or second class to be expended on corridor preservation; provides the purposes for which revenues collected for the tax may be expended; provides procedures and requirements for imposing the tax; establishes the duties of the State Tax Commission to administer, collect, and enforce the tax; and makes technical changes.
- ▶ This bill provides an effective date.
- ▶ This bill provides revisor instructions.

Amends 59-12-102 (Effective 01/01/07), 72-2-117.5, 72-2-121

Enacts 17-50-322, 59-12-1701, 59-12-1702, 59-12-1703, 59-12-1704, 59-12-1705

Effective September 20, 2006 Chapter 1, Laws of Utah 2006, FOURTH SPECIAL SESSION

SB 4001 Income Tax Amendments *(Curtis S. Bramble)*

This bill amends the Individual Income Tax Act relating to tax brackets, additions, and subtractions, and enacts the Single Rate Individual Income Tax Act.

This bill:

- ▶ modifies tax brackets for taxable years beginning on or after January 1, 2006;
- ▶ for taxable years beginning on or after January 1, 2009, requires individual income tax brackets to be adjusted for changes in the consumer price index;
- ▶ modifies additions to and subtractions from federal taxable income for purposes of calculating individual income taxes;
- ▶ enacts the Single Rate Individual Income Tax Act:
 - for taxable years beginning on or after January 1, 2007; and
 - that allows a resident or nonresident individual to determine each time the resident or nonresident individual files a state individual income tax return or amended return, whether to calculate and pay a single rate individual income tax on the basis of adjusted gross income or pay a multi-rate individual income tax on the basis of federal taxable income;
- ▶ enacts, modifies, and repeals definitions;
- ▶ repeals the authority for the State Tax Commission to prescribe tax tables and for an individual to elect to pay an individual income tax on the basis of those tax tables;
- ▶ repeals an intent statement relating to the Individual Income Tax Act;
- ▶ grants rulemaking authority to the State Tax Commission; and
- ▶ makes technical changes.
- ▶ This bill provides an effective date and provides for retrospective operation.

Amends 59-10-103, 59-10-104, 59-10-104.1, 59-10-114, 59-10-115, 59-10-116, 59-10-117, 59-10-202, 59-10-303, 59-10-1002, 59-10-1005

Enacts 59-10-1201, 59-10-1202, 59-10-1203, 59-10-1204, 59-10-1205, 59-10-1206, 59-10-1207

Repeals 59-10-102, 59-10-105, 59-10-111, 59-10-112

Effective January 1, 2007

Chapter 2, Laws of Utah 2006, FOURTH SPECIAL SESSION

**SUBJECT INDEX OF PASSED LEGISLATION
2006 FOURTH SPECIAL SESSION**

INCOME TAX

Income Tax Amendments - SB 4001 282

REVENUE AND TAXATION

County Option Funding for Regionally Significant

 Transportation Infrastructure - HB 4001 281

Income Tax Amendments - SB 4001 282

SPECIAL SESSION

Income Tax Amendments - SB 4001 282

TRANSPORTATION

County Option Funding for Regionally Significant

 Transportation Infrastructure - HB 4001 281

Utah Code Sections Affected 2006 Fourth Special Session

Legend: The action taken on each section is as follows:

A **Amended**
E **Enacted**
R **Repealed**
X **Repealed and Reenacted**
N **Renumbered and Amended**

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
17-50-322	E	HB 4001		281	59-10-1201	E	SB 4001		282
59-10-102	R	SB 4001		282	59-10-1202	E	SB 4001		282
59-10-103	A	SB 4001		282	59-10-1203	E	SB 4001		282
59-10-104	A	SB 4001		282	59-10-1204	E	SB 4001		282
59-10-104.1	A	SB 4001		282	59-10-1205	E	SB 4001		282
59-10-105	R	SB 4001		282	59-10-1206	E	SB 4001		282
59-10-111	R	SB 4001		282	59-10-1207	E	SB 4001		282
59-10-112	R	SB 4001		282	59-12-102	A	HB 4001		281
59-10-114	A	SB 4001		282	59-12-1701	E	HB 4001		281
59-10-115	A	SB 4001		282	59-12-1702	E	HB 4001		281
59-10-116	A	SB 4001		282	59-12-1703	E	HB 4001		281
59-10-117	A	SB 4001		282	59-12-1704	E	HB 4001		281
59-10-202	A	SB 4001		282	59-12-1705	E	HB 4001		281
59-10-303	A	SB 4001		282	72-2-117.5	A	HB 4001		281
59-10-1002	A	SB 4001		282	72-2-121	A	HB 4001		281
59-10-1005	A	SB 4001		282					

A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

**INTRODUCED LEGISLATION
2006 FOURTH SPECIAL SESSION**

HB 4001	County Option Funding for Regionally Significant Transportation Infrastructure (<i>Rebecca D. Lockhart</i>)	Passed
SB 4001	Income Tax Amendments (<i>Curtis S. Bramble</i>)	Passed

DIGEST OF LEGISLATION

2006 FIFTH SPECIAL SESSION of the 56th Legislature

**Convened December 4, 2006
and Adjourned December 4, 2006**

*Prepared by the
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PASSED LEGISLATION 2006 FIFTH SPECIAL SESSION

HB 5001 Uniform Fees on Personal Property Amendments *(Patrick Painter)*

This bill amends the Property Tax Act to address the property tax treatment of tangible personal property required to be registered with the state.

This bill:

- ▶ provides and modifies definitions;
- ▶ modifies the uniform fees on certain tangible personal property required to be registered with the state;
- ▶ requires a county to make refunds to certain qualifying individuals;
- ▶ requires a county to notify owners of tangible personal property of the procedure to file for a refund; and
- ▶ makes technical changes.
- ▶ This bill provides an effective date.
- ▶ This bill provides revisor instructions.

Amends 59-2-405.2

Effective December 30, 2006 Chapter 3, Laws of Utah 2006, FIFTH SPECIAL SESSION

SB 5001 Congressional Four Member Redistricting Plan *(Curtis S. Bramble)*

This bill modifies statutory provisions governing Utah's United States Congressional districts.

This bill:

- ▶ repeals the four-member Congressional plan enacted in 2001;
- ▶ establishes new boundaries to create four United States Congressional districts in Utah;
- ▶ establishes certain maps as the legal boundaries of those Congressional districts;
- ▶ takes effect upon the occurrence of certain contingencies; and
- ▶ provides a legislative intent statement.
- ▶ This bill provides an immediate effective date for Section 2.
- ▶ This bill provides a contingent effective date for Sections 1, 3, and 5.
- ▶ This bill provides revisor instructions.

The original bill was recommended by the Redistricting Committee

Repeals Section 3, Chapter 7, Laws of Utah 2001, Second Special Session

Repeals and Reenacts 20A-13-101, 20A-13-101 (Contingently Superseded)

Effective December 5, 2006 Chapter 1, Laws of Utah 2006, FIFTH SPECIAL SESSION

SB 5002 Mechanics' Lien Payment Amendments *(Scott K. Jenkins)*

This bill changes the effective date of 2006 S.B. 161, Mechanics' Lien and Payment Amendments.

This bill:€changes the effective date of 2006 S.B. 161, Mechanics' Lien and Payment Amendments from January 1, 2007 to May 1, 2007.

- ▶ This bill provides an immediate effective date.

Amends Section 2, Chapter 203, Laws of Utah 2006, Section 2, Chapter 203, Laws of Utah 2006

Effective December 5, 2006 Chapter 2, Laws of Utah 2006, FIFTH SPECIAL SESSION

**SUBJECT INDEX OF PASSED LEGISLATION
2006 FIFTH SPECIAL SESSION****BUSINESS**

Mechanics' Lien Payment
Amendments - SB 5002 291

CONSTRUCTION INDUSTRIES

Mechanics' Lien Payment
Amendments - SB 5002 291

GOVERNMENT OPERATIONS (STATE ISSUES)

Congressional Four Member Redistricting
Plan - SB 5001 291

LIENS

Mechanics' Lien Payment Amendments - SB 5002 . 291

REDISTRICTING

Congressional Four Member Redistricting
Plan - SB 5001 291

REVENUE AND TAXATION

Uniform Fees on Personal Property
Amendments - HB 5001 291

UNIFORM FEES

Uniform Fees on Personal Property
Amendments - HB 5001 291

Utah Code Sections Affected 2006 Fifth Special Session

Legend: The action taken on each section is as follows:

- A** Amended
- E** Enacted
- R** Repealed
- X** Repealed and Reenacted
- N** Renumbered and Amended

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
20A-13-101	X	SB 5001		291
20A-13-101	X	SB 5001		291

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
59-2-405.2	A	HB 5001		291

**INTRODUCED LEGISLATION
2006 FIFTH SPECIAL SESSION**

HB 5001	Uniform Fees on Personal Property Amendments (<i>Patrick Painter</i>)	Passed
SB 5001	Congressional Four Member Redistricting Plan (<i>Curtis S. Bramble</i>)	Passed
SB 5002	Mechanics' Lien Payment Amendments (<i>Scott K. Jenkins</i>)	Passed