

1 **INFORMATION TECHNOLOGY COMMISSION**

2 **AMENDMENTS**

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David H. Steele**

6 **This act modifies the Information Technology Act. The act clarifies that the provisions**
7 **relating to certain terms of members refer to the members representing the public.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **63D-1-203**, as renumbered and amended by Chapter 73 and last amended by Chapter 276,
11 Laws of Utah 1997

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **63D-1-203** is amended to read:

14 **63D-1-203. Terms of members -- Vacancies -- Term limitation.**

15 (1) (a) Except as required by Subsections (1)(b) and (2), as terms of current public
16 commission members expire, the speaker of the House and the president of the Senate shall
17 appoint each new member or reappointed member to a four-year term.

18 (b) Notwithstanding the requirements of Subsection (a), the speaker of the House and the
19 president of the Senate shall, at the time of appointment or reappointment, adjust the length of
20 terms to ensure that the terms of commission members are staggered so that approximately half
21 of the commission is appointed every two years.

22 (c) Terms shall expire on June 30 every two years.

23 (2) (a) The chairs, with the approval of the commission, may remove a public commission
24 member and appoint another to fill the vacancy if the commission member, other than a legislator:

25 (i) has more than two consecutive unexcused absences from commission meetings in a
26 12-month period;

27 (ii) fails or refuses to fulfill the responsibilities and duties of a commission member; or

- 28 (iii) no longer represents the interest for which the member was originally appointed.
- 29 (b) If a member no longer serves in the Legislature, a vacancy is created.
- 30 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
- 31 appointed for the unexpired term in the same manner as the original appointment.
- 32 (3) A public member may not serve more than two consecutive terms.

Legislative Review Note
as of 11-28-00 9:01 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Public Utilities and Technology Interim Committee recommended this bill.