

SUNSET ACT AND REPEALERS

REAUTHORIZATIONS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheldon L. Killpack

House Sponsor: Kevin S. Garn

LONG TITLE

General Description:

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2010 Annual General Session of the Utah Legislature.

Highlighted Provisions:

This bill:

- ▶ reauthorizes certain named state entities and programs that are scheduled to sunset before the 2010 Annual General Session; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 60, Family Preservation Services Amendments, by providing superseding amendments.

Utah Code Sections Affected:

AMENDS:

63I-1-219, as last amended by Laws of Utah 2008, Chapter 148 and renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-226, as last amended by Laws of Utah 2008, Chapters 60, 148 and renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-258, as last amended by Laws of Utah 2008, Chapter 148 and renumbered and amended by Laws of Utah 2008, Chapter 382

30 **63I-1-261**, as renumbered and amended by Laws of Utah 2008, Chapter 382

31 **63I-1-262**, as last amended by Laws of Utah 2008, Chapter 136 and renumbered and
32 amended by Laws of Utah 2008, Chapter 382

33 **63I-1-263**, as last amended by Laws of Utah 2008, Chapters 148, 334, 339 and
34 renumbered and amended by Laws of Utah 2008, Chapter 382

35 **63I-1-278**, as last amended by Laws of Utah 2008, Chapters 3, 148 and renumbered
36 and amended by Laws of Utah 2008, Chapter 382

37 **63I-2-226**, as renumbered and amended by Laws of Utah 2008, Chapter 382



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

40 Section 1. Section **63I-1-219** is amended to read:

41 **63I-1-219. Repeal dates, Title 19.**

42 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, [~~2009~~] 2014.

43 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.

44 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, [~~2009~~] 2019.

45 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, [~~2009~~] 2019.

46 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
47 [~~2009~~] 2019.

48 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
49 1, 2010.

50 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
51 2018.

52 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.

53 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, [~~2009~~]
54 2019.

55 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2010.

56 (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,
57 2012.

58 Section 2. Section **63I-1-226** is amended to read:

59 **63I-1-226. Repeal dates, Title 26.**

60 (1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
61 1, 2015.

62 (2) Section 26-18-12, Expansion of 340B drug pricing programs, is repealed July 1,
63 2013.

64 [~~(3) Title 26, Chapter 23b, Detection of Public Health Emergencies Act, is repealed~~
65 ~~July 1, 2009.~~]

66 [(4)] (3) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
67 2014.

68 [(5)] (4) Section 26-21-23, Licensing of non-Medicaid nursing care facility beds, is
69 repealed July 1, 2011.

70 Section 3. Section **63I-1-258** is amended to read:

71 **63I-1-258. Repeal dates, Title 58.**

72 (1) Title 58, Chapter 9, Funeral Services Licensing Act, is repealed July 1, 2018.

73 (2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is
74 repealed July 1, 2016.

75 (3) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2015.

76 (4) Title 58, Chapter 20a, Environmental Health Scientist Act, is repealed July 1,
77 2013.

78 (5) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2013.

79 (6) Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing Act, is
80 repealed July 1, [2009] 2019.

81 (7) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2015.

82 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed
83 July 1, 2013.

84 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2014.

85 (10) Title 58, Chapter 49, Dietitian Certification Act, is repealed July 1, 2015.

86 (11) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2017.

87 Section 4. Section **63I-1-261** is amended to read:

88 **63I-1-261. Repeal dates, Title 61.**

89 Title 61, Chapter 1, Utah Uniform Securities Act, is repealed July 1, [~~2009~~] 2011.

90 Section 5. Section **63I-1-262** is amended to read:

91 **63I-1-262. Repeal dates, Title 62A.**

92 (1) Section 62A-5-103.1, Program for provision of supported employment services, is
93 repealed July 1, 2013.

94 (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed
95 July 1, [~~2009~~] 2014.

96 Section 6. Section **63I-1-263** is amended to read:

97 **63I-1-263. Repeal dates, Titles 63 to 63M.**

98 (1) Title 63M, Chapter 7, Part 4, Sentencing Commission, is repealed January 1, 2012.

99 (2) The Crime Victim Reparations Board, created in Section 63M-7-504, is repealed
100 July 1, 2017.

101 (3) The Resource Development Coordinating Committee, created in Section
102 63J-4-501, is repealed July 1, 2015.

103 (4) Title 63M, Chapter 1, Part 4, Enterprise Zone Act, is repealed July 1, 2018.

104 (5) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is
105 repealed July 1, 2010.

106 (b) Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in
107 recycling market development zones, are repealed for taxable years beginning on or after
108 January 1, 2011.

109 (c) Notwithstanding Subsection (5)(b), a person may not claim a tax credit under
110 Section 59-7-610 or 59-10-1007:

111 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
112 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

113 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if

114 the expenditure is made on or after July 1, 2010.

115 (d) Notwithstanding Subsections (5)(b) and (c), a person may carry forward a tax
116 credit in accordance with Section 59-7-610 or 59-10-1007 if:

117 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

118 (ii) (A) for the purchase price of machinery or equipment described in Section
119 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30,
120 2010; or

121 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b),
122 the expenditure is made on or before June 30, 2010.

123 (6) Title 63M, Chapter 8, Utah Commission for Women and Families, is repealed July
124 1, 2011.

125 (7) Title 63M, Chapter 9, Families, Agencies, and Communities Together for Children
126 and Youth At Risk Act, is repealed July 1, 2016.

127 (8) Title 63, Chapter 88, Navajo Trust Fund, is repealed July 1, 2008.

128 (9) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, [2009]
129 2012.

130 (10) Section 63A-4-204, authorizing the Risk Management Fund to provide coverage
131 to any public school district which chooses to participate, is repealed July 1, 2016.

132 (11) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1,
133 2016.

134 (12) Section 63C-8-106, Rural residency training program, is repealed July 1, 2015.

135 Section 7. Section **63I-1-278** is amended to read:

136 **63I-1-278. Repeal dates, Title 78A and Title 78B.**

137 (1) The Office of the Court Administrator, created in Section 78A-2-105, is repealed
138 July 1, 2018.

139 [~~5~~] (2) The case management program coordinator in Subsection 78A-2-108(4) is
140 repealed July 1, 2009.

141 [~~4~~] (3) Section 78B-3-421, regarding medical malpractice arbitration agreements, is

142 repealed July 1, [~~2009~~] 2019.

143 [~~(3)~~] (4) Alternative Dispute Resolution Act, created in Title 78B, Chapter 6, Part 2, is
144 repealed July 1, 2016.

145 [~~(2)~~] (5) Foster care citizen review boards and steering committee, created in Title
146 78B, Chapter 8, Part 1, is repealed July 1, 2012.

147 Section 8. Section **63I-2-226** is amended to read:

148 **63I-2-226. Repeal dates -- Title 26.**

149 [~~(1) Section 26-38-4 is repealed January 1, 2009.~~]

150 [~~(2)~~] Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance Program,
151 is repealed July 1, 2017.

152 Section 9. **Coordinating S.B. 143 with H.B. 60 -- Superseding amendments.**

153 If this S.B. 143 and H.B. 60, Family Preservation Services Amendments both pass, it is
154 the intent of the Legislature that the amendments to Subsection 63I-1-262(2) in H.B. 60
155 supersede the amendments to Subsection 63I-1-262(2) in this bill, when the Office of
156 Legislative Research and General Counsel prepares the Utah Code database for publication.