

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE
Room 445, State Capitol
January 28, 2015**

Members Present: Rep. Val Peterson, Chair
Rep. Jake Anderegg
Rep. Jon Cox
Rep. Susan Duckworth
Rep. Jim Dunnigan
Rep. Gage Froerer
Rep. Brad King
Rep. Dixon Pitcher
Rep. Marc Roberts
Rep. Mike Schultz
Rep. Jon Stanard
Rep. Curt Webb

Members Absent: Rep. John Knotwell, Vice Chair
Rep. Brad Wilson

Staff Present: Ms. Megan Bolin, Policy Analyst
Ms. Rosemary Young, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Chair Peterson called the meeting to order at 2:22 p.m. and invited the committee members to introduce themselves.

H.B. 57 Benefit Corporations Amendments (*Rep. K. Stratton*)

Rep. Stratton explained the bill assisted by Kathy Berg, Department of Commerce, Division of Corporations.

Spoke for the bill: Smoky Peck Pro Group Recycling Solutions
 Kelly Lake Le Croissant Catering

MOTION: Rep. Anderegg moved to pass out favorably H.B. 57. The motion passed unanimously with Rep. Dunnigan absent for the vote.

H.B. 98 Association Amendments (*Rep. G. Froerer*)

MOTION: Rep. Froerer moved to replace H.B.98 with 1st Substitute H.B. 98. The motion passed unanimously.

Rep. Froerer explained the bill assisted by Craig Moody, Community Association Institute, who distributed a handout titled "H.B. 98 Position Statement", and Paul Smith, Utah Apartment Association.

Spoke for the bill: Mike Ostermiller Utah Association of Realtors
Spoke to the bill with a question: Elain Witt Citizen

MOTION: Rep. Froerer moved to amend 1st Sub. H.B. 98 as follows:

1. *Page 11, Lines 305 through 307:*

305 [(8)] (7) Notwithstanding this section, an association of unit owners may {~~upon~~
306 ~~unanimous approval by all unit owners,~~} restrict or prohibit rentals without an
exception

307 described in Subsection [(3)] (2) {-} if:
(a) the restriction or prohibition receives unanimous approval by all unit owners;
and
(b) when the restriction or prohibition requires an amendment to the association of
unit owners' declaration, the association of unit owners fulfills all other
requirements for amending the declaration described in the association of unit
owners' governing documents.

2. *Page 21, Lines 630 through 632:*

630 [(8)] (7) Notwithstanding this section, an association may {~~upon unanimous~~
~~approval~~

631 ~~by all lot owners,~~} restrict or prohibit rentals without an exception described in
Subsection [(3)]

632 (2) {-} if:
(a) the restriction or prohibition receives unanimous approval by all lot owners;
and
(b) when the restriction or prohibition requires an amendment to the association's
recorded declaration of covenants, conditions, and restrictions, the association
fulfills all other requirements for amending the recorded declaration of covenants,
conditions, and restrictions described in the association's governing documents.

The motion passed unanimously.

MOTION: Rep. Pitcher moved to pass out favorably 1st Sub. H.B. 98. The motion passed unanimously with Rep. Roberts absent for the vote.

H.B. 99 Association Open Meeting Amendments (*Rep. M. Schultz*)

Rep. Schultz explained the bill assisted by Craig Moody, Community Association Institute, and Elain Witt, citizen.

MOTION: Rep. Anderegg moved to pass out favorably H.B. 99. The motion passed unanimously with Rep. Roberts absent for the vote.

MOTION: Rep. Stanard moved to adjourn. The motion passed unanimously with Rep. Roberts absent for the vote.

Chair Peterson adjourned the meeting at 3:25 p.m.

Rep. Val Peterson, Chair