

HB0494S03 compared with HB0494S02

~~{Omitted text}~~ shows text that was in HB0494S02 but was omitted in HB0494S03
inserted text shows text that was not in HB0494S02 but was inserted into HB0494S03

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1	<div>Boards and Committee Amendments</div> <div>2025 GENERAL SESSION</div> <div>STATE OF UTAH</div> <div>Chief Sponsor: Norman K Thurston</div> <div>Senate Sponsor:Calvin R. Musselman</div>
2	
3	LONG TITLE
4	General Description:
5	This bill modifies the membership of certain boards and committees.
6	Highlighted Provisions:
7	This bill:
8	▸ modifies appointment provisions and removes members who are legislators from certain entities;
	and
10	▸ makes technical and conforming changes.
11	Money Appropriated in this Bill:
12	None
13	Other Special Clauses:
14	None
16	AMENDS:
17	9-9-112 , as last amended by Laws of Utah 2022, Chapter 68 , as last amended by Laws of Utah
	2022, Chapter 68
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35A-1-206 , as last amended by Laws of Utah 2020, Chapter 365 , as last amended by Laws of Utah 2020, Chapter 365

53B-34-110 , as enacted by Laws of Utah 2024, Chapter 378 , as enacted by Laws of Utah 2024, Chapter 378

~~{63M-7-902 , as last amended by Laws of Utah 2024, Chapter 506 , as last amended by Laws of Utah 2024, Chapter 506}~~

63M-15-201 , as enacted by Laws of Utah 2021, Chapter 91 , as enacted by Laws of Utah 2021, Chapter 91

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

Section 1. Section **9-9-112** is amended to read:

9-9-112. Bears Ears Visitor Center Advisory Committee.

(1) Utah extends an invitation to the Navajo Nation, the Ute Mountain Ute Tribe, the Hopi Nation, the Zuni Tribe, and the Ute Indian Tribe of the Uintah Ouray to form an advisory committee for the purpose of exploring the feasibility, location, functions, and other important matters surrounding the creation of a visitor center at Bears Ears.

(2) As used in this section:

(a) "Advisory committee" means the Bears Ears Visitor Center Advisory Committee created by this section.

(b) "Bears Ears" means the Bears Ears National Monument.

(3)

(a) Subject to Subsection (3)(b), there is created the Bears Ears Visitor Center Advisory Committee consisting of the following ~~[eight]~~ voting members:

~~[(i) five voting members as follows:]~~

~~[(A)]~~ (i) a representative of the Navajo Nation, appointed by the Navajo Nation;

~~[(B)]~~ (ii) a representative of the Ute Mountain Ute Tribe, appointed by the Ute Mountain Ute Tribe;

~~[(C)]~~ (iii) a representative of the Hopi Nation, appointed by the Hopi Nation;

~~[(D)]~~ (iv) a representative of the Zuni Tribe, appointed by the Zuni Tribe; and

~~[(E)]~~ (v) a representative of the Ute Indian Tribe of the Uintah Ouray, appointed by the Ute Indian Tribe of the Uintah Ouray~~[-and]~~ .

~~[(ii) subject to Subsection (4), three nonvoting members as follows:]~~

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- 45 ~~[(A) one member of the Senate, appointed by the president of the Senate; and]~~
46 ~~[(B) two members of the House of Representatives, appointed by the speaker of the House of
Representatives.]~~
- 48 (b) The advisory committee is formed when all of the tribes described in Subsection (1) have
communicated to the other tribes and to the Division of Indian Affairs that the tribe has appointed a
member to the advisory committee.
- 51 (c)
(i) The president of the Senate and the speaker of the House of Representatives may each appoint to the
advisory committee one nonvoting individual.
- 53 (ii) If an individual appointed under Subsection (3)(c)(i) is a member of the Legislature, the member
serves as a member of the public and not in the member's legislative capacity.
- 56 ~~[(4) At least one of the three legislative members appointed under Subsection (3)(a)(ii) shall be from a
minority party.]~~
- 58 ~~[(5)]~~ (4) The advisory committee may select from the advisory committee members the chair or other
officers of the advisory committee.
- 60 ~~[(6)]~~ (5)
(a) If a vacancy occurs in the membership of the advisory committee appointed under Subsection (3),
the member shall be replaced in the same manner in which the original appointment was made.
- 63 (b) A member appointed under Subsection (3) serves until the member's successor is appointed and
qualified.
- 65 ~~[(7)]~~ (6)
(a) A majority of the voting members of the advisory committee constitutes a quorum.
- 67 (b) The action of a majority of a quorum constitutes an action of the advisory committee.
- 68 ~~[(8)]~~
(a) ~~The salary and expenses of an advisory committee member who is a legislator shall be paid in
accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
Expenses.]~~
- 71 ~~[(b)]~~ (7) An advisory committee member ~~[who is not a legislator]~~ may not receive compensation
or benefits for the member's service on the advisory committee, but may receive per diem and
reimbursement for travel expenses incurred as an advisory committee member at the rates
established by the Division of Finance under:

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- 75 ~~[(i)]~~ (a) Sections 63A-3-106 and 63A-3-107; and
- 76 ~~[(ii)]~~ (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- 78 ~~[(9)]~~ (8) The advisory committee may invite the United States Forest Service, the Bureau of Land
Management, the Division of State Parks, the Division of Outdoor Recreation, and the Utah Office
of Tourism within the Governor's Office of Economic Opportunity, to serve as technical advisors to
the advisory committee.
- 82 ~~[(10)]~~ (9) The Division of Indian Affairs shall staff the advisory committee.
- 83 ~~[(11)]~~ (10) The advisory committee shall study and make recommendations concerning:
- 84 (a) the need for a visitor center associated with Bears Ears;
- 85 (b) the feasibility of a visitor center associated with Bears Ears, including investigating:
- 86 (i) potential locations for the visitor center;
- 87 (ii) purposes for the visitor center; and
- 88 (iii) sources of funding to build and maintain the visitor center;
- 89 (c) whether a visitor center will increase visitorship to Bears Ears; and
- 90 (d) whether a visitor center at Bears Ears could function as a repository of traditional knowledge and
practices.
- 92 ~~[(12)]~~ (11) The advisory committee may contract with one or more consultants to conduct work related
to the issues raised in Subsection ~~[(11)]~~ (10) if the Legislature appropriates money expressly for the
purpose of the advisory committee contracting with a consultant.
- 95 ~~[(13)]~~ (12) The advisory committee shall hold at least one public hearing to obtain public comment on
the creation of a Bears Ears visitor center.
- 97 ~~[(14)]~~ (13) The advisory committee shall report the advisory committee's recommendations to one or
more of the following:
- 99 (a) the Economic Development and Workforce Services Interim Committee;
- 100 (b) the House Economic Development and Workforce Services Committee; or
- 101 (c) the Senate Economic Development and Workforce Services Committee.
- 101 Section 2. Section **35A-1-206** is amended to read:
- 102 **35A-1-206. State Workforce Development Board -- Appointment -- Membership -- Terms of
members -- Compensation.**
- 105 (1) There is created within the department the State Workforce Development Board in accordance with
the provisions of the Workforce Innovation and Opportunity Act, 29 U.S.C. Sec. 3101 et seq.

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- 108 (2) The board shall consist of the following [38] members:
- 109 (a) the governor or the governor's designee;
- 110 [~~(b) one member of the Senate, appointed by the president of the Senate;~~]
- 111 [~~(c) one representative of the House of Representatives, appointed by the speaker of the House of~~
Representatives;]
- 113 [~~(d)~~] (b) the executive director or the executive director's designee;
- 114 [~~(e)~~] (c) the executive director of the Department of Health and Human Services or the executive
director's designee;
- 116 [~~(f)~~] (d) the director of the Utah State Office of Rehabilitation or the director's designee;
- 117 [~~(g)~~] (e) the state superintendent of public instruction or the superintendent's designee;
- 118 [~~(h)~~] (f) the commissioner of higher education or the commissioner's designee;
- 119 [~~(i)~~] (g) the executive director of the Governor's Office of Economic Opportunity or the executive
director's designee;
- 121 [~~(j)~~] (h) the executive director of the Department of Veterans and Military Affairs or the executive
director's designee; and
- 123 [~~(k)~~] (i) the following members appointed by the governor:
- 124 (i) 20 representatives of business in the state, selected among the following:
- 125 (A) owners of businesses, chief executive or operating officers of businesses, or other business
executives or employers with policymaking or hiring authority;
- 127 (B) representatives of businesses, including small businesses, that provide employment opportunities
that include high-quality, work-relevant training and development in in-demand industry sectors or
occupations in the state; and
- 130 (C) representatives of businesses appointed from among individuals nominated by state business
organizations or business trade associations;
- 132 (ii) six representatives of the workforce within the state, which:
- 133 (A) shall include at least two representatives of labor organizations who have been nominated by state
labor federations;
- 135 (B) shall include at least one representative from a registered apprentice program;
- 136 (C) may include one or more representatives from a community-based organization that has
demonstrated experience and expertise in addressing the employment, training, or educational needs
of individuals with barriers to employment; and

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- 140 (D) may include one or more representatives from an organization that has demonstrated experience
and expertise in addressing the employment, training, or education needs of eligible youth, including
organizations that serve out of school youth; and
- 144 (iii) two elected officials that represent a city or a county.
- 145 (3)
- (a) The governor shall appoint one of the appointed business representatives as chair of the board.
- 147 (b) The chair shall serve at the pleasure of the governor.
- 148 (4)
- (a) The governor shall ensure that members appointed to the board represent diverse geographic areas
of the state, including urban, suburban, and rural areas.
- 150 (b) A member appointed by the governor shall serve a term of four years and may be reappointed to one
additional term.
- 152 (c) A member shall continue to serve until the member's successor has been appointed and qualified.
- 154 (d) Except as provided in Subsection (4)(e), as terms of board members expire, the governor shall
appoint each new member or reappointed member to a four-year term.
- 156 (e) Notwithstanding the requirements of Subsection (4)(d), the governor shall, at the time of
appointment or reappointment, adjust the length of terms to ensure that the terms of board members
are staggered so that approximately one half of the board is appointed every two years.
- 160 (f) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the
unexpired term.
- 162 (g) The executive director shall terminate the term of any governor-appointed member of the board if
the member leaves the position that qualified the member for the appointment.
- 165 (5) A majority of members constitutes a quorum for the transaction of business.
- 166 (6)
- [~~(a)~~] A member of the board [~~who is not a legislator~~] may not receive compensation or benefits for the
member's service, but may receive per diem and travel expenses as allowed in:
- 169 [~~(i)~~] (a) Section 63A-3-106;
- 170 [~~(ii)~~] (b) Section 63A-3-107; and
- 171 [~~(iii)~~] (c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.
- 173 [~~(b)~~] ~~Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and
Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

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- 176 (7) The department shall provide staff and administrative support to the board at the direction of the
executive director.
- 178 (8) The board has the duties, responsibilities, and powers described in 29 U.S.C. Sec. 3111, including:
- 180 (a) identifying opportunities to align initiatives in education, training, workforce development, and
economic development;
- 182 (b) developing and implementing the state workforce services plan described in Section 35A-1-207;
- 184 (c) utilizing strategic partners to ensure the needs of industry are met, including the development of
expanded strategies for partnerships for in-demand occupations and understanding and adapting to
economic changes;
- 187 (d) developing strategies for staff training;
- 188 (e) developing and improving employment centers; and
- 189 (f) performing other responsibilities within the scope of workforce services as requested by:
- 191 (i) the Legislature;
- 192 (ii) the governor; or
- 193 (iii) the executive director.
- 193 Section 3. Section **53B-34-110** is amended to read:
- 194 **53B-34-110. Talent advisory councils.**
- 196 (1) As used in this section:
- 197 (a) "Advisory council" means an advisory council the talent board creates under Subsection (10).
- 199 (b) "Institution of higher education" means the same as the term is defined in Section 53B-1-102.
- 201 (c) "Talent initiative" means an initiative the board creates under Subsection (2).
- 202 (2)
- (a) Subject to legislative appropriations and in accordance with the proposal process and other
provisions of this section, the board shall develop and oversee one or more talent initiatives that
include providing funding for expanded programs at an institution of higher education related to the
talent initiative.
- 206 (b) The board shall ensure that a talent initiative the board creates:
- 207 (i) uses a name for the talent initiative that reflects the area the initiative is targeting;
- 208 (ii) contains an outline of the disciplines, industries, degrees, certifications, credentials, and types of
skills the talent initiative will target; and
- 210 (iii) uses a corresponding advisory council created in Subsection (10).

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- 211 (3) In creating a talent initiative, the board shall facilitate collaborations between an institution of higher
education and participating employers that:
- 213 (a) create expanded, multidisciplinary programs or stackable credential programs offered at a technical
college, undergraduate, or graduate level of study; and
- 215 (b) prepare students to be workforce participants in jobs requiring skills related to a talent initiative.
- 217 (4)
- (a) An institution of higher education seeking to partner with one or more participating employers to
create a program related to a talent initiative shall submit a proposal to the talent board through a
process the talent board creates.
- 220 (b) An institution of higher education shall submit a proposal that contains:
- 221 (i) a description of the proposed program, including:
- 222 (A) implementation timelines for the program;
- 223 (B) a demonstration of how the program will be responsive to the talent needs related to the talent
initiative;
- 225 (C) an outline of relevant industry involvement that includes at least one participating employer that
partners with the institution of higher education; and
- 227 (D) an explanation of how the program addresses an unmet regional workforce need related to a talent
initiative;
- 229 (ii) an estimate of:
- 230 (A) projected student enrollment and completion rates for a program;
- 231 (B) the academic credit or credentials that a program will provide; and
- 232 (C) occupations for which a graduate will qualify;
- 233 (iii) evidence that each participating employer is committed to participating and contributing to the
program by providing any combination of:
- 235 (A) instruction;
- 236 (B) curriculum review;
- 237 (C) feedback regarding effectiveness of program graduates as employees;
- 238 (D) work-based learning opportunities; or
- 239 (E) mentoring;
- 240 (iv) a description of any resources a participating employer will provide within the program; and
- 242 (v) the amount of funding requested for the program, including:

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- 243 (A) the justification for the funding; and
244 (B) the cost per student served as estimated under Subsection (4)(b)(ii).
- 245 (5) In reviewing a proposal, the talent board shall provide a proposal to the relevant advisory council
described in Subsections (10) and (11).
- 247 (6) The relevant advisory council shall:
- 248 (a) review and prioritize each proposal the advisory council receives; and
249 (b) recommend to the talent board whether the proposal should be funded and the funding amount based
on:
- 251 (i) the quality and completeness of the elements of the proposal described in Subsection (4)(b);
253 (ii) to what extent the proposed program:
- 254 (A) would expand the capacity to meet state or regional workforce needs related to the talent initiative;
256 (B) would integrate industry-relevant competencies with disciplinary expertise;
257 (C) would incorporate internships or significant project experiences, including team-based experiences;
259 (D) identifies how industry professionals would participate in elements described in Subsection (4)(b)
(iii); and
- 261 (E) would be cost effective; and
262 (iii) other relevant criteria as the relevant advisory council and the talent board determines.
- 264 (7) The board shall review the recommendations of an advisory council and may provide funding for a
program related to a talent initiative using the criteria described in Subsection (6)(b).
- 267 (8) In a form that the board approves, each institution of higher education that receives funding shall
annually provide written information to the board regarding the activities, successes, and challenges
related to administering the program related to the talent initiative, including:
- 271 (a) specific entities that received funding under this section;
272 (b) the amount of funding provided to each entity;
273 (c) the number of participating students in each program;
274 (d) the number of graduates of the program;
275 (e) the number of graduates of the program employed in jobs requiring skills related to the talent
initiative; and
277 (f) progress and achievements relevant to the implementation timeline submitted under Subsection (4)
(b)(i)(A).
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(9) On or before October 1 of each year, the board shall provide an annual written report containing the information described in Subsection (8) to the:

(a) Education Interim Committee; and

(b) Higher Education Appropriations Subcommittee.

(10) The talent board shall create a talent advisory council for each talent initiative created under Subsection (2) to make recommendations to the board regarding the administration of a talent initiative including:

(a) a deep technology initiative;

(b) a life sciences workforce initiative; and

(c) health professions initiatives including a nursing initiative.

(11) An advisory council shall consist of the following members:

(a) four members who have extensive experience in the talent initiative's subject matter from the private sector whom the chair of the talent board appoints and the board approves;

(b) a representative of the board described in Section 53B-1-402 whom the chair of the board appoints;

(c) a representative of the Governor's Office of Economic Opportunity whom the executive director of the Governor's Office of Economic Opportunity appoints;

(d) a representative from Talent Ready Utah; and

~~[(e) one member of the Senate whom the president of the Senate appoints;]~~

~~[(f) one member of the House of Representatives whom the speaker of the House of Representatives appoints; and]~~

~~[(g)]~~ (e) any other specialized industry experts whom a majority of the advisory council may invite to participate as needed as nonvoting members.

(12) Talent Ready Utah shall provide staff support for an advisory council.

(13)

(a) Two advisory council members appointed under Subsection (11)(a) shall serve an initial term of two years.

(b) Except as described in Subsection (13)(a), all other advisory council members shall serve an initial term of four years.

(c) Successor advisory council members upon appointment or reappointment shall each serve a term of four years.

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- (d) When a vacancy occurs in the membership for any reason, the initial appointing authority shall appoint a replacement for the unexpired term.
- (e) An advisory council member may not serve more than two consecutive terms.
- (14) A vote of a majority of the advisory council members constitutes an action of the advisory council.
- (15) The duties of the advisory council include reviewing, prioritizing, and making recommendations to the board regarding proposals for funding under the talent initiative created in accordance with Subsection (2) for which the council was created.
- (16) An advisory council member may not receive compensation or benefits for the member's service, but [an advisory council member who is not a legislator] may receive per diem and travel expenses in accordance with:
- (a) Sections 63A-3-106 and 63A-3-107; and
- (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (17) The board may discontinue a talent initiative and the related talent advisory council by majority vote.

~~{Section 4. Section 63M-7-902 is amended to read: }~~

63M-7-902. Creation -- Membership -- Terms -- Vacancies -- Expenses.

- (1) There is created the Utah Victim Services Commission within the State Commission on Criminal and Juvenile Justice.
- (2) The commission is composed of the following members:
- (a) the executive director of the State Commission on Criminal and Juvenile Justice or the executive director's designee;
- (b) the director of the Utah Office for Victims of Crime or the director's designee;
- (c) the executive director of the Department of Corrections or the executive director's designee;
- (d) the director of the Division of Multicultural Affairs or the director's designee;
- (e) the executive director of the state sexual assault coalition for this state or the executive director's designee;
- (f) the executive director of the state domestic violence coalition for this state or the executive director's designee;
- (g) the executive director of the tribal coalition for this state or the executive director's designee;
- (h) the director of the Children's Justice Center Program in the Office of the Attorney General or the director's designee;

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- 345 (i) the attorney general or the attorney general's designee;
346 (j) the commissioner of the Department of Public Safety or the commissioner's designee;
347 (k) a criminal justice system based advocate, appointed by the governor with the advice and consent of
the Senate;
349 (l) a prosecuting attorney, appointed by the governor with the advice and consent of the Senate;
351 (m) a criminal defense attorney, appointed by the governor with the advice and consent of the Senate;
and
353 (n) a law enforcement representative from the Utah Sheriffs Association or Utah Chiefs of Police
Association, appointed by the governor with the advice and consent of the Senate[; and] .
356 [~~(o) an individual who is a current representative from the House of Representatives or senator from
the Senate, appointed jointly by the speaker of the House of Representatives and president of the
Senate.~~]
359 (3)
(a) A member appointed under Subsections (2)(k) through [~~(o)~~] (n) shall serve a four-year term.
361 (b) A member appointed to serve a four-year term is eligible for reappointment.
362 (c) The governor's reappointment of a member under Subsections (2)(k) through (n) shall be made with
the advice and consent of the Senate.
364 (4) When a vacancy occurs in the membership of the commission for any reason, the applicable
appointing authority shall, in accordance with any procedure described in Subsection [~~(2)(a) through~~
~~(o)~~], (2), appoint a replacement for the unexpired term.
367 (5) Except as otherwise provided in Subsection (6), a member may not receive compensation for the
member's service but may receive per diem and reimbursement for travel expenses incurred as a
member at the rates established by:
370 (a) Section 63A-3-106;
371 (b) Section 63A-3-107; and
372 (c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.
374 (6) A member may not receive per diem or reimbursement for travel expenses under Subsection (5) if
the member is being paid by a governmental entity while performing the member's service on the
commission.

325 Section 4. Section **63M-15-201** is amended to read:

326 **63M-15-201. Composition -- Appointments -- Terms -- Removal.**

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379 (1) There is created within the governor's office the ["Utah Marriage Commission.["]
380 [(2) The commission comprises at least 10 members but no more than 30 members, appointed as
follows:]
382 [(a) the president of the Senate shall appoint two members of the Senate;]
383 [(b) the speaker of the House of Representatives shall appoint two members of the House of
Representatives;]
385 [(c)] (2) [the] The governor, or commission leadership under Section 63M-15-202, shall appoint up to
28 commission members that:
387 [(i)] (a) may come from the following groups:
388 [(A)] (i) non-profit organizations or governmental agencies;
389 [(B)] (ii) social workers who are, or have been, licensed under Title 58, Chapter 60, Part 2, Social
Worker Licensing Act;
391 [(C)] (iii) psychologists who are, or have been, licensed under Title 58, Chapter 61, Psychologist
Licensing Act;
393 [(D)] (iv) physicians who are, or have been, board certified in psychiatry and are, or have been, licensed
under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic
Medical Practice Act;
396 [(E)] (v) marriage and family therapists who are, or have been, licensed under Title 58, Chapter 60, Part
3, Marriage and Family Therapist Licensing Act;
398 [(F)] (vi) representatives of faith communities;
399 [(G)] (vii) public health professionals;
400 [(H)] (viii) representatives of domestic violence prevention organizations;
401 [(I)] (ix) academics from marriage and family studies departments, social or behavioral sciences
departments, health sciences departments, colleges of law, or other related and supporting
departments at institutions of higher education in this state;
405 [(J)] (x) the general public;
406 [(K)] (xi) individuals with marketing or public relations experience; and
407 [(L)] (xii) legal professionals; or
408 [(H)] (b) have skills or expertise the commission requires to fulfill the commission's duties described in
Section 63M-15-204.
410 (3)

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(a) An individual appointed under Subsection [(2)(e)] (2) shall serve for a term of four years.

412 (b) If approved by the commission, an individual may be appointed for subsequent terms.

413 (c) When a vacancy occurs in the membership for any reason, the replacement shall be appointed by the
applicable appointing authority for the remainder of the unexpired term of the original appointment.

416 (d) Upon majority vote within commission leadership, commission leadership may remove a member of
the commission if the member is unable to serve.

418 (e) Commission leadership may appoint as many non-voting members as necessary if the individuals
appointed have skills or expertise related to the commission's duties, described in Section
63M-15-204.

369 Section 5. **Effective date.**

Effective Date.

This bill takes effect on May 7, 2025.

3-6-25 3:42 PM