

HB0334S01 compared with HB0334

~~{Omitted text}~~ shows text that was in HB0334 but was omitted in HB0334S01

inserted text shows text that was not in HB0334 but was inserted into HB0334S01

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1

Educator Organization Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Logan J. Monson
Senate Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill creates the Legislative Education Support and Professional Development
6 Commission.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms;
- 10 ▶ creates the Legislative Education Support and Professional Development Commission
(commission);
- 12 ▶ outlines the commission's membership;
- 13 ▶ establishes the commission's duties ~~{, including studying alternatives to current professional
liability insurance models for teachers and gaps in educator support systems}~~ ;
- 15 ▶ requires the commission to submit a report with recommendations;
- 16 ▶ provides for staffing and administrative support; and
- 17 ▶ establishes a repeal date for the commission.

17 **Money Appropriated in this Bill:**

HB0334 compared with HB0334S01

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

24 ~~{63A-4-101.5, as last amended by Laws of Utah 2022, Chapter 169}~~

23 **63I-1-236**, as last amended by Laws of Utah 2024, Chapters 320, 506 and 507

24 ENACTS:

25 **36-36-101**, Utah Code Annotated 1953

26 **36-36-102**, Utah Code Annotated 1953

27 **36-36-103**, Utah Code Annotated 1953

28

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

30 Section 1. Section **1** is enacted to read:

33 **36-36-101. Definitions.**

36 Legislative Education Support and Professional Development Commission

36 (1) "Commission" means the Legislative Education Support and Professional Development Commission.

38 (2) "LEA" means the same as that term is defined in Section 53E-1-102.

37 Section 2. Section **2** is enacted to read:

38 **36-36-102. Legislative Education Support and Professional Development Commission created -- Membership -- Terms.**

42 (1) There is created the Legislative Education Support and Professional Development Commission to:

44 (a) study gaps in communication, coordination, and support among the state board, the Legislature, LEAs, and individual educators;

46 ~~{(b) {examine alternatives to current professional liability insurance coverage models available to teachers;}}~~

48 (c){(b)} evaluate professional development and support services available to educators outside of existing membership-based organizations;

50 (d){(c)} assess opportunities for innovation in educator recognition, professional advancement, and accountability; and

HB0334 compared with HB0334S01

- 52 (e){(d)} make recommendations to the Education Interim Committee regarding legislative solutions to
address the issues described in Subsections (1)(a) through {~~(d)~~} (c).
- 54 (2) The commission membership shall include:
- 55 (a) three members of the Senate, whom the president of the Senate appoints, with at least one from each
political party;
- 57 (b) three members of the House of Representatives, whom the speaker of the House of Representatives
appoints, with at least one from each political party;
- 59 (c) the state superintendent or the state superintendent's designee;
- 60 (d) one member of the State Board of Education, whom the chair of the State Board of Education
appoints;
- 62 (e) one member who is a superintendent of a school district, whom the Utah School Superintendents
Association appoints;
- 64 (f) one member who is a director of a charter school, whom the chair of the State Board of Education
appoints;
- 66 (g) two members who are currently employed as teachers in the state, whom the president of the Senate
and the speaker of the House of Representatives jointly appoint;
- 69 (h) one member who is a member of a local school board, whom the Utah School Boards Association
appoints;
- 71 (i) the director of the Division of Risk Management or the director's designee; and
- 72 (j) one member with expertise in educator professional development or educator professional
organizations, whom the president of the Senate and the speaker of the House of Representatives
jointly appoint.
- 75 (3) The president of the Senate shall designate one member of the Senate appointed under Subsection
(2)(a) to serve as a cochair of the commission.
- 77 (4) The speaker of the House of Representatives shall designate one member of the House of
Representatives appointed under Subsection (2)(b) to serve as a cochair of the commission.
- 80 (5)
- (a) Except as provided in Subsection (5)(b), a member of the commission described in Subsection (2)
shall serve a term that ends on the commission's repeal date described in Section 63I-1-236.

83

HB0334 compared with HB0334S01

(b) When a vacancy occurs in the commission membership for any reason, the appointing authority for the vacant position shall appoint a replacement for the unexpired term within 30 days after the day on which the vacancy occurs.

86 (6) The Office of Legislative Research and General Counsel shall provide staff support to the commission.

84 Section 3. Section 3 is enacted to read:

85 **36-36-103. Duties and powers of commission -- Quorum -- Compensation.**

90 (1) The commission shall:

91 (a) hold the commission's first meeting before October 1, 2026;

92 (b) study the issues described in Subsections 36-36-102(1)(a) through (d);

93 (c) examine gaps in communication, coordination, and support among the state board, the Legislature, LEAs, and individual educators, including:

95 (i) current mechanisms for educators to communicate concerns, ideas, and feedback to:

97 (A) the State Board of Education;

98 (B) the state superintendent;

99 (C) legislative committees; and

100 (D) local school boards and LEA administration;

101 (ii) barriers that prevent effective communication between the entities described in Subsection (1)(c)(i);

103 (iii) the frequency and effectiveness of current communication channels;

104 (iv) whether educators feel adequately represented in education policy decisions at the state and local level; and

106 (v) best practices from other states for facilitating educator input in policy development;

108 (d) examine professional development and support services available to educators, including:

110 (i) current professional development opportunities provided by:

111 (A) the state board;

112 (B) LEAs;

113 (C) institutions of higher education;

114 (D) professional organizations; and

115 (E) private providers;

116 (ii) gaps in professional development services, particularly for educators who are not members of professional organizations;

HB0334 compared with HB0334S01

- 118 (iii) teacher leadership and advancement opportunities outside of administrative positions;
120 (iv) mentorship and peer support programs for early-career and experienced educators;
122 (v) innovative professional development models from other states or sectors; and
123 (vi) potential state-supported professional development programs or networks;
124 (e) examine educator recognition, accountability, and innovation, including:
125 (i) current programs that recognize and reward effective teaching and innovative classroom practices;
127 (ii) gaps in recognition and incentive systems for educators;
128 (iii) measures of teacher effectiveness beyond student test scores;
129 (iv) opportunities to promote innovation and experimentation in instructional methods;
131 (v) accountability mechanisms that focus on student growth and professional excellence; and
133 (vi) potential state-supported programs for educator recognition or grants for classroom innovation;
135 ~~{(f) {in coordination with the Division of Risk Management, examine professional liability insurance~~
~~coverage for teachers, including:} }~~
137 ~~{(f) {current models of professional liability insurance coverage available to teachers, including~~
~~coverage provided through membership in professional organizations;}~~ }
139 ~~{(ii) {alternative models for providing professional liability insurance coverage to teachers, including:~~
~~}~~
141 ~~{(A) {state-sponsored coverage programs;}~~ }
142 ~~{(B) {group purchasing arrangements;}~~ }
143 ~~{(C) {coverage through LEAs; and}~~ }
144 ~~{(D) {private market options;}~~ }
145 ~~{(iii) {the costs, benefits, and feasibility of each alternative model described in Subsection (1)(g)(ii);~~
~~and}~~ }
147 ~~{(iv) {potential risks and liabilities that teachers face in the course of employment;}~~ }
148 (g){(f) consult with:
149 (i) the State Board of Education;
150 (ii) representatives of LEAs;
151 (iii) teachers who are members of professional organizations and teachers who are not members of
professional organizations;
153 (iv) representatives of educator professional development organizations;and
154 ~~{(v) {insurance industry professionals; and}~~ }

HB0334 compared with HB0334S01

- 155 (vi){(v)} other stakeholders the commission cochairs determine are relevant to the commission's work;
157 (h){(g)} identify potential state resources, programs, or agencies that could provide or coordinate
services to support educators;
- 159 (i){(h)} identify statutory or regulatory changes needed to implement the commission's
recommendations; and
- 161 (j){(i)} before November 1, 2027, submit a written report to the Education Interim Committee that
includes:
- 163 (i) the commission's findings;
164 (ii) recommendations for legislative action; and
165 (iii) any proposed legislation the commission develops.
- 166 (2) The commission may:
- 167 (a) meet as often as the commission cochairs determine is necessary to fulfill the commission's duties;
169 (b) establish subcommittees to study specific issues related to the commission's duties; and
171 (c) request information, data, or assistance from:
- 172 (i) the State Board of Education;
173 (ii) the state superintendent;
174 (iii) LEAs;
175 (iv) the Division of Risk Management;
176 (v) the Utah Education and Telehealth Network; and
177 (vi) other state agencies or entities the commission determines are relevant.
- 178 (3)
- 179 (a) A majority of the members of the commission constitutes a quorum.
181 (b) The commission shall take an action by majority vote of a quorum of the commission.
- 181 (4)
- 184 (a) A member of the commission who is a legislator shall receive compensation and expenses in
accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
Expenses.
- 184 (b) A member of the commission who is not a legislator and who is an employee of the state may not
receive compensation in addition to the member's regular state compensation for the member's
service on the commission.

187

HB0334 compared with HB0334S01

(c) A member of the commission who is not a legislator and who is not an employee of the state may receive:

- 189 (i) per diem compensation at the rate established by the Division of Finance under Section 63A-3-107
for each day the member attends a meeting of the commission; and
- 192 (ii) reimbursement for travel expenses incurred in attending a meeting of the commission at the rates
established by the Division of Finance under Section 63A-3-107 and rules made by the Division of
Finance under Sections 63A-3-106 and 63A-3-107.

196 ~~{Section 4. Section 63A-4-101.5 is amended to read: }~~

197 **63A-4-101.5. Risk manager -- Appointment -- Duties.**

198 (1) As used in this section, "K-12 personnel" means a public employee of a local education agency, as
that term is defined in Section 53E-1-102.

200 [~~(1)~~] (2)

(a) There is created within the department the Division of Risk Management.

201 (b) The executive director shall, with the approval of the governor, appoint a risk manager as the
division director, who shall be qualified by education and experience in the management of general
property and casualty insurance.

204 [~~(2)~~] (3) The risk manager shall:

205 (a) except as provided in Subsection [~~(4)~~] (5), acquire and administer the following purchased by the
state or any captive insurance company created by the risk manager:

207 (i) all property and casualty insurance;

208 (ii)

(A) professional liability insurance for K-12 personnel; and

209 (B) other professional liability insurance for public employees not covered under Subsection (3)(a)(ii)
(A) if the risk manager determines there is sufficient demand;

212 [~~(ii)~~] (iii) reinsurance of property [~~and~~] insurance, casualty insurance, and professional liability
insurance; and

214 [~~(iii)~~] (iv) subject to Section 34A-2-203, workers' compensation insurance;

215 (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

217 (i) prescribing reasonable and objective underwriting and risk control standards for:

218 (A) all covered entities of the Risk Management Fund; [~~and~~]

219 (B) management of the professional liability insurance described in Subsection (3)(a)(ii); and

HB0334 compared with HB0334S01

- 221 [~~(B)~~] (C) any captive insurance company created by the risk manager;
- 222 (ii) prescribing the risks to be covered by the Risk Management Fund and the extent to which these
risks will be covered;
- 224 (iii) prescribing the properties, risks, deductibles, and amount limits eligible for payment out of the Risk
Management Fund;
- 226 (iv) prescribing procedures for making claims and proof of loss; and
- 227 (v) establishing procedures for the resolution of disputes relating to coverage or claims, which may
include binding arbitration;
- 229 (c) implement a risk management and loss prevention program for covered entities for the purpose of
reducing risks, accidents, and losses to assist covered entities in fulfilling their responsibilities for
risk control and safety;
- 232 (d) coordinate and cooperate with any covered entity having responsibility to manage and protect state
properties, including:
- 234 (i) the state fire marshal;
- 235 (ii) the director of the Division of Facilities Construction and Management;
- 236 (iii) the Department of Public Safety;
- 237 (iv) institutions of higher education;
- 238 (v) school districts; and
- 239 (vi) charter schools;
- 240 (e) maintain records necessary to fulfill the requirements of this section;
- 241 (f) manage the Risk Management Fund and any captive insurance company created by the risk manager
in accordance with economically and actuarially sound principles to produce adequate reserves
for the payment of contingencies, including unpaid and unreported claims, and may purchase any
insurance or reinsurance considered necessary to accomplish this objective; and
- 246 (g) inform the covered entity's governing body and the governor when any covered entity fails or
refuses to comply with reasonable risk control recommendations made by the risk manager.
- 249 [~~(3)~~] (4) Before the effective date of any rule, the risk manager shall provide a copy of the rule to each
covered entity affected by it.
- 251 [~~(4)~~] (5) The risk manager may not use a captive insurance company created by the risk manager to
purchase:
- 253 (a) workers' compensation insurance;

HB0334 compared with HB0334S01

254 (b) health insurance; or

255 (c) life insurance.

178 Section 4. Section **63I-1-236** is amended to read:

179 **63I-1-236. Repeal dates: Title 36.**

258 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2028.

259 (2) Section 36-29-111, Public Safety Data Management Task Force, is repealed July 1, 2029.

261 (3) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed January 1, 2030.

263 (4) Section 36-29-112, Justice Court Reform Task Force, is repealed July 1, 2025.

264 (5) Title 36, Chapter 36, Legislative Education Support and Professional Development Commission, is repealed March 15, 2028.

188 Section 5. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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