

1 **Occupational Licensing Amendments**
 2 **2026 GENERAL SESSION**
 3 **STATE OF UTAH**
 4 **Chief Sponsor: John D. Johnson**
 5 **House Sponsor:**

6 **LONG TITLE**

7 **General Description:**

8 This bill repeals the licensing requirement for multiple occupations

9 **Highlighted Provisions:**

10 This bill:

- 11 ▶ repeals the licensing requirement for:
 - 12 • a commercial interior designer;
 - 13 • a court recorder;
 - 14 • the practice of deception detection; and
 - 15 • the practice of music therapy; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 **AMENDS:**

- 23 **58-1-301.5**, as last amended by Laws of Utah 2025, Chapter 236
- 24 **63G-6a-103**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
- 25 **77-22-2**, as last amended by Laws of Utah 2019, Chapter 420
- 26 **78A-2-402**, as last amended by Laws of Utah 2020, Chapter 376
- 27 **78A-2-404**, as last amended by Laws of Utah 2020, Chapter 376

28 **REPEALS:**

- 29 **58-64-101**, as enacted by Laws of Utah 1995, Chapter 215
- 30 **58-64-102**, as last amended by Laws of Utah 2020, Chapter 154
- 58-64-301**, as last amended by Laws of Utah 2016, Chapter 201
- 58-64-302**, as last amended by Laws of Utah 2025, Chapter 443
- 58-64-303**, as last amended by Laws of Utah 2016, Chapter 201

31 **58-64-304**, as last amended by Laws of Utah 2016, Chapter 238 and last amended by
32 Coordination Clause, Laws of Utah 2016, Chapter 238
33 **58-64-305**, as last amended by Laws of Utah 1996, Chapter 79
34 **58-64-401**, as enacted by Laws of Utah 1995, Chapter 215
35 **58-64-501**, as enacted by Laws of Utah 1995, Chapter 215
36 **58-64-502**, as last amended by Laws of Utah 2020, Chapter 154
37 **58-64-601**, as last amended by Laws of Utah 2020, Chapter 154
38 **58-64-701**, as last amended by Laws of Utah 2016, Chapter 201
39 **58-74-101**, as last amended by Laws of Utah 2019, Chapter 379
40 **58-74-102**, as last amended by Laws of Utah 2020, Chapter 339
41 **58-74-301**, as last amended by Laws of Utah 2019, Chapter 379
42 **58-74-302**, as last amended by Laws of Utah 2024, Chapter 198
43 **58-74-303**, as last amended by Laws of Utah 2019, Chapter 379
44 **58-74-401**, as last amended by Laws of Utah 2019, Chapter 379
45 **58-74-501**, as last amended by Laws of Utah 2019, Chapter 379
46 **58-74-502**, as last amended by Laws of Utah 2019, Chapter 379
47 **58-84-101**, as enacted by Laws of Utah 2014, Chapter 340
48 **58-84-102**, as last amended by Laws of Utah 2024, Chapter 420
49 **58-84-103**, as enacted by Laws of Utah 2014, Chapter 340
50 **58-84-201**, as last amended by Laws of Utah 2024, Chapter 420
51 **58-84-202**, as enacted by Laws of Utah 2014, Chapter 340
52 **58-84-203**, as enacted by Laws of Utah 2014, Chapter 340
53 **58-84-301**, as enacted by Laws of Utah 2014, Chapter 340
54 **58-86-101**, as enacted by Laws of Utah 2016, Chapter 294
55 **58-86-102**, as enacted by Laws of Utah 2016, Chapter 294
56 **58-86-103**, as enacted by Laws of Utah 2016, Chapter 294
57 **58-86-201**, as enacted by Laws of Utah 2016, Chapter 294
58 **58-86-202**, as last amended by Laws of Utah 2020, Chapter 339
59 **58-86-203**, as enacted by Laws of Utah 2016, Chapter 294
60 **58-86-204**, as enacted by Laws of Utah 2016, Chapter 294
61 **58-86-205**, as enacted by Laws of Utah 2016, Chapter 294
62 **58-86-206**, as enacted by Laws of Utah 2016, Chapter 294
63 **58-86-301**, as enacted by Laws of Utah 2016, Chapter 294
64 **58-86-302**, as last amended by Laws of Utah 2020, Chapter 339

65 **58-86-401**, as enacted by Laws of Utah 2016, Chapter 294

66 **78A-2-403**, as last amended by Laws of Utah 2019, Chapter 379

67

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

69 Section 1. Section **58-1-301.5** is amended to read:

70 **58-1-301.5 . Division access to Bureau of Criminal Identification records --**
 71 **Criminal background check requirement.**

72 (1) As used in this section, "applicant" means an individual applying for licensure or
 73 certification, or with respect to a license or certification, applying for renewal,
 74 reinstatement, or relicensure or recertification, as required in:

75 (a) Section 58-5a-302;

76 (b) Section 58-16a-302;

77 (c) Section 58-17b-303;

78 (d) Section 58-17b-304;

79 (e) Section 58-17b-305;

80 (f) Section 58-17b-306;

81 (g) Section 58-24b-302;

82 (h) Section 58-31b-302;

83 (i) Section 58-42a-302;

84 (j) Section 58-44a-302;

85 (k) Section 58-47b-302;

86 (l) Section 58-55-302;

87 (m) Section 58-47b-302.2;

88 (n) Section 58-60-205;

89 (o) Section 58-60-305;

90 (p) Section 58-60-405;

91 (q) Section 58-60-506;

92 (r) Section 58-61-304;

93 (s) Section 58-63-302;

94 [~~(t)~~ Section 58-64-302;]

95 [~~(tt)~~] (t) Section 58-67-302;

96 [~~(v)~~] (u) Section 58-68-302;

97 [~~(w)~~] (v) Section 58-69-302;

98 [~~(x)~~] (w) Section 58-70a-302;

- 99 ~~[(y)]~~ (x) Section 58-70b-302;
100 ~~[(z)]~~ (y) Section 58-71-302; or
101 ~~[(aa)]~~ (z) Section 58-73-302.
- 102 (2) The division shall have direct access to local files maintained by the Bureau of Criminal
103 Identification under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification, for
104 background screening of an applicant.
- 105 (3) The division's access to criminal background information under this section:
106 (a) shall meet the requirements of Section 53-10-108; and
107 (b) includes:
108 (i) convictions, pleas of nolo contendere, pleas of guilty or nolo contendere held in
109 abeyance, dismissed charges, and charges without a known disposition; and
110 (ii) criminal background information maintained under Title 53, Chapter 10, Part 2,
111 Bureau of Criminal Identification.
- 112 (4) The division may not disseminate outside of the division any criminal history record
113 information that the division obtains from the Bureau of Criminal Identification or the
114 Federal Bureau of Investigation under the criminal background check requirements of
115 this section.
- 116 (5) To fulfill an applicable criminal background check requirement, an applicant shall:
117 (a) submit fingerprints in a form acceptable to the division at the time the applicant files
118 a license application or a registration; and
119 (b) consent to a fingerprint background check conducted by the Bureau of Criminal
120 Identification and the Federal Bureau of Investigation regarding the application.
- 121 (6)(a) Upon receiving fingerprints from an applicant in accordance with Subsection (5),
122 the division shall:
123 (i) collect from each applicant submitting fingerprints in accordance with this section:
124 (A) the fee that the Bureau of Criminal Identification is authorized to collect for
125 the services provided under Section 53-10-108; and
126 (B) the fee charged by the Federal Bureau of Investigation for fingerprint
127 processing for the purpose of obtaining federal criminal history record
128 information;
129 (ii) submit from each applicant the fingerprints and the fees described in Subsection
130 (6)(a)(i) to the Bureau of Criminal Identification; and
131 (iii) obtain and retain in division records a signed waiver approved by the Bureau of
132 Criminal Identification in accordance with Section 53-10-108 for each applicant.

- 133 (b) The fees described in Subsection (6)(a)(i) are in addition to other fees authorized by
134 this chapter.
- 135 (7) In accordance with the requirements of Section 53-10-108, the Bureau of Criminal
136 Identification shall:
- 137 (a) check the fingerprints submitted under Subsection (5)(a) against the applicable state
138 and regional criminal records databases;
- 139 (b) forward the fingerprints to the Federal Bureau of Investigation for a national criminal
140 history background check; and
- 141 (c) provide the results from the state, regional, and nationwide criminal history
142 background checks to the division.
- 143 (8)(a)(i) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the
144 criminal background check required under this section demonstrates, after the
145 applicant is licensed or registered, that the applicant failed to accurately disclose a
146 criminal history, the division may provide notice to the applicant that the license
147 or registration is immediately and automatically revoked.
- 148 (ii) If a massage establishment owner has a criminal conviction or pending criminal
149 charges for any crime under Title 76, Chapter 5, Part 4, Sexual Offenses, or any
150 crime listed by rule made by the division in collaboration with the board in
151 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
152 division shall deny ~~an~~ the application for registration of a massage establishment.
- 153 (b)(i) An individual whose license has been revoked in accordance with Subsection
154 (8)(a) is entitled to a hearing to challenge the revocation.
- 155 (ii) A registered massage establishment for which the registration has been revoked
156 in accordance with Subsection (8)(a) is entitled to a hearing to challenge the
157 revocation.
- 158 (c) The division shall conduct the hearing described in this Subsection (8) in accordance
159 with Title 63G, Chapter 4, Administrative Procedures Act.
- 160 Section 2. Section **63G-6a-103** is amended to read:
- 161 **63G-6a-103 . Definitions.**
- 162 As used in this chapter:
- 163 (1) "Approved vendor" means a person who has been approved for inclusion on an
164 approved vendor list through the approved vendor list process.
- 165 (2) "Approved vendor list" means a list of approved vendors established under Section
166 63G-6a-507.

- 167 (3) "Approved vendor list process" means the procurement process described in Section
168 63G-6a-507.
- 169 (4)(a) "Award" means, in relation to a contract, a procurement unit's [~~selection of~~
170 selecting of a vendor to supply a procurement item after the procurement unit
171 engages in:
- 172 (i) a standard procurement process; or
 - 173 (ii) an exception to a standard procurement process under Part 8, Exceptions to
174 Procurement Requirements.
- 175 (b) "Award" does not mean, in relation to a contract, a procurement unit's offer or
176 acceptance of any terms or conditions related to the procurement unit's acquisition or
177 receipt of the procurement item.
- 178 (5) "Bidder" means a person who submits a bid or price quote in response to an invitation
179 for bids.
- 180 (6) "Bidding process" means the procurement process described in Part 6, Bidding.
- 181 (7) "Board" means the Utah State Procurement Policy Board, created in Section 63G-6a-202.
- 182 (8) "Change directive" means a written order signed by the procurement officer that directs
183 the contractor to suspend work or make changes, as authorized by contract, without the
184 consent of the contractor.
- 185 (9) "Change order" means a written alteration in specifications, delivery point, rate of
186 delivery, period of performance, price, quantity, or other provisions of a contract, upon
187 mutual agreement of the parties to the contract.
- 188 (10) "Chief procurement officer" means the individual appointed under Section 63A-2-102.
- 189 (11) "Conducting procurement unit" means a procurement unit that conducts all aspects of a
190 procurement:
- 191 (a) except:
 - 192 (i) reviewing a solicitation to verify that ~~[it]~~ the solicitation is in proper form; and
 - 193 (ii) causing the publication of a notice of a solicitation; and
 - 194 (b) including:
 - 195 (i) preparing any solicitation document;
 - 196 (ii) appointing an evaluation committee;
 - 197 (iii) conducting the evaluation process, except the process relating to scores
198 calculated for costs of proposals;
 - 199 (iv) selecting and recommending the person to be awarded a contract;
 - 200 (v) negotiating the terms and conditions of a contract, subject to the issuing

- 201 procurement unit's approval; and
- 202 (vi) contract administration.
- 203 (12) "Conservation district" means the same as that term is defined in Section 17D-3-102.
- 204 (13) "Construction project":
- 205 (a) means a project for the construction, renovation, alteration, improvement, or repair of
- 206 a public facility on real property, including all services, labor, supplies, and materials
- 207 for the project; and
- 208 (b) does not include services and supplies for the routine, day-to-day operation, repair,
- 209 or maintenance of an existing public facility.
- 210 (14) "Construction manager/general contractor":
- 211 (a) means a contractor who enters into a contract:
- 212 (i) for the management of a construction project; and
- 213 (ii) that allows the contractor to subcontract for additional labor and materials that are
- 214 not included in the contractor's cost proposal submitted at the time of the
- 215 procurement of the contractor's services; and
- 216 (b) does not include a contractor whose only subcontract work not included in the
- 217 contractor's cost proposal submitted as part of the procurement of the contractor's
- 218 services is to meet subcontracted portions of change orders approved within the
- 219 scope of the project.
- 220 (15)(a) "Construction subcontractor" [;] means a person under contract with a contractor
- 221 or another subcontractor to provide services or labor for the design or construction of
- 222 a construction project.
- 223 ~~[(a) means a person under contract with a contractor or another subcontractor to provide~~
- 224 ~~services or labor for the design or construction of a construction project;]~~
- 225 (b) "Construction subcontractor" includes a general contractor or specialty contractor
- 226 licensed or exempt from licensing under Title 58, Chapter 55, Utah Construction
- 227 Trades Licensing Act[; and] .
- 228 (c) "Construction subcontractor" does not include a supplier who provides only
- 229 materials, equipment, or supplies to a contractor or subcontractor for a construction
- 230 project.
- 231 (16) "Contract" means an agreement for a procurement.
- 232 (17) "Contract administration" means all functions, duties, and responsibilities associated
- 233 with managing, overseeing, and carrying out a contract between a procurement unit and
- 234 a contractor, including:

- 235 (a) implementing the contract;
- 236 (b) ensuring compliance with the contract terms and conditions by the conducting
237 procurement unit and the contractor;
- 238 (c) executing change orders;
- 239 (d) processing contract amendments;
- 240 (e) resolving, to the extent practicable, contract disputes;
- 241 (f) curing contract errors and deficiencies;
- 242 (g) terminating a contract;
- 243 (h) measuring or evaluating completed work and contractor performance;
- 244 (i) computing payments under the contract; and
- 245 (j) closing out a contract.
- 246 (18) "Contractor" means a person who is awarded a contract with a procurement unit.
- 247 (19) "Cooperative procurement" means procurement conducted by, or on behalf of:
- 248 (a) more than one procurement unit; or
- 249 (b) a procurement unit and a cooperative purchasing organization.
- 250 (20) "Cooperative purchasing organization" means an organization, association, or alliance
251 of purchasers established to combine purchasing power in order to obtain the best value
252 for the purchasers by engaging in procurements in accordance with Section 63G-6a-2105.
- 253 (21) "Cost-plus-a-percentage-of-cost contract" means a contract under which the contractor
254 is paid a percentage of the total actual expenses or costs in addition to the contractor's
255 actual expenses or costs.
- 256 (22) "Cost-reimbursement contract" means a contract under which a contractor is
257 reimbursed for costs which are allowed and allocated in accordance with the contract
258 terms and the provisions of this chapter, and a fee, if any.
- 259 (23) "Days" means calendar days, unless expressly provided otherwise.
- 260 (24) "Definite quantity contract" means a fixed price contract that provides for a specified
261 amount of supplies over a specified period, with deliveries scheduled according to a
262 specified schedule.
- 263 (25) "Design professional" means:
- 264 (a) an individual licensed as an architect under Title 58, Chapter 3a, Architects
265 Licensing Act;
- 266 (b) an individual licensed as a professional engineer or professional land surveyor under
267 Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors
268 Licensing Act; or

- 269 (c) an individual licensed under Title 58, Chapter 53, Landscape Architects Licensing
270 Act, to engage in the practice of landscape architecture, as defined in Section
271 58-53-102[;or] .
- 272 [~~(d) an individual certified as a commercial interior designer under Title 58, Chapter 86,
273 State Certification of Commercial Interior Designers Act.~~]
- 274 (26) "Design professional procurement process" means the procurement process described
275 in Part 15, Design Professional Services.
- 276 (27) "Design professional services" means:
- 277 (a) professional services within the scope of the practice of architecture as defined in
278 Section 58-3a-102;
- 279 (b) professional engineering as defined in Section 58-22-102;
- 280 (c) master planning and programming services; or
- 281 (d) professional services within the scope of the practice of landscape architecture, as
282 defined in Section 58-53-102[;or] .
- 283 [~~(e) services within the scope of the practice of commercial interior design, as defined in
284 Section 58-86-102.~~]
- 285 (28) "Design-build" means the procurement of design professional services and
286 construction by the use of a single contract.
- 287 (29) "Division" means the Division of Purchasing and General Services, created in Section
288 63A-2-101.
- 289 (30) "Educational procurement unit" means:
- 290 (a) a school district;
- 291 (b) a public school, including a local school board or a charter school;
- 292 (c) the Utah Schools for the Deaf and the Blind;
- 293 (d) the Utah Education and Telehealth Network;
- 294 (e) an institution of higher education of the state described in Section 53H-1-102; or
- 295 (f) the State Board of Education.
- 296 (31) "Established catalogue price" means the price included in a catalogue, price list,
297 schedule, or other form that:
- 298 (a) is regularly maintained by a manufacturer or contractor;
- 299 (b) is published or otherwise available for inspection by customers; and
- 300 (c) states prices at which sales are currently or were last made to a significant number of
301 any category of buyers or buyers constituting the general buying public for the
302 supplies or services involved.

- 303 (32)(a) "Executive branch procurement unit" means a department, division, office,
304 bureau, agency, or other organization within the state executive branch.
- 305 (b) "Executive branch procurement unit" does not include the Colorado River Authority
306 of Utah as provided in Section 63M-14-210.
- 307 (33) "Facilities division" means the Division of Facilities Construction and Management,
308 created in Section 63A-5b-301.
- 309 (34) "Fixed price contract" means a contract that provides a price, for each procurement
310 item obtained under the contract, that is not subject to adjustment except to the extent
311 that:
- 312 (a) the contract provides, under circumstances specified in the contract, for an
313 adjustment in price that is not based on cost to the contractor; or
314 (b) an adjustment is required by law.
- 315 (35) "Fixed price contract with price adjustment" means a fixed price contract that provides
316 for an upward or downward revision of price, precisely described in the contract, that:
- 317 (a) is based on the consumer price index or another commercially acceptable index,
318 source, or formula; and
319 (b) is not based on a percentage of the cost to the contractor.
- 320 (36) "Grant" means an expenditure of public funds or other assistance, or an agreement to
321 expend public funds or other assistance, for a public purpose authorized by law, without
322 acquiring a procurement item in exchange.
- 323 (37) "Human services procurement item" means a procurement item used to provide
324 services or support to a child, youth, adult, or family.
- 325 (38)(a) "Immaterial error"[:] means an irregularity or abnormality that is:
326 (i) a matter of form that does not affect substance; or
327 (ii) an inconsequential variation from a requirement of a solicitation that has no, little,
328 or a trivial effect on the procurement process and that is not prejudicial to other
329 vendors.
- 330 [~~(a) means an irregularity or abnormality that is:~~
331 ~~(i) a matter of form that does not affect substance; or]~~
332 ~~(ii) an inconsequential variation from a requirement of a solicitation that has no,~~
333 ~~little, or a trivial effect on the procurement process and that is not prejudicial to~~
334 ~~other vendors; and]~~
- 335 (b) "Immaterial error" includes:
336 (i) a missing signature, missing acknowledgment of an addendum, or missing copy of

- 337 a professional license, bond, or insurance certificate;
- 338 (ii) a typographical error;
- 339 (iii) an error resulting from an inaccuracy or omission in the solicitation; and
- 340 (iv) any other error that the procurement official reasonably considers to be
- 341 immaterial.
- 342 (39) "Indefinite quantity contract" means a fixed price contract that:
- 343 (a) is for an indefinite amount of procurement items to be supplied as ordered by a
- 344 procurement unit; and
- 345 (b)(i) does not require a minimum purchase amount; or
- 346 (ii) provides a maximum purchase limit.
- 347 (40) "Independent procurement unit" means:
- 348 (a)(i) a legislative procurement unit;
- 349 (ii) a judicial branch procurement unit;
- 350 (iii) an educational procurement unit;
- 351 (iv) a local governmental procurement unit;
- 352 (v) a conservation district;
- 353 (vi) a local building authority;
- 354 (vii) a special district;
- 355 (viii) a public corporation;
- 356 (ix) a special service district; or
- 357 (x) the Utah Communications Authority, established in Section 63H-7a-201;
- 358 (b) the facilities division, but only to the extent of the procurement authority provided
- 359 under Title 63A, Chapter 5b, Administration of State Facilities;
- 360 (c) the attorney general, but only to the extent of the procurement authority provided
- 361 under Title 67, Chapter 5, Attorney General;
- 362 (d) the Department of Transportation, but only to the extent of the procurement authority
- 363 provided under Title 72, Transportation Code;
- 364 (e) the Department of Health and Human Services, but only for the procurement of a
- 365 human services procurement item; or
- 366 (f) any other executive branch department, division, office, or entity that has statutory
- 367 procurement authority outside this chapter, but only to the extent of that statutory
- 368 procurement authority.
- 369 (41)(a) "Interlocal entity" means a separate political subdivision created under Title 11,
- 370 Chapter 13, Interlocal Cooperation Act.

- 371 (b) "Interlocal entity" does not include a project entity.
- 372 (42)(a) "Invitation for bids"~~[:]~~ means a document used to solicit:
- 373 (i) bids to provide a procurement item to a procurement unit; or
- 374 (ii) quotes for a price of a procurement item provided to a procurement unit.
- 375 [~~(a) means a document used to solicit:]~~
- 376 [~~(i) bids to provide a procurement item to a procurement unit; or]~~
- 377 [~~(ii) quotes for a price of a procurement item to be provided to a procurement unit;~~
- 378 ~~and]~~
- 379 (b) "Invitation for bids" includes all documents attached to or incorporated by reference
- 380 in a document described in Subsection (42)(a).
- 381 (43) "Issuing procurement unit" means a procurement unit that:
- 382 (a) reviews a solicitation to verify that [it] the solicitation is in proper form;
- 383 (b) causes the notice of a solicitation to be published; and
- 384 (c) negotiates and approves the terms and conditions of a contract.
- 385 (44) "Judicial procurement unit" means:
- 386 (a) the Utah Supreme Court;
- 387 (b) the Utah Court of Appeals;
- 388 (c) the Judicial Council;
- 389 (d) a state judicial district; or
- 390 (e) an office, committee, subcommittee, or other organization within the state judicial
- 391 branch.
- 392 (45) "Labor hour contract" is a contract under which:
- 393 (a) the supplies and materials are not provided by, or through, the contractor; and
- 394 (b) the contractor is paid a fixed rate that includes the cost of labor, overhead, and profit
- 395 for a specified number of labor hours or days.
- 396 (46) "Legislative procurement unit" means:
- 397 (a) the Legislature;
- 398 (b) the Senate;
- 399 (c) the House of Representatives;
- 400 (d) a staff office of the Legislature, the Senate, or the House of Representatives; or
- 401 (e) a committee, subcommittee, commission, or other organization:
- 402 (i) within the state legislative branch; or
- 403 (ii)(A) that is created by statute to advise or make recommendations to the
- 404 Legislature;

- 405 (B) the membership of which includes legislators; and
406 (C) for which the Office of Legislative Research and General Counsel provides
407 staff support.
- 408 (47) "Local building authority" means the same as that term is defined in Section 17D-2-102.
409 (48) "Local government procurement unit" means:
- 410 (a) a county, municipality, interlocal entity, or project entity, and each office of the
411 county, municipality, interlocal entity, or project entity, unless:
- 412 (i) the county or municipality adopts a procurement code by ordinance;
413 (ii) the interlocal entity adopts procurement rules or policies as provided in
414 Subsection 11-13-226(2); or
415 (iii) the project entity adopts a procurement code through the process described in
416 Section 11-13-316;
- 417 (b)(i) a county or municipality that has adopted this entire chapter by ordinance, and
418 each office or agency of that county or municipality; and
419 (ii) a project entity that has adopted this entire chapter through the process described
420 in Subsection 11-13-316; or
- 421 (c) a county, municipality, or project entity, and each office of the county, municipality,
422 or project entity that has adopted a portion of this chapter to the extent that:
- 423 (i) a term in the ordinance is used in the adopted chapter; or
424 (ii) a term in the ordinance is used in the language a project entity adopts in its
425 procurement code through the process described in Section 11-13-316.
- 426 (49) "Multiple award contracts" means the award of a contract for an indefinite quantity of
427 a procurement item to more than one person.
- 428 (50) "Multiyear contract" means a contract that extends beyond a one-year period,
429 including a contract that permits renewal of the contract, without competition, beyond
430 the first year of the contract.
- 431 (51) "Municipality" means a city or town.
- 432 (52) "Nonadopting local government procurement unit" means:
- 433 (a) a county or municipality that has not adopted Part 16, Protests, Part 17, Procurement
434 Appeals Board, Part 18, Appeals to Court and Court Proceedings, and Part 19,
435 General Provisions Related to Protest or Appeal; and
436 (b) each office or agency of a county or municipality described in Subsection (52)(a).
- 437 (53) "Offeror" means a person who submits a proposal in response to a request for
438 proposals.

- 439 (54) "Preferred bidder" means a bidder that is entitled to receive a reciprocal preference
440 under the requirements of this chapter.
- 441 (55) "Procure" means to acquire a procurement item through a procurement.
- 442 (56) "Procurement" means the acquisition of a procurement item through an expenditure of
443 public funds, or an agreement to expend public funds, including an acquisition through a
444 public-private partnership.
- 445 (57) "Procurement item" means an item of personal property, a technology, a service, or a
446 construction project.
- 447 (58) "Procurement official" means:
- 448 (a) for a procurement unit other than an independent procurement unit, the chief
449 procurement officer;
- 450 (b) for a legislative procurement unit, the individual, individuals, or body designated in a
451 policy adopted by the Legislative Management Committee;
- 452 (c) for a judicial procurement unit, the Judicial Council or an individual or body
453 designated by the Judicial Council by rule;
- 454 (d) for a local government procurement unit:
- 455 (i) the legislative body of the local government procurement unit; or
456 (ii) an individual or body designated by the local government procurement unit;
- 457 (e) for a special district, the board of trustees of the special district or the board of
458 trustees' designee;
- 459 (f) for a special service district, the governing body of the special service district or the
460 governing body's designee;
- 461 (g) for a local building authority, the board of directors of the local building authority or
462 the board of directors' designee;
- 463 (h) for a conservation district, the board of supervisors of the conservation district or the
464 board of supervisors' designee;
- 465 (i) for a public corporation, the board of directors of the public corporation or the board
466 of directors' designee;
- 467 (j) for a school district or any school or entity within a school district, the board of the
468 school district or the board's designee;
- 469 (k) for a charter school, the individual or body with executive authority over the charter
470 school or the designee of the individual or body;
- 471 (l) for an institution of higher education described in Section 53H-1-102, the president of
472 the institution of higher education or the president's designee;

- 473 (m) for the State Board of Education, the State Board of Education or the State Board of
474 Education's designee;
- 475 (n) for the Utah Board of Higher Education, the Commissioner of Higher Education or
476 the designee of the Commissioner of Higher Education;
- 477 (o) for the Utah Communications Authority, established in Section 63H-7a-201, the
478 executive director of the Utah Communications Authority or the executive director's
479 designee; or
- 480 (p)(i) for the facilities division, and only to the extent of procurement activities of the
481 facilities division as an independent procurement unit under the procurement
482 authority provided under Title 63A, Chapter 5b, Administration of State Facilities,
483 the director of the facilities division or the director's designee;
- 484 (ii) for the attorney general, and only to the extent of procurement activities of the
485 attorney general as an independent procurement unit under the procurement
486 authority provided under Title 67, Chapter 5, Attorney General, the attorney
487 general or the attorney general's designee;
- 488 (iii) for the Department of Transportation created in Section 72-1-201, and only to
489 the extent of procurement activities of the Department of Transportation as an
490 independent procurement unit under the procurement authority provided under
491 Title 72, Transportation Code, the executive director of the Department of
492 Transportation or the executive director's designee;
- 493 (iv) for the Department of Health and Human Services, and only to the extent of the
494 procurement activities of the Department of Health and Human Services as an
495 independent procurement unit, the executive director of the Department of Health
496 and Human Services or the executive director's designee; or
- 497 (v) for any other executive branch department, division, office, or entity that has
498 statutory procurement authority outside this chapter, and only to the extent of the
499 procurement activities of the department, division, office, or entity as an
500 independent procurement unit under the procurement authority provided outside
501 this chapter for the department, division, office, or entity, the chief executive
502 officer of the department, division, office, or entity or the chief executive officer's
503 designee.
- 504 (59) "Procurement unit" means:
- 505 (a) a legislative procurement unit;
- 506 (b) an executive branch procurement unit;

- 507 (c) a judicial procurement unit;
- 508 (d) an educational procurement unit;
- 509 (e) the Utah Communications Authority, established in Section 63H-7a-201;
- 510 (f) a local government procurement unit;
- 511 (g) a special district;
- 512 (h) a special service district;
- 513 (i) a local building authority;
- 514 (j) a conservation district; or
- 515 (k) a public corporation.
- 516 (60) "Professional service" means labor, effort, or work that requires specialized
- 517 knowledge, expertise, and discretion, including labor, effort, or work in the field of:
- 518 (a) accounting;
- 519 (b) administrative law judge service;
- 520 (c) architecture;
- 521 (d) construction design and management;
- 522 (e) engineering;
- 523 (f) financial services;
- 524 (g) information technology;
- 525 (h) the law;
- 526 (i) medicine;
- 527 (j) psychiatry; or
- 528 (k) underwriting.
- 529 (61) "Project entity" means the same as that term is defined in Section 11-13-103.
- 530 (62) "Protest officer" means:
- 531 (a) for the division or an independent procurement unit:
- 532 (i) the procurement official;
- 533 (ii) the procurement official's designee who is an employee of the procurement unit;
- 534 or
- 535 (iii) a person designated by rule made by the rulemaking authority; or
- 536 (b) for a procurement unit other than an independent procurement unit, the chief
- 537 procurement officer or the chief procurement officer's designee who is an employee
- 538 of the division[-].
- 539 (63) "Public corporation" means the same as that term is defined in Section 63E-1-102.
- 540 (64) "Public entity" means the state or any other governmental entity within the state that

- 541 expends public funds.
- 542 (65) "Public facility" means a building, structure, infrastructure, improvement, or other
543 facility of a public entity.
- 544 (66) "Public funds" means money, regardless of its source, including from the federal
545 government, that is owned or held by a procurement unit.
- 546 (67) "Public transit district" means a public transit district organized under Title 17B,
547 Chapter 2a, Part 8, Public Transit District Act.
- 548 (68) "Public-private partnership" means an arrangement or agreement, occurring on or after
549 January 1, 2017, between a procurement unit and one or more contractors to provide for
550 a public need through the development or operation of a project in which the contractor
551 or contractors share with the procurement unit the responsibility or risk of developing,
552 owning, maintaining, financing, or operating the project.
- 553 (69) "Qualified vendor" means a vendor who:
- 554 (a) is responsible; and
- 555 (b) submits a responsive statement of qualifications under Section 63G-6a-410 that
556 meets the minimum mandatory requirements, evaluation criteria, and any applicable
557 score thresholds set forth in the request for statement of qualifications.
- 558 (70) "Real property" means land and any building, fixture, improvement, appurtenance,
559 structure, or other development that is permanently affixed to land.
- 560 (71) "Request for information" means a nonbinding process through which a procurement
561 unit requests information relating to a procurement item.
- 562 (72) "Request for proposals" means a document used to solicit proposals to provide a
563 procurement item to a procurement unit, including all other documents that are attached
564 to that document or incorporated in that document by reference.
- 565 (73) "Request for proposals process" means the procurement process described in Part 7,
566 Request for Proposals.
- 567 (74) "Request for statement of qualifications" means a document used to solicit information
568 about the qualifications of a person interested in responding to a potential procurement,
569 including all other documents attached to that document or incorporated in that
570 document by reference.
- 571 (75) "Requirements contract" means a contract:
- 572 (a) under which a contractor agrees to provide a procurement unit's entire requirements
573 for certain procurement items at prices specified in the contract during the contract
574 period; and

- 575 (b) that:
- 576 (i) does not require a minimum purchase amount; or
- 577 (ii) provides a maximum purchase limit.
- 578 (76) "Responsible" means being capable, in all respects, of:
- 579 (a) meeting all the requirements of a solicitation; and
- 580 (b) fully performing all the requirements of the contract resulting from the solicitation,
- 581 including being financially solvent with sufficient financial resources to perform the
- 582 contract.
- 583 (77) "Responsive" means conforming in all material respects to the requirements of a
- 584 solicitation.
- 585 (78) "Rule" [~~includes~~] means a policy or regulation adopted by the rulemaking authority, if
- 586 adopting a policy or regulation is the method the rulemaking authority uses to adopt
- 587 provisions that govern the applicable procurement unit.
- 588 (79) "Rulemaking authority" means:
- 589 (a) for a legislative procurement unit, the Legislative Management Committee;
- 590 (b) for a judicial procurement unit, the Judicial Council;
- 591 (c)(i) only to the extent of the procurement authority expressly granted to the
- 592 procurement unit by statute:
- 593 (A) for the facilities division, the facilities division;
- 594 (B) for the Office of the Attorney General, the attorney general;
- 595 (C) for the Department of Transportation created in Section 72-1-201, the
- 596 executive director of the Department of Transportation;
- 597 (D) for the Department of Health and Human Services, the executive director of
- 598 the Department of Health and Human Services; and
- 599 (E) for any other executive branch department, division, office, or entity that has
- 600 statutory procurement authority outside this chapter, the governing authority of
- 601 the department, division, office, or entity; and
- 602 (ii) for each other executive branch procurement unit, the board;
- 603 (d) for a local government procurement unit:
- 604 (i) the governing body of the local government unit; or
- 605 (ii) an individual or body designated by the local government procurement unit;
- 606 (e) for a school district or a public school, the board, except to the extent of a school
- 607 district's own nonadministrative rules that do not conflict with the provisions of this
- 608 chapter;

- 609 (f) for an institution of higher education, the Utah Board of Higher Education;
- 610 (g) for the State Board of Education or the Utah Schools for the Deaf and the Blind, the
611 State Board of Education;
- 612 (h) for a public transit district, the chief executive of the public transit district;
- 613 (i) for a special district other than a public transit district or for a special service district,
614 the board, except to the extent that the board of trustees of the special district or the
615 governing body of the special service district makes [its] the special service district's
616 own rules:
- 617 (i) with respect to a subject addressed by board rules; or
- 618 (ii) that are in addition to board rules;
- 619 (j) for the Utah Educational Savings Plan, created in Section 53H-10-202, the Utah
620 Board of Higher Education;
- 621 (k) for the School and Institutional Trust Lands Administration, created in Section
622 53C-1-201, the School and Institutional Trust Lands Board of Trustees;
- 623 (l) for the School and Institutional Trust Fund Office, created in Section 53D-1-201, the
624 School and Institutional Trust Fund Board of Trustees;
- 625 (m) for the Utah Communications Authority, established in Section 63H-7a-201, the
626 Utah Communications Authority board, created in Section 63H-7a-203; or
- 627 (n) for any other procurement unit, the board.
- 628 (80)(a) "Service"[?] means labor, effort, or work to produce a result that is beneficial to a
629 procurement unit.
- 630 [~~(a) means labor, effort, or work to produce a result that is beneficial to a procurement~~
631 ~~unit;~~]
- 632 (b) "Service" includes a professional service[; ~~and~~] .
- 633 (c) "Service" does not include labor, effort, or work provided under an employment
634 agreement or a collective bargaining agreement.
- 635 (81) "Small purchase process" means the procurement process described in Section
636 63G-6a-506.
- 637 (82) "Sole source contract" means a contract resulting from a sole source procurement.
- 638 (83) "Sole source procurement" means a procurement without competition [~~pursuant to~~] in
639 accordance with a determination under Subsection 63G-6a-802(1)(a) that there is only
640 one source for the procurement item.
- 641 (84) "Solicitation" means an invitation for bids, request for proposals, or request for
642 statement of qualifications.

- 643 (85) "Solicitation response" means:
- 644 (a) a bid submitted in response to an invitation for bids;
- 645 (b) a proposal submitted in response to a request for proposals; or
- 646 (c) a statement of qualifications submitted in response to a request for statement of
- 647 qualifications.
- 648 (86) "Special district" means the same as that term is defined in Section 17B-1-102.
- 649 (87) "Special service district" means the same as that term is defined in Section 17D-1-102.
- 650 (88) "Specification" means any description of the physical or functional characteristics or of
- 651 the nature of a procurement item included in an invitation for bids or a request for
- 652 proposals, or otherwise specified or agreed to by a procurement unit, including a
- 653 description of:
- 654 (a) a requirement for inspecting or testing a procurement item; or
- 655 (b) preparing a procurement item for delivery.
- 656 (89) "Standard procurement process" means:
- 657 (a) the bidding process;
- 658 (b) the request for proposals process;
- 659 (c) the approved vendor list process;
- 660 (d) the small purchase process; or
- 661 (e) the design professional procurement process.
- 662 (90) "State cooperative contract" means a contract awarded by the division for and in behalf
- 663 of all public entities.
- 664 (91) "Statement of qualifications" means a written statement submitted to a procurement
- 665 unit in response to a request for statement of qualifications.
- 666 (92)(a) "Subcontractor"[:] means a person under contract to perform part of a contractual
- 667 obligation under the control of the contractor, whether the person's contract is with
- 668 the contractor directly or with another person who is under contract to perform part
- 669 of a contractual obligation under the control of the contractor.
- 670 ~~[(a) means a person under contract to perform part of a contractual obligation under the~~
- 671 ~~control of the contractor, whether the person's contract is with the contractor directly~~
- 672 ~~or with another person who is under contract to perform part of a contractual~~
- 673 ~~obligation under the control of the contractor; and]~~
- 674 (b) "Subcontractor" includes a supplier, distributor, or other vendor that furnishes
- 675 supplies or services to a contractor.
- 676 (93) "Technology" means the same as "information technology," as defined in Section

- 677 63A-16-102.
- 678 (94) "Tie bid" means that the lowest responsive bids of responsible bidders are identical in
679 price.
- 680 (95) "Time and materials contract" means a contract under which the contractor is paid:
681 (a) the actual cost of direct labor at specified hourly rates;
682 (b) the actual cost of materials and equipment usage; and
683 (c) an additional amount, expressly described in the contract, to cover overhead and
684 profit, that is not based on a percentage of the cost to the contractor.
- 685 (96)(a) "Transitional costs" means the costs of changing:
686 (i) from an existing provider of a procurement item to another provider of that
687 procurement item; or
688 (ii) from an existing type of procurement item to another type.
689 [~~(a) means the costs of changing:~~]
690 [(i) from an existing provider of a procurement item to another provider of that
691 procurement item; or]
692 [(ii) from an existing type of procurement item to another type;]
693 (b) "Transitional costs" includes:
694 (i) training costs;
695 (ii) conversion costs;
696 (iii) compatibility costs;
697 (iv) costs associated with system downtime;
698 (v) disruption of service costs;
699 (vi) staff time necessary to implement the change;
700 (vii) installation costs; and
701 (viii) ancillary software, hardware, equipment, or construction costs[~~;~~and] .
- 702 (c) "Transitional costs" do not include:
703 (i) the costs of preparing for or engaging in a procurement process; or
704 (ii) contract negotiation or drafting costs.
705 [~~(e) does not include:~~]
706 [(i) the costs of preparing for or engaging in a procurement process; or]
707 [(ii) contract negotiation or drafting costs.]
- 708 (97)(a) "Vendor" [:] means a person who is seeking to enter into a contract with a
709 procurement unit to provide a procurement item.
710 [~~(a) means a person who is seeking to enter into a contract with a procurement unit to~~

711 provide a procurement item; and]

712 (b) "Vendor" includes:

713 (i) a bidder;

714 (ii) an offeror;

715 (iii) an approved vendor;

716 (iv) a design professional; and

717 (v) a person who submits an unsolicited proposal under Section 63G-6a-712.

718 Section 3. Section **77-22-2** is amended to read:

719 **77-22-2 . Investigations -- Right to subpoena witnesses and require production of**
720 **evidence -- Contents of subpoena -- Rights of witnesses -- Interrogation before closed**
721 **court -- Disclosure of information.**

722 (1) As used in this section, "prosecutor" means the same as that term is defined in Section
723 77-22-4.5.

724 (2)(a) In any matter involving the investigation of a crime or malfeasance in office, or
725 any criminal conspiracy or activity, the prosecutor may, upon application and
726 approval of the district court and for good cause shown, conduct a criminal
727 investigation.

728 (b) The application and statement of good cause shall state whether another investigative
729 order related to the investigation at issue has been filed in another court.

730 (3)(a) Subject to the conditions established in Subsection (3)(b), the prosecutor may:

731 (i) subpoena [~~witnesses~~] a witness;

732 (ii) [~~compel their attendance and testimony under oath to be recorded by a suitable~~
733 ~~electronic recording device or to be given before any certified court reporter]~~
734 compel a witness to attend and testify under oath, with testimony recorded by a
735 suitable electronic recording device or taken before a court reporter; and

736 (iii) require the production of books, papers, documents, recordings, and any other
737 items that are evidence or may be relevant to the investigation.

738 (b) The prosecutor shall:

739 (i) apply to the district court for each subpoena; and

740 (ii) show that the requested information is reasonably related to the criminal
741 investigation authorized by the court.

742 (4)(a) The prosecutor shall state in each subpoena:

743 (i) the time and place of the examination;

744 (ii) that the subpoena is issued in aid of a criminal investigation; and

- 745 (iii) the right of the person subpoenaed to have counsel present.
- 746 (b) ~~[The examination may be conducted anywhere.]~~ The prosecutor may conduct the
747 examination anywhere within the jurisdiction of the prosecutor issuing the subpoena.
- 748 (c) The subpoena need not disclose the names of possible defendants.
- 749 (d) Witness fees and expenses shall be paid as in a civil action.
- 750 (5)(a) At the beginning of each compelled interrogation, the prosecutor shall personally
751 inform each witness:
- 752 (i) of the general subject matter of the investigation;
- 753 (ii) of the privilege to, at any time during the proceeding, refuse to answer any
754 question or produce any evidence of a communicative nature that may result in
755 self-incrimination;
- 756 (iii) that any information provided may be used against the witness in a subsequent
757 criminal proceeding; and
- 758 (iv) of the right to have counsel present.
- 759 (b) If the prosecutor has substantial evidence that the subpoenaed witness has committed
760 a crime that is under investigation, the prosecutor shall:
- 761 (i) inform the witness in person before interrogation of that witness's target status; and
762 (ii) inform the witness of the nature of the charges under consideration against the
763 witness.
- 764 (6)(a)(i) The prosecutor may make written application to any district court showing a
765 reasonable likelihood that publicly releasing information about the identity of a
766 witness or the substance of the evidence resulting from a subpoena or
767 interrogation would pose a threat of harm to a person or otherwise impede the
768 investigation.
- 769 (ii) Upon a finding of reasonable likelihood, the court may order the:
- 770 (A) interrogation of a witness be held in secret;
- 771 (B) occurrence of the interrogation and other subpoenaing of evidence, the
772 identity of the person subpoenaed, and the substance of the evidence obtained
773 be kept secret; and
- 774 (C) record of testimony and other subpoenaed evidence be kept secret unless the
775 court for good cause otherwise orders.
- 776 (b) After application, the court may by order exclude from any investigative hearing or
777 proceeding any ~~[persons]~~ person except:
- 778 (i) ~~[the attorneys]~~ an attorney representing the state ~~[and members of their staffs]~~ or

- 779 the state's staff;
- 780 (ii) [~~persons~~] an individual who, in the judgment of the [~~attorneys~~] attorney
- 781 representing the state[~~, are~~] or the state's staff, is reasonably necessary to assist in
- 782 the investigative process;
- 783 (iii) the court reporter or operator of the electronic recording device; and
- 784 (iv) the attorney for the witness.
- 785 (c) This chapter does not prevent [~~attorneys~~] an attorney representing the state or [~~members of their staff~~] the state's staff from disclosing information obtained [~~pursuant~~
- 786 to] in accordance with this chapter for the purpose of furthering any official
- 787 governmental investigation.
- 788
- 789 (d)(i) If a secrecy order has been granted by the court regarding the interrogation or
- 790 disclosure of evidence by a witness under this subsection, and if the court finds a
- 791 further restriction on the witness is appropriate, the court may order the witness
- 792 not to disclose the substance of the witness's testimony or evidence given by the
- 793 witness to others.
- 794 (ii) Any order to not disclose made under this subsection shall be served with the
- 795 subpoena.
- 796 (iii) In an appropriate circumstance the court may order that the witness not disclose
- 797 the existence of the investigation to others.
- 798 (iv) Any order under this Subsection (6)(d) [~~must~~] shall be based upon a finding by
- 799 the court that one or more of the following risks exist:
- 800 (A) disclosure by the witness would cause destruction of evidence;
- 801 (B) disclosure by the witness would taint the evidence provided by other
- 802 witnesses;
- 803 (C) disclosure by the witness to a target of the investigation would result in flight
- 804 or other conduct to avoid prosecution;
- 805 (D) disclosure by the witness would damage a person's reputation; or
- 806 (E) disclosure by the witness would cause a threat of harm to any person.
- 807 (e)(i) If the court imposes an order under Subsection (6)(d) authorizing an instruction
- 808 to a witness not to disclose the substance of testimony or evidence provided and
- 809 the prosecuting agency proves by a preponderance of the evidence that a witness
- 810 has violated that order, the court may hold the witness in contempt.
- 811 (ii) An order of secrecy imposed on a witness under this Subsection (6)(e) may not
- 812 infringe on the attorney-client relationship between the witness and the witness's

813 attorney or ~~[or]~~ another legally recognized privileged relationship.

814 (7)(a)(i) The prosecutor may submit to any district court a separate written request
815 that the application, statement of good cause, and the court's order authorizing the
816 investigation be kept secret.

817 (ii) The request for secrecy is a public record under Title 63G, Chapter 2,
818 Government Records Access and Management Act, but need not contain any
819 information that would compromise any of the interest listed in Subsection (7)(c).

820 (b) With the court's permission, the prosecutor may submit to the court, in camera, any
821 additional information to support the request for secrecy if necessary to avoid
822 compromising the interests listed in Subsection (7)(c).

823 (c) The court shall consider all information in the application and order authorizing the
824 investigation and any information received in camera and shall order that all
825 information be placed in the public file except information that, if disclosed, would
826 pose:

827 (i) a substantial risk of harm to a person's safety;

828 (ii) a clearly unwarranted invasion of or harm to a person's reputation or privacy; or

829 (iii) a serious impediment to the investigation.

830 (d) Before granting an order keeping secret documents and other information received
831 under this section, the court shall narrow the secrecy order as much as reasonably
832 possible in order to preserve the openness of court records while protecting the
833 interests listed in Subsection (7)(c).

834 Section 4. Section **78A-2-402** is amended to read:

835 **78A-2-402 . Definitions.**

836 As used in this part~~[:]~~ ,

837 ~~[(1) "Certified court reporter" means a state certified court reporter as described in Title 58,~~
838 ~~Chapter 74, State Certification of Court Reporters Act.]~~

839 ~~[(2)]~~ "Official court transcriber" means a person certified and authorized in accordance with
840 rules of the Judicial Council to transcribe into written form an audio or video recording
841 of court proceedings.

842 Section 5. Section **78A-2-404** is amended to read:

843 **78A-2-404 . Contract restrictions.**

844 (1)(a) Any contract for court reporting services, not related to a particular case or
845 reporting incident, is prohibited between a court reporter or any other person with
846 whom a court reporter has a principal and agency relationship and any attorney, party

- 847 to an action, or party having a financial interest in an action.
- 848 (b) Negotiating or bidding reasonable fees, equal to all the parties, on a case-by-case
- 849 basis is not prohibited.
- 850 (2) A [~~certified~~] court reporter is an officer of the court, authorized to administer oaths, [~~whose impartiality shall remain~~] who shall remain impartial beyond question.
- 851
- 852 (3) This section does not apply to the courts or the administrative tribunals of this state.
- 853 [~~(4) Violation of this section shall be considered unprofessional conduct as provided in~~
- 854 ~~Section 58-74-102 and 58-74-502, and shall be grounds for revocation of state~~
- 855 ~~certification only.~~]

856 Section 6. **Repealer.**

857 This bill repeals:

858 Section **58-64-101, Title.**

859 Section **58-64-102, Definitions.**

860 Section **58-64-301, Licensure required -- License classifications.**

861 Section **58-64-302, Qualifications for licensure.**

862 Section **58-64-303, Term of license -- Expiration -- Renewal.**

863 Section **58-64-304, Exemptions from licensure.**

864 Section **58-64-305, Status of licenses held on the effective date of this chapter.**

865 Section **58-64-401, Grounds for denial of license -- Disciplinary proceedings.**

866 Section **58-64-501, Unlawful conduct.**

867 Section **58-64-502, Unprofessional conduct.**

868 Section **58-64-601, Deception detection instruments.**

869 Section **58-64-701, State preemption of local regulation.**

870 Section **58-74-101, Title.**

871 Section **58-74-102, Definitions.**

872 Section **58-74-301, State certification required.**

873 Section **58-74-302, Qualifications for state certification.**

874 Section **58-74-303, Term of state certification -- Expiration -- Renewal.**

875 Section **58-74-401, Grounds for denial of state certification -- Disciplinary proceedings.**

876 Section **58-74-501, Unlawful conduct.**

877 Section **58-74-502, Unprofessional conduct.**

878 Section **58-84-101, Title.**

879 Section **58-84-102, Definitions.**

880 Section **58-84-103, Rulemaking.**

- 881 Section **58-84-201, Qualifications for state certification.**
- 882 Section **58-84-202, Term of state certification.**
- 883 Section **58-84-203, Limitation of state certification.**
- 884 Section **58-84-301, Unlawful conduct.**
- 885 Section **58-86-101, Title and scope.**
- 886 Section **58-86-102, Definitions.**
- 887 Section **58-86-103, Rulemaking.**
- 888 Section **58-86-201, State certification required.**
- 889 Section **58-86-202, Qualifications for state certification.**
- 890 Section **58-86-203, Term of state certification -- Expiration -- Renewal.**
- 891 Section **58-86-204, Continuing education.**
- 892 Section **58-86-205, Grounds for denial of state certification -- Disciplinary proceedings.**
- 893 Section **58-86-206, Exemptions from state certification.**
- 894 Section **58-86-301, Unlawful conduct.**
- 895 Section **58-86-302, Penalty for unlawful conduct.**
- 896 Section **58-86-401, State certification number and signature.**
- 897 Section **78A-2-403, Appointment of court reporters -- Eligibility.**
- 898 Section 7. **Effective Date.**
- 899 This bill takes effect on May 6, 2026.