

INTERIM HIGHLIGHTS

NOVEMBER 2020 VOL. 20, No. 5



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List of Committee Bills for the 2021 General Session as of November 18, 2020

Legislative Interim Meetings

Administrative Rules Review Committee

November 19, 2020

Department of Alcoholic Beverage Control

Heard a [presentation](#) from the Department of Alcoholic Beverage Control about its internal policies related to the sale of alcoholic beverages and customer identification.

Department of Health

Heard a presentation from the Department of Health about:

- data [sharing agreements](#) with the Utah Population Database, part of the Huntsman Cancer Institute and University of Utah, and data privacy issues; and
- the [department's processes](#) for determining causes of death and reporting deaths, including [COVID-19 deaths](#).

Chairs: Rep. Marc K. Roberts / Sen. Jacob L. Anderegg
Staff: Micah Ann Wixom (Policy Analyst) / Amy Shewan (Attorney) / Amy Hawkes (Administrative Assistant)

Business and Labor

November 17, 2020

Apprenticeship Utilization Requirements

Discussed 2021 General Session draft legislation, "[Apprenticeship Utilization Requirements](#)," which would:

- require a specified amount of labor be performed by an apprentice for certain public works projects;
- establish other requirements for a contract between a government entity and a contractor relating to labor provided by an apprentice; and
- provide exceptions to the apprentice labor requirement under certain circumstances.

Board of Financial Institutions Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Board of Financial Institutions Amendments](#)," which would extend the sunset date for the Board of Financial Institutions from July 1, 2021, to July 1, 2031.

Commercial Interior Designers Act Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Commercial Interior Designers Act Amendments](#)," which would remove the repeal date of the State Certification of Commercial Interior Designers Act.

Competency-based Licensing

Received a [presentation](#) from Vametric, Inc., about competency-based evidence tools for occupational licensing and how competency-based assessments are helping COVID-19 economic recovery by using demonstratable abilities and skills rather than exams.

Condominium and Community Association Regulation Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Condominium and Community Association Regulation Amendments](#)," which would prevent a condominium or homeowners association from prohibiting a condominium unit or lot owner from installing a personal security camera on the owner's unit or a structure on the owner's lot.

Department of Alcoholic Beverage Control Funding Mechanism

Discussed potential policies regarding the funding mechanisms for the Department of Alcoholic Beverage Control that would amend what is included in the department's base budget.

Employee Status Amendments

Received a summary [document](#) from Stephenson Consulting that lists the benefits of establishing, under certain conditions, that a remote-service contractor is not an employee of a marketplace company.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Employee Status Amendments](#)," which would provide that a remote-service contractor is not an employee of a marketplace company if certain conditions are met.

Government Insurance Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Government Insurance Amendments](#)," which would authorize the State Risk Manager to create one or more captive insurance companies.

Insurance Revisions

Action: Approved as a committee bill 2021 General Session draft legislation, "[Insurance Revisions](#)," which would amend many items throughout the Insurance Code.

Physician Assistant Act Amendments

Received a [presentation](#) from the Utah Academy of Physician Assistants about the supervising physician assistant model, direct billing, and regulation.

Also heard from the Utah Psychological Association and Utah Medical Association.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Physician Assistant Act Amendments](#)," which would amend the scope of practice for physician assistants and would authorize physician assistants and their employers to be eligible for direct payment by all public and private insurers.

Physician Assistant Mental Health Practice Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Physician Assistant Mental Health Practice Amendments](#)," which would allow a physician assistant to specialize in psychiatric mental health and would define the requirements and scope of practice for this specialization.

Post-employment Restrictions Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Post-employment Restrictions Amendments](#)," which would modify the permissible scope of a post-employment restrictive covenant by prohibiting an employer and an employee from entering into a post-employment restrictive covenant that is broader than necessary to protect the legitimate business interests of the employer or that applies to a geographic area that is larger than the geographic area in which the employer has significant presence or influence.

Required Reports

Received the following required written reports:

- [Beer Availability Workgroup Annual Report](#); and
- [Report of the Commissioner of Financial Institutions](#).

Residential Mortgage Regulatory Commission Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Residential Mortgage Regulatory Commission Amendments](#)," which would extend the sunset date for the Residential Mortgage Regulatory Commission from July 1, 2021, to July 1, 2031.

Chairs: Rep. James A. Dunnigan / Sen. Curtis S. Bramble
Staff: Adam J. Sweet (Policy Analyst) / Amy L. West (Attorney) / Patrick Grecu (Attorney) / Leila Reynolds (Administrative Assistant)



Criminal Code Evaluation Task Force

October 26, 2020

Affirmative Consent

Received a [presentation](#) from the S.J. Quinney College of Law at the University of Utah and the Brigham Young University College of Nursing regarding issues related to affirmative consent as they relate to the criminal code.

Building Regulation Violations

Received comments from the Utah Home Builders Association and Ivory Homes regarding building regulation violations as they relate to the criminal code.

Action: Voted to open a task force bill file to address recommended statutory changes, including the possibility of reducing certain criminal building code violations to civil penalties.

Electronic Harassment

Received an update from the Attorney General's Office regarding whether amendments to the electronic harassment statute implemented within the last three to four years have placed the statute in line with current and emerging technologies.

Peace Officer Training Qualifications

Discussed 2021 General Session draft legislation, "[Peace Officer Training Qualifications Amendments](#)," which would remove the requirement that an applicant for peace officer training programs must be a United States citizen.

Action: Voted to prioritize 2021 General Session draft legislation, "Peace Officer Training Qualifications," and bring it back before the task force for further consideration.

Stalking

Discussed 2021 General Session draft legislation, "[Stalking Amendments](#)," which changes the definition of "course of conduct" required for the offense of stalking by increasing the number of acts necessary to constitute a course of conduct and requiring that the acts constituting the course of conduct evidence a continuity of purpose.

Action: Approved as a committee bill 2021 General Session draft legislation, "Stalking Amendments."

Chairs: Rep. Paul Ray / Sen. Karen Mayne
Staff: John Feinauer (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Jackie Rogers (Attorney) / Tracey Fredman (Administrative Assistant)

Economic Development and Workforce Services

November 17, 2020

Child Care Advisory Committee Sunset Extension

Action: Approved as a committee bill 2021 General Session draft legislation, "[Child Care Advisory Committee Sunset Extension](#)," which would extend the sunset dates related to the Child Care Advisory Committee to July 1, 2026.

Emergency Procurement Declaration Modifications

Action: Approved as a committee bill 2021 General Session draft legislation, "[Emergency Procurement Declaration Modifications](#)," which would modify reporting requirements related to an emergency procurement and limit the term length of a contract entered into for an emergency procurement.

Hotel Impact Mitigation Fund Sunset Extension

Action: Approved as a committee bill 2021 General Session draft legislation, "[Hotel Impact Mitigation Fund Sunset Extension](#)," which would extend the sunset date of the Hotel Impact Mitigation Fund, which is part of the New Convention Facility Development Incentives to July 1, 2028.

Public Infrastructure District Revisions

Action: Approved as a committee bill 2021 General Session draft legislation, "[Public Infrastructure District Revisions](#)," which would renumber provisions related to public infrastructure districts.

Rural Online Initiative Sunset Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[Rural Online Initiative Sunset Amendments](#)," which would remove the sunset date of the Rural Online Initiative program and modify the program's reporting requirements.

State Flag Task Force

Action: Approved as a committee bill 2021 General Session draft legislation, "[State Flag Task Force](#)," which would create the State Flag Task Force and provide the task force's duties regarding the proposal of a new state flag of Utah.



Economic Development

Received a presentation from two legislators and the Governor-elect regarding a proposed strategic focus for future legislative changes related to economic development in the state.

Intergenerational Poverty Mitigation Act Amendments

Discussed draft legislation, "[Intergenerational Poverty Mitigation Act Amendments](#)," which would amend the memberships of the Utah Intergenerational Welfare Reform Commission and the Intergenerational Poverty Advisory Committee. Heard from the Department of the Workforce Services, explaining the need for the draft legislation.

Action: Approved as a committee bill 2021 General Session draft legislation, "Intergenerational Poverty Mitigation Act Amendments."

Workforce Solutions for Improved Air Quality

Received a [report](#) from the Department of Human Resource Management (DHRM) on the results of three surveys related to teleworking by the state's workforce. The surveys asked:

- executive department and agency leaders about how many jobs require an assigned workspace and why;
- supervisors about the overall productivity impact of teleworking; and
- employees currently teleworking about their teleworking experience.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Workforce Solutions for Air Quality Amendments](#)," which would enact reporting and other requirements for DHRM related to teleworking by state employees.

Chairs: Rep. Mike Winder / Sen. Daniel McCay
Staff: Julie Humberstone (Policy Analyst) / Peter Asplund (Attorney) / Leila Reynolds (Administrative Assistant)

Education

Impacts of COVID-19 on Public Education: Assessment and Accountability

Heard a [presentation](#) from the State Board of Education about the programs affected by waivers granted by the Legislature in 2020 Third Special Session S.B. 3005, "[Education Modifications](#)," for certain public education assessment requirements and other assessment and accountability issues affected by the COVID-19 pandemic.

Public Education Reporting Requirements

Discussed 2021 General Session draft legislation, "[Education Agency Report Process Amendments](#)," and [proposed modifications](#). The draft legislation would remove some reporting requirements from statute and require the State Board of Education (state board) to establish a policy or procedure to evaluate the impact any report the state board requires in rule may have on a local education agency's reporting requirements.

Action: Approved as a committee bill 2021 General Session draft legislation, "Education Agency Report Process Amendments."

Transition to a Single Higher Education System

Heard a [presentation](#) from the Board of Higher Education about the process of transitioning the higher education and technical college systems to a single governance system, as directed in 2020 General Session S.B. 111, "Higher Education Amendments."

Chairs: Rep. V. Lowry Snow / Sen. Deidre M. Henderson
Staff: Allyson R. Hicks (Policy Analyst) / Micah Ann Wixom (Policy Analyst) / Michael E. Curtis (Attorney) / Amy Shewan (Attorney) / Diana Rodriguez (Administrative Assistant)

Federalism Commission

October 27, 2020

Chair Updates: GEOMANCER/AEON Federal Land Valuation Model Training Discussion

Discussed options for allocating the 50 licenses that the commission is authorized to grant for training and use of the Federal Land Valuation Model. Heard from Utah Association of Counties on the benefits to counties from utilizing the tool and requesting the commission consider granting licenses to certain counties.

Federal Land Valuation Model and Greenbelt Valuations

Discussed a concern with evaluating greenbelt properties higher than the current standard, resulting in higher property taxes for property owners. Heard from the director of the Property Tax Division, State Tax Commission, who explained the process for evaluating greenbelt properties, addressed the impacts Geomancer's land valuation model would have on property taxes, and answered commission questions.

Action: Voted to open a committee resolution to communicate the commission's intent to hold Greenbelt valuations harmless.

PILT and Allocating Funds

Discussed certain county concerns regarding the Payments in Lieu of Taxes (PILT) distribution formula and a floor for current county revenues.

Action: Voted to open a bill file to show legislative intent for a funding floor consistent with current revenues counties receive.

Procurement of Services for Development of Land Management Plans and for Policy Advocacy

Heard from two legislators about the [evaluation committee report](#) for the Request for Proposals (RFP) for Consulting Service for the Development of Land Management Plans and the evaluation committee report for the RFP for Policy Advocacy Services. Discussed the backgrounds of the proposals and the recommendations in the reports.

Action: Voted to accept the Davalier Group's proposal for the Policy Advocacy Consulting Services.

Action: Voted to accept the Sunrise Engineering proposal for the Consulting Services for the Development of Land Management Plans.

Chairs: Rep. Keven J. Stratton / Sen. Lincoln Fillmore
Staff: Samantha D. Brucker (Policy Analyst) / Kurt P. Gasser (Attorney) / Robert H. Rees (Attorney) / Cherish Cosman (Administrative Assistant) / Finn Andrew Rose (Administrative Assistant)

Government Operations

November 17, 2020

Behavioral Emergency Services Amendments

Discussed 2021 General Session draft legislation, "[Behavioral Emergency Services Amendments](#)," which would create a new license for behavioral emergency services technicians and advanced behavioral emergency services technicians.

Action: Approved as a committee bill 2021 General Session draft legislation, "Behavioral Emergency Services Amendments."

Competency-based Hiring Amendments

Discussed 2021 General Session "[Competency-based Hiring Amendments](#)," which would address the consideration of experience or abilities for certain job applicants.



Department of Human Services Budgetary Procedures Amendments

Discussed 2021 General Session draft legislation, "[Department of Human Services Budgetary Procedures Amendments](#)," which would allow the executive director of the Department of Human Services to designate up to three priority programs within the department to receive funds from other department programs that the department determines have unexpended funds from the fiscal year in which the funds were appropriated.

Action: Approved as a committee bill 2021 General Session draft legislation, "Department of Human Services Budgetary Procedures Amendments."

Governmental Use of Facial Recognition Technology

Discussed draft legislation, "[Governmental Use of Facial Recognition Technology](#)," which would address the state's use of facial recognition technology.

Action: Approved as a committee bill 2021 General Session draft legislation, "Governmental Use of Facial Recognition Technology."

Group Gang Enhancement Amendments

Received a [presentation](#) from the Utah Sentencing Commission, and discussed draft legislation, "[Group Gang Enhancement Amendments](#)," which would modify the sentencing enhancements and applicable offenses for certain crimes committed in concert with multiple people or on behalf of criminal street gangs.

Action: Approved as a committee bill 2021 General Session draft legislation, "Group Gang Enhancement Amendments."

Juvenile Offender Penalty Amendments

Received a [presentation](#) from the Utah Sentencing Commission, and discussed 2021 General Session draft legislation, "[Juvenile Offender Penalty Amendments](#)," which would address penalties imposed on an individual for certain sexual offenses committed as a juvenile.

Action: Approved as a committee bill 2021 General Session draft legislation, "Juvenile Offender Penalty Amendments."

Mental Health Crisis Intervention Council

Discussed 2021 General Session draft legislation, "[Mental Health Crisis Intervention Council](#)" which would create the Mental Health Crisis Intervention Council to establish protocols and standards for the training and functioning of local mental health crisis intervention teams.

Action: Approved as a committee bill 2021 General Session draft legislation, "Mental Health Crisis Intervention Council."

Mobile Voting Pilot Project

Discussed 2021 General Session draft legislation, "[Mobile Voting Pilot Project](#)," which would allow a municipality to choose to permit a voter to vote by electronic means approved by the municipality's election officer.

Action: Approved as a committee bill 2021 General Session draft legislation, "Mobile Voting Pilot Project."

Voter Referendum Amendments

Discussed 2021 General Session draft legislation, "[Voter Referendum Amendments](#)," which would clarify the definition of a land use law and modify the elections at which a referendum relating to legislative action taken after April 15 may appear on the ballot.

Action: Approved as a committee bill 2021 General Session draft legislation, "Voter Referendum Amendments."

Chairs: Rep. Marc K. Roberts / Sen. Daniel W. Thatcher
Staff: Lisa Sorensen (Policy Analyst) / Alan Houston (Attorney) / Thomas R. Vaughn (Attorney) / Tracey Fredman (Administrative Assistant)

Health and Human Services

COVID-19

[Briefed](#) by the Department of Health on issues related to the COVID-19 pandemic, including incidence of the disease, hospital capacity, steps to promote safety during the Thanksgiving holiday, testing, and potential features of the next public health order.

Delegation of Health Care Services

Briefed by the Division of Occupational and Professional Licensing on the implementation of 2020 General Session H.B. 274, "[Delegation of Health Care Services Amendments](#)," which required the division "in consultation with the Department of Health, [to] identify by rule...a list of health care services that an unlicensed individual may perform without delegation by a health care provider..., regardless of the setting or licensing of the facility in which the health care services are performed."

Medicaid: Accountable Care Organizations

Considered 2021 General Session draft resolution, "[Joint Resolution Recognizing the Success of the Utah Medicaid Accountable Care Program](#)," which would recognize the success of the state's Medicaid accountable care program.

Action: Approved as a committee resolution draft legislation, "Joint Resolution Recognizing the Success of the Utah Medicaid Accountable Care Program."

Medical Cannabis

Briefed by the Cannabinoid Product Board (CPB) and the Compassionate Use Board (CUB). The CPB [reported](#) that it has published comprehensive, condition-specific, evidence-based guidance for use of medical cannabis and supports efforts to improve patient access and safety by including medical cannabis in the state's controlled substance database. The CUB [reported](#) that since March 2020 it has approved 106 requests for use of medical cannabis, 87% of which have been for individuals 11 to 20 years of age and 58% of which have been for chronic pain or post-traumatic stress disorder.

Also [briefed](#) by sponsors of medical cannabis legislation on issues likely to be addressed by a handful of cannabis bills during the 2021 General Session, including protection of consumers from predatory practices, reporting of dispensing information to the state's controlled substance database, delegation of certain tasks to dispensing pharmacies, and authorization of individuals who are not qualified medical providers to recommend medical cannabis.

Sunset Review: Kurt Oscarson Children's Organ Transplant Coordinating Committee

Considered draft legislation that postpones the sunset of the [Kurt Oscarson Children's Organ Transplant Coordinating Committee](#) for 10 years.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Kurt Oscarson Children's Organ Transplant Coordinating Committee Extension](#)."



Telehealth: Interstate Services

Considered draft legislation that specifies that the diagnosis or treatment of a mental health condition using telehealth services qualifies for payment by a health insurer that offers catastrophic mental health coverage.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Mental Health Access Amendments](#)."

Utah Marriage Commission

Considered draft legislation that moves the Utah Marriage Commission from the Department of Human Services to the Governor's Office, changes commission membership, and amends the marriage license fee used to fund the commission.

Action: Approved as a committee bill 2021 General Session draft legislation, "[Marriage Commission Amendments](#)."

Chairs: Rep. Brad M. Daw / Sen. Allen M. Christensen
Staff: Karin M. Rueff (Policy Analyst) / Mark D. Andrews (Policy Analyst) / Christopher Williams (Attorney) / Daniel M. Cheung (Attorney) / Ericka A. Evans (Attorney) / Amy Hawkes (Administrative Assistant)

Health Reform Task Force

November 12, 2020

Medicaid Waivers

[Briefed](#) by the Department of Health on the development of four Medicaid waiver requests required by 2020 legislation and the status of other waiver requests required by previous legislation. Requests required by 2020 legislation address coverage for:

- [inmates](#);
- [in vitro fertilization](#);
- [services provided in a mental health facility](#); and
- [certain crisis management services](#).

Medicaid: Eligibility Expansion

[Briefed](#) by the Department of Health on how Medicaid enrollment has been affected by recent eligibility expansions and how the COVID-19 pandemic has affected enrollment outreach efforts.

Medicaid: Preferred Drug List

Received a [progress report](#) from the Department of Health on its study of how adoption of a uniform preferred drug list for Medicaid accountable care organizations would impact state spending. The department plans to publish its report sometime before January 1, 2021.

Medical Respite Care: Individuals Experiencing Homelessness

Considered 2021 General Session draft legislation, "[Medical Respite Care Pilot Program](#)," which would require the Department of Health to request a federal Medicaid waiver that would permit payment for supportive medical services provided in short-term housing to certain individuals experiencing homelessness.

Action: Approved as a committee bill draft legislation, "[Medical Respite Care Pilot Program](#)."

Utah Health Insurance Markets: 2021 Premiums

Received a [report](#) from the Insurance Department on 2021 health insurance rates for the individual and small group markets. Rates in the individual market will be 1% lower overall than in 2020; rates in the small group market will be 3.9% higher overall than in 2020. The department recommended consideration of several potential state policy changes to:

- subsidize policy premiums for individuals with a household income greater than 400% of the federal poverty level;
- implement an Affordable Care Act 1332 waiver with a reinsurance component;
- replace the federal health insurance exchange with a state-based exchange; and
- use the state's all-payers claims database to analyze movement between exchange plans and Medicaid.

Chairs: Rep. James A. Dunnigan / Sen. Allen M. Christensen
Staff: Mark D. Andrews (Policy Analyst) / Christopher Williams (Attorney) / Daniel M. Cheung (Attorney) / Amy Hawkes (Administrative Assistant)

Higher Education Strategic Planning Commission

October 28, 2020

Statewide Attainment Goal

Heard a [presentation](#) from the Board of Higher Education regarding a proposed statewide attainment goal. The proposed statewide attainment goal includes increasing access, timely completion, and meaningful awards over the next 10 years.

Chairs: Speaker Brad R. Wilson / Sen. Ann Millner
Staff: Allyson R. Hicks (Policy Analyst) / Amy Shewan (Attorney) / Michael E. Curtis (Attorney) / Sean C. Faherty (Finance Officer) / Diana Rodriguez (Administrative Assistant)



Judiciary

CCJJ Report: JRI and Corrections

Received a [report](#) from the Utah Commission on Criminal and Juvenile Justice regarding the Justice Reinvestment Initiative and the Department of Corrections.

Grand Jury Amendments

Heard a [presentation](#) regarding 2021 General Session draft legislation "[Grand Jury Amendments](#)," which would:

- amend the requirements for calling a grand jury;
- change the procedure for disclosing facts, legal standards, and proceedings; and
- require a county or municipality to pay expenses in certain circumstances.

School Technology Amendments

Action: Approved as a committee bill 2021 General Session draft legislation, "[School Technology Amendments](#)," which would require digital resources provided in Utah public schools to block obscene or pornographic material.

Chairs: Rep. Karianne Lisonbee / Sen. Todd Weiler
Staff: Kristina King (Policy Analyst) / Christopher Williams (Attorney) / Jacqueline Carlton (Attorney) / Amy Hawkes (Administrative Assistant)

Law Enforcement and Criminal Justice

November 17, 2020

24/7 Sobriety Program

Discussed additional elements related to the possible statewide expansion of the 24/7 sobriety program included in 2021 General Session draft legislation, "[24/7 Sobriety Program Expansion](#)."

Action: Approved as a committee bill 2021 General Session draft legislation, "24/7 Sobriety Program Expansion."

Asset Forfeiture

Received a [presentation](#) from the Attorney General's Office providing an update on proposed changes to asset forfeiture in the state.

DUI Revisions

Received comments from Victim Services and the Cache County Attorney's Office regarding 2021 General Session draft legislation, "[DUI Revisions](#)," which would make changes to bail provisions for DUI offenses.

Action: Approved as a committee bill 2021 General Session draft legislation "DUI Revisions."

Law Enforcement Internal Investigation Requirements

Received comments from the Utah Chiefs of Police Association and Peace Officer Standards and Training regarding 2021 General Session draft legislation, "[Law Enforcement Internal Investigation Requirements](#)," which would provide direction for investigations into officer misconduct if the officer leaves the department.

Action: Approved as a committee bill 2021 General Session draft legislation "Law Enforcement Internal Investigation Requirements."

Medical Examiner Amendments

Discussed 2021 General Session draft legislation, "[Medical Examiner Amendments](#)," which would require the chief medical examiner to investigate deaths resulting directly from actions of a law enforcement officer.

Action: Approved as a committee bill 2021 General Session draft legislation, "Medical Examiner Amendments."

Murdered and Missing Indigenous Women and Girls Task Force

Received comments from the State Bureau of Investigation and Restoring Ancestral Winds regarding 2021 General Session draft legislation, "[Murdered and Missing Indigenous Women and Girls Task Force](#)," which would extend the Murdered and Missing Indigenous Women and Girls Task Force until November 30, 2023.

Action: Approved as a committee bill 2021 General Session draft legislation, "Murdered and Missing Indigenous Women and Girls Task Force."



Police K-9 Certifications

Discussed 2021 General Session draft legislation, "[K-9 Policy Requirements](#)," which would amend the liability provisions for dog bites relating to law enforcement activities and require the annual certification of law enforcement canines and handlers.

Action: *Approved as a committee bill 2021 General Session draft legislation, "K-9 Policy Requirements."*

Stalking

Discussed 2021 General Session draft legislation, "[Stalking Amendments](#)," which would change the definition of "course of conduct" required for the offense of stalking by increasing the number of acts necessary to constitute a course of conduct and requiring that the acts constituting the course of conduct evidence a continuity of purpose.

Action: *Approved as a committee bill 2021 General Session draft legislation, "Stalking Amendments."*

Statutory Responses to Riots

Received comments from the Weber County Sheriff's Office regarding difficulties law enforcement must address in riot situations.

Discussed 2021 General Session draft legislation, "[Roadway Obstruction Amendments](#)," which would make the obstruction of traffic during a riot a third degree felony and, under certain circumstances, absolve motor vehicle operators from criminal liability for injuries and death caused as a result of fleeing from a riot.

Discussed 2021 General Session draft legislation, "[Riot Amendments](#)," which would add specific sanctions for individuals arrested and convicted of rioting.

Action: *Approved as a committee bill 2021 General Session draft legislation, "Roadway Obstruction Amendments."*

Approved as a committee bill 2021 General Session draft legislation, "Riot Amendments."

Utah Commission on Criminal and Juvenile Justice Reporting Requirements

Discussed 2021 General Session draft legislation, "[CCJJ Reporting Requirements](#)," which would require the Utah Commission on Criminal and Juvenile Justice to make an annual progress report on certain topics related to the Justice Reinvestment Initiative to the Law Enforcement and Criminal Justice Interim Committee.

Action: *Approved as a committee bill 2021 General Session draft legislation, "CCJJ Reporting Requirements."*

Chairs: Rep. Lee B. Perry / Sen. Keith Grover
Staff: John Feinauer (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Jackie Rogers (Attorney) / Tracey Fredman (Administrative Assistant)

Legislative Water Development Commission

November 12, 2020

2020 Interim Study Items Summary

Received a [presentation](#) from commission staff regarding the issues studied and actions taken by the Legislative Water Development Commission during the 2020 Interim.

Extraterritorial Jurisdiction of Municipalities in Watersheds

Discussed 2021 General Session draft legislation, "[Municipal Water Jurisdiction Amendments](#)," which would address the requirements for a municipality that exercises extraterritorial jurisdiction related to the municipality's water supply.

Action: *Voted to refer this issue to the Executive Water Task Force for further study.*

Lake Powell Pipeline Audit

Received comments from the [Washington County Water Conservancy District](#) and the Division of Water Resources regarding the legislative recommendations included in the [Performance Audit of the Repayment Feasibility of the Lake Powell Pipeline](#).

Municipal Water Resources

Discussed the voter approved Constitutional Amendment D, which specifies the circumstances under which a municipality may commit water resources or supply water outside of its boundary.

Release of Water from Flaming Gorge

Action: *Amended and approved as a commission bill 2021 General Session draft legislation, "[Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge](#)," which would express support and recognition of the Green River Stakeholders and the need to reduce the adverse effects of current Flaming Gorge Dam1 operations on the local communities, recreational businesses, ranchers, farmers, landowners, and individuals who work and live within the river corridor.*

School and Child Care Center Water Testing

Action: *Approved as a committee bill 2021 General Session draft legislation, "[School and Child Care Center Water Testing Requirements](#)," which would address water testing requirements for schools and child care facilities.*

Chairs: Rep. Keven J. Stratton / Sen. David P. Hinkins
Staff: Nathan W. Brady (Policy Analyst) / Patricia Owen (Attorney) / Alan Houston (Attorney) / Cherish Cosman (Administrative Assistant)



Murdered and Missing Indigenous Women and Girls Task Force

November 18, 2020

Task Force Data Management Plan

Received a [presentation](#) from task force staff regarding findings from a survey of states with murdered and missing indigenous persons initiatives and a summary of the best practices in data management pertaining to this crisis.

Listening Session

The task force [invited](#) public input from those affected by the Murdered and Missing Indigenous Persons crisis.

Chairs: Sen. David P. Hinkins / Rep. Angela Romero
Staff: Sarah J. Balland (Policy Analyst) / Patricia Owen (Attorney) / Amy L. West (Attorney) / Finn Andrew Rose (Administrative Assistant)

Natural Resources, Agriculture, and Environment

November 17, 2020

Agricultural Operations Amendments

Received a presentation from a legislator regarding 2021 General Session draft legislation, "[Animal Feeding Operation Amendments](#)," which would enact the Large Concentration Animal Feeding Operations Act, including:

- requiring the Department of Agriculture and Food to develop a state master matrix regarding large concentrated animal feeding operations;
- authorizing counties to adopt ordinances and develop a matrix for large concentrated animal feeding operations;
- addressing the application process; and
- providing for administrative remedies and judicial review for large concentrated animal feeding operations.

Industrial Hemp Program

Action: Approved as a committee bill 2021 General Session draft legislation, "[Hemp Regulation Amendments](#)," which would make amendments to the industrial hemp program.

Legislative Water Development Commission Recommendations

Action: Voted to accept [recommendations](#) from the Legislative Water Development Commission and to approve the following 2021 General Session draft legislation as committee bills:

- "[Statewide Aquatic Invasive Species Emergency Response Plan](#)," which would require the Division of Wildlife Resources to develop a statewide emergency response plan for aquatic invasive species and report to the Legislature regarding the development of the plan, including any necessary legislation and costs to implement the plan;

- "[Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge](#)," which would express support and recognition of the Green River Stakeholders and the need to reduce the adverse effects of current Flaming Gorge Dam 1 operations on the local communities, recreational businesses, ranchers, farmers, landowners, and individuals who work and live within the river corridor; and
- "[State Engineer Electronic Communications](#)," which would permit the State Engineer to communicate electronically under specified circumstances.

Radon Gas

Action: Approved as a committee bill 2021 General Session draft legislation, "[Radon Task Force](#)," which would create a radon gas task force to study and make recommendations on ways to increase public awareness of the risks of radon gas and ways to mitigate exposure to radon gas.

Regulation of Aboveground Storage Tanks

Action: Approved as a committee bill 2021 General Session draft legislation, "[Petroleum Storage Tanks Amendments](#)," which would regulate certain aboveground petroleum storage tanks that have underground piping or that rest directly on the ground.

Report on the Great Salt Lake

Received a [report](#) from a work group that was formed to study and make recommendations regarding declining water levels in the Great Salt Lake.

Review of 2020 Interim Study Items

Received a [presentation](#) from committee staff regarding the issues studied and actions taken by the Natural Resources, Agriculture, and Environment Interim Committee.

State Energy Policy

Received a [presentation](#) from the Governor's Energy Policy Advisor regarding the [state energy policy](#).

Discussed recent [development](#) and education efforts in the energy sector.

Action: Voted to support a recommendation from the Governor's Energy Policy Advisor regarding statutory changes.

State Water Policy

Received comments from the Department of Natural Resources, [Conserve Southwest Utah](#), and the [Utah Audubon Council](#) regarding the [state water policy](#).

Action: Voted to refer the comments and recommendations to the Legislative Water Development Commission for further study.



Statewide Emissions Goals

Discussed 2021 General Session draft legislation, "[Concurrent Resolution Encouraging Statewide Emission Reduction Goals](#)," which would encourage the adoption of statewide emissions reduction.

Water Forfeiture Proposed Rule

Received a [presentation](#) from the State Engineer regarding proposed rules related to 40-year plans for public water suppliers as required by [Section 73-1-4](#).

Chairs: Rep. Keven J. Stratton / Sen. Ralph Okerlund
Staff: Nathan W. Brady (Policy Analyst) / Patricia Owen (Attorney) / Alan Houston (Attorney) / Cherish Cosman (Administrative Assistant)

Political Subdivisions

November 18, 2020

Accessory Dwelling Units

Heard a presentation on accessory dwelling units and 2021 General Session draft legislation, "[Single-Family Housing Modifications](#)," which would amend provisions related to single-family housing and accessory dwelling units.

Tax Increment Financing Amendments

Heard a presentation on 2021 General Session draft legislation, "[Tax Increment Financing Amendments](#)," which would modify the amount of tax increment that a project area may receive from certain school districts. The draft legislation would also allow a school district to obtain a cost-benefit analysis from an independent third party before entering into a tax increment financing agreement.

Quality Growth Commission

Received a [presentation](#) from the Quality Growth Commission, on the projects the commission worked on this year and its financial prospects.

Chairs: Rep. Stephen G. Handy / Sen. Jacob L. Anderegge
Staff: Samantha D. Brucker (Policy Analyst) / Gus Harb (Attorney) / Finn Andrew Rose (Administrative Assistant)

Public Utilities, Energy, and Technology

November 17, 2020

Hydrogen Fuel Incentives Amendments

Received a [presentation](#) from the sponsor of 2021 General Session draft legislation, "[Hydrogen Fuel Incentives Amendments](#)," which would create incentives for the production and use of hydrogen fuel.

Clean and Renewable Energy Requirement Amendments

Received a [presentation](#) from the sponsor of 2021 General Session draft legislation, "[Clean and Renewable Energy Requirement Amendments](#)," which would modify the energy portfolio policy for Utah's investor-owned electric utility. The sponsor was not seeking a committee note.

Utility Permitting Amendments

Considered 2021 General Session draft legislation, "[Utility Permitting Amendments](#)," which would prohibit municipalities and counties from restricting the connection of utility services to customers on the basis of the type of energy the utility service provides.

Action: Approved as a committee bill 2021 General Session draft legislation, "Utility Permitting Amendments."

Intermountain Power Project's Usage of Natural Resources

Received a [presentation](#) on and a third-party [evaluation](#) of Intermountain Power Agency's (IPA) coal procurement practices from IPA. The presentation and evaluation responded to the committee's outstanding questions about financial data related to Utah coal suppliers, royalty revenues for the state of Utah, and any benefits that IPA has received since it began acquiring out-of-state coal for power generation in its Intermountain Power Project.



Railway Infrastructure and Transportation of Fuels in the Uintah Basin

Received an [update](#) on rail infrastructure and the transportation of fuels in the Uintah Basin area from the Seven County Infrastructure Coalition and its partners.

Chairs: Rep. Carl R. Albrecht / Sen. Ronald Winterton
Staff: Sarah J. Balland (Policy Analyst) / Rikka Strong (Attorney) / Cherish Cosman (Administrative Assistant)

Retirement and Independent Entities

November 16, 2020

Reorganizing the Committees on Retirement and Independent Entities

Received a presentation from the Office of Legislative Research and General Counsel on a [draft letter](#) and 2021 General Session draft legislation, "[Retirement and Independent Entities Committee Amendments](#)," which would jointly reorganize the committees that address retirement and independent entities (RIE). The draft letter requests that the Legislative Management Committee and the Legislative Process Committee reorganize the RIE committees by dissolving the RIE Appropriations Subcommittee, integrating the RIE standing committees into the regular meeting schedule for a General Session, and retaining the RIE Interim Committee in its current form. The draft legislation removes references to the RIE Appropriations Subcommittee, thereby repealing the subcommittee.

Action: Voted to authorize the chairs to send the draft letter to the Legislative Management Committee and the Legislative Process Committee.

Approved as a committee bill draft legislation, "Retirement and Independent Entities Committee Amendments."

Chairs: Rep. Craig Hall / Sen. Wayne A. Harper
Staff: Andy Yewdell (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Peter Asplund (Attorney) / Leila Reynolds (Administrative Assistant)

Revenue and Taxation

November 18, 2020

Net Operating Loss

Considered 2021 General Session draft legislation, "[Corporate Tax Amendments](#)," which is related to the treatment of net operating losses for Utah corporate income tax purposes and allows a taxpayer to carry back, for up to three years, a Utah net loss realized during certain taxable years.

Action: Approved as a committee bill 2021 General Session draft legislation, "Corporate Tax Amendments."

Property Tax Relief

Considered two pieces of legislation related to property tax relief for seniors.

The first, 2021 General Session draft legislation, "[Property Tax Relief Amendments](#)," would expand the tax relief provisions known as "circuit breaker" by increasing the income threshold and limiting the types of income that count toward that threshold.

The second, 2021 General Session draft legislation, "[Property Tax Deferral Modifications](#)," would require a county to grant a property tax deferral to an owner of a single-family residence who is 66 years old or older and whose residence is valued at less than \$500,000 under certain circumstances.

Action: Approved as committee bills, 2021 General Session draft legislation, "Property Tax Relief Amendments," and 2021 General Session draft legislation, "Property Tax Deferral Modifications."

Required Annual Review of Certain Income Tax Credits

Received a summary [presentation](#) from the Legislative Fiscal Analyst's Office, and discussed the merits of the following two income tax credits with the Legislative Fiscal Analyst's Office and the Governor's Office of Economic Development:

- Motion Picture Incentives, [63N-8-101](#); and
- Technology and Life Sciences Investment Tax Credit, [63N-2-801](#).

Sections [59-7-159](#) and [59-10-137](#) require the Revenue and Taxation Interim Committee each year to review certain tax credits and make recommendations concerning whether the tax credits should be continued, modified, or repealed.

Tax Code Clarifications

Considered 2021 General Session draft legislation, "[Tax Modifications](#)," which would modify the tax code to clarify signature requirements, update tax credits to match current income tax rates, integrate special session legislation, and make technical corrections.

Tax Commission Garnishment Authority

Considered 2021 General Session draft legislation, "[Tax Commission Administrative Garnishment Process](#)," which would authorize the State Tax Commission to issue an administrative garnishment order against certain personal property of a taxpayer who owes a liability to the State Tax Commission.

Action: Approved as a committee bill 2021 General Session draft legislation, "Tax Commission Administrative Garnishment Process."

Tax Credit Repeal

Considered 2021 General Session draft legislation, "[Student Prosperity Savings Program Amendments](#)," which would repeal income tax incentives related to the Student Prosperity Savings Program.

Chairs: Rep. Robert M. Spendlove / Sen. Lincoln Fillmore
Staff: Alex R. Janak (Policy Analyst) / Ryan M. Hunter (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Christine R. Gilbert (Attorney) / Diana Rodriguez (Administrative Assistant)

Transportation

November 18, 2020

Double Tracking FrontRunner

Received a [presentation](#) from the Utah Transit Authority (UTA) on its development strategy for FrontRunner, covering service and regional objectives and UTA's strategic vision and professional services strategy. The presentation also addressed upcoming planning and project activities as well as a potential phased investment approach for 2020-2030.

Driver Education Amendments

Received a presentation from a legislator on 2021 General Session draft legislation, "[Driver Education Amendments](#)," which would extend the term of a learner permit from one year to 18 months, prohibit rules requiring driver education observation hours, and make technical changes.

***Action:** Approved as a committee bill 2021 General Session draft legislation, "Driver Education Amendments."*

Meteorological Evaluation Tower Marking

Received a presentation from the Utah Department of Transportation (UDOT) on 2021 General Session draft legislation, "[Meteorological Evaluation Tower Marking](#)," which would establish requirements related to the marking of meteorological evaluation towers.

***Action:** Approved as a committee bill 2021 General Session draft legislation, "Meteorological Evaluation Tower Marking."*

Point of the Mountain Development Commission Act Modifications

Received a presentation from a legislator on two versions of 2021 General Session draft legislation, "Point of the Mountain Development Commission Act Modifications."

[Version 6](#) of the draft legislation would extend the repeal date of [Utah Code Title 63C, Chapter 17, Point of the Mountain Development Commission Act](#) by two years to July 1, 2023.

[Version 5](#) of the draft legislation would revise the role of the Point of the Mountain Development Commission as well as extend the repeal date by two years.

***Action:** Approved as a committee bill 2021 General Session draft legislation, "Point of the Mountain Development Commission Act Modifications," version 5.*

Unaccompanied Minors and Autonomous Vehicles

Received a presentation from a legislator on 2021 General Session draft legislation, "[Unaccompanied Minors in Autonomous Vehicles](#)," which would establish a temporary workgroup to study issues related to unaccompanied minors and autonomous vehicles.

***Action:** Approved as a committee bill 2021 General Session draft legislation, "Unaccompanied Minors in Autonomous Vehicles."*

Vehicle, Boat, and Trailer Registration Modifications

Received a presentation from a legislator on 2021 General Session draft legislation, "[Vehicle, Boat, and Trailer Registration Modifications](#)," which would introduce automatic renewals for vehicle, boat, and trailer registrations and repeal requirements for registration decals and cards.

***Action:** Voted to move to the next item on the agenda.*

Registration Management

Received a presentation from the State Tax Commission and its Division of Motor Vehicles on changes to processes for reminding residents of registration expirations, processes for renewing registrations, and the system for updating registration information.

Update: Privacy and the Road Usage Charge Program

Received a [briefing](#) from UDOT on privacy and data retention with the Road Usage Charge Program and the use of Driver Behavior Scores. This briefing answered questions raised during UDOT's [presentation](#) on the Road Usage Charge program in the committee's September meeting.

Update: Report on Feasibility of Transitioning a Large Public Transit District into a State Entity

Received a [presentation](#) from UDOT and UTA on a [report](#) on the feasibility of transitioning UTA into a state entity, with a focus on financial, human resources, regulatory, and organizational considerations.

Chairs: Rep. Kay J. Christofferson / Sen. Wayne A. Harper
Staff: Andy Yewdell (Policy Analyst) / Kurt P. Gasser (Attorney) / Patrick Grecu (Attorney) / Finn Andrew Rose (Administrative Assistant)

Veterans and Military Affairs Commission

October 27, 2020

Law Enforcement Engagement with Veterans

Heard a presentation from a legislator regarding mental health crisis responders and how creating these positions will affect veterans in Utah.

Military Affairs Update

Heard a [presentation](#) providing military affairs updates for 2020.

Projected Growth in Northern Utah

Heard a presentation regarding community and job growth in the defense and aerospace industries around Hill Air Force Base.

Veterans Auditing College Classes

Heard a presentation regarding an idea for new legislation that would allow veterans to audit college classes.

Chairs: Rep. Paul Ray / Sen. Todd Weiler
Staff: Kristina King (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Tracey Fredman (Administrative Assistant)



Draft Legislation Recommended by Legislative Committees for the 2021 General Session

Business and Labor Interim Committee

- [Board of Financial Institutions Amendments](#)
- [Commercial Interior Designers Act Amendments](#)
- [Condominium and Community Association Regulation Amendments](#)
- [Employee Status Amendments](#)
- [Government Insurance Amendments](#)
- [Insurance Revisions](#)
- [Physician Assistant Act Amendments](#)
- [Physician Assistant Mental Health Practice Amendments](#)
- [Post-employment Restriction Amendments](#)
- [Residential Mortgage Regulatory Commission Amendments](#)
- [Uniform Building Code Commission Amendments](#)

Criminal Code Evaluation Task Force

- [Criminal Code Evaluation Task Force Extension](#)
- [Stalking Amendments](#)

Economic Development and Workforce Services Interim Committee

- [Child Care Advisory Committee Sunset Extension](#)
- [Emergency Procurement Declaration Modifications](#)
- [Hotel Impact Mitigation Fund Sunset Extension](#)
- [Intergenerational Poverty Mitigation Act Amendments](#)
- [Public Infrastructure District Revisions](#)
- [Rural Online Initiative Sunset Amendments](#)
- [State Flag Task Force](#)
- [Workforce Solutions for Air Quality Amendments](#)

Education Interim Committee

- [Education Agency Report Process Amendments](#)

Government Operations Interim Committee

- [Behavioral Emergency Services Amendments](#)
- [Deceased Voter Amendments](#)
- [Department of Human Services Budgetary Procedures Amendments](#)
- [Emergency Task Force](#)
- [Governmental Use of Facial Recognition Technology](#)
- [Group Gang Enhancement Amendments](#)
- [Juvenile Offender Penalty Amendments](#)
- [Mental Health Crisis Intervention Council](#)
- [Mobile Voting Pilot Project](#)
- [Public Information Website Modifications](#)
- [Voter Referendum Amendments](#)
- [Water Conservancy District Amendments](#)

Health and Human Services Interim Committee

- [Child Protection Unit Amendments](#)
- [Controlled Substance Amendments](#)
- [Joint Resolution Recognizing the Success of the Utah Medicaid Accountable Care Program](#)
- [Kurt Oscarson Children's Organ Transplant Coordinating Committee Extension](#)
- [Marriage Commission Amendments](#)
- [Mental Health Access Amendments](#)
- [Telehealth Mental Health Program](#)
- [Utah Commission on Aging Amendments](#)

Health Reform Task Force

- [Medical Respite Care Pilot Program](#)

Judiciary Interim Committee

- [School Technology Amendments](#)

Law Enforcement and Criminal Justice Interim Committee

- [24/7 Sobriety Program Expansion](#)
- [CCJJ Reporting Requirements](#)
- [Community Correctional Center Amendments](#)
- [Driving Under the Influence Sentencing Amendments](#)
- [DUI Revisions](#)
- [K-9 Policy Requirements](#)
- [Law Enforcement Internal Investigation Requirements](#)
- [Medical Examiner Amendments](#)
- [Mental Health Protections for First Responders](#)
- [Murdered and Missing Indigenous Women and Girls Task Force](#)
- [Riot Amendments](#)
- [Roadway Obstruction Amendments](#)
- [Stalking Amendments](#)

Legislative Water Development Commission

- [Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge](#)
- [School and Child Care Center Water Testing Requirements](#)
- [Statewide Aquatic Invasive Species Emergency Response Plan](#)

Murdered and Missing Indigenous Women and Girls Task Force

- [Murdered and Missing Indigenous Women and Girls Task Force](#)

Native American Legislative Liaison Committee

- [Murdered and Missing Indigenous Women and Girls Task Force](#)
- [Place Name Amendments](#)

Natural Resources, Agriculture, and Environment Interim Committee

- [Air Quality Policy Advisory Board Sunset Extension](#)
- [Compliance Advisory Panel Repeal Date](#)
- [Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge](#)
- [Federal Land Application Advisory Committee Sunset Extension](#)
- [Hemp Regulation Amendments](#)
- [Petroleum Storage Tanks Amendments](#)
- [Radon Task Force](#)
- [State Engineer Electronic Communications](#)
- [State Weed Committee Sunset Extension](#)
- [Statewide Aquatic Invasive Species Emergency Response Plan](#)

Draft Legislation Recommended by Legislative Committees for the 2021 General Session

Political Subdivisions Interim Committee

- [County Classification Amendments](#)
- [Land Use and Eminent Domain Advisory Board Amendments](#)

Public Utilities and Technology Interim Committee

- [Energy Balancing Account Amendments](#)
- [Utility Permitting Amendments](#)

Retirement and Independent Entities Interim Committee

- [Expanded Infertility Treatment Coverage Pilot Program Amendments](#)
- [Retirement and Independent Entities Committee Amendments](#)
- [Utah Retirement Systems Amendments](#)

Revenue and Taxation Interim Committee

- [Corporate Tax Amendments](#)
- [Corporate Tax Unadjusted Income Amendments](#)
- [Income Tax Domicile Amendments](#)
- [Property Tax Deferral Modifications](#)
- [Property Tax Exemption Amendments](#)
- [Property Tax Relief Amendments](#)
- [Property Tax Revisions](#)
- [Retirement Income Tax Amendments](#)
- [Student Prosperity Savings Program Amendments](#)
- [Tax Commission Administrative Garnishment Process](#)
- [Tax Commission Bond Requirement Amendments](#)
- [Tax Modifications](#)
- [Tax Status Disclosure Amendments](#)

Transportation Interim Committee

- [Driver Education Amendments](#)
 - [Driver License and State Identification Card Amendments](#)
 - [Meteorological Evaluation Tower Marking](#)
 - [Point of the Mountain Development Commission Act Modifications](#)
 - [Unaccompanied Minors in Autonomous Vehicles](#)
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