

# 2020 Interim Committee Report



Legislative Management Committee

Prepared by the Office of Legislative Research and General Counsel

# 2020 Interim Committee Report

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# Executive Summary

## Background

JR7-1-401 requires each interim committee to adopt a list of items to study over the course of the interim. This “study item list” comprises issues that were added by the interim committee chairs, the Legislative Management Committee (LMC), or members of each respective interim committee. The study item list is approved by majority vote at the interim committee’s first meeting and is used to guide each committee meeting agenda.

After an interim committee’s final meeting, JR7-1-611 requires the chairs to report to LMC on the outcome of each issue studied by the committee. The Office of Legislative Research and General Counsel has compiled this report on behalf of the interim committee chairs for LMC to review.

## Organization

This report is divided according to interim committee and contains a summary of the outcome of items from the committee’s approved study item list.

In addition to the issues on a committee’s approved study item list, committees will often consider additional issues that arise during interim. While not on the study item list, these items represent work of the committee and are included in this report. Items that are on the committee’s study item list are identified by a “\*”.

The 2020 interim also included three special sessions, and interim committees discussed 37 pieces of legislation that were introduced during the Fifth and Sixth Special Sessions of the Sixty-third Legislature. These are included in this report as a reflection of a committee’s workload.

The issues are distinguished by the following headings:

Heading	Description
Legislation Recommended for the 2021 General Session	Draft legislation that the committee recommended for the 2021 General Session.
Studied but no Legislation	Issues that the committee discussed but <u>did not</u> result in the committee recommending draft legislation.
Issues Not Studied	Issues on the committee’s approved study item list that were not discussed.
Legislation Reviewed for a 2020 Special Session	Legislation for the Sixty-third Legislature’s Fifth and Sixth Special Sessions that the committee reviewed and discussed.

Appendix A contains a list of legislation recommended by each legislative committee, which includes interim committees and legislative task forces and commissions.

Not included in this report is the status of sunset reviews that LMC assigned to interim committees. The Office of Legislative Research and General Counsel will submit a separate report that contains the outcomes of sunset reviews.

# Business and Labor

Sen. Curtis S. Bramble

Rep. James A. Dunnigan

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<p><b>1</b> <b>Captive Insurance Companies</b>  <a href="#">Government Insurance Amendments</a>  <b>Sponsor:</b> Rep. Dunnigan  <b>Vote:</b> 14-2-4</p>	<p>Recommended draft legislation that authorizes the State Risk Manager to create one or more captive insurance companies.</p>
<p><b>2</b> <b>Gig-Economy Worker Classification</b>  <a href="#">Employee Status Amendments</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 12-2-6</p>	<p>Discussed whether the appropriate status for a gig-economy worker is that of an employee or an independent contractor. Recommended draft legislation which provides that a remote-service contractor is not an employee of a marketplace company if certain conditions are met.</p>
<p><b>3</b> <b>Insurance Revisions</b>  <a href="#">Insurance Revisions</a>  <b>Sponsor:</b> Rep. Dunnigan  <b>Vote:</b> 15-0-5</p>	<p>Recommended draft legislation that would amend many items throughout the Insurance Code.</p>
<p><b>4</b> <b>Physician Assistants*</b>  <a href="#">Physician Assistant Mental Health Practice Amendments</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 14-1-5</p> <p><a href="#">Physician Assistant Act Amendments</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 12-2-6</p>	<p>Discussed modernizing the scope of practice for physician assistants and qualifications for independent psychiatric physician assistants specializing in psychiatry.</p> <p>Recommended draft legislation, Physician Assistant Mental Health Practice Amendments, that amends the scope of practice for physician assistants and authorizes physician assistants and their employers to be eligible for direct payment by all public and private insurers.</p> <p>Recommended draft legislation, Physician Assistant Act Amendments, that:</p> <ul style="list-style-type: none"> <li>▪ allows a physician assistant to specialize in psychiatric mental health; and</li> <li>▪ defines the requirements and scope of practice for this specialization.</li> </ul>
<p><b>5</b> <b>Post-Employment Restrictions*</b>  <a href="#">Post-Employment Restrictions Amendments</a>  <b>Sponsor:</b> Sen. Cullimore  <b>Vote:</b> 14-0-6</p>	<p>Recommended draft legislation that modifies 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:</p> <ul style="list-style-type: none"> <li>▪ is broader than necessary to protect the legitimate business interests of the employer; or</li> <li>▪ that applies to a geographic area that is larger than the geographic area in which the employer has significant presence or influence.</li> </ul>
<p><b>6</b> <b>Security Cameras in Homeowner Associations</b>  <a href="#">Condominium and Community Association Regulation Amendments</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 14-0-6</p>	<p>Discussed certain security camera prohibitions in homeowner associations. Recommended draft legislation which prevents 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 structure on the owner's lot.</p>
<p><b>7</b> <b>Uniform Building Code Commission Report</b>  <a href="#">Uniform Building Code Commission Amendments</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 17-0-3</p>	<p>Recommended draft legislation which adopts the 2020 edition of the National Electrical Code and amends statewide construction code in Title 15A, State Construction and Fire Codes Act.</p>

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<b>Accessory Dwelling Units*</b>	Discussed policies for accessory dwelling units and how Utah could increase the supply of housing by allowing a broader adoption of accessory dwelling units in pre-existing housing. The committee took no action.
2	<b>Alcohol Related Policies*</b>	Heard how the current funding mechanism for the Department of Alcoholic Beverage Control constrains the department and discussed other potential funding mechanisms that could be implemented. The committee opened a bill file but did not consider draft legislation.
3	<b>Building Code*</b>	Reviewed political subdivisions' application of state fire code standards. The committee took no action.
4	<b>Competency-Based Licensing</b>	Received a presentation 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.
5	<b>Consumer Privacy*</b>	Studied consumer privacy protections and considered whether to include a consumer's right to know what businesses are doing with their personal information and if there are any causes of action related to violations of that right.
6	<b>Device Filter Amendments</b>	Discussed draft legislation to establish filter requirements for computers and smart phones manufactured and distributed in the state. The committee took no action on the draft legislation.
7	<b>Financial Institutions and COVID-19*</b>	Studied the health of the financial industry and whether action is needed to provide flexibility to customers regarding deferring payments and late fees. The committee determined legislation is not needed at this point.
8	<b>Licensing Reforms</b>	Heard a presentation of professional licensing reforms that are currently underway and being implemented by the Division of Occupational and Professional Licensing. Two of the largest reforms stem from 2020 General Session S.B. 23, <a href="#">Division of Occupational and Professional Licensing Amendments</a> , and criminal history provisions passed during the last two general sessions.
9	<b>Medical Cannabis Financial Transactions*</b>	Studied the constraints that restrict Utah's medical cannabis and kratom industries from conducting normal business banking and financial operations due to the risk of breaking federal banking laws. The committee determined that federal action, not state legislation, is needed at this point.
10	<b>Payroll Advance Companies</b>	Studied the business model of, and potential regulations for, businesses that provide an advance on money to an individual who is waiting to receive their paycheck from their employer. Upon receipt of their paycheck, the individual repays the business that provided the individual with the funds in advance of their paycheck. These businesses do not charge interest to borrowers but accept tips for providing funds in advance. The committee opened a bill file but determined more time is needed to study the issue.
11	<b>Pharmaceutical Industry and COVID-19</b>	Heard an overview from the biopharmaceutical industry on its progress and potential next steps for states to consider in developing new treatments and vaccines to combat COVID-19. The committee determined that legislation is not needed at this point.
12	<b>Point of the Mountain Redevelopment</b>	Heard a presentation on the Point of the Mountain State Land Authority's progress to plan, manage, and implement the development of the point of the mountain state land.
13	<b>Prescribed Medical Foods*</b>	Studied policies to establish authority of physicians to prescribe medical foods, require insurers to qualify medical food coverage for prescribed medical foods, and establish pharmacists' authority to fill prescriptions for medical foods. The committee took no action.
14	<b>Prevailing Wage*</b>	Discussed draft legislation, <a href="#">Apprenticeship Utilization Requirements</a> , which would enact provisions relating to labor provided by an apprentice for public works projects. The committee took no action on the draft legislation.

15	<b>Strengthening Consumer Protections*</b>	Studied Utah's price gouging laws during emergencies and reviewed suggestions to update the existing act. The committee opened a bill file to study and update the code, but did not consider draft legislation.
16	<b>Unreinforced Masonry Disclosure*</b>	Studied requiring disclosure of the use of unreinforced masonry in a building's construction in real estate transactions due to the earthquake hazard posed by unreinforced masonry.
17	<b>Vehicle Noise Pollution</b>	Discussed ways to deter vehicle noise pollution. The committee took no action.

## ISSUES NOT STUDIED

1	<b>Alcohol Related Policies</b>	The committee did not study online ordering and in store pick-up for DABC and the alcoholic beverage arena in general.
2	<b>Boycotts to the State of Israel</b>	The committee did not study the anti-boycott, divestment, sanctions (BDS) movement and how to prohibit government entities from contracting with a person that boycotts the State of Israel.
3	<b>Restaurant Alcohol Policies</b>	The committee did not study relaxing restaurant alcohol policies.
4	<b>Small Business Rent</b>	The committee did not study providing assistance to small businesses with their rent or mortgage.
5	<b>Surgical Smoke</b>	The committee did not study requiring surgical facilities to develop policies to evacuate surgical smoke.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">H.B. 6005, Cosmetology and Associated Professions Amendments</a>	This bill allows a barber school, cosmetology/barber school, electrologist school, esthetics school, hair design school, or nail technology school to offer up to 50% of the school's total per program curriculum online, in accordance with standards adopted by an applicable national recognized accrediting organization. The bill provides a sunset date of July 1, 2022.
2	<a href="#">H.B. 6006, Alcohol License and Permit Amendments</a>	This bill makes changes to alcohol-related licenses and permits. It delays the expiration date for several different retail licenses until December 22, 2020. For a reception center licensee, it adjusts the percentage of annual gross receipts from the sale of alcoholic products that must be maintained and determines what is included in that percentage. For a public service permit, hospitality room is defined and a public service permittee operating at an international airport is allowed to change their location. The bill also sets the commission's power and duties to approve a public service permittee's change in location request.
3	<a href="#">S.B. 6008, Tobacco Retailer Amendments</a>	This bill clarifies the conditions that a retail tobacco specialty business must meet to be exempt from a requirement that the retail tobacco specialty business is located a certain distance from a community location.

### FIFTH SPECIAL SESSION

4	<a href="#">H.B. 5004, Airport-related Alcohol Modifications</a>	<p>This bill makes three alcohol-related policy changes that are tailored to an airport environment to improve efficiency at the new Salt Lake City International Airport.</p> <ul style="list-style-type: none"> <li>▪ The number of airport lounge licenses is set at 13. Licenses have been tied to the number of people that go through the airport, however, this quota system has been problematic since COVID-19 has reduced ridership.</li> <li>▪ A lease agreement in which the lessee is an airport lounge licensee is exempt from percentage lease agreement provisions.</li> <li>▪ Permits a central receiving and distribution center at the airport to obtain a liquor transport license to pick up and transport liquor from a state store or package agency, receive, screen and store the product, and deliver it to airport licensees.</li> </ul>
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5	<a href="#">H.B. 5006, COVID-19 Workers' Compensation Modifications</a>	This bill moves provisions regarding coverage for first responders diagnosed with COVID-19 from the Workers' Compensation Act to the Utah Occupational Disease Act to characterize contracting COVID-19 as getting a disease, rather than having an accident. The definition of first responder is also redefined by listing out certain occupations, rather than citing the definition of emergency responder and health care provider in the Code of Federal Regulations. It clarifies that a first responder must provide written documentation of a COVID-19 diagnosis to their employer or insurer for coverage, and finally, the bill clarifies how to calculate the benefits for volunteers, such as volunteer firefighters, by using the state's minimum wage and the number of volunteer hours to determine their disability rate.
6	<a href="#">S.B. 5008, Private Investigator License Qualifications</a>	This bill removes the state residency requirement related to obtaining or renewing a license under the Private Investigator Regulation Act.

# Economic Development and Workforce Services

Sen. Daniel McCay

Rep. Mike Winder

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<b>Air Quality*</b> <a href="#">Workforce Solutions for Air Quality Amendments</a> <b>Sponsor:</b> Sen. McCay <b>Vote:</b> 14-0-3	<p>Received a presentation from the University of Utah on air quality during late March, a period of increased teleworking due to COVID-19. Discussed teleworking by the state's workforce with the Department of Human Resource Management (DHRM) and the Governor's Office of Management and Budget.</p> <p>Recommended draft legislation that enacts reporting and other requirements for DHRM related to teleworking by state employees.</p>
2	<b>Emergency Procurement</b> <a href="#">Emergency Procurement Declaration Modifications</a> <b>Sponsor:</b> Rep. Pierucci <b>Vote:</b> 13-1-3	<p>Discussed and recommended draft legislation that modifies reporting requirements related to an emergency procurement and limits the term length of a contract entered into for an emergency procurement.</p>
3	<b>Intergenerational Poverty</b> <a href="#">Intergenerational Poverty Mitigation Act Amendments</a> <b>Sponsor:</b> Rep. Winder <b>Vote:</b> 13-0-4	<p>Discussed and recommended draft legislation that amends the memberships of the Utah Intergenerational Welfare Reform Commission and the Intergenerational Poverty Advisory Committee.</p>
4	<b>Public Infrastructure Districts</b> <a href="#">Public Infrastructure District Revisions</a> <b>Sponsor:</b> Sen. McCay <b>Vote:</b> 14-0-3	<p>Discussed and recommended draft legislation that rennumbers provisions related to public infrastructure districts.</p>
5	<b>State Flag</b> <a href="#">State Flag Task Force</a> <b>Sponsor:</b> Sen. McCay <b>Vote:</b> 12-1-4	<p>Discussed and recommended draft legislation that creates the State Flag Task Force and provides the task force's duties regarding proposal of a new state flag of Utah.</p>

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<b>Audit Report: A Performance Audit of the Community Impact Fund</b>	<p>Discussed a recent performance audit of the Permanent Community Impact Fund, including an evaluation of whether funds are used effectively and in accordance with the fund's intended purpose and the project prioritization process. The audit had no legislative recommendations.</p>
2	<b>Child Homelessness</b>	<p>Received a report from the Crossroads Urban Center regarding child homelessness in the state.</p>
3	<b>Economic Development</b>	<p>Discussed a strategic focus for future legislative changes related to economic development in the state.</p>
4	<b>Economic Development Tax Increment Financing Program</b>	<p>Heard results of a recently completed third-party audit of the Economic Development Tax Increment Financing Program.</p>
5	<b>Point of the Mountain</b>	<p>Received an update from the Point of the Mountain State Land Authority. The authority launched the planning phase of the Point of the Mountain development project in September.</p>
6	<b>Rural Economic Development*</b>	<p>Discussed the status of broadband coverage and access in the state and the strategies and challenges related to expanding coverage and access, particularly in rural areas.</p>

## ISSUES NOT STUDIED

1	<b>Business Assistance Education</b>	Intended, time permitting, to study the effectiveness of existing efforts related to educating businesses on available state and federal economic assistance. Due to other priorities, the committee did not study this issue.
2	<b>Safety Net Programs</b>	Intended, time permitting, to study safety net program requirements. Due to other priorities, the committee did not study this issue.
3	<b>Workforce Development</b>	Intended, time permitting, to study training needs related to re-engaging workers displaced by measures taken to slow the spread of COVID-19. Due to other priorities, the committee did not study this issue.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">S.B. 6001, Community Reinvestment Modifications</a>	This bill allows a community reinvestment agency (CRA) to extend the tax increment collection period for certain project areas impacted by the COVID-19 emergency for up to one year. The bill also allows a CRA to, on or before December 31, 2021, use CRA funds to provide grants, loans, or other assistance to certain small businesses located within the CRA's boundaries that are negatively impacted by the COVID-19 emergency.
2	<a href="#">S.B. 6009, Cares Act and Covid-19 Assistance and Recovery Amendments</a>	This bill modifies provisions related to economic recovery programs created by the state in response to the COVID-19 emergency, including the COVID-19 Agricultural Operations Grant Program, the COVID-19 Cultural Assistance Grant Program, COVID-19 residential housing assistance, the COVID-19 Commercial Rental Assistance Program, the COVID-19 Impacted Businesses Grant Program, and the COVID-19 PPE Support Grant Program. The bill also creates the Oil, Gas, and Mining Grant within GOED and describes how a provision of the CARES Act applies to tenants under state law.

### FIFTH SPECIAL SESSION

3	<a href="#">H.J.R. 504, Joint Resolution Further Extending the State of Emergency due to the Infectious Disease COVID-19 Novel Coronavirus</a>	The Governor issued an executive order declaring a state of emergency due to COVID-19 on March 6, 2020, which was extended by the Legislature to June 30, 2020. This resolution further extends the state of emergency to July 31, 2020.
4	<a href="#">S.B. 5005, Rent and Mortgage Assistance Amendments</a>	<p>This bill modifies the date when the Housing and Community Development Division may begin providing residential housing assistance to state residents financially harmed as a result of the COVID-19 pandemic using \$20 million appropriated by the Legislature to the division from the Coronavirus Relief Fund. The bill removes a provision allowing the division to begin providing assistance August 1, 2020.</p> <p>The bill also modifies provisions of the COVID-19 Commercial Rental Assistance Program, created by Third Special Session S.B. 3006, COVID-19 Financial Relief Funding, and administered by the Governor's Office of Economic Development. The bill modifies the definition of "business entity," the requirements to receive assistance under the program, and the amounts of rental assistance that may be provided.</p>
5	<a href="#">S.B. 5007, Unemployment Insurance Rates Amendments</a>	This bill modifies provisions related to the Unemployment Compensation Fund, which the state uses to pay unemployment insurance benefits to unemployed workers. Payroll taxes paid by employers fund the Unemployment Compensation Fund. The bill caps the employer contribution rates to the fund for the 2021 calendar year. The bill caps the social contribution rate, paid by all employers, at 0.002 for calendar year 2021. It also caps the reserve factor, used

to calculate the basic contribution rate, paid by certain employers, at 1.005 for calendar year 2021.

The bill appropriates \$50 million, in fiscal year 2021, to the Unemployment Compensation Fund from CARES Act funds.

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<p><b>Local education agency reporting requirements*</b>  <a href="#">Education Agency Report Process Amendments</a>  <b>Sponsor:</b> Rep. Pulsipher  <b>Vote:</b> 16-0-3</p>	<p>Discussed <a href="#">A Performance Audit of Public Education Reporting Requirements</a> from the Office of the Legislative Auditor General. Staff from the Utah State Board of Education discussed actions they have taken in response to audit findings. Additionally, a school district superintendent and charter school leaders presented about the administrative burdens associated with reporting requirements.</p> <p>The draft legislation:</p> <ul style="list-style-type: none"> <li>▪ requires the State Board of Education to establish a policy or procedures to evaluate the impact any report required in a rule proposed by the state board may have on reporting requirements for a local education agency;</li> <li>▪ removes education reporting requirements related to:             <ul style="list-style-type: none"> <li>○ the program evaluation of the dual language immersion program;</li> <li>○ the digital teaching and learning program; and</li> <li>○ the state board's progress implementing certain employee evaluations;</li> </ul> </li> <li>▪ repeals the Student Leadership Skills Development Program; and</li> <li>▪ repeals provisions related to the appropriation for accommodation plans for students with Section 504 accommodations.</li> </ul>
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## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<p><b>Assessment waivers and accountability requirements*</b></p>	<p>Heard a presentation from the State Board of Education about the effects of the statewide assessment waiver put in place for 2020 due to the COVID-19 related to public school closures, including the potential impact on accountability reporting in future years. The committee also discussed potential assessment and accountability issues in the 2020-2021 school year.</p>
2	<p><b>Campus safety*</b></p>	<p>Received a presentation from the University of Utah and the Utah System of Higher Education about campus safety issues, including policies to oversee student complaints, students' access to victim advocate resources, and handling sensitive information related to student victims.</p>
3	<p><b>COVID Recovery and Response*</b></p>	<p>Heard multiple presentations from the State Board of Education, local education agency leaders, the Utah System of Higher Education, and institutions of higher education about their response to the COVID-19 pandemic, including:</p> <ul style="list-style-type: none"> <li>▪ the impacts of school closures;</li> <li>▪ plans for restarting instruction in schools and institutions of higher education following school closures;</li> <li>▪ managing COVID-19 outbreaks in local education agencies and institutions of higher education;</li> <li>▪ the status of the federal CARES act in Utah; and</li> <li>▪ other issues related to the COVID-19 pandemic.</li> </ul> <p>Heard about state and local health and safety guidelines and plans for reopening public schools in the 2020-2021 school year.</p> <p>Discussed the Learn and Work Program, which, through institutions of higher education, provides training programs for workers who were displaced by the COVID-19 pandemic.</p>
4	<p><b>Transition to a single system for higher education governance*</b></p>	<p>2020 General Session S.B. 111, <a href="#">Higher Education Amendments</a>, merged the technical college system and the higher education systems to into one system with one governing board. The committee heard a presentation from the Board of Higher Education about this transition,</p>

including the benefits of transitioning to a single governance system and the roles and missions of the state's institutions of higher education and technical colleges.

## ISSUES NOT STUDIED

1	<b>Compulsory education attendance requirements</b>	Discussed elements of this study item in relation to other discussions related to COVID-19 response and recovery.
2	<b>Graduate medical education planning</b>	Intended to study graduate medical education planning but did not because of other priorities.
3	<b>Online and distance learning</b>	Discussed elements of this study item in relation to other discussions related to COVID-19 response and recovery.
4	<b>Seizure action plans</b>	Intended to study seizure action plans but did not because of other priorities.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">H.B. 6004, School Emergency Drills Amendments</a>	This bill amends requirements related to emergency evacuation drills for Group E occupancies, which include schools, for the 2020-2021 school year. The bill provides that through February 28, 2021, Group E occupancies are exempt from statutory requirements to conduct emergency evacuation drills but are required to provide in-class instruction on the procedure for emergency evacuation for fire at least once each calendar month beginning no later than 15 days after the first day of school.
2	<a href="#">H.B. 6012, Public Education Funding and Enrollment Amendments</a>	This bill addresses public school funding and enrollment issues, including: <ul style="list-style-type: none"> <li>▪ For the 2020-2021 school year, allows the State Board of Education (state board) to use any day or days in 2020 when counting average daily membership for the 2020-2021 growth factor. (Statute requires the count on October 1.)</li> <li>▪ Amends funding distribution for Necessarily Existent Small Schools Program to provide 83 additional weighted units to local education agencies with 251 to 500 students (it is currently 56 additional weighted units).</li> <li>▪ Reinstates a salary supplement for National Board-certified teachers and appropriates funding.</li> <li>▪ Allows charter schools to give enrollment preference in the 2021-2022 school year to students who withdraw from the school to attend an online or home school in the 2020-2021 school year because of the COVID-19 emergency.</li> <li>▪ Appropriates money for local education agencies to pay vendors for English learner instruction software licenses.</li> <li>▪ Allows the state board to use certain federal funds and nonlapsing Minimum School Program funds for charter school local replacement funding in the 2020-2021 school year in anticipation of the potential for increased charter school enrollment.</li> </ul>

# Government Operations

Sen. Daniel W. Thatcher

Rep. Marc K. Roberts

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<b>1</b>	<b>Behavioral Emergency Services</b> <a href="#">Behavioral Emergency Services Amendments</a> <b>Sponsor:</b> Rep. Burton <b>Vote:</b> 9-1-6	Recommended draft legislation that creates a new license for behavioral emergency services technicians and advanced behavioral emergency services technicians.
<b>2</b>	<b>Deceased Voter Amendments</b> <a href="#">Deceased Voter Amendments</a> <b>Sponsor:</b> Rep. Winder <b>Vote:</b> 15-0-1	Recommended draft legislation that requires: <ul style="list-style-type: none"><li>▪ a local registrar who receives a certificate of death for a Utah resident to notify the county clerk of the voter's last known residence; and</li><li>▪ a county clerk who receives the notice to remove the voter's name from the official register of voters.</li></ul>
<b>3</b>	<b>Department of Human Services Budgetary Procedures</b> <a href="#">Department of Human Services Budgetary Procedures</a> <b>Sponsor:</b> Rep. Thurston <b>Vote:</b> 12-0-4	Recommended draft legislation that allows 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.
<b>4</b>	<b>Facial Recognition Technology</b> <a href="#">Governmental Use of Facial Recognition Technology</a> <b>Sponsor:</b> Sen. Thatcher <b>Vote:</b> 11-0-5	Recommended draft legislation that: <ul style="list-style-type: none"><li>▪ places limitation on the circumstances under which government entities may use image databases for facial recognition comparisons;</li><li>▪ describes the process of, and requirements for, conducting a facial recognition comparison;</li><li>▪ addresses training of Department of Public Safety and government entity employees;</li><li>▪ provides that only the department may use a facial recognition system with respect to image databases shared with or maintained by the department;</li><li>▪ provides a notice requirement for government entities that use facial recognition technology with respect to images taken by that government entity; and</li><li>▪ describes information that is required to be released, and information that is protected, in relation to a facial recognition comparison.</li></ul>
<b>5</b>	<b>Group Gang Enhancement</b> <a href="#">Group Gang Enhancement Amendments</a> <b>Sponsor:</b> Sen. Thatcher <b>Vote:</b> 9-1-6	Recommended draft legislation that modifies the sentencing enhancements and applicable offenses for certain crimes committed in concert with multiple people or on behalf of criminal street gangs.
<b>6</b>	<b>Juvenile Offender Penalties</b> <a href="#">Juvenile Offender Penalty Amendments</a> <b>Sponsor:</b> Sen. Thatcher <b>Vote:</b> 8-1-7	Recommended draft legislation that addresses penalties imposed on an individual for certain sexual offenses committed as a juvenile.
<b>7</b>	<b>Local Referenda</b> <a href="#">Voter Referendum Amendments</a> <b>Sponsor:</b> Rep. Nelson <b>Vote:</b> 9-0-7	Recommended draft legislation that clarifies the definition of a land use law and modifies the elections at which a referendum relating to legislative action taken after April 15 may appear on the ballot.

8	<p><b>Mental Health Crisis Intervention Council</b>  <a href="#">Mental Health Crisis Intervention Council</a>  <b>Sponsor:</b> Sen. Thatcher  <b>Vote:</b> 12-1-3</p>	<p>Recommended draft legislation that creates the Mental Health Crisis Intervention Council to establish protocols and standards for the training and functioning of local mental health crisis intervention teams.</p>
9	<p><b>Mobile Voting Pilot Project</b>  <a href="#">Mobile Voting Pilot Project</a>  <b>Sponsor:</b> Sen. Bramble  <b>Vote:</b> 7-3-6</p>	<p>Recommended draft legislation that allows a municipality to choose to permit a voter to vote by electronic means approved by the municipality's election officer.</p>
10	<p><b>Public Information Website*</b>  <a href="#">Public Information Website Modifications</a>  <b>Sponsor:</b> Rep. Pierucci  <b>Vote:</b> 15-0-1</p>	<p>Recommended draft legislation that:</p> <ul style="list-style-type: none"> <li>▪ requires the Division of Archives and Records Service to create and maintain the Utah Open Records Portal Website to serve as a point of access for Government Records Access and Management Act requests;</li> <li>▪ clarifies provisions relating to the membership and duties of the Utah Transparency Advisory Board; and</li> <li>▪ requires the Department of Technology Services to create and maintain the Utah Open Data Portal Website to serve as a point of access for public information.</li> </ul>
11	<p><b>State Disaster Task Force*</b>  <a href="#">Emergency Task Force</a>  <b>Sponsor:</b> Sen. Thatcher  <b>Vote:</b> 15-0-1</p>	<p>Recommended draft legislation that provides that the Division of Emergency Management may contract with a political subdivision for purposes of operating an emergency task force.</p>
12	<p><b>Water Conservancy District Amendments</b>  <a href="#">Water Conservancy District Amendments</a>  <b>Sponsor:</b> Rep. Handy  <b>Vote:</b> 15-0-1</p>	<p>Recommended draft legislation that establishes a process for filling a vacancy on the board of a water conservancy district located in more than one county, including providing notice, nominating candidates, and appointing an individual to fill the vacancy.</p>

**STUDIED BUT NO LEGISLATION** \* Item was on the committee's study item list

1	<p><b>Advice and Consent Process*</b></p>	<p>Studied the changes to the process for governor appointments and Senate confirmations that were enacted by 2020 General Session S.B. 60, <a href="#">Advice and Consent Amendments</a>.</p> <p>Determined that, while the committee believes this to be an important area for further study, it was too early in the process to move forward with legislation.</p>
2	<p><b>Competency-Based Hiring</b></p>	<p>Considered, but did not recommend, draft legislation, <a href="#">Competency-Based Hiring Amendments</a>. The draft legislation:</p> <ul style="list-style-type: none"> <li>▪ precludes certain state and local government entities from requiring a minimum educational requirement for employment, except where educational qualifications are legally required to perform the duties of the position;</li> <li>▪ requires certain state and local government entities to consider comparable experience or ability as equal to education when determining a candidate's satisfaction of minimum qualifications, with specific exceptions; and</li> <li>▪ ensure that job descriptions and job postings are based on the skills and competencies required to perform each job.</li> </ul>
3	<p><b>Continuity of Government*</b></p>	<p>Studied issues related to the continuity of government, including the executive branch and legislative branch, during different economic and health risk guidance levels, particularly regarding how the government provides services remotely when individuals are unable to interact with the government in person.</p>

		Sought input from the Utah Association of Special Districts, Utah Association of Counties, Utah League of Cities and Towns, the executive branch, and the judicial branch. Based on feedback provided, the committee opened a bill file to address emergency quorum requirements; however, due to the complexity of the issue, more time is needed to work with stakeholders.
4	<b>Contracts and Purchases During States of Emergency*</b>	Received a presentation from the Governor's Office of Management and Budget on the standard procurement process and how the procurement process changes during states of emergency. The committee also discussed the Utah Division of Purchasing and General Services' response to the COVID-19 pandemic. The committee took no further action.
5	<b>Cost Cutting Reporting Requirements</b>	2020 General Session H.B.395, <a href="#">Cost Cutting Reporting Requirements</a> , if passed, would have established the State Employee Cost Cutting Reporting Initiative to allow a state employee to anonymously report through an online reporting tool any cost cutting measure, idea for optimizing the use of state funds, or inefficient use or misuse of taxpayer dollars that the employee becomes aware of in the course of the employee's state employment.  Discussed with the study sponsor the nature and extent of the problem that prompted the legislation.
6	<b>Emergency Powers*</b>	Studied emergency powers during states of emergency, including the history of the Emergency Powers Act since its enactment in 1981 and significant changes to the act in subsequent years.  Received a presentation by the Utah Association of Local Health Departments, providing an overview of the 13 local health departments in the state and the local health departments' responses to the COVID-19 pandemic related to public health orders.  Heard from the Utah Department of Health and discussed the authority of health departments to require communities to do specific things and criminal penalties associated with health department orders. The committee took no further action.
7	<b>Essential Mental Health Services</b>	Received a presentation from the University Neuropsychiatric Institute (UNI) regarding the demand for mental health care in Utah and the funding for services provided by UNI. The committee took no further action.
8	<b>Federal Legislation related to COVID-19*</b>	Studied federal laws and funding passed in relation to COVID-19 that impact government operations, and received a presentation from the Governor's Office of Management and Budget regarding federal funds that have been received and used to help with the COVID-19 response in the state. The committee took no further action.
9	<b>Impact of COVID-19 on Primary and General Elections*</b>	2020 3rd Special Session HB 3006, <a href="#">Election Amendments</a> , made temporary changes to the Election Code and related provisions, as they related to the 2020 regular primary election only, so that the election would be conducted in a manner that protected the public health and safety in relation to the COVID-19 pandemic. Temporary changes included: <ul style="list-style-type: none"> <li>▪ no in person early voting;</li> <li>▪ no in person voter registration;</li> <li>▪ no voter registration by provisional ballot;</li> <li>▪ the voter registration deadline was changed to 11 days before the day of the election; and</li> <li>▪ the postmark deadline for mailing a ballot was extended to the day of the election.</li> </ul> Received a presentation from the Elections Office regarding the changes and discussed preparations to conduct the general election under different economic and health risk guidance levels.
10	<b>Legislative Review of Boards and Commissions*</b>	2020 General Session H.B. 10, <a href="#">Boards and Commissions Amendments</a> , repealed and placed sunset provisions on several boards and commissions. In addition, every 5 years, beginning in

		<p>2024, each legislative board shall prepare and submit to the Office of Legislative Research and General Counsel a report explaining:</p> <ul style="list-style-type: none"> <li>▪ what the board has done for the past 5 years;</li> <li>▪ whether any changes are needed to make the board more effective; and</li> <li>▪ whether the board should continue to exist.</li> </ul> <p>The committee studied these changes and received a status update from the Governor’s Office regarding the implementation process. The committee took no further action.</p>
11	Plurality	<p>Studied the extent to which candidates in the state win a primary election by plurality and studied various policies that would more clearly identify a winner in a primary election. Also looked at how other states address plurality. Individual legislators opened bill files to address this issue.</p>

## ISSUES NOT STUDIED

1	Civil Liberties	Intended, time permitting, to study issues regarding the Banjo contract. Due to other priorities, the committee did not study this issue.
2	COVID-19 Testing	Intended to study the inclusion of COVID-19 in the list of diseases for which a court may compel testing if public safety personnel are exposed. However, this item was addressed through legislation during the 2020 Third Special Session.
3	Data Sharing	Intended to study data-sharing related to testing and other data to help the state manage COVID-19. However, the sponsor requested that this study item be transferred to another committee due to the amount of time the other committee had already spent working on the issue through draft legislation.
4	Eminent Domain Policy Changes	Intended to study the changes enacted by 2020 General Session H.B. 261, <a href="#">Eminent Domain Revisions</a> , and 2020 General Session S.B. 205, <a href="#">Eminent Domain Modifications</a> . However, the sponsor requested that this study item be transferred to another committee due to the amount of time the other committee had already spent working on the issue through draft legislation.
5	Political Action Committees	Intended, time permitting, to study issues regarding PACs created under federal law attempting to mislead voters by misrepresenting who supports the PAC. Due to other priorities, the committee did not study this issue.
6	Procurement Requirements	Intended to study procurement requirements on counties for small bids. However, after gathering additional information from stakeholders, it was determined that this item no longer needed to be studied. The sponsor withdrew the request for the study.
7	SafeUT app	Intended, time permitting, to study the expansion of the SafeUT app. Due to other priorities, the committee did not study this issue.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">H.B. 6008, Local Referendum Amendments</a>	<p>This bill, which applies to pending and future referenda, modifies the elections at which a referendum relating to legislative action taken after April 15 may appear on the ballot.</p> <p>The bill enables an election officer to place a referendum on the ballot for the next general election if the election officer determines that the requirements to be completed before placing the referendum on the ballot will be completed in a timely manner.</p>
2	<a href="#">S.B. 6007, Amendments to Elections</a>	For the 2020 regular general election only, this bill:

	<ul style="list-style-type: none"> <li>▪ requires each county to provide in-person voting of some kind, but gives the county the option to decide whether that will be done in the traditional manner or by outdoor voting (including drive-up, walk-up, or drive-through). The county may choose any combination of these;</li> <li>▪ provides that the lieutenant governor’s office may issue an order, due to health risks being too high, that:             <ul style="list-style-type: none"> <li>○ cancels in-person voting in specific counties or statewide, except that a county will still have the option of providing outdoor voting; and</li> <li>○ extends the postmark deadline for mailing a ballot to the day of the election;</li> </ul> </li> <li>▪ requires early voting to occur as normal, except that it may also be done (at the option of the county) by outdoor voting or in the traditional manner;</li> <li>▪ relating to the deadline to mail ballots, changes the word “mail” to “send,” which will give clerks who have to submit files to printers the same amount of time as clerks who print their own;</li> <li>▪ for counties where there is a significant risk that timely-mailed ballots will be postmarked late, requires those counties to:             <ul style="list-style-type: none"> <li>○ work with local post offices to see if they can separate and date-stamp ballots that were timely mailed before sending them on for a postmark; or</li> <li>○ place additional drop boxes in the county; and</li> </ul> </li> <li>▪ requires statewide messaging about the new election process.</li> </ul> <p>For all elections, the bill modifies existing provisions relating to ballot harvesting and provides exceptions for household members, people with a disability, etc.</p>
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**FIFTH SPECIAL SESSION**

<p>3 <a href="#">S.B. 5003, COVID-19 Immunity Provisions</a></p>	<p>This bill addresses the relationship between the governmental immunity act and immunity related to exposure to COVID-19.</p>
<p>4 <a href="#">S.B. 5009, Martha Hughes Cannon Statue Amendments</a></p>	<p>2018 General Session S.C.R. 1 initiated the replacement of Utah’s statue of Philo Farnsworth in the United States Capitol with a statue of Dr. Martha Hughes Cannon, and established an unveiling date of August 2020 for the new statue. 2018 General Session H.B. 444 created the Martha Hughes Cannon Statue Oversight Committee responsible for overseeing the creation and replacement process for the statue and established a repeal date of January 1, 2021 for the committee. Due to uncertainty about timing created by the COVID-19 pandemic, this bill removes the unveiling date requirement for the Martha Hughes Cannon statue and extends the repeal date for the statue’s oversight committee to January 1, 2022. The bill also removes the requirement that the statue be placed in the National Statuary Hall.</p>
<p>5 <a href="#">H.B. 5002, Open and Public Meetings Act Amendments</a></p>	<p>This bill permits a public body to hold an electronic meeting without an anchor location if the public body determines that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location.</p> <p>For electronic meetings held without an anchor location, the bill requires the public body to include the reasons for the health and safety risk determination in the public notice for the meeting and state them at the beginning of the meeting, provide means by which the public may hear, or view and hear, the open portions of the meeting, and provide a means by which the public can provide comments electronically to the public body. The bill also removes the requirement for a posted written notice at the anchor location, for meetings held without an anchor location.</p>

# Health and Human Services

Sen. Allen M. Christensen

Rep. Brad M. Daw

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<b>1</b>	<b>Behavioral Health*</b> <a href="#">Controlled Substance Amendments</a> <b>Sponsor:</b> Rep. Ward <b>Vote:</b> 16-0-1	Recommended draft legislation which applies the seven-day supply limit for opiate prescriptions to opiates prescribed in conjunction with a surgery.
<b>2</b>	<b>Healthcare Cost Containment*</b> <a href="#">Mental Health Access Amendments</a> <b>Sponsor:</b> Sen. Escamilla <b>Vote:</b> 14-0-3	<p>Recommended 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.</p> <p>Received reports from the Utah Education and Telehealth Network, the Department of Health, hospitals, physicians, and an insurer on the use of telehealth during the COVID-19 pandemic and recommendations for legislative action to promote the expansion of appropriate telehealth use in the future. Briefed by committee staff on licensing options to facilitate the delivery of interstate telehealth.</p> <p>Considered a proposal to create a framework for determining which prescription drugs should be available to consumers without a specific prescription from a healthcare practitioner.</p>
<b>3</b>	<b>Medicaid*</b> <a href="#">Joint Resolution Recognizing the Success of the Utah Medicaid Accountable Care Program</a> <b>Sponsor:</b> Rep. Thurston <b>Vote:</b> 14-0-3	Recommended a joint resolution that recognizes the success of the state's Medicaid accountable care program.
<b>4</b>	<b>Utah Marriage Commission</b> <a href="#">Marriage Commission Amendments</a> <b>Sponsor:</b> Rep. Ballard <b>Vote:</b> 10-5-2	Recommended 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.

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

<b>1</b>	<b>COVID-19*</b>	Monitored throughout the interim the state's response to the COVID-19 pandemic. Received reports from the Department of Health and others on disease prevalence, mortality, testing, contact tracing, hospitalizations, vaccine distribution, professional licensing, and public health directives.
<b>2</b>	<b>Medical Cannabis*</b>	<p>Received updates on Utah's medical cannabis program, and recommendations for legislative action, from the Department of Agriculture and Food and the Department of Health. Briefed by the Cannabinoid Product Board and the Compassionate Use Board.</p> <p>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.</p>

3	<b>Professional Licensing*</b>	Briefed by the Division of Occupational and Professional Licensing on the implementation of 2020 General Session H.B. 274, <a href="#">Delegation of Health Care Services Amendments</a> , which required the division 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."
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## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">H.B. 6003, Premium Subsidy Amendments</a>	This bill amends the maximum premium subsidy the Department of Health can request for the Utah Premium Partnership for Health Insurance program.
2	<a href="#">H.B. 6011, Pharmaceutical Reporting Amendments</a> <a href="#">S.B. 6006, Department of Health Modifications</a>	This bill delays certain reporting requirements under the Prescription Drug Price Transparency Act for health insurers, manufacturers of a prescription drug, and the Insurance Department. This bill amends the qualifications for an individual to serve as the executive director of the Department of Health and changes certain requirements if the executive director is not a licensed physician.

### FIFTH SPECIAL SESSION

3	<a href="#">S.B. 5011, High Risk Population Protection Amendments</a>	This bill requires the Utah Department of Health to: <ul style="list-style-type: none"> <li>▪ publish deidentified information regarding comorbidities and other risk factors for COVID-19 in a manner that is accessible to the public and authorizes the department and local health departments to release specific medical or epidemiological information to a state agency to assist the Utah Department of Health with that task under certain conditions;</li> <li>▪ establish protocols to identify individuals who are present at certain care facilities to submit to testing for COVID-19 at the request of the Utah Department of Health or a local health department; and</li> <li>▪ establish protocols to collect information regarding the age and relevant comorbidities of an individual who tests positive for COVID-19.</li> </ul>
4	<a href="#">S.B. 5010, Excess Reserve Refund Amendments</a>	This bill requires the Utah State Retirement Board to refund Public Employees' Benefit and Insurance Program excess reserves to the state if directed to do so by a concurrent resolution of the Legislature and the governor.
5	<a href="#">S.C.R. 502, Concurrent Resolution on Refunding Excess Funds to the State from the State Insurance Risk Pools</a>	Due to the emergency resulting from COVID-19, this concurrent resolution directs that \$11,000,000 in excess reserves be refunded to the state by the Public Employees' Benefit and Insurance Program as follows: <ul style="list-style-type: none"> <li>▪ \$7,370,000 from the state health insurance risk pool; and</li> <li>▪ \$3,630,000 from the long-term disability risk pool.</li> </ul>

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<p><b>Access to Pornography in Schools*</b>  <a href="#">School Technology Amendments</a>  <b>Sponsor:</b> Rep. Seegmiller  <b>Vote:</b> 13-1-2</p>	<p>Heard presentations from community members regarding the ability of school children to access obscene material via their school computers.</p> <p>Recommended draft legislation that requires digital resources provided in Utah public schools to block obscene or pornographic material.</p>
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## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<p><b>CCJ Report: JRI and Corrections*</b></p>	<p>Heard a presentation regarding justice reinvestment initiative and corrections from the Utah Commission on Criminal and Juvenile Justice. The committee took no further action.</p>
2	<p><b>Court-Ordered Assessments*</b></p>	<p>Heard a presentation on court-ordered assessments. The committee took no further action.</p>
3	<p><b>Criminal Restitution Recodification*</b></p>	<p>Heard a presentation on potential changes to the criminal restitution process. The committee opened a bill file on the subject but took no further action.</p>
4	<p><b>Electronic Submission for Governmental Immunity Claims*</b></p>	<p>Discussed Utah Code Section 63G-7-401(3)(b)(ii) which currently requires entities to accept hand delivery of governmental immunity claims. The committee discussed whether to recommend amending the statute to remove hand delivery from the submission options while allowing electronic and mail submissions. The committee took no further action.</p>
5	<p><b>Grand Jury Amendments</b></p>	<p>Heard proposed draft legislation regarding several grand jury reforms including:</p> <ul style="list-style-type: none"> <li>▪ amending the requirements for calling a grand jury;</li> <li>▪ changing the procedure for disclosing facts, legal standards, and proceedings; and</li> <li>▪ requiring a county or municipality to pay expenses in certain circumstances.</li> </ul> <p>The committee took no further action.</p>
6	<p><b>Indigent Defense Commission Priorities*</b></p>	<p>Received a presentation from the Indigent Defense Commission regarding the agency's current priorities. The committee took no further action.</p>
7	<p><b>Indigent Defense Commission Study*</b></p>	<p>Received presentations regarding the brief provided by the Office of the Legislative Fiscal Analyst including the commission's core principles:</p> <ul style="list-style-type: none"> <li>▪ similarities and differences in indigent defense across states;</li> <li>▪ effective measures of challenges and metrics for success; and</li> <li>▪ appropriate state support for indigent defense in Utah.</li> </ul> <p>The committee took no further action.</p>
8	<p><b>Justice Court Reform Task Force*</b></p>	<p>Heard a presentation from the Justice Court Reform Task Force on potential reforms to Utah Justice Courts. A motion was made to allow the Task Force to make a report to the committee every 6 months.</p>
9	<p><b>Justice Reinvestment Initiative*</b></p>	<p>Heard a presentation from the Office of the Legislative Auditor General regarding a justice reinvestment initiative audit. The committee took no further action.</p>
10	<p><b>Juvenile Court Recodification*</b></p>	<p>Heard presentations from committee staff on the potential recodification of Title 78A, Chapter 6, Juvenile Court Act, and related statutes. A motion was made to convert a legislator's personal bill file to a committee bill file. The committee took no further action.</p>
11	<p><b>Landlord Notifications*</b></p>	<p>Received a presentation on a draft legislation regarding landlord notifications. A motion was made for the draft legislation to be considered in the committee's November meeting, but the committee took no further action.</p>

12	<b>Paycheck Garnishments*</b>	Discussed indigent offenders and paycheck garnishments. The committee opened a bill file but took no further action.
13	<b>Review of Anti-SLAPP Law*</b>	Heard a presentation on the use of anti-SLAPP laws throughout the United States. The committee opened a bill file but took no further action.
14	<b>Review of Appellate Decisions that Call for Legislative Action*</b>	Received overviews by committee staff of the following cases in the July and August meetings: <i>Rutherford v. Talisker</i> , <i>Utah Office of Consumer Services v. Public Service Commission of Utah</i> , <i>State v. Newton</i> , <i>State v. Bridgewater</i> , <i>State v. Bowden</i> , <i>Waterfall v. Retirement Board</i> . The committee took no further action.
15	<b>Social Media Censorship*</b>	Heard several presentations regarding social media censorship. The committee took no further action.
16	<b>Tolling Statute of Limitations in an Emergency*</b>	Heard a presentation on tolling the statute of limitations in an emergency. The committee took no further action.
17	<b>Withdrawing Guilty Pleas*</b>	Received a presentation on background information regarding withdrawing guilty pleas and discussed 2020 General Session S.B. 252, <a href="#">Health Insurance Athletic Trainer Services Modifications</a> . The committee recommended changes but took no further action.

## ISSUES NOT STUDIED

1	<b>Business Pursuit Exclusion</b>	Intended, time permitting, to study the use of the business pursuit exclusion in personal lines insurance policies. Due to other priorities, and the sponsor abandoning the item, the committee did not study this issue.
2	<b>Court Nominating Commission and Process</b>	Intended, time permitting, to study issues addressed in 2020 S.B. 172 <a href="#">Court Nominating Commission Amendments</a> . Due to other priorities, and the sponsor abandoning the item, the committee did not study this issue.
3	<b>Limit Court Actions</b>	Intended, time permitting, to study COVID-related lawsuit policies, including creating a temporary moratorium on the ability to petition the courts on a case against the state/local governments. Due to other priorities, and the sponsor abandoning the item, the committee did not study this issue.
4	<b>Violent Crime Pleas</b>	Intended, time permitting, to study the effect of plea bargains on the pre-trial risk assessment algorithm, especially for violent crimes. Due to other priorities, and the sponsor abandoning the item, the committee did not study this issue.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">H.B. 6001, Uniform Electronic Wills Act</a>	This bill permits testators to execute an electronic will and gives the will legal effect. It provides parameters for how the electronic wills can be executed and allows for electronic wills to revoke all or part of a previous will. The bill also details the process by which the electronic will shall be simultaneously executed, attested, and made self-proving at the time of execution. The bill provides a form for acknowledgement and affidavits.
2	<a href="#">H.B. 6010, Sentencing Modification Amendments</a>	This bill allows for early release for inmates incarcerated in jails due to a declared emergency, including a pandemic. It allows the inmate or the prosecuting attorney to file a petition for extraordinary relief and sets parameters for the filing of the petition. The bill also provides the following list of factors for the court to consider: <ul style="list-style-type: none"> <li>▪ whether the jail inmate has served a majority of the jail inmate's sentence;</li> <li>▪ whether the release of the jail inmate poses a risk to public safety; and</li> </ul>

- whether the public health emergency presents a risk to the jail inmate's health, including the inmate's susceptibility to the public health emergency due to the inmate's underlying medical condition or age.

# Law Enforcement and Criminal Justice

Sen. Keith Grover

Rep. Lee B. Perry

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<b>1</b>	<b>24/7 Sobriety Program*</b> <a href="#">24/7 Sobriety Program Expansion</a> <b>Sponsor:</b> Rep. Pitcher <b>Vote:</b> 13-0-3	Studied the effectiveness of the pilot 24/7 sobriety program implemented in Weber County and recommended draft legislation to expand the program statewide.
<b>2</b>	<b>Correctional Facility Placement*</b> <a href="#">Community Correctional Center Amendments</a> <b>Sponsor:</b> Rep. Musselman <b>Vote:</b> 14-0-2	Studied methods used to determine the use and location of community correctional centers and recommended draft legislation that addresses the use of community correctional centers.
<b>3</b>	<b>DUI Code Changes*</b> <a href="#">Driving Under the Influence Sentencing Amendments</a> <b>Sponsor:</b> Rep. Eliason <b>Vote:</b> 13-1-2  <a href="#">DUI Revisions</a> <b>Sponsor:</b> Rep. Wilson <b>Vote:</b> 13-0-3	Studied current penalties for DUI offenses and recommended draft legislation that makes changes related to penalties for driving under the influence.  Also studied bail provisions as they relate to DUI offenses and recommended draft legislation that makes changes to bail provisions for DUI offenses.
<b>4</b>	<b>Justice Reinvestment Initiative*</b> <a href="#">CCJ Reporting Requirements</a> <b>Sponsor:</b> Rep. Miles <b>Vote:</b> 15-0-1	Received a presentation from the Office of the Legislative Auditor General on its recent audits of the Justice Reinvestment Initiative and the capacity for information sharing in the state's criminal justice system.  Recommended draft legislation that requires the Commission on Criminal and Juvenile Justice to report annually to the Law Enforcement and Criminal Justice Interim Committee on the progress of certain areas of information sharing suggested by the audit.
<b>5</b>	<b>Law Enforcement Internal Investigation</b> <a href="#">Law Enforcement Internal Investigation Requirements</a> <b>Sponsor:</b> Sen. Iwamoto <b>Vote:</b> 15-0-1	Received comments from the Utah Chiefs of Police Association and Peace Officer Standards and Training regarding the nature of investigations into officer misconduct.  Recommended draft legislation that provides direction for investigations into officer misconduct if the officer leaves the department.
<b>6</b>	<b>Liability for an Injury Caused by a Dog*</b> <a href="#">K-9 Policy Requirements</a> <b>Sponsor:</b> Sen. Thatcher <b>Vote:</b> 15-0-1	Studied the possibility of implementing certain requirements in statute for certifying police dogs and police dog handlers.  Recommended draft legislation that requires police dogs and police dog handlers to undergo a program of training and certification.
<b>7</b>	<b>Medical Examiner Amendments</b> <a href="#">Medical Examiner Amendments</a> <b>Sponsor:</b> Rep. Nelson <b>Vote:</b> 15-0-1	Recommended draft legislation which requires the chief medical examiner to investigate deaths resulting directly from actions of a law enforcement officer.

8	<p><b>Murdered and Missing Indigenous Women and Girls Task Force</b>  <a href="#">Murdered and Missing Indigenous Women and Girls Task Force</a>  <b>Sponsor:</b> Rep. Romero  <b>Vote:</b> 15-0-1</p>	<p>Received comments from the State Bureau of Investigation and Restoring Ancestral Winds regarding the need to extend the Murdered and Missing Indigenous Women and Girls Task Force. Recommended draft legislation that extends the Murdered and Missing Indigenous Women and Girls Task Force until November 30, 2023.</p>
9	<p><b>Peer Support Programs*</b>  <a href="#">Mental Health Protections for First Responders</a>  <b>Sponsor:</b> Rep. Kwan  <b>Vote:</b> 13-0-3</p>	<p>Studied peer support programs and mental health services for first responders. Recommended draft legislation that extends the sunset date for the Mental Health Protections for First Responders Workgroup by five years.</p>
10	<p><b>Stalking*</b>  <a href="#">Stalking Amendments</a>  <b>Sponsor:</b> Rep. Pierucci  <b>Vote:</b> 15-0-1</p>	<p>Recommended draft legislation that 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.</p>
11	<p><b>Statutory Responses to Riots</b>  <a href="#">Riot Amendments</a>  <b>Sponsor:</b> Rep. Wilcox  <b>Vote:</b> 10-3-3   <a href="#">Roadway Obstruction Amendments</a>  <b>Sponsor:</b> Rep. Hawkins  <b>Vote:</b> 8-6-2</p>	<p>Received comments from Weber County Sheriff's Office and committee staff about how Utah's riot response statutes compare to other states. Recommended draft legislation to make changes to Utah's riot response statutes.</p> <p>Recommended draft legislation that makes the obstruction of traffic during a riot a third-degree felony and, under certain circumstances, absolves motor vehicle operators from criminal liability for injuries and death caused as a result of fleeing from a riot.</p>

**STUDIED BUT NO LEGISLATION** \* Item was on the committee's study item list

1	<p><b>Asset Forfeiture *</b></p>	<p>Received a presentation from the Attorney General's Office providing an update on proposed changes to asset forfeiture in the state. The committee took no further action.</p>
2	<p><b>Clarify Disaster Response Statutes*</b></p>	<p>Received a presentation from committee staff clarifying disaster response authority as outlined in Title 53-2a. The committee took no further action.</p>
3	<p><b>Correctional Facility COVID-19 Protocols*</b></p>	<p>Received a presentation from the Department of Corrections and the Salt Lake County Jail on correctional facility responses to COVID-19 concerns. Received comments from the Salt Lake County District Attorney's Office and the Administrative Office of the Courts in favor of a possible resolution calling on law enforcement, prosecutors, and the judiciary to recognize the rights of crime victims in addition to concerns about public health when considering pre-trial release, post-conviction incarceration, and issuing arrest warrants for violent offenders in Utah. The committee took no further action.</p>
4	<p><b>Facial Recognition*</b></p>	<p>Received comments from the Department of Public Safety on the use of facial recognition technology by law enforcement agencies. The committee took no further action.</p>
5	<p><b>Sex Offender Registry</b></p>	<p>Received a presentation from the Sentencing Commission about the possibility of applying a risk-based assessment to individuals on the sex offender registry. The committee took no further action.</p>
6	<p><b>State v. Bowden*</b></p>	<p>Referred by the Judiciary Interim Committee to the Law Enforcement and Criminal Justice Interim Committee for further study. The committee received comments from committee staff and the Utah Attorney General's Office concerning possible legislative action suggested by the Utah Court of Appeals. The Utah Court of Appeals pointed out that current language in the</p>

7	<b>Student Data Privacy*</b>	<p>murder statute and the aggravated murder statute leads to different results for merging convictions. The Utah Court of Appeals questioned whether this was intended and suggested the Judiciary Interim Committee review the case. Ultimately, the Utah Attorney General's Office recommended no changes be made. The committee took no further action.</p> <p>Received presentations from the State Board of Education, the Department of Public Safety, and the Commission on Criminal and Juvenile Justice about the need to collect student data to promote school safety while also preserving student privacy. The committee took no further action.</p>
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## ISSUES NOT STUDIED

1	<b>Death Penalty</b>	Intended to study topics related to the death penalty. Due to time constraints and the discretion of the chairs, this item was ultimately not studied.
2	<b>Firearms</b>	Intended to study topics related to firearms and firearm safety. Due to time constraints and the discretion of the chairs, this item was ultimately not studied.
3	<b>Fraud</b>	Intended to study whether anti-fraud measures should be strengthened considering the rise of fraud cases related to COVID-19. Due to time constraints, the chairs opted not to study this item, and it was instead studied by the Criminal Code Evaluation Task Force at their meeting on June 30, 2020.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">S.B. 6003, Law Enforcement Tuition Reimbursement</a>	This bill allows for new applicants for the Public Safety Officer Career Advancement Reimbursement Program, which reimburses peace officers seeking a postsecondary degree in criminal justice from a credit-granting higher education institution within the state system of higher education.
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### FIFTH SPECIAL SESSION

2	<a href="#">S.B. 5006, Public Safety Worker Protection Amendments</a>	This bill provides criminal penalties for intentionally coughing on a first responder or correctional facility employee and modifies definitions and procedures to authorize a court to order an individual to submit to medical testing for COVID-19 under certain circumstances.
3	<a href="#">H.B. 5007, Peace Officer Amendments</a>	This bill prohibits the training of peace officers in the use of chokeholds, carotid restraints, or other methods of restraint that may impede breathing or blood circulation and cause unconsciousness. The bill also prohibits a peace officer from employing a "knee on the neck" method of restraint that may impede breathing or blood circulation and cause unconsciousness.

# Natural Resources, Agriculture, and Environment

Sen. Ralph Okerlund

Rep. Keven J. Stratton

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<p><b>Aquatic Invasive Species*</b>  <a href="#">Statewide Aquatic Invasive Species Response Plan</a>  <b>Sponsor:</b> Needs Sponsor  <b>Vote:</b> 16-0-3</p>	<p>Heard from the Division of Wildlife Resources regarding the aquatic invasive species program and its needs. Recommended draft legislation that creates a statewide emergency response plan if aquatic invasive species are detected in bodies of water, facilities, or supply systems in Utah.</p>
2	<p><b>Automatic Repeal Review</b>  <a href="#">Compliance Advisory Panel Repeal Date</a>  <b>Sponsor:</b> Sen. Sandall  <b>Vote:</b> 14-0-5</p>	<p>Studied an issue raised by the Attorney General's Office regarding the Compliance Advisory Panel, which ensures compliance with federal EPA standards. Recommended draft legislation that extends the repeal date of the Panel.</p>
3	<p><b>Legislative Audit – An In-depth Budget Review of the Department of Environmental Quality (Report #2020-04)</b>  <a href="#">Petroleum Storage Tanks Amendments</a>  <b>Sponsor:</b> Needs Sponsor  <b>Vote:</b> 14-1-4</p>	<p>Studied one aspect of the Department of Environmental Quality legislative audit regarding the regulation of aboveground storage tanks. Recommended draft legislation that regulates underground piping and equipment connected to aboveground storage tanks.</p>
4	<p><b>Marijuana and Industrial Hemp Program*</b>  <a href="#">Hemp Regulation Amendments</a>  <b>Sponsor:</b> Needs Sponsor  <b>Vote:</b> 16-0-3</p>	<p>Heard from the Department of Agriculture and Food regarding the industrial hemp program and recommendations for statutory changes to the program. Recommended draft legislation that amends the existing hemp program statutes regarding the production and sale of hemp products and cannabinoid content.</p>
5	<p><b>Radon Gas*</b>  <a href="#">Radon Task Force</a>  <b>Sponsor:</b> Rep. Stratton  <b>Vote:</b> 16-0-3</p>	<p>Heard from the Department of Environmental Quality regarding the prevalence of radon gas, education efforts about the effects of radon, and the impact of radon gas in Utah. Recommended draft legislation that creates the Radon Task Force to study and make recommendations on increasing public awareness of the dangers and prevalence of radon gas and ways to mitigate the harmful impact of radon gas.</p>
6	<p><b>Release of Water from Flaming Gorge*</b>  <a href="#">Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge</a>  <b>Sponsor:</b> Needs Sponsor  <b>Vote:</b> 16-0-3</p>	<p>Recommended draft legislation that addresses the release of water from Flaming Gorge and its impact on local communities and users.</p>
7	<p><b>Water Task Force Recommendation*</b>  <a href="#">State Engineer Electronic Communications</a>  <b>Sponsor:</b> Rep. Ferry  <b>Vote:</b> 16-0-3</p>	<p>Discussed recommended statutory changes from the Utah Water Task Force and recommended draft legislation that amends existing statutes to allow the State Engineer to provide notices of decisions through electronic mail.</p>

**STUDIED BUT NO LEGISLATION** \* Item was on the committee’s study item list

1	<b>Agricultural Nuisance Act*</b>	Discussed issues regarding the Agricultural Nuisance Act and the applicability of local ordinances. Considered draft legislation that would address regulations and local ordinances surrounding large, concentrated animal feeding operations, but the committee decided the issue requires further study.
2	<b>COVID-19 Agricultural Issues*</b>	Heard from the Department of Agriculture and Food and the Department of Natural Resources regarding existing and possible future impacts on the food supply chain and access to markets. The committee determined no action is needed at this time.
3	<b>Electric Vehicle Charging Infrastructure*</b>	Heard from Rep. Snow, Rocky Mountain Power, and the Utah Department of Transportation regarding efforts to expand electric vehicle charging stations throughout Utah. This issue was also being studied by the Public Utilities, Energy, and Technology interim committee. The committee decided this issue requires further study.
4	<b>Extraterritorial Jurisdiction of Municipalities in Watersheds*</b>	<p>Referred this study item to the Legislative Water Development Commission. The commission discussed draft legislation that deals with the jurisdiction of municipalities in watersheds that affect their water supply and reported back to the committee.</p> <p>Voted to refer this issue to the Director of the Department of Natural Resources for further development and study.</p>
5	<b>Lake Powell Pipeline Project*</b>	<p>Referred this study item to the Legislative Water Development Commission. The commission heard from the Office of the Legislative Auditor General regarding the recommendations and findings of the 2019 Lake Powell Pipeline audit. The commission voted to support the audit findings and recommendations in the 2019 audit <a href="#">Performance Audit of the Repayment Feasibility of the Lake Powell Pipeline (Report #2019-05)</a>.</p> <p>Voted to support the recommendation of the Legislative Water Development Commission and refer this item for further study.</p>
6	<b>Public Entity Water Users*</b>	Referred this study item to the Legislative Water Development Commission. The commission heard from Sen. Anderegg who sponsored 2020 General Session S.B. 84, <a href="#">Public Entity Water Users Amendments</a> , regarding the issues that have yet to be resolved regarding the use and development of water by public entities.
7	<b>Public Lands Issues*</b>	<p>Heard from the Division of Parks and Recreation regarding the impact of COVID-19 on the use of the state parks, the creation of state monuments and state parks, and an overview of studies regarding the potential viability of new state parks. Also heard from the State Forrester regarding efforts to collaborate with the federal government to work to mitigate wildfire risks through shared stewardship agreements.</p> <p>The committee decided that these issues need further study.</p>
8	<b>Report on the Great Salt Lake Water Levels</b>	Received a report from the workgroup that was formed from 2019 General Session H.C.R. 10, <a href="#">Concurrent Resolution to Address Declining Water Levels of the Great Salt Lake</a> , to study the declining water levels of the Great Salt Lake. The committee took no action at this time.
9	<b>State Energy Policy Review</b>	Reviewed the state energy policy with the Director of the Office of Energy Development. Received several recommendations regarding statutory changes of which the committee was supportive. There are currently no bill files open to address the recommendations.
10	<b>State Water Policy Review</b>	Reviewed the state water policy that was enacted in the 2020 General Session and received written comments and public comments regarding wording and priorities in the state water policy that the Legislature may want to consider changing.

11	<b>Tier III Fuels*</b>	Heard from the Division of Air Quality and representatives of refineries regarding the status of the conversion to Tier III fuels. Also heard from Rep. Harrison regarding a web site that tracks access to Tier III fuels for consumers. The committee decided that this issue requires further study.
12	<b>Utah Roadmap: Positive Solutions on Climate and Air Quality*</b>	Heard from Natalie Gochmour with the Kem C. Gardner Institute regarding the Utah Roadmap recommendations. The committee agreed that this issue warrants further study.
13	<b>Water Quality in Utah Lake*</b>	Referred this study item to the Legislative Water Development Commission. The commission heard from representatives of the Division of Water Quality regarding the monitoring of algal blooms across the state. The committee determined no action is necessary at this time.
14	<b>Water Supply*</b>	Referred this study item to the Legislative Water Development Commission. The commission heard from the Divisions of Water Resources, the Natural Resources Conservation Service, and the National Weather Service regarding the water supply and snowpack in Utah. The committee determined no action is necessary at this time.
15	<b>Water Testing*</b>	Referred this study item to the Legislative Water Development Commission. The commission heard from the Department of Environmental Quality (DEQ), but the state lab was unable to participate due to workload associated with COVID-19 testing. The issues raised by DEQ are budgetary and may be addressed through a budget bill during the 2021 General Session.

## ISSUES NOT STUDIED

1	<b>Satellite Inland Ports for Rural Areas</b>	Due to a large number of study items and a shortened interim period, the committee did not get to study this issue.
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## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">Regulatory Certainty Amendments</a>	This bill prohibits the Air Quality Board, the Water Quality Board, and related divisions from making, repealing, or amending any rules or from imposing or increasing any fee authorized under Title 19, Environmental Quality Code, until June 30, 2021, except for specific exceptions such as an exception for activities in a county of the first or second class. The bill also prohibits the board and the Division of Oil, Gas, and Mining from making, amending, or repealing any rules or from imposing or increasing a fee that is authorized under Title 40, Mines and Mining, until June 30, 2021, except for specific exceptions such as an exception for activities in a county of the first or second class.
2	<a href="#">S.J.R. 601, Joint Resolution on Federal Government Payments in Lieu of Taxes</a>	This resolution requests that the federal government increase Utah's federal Payment in Lieu of Taxes (PILT) payment to at least \$534 million from the \$41 million that the state received in 2019. The resolution further requests that the federal government take action to ensure that future PILT payments be made based on a full property tax equivalency basis and allow greater state management and local control over federal lands within municipal limits.

# Political Subdivisions

Sen. Jacob L. Anderegg

Rep. Stephen G. Handy

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<p><b>1</b> <b>County Classification Amendments*</b>  <a href="#">County Classification Amendments</a>  <b>Sponsor:</b> Rep. Snider  <b>Vote:</b> 12-0-4</p>	<p>Studied issues related to certain counties graduating into new classifications based on their increasing population and recommended legislation that increases the population threshold for a 1st class county from 700,000+ people to 1,000,000+ people and a 2nd class county from 125,000+ people to 175,000+ people. These changes allow Utah County to remain a 2nd class county and Cache County to remain a 3rd class county.</p>
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## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

<p><b>1</b> <b>Commission on Housing Affordability – Land Use Subcommittee Update</b></p>	<p>Studied potential regulatory reforms at the state level presented by Chris Gamvroulas, the President of Ivory Homes.</p>
<p><b>2</b> <b>COVID-19 State of Affairs: Municipalities, Counties, Special Service Districts, and Local Health Departments*</b></p>	<p>Studied local government officials' emergency authorities, the resources available to local and state governments to adequately respond to a crisis, communication lines between local and state officials, the implications of shelter-in-place orders, and the current fiscal landscape of political subdivisions.</p>
<p><b>3</b> <b>Draft Legislation Related to Accessory Dwelling Units</b></p>	<p>Received a presentation from Rep. Ward on draft legislation that would amend provisions related to single-family housing and accessory dwelling units to reduce barriers for creating interior accessory dwelling units.</p>
<p><b>4</b> <b>Tax Increment Financing Amendments</b></p>	<p>Received a presentation from Rep. Nelson on draft legislation, <a href="#">Tax Increment Financing Amendments</a>, that would add a new section in the Community Reinvestment Agency Act to modify the amount of tax increment that a project area may receive from certain school districts.</p>
<p><b>5</b> <b>Emergency Medical Services Interim Study Update*</b></p>	<p>Studied how local emergency medical services are paid for and whether they should be considered an essential service.</p>
<p><b>6</b> <b>Eminent Domain*</b></p>	<p>Studied eminent domain from a holistic perspective. The committee studied four broad perspectives:</p> <ul style="list-style-type: none"> <li>▪ a broad, holistic overview of eminent domain;</li> <li>▪ the legislative history of how eminent domain has progressed over the years in Utah to help protect private property rights;</li> <li>▪ the perspective from the Utah Department of Transportation, the primary user of eminent domain in the state; and</li> <li>▪ the perspective of cities and towns regarding the main issues they are facing.</li> </ul>
<p><b>7</b> <b>Interlocal Agreements between CRA's and Taxing Entities*</b></p>	<p>Received presentations that provided a holistic, high-level overview of Community Reinvestment Agencies including how they work, what taxing entities are involved, the benefits and challenges they face, and their effectiveness.</p>
<p><b>8</b> <b>Land Use Task Force Update*</b></p>	<p>Received a presentation from the Utah League of Cities and Towns regarding major land use ideas, proposals, and possible legislation for the 2021 General Session that have come out of discussions with major land use stakeholders across the state.</p>
<p><b>9</b> <b>Love, Listen, Lead Task Force Update</b></p>	<p>Received a presentation from the Utah League of Cities and Towns regarding their new task force that is jointly formed with the Utah Chiefs of Police Association to address local law enforcement concerns and trust in local government.</p>

10	<b>Metro Township Challenges*</b>	Studied the historical significance of metro townships, how they currently function, their revenue streams and expenses, and the current fiscal challenges they face.
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**LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION**

**SIXTH SPECIAL SESSION**

1	<a href="#">H.B. 6007, Municipal Annexation Revisions</a>	In the 2020 General Session, the Legislature passed H.B. 359, <a href="#">Municipal Annexation Revisions</a> . One of the provisions of the bill allowed a municipality to annex an unincorporated area without an annexation petition or the consent of the county in which the area proposed for annexation is located, under certain conditions. This bill repeals that provision.
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**FIFTH SPECIAL SESSION**

2	<a href="#">S.B. 5004, Municipal Annexation Amendments</a>	This bill reverses a change made by 2020 General Session H.B. 393, <a href="#">Municipal Annexation Amendments</a> , which took effect on March 24, 2020. Before H.B. 393, an annexation petition in a first-class county could not propose the annexation of an area proposed for incorporation. H.B. 393 extended this prohibition to all counties. This bill reverses the change made in H.B. 393 so that the prohibition against annexing an area proposed for incorporation only applies to first class counties.
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# Public Utilities, Energy, and Technology

Sen. Ronald Winterton

Rep. Carl R. Albrecht

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<p><b>Interim Rate procedure for an Energy Balancing Account process*</b>  <a href="#">Energy Balancing Account Amendments</a>  <b>Sponsor:</b> Rep. Albrecht  <b>Vote:</b> 15-0-1</p>	<p>Recommended draft legislation pertaining to the 2019 Utah Supreme Court Case "Utah Office of Consumer Services v. Public Service Commission of Utah" and the interim rate procedure for an energy balancing account process.</p>
2	<p><b>Limiting local control over imposing natural gas hook-up bans in new buildings*</b>  <a href="#">Utility Permitting Amendments</a>  <b>Sponsor:</b> Rep. Handy  <b>Vote:</b> 12-4-0</p>	<p>Recommended draft legislation that prohibits municipalities and counties from restricting the connection of utility services to customers based on the type of energy the utility service provides.</p>

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<p><b>A Performance Audit of Utah Communications Authority and 911 Operations</b></p>	<p>Heard a review of a 2019 audit report from Legislative Auditor General staff, along with updates since the audit was first released. Due to the passage of 2020 General Session S.B. 130, <a href="#">911 Communications Amendments</a>, which addressed many of the audit's recommendations, the committee determined that no further action is needed at this time.</p>
2	<p><b>An In-depth Follow-up of 911 Audits and Review of 911 Staffing and Matrix Consulting Group's 2019 Performance Audit of SLC 911</b></p>	<p>Received a presentation of a 2020 audit report from Legislative Auditor General staff, along with updates since the audit was first released, and determined that no action is needed at this time. Heard from a public safety advocate about a separate audit report commissioned by Salt Lake City in 2019 regarding the Salt Lake City 911 Center's public safety emergency and non-emergency dispatch services. The director of Salt Lake City 911 Center provided additional information and comments related to the audit report and the public safety advocate's testimony.</p>
3	<p><b>Berkshire Hathaway Acquisition of Dominion Energy Transmission and Storage Business</b></p>	<p>Heard from Berkshire Hathaway Energy's subsidiary company, Rocky Mountain Power-PacifiCorp, and Dominion Energy Utah on Berkshire Hathaway's recently announced acquisition of Dominion's natural gas transmission and storage business, as well as Dominion's plans to retain its distribution business, which services Utah customers.</p>
4	<p><b>Earthquake Preparation for Critical Infrastructure*</b></p>	<p>Heard from Rocky Mountain Power and Utah Education Network on earthquake preparation best practices for Utah's utilities and virtual network infrastructures.</p>
5	<p><b>Electric Vehicle Infrastructure Update*</b></p>	<p>Received a status update from Rocky Mountain Power, the Utah Rural Electric Cooperative Association, and Western Resource Advocates on progress establishing electric vehicle infrastructure throughout the state since the passage of 2020 General Session H.B. 396, <a href="#">Electric Vehicle Charging Infrastructure Amendments</a>, and the subsequent roll-back, during the 2020 Fifth Special Session, of appropriations made to the program.</p>
6	<p><b>Hydrogen Incentives</b></p>	<p>The committee received a presentation from the sponsor on draft legislation that creates incentives for the production and use of hydrogen fuel. The committee voted to move to the next agenda item.</p>
7	<p><b>Intermountain Power Project's Use of Natural Resources</b></p>	<p>Received a presentation and a third-party evaluation of Intermountain Power Agency's (IPA) coal procurement practices from IPA pertaining to the committee's outstanding questions on financial data related to Utah coal suppliers, royalty revenues for the state of Utah, and any</p>

		benefits that IPA has received since it began acquiring out-of-state coal for power generation in its Intermountain Power Project (IPP).
8	<b>Public Service Commissioner Ron Allen</b>	Heard from recently appointed Commissioner Ron Allen, who previously served on the Public Service Commission as a commissioner and commission chair. Commissioner Allen and current Commission Chair Thad LeVar answered committee questions related to Rocky Mountain Power's Request for Proposal process and the Utah Supreme Court case, Office of Consumer Services v. Utah Public Service Commission, No. 20170364.
9	<b>Public Utilities Consumers and COVID-19*</b>	Received a status update from the Office of Consumer Services and the Utah Association of Energy Users regarding the impact of COVID-19 on Utah's small commercial and residential public utilities customers.
10	<b>Railway Infrastructure and Transportation of Fuels in the Uintah Basin*</b>	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.
11	<b>Renewable Energy Transmission and Regional Markets*</b>	Studied topics related to renewable energy, including renewable energy transmission and regional markets, by receiving presentations from Interwest Energy Alliance and Western Resource Advocates.
12	<b>September 2020 Wind Event and Power Restoration Protocols</b>	Heard from Rocky Mountain Power and the Utah Associated Municipal Power Systems on their response to the hurricane force wind event that took place along the Wasatch Front on September 8, 2020. Representatives from the two entities also addressed the practice of establishing mutual aid agreements across all utility sectors during times when power needs to be restored.
13	<b>Support for Maintaining Strong Infrastructure and Virtual Networks throughout the Pandemic*</b>	Received a status update on sewer lines and septic systems impacts from the Wasatch Front Water Quality Council during the COVID-19 pandemic. Heard from public utilities representatives, the Utah Mining Association, the Utah Petroleum Association, energy industry representatives, and internet service providers on the nexus between "essential workers" designations for public utilities, energy industry, and ISP workers operating within the state and Title 53, Chapter 2a, Emergency Management Act, or other regional and federal policies regarding "essential workers" designations.
14	<b>UAMPS and the Carbon Free Power Project</b>	Heard an update from the Utah Associated Municipal Power Systems on the status of the Carbon Free Power Project.
15	<b>Utah's Energy Industry and COVID-19*</b>	Received an update from the Governor's Office of Energy Development (GOED) and the Division of Public Utilities regarding electric and natural gas utilities' waivers of service suspension and termination policies due to the COVID-19 pandemic, including known impacts to supply and demand and the implications of these impacts for future ratemaking. GOED also briefed the committee on its energy sector working groups, with an emphasis on the Oil and Gas Working Group, along with current recommendations related to the pandemic's impact on Utah's energy sector and recent federal policy changes pertaining to oil and gas royalties.
16	<b>Utah's energy portfolio policies in the municipal, cooperative, and large- scale electric utility sectors*</b>	Received a presentation from the sponsor of draft legislation, <a href="#">Clean and Renewable Energy Requirement Amendments</a> , that modifies the energy portfolio policy for Utah's large-scale electric utility (Rocky Mountain Power). At this time, the sponsor was not seeking a committee note, and the committee voted to move to the next agenda item.
17	<b>Utah's Telecommunications Industry and COVID-19*</b>	Received a status update from public utilities telecommunications providers and internet service providers that operate in Utah and that have signed the Federal Communications Commission's "Keep Americans Connected" pledge, including updates on the companies' waivers of service suspension and termination policies due to the COVID-19 pandemic.

## ISSUES NOT STUDIED

1	<b>Digital Opportunity Access Amendments</b>	The legislator that requested this study item did not have draft legislation or the final conceptual framework to provide to the committee at this time.
2	<b>Public utilities' data sharing practices with public utilities customers</b>	The legislator that requested this study item decided not to run a bill on this topic and had no updates to provide the committee at this time.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### FIFTH SPECIAL SESSION

1	<a href="#">H.B. 5001, Data Privacy Amendments</a>	This bill establishes requirements for the collection, use, and retention of certain data in response to the COVID-19 pandemic. The bill prohibits a state agency from collecting or using information about the location of an electronic device to investigate or control COVID-19 without consent. Additionally, the bill prohibits state contractors hired to collect or provide information regarding COVID-19 from selling, offering to sell, or otherwise providing information to any person other than the contracting state agency. Lastly, the bill creates stipulations for contractors regarding retention of personally identifiable information relating to COVID-19 and penalties for misuse of that information.
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# Retirement and Independent Entities

Sen. Wayne A Harper

Rep. Craig Hall

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

1	<b>2021 URS Amendments Bill*</b> <a href="#">Utah Retirement Systems Amendments</a> <b>Sponsor:</b> Sen. Harper <b>Vote:</b> 14-0-1	<p>Received presentations from the Office of Legislative Research and General Counsel and Utah Retirement Systems and recommended draft legislation that addresses the referral from the Judiciary Interim Committee on the Utah Court of Appeals Decision, Waterfall v. Retirement Board. The draft legislation also makes technical and administrative changes to update the Utah State Retirement and Insurance Benefit Act.</p>
2	<b>Reorganizing the RIE Committees*</b> <a href="#">Retirement and Independent Entities Committee Amendments</a> <b>Sponsor:</b> Sen. Hemmert <b>Vote:</b> 12-0-3	<p>Received presentations from the Office of Legislative Research and General Counsel, Sen. Hemmert, and Dee Larsen of Utah Retirement Systems on the history of the committees that address retirement and independent entity (RIE) issues and on options for reorganizing these committees.</p> <p>Voted to request a reorganization of the RIE committee by dissolving the RIE Appropriations Subcommittee, integrating the RIE standing committees into the regular meeting schedule for General Session, and retaining the RIE Interim Committee in its current form. The recommended legislation would remove references to the RIE Appropriations Subcommittee, thereby repealing the subcommittee.</p>

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

1	<b>911 Audits and Review of 911 Staffing</b>	<p>Received presentations from Office of the Legislative Auditor General, the Salt Lake Valley Emergency Communications Center (SLVECC), and the Utah Department of Health on Audit Report #2020-06, <a href="#">An In-depth Follow-Up of 911 Audits and Review of 911 Staffing</a>, and on SLVECC's and the Department of Health's plans for addressing that report's recommendations. The committee took no further action.</p>
2	<b>Federal and State Action Pertaining to COVID-19 and Retirement Law*</b>	<p>Received a presentation from Utah Retirement Systems on the temporary suspension of certain post-retirement restrictions and changes to defined contribution savings plans based on federal legislation. The committee took no further action.</p>
3	<b>Heber Valley Historic Railroad Authority*</b>	<p>Received presentations from committee staff on the history of the railroad and the process for transitioning an independent entity to a private company and from the Heber Valley Historic Railroad Authority on the reasons that it should remain an independent entity. The committee took no further action.</p>
4	<b>LAG Audit Report #2019-13*</b>	<p>Received presentations from the Office of the Legislative Auditor General on the main findings from Audit Report #2019-13, <a href="#">A Performance Audit of PEHP's Pharmacy Benefit Manager</a>, and from PEHP on its response to the audit. The committee took no further action</p>
5	<b>PEHP Update on 2020 H.B. 272 and Other Legislative Changes</b>	<p>Received a presentation from PEHP on H.B. 272, <a href="#">Pharmacy Benefit Amendments</a>, and other recent legislation impacting PEHP, including <a href="#">2020 S.B. 138</a>, <a href="#">2020 H.B. 207</a>, <a href="#">2019 S.C.R. 3</a>, and <a href="#">2020 S.C.R. 10</a>. The committee took no further action.</p>
6	<b>PEHP's Migration to New Core IT System for July 2021*</b>	<p>Received a presentation from PEHP on its efforts to enhance operational integrity and efficiency with the adoption of a new core IT system. The committee took no further action.</p>
7	<b>Public Safety and Firefighter Retirement Systems*</b>	<p>Received a presentation from Utah Retirement Systems on the estimated increase in costs with moving all Public Safety and Firefighter retirement systems participants to the Tier 1 system. The committee took no further action.</p>
8	<b>Recent Budget Changes</b>	<p>Received presentations from the Career Service Review Office, Utah Department of Human Resource Management, PEHP, and Utah Education and Telehealth Network on changes to their</p>

		organizations' budgets that occurred during the 2020 interim. The committee took no further action.
9	<b>The State Health Insurance Risk Pool and COVID-19*</b>	Received a presentation from PEHP on how the COVID-19 pandemic has impacted the state health insurance risk pool and on other COVID-19 impacts, including: claims, case counts, hospital admissions, and medical expenses. The committee took no further action.
10	<b>UETN Update*</b>	Received a presentation from the Utah Education and Telehealth Network on how the organization is handling increased demand for network bandwidth during the COVID-19 pandemic. The committee took no further action.
11	<b>URS Funding Updates*</b>	Received a presentation from Utah Retirement Systems (URS) on fund performance, the funded ratio, contribution rates, and expectations for 2020 and beyond. URS also presented on funding and preliminary contribution rates for fiscal year 2021. The committee took no further action.
12	<b>Utah Beef Council and COVID-19*</b>	Received a presentation from the Utah Beef Council on how the COVID-19 pandemic has impacted the beef industry in Utah. The committee took no further action.
13	<b>Utah Dairy Commission and COVID-19*</b>	Received a presentation from Dairy West on how the COVID-19 pandemic has impacted the dairy industry in Utah. The committee took no further action.
14	<b>Utah State Fair Corporation*</b>	Received a presentation from the Utah State Fair Corporation on how the COVID-19 pandemic is impacting the organization and the organization's plans for holding the state fair in 2020. The committee took no further action.

# Revenue and Taxation

Sen. Lincoln Fillmore

Rep. Robert M. Spendlove

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<b>1</b>	<b>Administrative Garnishments</b> <a href="#">Tax Commission Administrative Garnishment Process</a> <b>Sponsor:</b> Sen. Bramble <b>Vote:</b> 18-0-1	Recommended draft legislation that authorizes the tax commission to issue administrative garnishment orders against certain personal property of a taxpayer who owes a liability to the State Tax Commission.
<b>2</b>	<b>Annual income tax credit review*</b> <a href="#">Student Prosperity Savings Program Amendments</a> <b>Sponsor:</b> Rep. Eliason <b>Vote:</b> 18-1-0	Recommended draft legislation that repeals income tax incentives related to the Student Prosperity Savings Program.
<b>3</b>	<b>Bonding Requirement for tax commission licensees</b> <a href="#">Tax Commission Bond Requirement Amendments</a> <b>Sponsor:</b> Sen. Bramble <b>Vote:</b> 14-0-5	Recommended draft legislation that authorizes the tax commission to waive the bond requirement for certain tax commission licensees.
<b>4</b>	<b>Changes to corporate Net Operating Loss (NOL)*</b> <a href="#">Corporate Tax Amendments</a> <b>Sponsor:</b> Sen. Bramble <b>Vote:</b> 18-0-1	Recommended draft legislation that modifies the treatment of net operating losses for Utah corporate income tax purposes to allow a taxpayer to carry back, for up to three years, a Utah net loss realized during certain taxable years.
<b>5</b>	<b>Corporate tax unadjusted income definition*</b> <a href="#">Corporate Tax Unadjusted Income Amendments</a> <b>Sponsor:</b> Rep. Sagers <b>Vote:</b> 15-0-4	Recommended draft legislation that clarifies which deductions should be included in Utah corporate unadjusted income following changes that were part of federal tax reform.
<b>6</b>	<b>Disclosure of tax delinquency to DABC &amp; DOPL*</b> <a href="#">Tax Status Disclosure Amendments</a> <b>Sponsor:</b> Rep. Thurston <b>Vote:</b> 15-0-4	Recommended draft legislation that allows the tax commission to share information related to taxpayer payment status with the Alcohol Beverage Control Commission to be used in licensing decisions.
<b>7</b>	<b>Harmonize deadlines for appeals relating to part-year residential property*</b> <a href="#">Property Tax Revisions</a> <b>Sponsor:</b> Sen. Bramble <b>Vote:</b> 15-0-4	Recommended draft legislation that resolves the misalignment between the date for part-year residents to file for the primary residential exemption for their property and the date for them to file an appeal of valuation for their property.
<b>8</b>	<b>Income tax domicile issues</b> <a href="#">Income Tax Domicile Amendments</a> <b>Sponsor:</b> Sen. Bramble	Recommended draft legislation that provides that domicile for income tax purposes may not be determined by the fact that a minor child is in a public school in the state if the parent is a noncustodial parent and is not/has not been married to the custodial parent.

	<b>Vote:</b> 15-0-4	
<b>9</b>	<b>Property Tax Exemption for Tangible Personal Property</b> <a href="#">Property Tax Exemption Amendments</a> <b>Sponsor:</b> Sen. Harper <b>Vote:</b> 18-0-1	Recommended draft legislation that increases the valued amount of business tangible personal property that can be exempt from property taxes.
<b>10</b>	<b>Property tax relief calculation when ownership changes after the lien date*</b> <a href="#">Property Tax Relief Amendments</a> <b>Sponsor:</b> Sen. Davis <b>Vote:</b> 14-4-1	Recommended draft legislation that allows a claimant who buys or sells a residence after January 1 but before September 1 to claim prorated circuit breaker homeowner relief. A claimant who purchases a home on or after September 1 would either: <ul style="list-style-type: none"> <li>▪ if the claimant owned a home on August 31, be eligible for the relief on that home for the remainder of the year; or</li> <li>▪ if the claimant did not own a home on August 31, must wait until the following year to apply for circuit breaker relief.</li> </ul>
<b>11</b>	<b>Property tax relief for seniors*</b> <a href="#">Property Tax Relief Amendments</a> <b>Sponsor:</b> Sen. Davis <b>Vote:</b> 14-4-1  <a href="#">Property Tax Deferral Modifications</a> <b>Sponsor:</b> Sen. Fillmore <b>Vote:</b> 14-4-1	Recommended draft legislation that expands 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 draft legislation also addresses issues related to part-year ownership of property.  Recommended draft legislation that requires 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.
<b>12</b>	<b>Social Security and Military Income Tax Exemption*</b> <a href="#">Retirement Income Tax Amendments</a> <b>Sponsor:</b> Sen. Harper <b>Vote:</b> 14-0-5	Recommended draft legislation that exempts from state income tax, 100% of social security income for filers below a certain income threshold, phasing out as income rises above the threshold. The draft legislation also exempts all military retirement income from state income tax.
<b>13</b>	<b>Waiver/Reduction of penalty imposed under Section 59-2-307*</b> <a href="#">Property Tax Revisions</a> <b>Sponsor:</b> Sen. Bramble <b>Vote:</b> 15-0-4	Recommended draft legislation that, upon a showing of reasonable cause, allows a county to waive or reduce a penalty for failure to file a required signed statement of a person's real and personal property that is assessable by the assessor.

## STUDIED BUT NO LEGISLATION \* Item was on the committee’s study item list

<b>1</b>	<b>Analysis of state revenue in light of pandemic-related economic shutdown</b>	Received a presentation from the Office of the Legislative Fiscal Analyst and the Tax Commission regarding updated tax collections and revenue projections amidst the coronavirus-related downturn.
<b>2</b>	<b>Flexibility in local option tax expenditures</b>	Heard from local government and education representatives who supported additional flexibility in the allowed uses of certain local option sales taxes.
<b>3</b>	<b>Impact of federal tax reform on Utah residents</b>	Received a presentation from the Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst on the key elements of the 2017 federal Tax Cuts and Jobs Act and how they have impacted Utah taxpayers.

4	<b>Purchasing bank loans to increase lending capacity</b>	Heard from the Utah State Treasurer and the Chairman of the State Money Management Council on potential policy options in response to COVID-19 impacts on the state's economy. These options included the purchase of Paycheck Protection Program loans and the issuance of Tax Anticipation Notes. The presenters noted that these policies were not currently necessary.
5	<b>Review of local option taxes</b>	Heard from representatives of the Utah League of Cities and Towns and the Utah Association of Counties regarding the structure and use of local option sales taxes. The committee took no action.
6	<b>Rooftop solar panels impact on property tax valuation</b>	Discussed rooftop solar systems and the property tax treatment and implications of such systems for residential and commercial properties. Representatives from the Utah State Tax Commission, Weber County, and the rooftop solar industry provided information and answered committee questions. The committee opened a bill file on the topic.  The committee continued the discussion at a subsequent meeting and representatives from the rooftop solar industry provided information and answered committee questions. The committee ultimately took no further action.
7	<b>Sales Tax exemption overview, tax pyramiding, reporting requirements, taxing consumption vs productivity</b>	Received presentations on the economic, budgetary, and other impacts of policies, such as sales taxes, that tax consumption and policies, such as income taxes, that tax productivity. Also received a presentation summarizing the sales tax exemptions offered by the state.
8	<b>Short-term borrowing and Tax Anticipation Notes</b>	Heard from the Utah State Treasurer and the Chairman of the State Money Management Council on potential policy options in response to COVID-19 impacts on the state's economy. These options included the purchase of Paycheck Protection Program loans and the issuance of Tax Anticipation Notes. The presenters noted that these policies were not currently necessary.
9	<b>Technical Tax Code Changes</b>	Recommended draft legislation that modifies the tax code to clarify signature requirements, update tax credits to match current income tax rates, integrate special session legislation, and make technical corrections.

## ISSUES NOT STUDIED

1	<b>Childcare Tax Credit</b>	Not prioritized by chairs or sponsor.
2	<b>Flexibility in use of Capital Local Levy</b>	The issue was resolved in a special session.
3	<b>Hotel and tourism tax use</b>	Not prioritized by chairs or sponsor.
4	<b>Income tax extension requirements</b>	The issue was resolved in a special session.
5	<b>Methods for taxing entities to extend personal property tax deadlines</b>	Not prioritized by chairs or sponsor.
6	<b>Property tax levy to fund local Health Departments</b>	Not prioritized by chairs or sponsor.
7	<b>Rule R884-24P-33 Refinery pollution control equipment 50% value reduction</b>	Not prioritized by chairs or sponsor.
8	<b>Sales and use taxation of fuels used in Condo and short-term home rentals</b>	Not prioritized by chairs or sponsor.
9	<b>Set property tax rate floor</b>	Not prioritized by chairs or sponsor.

## LEGISLATION REVIEWED FOR A 2020 SPECIAL SESSION

### SIXTH SPECIAL SESSION

1	<a href="#">S.B. 6002, Financial Report Date Amendment</a>	This bill changes the date on which the Governor is required to submit an audited financial statement from December 1 to December 31.
2	<a href="#">S.B. 6005, Income Tax Amendments</a>	<p>This bill, which has an immediate effective date, provides that certain financial stimulus or relief amounts received by individuals and businesses in Utah in response to COVID-19 are not subject to Utah income tax.</p> <p>Types of COVID-19 stimulus or relief that will not be subject to Utah income tax include:</p> <ul style="list-style-type: none"> <li>▪ proceeds from a forgiven loan under the Paycheck Protection Program (PPP) and similar additional federal programs that may be enacted in 2020;</li> <li>▪ grants or forgiven loans provided by the state, a county, or a municipality using federal funds; and</li> <li>▪ amounts received by individuals as an individual recovery rebate in 2020.</li> </ul>

### FIFTH SPECIAL SESSION

3	<a href="#">H.B. 5010, COVID-19 Economic Recovery Program</a>	<p>This bill creates several targeted assistance programs related to the economic impacts of COVID-19 and a public information campaign to encourage healthy behavior by Utah residents during the COVID-19 pandemic.</p> <ul style="list-style-type: none"> <li>▪ COVID-19 Impacted Businesses Grant Program – Establishes a tax-exempt grant program administered by GOED to provide grants to businesses negatively impacted by COVID-19 in an amount equal to or less than the decline in revenue due to COVID-19 between March and June 2020. Appropriation: \$25M</li> <li>▪ COVID-19 Cultural Assistance Grant Program – Establishes a tax-exempt grant program administered by the Department of Heritage and Arts in consultation with GOED to provide grants to organizations that provide a cultural, artistic, botanical, recreational, or zoological activity that encourages travel and tourism in the state. Appropriation: \$9M</li> <li>▪ COVID-19 PPE Support Grant Program – Establishes a tax-exempt grant program administered by GOED to provide grants to businesses to improve workplace safety for workers and customers during the COVID-19 pandemic through measures such as PPE purchases, workplace redesigns, signage, and technology solutions that allow for distance working. Appropriation: \$5M</li> <li>▪ COVID-19 Displaced Worker Grant Program – Provides training for workers displaced due to COVID-19 by creating a program within GOED’s Utah Works and appropriating money to USHE’s Custom Fit program. Also appropriates money to DWS to create a dashboard to identify unemployment and job opening trends to better match workers with job opportunities. Appropriation: \$9M</li> <li>▪ COVID-19 Outreach and Education Program – Creates a public information campaign to encourage healthy activity during the COVID-19 pandemic such as following health guidelines and not forgoing medical care including preventative care, urgent care, and vaccinations. Appropriation: \$1M</li> <li>▪ Additional Appropriations – Appropriates money to provide basic needs assistance for COVID-19 impacts. Also appropriates money to provide translation services and technology for service providers working to address COVID-19 impacts. Also appropriates money to GOED for tourism marketing and facilitating tourist access to national parks and surrounding communities. Appropriation: \$13M</li> </ul>
4	<a href="#">H.B. 5003, School District Use of Property Tax Revenue</a>	This bill allows a local school board to use revenue from the capital local levy for operational expenses for the fiscal years beginning on July 1, 2020, and July 1, 2021.

## RECOMMENDED LEGISLATION FOR THE 2021 GENERAL SESSION

\* Item was on the committee's study item list

<p><b>1</b></p>	<p><b>Changing Driver License to a State ID Card*</b>  <a href="#">Driver License and State Identification Card Amendments</a>  <b>Sponsor:</b> Sen. Harper  <b>Vote:</b> 16-0-2</p>	<p>Received a presentation from Sen. Millner and the Driver License Division about processes and requirements for transitioning from driver licenses to a state-issued ID card.</p> <p>Recommended legislation that amends provisions related to the application requirements and process for a state ID card and would require the Driver License Division to waive the application fee for a state ID card in certain circumstances.</p>
<p><b>2</b></p>	<p><b>Emerging Issues related to COVID-19*</b>  <a href="#">Driver Education Amendments</a>  <b>Sponsor:</b> Rep. Ballard  <b>Vote:</b> 16-0-2</p>	<p>Received presentations from the Utah State Tax Commission and the Driver License Division of the Department of Public Safety about processes for registering vehicles, testing emissions, and obtaining or renewing driver licenses. The presentations also addressed process delays stemming from COVID-19 and other circumstances.</p> <p>Recommended legislation that extends the term of a learner permit from one year to 18 months, prohibits rules requiring driver education observation hours, and makes technical changes.</p>
<p><b>3</b></p>	<p><b>Meteorological Towers and Aviation Safety</b>  <a href="#">Meteorological Evaluation Tower Marking</a>  <b>Sponsor:</b> Rep. Christiansen  <b>Vote:</b> 13-2-3</p>	<p>Received a presentation from the Utah Department of Transportation on how COVID-19 has impacted road usage in recent months. The committee took no further action on this issue.</p> <p>Received a presentation from the Utah Department of Transportation on the use of meteorological evaluation towers and the implications for aviation safety.</p> <p>Recommended legislation that establishes requirements related to the marking of meteorological evaluation towers.</p>

## STUDIED BUT NO LEGISLATION \* Item was on the committee's study item list

<p><b>1</b></p>	<p><b>Amount and Use of 2nd, 3rd, and 4th Quarters Use of the 5th Quarter*</b></p>	<p>Received presentations from the Utah Transit Authority, the Cache Valley Transit District, Mountainland Association of Governments, Wasatch Front Regional Council, the Utah Association of Counties, and the Utah League of Cities and Towns on what local option sales taxes have already been imposed, or are currently authorized to be imposed, to finance transit projects. The committee took no further action.</p>
<p><b>2</b></p>	<p><b>Benefits of Bond Issuance*</b></p>	<p>Received presentations from the Utah State Treasurer, the Office of the Legislative Fiscal Analyst, and the Utah Department of Transportation on the costs and benefits of issuing bonds to fund transportation projects and the process for prioritizing transportation projects for construction. The committee took no further action.</p>
<p><b>3</b></p>	<p><b>Congestion Pricing*</b></p>	<p>Received a presentation from the Utah Department of Transportation on programs for managed lanes and express lanes and how they relate to congestion pricing. The committee took no further action.</p>
<p><b>4</b></p>	<p><b>Corridor Preservation*</b></p>	<p>Received a presentation from the Utah Department of Transportation on identifying properties and available tools for corridor preservation. The committee took no further action.</p>
<p><b>5</b></p>	<p><b>Division of Aeronautics Oversight and Administration and Agency Use of State Planes Use and Future of State Planes*</b></p>	<p>Received a presentation from the Utah Department of Transportation on the use and cost of state planes and how state agencies pay for their use. The Utah Business Aviation Association and Utah Airport Operators Association presented on the impact of state plane costs on the aeronautics restricted account. The committee took no further action.</p>

6	<b>Front Runner Upgrades*</b>	Received a presentation from the Utah Transit Authority on their development strategy for FrontRunner, including service and regional objectives, UTA’s strategic vision and professional services strategy, upcoming planning and project activities, and a potential phased investment approach for 2020-2030. The committee took no further action.
7	<b>Protecting Mass Transit Users*</b>	Received presentations from the Utah Transit Authority, Cache Valley Transit District, SunTran, and Park City Transit about the impacts of COVID-19 on ridership, efforts to address safety concerns related to COVID-19 for both riders and transit employees, and the financial impacts of COVID-19. The committee took no further action.
8	<b>Railroad Crossing Safety Fund*</b>	Received a presentation from the Utah Department of Transportation (UDOT) on the railroad crossing safety grants as created by 2020 H.B. 4002, <a href="#">Rail Fuel Sales Tax Amendments</a> , and on UDOT’s plans for administering the grants, including the application review process. The committee took no further action.
9	<b>Registration Management</b>	Received a presentation from the Tax Commission on changes to processes for reminding residents of registration expirations, processes for renewing registrations, and the system for updating registration information. The committee took no further action.
10	<b>Road Usage Charge Program*</b>	Received presentations from the Utah Department of Transportation on the status of the Road Usage Charge program and on privacy and data retention with the program. The committee took no further action.
11	<b>Role of WFRC/MAG in Planning and Funding*</b>	Received presentations from the Wasatch Front Regional Council on the role of regional entities in long range planning and funding, from the Mountainland Association of Governments on corridor preservation, and from the Point of the Mountain State Land Authority on plans for developing the Point of the Mountain and opportunities for public engagement. The committee took no further action.
12	<b>STIP, TIP, and TTIF Processes*</b>	Received a presentation from the Transportation Commission and the Utah Department of Transportation on the role of the Commission and processes for the Statewide Transportation Improvement Program, the Transportation Improvement Program, and the Transit Transportation Investment Fund (TTIF). The committee received presentations from the Utah Transit Authority on project planning and TTIF and from the Wasatch Front Regional Council on programs for funding. The committee took no further action.
13	<b>Surplus Property Disposal*</b>	Received a presentation from the Utah Department of Transportation on processes for selling and disposing of surplus property and the use of surplus property proceeds. The committee took no further action.
14	<b>Suspending Penalties for Emission Testing, Registering Cars, Renewing Driver Licenses*</b>	Received a presentation from the Tax Commission about penalties for emissions testing and vehicle registrations. The committee took no further action.
15	<b>Transit Upgrades and Statewide Comprehensive Transit Planning</b>	Received a presentation from the Utah Transit Authority (UTA) on service metrics, transit costs, and cost efficiency and effectiveness for modes of transit. UTA also previewed a study comparing transit to road costs, explained how the agency selects modes of transit for projects, and discussed plans for FrontRunner. Sen. Anderegg presented an approach to improve processes for prioritizing and funding transit projects in Utah. The committee took no further action.
16	<b>Transportation Commission Programmed Projects*</b>	Received a presentation from the Utah Department of Transportation and the Transportation Commission on the capacity prioritization process for projects, funding processes for projects, and projects in west Salt Lake County. The committee took no further action.
17	<b>Transportation Commission Project Prioritization Process Change</b>	Received a presentation from the Utah Department of Transportation and the Transportation Commission on a proposed rule change to the Transportation Commission’s project prioritization process. The committee took no further action.

18	<b>Transportation Utility Fees</b>	Received presentations from committee staff and the Utah League of Cities and Towns on the use of transportation utility fees by local entities and related litigation. The committee took no further action.
19	<b>UTA Updates</b>	Received a presentation from the Utah Transit Authority on recent changes to its governance, organizational priorities and milestones, and internal audit processes. The committee took no further action.
20	<b>Vehicle and Driver License Registration*</b>	Received presentations from the Driver License Division and the Tax Commission on how vehicle registration and driver license processes have changed in response to the COVID-19 pandemic and how to enhance processes in the future. The committee took no further action.

# Appendix A: Legislation Recommended for the 2021 General Session

## Appendix A: Legislation Recommended for the 2021 General Session

Includes legislation recommended by interim committees and legislative task forces and commissions.

COMMITTEE	BILL	SPONSOR	YES	NO	ABSENT
BUSINESS AND LABOR	<a href="#">Board of Financial Institutions Amendments</a>	Dunnigan, J	14	0	6
	<a href="#">Commercial Interior Designers Act Amendments</a>	Dunnigan, J.	13	1	6
	<a href="#">Condominium and Community Association Regulation Amendments</a>	Bramble, C	14	0	6
	<a href="#">Employee Status Amendments</a>	Bramble, C.	12	2	6
	<a href="#">Government Insurance Amendments</a>	Dunnigan, J.	14	2	4
	<a href="#">Insurance Revisions</a>	Dunnigan, J.	15	0	5
	<a href="#">Physician Assistant Act Amendments</a>	Bramble, C.	12	2	6
	<a href="#">Physician Assistant Mental Health Practice Amendments</a>	Bramble, C.	14	1	5
	<a href="#">Post-employment Restrictions Amendments</a>	Cullimore, K. A.	14	0	6
	<a href="#">Residential Mortgage Regulatory Commission Amendments</a>	Bramble, C.	14	0	6
	<a href="#">Uniform Building Code Commission Amendments</a>	Bramble, C.	17	0	3
CRIMINAL CODE EVALUATION TASK FORCE	<a href="#">Criminal Code Evaluation Task Force Extension</a>	Mayne, K.	5	0	1
			14	0	1
	<a href="#">Stalking Amendments</a>	Pierucci, C.	6	0	0
			14	0	1
ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES	<a href="#">Child Care Advisory Committee Sunset Extension</a>	Pulsipher, S.	12	0	5
	<a href="#">Emergency Procurement Declaration Modifications</a>	Pierucci, C.	13	1	3
	<a href="#">Hotel Impact Mitigation Fund Sunset Extension</a>	McCay, D.	12	0	5
	<a href="#">Intergenerational Poverty Mitigation Act Amendments</a>	Winder, M.	13	0	4
	<a href="#">Public Infrastructure District Revisions</a>	McCay, D.	14	0	3
	<a href="#">Rural Online Initiative Sunset Amendments</a>	Owens, D.R.	12	0	5
	<a href="#">State Flag Task Force</a>	McCay, D.	12	1	4
	<a href="#">Workforce Solutions for Air Quality Amendments</a>	McCay, D.	14	0	3
EDUCATION	<a href="#">Education Agency Report Process Amendments</a>	Pulsipher, S.	16	0	3

# Appendix A: Legislation Recommended for the 2021 General Session

GOVERNMENT OPERATIONS	<a href="#">Behavioral Emergency Services Amendments</a>	Thatcher, D.	9	1	6
	<a href="#">Deceased Voter Amendments</a>	Winder, M.	15	0	1
	<a href="#">Department of Human Services Budgetary Procedures Amendments</a>	Thurston, N.	12	0	4
	<a href="#">Emergency Task Force</a>	Thatcher, D.	15	0	1
	<a href="#">Governmental Use of Facial Recognition Technology</a>	Thatcher, D.	11	0	5
	<a href="#">Group Gang Enhancement Amendments</a>	Thatcher, D.	9	1	6
	<a href="#">Juvenile Offender Penalty Amendments</a>	Thatcher, D.	8	1	7
	<a href="#">Mental Health Crisis Intervention Council</a>	Thatcher, D.	12	1	3
	<a href="#">Mobile Voting Pilot Project</a>	Bramble, C	7	3	6
	<a href="#">Public Information Website Modifications</a>	Pierucci, C.	15	0	1
	<a href="#">Voter Referendum Amendments</a>	Nelson, M.	9	0	7
	<a href="#">Water Conservancy District Amendments</a>	Rep. Handy, S.	15	0	1
HEALTH AND HUMAN SERVICES	<a href="#">Child Protection Unit Amendments</a>	Lisonbee, K.	15	0	2
	<a href="#">Controlled Substance Amendments</a>	Ward, R.	16	0	1
	<a href="#">Joint Resolution Recognizing the Success of the Utah Medicaid Accountable Care Program</a>	Thurston, N.	14	0	3
	<a href="#">Kurt Oscarson Children’s Organ Transplant Coordinating Committee Extension</a>	Johnson, J	15	0	2
	<a href="#">Marriage Commission Amendments</a>	Ballard, M.G.	10	5	2
	<a href="#">Mental Health Access Amendments</a>	Escamilla, L.	14	0	3
	<a href="#">Telehealth Mental Health Program</a>	Ward, R.	15	0	2
	<a href="#">Utah Commission on Aging Amendments</a>	Iwamoto, J.	15	0	2
HEALTH REFORM TASK FORCE	<a href="#">Medical Respite Care Pilot Program</a>	Dunnigan, J.	9	0	2
JUDICIARY	<a href="#">School Technology Amendments</a>	Seegmiller, T.	13	1	2
LAW ENFORCEMENT AND CRIMINAL JUSTICE	<a href="#">24/7 Sobriety Program Expansion</a>	Pitcher, S.	13	0	3
	<a href="#">CCJJ Reporting Requirements</a>	Miles, K	15	0	1

# Appendix A: Legislation Recommended for the 2021 General Session

	<a href="#">Community Correctional Center Amendments</a>	Musselman, C.R.	14	0	2
	<a href="#">Driving Under the Influence Sentencing Amendments</a>	Eliason, S.	13	1	2
	<a href="#">DUI Revisions</a>	Eliason, S.	13	0	3
	<a href="#">K-9 Policy Requirements</a>	Thatcher, D	15	0	1
	<a href="#">Law Enforcement Internal Investigation Requirements</a>	Iwamoto, J.	15	0	1
	<a href="#">Medical Examiner Amendments</a>	Nelson, M.	15	0	1
	<a href="#">Mental Health Protections for First Responders</a>	Kwan, K	13	0	3
	<a href="#">Murdered and Missing Indigenous Women and Girls Task Force</a>	Romero, A.	15	0	1
	<a href="#">Riot Amendments</a>	Wilcox, R.	10	3	3
	<a href="#">Roadway Obstruction Amendments</a>	Hawkins, J.	8	6	2
	<a href="#">Stalking Amendments</a>	Pierucci, C.	15	0	1
LEGISLATIVE WATER DEVELOPMENT COMMISSION	<a href="#">Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge</a>	Needs Sponsor	12	0	1
	<a href="#">School and Child Care Center Water Testing Requirements</a>	Handy, S.	10	0	3
	<a href="#">Statewide Aquatic Invasive Species Emergency Response Plan</a>	Needs Sponsor	10	0	3
MURDERED AND MISSING INDIGENOUS WOMEN AND GIRLS TASK FORCE	<a href="#">Murdered and Missing Indigenous Women and Girls Task Force</a>	Romero, A.	2	0	0
			9	0	0
NATIVE AMERICAN LEGISLATIVE LIAISON COMMITTEE	<a href="#">Murdered and Missing Indigenous Women and Girls Task Force</a>	Romero, A.	10	0	1
	<a href="#">Place Name Amendments</a>	Iwamoto, J.	10	0	0
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT	<a href="#">Air Quality Policy Advisory Board Sunset Extension</a>	Iwamoto, J.	14	0	5
	<a href="#">Compliance Advisory Panel Repeal Date</a>	Sandall, S	14	0	5
	<a href="#">Concurrent Resolution Encouraging a Balanced Approach to the Release of Water from Flaming Gorge</a>	Needs Sponsor	16	0	3
	<a href="#">Federal Land Application Advisory Committee Sunset Extension</a>	Hinkins, D.	14	0	5

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	<a href="#">Hemp Regulation Amendments</a>	Needs Sponsor	16	0	3
	<a href="#">Petroleum Storage Tanks Amendments</a>	Needs Sponsor	14	1	4
	<a href="#">Radon Task Force</a>	Stratton, K.	16	0	3
	<a href="#">State Engineer Electronic Communications</a>	Ferry, J.	16	0	3
	<a href="#">State Weed Committee Sunset Extension</a>	Sandall, S.	14	0	5
	<a href="#">Statewide Aquatic Invasive Species Emergency Response Plan</a>	Needs Sponsor	16	0	3
POLITICAL SUBDIVISIONS	<a href="#">County Classification Amendments</a>	Snider, C.	12	0	4
	<a href="#">Land Use and Eminent Domain Advisory Board Amendments</a>	Handy, S.	10	0	6
PUBLIC UTILITIES AND TECHNOLOGY	<a href="#">Energy Balancing Account Amendments</a>	Albrecht, C.	15	0	1
	<a href="#">Utility Permitting Amendments</a>	Handy, S.	12	4	0
RETIREMENT AND INDEPENDENT ENTITIES	<a href="#">Expanded Infertility Treatment Coverage Pilot Program Amendments</a>	Escamilla, L.	14	0	1
	<a href="#">Retirement and Independent Entities Committee Amendments</a>	Hemmert, D.	12	0	3
	<a href="#">Utah Retirement Systems Amendments</a>	Harper, W.	14	0	1
REVENUE AND TAXATION	<a href="#">Corporate Tax Amendments</a>	Bramble, C.	18	0	1
	<a href="#">Corporate Tax Unadjusted Income Amendments</a>	Sagers, D.	15	0	4
	<a href="#">Income Tax Domicile Amendments</a>	Bramble, C.	15	0	4
	<a href="#">Property Tax Deferral Modifications</a>	Fillmore, L.	14	4	1
	<a href="#">Property Tax Exemption Amendments</a>	Harper, W.	18	0	1
	<a href="#">Property Tax Relief Amendments</a>	Davis, G.	14	4	1
	<a href="#">Property Tax Revisions</a>	Bramble, C.	15	0	4
	<a href="#">Retirement Income Tax Amendments</a>	Harper, W.	14	0	5
	<a href="#">Student Prosperity Savings Program Amendments</a>	Eliason, S.	18	1	0
	<a href="#">Tax Commission Administrative Garnishment Process</a>	Bramble, C.	18	0	1
	<a href="#">Tax Commission Bond Requirement Amendments</a>	Bramble, C.	14	0	5
	<a href="#">Tax Modifications</a>	Barlow, S.	17	0	2
	<a href="#">Tax Status Disclosure Amendments</a>	Thurston, N.	15	0	4

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TRANSPORTATION	<a href="#">Driver Education Amendments</a>	Ballard, M.G.	16	0	2
	<a href="#">Driver License and State Identification Card Amendments</a>	Harper, W.	16	0	2
	<a href="#">Meteorological Evaluation Tower Marking</a>	Christiansen, S.	13	2	3
	<a href="#">Point of the Mountain Development Commission Act Modifications</a>	Snow, V. L.	15	0	3
	<a href="#">Unaccompanied Minors in Autonomous Vehicles</a>	Kwan, K	16	0	2