



UTAH STATE

LEGISLATURE

MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Tuesday, February 14, 2023 | 4:00 p.m. | 445 State Capitol

Members Present:

Rep. A. Cory Maloy, Chair
Rep. Stephen L. Whyte, Vice Chair
Rep. Carl R. Albrecht
Rep. Brady Brammer
Rep. Walt Brooks
Rep. Jefferson S. Burton
Rep. James A. Dunnigan
Rep. Brian S. King
Rep. Ashlee Matthews
Rep. Calvin R. Musselman

Rep. Thomas W. Peterson
Rep. Norman K Thurston
Rep. Ryan D. Wilcox

Members Absent:

Rep. Jon Hawkins
Rep. Mike Schultz

Staff Present:

Rohnin Randles, Policy Analyst
An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Maloy called the meeting to order at 4:00 p.m.

MOTION: Rep. Matthews moved to approve the minutes of the February 13, 2023 meeting. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. W. Brooks
Rep. J. Burton
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 7

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. T. Peterson
Rep. M. Schultz

1. S.B. 151 Food Preparation Amendments (Anderegg, J.)

Sen. Jacob Anderegg presented the bill to the committee.

MOTION: Rep. Burton moved to pass S.B. 151 out favorably. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. M. Schultz

MOTION: Rep. Wilcox moved to place S.B. 151 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. M. Schultz

2. H.B. 382 Automatic Renewal Contract Requirements (Acton, C.K.)

Rep. Cheryl Acton presented the bill with the assistance of Katherine Hart, Director, Division of Consumer Protection, Department of Commerce.

Dave Davis, Utah Retail Merchants Association, spoke to the bill.

Frank Pignanelli, Utah Association of Financial Services, spoke in support of the bill.

MOTION: Rep. Wilcox moved to replace H.B. 382 with 2nd Substitute H.B. 382. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Wilcox moved to pass 2nd Substitute H.B. 382 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. M. Schultz

3. H.B. 281 Social Credit Score Amendments (Acton, C.K.)

Rep. Acton presented the bill to the committee.

Carolyn Phippen, Freedom Front Utah, spoke in support of the bill.

Gayle Ruzicka, Utah Eagle Forum, spoke in support of the bill.

Frank Pignanelli, Utah Association of Financial Services and representing the Utah Bankers Association, spoke in support of the bill.

Greg Duerden, Independent American Party, spoke in support of the bill.

MOTION: Rep. Wilcox moved to replace H.B. 281 with 1st Substitute H.B. 281. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. M. Schultz

MOTION: Rep. Wilcox moved to pass 1st Substitute H.B. 281 out favorably. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Hawkins
Rep. B. King
Rep. M. Schultz

4. H.B. 401 Homeowners Association Requirements (Acton, C.K.)

Rep. Acton presented the bill to the committee.

Erin Wynn, Utah Association of Realtors, spoke in support of the bill.

MOTION: Rep. Peterson moved to replace H.B. 401 with 1st Substitute H.B. 401. The motion passed with a vote of 11 - 1 - 3.

Yeas - 11

Rep. C. Albrecht
 Rep. W. Brooks
 Rep. J. Burton
 Rep. J. Dunnigan
 Rep. B. King
 Rep. A. Maloy
 Rep. A. Matthews
 Rep. C. Musselman
 Rep. T. Peterson
 Rep. N. Thurston
 Rep. S. Whyte

Nays - 1

Rep. R. Wilcox

Absent - 3

Rep. B. Brammer
 Rep. J. Hawkins
 Rep. M. Schultz

MOTION: Rep. Thurston moved to amend 1st Substitute H.B. 401 with Amendment #2. The motion passed with a vote of 12 - 0 - 3.

Amendment 2
 1st Sub. H.B. 401

1. Page 2, Lines 30 through 51:

30 (1) (a) Subject to Subsection (1)(b) and regardless of whether the association of unit
 31 owners is incorporated under Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, an
 32 association of unit owners shall keep and make available to unit owners:
 33 (i) each record identified in Subsections 16-6a-1601(1) through (5), in accordance with
 34 Sections 16-6a-1601, 16-6a-1602, 16-6a-1603, 16-6a-1605, 16-6a-1606, and 16-6a-1610; [and]
 35 (ii) a copy of the association's:
 36 (A) governing documents;
 37 ~~[(B) most recent approved minutes;]~~
 38 ~~[(C) most recent budget and financial statement;]~~
 39 ~~[(D)] (B) most recent reserve analysis; and~~
 40 ~~[(E)] (C) certificate of insurance for each insurance policy the association of unit~~
 41 ~~owners holds[-]; and~~
 42 (iii) the following documents that are in the association's possession on May 3, 2023,
 43 or created on or after May 3, 2023, for at least two years after the day on which the document is
 44 created:
 45 (A) approved minutes; and
 46 (B) budget and financial statement~~{-}~~, including the nature and amount of expenditures and account
balances.
 47 (b) An association of unit owners may redact the following information from any
 48 document the association of unit owners produces for inspection or copying:
 49 (i) a Social Security number;
 50 (ii) a bank account number; or
 51 (iii) any communication subject to attorney-client privilege.

2. Page 6, Line 170 through Page 7, Line 190:

170 (1) (a) Subject to Subsection (1)(b) and regardless of whether the association is
 171 incorporated under Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, an
 172 association shall keep and make available to lot owners:
 173 (i) each record identified in Subsections 16-6a-1601(1) through (5), in accordance with
 174 Sections 16-6a-1601, 16-6a-1602, 16-6a-1603, 16-6a-1605, 16-6a-1606, and 16-6a-1610; and
 175 (ii) a copy of the association's:
 176 (A) governing documents;
 177 ~~[(B) most recent approved minutes;]~~
 178 ~~[(C) most recent budget and financial statement;]~~
 179 ~~[(D)] (B) most recent reserve analysis; and~~
 180 ~~[(E)] (C) certificate of insurance for each insurance policy the association holds[-]; and~~
 181 (iii) the following documents that are in the association's possession on May 3, 2023,
 182 or created on or after May 3, 2023, for at least two years after the day on which the document is
 183 created:
 184 (A) approved minutes; and
 185 (B) budget and financial statement~~{-}~~, including the nature and amount of expenditures and account
balances.

186 (b) An association may redact the following information from any document the
187 association produces for inspection or copying:
188 (i) a Social Security number;
189 (ii) a bank account number; or
190 (iii) any communication subject to attorney-client privilege.

Yeas - 12

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. B. Brammer
Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Burton moved to pass 1st Substitute H.B. 401 out favorably as amended. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. B. Brammer
Rep. J. Hawkins
Rep. M. Schultz

5. H.B. 410 Insurance Amendments (*Dunnigan, J.*)

Rep. Dunnigan presented the bill with the assistance of Jonathan Pike, Commissioner, Utah Insurance Department.

MOTION: Rep. Thurston moved to replace H.B. 410 with 1st Substitute H.B. 410. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Thurston moved to pass 1st Substitute H.B. 410 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 3

Rep. J. Hawkins
Rep. M. Schultz
Rep. R. Wilcox

6. H.B. 314 Remedies for Victims of Domestic Violence Amendments (*Judkins, M.*)

Rep. Marsha Judkins presented the bill with the assistance of Erin Jemison, Utah Domestic Violence Coalition.

Erin Wynn spoke in support of the bill.

Ashely Daniels, victim advocate, YCC Family Crisis Center, spoke in support of the bill.

Paul Smith, Rental Housing Association, spoke in support of the bill.

Alex Allen, Utah Crime Victims Legal Clinic, spoke in support of the bill.

Holly Johnson, The Refuge Utah, spoke in support of the bill.

Stewart Ralphs, Legal Aid Society of Salt Lake, spoke in support of the bill.

Liz Marie Santiago-Otero, Utah Domestic Violence Coalition, spoke in support of the bill.

MOTION: Rep. Burton moved to replace H.B. 314 with 1st Substitute H.B. 314. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Musselman moved to pass 1st Substitute H.B. 314 out favorably. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Matthews moved to place 1st Substitute H.B. 314 on the Consent Calendar.

Rep. Matthews withdrew the motion after committee discussion.

7. H.B. 376 Cosmetologist Regulation Modifications (*Strong, M.A.*)

Rep. Mark Strong presented the bill with the assistance of Mat Hepworth, Believe.

Karson Eilers, Utah League of Cities and Towns, spoke to the bill.

MOTION: Rep. Dunnigan moved to amend H.B. 376 with Amendment #1. The motion passed with a vote of 13 - 0 - 2.

Amendment 1 H.B. 376

1. Page 2, Lines 33 through 41:
33 (2) A local government entity may not:
34 (a) require a person to obtain a business license or permit from the local government
35 entity to engage in a practice described in Subsection 58-11a-304(5); or
36 (b) prevent or limit a person's ability to engage in a practice described in Subsection
37 58-11a-304(5) by:
38 — (i) requiring the person to engage in the practice at a specific location or at a particular
39 type of facility or location{~~;~~or}.
40 {~~(ii) enforcing a regulation applicable to a facility or location where the person chooses~~
41 ~~to engage in the practice.~~}

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. J. Hawkins
Rep. M. Schultz

SUBSTITUTE MOTION: Rep. Thurston moved to amend H.B. 376 with Amendment #2.

The substitute motion was withdrawn.

MOTION: Rep. Brammer moved to pass H.B. 376 out favorably as amended. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Wilcox moved to adjourn. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. J. Hawkins
Rep. M. Schultz

Chair Maloy adjourned the meeting at 5:43 p.m.