

2021 Interim Committee Report



Legislative Management Committee

Prepared by the Office of Legislative Research and General Counsel

2021 Interim Committee Report

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Overview

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 (OLRGC) 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 issues are distinguished by the following headings:

Heading	Description
Legislation Recommended for the 2022 General Session	Draft legislation that the committee voted to recommended for the 2022 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 study item list that were not discussed at a committee meeting.

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. OLRGC will submit a separate report that contains the outcomes of sunset reviews.

Business and Labor

Sen. Curtis S. Bramble

Rep. Joel Ferry

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Board of Bank Advisors Sunset Extension](#)

Sponsor: Rep. Ferry

Vote: 14-0-7

Discussed the public purpose and interest of the Board of Bank Advisors and the board's functions and capacity to serve the public interest. Heard remarks from the Department of Financial Institutions, Board of Bank Advisors, and Utah Bankers Association. Recommended draft legislation that extends the sunset date for 10 more years, from July 1, 2022, to July 1, 2032, for the Board of Bank Advisors, which operates within the scope of the Financial Institutions Act related to banks.

[Business and Labor Reporting Amendments](#)

Sponsor: Sen. Davis

Vote: 14-0-7

Received a presentation from staff about expired reporting requirements in statute for which the committee has received reports. Recommended draft legislation that removes most of the expired statutorily required reports.

[Consumer Alcoholic Beverage Purchasing](#)

Sponsor: Rep. Ferry

Vote: 14-0-7

Recommended draft legislation that creates the Division of Consumer Purchasing within the Department of Alcoholic Beverage Control, moves the wine subscription program under the division, and amends provisions regarding consumer purchasing.

[Division of Consumer Protection Amendments](#)

Sponsor: Sen. Bramble

Vote: 15-0-6

Reviewed a [legislative audit](#) of the Division of Consumer Protection. The Business Opportunity Disclosure Act (BODA) disclosure requirements do not appear to be working as intended. Only eight companies are registered under BODA, five of which are in Utah. From 2003 to present, there were dozens of BODA-related enforcement actions and settlements. The enforcement actions show clear examples of consumer harm that may have been mitigated or avoided if the consumers had received BODA disclosure information. Received a presentation from the Office of the Legislative Auditor General and comment from the Department of Commerce and Division of Consumer Protection.

Recommended draft legislation that amends BODA by defining terms and amending provisions regarding filings, seller disclosure statements, furnishing a disclosure statement to a potential purchaser, and enforcement of BODA.

[Insurance Amendments](#)

Sponsor: Rep. Dunnigan

Vote: 16-0-5

Recommended draft legislation that amends provisions related to required disclosures for a service contract and vehicle protection product warranty, the registration of insurers, the standards and management of an insurer within a holding company system, an arbitration decision's resolution of a claim under an underinsured motorist policy, accident and health insurance, and many other provisions in the Insurance Code.

[Licensing Amendments*](#)

Sponsor: Sen. Bramble

Vote: 14-0-7

Received a proposal for all lawful occupational licenses that are regulated by executive branch agencies to be reviewed every 10 years by a Department of Commerce team that could be funded by existing fees collected in the Commerce Service Fund. Under the proposal, the Legislature would continue to determine licensure laws while being informed by expert licensing analysis.

Received a presentation from the governor and executive director of the Department of Commerce. The committee opened a bill file at its May interim meeting related to this topic and voted to open a committee bill file.

Recommended draft legislation that modifies the process for review of occupational and professional licensing, including repealing the Occupational and Professional Licensure Review Committee Act and creating the Office of Occupational and Professional Licensure Review.

[Occupational and Professional Licensing Modifications](#)

Sponsor: Sen. Bramble

Vote: 14-0-7

Voted to open a committee bill file to modify occupational and professional licensing related provisions, including those related to foreign licensing, and to serve as a cleanup bill for the Division of Public Licensing. Recommended draft legislation that, among other things, modifies licensing board duties, amends license application requirements, and modifies the Division of Occupational and Professional Licensing's authority to grant a license by endorsement.

[State Construction Code Amendments](#)

Sponsor: Rep. Ferry

Vote: 16-0-5

Received recommended changes to construction codes under Title 15A, State Construction and Fire Codes Act, from the Uniform Building Code Commission and State Fire Marshal Division. Heard from the Utah Home Builders Association.

Recommended draft legislation that creates licensing exemption for a person certified by the National Institute for Certification in Engineering Technologies at level III or IV in Water-Based System Layout or Fire Alarm Systems. The bill also amends provisions of Title 15A, State Construction and Fire Codes Act, by amending the Statewide Amendments to the International Residential Code, the Statewide Amendments to the International Plumbing Code, the Statewide Amendments to the International Mechanical Code, and the State Fire Code.

[Utah Powersport Vehicle Franchise Advisory Board Amendments](#)

Sponsor: Sen. Bramble

Vote: 16-0-5

Conducted a sunset review of the Powersport Vehicle Franchise Advisory Board, which operates under the purview of the Department of Commerce. Examples of powersport vehicles include personal watercraft, ATV's, snowmobiles, and dirt bikes. The board acts as a backstop for disputes between powersport manufacturers and their dealers in an adjudication function. The board has met three times in the last 19 years since its creation in 2002. Though the board receives complaints from parties, the board meets rarely because parties resolve disputes before a board meeting is warranted. The executive director of the Department of Commerce or their designee is chair of the board. Heard remarks from the deputy director of the Department of Commerce, who is the designated chair, about the board's functions and capacity to serve the public interest.

Recommended draft legislation that extends the Powersport Vehicle Franchise Advisory Board's sunset date 10 years to 2032 and increases the board's total membership from six to seven by increasing board members representing new powersport vehicle franchisees from three to four, one for each congressional district.

Studied But No Legislation

* Item was on the committee's study item list

Cryptocurrency Regulatory Sandbox*

Studied the framework for a cryptocurrency regulatory sandbox. Discussed the identity crisis that cryptocurrency faces and the regulatory environment for establishing a sandbox dedicated to cryptocurrency.

Electronic Speech Amendments*

Studied electronic free speech interests that included constitutional considerations for the First Amendment, Preemption, and Commerce Clause. Discussed Utah's and other states' approaches. Discussed 2022 General Session draft legislation, [Electronic Speech Amendments](#), that enacts provisions related to the regulation of social media corporations.

Online Curriculum for a Licensed School

Studied the public purpose and interest of Utah Code Section 58-11a-302.5, Online Curriculum for a Licensed School, which permits a licensed barber school, cosmetology/barber school, electrologist school, esthetics school, hair design school, or nail technology school to offer 50% of the school's total per program curriculum online in accordance with standards adopted by an applicable

nationally recognized accrediting organization. Discussed the functions of Utah Code Section 58-11a-302.5 and its capacity to serve the public interest. Heard remarks from the Division of Occupational and Professional Licensing (DOPL) and the Utah Beauty School Owners' Association.

Voted to allow the statute to sunset and to allow DOPL to address online curriculum in administrative rule.

Regulations for Payroll Advance Companies*

Studied the business models of, and potential regulations for, businesses that provide a paycheck advance on earned wages. Discussed the benefits and concerns of these business models. Heard remarks from Dailypay, Earnin, Utah Consumer Lending Association, and American Payroll Association.

Discussed 2022 General Session draft legislation, [Earned Wage Access Services Amendments](#), that enacts provisions related to earned wage access services, including provider registration, provider operational requirements, and provider reporting. The bill would exempt providers from the provisions of Title 7, Chapter 23, Check Cashing and Deferred Deposit Lending.

Transition Report Responses

Received transition report responses from the committee's five agencies. During the transition from Governor Herbert's administration to Governor Cox's administration, Governor Cox asked transition teams to review each state agency's practices and procedures. The transition teams met with the agencies and provided them with an agency review report. The agencies subsequently issued a response to the agency review report. The committee's agencies summarized the transition team's agency review reports and presented their agency's responses.

Worker COVID-19 Vaccine and Testing

Held a public meeting to discuss President Biden's recent announcement that the Occupational Safety and Health Administration would issue an emergency temporary standard to require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require unvaccinated workers to be tested weekly for COVID-19. Received comments from the Governor's Office of Economic Opportunity, the Utah Labor Commission, the Division of Occupational Safety and Health, and the Office of the Attorney General.

Issues Not Studied

Business Teleworking Incentive Program*

After consultation with the Governor's Office of Economic Opportunity, the chairs determined more time is needed to address a potential business teleworking incentive program.

Lessons Learned from COVID-19 Business Regulations and Next Steps*

After consultation with the Governor's Office of Economic Opportunity, the chairs determined more time is needed to address the breadth and depth of COVID-19 business regulation outcomes and potential next steps.

Gig Economy Regulations, Employment Status, and Licensing*

The chairs determined the issue did not need to be immediately addressed or studied. As stakeholder input is received, or problems in the gig economy industry unfold, then the committee may study this issue in the future.

COVID-19 Relief Programs Fraud*

The committee intended to study issues related to COVID-19 Relief Programs Fraud but, due to other priorities, did not study this issue.

Medicaid Supplemental Insurance*

Based on a response to the issue from the Insurance Department and Department of Health, the committee concluded this item did not need to be studied.

Economic Development and Workforce Services

Sen. Ronald M. Winterton

Rep. Stephen G. Handy

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Child Care Amendments*](#)

Sponsor: Rep. Pulsipher

Vote: 9-0-7

Received multiple presentations from child care experts and legislators on access to child care in Utah. Discussed and recommended draft legislation that modifies provisions related to child care, including allowing a community reinvestment agency to use its housing allocation to pay for the expansion of child care facilities, requiring that a proposal for a housing and transit reinvestment zone promote "increasing access to child care" as an objective in creating the zone, requiring the Department of Health to adopt rules allowing for a provider to provide "after school" care to additional children, removing provisions in statute limiting the number of infants and toddlers that a certified residential provider may care for, and requiring the Office of Child Care to use COVID-19 relief funds to provide grants to providers that contract with employers to provide care for an employer's employees.

[Commission on Housing Affordability Amendments](#)

Sponsor: Rep. Waldrip

Vote: 12-0-4

Discussed and recommended draft legislation that establishes the Housing Affordability Subcommittee, formerly the Commission on Housing Affordability, as a permanent subcommittee of the Unified Economic Opportunity Commission within the Governor's Office of Economic Opportunity and modifies the membership and duties of the subcommittee.

[Economic Development Modifications*](#)

Sponsor: Rep. Handy

Vote: 9-0-7

Received multiple presentations from the Governor's Office of Economic Opportunity on Utah's Economic Development Tax Increment Financing Program. Discussed and recommended draft legislation that amends the Economic Development Tax Increment Financing Program, including narrowing the scope of projects eligible for a tax credit.

[Employment Advisory Council Amendments](#)

Sponsor: Rep. Collard

Vote: 10-0-6

Discussed and recommended draft legislation that removes the sunset date for the Employment Advisory Council.

[Intergenerational Poverty Mitigation Amendments*](#)

Sponsor: Rep. Handy

Vote: 10-0-6

Discussed and recommended draft legislation that repeals the Intergenerational Welfare Reform Commission, the Intergenerational Poverty Advisory Committee, and the Intergenerational Poverty Plan Implementation Pilot Program. This legislation also establishes reporting requirements related to intergenerational poverty mitigation for the Department of Workforce Services, the Department of Cultural and Community Engagement, the Department of Health, the State Board of Education, the Department of Human Services, and the Administrative Office of the Courts.

[Public-private Partnership Amendments](#)

Sponsor: Sen. Millner

Vote: 10-0-6

Discussed and recommended draft legislation that modifies provisions related to public-private partnerships, including eliminating the repeal date for the Public-private Partnerships Act and modifying provisions relating to a public-private partnership facilitator.

[State Film Production Incentives Amendments*](#)

Sponsor: Sen. Winterton

Vote: 9-0-7

Received a presentation from the Motion Picture Association of Utah on the economic impact of Utah's motion picture tax incentive program. Discussed and recommended draft legislation that exempts "rural productions" from the limit on the total amount of motion picture tax credit incentives that the Governor's Office of Economic Opportunity may issue each fiscal year.

[State Small Business Credit Initiative Program Fund Amendments](#)*

Sponsor: Rep. C. Moss

Vote: 10-0-6

Discussed and recommended draft legislation that moves the Small Business Credit Initiative Program fund from the Department of Workforce Services to the Governor's Office of Economic Opportunity.

Studied But No Legislation

* Item was on the committee's study item list

Audit Report: A Follow-Up Audit of the Safety and Security Within Local Homeless Resource Centers

Reviewed findings and recommendations from a recent [performance audit](#) of the homeless services system.

Digital Equity and Inclusion*

Issue was studied by the Public Utilities, Energy, and Technology Interim Committee.

Economic Opportunity Commission*

Received multiple presentations on the activities of the Economic Opportunity Commission and its subcommittees and working groups, including presentations related to international relations and trade, workforce development, and rural economic development.

Federal Wage and Hour Division

Conducted a sunset review of provisions related to disclosure of information to the Federal Wage and Hour Division. Recommended that the provision sunset as scheduled.

Local Land Use Planning

Received an informational presentation on local land use planning from the Utah League of Cities and Towns.

Point of the Mountain

Received an informational presentation on the Point of the Mountain Framework.

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

Education Sunset Extensions

Sponsor: Rep. Snow

Vote: 15-0-5

Performed a sunset review on provisions in Utah Code Section 53G-8-211(5). These provisions provide that a school district or school may refer a minor to a court or a law enforcement officer or agency for an alleged class C misdemeanor committed on school property, or for allegedly being a habitual truant, under certain circumstances. Also performed a sunset review on provisions in Utah Code Section 53E-4-402, which creates the State Instructional Materials Commission. This commission evaluates instructional materials for recommendation by the State Board of Education.

Recommended draft legislation that extends the sunset date for both sections by five years.

Higher Education Performance Funding Goals*

Sponsor: Sen. Millner

Vote: 19-0-1

As part of the requirements created by 2021 General Session S.B. 193, the Utah Board of Higher Education this year created new five-year performance goals for the Utah System of Higher Education. The goals are focused on three areas, including access, timely completion, and high-yield awards. Recommended draft legislation that codifies those goals.

Hospitality and Tourism Management CTE Pilot Program Sunset Extension

Sponsor: Rep. Ballard

Vote: 14-0-6

Utah Code Section 53E-3-515 creates the Hospitality and Tourism Management Career and Technical Education Pilot Program, and Utah Code Section 53F-9-501 establishes the Hospitality and Tourism Management Education Account. Recommended draft legislation that extends the sunset date for Section 53E-3-515, specifically regarding the Hospitality and Tourism Management Career and Technical Education Pilot Program, by two years. The legislation does not extend the sunset date for the provisions regarding the Hospitality and Tourism Management Education Account.

School Standards Review Committee Sunset Extension

Sponsor: Sen. Johnson

Vote: 17-0-3

Utah Code Section 53E-4-203 provides for the State Board of Education to create standards review committees. These committees are required to review the core standards for Utah public schools in various subject areas. Recommended draft legislation that extends the sunset date for this section by five years.

Utah K-12 Reading Clinic

Sponsor: Sen. Mayne

Vote: 11-0-9

Recommended draft legislation that codifies the name of the K-12 Reading Clinic at the University of Utah.

Studied But No Legislation

* Item was on the committee's study item list

A Performance Audit of Public Education's Governance Structure

Staff from the Office of the Legislative Auditor General presented an overview of an [audit](#) released in 2020: "A Performance Audit of Public Education's Governance Structure."

A Performance Audit of the Utah State Board of Education's Internal Governance

Staff from the Office of The Legislative Auditor General presented an overview of a 2021 [audit](#) of the State Board of Education's Internal Governance Structures.

A Performance Audit of Utah's Charter School Governance Structure

Staff from the Office of the Legislative Auditor General presented an overview of an [audit](#) released in 2021: “A Performance Audit of Utah’s Charter School Governance Structure.”

Civics Education Working Group

Members of the Civics Education Working Group provided an update on the group’s activities during the 2021 interim.

Mental Health Supports for Students and Staff*

Officials from the State Board of Education provided an overview of mental health support programs for students and staff in Utah. Representatives from the Murray School District, Sevier School District, and Central Utah Education Services provided information about mental health support programs available in the respective districts.

Public Education Assessment Results and Enrollment Update

State Board of Education officials discussed results from the 2020-2021 school year assessments and initial enrollment figures for the 2021-2022 school year.

Public Education: Lessons Learned from the COVID-19 Pandemic*

Officials from the State Board of Education, Davis School District, San Juan School District, and Guadalupe School presented on lessons learned from the public education system’s response to the COVID-19 pandemic during the 2019-2020 and 2020-2021 school years.

Return to School Update

Officials from the State Board of Education and the Utah System of Higher Education provided an update on how the public education system and institutions of higher education are addressing ongoing issues related to the COVID-19 pandemic as students return to school in the 2021-2022 school year.

School Curriculum Transparency

Considered draft legislation, Public School Curriculum Requirements, that addresses how local education agencies approve instructional materials for classroom use, including requiring local education agencies to have policies about using materials that have not been approved and providing a forum to discuss controversial issues. The committee took no action on this draft legislation.

State Board of Education Administrative Rule on Educational Equity

Members of the State Board of Education (board) presented on administrative rule R277-328, which addresses how educational equity is included in educator professional learning and classroom instruction. Board members also discussed their response to S.R. 901, Senate Resolution on Critical Race Theory in Public Education, and H.R. 901, House Resolution on Critical Race Theory in Public Education, resolutions passed during the 2021 First Extraordinary Session that direct the board to review curriculum standards and ensure specific concepts are not included in the standards.

Utah School Accountability System Working Group*

Members of the Utah School Accountability System Working Group provided an update on the process of and timeline for the efforts to redesign the state’s school accountability system.

Issues Not Studied

Public Education Funding Equalization

The committee did not study how state public education funding formulas account for differences in property values in different school districts, the extent to which current policies ensure that the resources available to a child at a school are not a function of the property wealth of the school district, and options to further equalize funding.

State Board of Education’s Portrait of a Graduate and Related Preschool Through Postsecondary Competencies

The committee did not study the state board’s Portrait of a Graduate – created to identify the ideal characteristics of a well-rounded graduate from the state’s public education system – and associated P-20 competencies.

Government Operations

Sen. Daniel W. Thatcher

Rep. A. Cory Maloy

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

Ballot Amendments

Sponsor: Sen. Thatcher

Vote: 13-0-3

Recommended draft legislation that:

- replaces a ballot title for an initiative or referendum with a short title and summary;
- establishes requirements for the short title and summary;
- provides for the ballot to include the short title of initiatives and referenda and to refer to a ballot proposition insert, included with the ballot, for a voter to review information relating to the initiatives and referenda; and
- describes the content of a ballot proposition insert.

Department of Government Operations*

Sponsor: Sen. Millner

Vote: 13-0-3

Discussed the implementation of 2021 General Session 2nd Substitute S.B. 181, Department of Government Operations, that resulted in the merging of the Department of Administrative Services, the Department of Technology Services, and the Department of Human Resource Management.

Recommended draft legislation that provides that the Department of Government Operations and the divisions within the department present reports to the Legislature through the Government Operations Interim Committee and classifies as private a record relating to drug or alcohol testing of a state employee.

Election Modifications

Sponsor: Sen. Thatcher

Vote: 12-0-4

Recommended draft legislation that would modify or repeal code provisions to reflect current practice in election administration.

Election Revisions

Sponsor: Sen. Thatcher

Vote: 12-0-4

Recommended draft legislation that:

- changes the dates of a special election in an odd-numbered year to coincide with the dates of municipal elections;
- modifies the crime of destroying election documents or supplies to include altering documents;
- provides for a voter's party affiliation to be changed to unaffiliated if the voter is affiliated with a party that is no longer a registered political party; and
- modifies the deadline for determining whether a municipality will conduct an election by ranked choice voting to coincide with the deadline for publishing a notice of election.

Executive Residence Commission Sunset Extension

Sponsor: Sen. Thatcher

Vote: 10-0-6

Recommended draft legislation that extends the sunset date of the commission.

Judicial Performance Evaluation Commission Act Amendments

Sponsor: Rep. Abbott

Vote: 14-0-2

Recommended draft legislation that provides that the Judicial Performance Evaluation Commission determines whether a judge meets minimum performance standards, rather than making a recommendation regarding retaining a judge.

Legislative Process Committee Sunset Extension

Sponsor: Sen. Thatcher

Vote: 12-0-4

Recommended draft legislation that extends the sunset date of the committee.

Local Election Amendments***Sponsor:** Sen. Iwamoto**Vote:** 13-0-3

Recommended draft legislation that describes the circumstances under which, and the method by which, a municipal legislative body may cancel a local election or a race in a local election and a local district board may cancel a local election.

Medical Cannabis Patient Protection Amendments**Sponsor:** Sen. Thatcher**Vote:** 13-0-3

Recommended draft legislation that amends protections for medical cannabis patients, including public employees, to protect the holding of a medical cannabis card and medical cannabis recommendations.

Open and Public Meetings Act***Sponsor:** Rep. Welton**Vote:** 10-2-4

Recommended draft legislation that requires a public body to establish how a quorum is calculated for electronic meetings, prohibits a public body from permitting a member to vote or take other action by proxy during an electronic meeting, and requires all non-unanimous votes during an electronic meeting to be taken by roll call.

Special License Plate Designation**Sponsor:** Rep. Eliason**Vote:** 14-0-2

Recommended draft legislation that creates a special group license plate to support the Live On suicide prevention campaign.

Utah Protection of Public Employees Act Amendments**Sponsor:** Sen. Thatcher**Vote:** 14-0-2

Recommended draft legislation that specifies the parties' burdens of proof in a civil action where a violation of the Utah Protection of Public Employees Act is alleged to include:

- an employee has the burden of proving by a preponderance of the evidence that the employee, in good faith, engaged in protected reporting and suffered a retaliatory action;
- if the employee satisfies that burden, the employer has the burden of proving by substantial evidence that the employer's action was justified; and
- if the employer satisfies that burden, the employee has the burden of proving by a preponderance of the evidence that the employer's justification is pretextual.

Voting History Amendments**Sponsor:** Sen. Thatcher**Vote:** 13-0-3

Recommended draft legislation that requires an election officer to, when reporting voting history for an election, anonymously include in the report, for each voter whose voter registration is classified as private, the following for that election only:

- for voting by mail, the date that the manual ballot was mailed to the voter and the date that the manual ballot was received by the election officer; and
- for early voting and voting on election day, the date the individual voted.

Studied But No Legislation*** Item was on the committee's study item list****Division of Technology Services Presentation**

Received a presentation from the Division of Technology Services regarding its organizational structure, priorities, and challenges.

Election Methodologies*

Studied alternative voting methods, including ranked choice voting and approval voting.

Executive Branch Pay Equity Study

Discussed the Executive Branch Pay Equity Study, which was a study completed by the Governor's Office of Planning and Budget of executive branch state employees, their wages, and demographic and workplace characteristics such as gender, minority status, tenure, and work performed to inform efforts to narrow the gender pay gap.

Legislative Review of Federal Legislation and Executive Action*

Studied the state's responsibility, position, and authority in compliance with pending federal legislation and executive action. The committee took no action.

Municipal Alternate Voting Methods Pilot Project*

Discussed amendments to the Municipal Alternate Voting Methods Pilot Project, including adding approval voting as an option to municipalities.

State Employee Amendments

Received a presentation regarding the sponsor's intent with 2022 General Session draft legislation, State Employee Amendments, that:

- requires the Division of Human Resource Management (division) to provide required training for supervisors of state agency employees;
- requires the division to establish a pay for performance management system;
- requires a state agency to evaluate and pay employees based on performance;
- provides that a state employee hired in a supervisor position is exempt from the career service system;
- prohibits the Career Service Review Office from taking jurisdiction of a matter that an employer has not had an opportunity to address; and
- repeals longevity and promotion salary increases for certain state employees.

Voting Precincts*

Studied the history and purpose of voting precincts and discussed potential changes to the creation of precincts.

988 Behavioral Crisis Response System Implementation Update

Received a presentation regarding the Utah Crisis Line and the coordination of community services and resource allocation for the implementation of the 988 behavioral crisis response system.

Issues Not Studied

Data Privacy*

The committee did not study individual data privacy, specifically government sharing, storing, and using private data of individuals.

Delegation of State Authority*

The committee did not study the state's responsibility and authority to delegate state authority to local government, including forms of local government.

Health and Human Services

Sen. Michael S. Kennedy

Rep. Merrill F. Nelson

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Acupuncturist Liability Amendments](#)

Sponsor: Sen. Mayne

Vote: 14-0-4

Discussed and recommended draft legislation that adds licensed acupuncturists to those health care professionals who have limited immunity under certain circumstances for providing volunteer services and adds licensed acupuncturist to the definition of a health care practitioner under the Retired Volunteer Health Care Practitioner Act.

[Behavioral Health Services Amendments*](#)

Sponsor: Sen. Kennedy

Vote: 15-0-3

Discussed and recommended draft legislation that creates a grant program and requires submission of a Medicaid waiver for integration of physical and behavioral health and allows for a certain medication-assistance treatment drug to be included in the Charitable Prescription Drug Recycling Act.

[Clinical Mental Health Counselor Licensing Amendments](#)

Sponsor: Sen. Kennedy

Vote: 14-0-4

Discussed and recommended draft legislation amends provisions relating to clinical mental health counselors and extends the sunset of the provisions.

[Coordinating Council for Persons with Disabilities Sunset Extension](#)

Sponsor: Sen. Kennedy

Vote: 13-0-5

Discussed and recommended draft legislation extends the sunset date for the Coordinating Council for Persons with Disabilities.

[Department of Health and Human Services Amendments*](#)

Sponsor: Sen. Anderegg

Vote: 14-0-4

Discussed and recommended draft legislation that provides a statutory framework for the merger of the Department of Health and the Department of Human Services on July 1, 2022.

[Extension for Controlled Substance Prescription Requirements](#)

Sponsor: Rep. Ward

Vote: 14-0-4

Discussed and recommended draft legislation extends the repeal date for controlled substance prescription regulations.

[Health Care Worker Protection Amendments](#)

Sponsor: Rep. Spendlove

Vote: 14-0-4

Discussed and recommended draft legislation that creates enhanced penalties for assault or threat of violence against an owner, employee, or contractor of a health facility.

[Student Athletics Participation*](#)

Sponsor: Rep. Birkeland

Vote: 13-3-2

Discussed and recommended draft legislation that allows a student in grades 9 through 12 to participate in gender-designated interscholastic athletic activities according to the sex designation on the student's current birth certificate. The legislation also establishes participation requirements for gender-transitioned and gender-transitioning individuals.

[Study on State Hospital Capacity Sunset Amendments](#)

Sponsor: Rep. Eliason

Vote: 13-0-5

Discussed and recommended draft legislation which would remove the sunset date for provisions related to the study of long-term needs for adult beds in the state hospital.

Utah Substance Use and Mental Health Advisory Council Sunset Extension**Sponsor:** Rep. Eliason**Vote:** 14-0-4

Discussed and recommended draft legislation that extends the sunset date for the Utah Substance Use and Mental Health Advisory Council.

Studied But No Legislation*** Item was on the committee's study item list****Anesthesia, Sedation, and Unprofessional Conduct**

Conducted a sunset review of statutes that define Department of Health responsibilities for creating and maintaining a database of deaths and adverse events from the administration of sedation or anesthesia in non-emergency department outpatient settings, create reporting requirements and whistleblower protections, and define unprofessional conduct related to administration of sedation or anesthesia. Recommended that the provisions sunset as scheduled.

Body Art Facilities

Considered draft legislation, [Sanitation Amendments](#), that requires the Department of Health to create minimum sanitation rules for facilities where an individual practices or teaches body piercing, branding, permanent cosmetics, scarification, or tattooing. Legislation failed.

COVID-19

Considered a proposal to prohibit government from requiring employers to ensure that their employees are vaccinated as a condition of licensure.

Received a report from the Department of Health in October on the allocation and use of monoclonal antibody therapy to treat COVID-19, including steps being taken to address the scarcity of healthcare personnel needed to administer the therapy. The department reported that the state is not experiencing a shortage of available treatment doses.

Electronic Cigarette Substance Standards

Briefed by the Department of Health on its development and implementation of rules regulating e-cigarette cartridges. Utah vape shops have been seeking to enjoin the department from enforcing the rules, which include a 3% limit on nicotine content on or after September 1, 2021.

Healthcare Reform*

Received a report from a member of the committee on how to promote value-based healthcare by reducing the use of low-value care, increasing the use of high-value care, keeping people covered by health insurance, and increasing price transparency and competition.

Medical Care for Transgender Minors*

Discussed issues related to proposals in Utah and other states that would prohibit certain types of medical care for transgender minors.

Microenterprise Home Kitchen Permits Limit

Conducted a sunset review of the limit on the number of microenterprise home kitchen permits that may be issued by local health departments. Did not make a recommendation regarding the sunset of the limit.

Opioid Prescribing Policies Adopted by Health Insurers

Conducted a sunset review of the requirement that a health insurer submits a report to the Insurance Department indicating whether the health insurer has adopted an opioid prescribing policy. Recommended that the requirement sunset as scheduled.

Required Agency Consultation for the Awarding of Mobile Crisis Outreach Team Grants

Conducted a sunset review of requirements that the Division of Substance Abuse and Mental Health consult with the Behavioral Health Crisis Response Commission in the awarding of grants to mobile crisis outreach teams. Did not make a recommendation regarding the requirements scheduled to sunset.

Sex and Gender Identification on Birth Certificates

Reviewed options for responding to the Utah Supreme Court's 2021 decision regarding petitions to change one's sex designation on a birth certificate.

Telehealth

Considered health insurers' coverage of mental health services provided via telehealth, including payment to clinicians who provide those services.

Youth Suicide

Received a report from the Office of the Medical Examiner on youth suicide, including risk factors and strategies to improve prevention.

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

Expungement Modifications*

Sponsor: Sen. Weiler

Vote: 13-0-4

Received a presentation from the Salt Lake County Mayor's Office regarding petitions for expungement and recommended draft legislation that clarifies and amends the process and requirements for expungement.

Extension of the Utah Council on Victims of Crime*

Sponsor: Rep. Lisonbee

Vote: 13-0-4

Heard testimony from the Utah Council on Victims of Crime regarding the work and achievements of the council and discussed extending or eliminating the sunset date. Recommended draft legislation that fully repeals the sunset date for the Utah Council on Victims of Crime.

Justice Court Judge Elections Amendments*

Sponsor: Rep. Hawkins

Vote: 14-0-3

Received a presentation from the Weber County Clerk and the Administrative Office of the Courts regarding justice court judges in smaller jurisdictions who cover more than one city and appear multiple times on ballots. Recommended draft legislation that streamlines ballots to prevent judges in smaller jurisdictions, who cover more than one city or town, from appearing multiple times on the same ballot.

Offender Supervision Amendments

Sponsor: Rep. Lisonbee

Vote: 12-0-5

Received presentations from a federal marshal with the United States Department of Justice and Adult Probation and Parole and heard comments from the Board of Pardons and Parole, the Commission on Criminal and Juvenile Justice, and the Administrative Office of the Courts regarding recent news on parole absconders in Utah. Recommended draft legislation that amends parole and probation guidelines.

Studied But No Legislation

* Item was on the committee's study item list

Election Systems Review

Received a presentation from two legislators on election integrity and a presentation from the Office of the Lieutenant Governor and Weber County on how Utah elections are currently safeguarded. No further action was taken.

Review of Appellate Decisions that Call for Legislative Action

Received a presentation from committee staff providing overviews of the following cases in the May meeting: *State v. Paraza, in re adoption of B.F.S.*, *State v. Kitches*, *Kamoe v. Hon. Ridge*, *Scott v. Scott*, *State v. Arguelles*, and *In the Matter of the Sex Change of Childers-Gray and Rice*. No further action was taken.

Sex Offender Registry

Received an update from the Office of the Attorney General and the Department of Corrections on practical and procedural improvements to the sex offender registry resulting from the implementation of legislation passed in recent years. No further action was taken.

Juvenile Code Recodification

The committee heard a presentation from OLRGC staff regarding the second part of the juvenile recodification bill that is currently being drafted for the 2022 General Session.

Victims Services Division

Received a presentation regarding Utah’s need to create a Victims Services Division and discussed past and current legislation on this topic. No further action was taken.

Issues Not Studied

Digital and Data Privacy

The legislator who suggested the item decided not to proceed with the study item.

Law Enforcement and Criminal Justice

Sen. Keith Grover

Rep. Ryan D. Wilcox

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Catalytic Converter Amendments*](#)

Sponsor: Rep. Wilcox

Vote: 14-0-2

Received comments from the ChamberWest Chamber of Commerce, Western Metals Recycling, and the Office of the Attorney General about the best way to address community and law enforcement concerns over catalytic converter theft while also respecting the realities of the scrap metal industry. Voted to open a committee bill file at the September meeting to address catalytic converter theft. Recommended draft legislation that requires certain catalytic converter purchasers to document and input information into the central database for pawnshops and secondhand businesses.

[Criminal Code Evaluation Task Force Sunset Extension*](#)

Sponsor: Rep. Ray

Vote: 15-0-1

Received a presentation on the necessity of extending the sunset date of the Criminal Code Evaluation Task Force to facilitate the process of recodifying the criminal code. Recommended draft legislation that changes the sunset date of the criminal code evaluation task force to April 15, 2025.

[DNA Specimen Analysis Amendments*](#)

Sponsor: Rep. Eliason

Vote: 9-1-6

Discussed matters related to the collection, maintenance, and use of DNA and forensic information by law enforcement. Received a presentation from the Office of the State Auditor about statutory inconsistencies in Combined DNA Index System (CODIS) profile generation for certain offenders.

Recommended draft legislation that requires sheriffs to provide a person notice related to the destruction of a DNA specimen and removal of the person's DNA sample and records from a database, requires certain DNA specimens to be processed and entered into a database, and permits a person to request the destruction of the person's DNA specimen and related records under certain conditions.

[Driving Offenses Amendments*](#)

Sponsor: Rep. Acton

Vote: 14-0-2

Received multiple presentations from the Salt Lake County District Attorney's Office about discrepancies between driving under the influence and driving with any measurable controlled substance violations. Recommended draft legislation that adjusts offenses and penalties for injuries or death caused by operating a motor vehicle while under the influence of drugs, alcohol, or any measurable amount of a controlled substance.

[Emergency Management Administration Council Sunset Extension*](#)

Sponsor: Sen. Grover

Vote: 15-0-1

Received comments from the Division of Emergency Management (division) about the structure and purpose of the Emergency Management Administration Council, which provides advice and coordination for state and local government agencies on government emergency prevention, mitigation, preparedness, response, and recovery actions and activities. Received a recommendation from the division that the Legislature extend the sunset date. Recommended draft legislation that extends the sunset date from July 1, 2022, to July 1, 2027.

[Search and Rescue Advisory Board Sunset Extension*](#)

Sponsor: Sen. Grover

Vote: 15-0-1

Received comments from the Division of Emergency Management (division) about the structure and purpose of the Search and Rescue Advisory Board, which receives and reviews applications for search and rescue reimbursements, manages search and

rescue statistical data, and disburses funds. Received a recommendation from the division that the Legislature extend the sunset date. Recommended draft legislation that extends the sunset date from July 1, 2022, to July 1, 2027.

[First Responder Mental Health Services Amendments*](#)

Sponsor: Rep. Wilcox

Vote: 10-0-6

Discussed ways to facilitate access to mental health resources for first responders and the importance of providing resources to their families. Received a presentation from the Previdence Corporation on law enforcement agencies in Utah and Massachusetts that have been facilitated by its mental health screening program. Received a presentation from Utah State University providing an update on the implementation of the Resilient Mind for Law Enforcement Program, which provides law enforcement professionals with training intended to increase resilience during and after stressful or traumatic events. Received comments from a legislator about the need to expand the number of mental health workers in law enforcement agencies. Voted to open a committee bill file at the October meeting to address issues related to first responder mental health.

Recommended draft legislation that requires all first responder agencies to provide mental health resources for employees, spouses, children, and retirees. The bill also establishes a grant program to provide mental health resources, which would be administered by the Division of Substance Abuse and Mental Health.

[Intimate Image Distribution Amendments*](#)

Sponsor: Rep. Collard

Vote: 12-0-4

Discussed possible changes to the offense of aggravated unlawful distribution of a counterfeit intimate image. Received comments from the Voices for Utah Children and the Salt Lake County District Attorney's Office about limiting those eligible to be charged with the offense to those 18 years old and older.

Recommended draft legislation that restricts the offense of aggravated unlawful distribution of a counterfeit intimate image to individuals 18 years old and older.

[Public Safety Retirement Amendments*](#)

Sponsor: Rep. Gwynn

Vote: 13-0-3

Received multiple presentations from a legislator regarding what is currently being explored to bolster recruitment and retention efforts within law enforcement agencies, including updates to the retirement system. Received a presentation from the Fraternal Order of Police on survey data gathered to assess attitudes toward retirement plans among public safety employees.

Voted at the September meeting to recommend draft legislation that modifies requirements related to retirement from a public safety or firefighter retirement system. Voted to recommend at the November meeting an updated version of the draft legislation which specifies that the bill covers state public safety employees who were hired between 2011 and 2020.

Studied But No Legislation

* Item was on the committee's study item list

Master Offense List

Received a presentation from the Sentencing Commission on updates to the Master Offense List.

Criminal Code Recodification

Received a presentation from the Criminal Code Evaluation Task Force on current efforts to recodify the criminal code. Received the Criminal Code Evaluation Task Force's annual statutorily required report, which includes an overview of changes made during the 2021 General Session to the duties and scope of the task force, a summary of the two items the task force studied during the 2021 interim, and an explanation of the membership of the task force.

Justice Reinvestment Initiative Report

Received the annual report from the Commission on Criminal and Juvenile Justice (CCJJ) on data related to the Justice Reinvestment Initiative. Discussed recent efforts by CCCJJ to understand the strengths and weaknesses of the Justice Reinvestment Initiative reforms across the state.

Law Enforcement Data Report

Received a presentation from the Commission on Criminal and Juvenile Justice (CCJJ) on law enforcement data collection, as required by 2021 General Session S.B. 159, Law Enforcement Data Management Requirements.

Bail Reform*

Received an update from the Bail Reform Working Group about efforts to achieve a consensus on bail and pre-trial release policy in the state.

Sex Offender Registry*

Studied the possibility of altering area restrictions for those on the Sex and Kidnap Offender Registry by allowing the registrants to enter restricted areas if accompanied by another adult.

Alcohol Abuse Tracking Committee Update

Received a presentation from the Alcohol Abuse Tracking Committee about alcohol-related arrests and court charges for driving under the influence and underage drinking.

Law Enforcement Training and Policies*

Received a presentation from committee staff on bills that passed during the 2021 General Session that impacted training requirements and policies for peace officers. Received a presentation from the Department of Public Safety about available domestic violence data in the state. Received comments from a legislator about ways to improve the collection and analysis of domestic violence data.

Received a presentation on 2022 General Session draft legislation, [Citation Fines Amendments](#), which requires that a fine collected by a justice court for certain violations issued by the Utah Highway Patrol be deposited to the General Fund.

Received comments from a legislator about options for improving community policing training and practices in the state, as well as the need for statutory changes to the use of force statute in code.

Natural Resources, Agriculture, and Environment

Sen. Scott D. Sandall

Rep. Keven J. Stratton

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Grazing Advisory Board Amendments*](#)

Sponsor: Sen. Sandall

Vote: 18-0-0

Studied whether to extend the sunset date for the Grazing Advisory Board. Recommended draft legislation that extends the sunset date by 10 years and changes the name of the board from the State Grazing Advisory Board to the Utah Grazing Improvement Program Advisory Board.

[State Monuments Act Amendments](#)

Sponsor: Rep. Eliason

Vote: 15-0-3

Studied the process for creating state monuments. Recommended draft legislation that makes changes to the current statutory process for designating state monuments.

[State Water Policy Amendments](#)

Sponsor: Rep. Stratton

Vote: 13-0-5

Studied the state water policy and considered recommendations for amending the state water policy. Recommended draft legislation that adds the recharging of aquifers to the state water policy.

Studied But No Legislation

* Item was on the committee's study item list

Branding Inspections*

Created an informal work group to study the branding inspection program. Studied the law enforcement role of brand inspectors, the makeup of the Livestock Brand Board, and ways to operate the program more efficiently. Discussed draft legislation, [Livestock Brand Amendments](#), that modifies the branding inspections program regarding law enforcement capabilities, board membership, and increased cooperation with local sheriffs. Took no action, although the committee noted that there is draft legislation in process that needs additional work for the 2022 General Session.

Bridal Veil Falls

Received a presentation from the Division of State Parks regarding an ongoing study of whether to designate the Bridal Veil Falls area as a state monument, state park, or other state designation.

Voted to support the Division of State Parks continuing to study whether to designate the Bridal Veil Falls area, by itself or together with other Provo canyon sites, as a state monument, state park, or other state designation.

Climate Change*

Studied the federal executive order provisions known as 30 x 30 and discussed the costs of and the ability to produce renewable energy. Considered possible ways to maintain reliable energy production. The committee took no action.

Division of Oil, Gas, and Mining Response to 2019 Audit

Received a presentation from the Division of Oil, Gas, and Mining regarding recent innovations and accomplishments that improve the ability of the division to supervise the extraction of natural resources and that address findings in the [2019 Audit](#) of the program. The committee took no action.

Geothermal Energy Production

Received a report from Utah FORGE regarding geothermal energy production in Utah and considered the possibility of expanded future geothermal energy production. The committee took no action at this time.

Land Conservation Entities*

Discussed draft legislation, [Department of Natural Resources Amendments](#), that addresses outdoor recreation and the coordination of conservation efforts in Utah. Currently, there is no one office in Utah that is tasked with overseeing the various conservation efforts. The committee took no action on this item because the legislation needs additional work for the 2022 General Session.

Radon Gas Study

Received a statutorily required preliminary report from the state geologist and the Department of Environmental Quality regarding the status of a study on radon gas in Utah. The final report and recommendations will be provided at the first interim meeting of 2022. The committee took no action at this time.

Trespassing Code*

Received a presentation from committee staff and heard from the Division of Wildlife Resources, the Utah Farm Bureau, and a legislator regarding issues and concerns with the trespass code. The committee took no action but noted the work being done on an open bill file to address this issue in the 2022 General Session.

Water Conservation*

Received presentations from the Department of Natural Resources and the Utah Rivers Council regarding ways to incentivize water conservation and discourage water waste. Encouraged the public, water providers, and other interested parties to provide written comments addressing ways to encourage water conservation and discourage water waste. The committee received updates from the Drought Response Committee regarding actions taken under the governor's emergency declaration regarding drought. The committee took no action.

Watershed Restoration Initiative

Heard from a legislator and the director of the Watershed Restoration Initiative Program regarding the work that the program is doing, the recommendations from a [legislative audit](#), and a proposal to codify the work of the program in statute. The committee took no action at this time, as the legislator already has a bill file open and is working to address this issue.

Wildfire Mitigation and Management

Studied wildfire risk and mitigation efforts. Heard from the state forester regarding the current wildfire season statistics and conditions. Also discussed the successes of efforts to partner with federal agencies to address wildfire mitigation and the need to fund mitigation efforts. The committee took no action.

Wildlife Code Review and Possible Recodification*

Discussed the need to study and possibly recodify the wildlife code. This would be a multi-year process with legislation possible in 2023 or 2024. The committee voted to support the use of staff time to address this issue immediately following the 2022 General Session.

Political Subdivisions

Sen. Michael K. McKell

Rep. James A. Dunnigan

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

Emergency Response Amendments

Sponsor: Rep. Dunnigan

Vote: 10-0-5

Discussed and recommended draft legislation that allows the Division of Emergency Management to contract with an entity for purposes of operating an emergency response force and modifies provisions related to reimbursements from the state disaster recovery restricted account to other agencies that perform disaster remediation on behalf of the state.

Studied But No Legislation

* Item was on the committee's study item list

Audit Report: An In-Depth Follow-Up of the Oversight and Management of Utah's Homeless Services System

Reviewed findings and recommendations from a [recent performance audit](#) of the homeless services system.

Creation of Utah Lake Authority*

Received a presentation from the Utah Lake Commission on the commission's projects and goals. Discussed legislation proposed but not passed during the 2021 General Session to create a Utah Lake Authority and possible components of planned legislation for the 2022 General Session.

Gradual Transitions for County Classifications and County Forms of Government*

Reviewed census numbers and the current classifications of counties. Discussed population growth and implications for county governments. Received a presentation from the Tooele County Council on the county's experience changing from a commission form of government to a council-manager form of government.

Housing Affordability Issues for Local Governments*

Discussed the shortage of affordable housing units in the state and received presentations on available data related to the shortage. Reviewed tools to address the issue, including use of inclusionary zoning by local governments. Received updates from the Land Use Task Force about the task force's priorities.

Local Government Use of COVID-Related Relief Funds*

Received a presentation from the Governor's Office of Planning and Budget on the status of CARES Act and ARPA funding for local government entities.

Powers of Community Reinvestment Agencies*

Discussed tax increment financing for community reinvestment agencies. Received a presentation from Brigham City on reinvestment and redevelopment projects.

Separation of Powers Issues in County and Municipal Governments*

Received presentations from county officials and the Office of the State Auditor on segregation of duties and appointment of budget officers.

Voting Methodologies*

Reviewed statewide implications of adopting alternate voting methodologies. Received presentations from county clerks and city recorders regarding 2021 municipal elections using ranked choice voting.

Issues Not Studied

Election Integrity*

Intended to study topics related to election integrity. Due to time constraints and the discretion of the chairs, this item was ultimately not studied.

Open Meeting Access*

Intended to study whether open meeting access was adequate in certain circumstances. Due to time constraints and the discretion of the chairs, this item was ultimately not studied.

Real Property Recording Requirements, Including Mineral/Split Estate Documents*

The legislator that requested this study item did not have draft legislation to provide to the committee at this time.

No Recommended Legislation for the 2022 General Session

Studied But No Legislation

* Item was on the committee's study item list

Blockchain Technology: Potential Government Applications and Regulations*

The committee received presentations from:

- Utah Division of Technology Services
- Wyoming Division of Banking
- Colorado Governor's Office of Information Technology

Received presentations that outlined the current state of blockchain technology and how it is being used or explored in Utah. The committee also received presentations from neighboring states that identified unique and innovative ways that blockchain is being explored such as bank charters for cryptocurrency in Wyoming and various identification systems in Colorado.

Broadband Infrastructure, Funding, and Access*

The committee received presentations from:

- Utah Governor's Office of Economic Development
- Utah Education and Telehealth Network
- State Board of Education
- State Library Division
- Salt Lake County Regional Development
- International Rescue Committee
- San Juan School District

Received presentations from several stakeholders to identify how recent and prior legislation and appropriations have influenced efforts to expand broadband infrastructure, what projects are currently underway, what projects are on the horizon, and remaining opportunities and challenges to expanding broadband infrastructure. The committee also heard from San Juan School District on how they used funding to expand broadband and the improvements that have been made.

Carbon Free Technologies: Opportunities and Challenges in Utah*

The committee received presentations from:

- Utah Associated Municipal Power Systems
- Rocky Mountain Power
- Utah Department of Transportation
- Utah Rural Electric Cooperative Association
- Energy & Geoscience Institute, University of Utah
- SCS Energy

Received presentations from each of these stakeholders are wide variety of carbon free technologies. Utah Associated Municipal Power Systems and Rocky Mountain Power presented on opportunities in nuclear, solar, and wind. The Utah Department of Transportation and the Utah Rural Electric Cooperative Association presented on plans for electric vehicle charging stations throughout the state, with emphasis on rural Utah. The Energy & Geoscience Institute along with SCS Energy presented on the expansive possibilities of capturing and storing carbon in Utah.

Grid Robustness: Energy Security and Resiliency in Utah*

The committee received presentations from:

- Office of Energy Development
- Public Service Commission of Utah
- Department of Commerce: Division of Public Utilities
- Dixie Power
- Utah Rural Electric Cooperative

- Utah Associated Municipal Power Systems
- Office of Consumer Services
- Rocky Mountain Power
- Utah Clean Energy

Received presentations from each of the stakeholders on a robust analysis of the security of Utah's grid regarding cyber security, wildfires and natural disasters, and heat. Each of the stakeholders described their extensive role in securing the grid and their relationships with the private sector and other governmental entities, as necessary. Heard presentations that emphasized the need for more transmission projects.

Ozone Levels in Utah*

The committee received a presentation from the Utah Division of Air Quality on a report that the division submitted to the Environmental Protection Agency to receive a waiver for not complying with ozone level standards.

Rate Increases in the Colorado River Basin

The committee received presentations from:

- Western Area Power Administration's Colorado River Storage
- Utah Associated Municipal Power Systems
- Utah Rural Electric Cooperative Association

Received presentations that outline the challenges each of these stakeholders face with hydropower generation because of the drought.

State Energy Plan and Statewide Transmission*

The committee received presentations from:

- Office of Energy Development
- Rocky Mountain Power
- Utah Rural Electric Cooperatives
- Utah Associated Municipal Power Systems
- TransWest Express LLC

Received presentations from each of the stakeholders on the status of the state's overall energy plan, including opportunities, challenges, and expectations for the future. Each of the stakeholders also presented in-depth information on the status of Utah's transmission demands. The committee heard repeatedly that over the next couple of decades, Utah will need to increase transmission and distribution capacity to meet the anticipated increased demand.

Utah Rural Expansion Program: Natural Gas Utility Line Updates

The committee received presentations from Dominion Energy regarding the expansion of natural gas utility lines in parts of rural Utah, including Eureka, Green River, and Goshen.

Issues Not Studied

Intermountain Power Project

The item was scheduled for the November interim but was pulled after special session legislation was passed.

Retirement and Independent Entities

Sen. Wayne A Harper

Rep. Walt Brooks

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Concurrent Resolution Authorizing State Pick up of Public Safety and Firefighter Employee Retirement Contributions](#)

Sponsor: Sen. Harper

Vote: 10-0-5

Discussed and recommended draft legislation that increases the employer pick up of certain employee contributions required for state employees who are eligible for and participate as members in the New Public Safety and Firefighter Tier II Contributory Retirement System.

[Utah Energy Infrastructure Amendments](#)*

Sponsor: Rep. Albrecht

Vote: 11-0-4

Discussed and recommended draft legislation that repeals the Utah Energy Infrastructure Authority and modifies provisions related to the Utah Energy Infrastructure Board.

[Utah Retirement Systems Revisions](#)*

Sponsor: Sen. Harper

Vote: 11-0-4

Discussed and recommended draft legislation that addresses administrative issues identified during the past year and makes technical updates.

[Utah Statewide Radio System Restricted Account Sunset Amendments](#)*

Sponsor: Sen. Harper

Vote: 9-0-6

Discussed and recommended draft legislation that repeals the sunset date for a provision that makes appropriations from the Utah Statewide Radio System Restricted Account non-lapsing.

Studied But No Legislation

* Item was on the committee's study item list

Independent Entity Review: Utah State Railroad Museum Authority*

Received a presentation from the Utah State Railroad Museum Authority on the organization's mission, operations, activities, and relationship with the state. Reviewed the findings and recommendations of the state auditor's limited review of the authority.

URS Funding, Impact of Federal Spending, and Policy Implications*

Received presentations from URS on the systems' funded status, contribution rates, and federal relief funds. Discussed policy implications of this information.

Shifting Life Expectancies and the Implications for PEHP and URS*

Received a presentation from URS on data sources for life expectancy tables and how changes affect the state's retirement systems.

Independent Entity Review: Utah Dairy Commission*

Received a presentation from Dairy West on the role of the Utah Dairy Commission and its status as an independent entity.

Overview of the Retirement and Independent Entities Interim Committee Structure, Utah Retirement Systems, and PEHP*

Received a presentation from committee staff on recent changes to the committee's covering of retirement and independent entity issues and a presentation providing an overview of URS.

Years of Service Timeframes and Postretirement Reemployment Restrictions*

Received a presentation on 2022 General Session draft legislation, [Postretirement Reemployment Amendments](#), that modifies the postretirement reemployment restrictions for a retiree who was a public safety service employee or a teacher. The committee took no action on the draft legislation because the sponsor intended to continue working on the draft.

Review of Participating Employer Active and Inactive Statuses*

Received a presentation from URS on the reasons a participating employer may be reported as inactive on the annual comprehensive financial report.

Revenue and Taxation

Sen. Daniel McCay

Rep. Robert M. Spendlove

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

[Cigarette Tax Amendments](#)

Sponsor: Rep. Eliason

Vote: 14-0-5

Recommended draft legislation that modifies the definitions of "cigarette" and "electronic cigarette" to harmonize the definition of cigarette in the tax code and to include new tobacco products.

[County Property Tax Statement Amendments*](#)

Sponsor: Rep. Barlow

Vote: 14-0-5

Recommended draft legislation that repeals the requirement that the county auditor annually provide the state auditor a property tax statement.

[Individual Income Tax Amendments*](#)

Sponsor: Sen. McCay

Vote: 13-1-5

Recommended draft legislation that provides that a claimant may not claim a tax credit for social security benefits.

[Mobile Workforce Income Tax Amendments](#)

Sponsor: Sen. Bramble

Vote: 12-3-4

Recommended draft legislation that creates an exemption from income tax for most nonresident individuals who work in the state for 20 or fewer days during the taxable year and modifies the employer's withholding obligations, including penalties, for a nonresident individual whose wages are exempt from income tax.

[Property Tax Appeals Process Amendments*](#)

Sponsor: Sen. Millner

Vote: 13-0-6

Recommended draft legislation that requires the parties in an appeal to a county board of equalization to disclose certain evidence before the public hearing on the appeal and allows a party to provide a written response to evidence that is presented by another party at the public hearing and was not previously disclosed.

[Property Tax Deferral Amendments*](#)

Sponsor: Sen. Fillmore

Vote: 13-0-6

Recommended draft legislation that requires a county to grant a property tax deferral to certain owners of a single-family residence on or after January 1, 2025. The draft legislation also creates the Property Tax Deferral Restricted Account (the account) to reimburse a requesting county for any property tax amount that the county defers on or before December 31, 2026, and addresses repayment of any money a county receives from the account.

[Renter's Credit Amendments*](#)

Sponsor: Rep. Eliason

Vote: 14-0-5

Recommended draft legislation that addresses the requirement that the State Tax Commission subtract utilities included in rent when calculating the renter's credit by providing the percentage that the Tax Commission shall deduct if the rent includes electricity, natural gas, or both.

[Telecommunications Tax Amendments*](#)

Sponsor: Sen. Bramble

Vote: 14-0-5

Recommended draft legislation that transfers property tax assessment responsibility for telecommunications service providers from the State Tax Commission to the counties.

[Utah Rural Jobs Act Amendments](#)

Sponsor: Rep. Abbott

Vote: 16-0-3

Recommended draft legislation that modifies the Utah Rural Jobs Act, including requiring an eligible small business that receives a growth investment from a rural investment company to allow the Governor's Office of Economic Opportunity to review the eligible small business' tax returns, addresses the method for allocating new annual jobs when an eligible small business receives a growth investment from more than one rural investment company, and establishes a deadline for each rural investment company to exit the program.

Studied But No Legislation

* Item was on the committee's study item list

Economic and Revenue Outlook

Received a joint presentation from economists from the Kem C. Gardner Policy Institute, the Office of the Legislative Fiscal Analyst, the Department of Workforce Services, and the Governor's Office of Planning and Budget regarding updated tax collections, revenue projections, and economic and employment indicators for the state.

Electing Small Business Trust S-Corp Subtraction from Income*

Heard from the State Tax Commission regarding whether a negative addition to income should be authorized for S-Corp losses that are realized by a Utah estate or trust. The committee took no action to direct the State Tax Commission to change its current practice of disallowing such negative additions.

Franchise Fees

Received an overview of concerns about franchise fees being charged by municipalities to internet service providers. The committee took no action.

Income Tax Rate*

Received an economic update from the Office of the Legislative Fiscal Analyst and a presentation from the Utah Taxpayers Association on a proposed income tax rate cut. Received comments on the proposal to cut the income tax rate from Voices for Utah Children. The committee took no action.

Review of Business Incentives Offered by the State*

The committee reviewed the following income tax credits: At-Home Parent, Research Activities, Machinery and Equipment Used for Research, Capital Gain Transactions, Health Benefit Plan, Exchange of Legal Tender, Historic Preservation, Economic Development, Enterprise Zone, and Targeted Business. In the November interim committee meeting, the committee recommended 'in concept' draft legislation that sunsets the Targeted Business income tax credit.

Review of the Federal Stimulus Packages and Potential Federal Tax Reform*

Received a presentation from the Office of Legislative Research and General Counsel on Treasury Department guidance related to American Rescue Plan Act of 2021 (ARPA) provisions prohibiting the use of ARPA funds to offset a reduction in net tax revenue. Heard from the Office of the Attorney General on the status of the state's lawsuit related to those provisions.

Received a presentation from the Office of Legislative Research and General Counsel on the Paycheck Protection Program (PPP). The committee discussed the state's treatment of PPP loan proceeds and heard comments from the Utah Association of CPAs and the State Tax Commission. The committee took no action.

Issues Not Studied

Fees Review

Not prioritized by chairs.

Sales Tax Issues

Not prioritized by chairs.

Recommended Legislation for the 2022 General Session

* Item was on the committee's study item list

Lane Filtering Amendments

Sponsor: Rep. Brooks

Vote: 14-0-3

Discussed the public purpose and interest of lane filtering, which is the act of a motorcycle overtaking and passing another vehicle that is stopped in the same direction of travel and in the same lane. Received a presentation from committee staff and from a legislator on draft legislation, which would extend the lane filtering program until July 1, 2027. Heard commentary from the Utah Highway Patrol and recommended draft legislation that extends the lane filtering program until July 1, 2027.

State Road Jurisdiction Amendments

Sponsor: Sen. Harper

Vote: 15-0-2

Discussed 2022 General Session draft legislation, State Road Jurisdiction Amendments, that amends the descriptions of, and transfers jurisdiction to the state for, the following roads: SR-7, SR-85, and SR-194. The draft legislation also designates the Midvalley Highway as SR-179. A previous draft of this legislation was adopted as a committee bill during the October 20, 2021, interim meeting but the bill was brought before the committee again to include the designation of the Midvalley Highway. The Utah Department of Transportation answered questions about the process for adopting roads into the state system.

Recommended draft legislation that amends the descriptions of, and transfers jurisdiction to the state for, the following roads: SR-7, SR-85, and SR-194; and designates the Midvalley Highway as SR-179.

Transportation Amendments

Sponsor: Sen. Harper

Vote: 15-0-2

Received a presentation from the Utah Highway Patrol (UHP) that summarized results from UHP's request for information from stakeholders regarding the availability of towing vendors, products, and technology capable of increasing efficiency, effectiveness, and transparency in the dispatching of towing providers and management of towing rotations in Salt Lake County, which experiences high demand for tow truck services. Heard comments from representatives of the insurance and towing industries.

Recommended draft legislation that allows the Department of Public Safety to establish a pilot program for tow rotation dispatch services through a public-private partnership, exempts vintage vehicles with a model year of 1967 or older from emissions inspections, and amends provisions related to the Office of the Attorney General in prosecution of certain cases related to motor vehicle enforcement.

Studied But No Legislation

* Item was on the committee's study item list

Adoption of Electric and Alternative Fuel Vehicles*

Received a presentation from committee staff on the current and projected use of alternative fuel vehicles.

Autonomous Vehicles

Received a presentation from a legislator on the potential for unaccompanied minors to use an autonomous rideshare vehicle. Discussed activities of private driverless vehicle companies, regulatory challenges, and policy opportunities.

Current and Future Needs of Alternate Fueling Stations*

Received a presentation from the Utah Transit Authority on the composition of its fleet by fuel type, its fleet composition strategy, and future plans.

Received presentations from Rocky Mountain Power on investments in electric vehicle infrastructure and other electrification initiatives and from the Utah Department of Transportation on its statewide electric vehicle charging network plan.

Received a presentation from Plug-In America and the Electrification Coalition on policies to promote electric vehicle infrastructure.

Evaluating Transportation Spending*

Received a presentation from High Street Consulting Group evaluating the direct cost, cost effectiveness, and sources of funding for road and transit. Heard commentary from the Wasatch Front Regional Council and Mountainland Association of Governments on strategies to grow transit ridership.

Received a presentation from the Utah Department of Transportation regarding cost efficiency in transportation spending and transportation mode decision-making.

Received two presentations from Utah Transit Authority (UTA) on transportation spending and project costs. First presentation evaluated transportation spending and strategies for increasing cost-efficiency. Second presentation compared the cost per mile for bus rapid transit (BRT) projects in Utah to other transit agencies. The presentation also detailed costs for Point of the Mountain BRT and compared rates to other UTA BRT projects and a hypothetical light rail. Heard comments from Stadler Rail, a private train manufacturer.

Impact of Federal Funding on State Transportation and Debt Service Requirements*

Received a presentation from committee staff on permissible uses of transportation funding from the American Rescue Plan Act of 2021 and received a presentation from the Office of the Legislative Fiscal Analyst on whether federal funding could supplant bonding.

Received presentations from the Utah Department of Transportation (UDOT) on the use of federal funding for transportation projects and from the Utah Transit Authority on its receipt and use of federal funding. UDOT also provided information on the budget impacts of the federal Infrastructure Investment and Jobs Act and inflation costs on projects and project planning in the state.

License Plates

Received a presentation from a legislator on challenges with Utah's license plate program, objectives for draft legislation, and ongoing efforts to identify policy reforms for the program and opened a committee bill file. Received a report from the Division of Motor Vehicles that described the special group plate types, year issued, number of current registrations, cost, fees, and contribution requirements. Discussed how the program is administered and the state license plate design.

Discussed 2022 General Session draft legislation, [Vehicle License Plate And Registration Amendments](#), that amends provisions regarding standard license plates, creates a moratorium on the personalized license plate program, and modifies emissions testing requirements for vintage plate vehicles. Received a presentation from committee staff on a component of the proposal that was not included in the posted draft legislation. That component delegates responsibility for the special group plate program from the Legislature to the Department of Motor Vehicles. Received public comment from the State Tax Commission and the Used Car Dealers Association. The committee took no action on the draft legislation as it was not yet finalized.

Road Usage Charges, Vehicle Registration Fees, and Transportation User Fees*

Received a presentation from committee staff on challenges with the gas tax, policy solutions for road funding, criteria for evaluating solutions, and considerations for selecting solutions. Received a presentation from the Utah Department of Transportation (UDOT) on the history of the Road Usage Charge Program (RUC) in Utah and on options for expanding the RUC. Heard commentary from the Wasatch Front Regional Council and the Mountainland Association of Governments on the expansion options.

Discussed 2022 General Session draft legislation, [Vehicle Registration Amendments](#), that creates a new motor vehicle registration fee for certain fuel-efficient vehicles, amends UDOT's rulemaking authority related to the RUC, and sets the RUC rate and RUC cap fee for enrolled vehicles. UDOT provided public comment on the RUC program operating costs and adoption of electric vehicles. Also received public comment from the Utah Taxpayers Association and Utah Clean Energy. The fiscal note was not available to inform the interim committee discussion, so the committee took no action on the draft legislation.

Safety and Emissions Inspections*

Received a presentation from the Utah Highway Patrol on vehicle crash data in Utah since the passage of 2017 General Session H.B. 265, Safety Inspection Amendments, which largely removed safety inspections for passenger vehicles. Received a report from committee staff on crash data in states with vehicle safety inspection programs and research on the impact of safety inspections.

The committee did not change emissions inspections but have made proposals to amend the emissions requirement for vintage vehicles.

State Airplane Fleet and Operations*

Received two presentations from the Utah Department of Transportation's Division of Aeronautics on the state's airplane fleet and plans for future operations. First presentation discussed plans to sell the old fleet, purchase a new eight-passenger plane, and adopt a destination-based user fee method. Second presentation detailed usage of the state's airplane fleet between 2015 and 2021 and compared the hourly costs for a new eight-passenger state plane to a private charter plane.

Transportation Corridor Preservation*

Received presentations from the Mountainland Association of Governments on local corridor preservation funds and policies, from the Utah Department of Transportation (UDOT) on statewide corridor preservation and available policy tools, and the Utah Transit Authority on corridor preservation projects.

Received presentations from UDOT on existing road funding sources and project programming with the Transportation Investment Fund and from the Wasatch Front Regional Council on Utah's transportation system and the future of transportation funding in the state.

Appendix A: Legislation Recommended for the 2022 General Session

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

COMMITTEE	BILL	SPONSORS	YES	NO	ABSENT
Business and Labor	Board of Bank Advisors Sunset Extension	Rep. Ferry	14	0	7
	Business and Labor Reporting Requirements	Rep. Ferry	14	0	7
	Consumer Alcohol Beverage Purchasing	Sen. Davis	14	0	7
	Division of Consumer Protection Amendments	Sen. Bramble	15	0	6
	Insurance Amendments	Rep. Dunnigan	16	0	5
	Licensing Amendments	Sen. Bramble	14	0	7
	Occupational and Professional Licensing Modifications	Sen. Bramble	14	0	7
	State Construction Code Amendments	Rep. Ferry	16	0	5
	Utah Powersport Vehicle Franchise Advisory Board Amendments	Sen. Bramble	16	0	5
Criminal Code Evaluation Task Force	Criminal Code Evaluation Task Force Sunset Extension	Sen. Mayne	4	0	2
			12	0	3
	Criminal Code Recodification	Sen. Mayne	4	0	2
			12	0	3
	Criminal Code Recodification Cross References	Sen. Mayne	4	0	2
			12	0	3
Economic Development and Workforce Services	Child Care Amendments	Rep. Pulsipher	9	0	7
	Commission on Housing Affordability Amendments	Rep. Waldrip	12	0	4
	Economic Development Modifications	Rep. Handy	9	0	7
	Employment Advisory Council Amendments	Rep. Collard	10	0	6
	Intergenerational Poverty Mitigation Amendments	Rep. Handy	10	0	6
	Public-private Partnership Amendments	Sen. Millner	10	0	6
	State Film Production Incentives Amendments	Sen. Winterton	9	0	7
	State Small Business Credit Initiative Program Fund Amendments	Rep. Moss	10	0	6
Education	Education Sunset Extensions	Rep. Snow	15	0	5
	Higher Education Performance Funding Goals	Sen. Millner	19	0	1

Appendix A: Legislation Recommended for the 2022 General Session

Education Cont'd	Hospitality and Tourism Management CTE Pilot Program Sunset Extension	Rep. Ballard	14	0	6
	School Standards Review Committee Sunset Extension	Sen. Johnson	17	0	3
	Utah K-12 Reading Clinic	Sen. Mayne	11	0	9
Government Operations	Ballot Amendments	Sen. Thatcher	13	0	3
	Department of Government Operations	Sen. Millner	13	0	3
	Election Modifications	Sen. Thatcher	12	0	4
	Election Revisions	Sen. Thatcher	12	0	4
	Executive Residence Commission Sunset Extension	Sen. Thatcher	10	0	6
	Judicial Performance Evaluation Commission Amendments	Rep. Abbott	14	0	2
	Legislative Process Committee Sunset Extension	Sen. Thatcher	12	0	4
	Local Election Amendments	Sen. Iwamoto	13	0	3
	Medical Cannabis Patient Protection Amendments	Sen. Thatcher	13	0	3
	Open and Public Meetings Act Modifications	Rep. Welton	10	2	4
	Special License Plate Designation	Rep. Eliason	14	0	2
	Utah Protection of Public Employees Act Amendments	Sen. Thatcher	14	0	2
Voting History Amendments	Sen. Thatcher	13	0	3	
Health and Human Services	Acupuncturist Liability Amendments	Sen. Mayne	14	0	4
	Behavioral Health Services Amendments	Sen. Kennedy	15	0	3
	Clinical Mental Health Counselor Licensing Amendments	Sen. Kennedy	14	0	4
	Coordinating Council for Persons with Disabilities Sunset Extension	Sen. Kennedy	13	0	5
	Department of Health and Human Services Amendments	Sen. Anderegg	14	0	4
	Extension for Controlled Substance Prescription Requirements	Rep. Ward	14	0	4
	Health Care Worker Protection Amendments	Rep. Spendlove	14	0	4
	Student Athletics Participation	Rep. Birkeland	13	3	2
	Study on State Hospital Capacity Sunset Amendments	Rep. Eliason	13	0	5
	Utah Substance Use and Mental Health Advisory Council Sunset Extension	Rep. Eliason	14	0	4

Appendix A: Legislation Recommended for the 2022 General Session

Judiciary	Expungement Modifications	Sen. Weiler	13	0	4
	Extension of the Utah Council on Victims of Crime	Rep. Lisonbee	13	0	4
	Justice Court Judge Elections Amendments	Rep. Hawkins	14	0	3
	Offender Supervision Amendments	Rep. Lisonbee	12	0	5
Law Enforcement and Criminal Justice	Catalytic Converter Amendments	Rep. Wilcox	14	0	2
	Criminal Code Evaluation Task Force Sunset Extension	Rep. Ray	15	0	1
	DNA Specimen Analysis Amendments	Rep. Eliason	9	1	6
	Driving Offenses Amendments	Rep. Acton	14	0	2
	Emergency Management Administration Council Sunset Extension	Sen. Grover	15	0	1
	First Responder Mental Health Services Amendments	Rep. Wilcox	10	0	6
	Intimate Image Distribution Amendments	Rep. Collard	12	0	4
	Public Safety Retirement Amendments	Rep. Gwynn	13	0	3
	Search and Rescue Advisory Board Sunset Extension	Sen. Grover	15	0	1
Legislative Water Development Commission	Instream Water Flow Amendments	Rep. Ferry	8	1	4
	School and Child Care Center Water Testing Requirements	Rep. Handy	7	1	5
	Water Rights Proofs on Small Amounts of Water	Sen. Sandall	10	0	3
Native American Legislative Liaison Committee	Office of American Indian-Alaska Native Affairs	Sen. Iwamoto	10	0	1
	Student Tribal Regalia Use Amendments	Rep. Romero	8	0	3
Natural Resources, Agriculture, and Environment	Grazing Advisory Board Amendments	Sen. Sandall	18	0	0
	State Monuments Act Amendments	Rep. Eliason	15	0	3
	State Water Policy Amendments	Rep. Stratton	13	0	5
Political Subdivisions	Emergency Response Amendments	Rep. Dunnigan	10	0	5
Retirement and Independent Entities	Concurrent Resolution Authorizing State Pick up of Public Safety and Firefighter Employee Retirement Contributions	Sen. Harper	10	0	5
	Utah Energy Infrastructure Amendments	Rep. Albrecht	11	0	4
	Utah Retirement Systems Revisions	Sen. Harper	11	0	4

Appendix A: Legislation Recommended for the 2022 General Session

	Utah Statewide Radio System Restricted Account Sunset Amendments	Sen. Harper	9	0	6
Revenue and Taxation	Cigarette Tax Amendments	Rep. Eliason	14	0	5
	County Property Tax Statement Amendments	Rep. Barlow	14	0	5
	Individual Income Tax Amendments	Sen. McCay	13	1	5
	Mobile Workforce Income Tax Amendments	Sen. Bramble	12	3	4
	Property Tax Appeals Process Amendments	Sen. Millner	13	0	6
	Property Tax Deferral Amendments	Sen. Fillmore	13	0	6
	Renter’s Credit Amendments	Rep. Eliason	14	0	5
	Telecommunications Tax Amendments	Sen. Bramble	14	0	5
	Utah Rural Jobs Act Amendments	Rep. Abbott	16	0	3
Transportation	Lane Filtering Amendments	Rep. Brooks	14	0	3
	State Road Jurisdiction Amendments	Sen. Harper	15	0	2
	Transportation Amendments	Sen. Harper	15	0	2