

UTAH STATE LEGISLATURE

DIGEST OF LEGISLATION

2008 GENERAL SESSION

of the 57th Legislature

2007 First Special Session of the 57th Legislature



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INTRODUCTION

This *Digest of Legislation* provides long titles of bills and resolutions enacted by the 57th Legislature in the 2008 General Session and the 2007 First Special Session. The digest lists the sponsor, sections of the Utah Code affected, effective date, session law chapter number for each bill enacted, and whether the bill was studied and approved by an interim committee (in italics). Bills and resolutions not passed are indexed by subject. Statistical summary data are also included.

An electronic version of this year's publication, the complete bill text and a subject, numerical, and sponsor index for all bills introduced each session can be found online at http://le.utah.gov.

If more detailed information is needed, please contact the Office of Legislative Research and General Counsel at (801) 538-1032.

Table of Contents

2008 General Session	
Subject Index of Passed Legislation	ix
Passed Legislation	1
Utah Code Sections Affected	203
Introduced Legislation	269
Subject Index of Legislation Not Passed	287
Statistical Summary of Legislation	
Statistical Summary of General Sessions 2004-2008	305
2007 First Special Session	
Passed Legislation	309
Subject Index of Passed Legislation	311
Utah Code Sections Affected	313
Subject Index of Legislation Not Passed	315
Introduced Legislation	317

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2008 GENERAL SESSION

of the 57th Legislature

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SUBJECT INDEX OF PASSED LEGISLATION 2008 GENERAL SESSION

ABUSE		ALCOHOLIC BEVERAGE CONTROL
Child Abuse and Neglect Prevention and Treatment Amendments - HB 374	105	Alcoholic Beverage Control Amendments - SB 211
Child Abuse and Neglect Registry - Management and		Alcoholic Beverage Control Violations
Licensing Information Systems Amendments -		Amendments - HB 157 6 ²
· · · · · · · · · · · · · · · · · · ·	126	Alcoholic Beverage Single Event Permits - SB 165 . 169
	48	Alcoholic Beverages on Election Day - SB 167 170
		Markup on Alcoholic Beverages - SB 95 153
ADMINISTRATIVE RULES AND PROCEDURES		ALCOHOLIO DEVEDACE CONTROL COMMICCION
Administrative Rule Penalty Amendments - HB 80	45	ALCOHOLIC BEVERAGE CONTROL COMMISSION
	135	Alcoholic Beverage Control Amendments - SB 211
Impact of Administrative Rules on Small Businesses -		Alcoholic Beverage Control Violations
	19	Amendments - HB 157
Judicial Review of State Engineer's Decision -		Alcoholic Beverage Single Event Permits - SB 165 . 169
	70	Alcoholic Deverage Single Event 1 emilis - 3D 103 . 100
Transportation Administrative Rules - Criminal and		ALCOHOLIC BEVERAGES
	22	Alcoholic Beverage Control Amendments -
Workers' Compensation Related Amendments -		SB 211
SB 58 1	141	Alcoholic Beverage Control Violations
		Amendments - HB 157 6 ²
ADOPTION		Alcoholic Beverage Single Event Permits - SB 165 . 169
Adoption and Termination of Parental Rights -		Alcoholic Beverages on Election Day - SB 167 170
HB 46	16	Markup on Alcoholic Beverages - SB 95 153
ADVANCE HEALTH CARE DIRECTIVE		ANIMAL HEALTH
Advance Health Care Directive Amendments -		Animal Torture and Cruelty Amendments -
	168	SB 297
Amendment to Uniform Anatomical Gift Act -		
SB 146	164	ANNEXATION
		Annexation Revisions - HB 216
AERONAUTICS		ANTITRUST LAW
Aviation Amendments - HB 365	103	Utah Antitrust Act Amendments - SB 139 163
Joint Resolution Honoring Hill Air Force Base's		otall/allalact/tot/allollallollo OB 100
388th and 419th Fighter Wings - SJR 12 1	199	APPROPRIATIONS
		Appropriation for Construction of a Veterans'
AGRICULTURE		Nursing Home in Ogden - HB 129
Affirmative Defense for Agri-tourism Activity -		Appropriation Limit Amendments - Fire
HB 32	11	Suppression - HB 294
Agriculture and Industrial Protection Area		Appropriations Adjustments - HB 3
	73	Budget Reserve Account and Disaster Recovery
1	60	Account Amendments - HB 49 17
Department of Agriculture and Food Amendments -		Charter School Building and Enrollment
	53	Amendments - HB 472 112
3	52	Community Based Self Sufficiency Program -
Uniform Limited Cooperative Association Act -		HB 131
SB 69	145	Current Fiscal Year Supplemental Appropriations
		Act - SB 3
AIR		Higher Education Enhancements - SB 103 154
Clean Air and Efficient Vehicle Tax Incentives -		Minimum School Program Base Budget
HB 106	49	Amendments - HB 1

Minimum School Program Budget Amendments -	BUILDING CODES	
SB 2 120	Joint Resolution Recognizing Unreinforced Masonry	
New Fiscal Year Supplemental Appropriations	Buildings - HJR 7 11	8
Act - HB 2		
Regents' Scholarship Program - SB 180 172	2	
Restricted Accounts Amendments - HB 410 108	BUSINESS	
Review and Approval of Grants - HB 319 89	Alcoholic Beverage Control Amendments -	
School Bus Amendments - HB 146 59	SB 211 18	n
State Agency and Higher Education Base Budget	Alcoholic Beverage Control Violations	Ĭ
Appropriations - SB 1		1
State Agency and Higher Education Compensation	Alcoholic Beverage Single Event Permits -	•
Amendments - HB 4	SB 165 16	9
State Agency Energy Efficiency - HB 198 69	Alcoholic Beverages on Election Day - SB 167 17	
State Supplemental Funding for Head Start -	Below Cost Sales - HB 412	
HB 330		
Transportation Funding Amendments - SB 283 191	Ownership Data - HB 99	7
Urban Trails Appropriation - HB 104 49	Captive Insurance Company Amendments -	
Use of Minimum School Program Nonlapsing	HB 55	1
Balances - SB 281	Cause of Action for Defective Construction -	
Veterans Procurement Provisions - SB 247 188	SB 220	0
	Certified Public Accountant Licensing Act	
AQUACULTURE	Amendments - SB 163 16	9
Aquaculture Revitalization Act - HB 148 60	Charitable Solicitations Act Amendments - HB 252 79	8
	Check Cashing and Deferred Deposit Lending	
ARBITRATION\MEDIATION	Registration Act - SB 83 14	9
Motor Vehicle Insurance Arbitration Amendments -	Coal Mine Safety Act - SB 224	1
HB 467	Condominium Ownership Act Amendments -	
	SB 288	2
BOARD OF PARDONS AND PAROLE	Construction Amendments - HB 184 6	7
Expungement Law Amendments - HB 70 33	Consumer Sales Practice Act Amendments -	
Parole Amendments - HB 11 4	sB 30	2
	Damage to Underground Utility Facilities	
BOATING	Amendments - HB 341 9	4
Aquatic Invasive Species Interdiction Act -	Disclosure of Information by the Department of	
SB 238	Workforce Services - HB 64	1
State Parks and Recreation Amendments - SB 76 147	Division of Real Estate Related Amendments -	_
	HB 346	6
BONDS	Employee Obligations Related to Workers'	_
General Obligation Bond Authorization - SB 4 122	Compensation - HB 384	О
Local Government Bonding Act - SB 32	Exemption from Electricate by Division of	
Revenue Bond, Capital Facility, and Property	Real Estate - HB 223	
Acquisition Authorizations - HB 5 3	Government Procurement - Private Proposals -	4
State Land Acquisition - SB 298 194	Oovernment i localement - i livate i lobosais -	a
·	Impact of Administrative Rules on Small	J
BOXCAR LEGISLATION	Businesses - HB 53	a
Tax Amendments - HB 206 70	Independent Contractor Database - SB 189	
	Insurance Code Amendments - HB 342	
BUDGETING	Insurance Department - Workers' Compensation	Č
Capital Development and Improvement	Amendments - HB 380	6
Amendments - SB 221		
Restricted Accounts Amendments - HB 410 108		
State Accounting and Budgetary Procedures	Inventory for Competitive Activities of	
Amendments - HB 378	· · · · · · · · · · · · · · · · · · ·	5

Legislative Review of Health Insurance Mandates - HB 60	153	CAPITOL HILL Gubernatorial and Legislative Space in the Capitol - SB 225	2
Mobile Home Owners' Rights - HB 48 Net Metering Programs - SB 84 Offset of Workers' Compensation and		CHARITIES Charitable Solicitations Act Amendments - HB 252 78	8
Social Security - SB 108 Private Investigators' Access to Driver Licensure Information - SB 290 Professional Employer Organization Licensing Act - HB 159 Property Transaction Amendments - HB 192 Real Property Recording Amendments - SB 92	193 62 69	CHARTER SCHOOLS Charter and Online Schools - Participation in Extracurricular Activities - SB 36	2
Repeal of Certain Reporting by Financial Institutions - SB 171	170	CHILD CARE Child Care Licensing Exemptions - SB 184	
Indebtedness on Residential Real Property - HB 56 Security Alarm Business Licensing Amendments - SB 295 Senate Resolution Regarding Trade with Taiwan - SR 4	22 193 200	CHILD SUPPORT Child Support Technical Amendments - SB 198 17 Garnishment Amendments - HB 92	6
Title Insurance Recovery, Education, and Research Fund Act - HB 466 Trademark Protection Act Amendments -	112	CHILD WELFARE Child Welfare Amendments - HB 36	
SB 151	165131	CHILDREN Bullying and Hazing - HB 325	1
Uniform Limited Cooperative Association Act - SB 69		Treatment Amendments - HB 374	5
Utah Business Resource Centers Act - HB 37 Utah Relocation Assistance Act Amendments - SB 156 Utah Residential Mortgage Practices Act	400	Amendments - SB 17	8
Amendments - HB 128 Vehicles Covered by New Motor Vehicle		Child Restraint Device Amendments - HB 140 50 Children's Health Insurance Program - Open Enrollment - HB 326 9	8
Warranties - HB 249	161	Children's Health Insurance Program Amendments - HB 370	
Workers' Compensation Amendments - SB 159 Wrongful Liens and Wrongful Judgement Liens - HB 486	167 113	SB 186	4
BUSINESS DEVELOPMENT Utah Business Resource Centers Act - HB 37 Utah Venture Capital Enhancement Act Amendments - SB 11		Resolution - HCR 1	1 0 '5
CAMPAIGN FINANCE Campaign Finance Disclosure Revisions - SB 21 Campaign Finance Filing Requirements - HB 238		CLEAN FUELS Clean Air and Efficient Vehicle Tax Incentives - HB 106	.9

Clean Fuel Special Group License Plate Amendments - HB 62	24	CONSTITUTION Joint Resolution Amending Legislative Apportionment - SJR 5	198
CODE OF CRIMINAL PROCEDURE Bail in Capital Offense Cases - SB 187	174	Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions - HJR 12	119
Code of Criminal Procedure Amendments - HB 377	105	Parameters on Governor's Ability to Enter Agreements Binding the State - SB 144	201
Disclosure of Identity to Officer - HB 10	. 3 46 33	CONSTRUCTION INDUSTRIES Cause of Action for Defective Construction - SB 220	180
Sex Offender Notification and Registration -	114	SB 295 CONSUMER CREDIT	193
Below Cost Sales - HB 412		Check Cashing and Deferred Deposit Lending Registration Act - SB 83	149 161 194
SB 30 Disclosure of Information by the Department of Workforce Services - HB 64 Division of Real Estate Related Amendments - HB 346		CONSUMER PROTECTION Consumer Credit Protection Act - Attorney General Powers - SB 132	161
Exemption from Licensure by Division of Real Estate - HB 223	74 156	SB 30	
	141 175	CONTRACTS Independent Contractor Database - SB 189	175
		CONTROLLED SUBSTANCES Anti-seizure Drug Notification - HB 361 Controlled Substance Database Amendments - HB 119 Controlled Substances and Paraphernalia - HB 12 Death Caused by Illegal Drugs - HB 187	52 . 4
COMMITTEES, LEGISLATIVE Master Study Bookston, S.I.P. 11	55	Meth Awareness for Students and Educators Resolution - HCR 1	
•	199	Funding - SB 209	179
COMMUNITY AND CULTURE DEVELOPMENT Community and Economic Development Technical Changes - HB 59	23	CORPORATE TAX Apportionment of Business Income and Deduction of Net Losses by an Acquired Corporation -	
Community Based Self Sufficiency Program - HB 131		SB 136	162 184
Sales and Use Tax Revenues for Qualified Emergency Food Agencies - HB 304	86	Research Activities Tax Credits Amendments - HB 52 Tax Changes - HB 359	
COMMUNITY DEVELOPMENT AND RENEWAL AGENCIES		CORPORATIONS	
Community Development and Renewal Amendments - SB 294	193	Authority to Establish Refugee Services Fund - HB 336	93

Business Registration - Optional Inclusion of		Uniform Interstate Depositions and Discovery Act -	
Ownership Data - HB 99		SB 205	78
Foreign Business Entities and Tribal Law - SB 110 .	156	ACURT BUILES	
Uniform Limited Cooperative Association Act -		COURT RULES	00
SB 69	145	Self Authentication of Documents - SB 263	89
		COURTS	
COUNTIES		Custody and Parent-time for Non-parents -	
Agriculture and Industrial Protection Area			74
Amendments - HB 221	73		26
County and Municipal Land Use Amendments -	. •	Judicial Performance Evaluation Commission -	
SB 196	176		55
County and Municipal Land Use Regulation of	., 0	Judicial Review of State Engineer's Decision -	
Potential Geologic Hazard Areas - HB 177	66	HB 203	70
County Charges for Services to Incarcerated	00	Judiciary Amendments - SB 236 18	
Persons - HB 121	52	Jurisdiction for Prosecution - HB 178	
County Law Enforcement Duties - SB 253			46
County Merit System Amendments - HB 235			90
County Personnel Management Act	7.0		66
Amendments - SB 78	148	•	89
County Sheriff Qualification Amendments - HB 305		Traumatic Brain Injury Fund - HB 174	
Election Law - Financial Reporting - HB 29		Unlawful Detainer Amendments - SB 265	
Eminent Domain Amendments - HB 323			
Exemption from Licensure by Division of	50	CRIMINAL CODE	
Real Estate - HB 223	74	Assault on a Peace Officer Penalty	
Impact Fees Amendments - HB 153		Amendments - HB 19	6
Inventory for Competitive Activities of	01	Burglary of a Railroad Car - SB 94 1	
Local Entities - SB 45	135	Child and Family Protection - HB 23	7
Local Government Disposal of Real Property	100	Criminal Penalties Amendments - Including	
Acquired by Exaction - SB 177	171	Jessica's Law - HB 256	
Personal Property Tax Amendments - HB 77		Criminal Penalties Revisions - SB 150	65
Property Tax - County Assessment and Collection	O.	Criminal Statute of Limitations Amendments -	
Amendments - HB 186	67	HB 13	
Property Tax Assessment Revisions - HB 54		Digital Certificates for Breathalizers - HB 371 10	
Revision to Local Government - SB 299		Disclosure of Identity to Officer - HB 10	
State Payment and Reimbursement to County	100	Enticing a Minor by Electronic Means - HB 327	
Correctional Facilities - HB 282	83	False Impersonation and Representation - HB 272	
Town Incorporation Process Amendments -	00	Human Trafficking Amendments - HB 339	
HB 164	63		39
Transportation and Transit Amendments - SB 286 .		Illegal Immigration - SB 81 14	
Transportation Corridor Preservation	102	Material Harmful to Minors Amendments - HB 18	
•	179	Parole Amendments - HB 11	
Use of Initiative and Referendum for Administrative		Sex Offender Law Amendments - HB 109	
Land Use and Zoning Matters - SB 53	140	Sexual Offenses - Definitions - HB 314	
Utility Improvement District Revisions - SB 130		Stalking Amendments - HB 493 1	15
Camity improvement Bloanet Nevicience GB 100	100	Transportation Administrative Rules -	
		Criminal and Civil Penalty Amendments - HB 57	22
COUNTY GOVERNMENT		CDIMINAL CONDUCT	
County Personnel Management Act	4.40	CRIMINAL CONDUCT	15
Amendments - SB 78	148	Administrative Rule Penalty Amendments - HB 80	+0
		Repeal of Certain Reporting by Financial Institutions -	70
COURT PROCEDURE		SB 171	70
Post-conviction Remedies Act Revisions -		DAIRY	
SB 277	190	Department of Agriculture and Food	
Traumatic Brain Injury Fund - HB 174	65	Amendments - HB 125	53

DEATH		DEPARTMENT OF PUBLIC SAFETY	
Death Caused by Illegal Drugs - HB 187	68	Law Enforcement Tracking of Domestic Violence	_
Funeral Services Licensing Act Amendments -	440	Statistics - SB 242	О
HB 437	110	DEPARTMENT OF TRANSPORTATION	
Human Remains Related Amendments - SB 235	183	Aquatic Invasive Species Interdiction Act -	
Retirement Death Benefits and Divorce Revisions - SB 24	130	SB 238	5
Workers' Compensation - Death Benefits - SB 68	144	Concurrent Resolution on the Reconstruction of Interstate 15 - SCR 6	7
DEPARTMENT OF AGRICULTURE AND FOOD		Transportation Administrative Rules - Criminal	
Department of Agriculture and Food Amendments - HB 125	53	and Civil Penalty Amendments - HB 57	
Livestock Watering Rights - HB 208			
Livestock Watering Rights - Fib 200	12	DEPARTMENT OF WORKFORCE SERVICES Unemployment Insurance Contribution Rates	
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL		Amendments - SB 176	1
Alcoholic Beverage Control Violations		DISABILITIES	
Amendments - HB 157	61	Supported Employment Services to a Person	
Alcoholic Beverages on Election Day - SB 167 Markup on Alcoholic Beverages - SB 95		with a Disability - HB 45	5
•		DISEASES	
DEPARTMENT OF COMMERCE		Control and Prevention of Sexually Transmitted	
Charitable Solicitations Act Amendments - HB 252	78	Diseases - HB 15	5
	. •	Judiciary Amendments - SB 236 18	4
DEPARTMENT OF CORRECTIONS		DIVISION OF CORPORATIONS AND COMMERCIAL	
Court-ordered Restitution for Costs of Incarceration -	47	CODE	
HB 97	47	Business Registration - Optional Inclusion of	
Department of Corrections Amendments - SB 119	158	Ownership Data - HB 99 4	7
Department of Corrections Employee Vehicle Use -		DOMESTIC VIOLENCE	
SB 120	159	Law Enforcement Tracking of Domestic Violence	
Sex Offender Law Amendments - HB 109	50	Statistics - SB 242	6
Sex Offender Notification and Registration -			
HB 492	114	DRIVER LICENSE	
State Payment and Reimbursement to County		Confidentiality of Reports to Driver	
Correctional Facilities - HB 282	83	License Division - SB 34	2
		Driver License - Application of Minor	
DEPARTMENT OF FINANCIAL INSTITUTIONS		Amendments - HB 122	
Check Cashing and Deferred Deposit Lending		Driving Privilege Card Amendments - HB 171 6	4
Registration Act - SB 83	149	Motorcycle License and Endorsement Amendments - HB 72	4
DEPARTMENT OF HEALTH		Private Investigators' Access to Driver Licensure	
		Information - SB 290	3
Methamphetamine Decontamination	170		
Standards and Funding - SB 209	179	DRIVING UNDER THE INFLUENCE (DUI)	
HB 330	92	Digital Certificates for Breathalizers - HB 371 10- Driving Under the Influence Amendments -	4
DEDARTMENT OF HUMAN CERVICES		SB 15 12	5
DEPARTMENT OF HUMAN SERVICES	4.40		
Adult Protective Services Amendments - SB 63	143	ECONOMIC DEVELOPMENT Community and Economic Development Technical	
DEPARTMENT OF NATURAL RESOURCES		Changes - HB 59	3
Aquatic Invasive Species Interdiction Act -		Economic Development Incentives	
SB 238	185	Modifications - HB 20	6

Economic Incentive Revisions - SB 185	174	Resolution Encouraging the Advertisement	107
Senate Resolution Regarding Trade with	200	<u> </u>	197
Taiwan - SR 4	200	Resolution Promoting Legislators Back to	40E
State Land Acquisition - SB 298	194	•	195
Utah Business Resource Centers Act - HB 37	13	School Bus Amendments - HB 146	59
Utah Venture Capital Enhancement Act	404	School Community Council Amendments -	
Amendments - SB 11	124	HB 254	78
		School Community Councils - HB 189	
EDUCATION			146
Administration of Medication to Students		Scott B. Lundell Military Survivors' Tuition Waiver	
Amendments - HB 245	76	Amendments - HB 269	81
Bullying and Hazing - HB 325	91	State Supplemental Funding for Head Start -	
Candidate Residency Requirements - SB 13	125	HB 330	92
Charter and Online Schools - Participation in		Use of Minimum School Program Nonlapsing	
Extracurricular Activities - SB 36	133		191
Charter School Building and Enrollment		Use of Public Schools by Community	
Amendments - HB 472	112	Organizations - HB 332	92
Charter School Law Revisions - HB 160	62	Utah Purple Heart Recipients Tuition Act	
Child Care Licensing Exemptions - SB 184	173	Amendments - HB 271	
Community Council Elections - HB 127	54	Veterans High School Diplomas - HB 118	51
Educator Relicensure Initiative - HB 68		FLDEDLY	
Equalization of School Capital Outlay Funding -		ELDERLY Adult Protective Services Amendments - SB 63	143
SB 48	139	Addit Flotective Services Amendments - 35 03	143
Federal Education Agreement Requirements -		ELECTIONS	
SB 162	168	Absentee Ballot Revisions - HB 310	87
Funding of Inmate Postsecondary Education -		Alcoholic Beverages on Election Day - SB 167	170
HB 86	46	Allowance of Polling Places for Early Voting -	
High School Voter Registration - SB 125	160	HB 43	14
Higher Education Enhancements - SB 103	154	Campaign Finance Filing Requirements - HB 238	75
Higher Education Savings Incentive Program			164
Amendments - HB 321	90		125
International Education Initiative -		Community Council Elections - HB 127	54
Critical Languages Program - SB 41	134	Deadline for Voting Precinct Designation - HB 182	66
Joint Resolution Amending the Utah Constitution -		Declaration of Candidacy Revisions - HB 44	15
Stock and Bond Subscriptions - HJR 12	119	Election Information Amendments - HB 309	87
Joint Resolution Urging School Closings to		Election Law - Ballot Proposition Amendments -	
Recognize Veterans Day - HJR 4	117	HB 126	54
Kindergarten Assessment Amendments - HB 234		Election Law - Financial Reporting - HB 29	
Meth Awareness for Students and Educators			176
Resolution - HCR 1	115		124
Minimum School Program Base Budget			160
Amendments - HB 1	. 1	Initiative and Referendum Petition Amendments -	
Minimum School Program Budget			140
Amendments - SB 2	120	Judicial Performance Evaluation Commission -	
Open Enrollment Revisions - HB 349	97		155
Paraeducator to Teacher Scholarship			146
Program - HB 66	32	Lieutenant Governor Powers - Administration	
Permanent Teacher License Revocation	~_	of Oaths - HB 27	8
for Sexual Activity with Students - HB 286	83	Local District Primary Elections - HB 261	
Public Education Foundation Amendments -		Local Voter Information Pamphlet	. 5
HB 112	51	Amendments - HB 231	74
Regents' Scholarship Program - SB 180			130
Regulation of Teacher - Student			146
Relationships - HB 287	84		130
	٥.	g si banot komo ob LL i i i i i i i i i i i i i i i i i i	. 55

Town Incorporation Process Amendments - HB 164 63	Extending the Sales and Use Tax Exemption for Pollution Control Facilities - SB 135
Use of Initiative and Referendum for Administrative	
	Phosphorus Limit in Dishwashing Detergent - HB 303
<u> </u>	
J , ,	•
Western States Presidential Primary Amendments -	School Bus Amendments - HB 146
HB 185 67	3 , 3, ,
	Underground Storage Tank Amendments - HB 50 18
ELECTRICITY	Waste Tire Recycling Amendments - HB 132
Net Metering Programs - SB 84	Water Quality Board Amendments - HB 222 73
Water Right Application for Electrical Cooperative -	EXECUTIVE BRANCH
HB 42	Executive Compensation Revisions - SB 5
	Gubernatorial and Legislative Space in the
ELECTRONIC INFORMATION	Capitol - SB 225
911 Committee - HB 288 84	Joint Resolution Encouraging the Governor's Board
Identity Theft Amendment - SB 52 139	
·	Appointments to Reflect Utah Geographic Balance -
ELECTRONIC PRIVACY	SJR 6
Identity Theft Amendment - SB 52	Lieutenant Governor Powers - Administration of
y	Oaus-HB 27 0
EMERGENCY MANAGEMENT	Office of the Attorney General - Safety Net
911 Committee - HB 288 84	Initiative - SB 239
Emergency Management Administrative Council -	Parameters on Governor's Ability to Enter
HB 107 50	Agreements Binding the State - SB 144 201
Pandemic Preparedness Amendments - HB 277 83	
Rights of Citizens to Carry Firearms in Declared	Child Welfare Amendments - HB 36
Emergency - SB 157	
Emergency - 3B 137 107	
EMINENT DOMAIN (OOVEDNIMENT LAND TAKE	Expedited Parent-time Enforcement - HB 22
EMINENT DOMAIN (GOVERNMENT LAND TAKE	Parent-time Amendments - HB 71
OVER) Eminent Domain Amendments - HB 323	Protective Order Amendments - HB 149 60
Mobile Home Owners' Rights - HB 48	Concurrent Resolution Calling for Congress to Pass
EMISSIONS SONTES	Balanced Immigration Reform - SCR 5 196
EMISSIONS CONTROL	Concurrent Resolution Urging Congressional
Extending the Sales and Use Tax Exemption	A
for Pollution Control Facilities - SB 135 162	Recognition Act - HCR 5
	Development Around Military Installations -
EMPLOYEES AND COMPENSATION, LEGISLATIVE	SB 264
Resolution Approving Compensation of In-session	Joint Resolution Opposing Designation of
Employees - SJR 3	Public Lands Currently Urged by Congress
EMPLOYMENT AGENCIES	and the Bureau of Land Management -
Repealing Labor Commission Responsibilities to	HJR 10
Oversee Employment Agencies - SB 60 142	Livestock Watering Rights - HB 208
	Medicaid Long Term Care Amendments -
ENERGY	HB 366
Energy Resource and Carbon Emission Reduction	Resolution Encouraging United States Withdrawal
Initiative - SB 202	from Security and Prosperity Partnership of North
State Agency Energy Efficiency - HB 198 69	America - HR 1
The state of the s	Senate Resolution Petitioning Congress to Address
ENVIRONMENTAL QUALITY	the Illegal Immigration Crisis - SR 3 200
Anti-flow Control Amendments - SB 46	FINANCIAL INSTITUTIONS
Clean Air and Efficient Vehicle Tax Incentives -	Check Cashing and Deferred Deposit Lending
HB 106	Registration Act - SB 83 149

Financial Institutions Amendments - SB 296 Repeal of Certain Reporting by Financial	194	Consumer Credit Protection Act - Attorney General Powers - SB 132	161
Institutions - SB 171	170	Current Fiscal Year Supplemental Appropriations	101
matitutions - OD 171	170	Act - SB 3	122
FIRE PROTECTION		Deadline for Voting Precinct Designation - HB 182	
	131	Declaration of Candidacy Revisions - HB 44	15
Mitigation of Invasive Species - SB 89	152	Development Around Military Installations - SB 264	189
FLAG (AMERICAN)		Economic Incentive Revisions - SB 185	174
Resolution Supporting Observance of Peace		Election Information Amendments - HB 309	87
· · · · ·	196	Election Law - Ballot Proposition Amendments -	
FOOD QUALITY		HB 126	54 176
Department of Agriculture and Food		Election Law Modifications - SB 12	124
Amendments - HB 125	53	Emergency Management Administrative	
FORESTS		Council - HB 107	
Mitigation of Invasive Species - SB 89	152	Eminent Domain Amendments - HB 323	
g		Executive Compensation Revisions - SB 5	123
FRAUD		General Obligation Bond Authorization - SB 4	122
Insurance Fraud Amendments - HB 93	47	Gubernatorial and Legislative Space in the	400
Mortgage Fraud Act - SB 134	161	Capitol - SB 225	182 160
		High School Voter Registration - SB 125	100
FUNERAL SERVICES		Identity Theft Reporting Information System Amendments - HB 141	58
Funeral Services Licensing Act Amendments -		Illegal Immigration - SB 81	148
HB 437	110	Initiative and Referendum Petition Amendments -	140
		SB 54	140
GANGS	4.40	Inventory and Review of Commercial Activities -	140
Soliciting Gang Members Prohibited - SB 65	143	HB 75	36
0501 001041 01101/51/		Legislative Space in the Capitol - SB 112	156
GEOLOGICAL SURVEY		Lieutenant Governor Powers - Administration	100
County and Municipal Land Use Regulation of	66	of Oaths - HB 27	8
Potential Geologic Hazard Areas - HB 177	00	Local District Primary Elections - HB 261	
GOVERNMENT OPERATIONS (STATE ISSUES)		Local Voter Information Pamphlet	. 0
Absentee Ballot Revisions - HB 310	87	Amendments - HB 231	74
Access to Research Workers' Personal Information -	01	Military Justice Code Amendments - SB 275	
	157	Money Management Act Updates - HB 173	
Allowance of Polling Places for Early Voting -	.0.	New Fiscal Year Supplemental Appropriations	
HB 43	14	Act - HB 2	. 1
Amendments to Utah Service Members' Civil		Notary Public Revision - SB 114	157
Relief Act - SB 274	189	Notary Public Revisions - HB 26	
Appraisals for State Land Purchases - HB 354	98	Parameters on Governor's Ability to Enter	
Appropriation for Construction of a Veterans'		Agreements Binding the State - SB 144	201
Nursing Home in Ogden - HB 129	55	Pay of National Guard Members - HB 476	113
Appropriation Limit Amendments - Fire Suppression - HB 294	95	Recodification of Title 63 State Affairs in General - HB 63	24
Appropriations Adjustments - HB 3		Resolution Supporting Observance of Peace	24
Budget Reserve Account and Disaster Recovery	. 2	•	196
Account Amendments - HB 49	17	Revenue Bond, Capital Facility, and Property	150
Campaign Finance Disclosure Revisions - SB 21		Acquisition Authorizations - HB 5	3
Campaign Finance Filing Requirements - HB 238		Review and Approval of Grants - HB 319	
Candidate Filing Requirements - SB 147	164	Revision to Polling Requirements - SB 23	
Candidate Residency Requirements - SB 13		Revisions to Government Records Access	. 55
Community Council Elections - HB 127		Management Act - SB 77	147

State Accounting and Budgetary Procedures		Concurrent Resolution Declaring Colorectal	
	06	Cancer Awareness Month - HCR 7 1	16
State Agency and Higher Education Base		Control and Prevention of Sexually Transmitted	
	20	Diseases - HB 15	5
State Agency and Higher Education		Controlled Substance Database Amendments -	
Compensation Amendments - HB 4	2		52
	69	Education and Outreach Regarding Substances	
3 , 3, ,	94		13
	30	Grants to Rural Hospitals - Oversight	
	34	Responsibilities - HB 281	83
, ,	48	Health Facility Committee Membership - HB 268	
	85		56
Western States Presidential Primary Amendments -	00	House Resolution Recognizing Utah's Asthma	50
•	67		19
TID 103	01	Licensed Direct Entry Midwife Amendments -	13
			52
GOVERNMENT PURCHASING		SB 93	
Appraisals for State Land Purchases - HB 354	98		JU
Government Procurement - Private Proposals -		Medicaid Long Term Care Amendments -	00
HB 426	09		103
	94		07
·		Methamphetamine Decontamination Standards	
GOVERNMENT RECORDS		S .	79
		Notice of Changes to the State Medicaid Plan -	
Access to Research Workers' Personal	_	HB 82	
	57	Nursing Home Amendments - HB 445	
	43	Pandemic Preparedness Amendments - HB 277	
Child Abuse and Neglect Registry - Management		•	02
and Licensing Information Systems		Resolution Supporting Obesity Awareness -	
	26	SCR 1 1	195
Consumer Credit Protection Act - Attorney		Standards for Electronic Exchange of	
	61	Clinical Health Information - HB 47	16
Government Procurement - Private Proposals -		Substance Abuse Treatment for Pregnant Women	
	09	and Pregnant Minors - HB 316	
Higher Education Savings Incentive Program		Taxation of Moist Snuff - HB 356	99
	90	Traumatic Brain Injury Fund - HB 174	65
Identity Theft Reporting Information System		Uniform Emergency Volunteer Health	
	58	Practitioners Act - SB 66	44
Revisions to Government Records Access		Utah Registry of Autism and Developmental	
Management Act - SB 77 1	47	Disabilities - HB 263	80
Transparency in Government - SB 38 1	34		
HEALTH		HEALTH CARE	
Advance Health Care Directive Amendments -		Advance Health Care Directive Amendments -	
SB 161	68	SB 161	68
Amendments to Emergency Injection for		Amendment to Uniform Anatomical Gift Act -	
•	48	SB 146	64
Amendments to Utah Digital Health Service		Amendments to Utah Digital Health Service	
Commission Act - HB 24	8	Commission Act - HB 24	۶
Anti-seizure Drug Notification - HB 361		Health Facility Committee Membership -	_
Child Care Licensing Exemptions - SB 184		HB 268	გ1
Community Based Self Sufficiency Program -	. 0	Insurance Code Amendments - HB 342	
HB 131	56	Revision to Local Government - SB 299	
Comprehensive Health Insurance Pool	50	Utah Registry of Autism and Developmental	
Amendments - HB 301	86	Disabilities - HB 263	ρſ
/ whohamonto - HD 001	55	בוסטוווווסס - דום 200	U

HEALTH CARE FACILITIES	Transportation Infrastructure Loan Fund
Grants to Rural Hospitals - Oversight Responsibilities - HB 281	Amendments - HB 105
Nursing Home Amendments - HB 445	HISTORY Human Remains Related Amendments - SB 235 183
HEALTH CARE PROVIDERS	
Anti-seizure Drug Notification - HB 361 101	HOUSING
County Charges for Services to Incarcerated	Resolution Encouraging Manufactured and Mobile
Persons - HB 121	Home Parks as Affordable Housing - HJR 2 117
Dentist and Dental Hygienist Practice Act	LILIMAN CERVICES
Amendments - SB 174 171	HUMAN SERVICES Adoption and Termination of Parental Pights
Licensed Direct Entry Midwife Amendments -	Adoption and Termination of Parental Rights - HB 46
SB 93	Adult Protective Services Amendments - SB 63 143
Medicaid Coverage for Certain Telehealth	Animal Torture and Cruelty Amendments -
Services - HB 16	SB 297
Medication Aide Certified Amendments - HB 399 107	Child Abuse and Neglect Prevention and Treatment
Naturopathic Physician Licensing Amendments - SB 56	Amendments - HB 374 105
Standards for Electronic Exchange of	Child Abuse and Neglect Registry - Management
Clinical Health Information - HB 47	and Licensing Information Systems Amendments -
Uniform Emergency Volunteer Health	SB 17 126
Practitioners Act - SB 66	Child Care Licensing Exemptions - SB 184 173
	Child Welfare Amendments - HB 36
HIGHER EDUCATION	Child Welfare Definitions - HB 31
Funding of Inmate Postsecondary Education -	Education and Outreach Regarding Substances
HB 86	Harmful During Pregnancy - HB 38
General Obligation Bond Authorization - SB 4 122	Transfer - HB 265
Higher Education Enhancements - SB 103 154	Substance Abuse Treatment for Pregnant Women
Higher Education Savings Incentive Program	and Pregnant Minors - HB 316
Amendments - HB 321 90	Supported Employment Services to a Person
Regents' Scholarship Program - SB 180 172	with a Disability - HB 45
Revenue Bond, Capital Facility, and Property	Traumatic Brain Injury Fund - HB 174 65
Acquisition Authorizations - HB 5	Waivers of Immunity - Exceptions - HB 33 11
Amendments - HB 269 81	
State Agency and Higher Education Base Budget	ILLEGAL ALIENS
Appropriations - SB 1	Illegal Immigration - SB 81
Utah Purple Heart Recipients Tuition Act	Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants - HB 262 80
Amendments - HB 271 82	Senate Resolution Petitioning Congress to Address
	the Illegal Immigration Crisis - SR 3 200
HIGHWAYS	gg
Concurrent Resolution on the Reconstruction	IMMIGRATION
of Interstate 15 - SCR 6 197	Concurrent Resolution Calling for Congress
Designation of State Highways Amendments -	to Pass Balanced Immigration Reform -
HB 61	SCR 5 196
Highway Funding Amendments - SB 168 170	Illegal Immigration - SB 81
Penalties for Failing to Secure a Load or Littering	Recovery of Federal Reimbursement for Costs
on a Highway - SB 44	Associated with Illegal Immigrants - HB 262 80
Traffic Code Amendments - HB 406	Senate Resolution Petitioning Congress to
Transportation Corridor Preservation Amendments - SB 208	Address the Illegal Immigration Crisis - SR 3 200
Transportation Funding Amendments - SB 283 191	IMPACT FEES
Transportation Funding Revisions - HB 242	Impact Fees Amendments - HB 153
	p.set. eee. seamonto iib ioo iiiiiiiiiiiiiiiiiiiiiiiiiiiii

INCOME TAX		Professional Employer Organization Licensing Act -	
Apportionment of Business Income and Deduction		HB 159	62
of Net Losses by an Acquired Corporation -		Title Insurance Recovery, Education, and	
SB 136	162	Research Fund Act - HB 466 1	112
Research Activities Tax Credits Amendments -			
HB 52	19	INSURANCE, HEALTH	
Tax Changes - HB 359	99	Children's Health Insurance Program -	
		Open Enrollment - HB 326	91
INDEPENDENT ENTITIES		Children's Health Insurance Program Amendments -	
Insurance Department - Workers' Compensation			104
Amendments - HB 380	106	Comprehensive Health Insurance Pool	
INDIAN AFFAIDS		Amendments - HB 301	86
INDIAN AFFAIRS		Health Insurance - Medical Complication	
Amendments Related to Monies Derived from Navajo Nation Reservation Lands in Utah - HB 352	98	Exclusions - SB 62	
Board of Water Resources Amendments -	90	Health System Reform - HB 133	
SB 170	170	Insurance Code Amendments - HB 342	95
Concurrent Resolution Encouraging	170	Legislative Review of Health Insurance	22
Congressional Action to Designate a New		Mandates - HB 60 LIB 364	
Recipient of Royalties from Navajo Reservation		•	102
Lands in Utah - HCR 4	116	Standards for Electronic Exchange of Clinical	4.0
Foreign Business Entities and Tribal Law -	110	Health Information - HB 47	10
SB 110	156	INTERLOCAL COOPERATION ENTITIES	
Human Remains Related Amendments - SB 235	183	County Law Enforcement Duties - SB 253 1	188
Traman Remaine Related 7 anomalies 62 200 111	.00	County Law Emercement Busines CB 200 11111111	-
INITIATIVES \ REFERENDUMS		INTERNATIONAL TRADE	
Initiative and Referendum Petition		Resolution Addressing International	
Amendments - SB 54	140	Trade Issues - HJR 1 1	17
Use of Initiative and Referendum for Administrative			
Land Use and Zoning Matters - SB 53	140	INTERNET	
		Material Harmful to Minors Amendments -	
INMATES		HB 18	6
County Charges for Services to Incarcerated		IUDIOIAL CODE	
Persons - HB 121	52	JUDICIAL CODE A Victim Amicus Bill - HB 167	64
Funding of Inmate Postsecondary Education -			04
HB 86	46	Affirmative Defense for Agri-tourism Activity - HB 32	11
MOUBANGE		Child Support Technical Amendments - SB 198 1	
INSURANCE		Code of Criminal Procedure Amendments -	11
Captive Insurance Company Amendments -	04	HB 377 1	INE
HB 55		Crime Victim Reparations Revisions - HB 312	
		Criminal Statute of Limitations Amendments -	00
Insurance Financial Requirements - SB 143	163	HB 13	1
Insurance Fraud Amendments - HB 93	47	Custody and Parent-time for Non-parents -	7
Title Insurance Recovery, Education, and	110	· · · · · · · · · · · · · · · · · · ·	174
Research Fund Act - HB 466	112 167	Death Caused by Illegal Drugs - HB 187	
Workers' Compensation Amendments - SB 159	107		00 104
INSURANCE DEPARTMENT		Election Information Amendments - HB 309	
Captive Insurance Company Amendments -		Email Information Required of Registered	07
HB 55	21		11
Insurance Code Amendments - HB 342		Exoneration and Innocence Assistance - SB 16 1	
Insurance Code Americanents - HB 342	90	Expedited Parent-time Enforcement - HB 22	
Amendments - HB 380	106	Garnishment Amendments - HB 92	
Insurance Financial Requirements - SB 143	163	Judicial Conduct Commission Amendments -	+0
Insurance Fraud Amendments - HB 93		SB 191	75
modrance i radu Amendinento - HD 30	71	ا ۱۵۱۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰۰	. , ,

Judicial Performance Evaluation Commission -		Repealing Labor Commission Responsibilities	
SB 105	155	to Oversee Employment Agencies - SB 60	142
Judicial Review of State Engineer's Decision -		Workers' Compensation Related	
HB 203	70		141
Judiciary Amendments - SB 236		7	
Jurisdiction for Prosecution - HB 178		LAND USE	
Justice Court Amendments - SB 72			111
Parent-time Amendments - HB 71		Agriculture and Industrial Protection Area	
	33	Amendments - HB 221	73
Post-conviction Remedies Act Revisions -	400	County and Municipal Land Use	, ,
SB 277	190	Amendments - SB 196	176
Presumptive Personal Representative - SB 152	166	County and Municipal Land Use Regulation	170
Protective Order Amendments - HB 149			66
Punitive Damages Amendments - SB 155	166	of Potential Geologic Hazard Areas - HB 177	OC
Self Authentication of Documents - SB 263	189	Local Government Disposal of Real Property	474
Technical Amendments to Titles 78A and 78B -		Acquired by Exaction - SB 177	
SB 278	190	Safe Drinking Water Revisions - HB 40	14
Title 78 Recodification and Revision - HB 78	37	Transportation and Transit Amendments -	
Trustees Sale - Process for Excess Proceeds -		SB 286	192
SB 27	131	LANDI ODD. TENANT	
Uniform Adult Guardianship and Protective		LANDLORD - TENANT	
Proceedings Jurisdiction Act - SB 122	159	Amendments to Utah Service Members'	
Uniform Interstate Depositions and Discovery Act -			189
SB 205	178	Mobile Home Owners' Rights - HB 48	
Unlawful Detainer Amendments - SB 265	189	Municipal Oversight of Rental Dwellings - HB 290	
Utah Antitrust Act Amendments - SB 139	163	Municipal Rental Fees Amendments - HB 369	104
Utah Substance Abuse and Anti-violence	100		
Coordinating Council Amendments - SB 138	163	LAW ENFORCEMENT AND CRIMINAL JUSTICE	
Veterans Procurement Provisions - SB 247	188	Adoption and Termination of Parental Rights -	
veteralis Frocurement Frovisions - 3D 247	100	HB 46	
HIVENII EO		•	194
JUVENILES	40	Assault on a Peace Officer Penalty Amendments -	
Child Welfare Definitions - HB 31	10	HB 19	
		Bail in Capital Offense Cases - SB 187	
LABOR		Burglary of a Railroad Car - SB 94	
Coal Mine Safety Act - SB 224	181	Child Abuse Homicide Amendments - HB 102	
Employee Obligations Related to Workers'		Child and Family Protection - HB 23	
Compensation - HB 384		Controlled Substances and Paraphernalia - HB 12	4
Garnishment Amendments - HB 92		County Law Enforcement Duties - SB 253	188
Illegal Immigration - SB 81	148	County Sheriff Qualification Amendments -	
Independent Contractor Database - SB 189	175	HB 305	87
Insurance Department - Workers' Compensation		Court-ordered Restitution for Costs of	
Amendments - HB 380	106	Incarceration - HB 97	47
Offset of Workers' Compensation and		Criminal Penalties Amendments -	
Social Security - SB 108	155	Including Jessica's Law - HB 256	78
Repealing Labor Commission Responsibilities			165
to Oversee Employment Agencies - SB 60	142	Department of Corrections Amendments -	
Wage Withholding for Employee			158
Contributions - SB 131	161	Department of Corrections Employee	
Workers' Compensation Amendments -			159
SB 159	167		104
Workers' Compensation Related		Discharge of Firearm Amendments - HB 14	
Amendments - SB 58	141	Disclosure of Identity to Officer - HB 10	
		Enticing a Minor by Electronic Means - HB 327	
LABOR COMMISSION		Exoneration and Innocence Assistance - SB 16	
Coal Mine Safety Act - SB 224	181	Expungement Amendments - HB 90	
		gogooaoao	-

False Impersonation and Representation - HB 272 8	82 93 39	Review and Approval of Grants - HB 319	89 156
Illegal İmmigration - SB 81	48		199
Law Enforcement Tracking of Domestic Violence Statistics - SB 242		HB 79	45
Material Harmful to Minors Amendments - HB 18 Mortgage Fraud Act - SB 134	61	Federal Education Agreement Requirements -	168
Parole Amendments - HB 11	93	Gubernatorial and Legislative Space	182
Property Transaction Amendments - HB 192 6	69	Legislative Review of Health Insurance Mandates - HB 60	23
Search Warrant Procedure Amendments - SB 10 12			156
Sex Offender Law Amendments - HB 109	50	Master Study Resolution - SJR 11	199
Sex Offense Amendments - SB 192	75	In-session Employees - SJR 3	198
Soliciting Gang Members Prohibited - SB 65 14	43	Legislative Fiscal Analyst - SJR 2	197
State Payment and Reimbursement to County		Motor Vehicle Liability Policy Minimum	405
Correctional Facilities - HB 282	10	Limits - SB 149 LIBRARIES Concurrent Resolution - Declaring Love Your	165
LEGISLATIVE AFFAIRS			115
Capital Development and Improvement		LICENSE PLATES	
	81	Clean Fuel Special Group License Plate	
Concurrent Resolution Declaring February 6, 2008		Amendments - HB 62	24
• ,		Enforcement of Front License Plate Display	404
•	22	1	164
House Resolution Recognizing Utah's Asthma Open		Gold Star Family Special Group License Plate Amendments - HB 259	79
, ,	19	Honoring Heroes Special Group	13
Joint Resolution Honoring Hill Air Force Base's 388th and 419th Fighter Wings - SJR 12 19		License Plate - HB 28	9
Joint Resolution Recognizing 100th Anniversary		Zion National Park Special Group	Ū
of Utah League of Cities and Towns - SJR 4 19	98	License Plate - HB 348	97
Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and		LICENSURE, HUMAN SERVICES PROGRAMS Child Abuse and Neglect Registry - Management	
, , ,	18	and Licensing Information Systems	
• '	56 99	Amendments - SB 17	126
Master Study Resolution - SJR 11		LIENS	
		Wrongful Liens and Wrongful Judgement	
Resolution Approving the Appointment of			113
Legislative Fiscal Analyst - SJR 2	97		-
Resolution Reaffirming the Words, Under God,		LIFE INSURANCE AND ANNUITIES	O.F.
in the Pledge of Allegiance - HJR 3 1	17	Insurance Code Amendments - HB 342	90
Restricted Accounts Amendments - HB 410 10		LIMITED LIABILITY COMPANY	
Revenue Bond, Capital Facility, and Property Acquisition Authorizations - HB 5		Foreign Business Entities and Tribal Law - SB 110	156
- 1- 1- 3 - 1- 4 - 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1	-		

LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES	MENTAL HEALTH
Community Development and Renewal Amendments - SB 294	Insurance Code Amendments - HB 342 95
Limited Purpose Local Government Entities	MILITARY SERVICES
Revisions - SB 47	Amendments to the Veteran's Property
	Tax Exemption - SB 128
LITTER	Amendments to Utah Service Members' Civil
Penalties for Failing to Secure a Load or	Relief Act - SB 274
Littering on a Highway - SB 44	Appropriation for Construction of a Veterans'
	Nursing Home in Ogden - HB 129
LIVESTOCK	Development Around Military Installations - SB 264
Livestock Watering Rights - HB 208	Hunter Education Requirement Exemption for
	Military Personnel - HB 427 109
LOCAL BOARDS OF EDUCATION	Joint Resolution Urging School Closings to
International Education Initiative - Critical	Recognize Veterans Day - HJR 4 117
Languages Program - SB 41 134	Military Justice Code Amendments - SB 275 190
Use of Public Schools by Community	Pay of National Guard Members - HB 476 113
Organizations - HB 332	Veterans High School Diplomas - HB 118 51
	Veterans Procurement Provisions - SB 247 188
LOCAL DISTRICTS	MINERO
Impact Fees Amendments - HB 153 61	MINERS Coal Mine Safety Act - SB 224
Limited Purpose Local Government	Coal Mille Salety Act - SB 224 161
Entities Revisions - SB 47	MINES AND MINING
Local District Primary Elections - HB 261	Coal Mine Safety Act - SB 224
	Severance Tax Amendments - HB 58
MARRIAGE / DIVORCE	
Child Support Technical Amendments - SB 198 177	MINORS
Parent-time Amendments - HB 71	Driver License - Application of Minor Amendments -
Revisions - SB 24	HB 122
Revision to Local Government - SB 299	MORTGAGE
Trevision to Eddar Government GB 200	Mortgage Fraud Act - SB 134
MEDICAID	Repeal Provisions Related to Assumption of
Children's Health Insurance Program -	Indebtedness on Residential Real Property -
Open Enrollment - HB 326	HB 56
Children's Health Insurance Program	Trustees Sale - Process for Excess Proceeds -
Amendments - HB 370	SB 27 131
Community Based Self Sufficiency Program -	Utah Residential Mortgage Practices Act
HB 131	Amendments - HB 128 55
Joint Resolution Urging Support of Medicaid	MOTOR FUEL AND SPECIAL FUEL TAXES
Long-term Care Funding of Home and	Motor and Special Fuel Tax Amendments -
Community-based Supports - HJR 5 118	HB 35
Medicaid 340b Drug Pricing Programs -	
HB 74	MOTOR VEHICLE INSURANCE
Medicaid Coverage for Certain Telehealth	Identity Theft and Other Crimes - HB 210 72
Services - HB 16	Motor Vehicle Insurance Amendments - HB 144 59
Medicaid Drug Utilization Amendments - HB 258 79 Medicaid Long Term Care Amendments -	Motor Vehicle Insurance Arbitration Amendments -
HB 366	HB 467
Notice of Changes to the State Medicaid Plan -	Motor Vehicle Liability Policy Minimum Limits - SB 149
HB 82 45	SB 149
Nursing Home Amendments - HB 445	MOTOR VEHICLES
Promotion of Health Care Coverage - HB 364 102	Child Restraint Device Amendments - HB 140 58

Clean Air and Efficient Vehicle Tax Incentives -	40	Computer Assisted Remote Hunting Prohibited -	400
HB 106	49	SB 164	169
Confidentiality of Reports to Driver License		Division of Parks and Recreation to Support	
Division - SB 34	132	Nonprofit Corporation or Foundation - SB 244	186
Driving Privilege Card Amendments - HB 171	64	Energy Resource and Carbon Emission Reduction	
Driving Under the Influence Amendments -		Initiative - SB 202	178
SB 15	125	Fire Management Areas - SB 26	131
Enforcement of Front License Plate Display		Hunter Education Requirement Exemption for	
Requirement Amendments - SB 148	164	Military Personnel - HB 427	109
Franchise Law Amendments - SB 57	141	Instream Flow to Protect Trout Habitat - HB 117	
Funding Relating to Airports, Highways, and Public		Joint Resolution Opposing Designation of	•
Transit - SB 245	187	Public Lands Currently Urged by Congress	
Gold Star Family Special Group License Plate	107	and the Bureau of Land Management -	
Amendments - HB 259	79	HJR 10	118
	19		110
Honoring Heroes Special Group License Plate -	0	Judicial Review of State Engineer's Decision -	70
HB 28		HB 203	
Identity Theft and Other Crimes - HB 210	12	Livestock Watering Rights - HB 208	
Motor Vehicle Business Regulation Amendments -	00	Mitigation of Invasive Species - SB 89	152
HB 347	96	Phosphorus Limit in Dishwashing Detergent -	
Motor Vehicle Dealer Disclosure Requirements		HB 303	
Amendments - SB 100		Regulation of Wells - SB 228	
Motor Vehicle Insurance Amendments - HB 144	59	Safe Drinking Water Revisions - HB 40	14
Motor Vehicle Insurance Arbitration Amendments -		State Parks and Recreation Amendments -	
HB 467	112	SB 76	
Motor Vehicle Revisions - HB 151	60	Urban Trails Appropriation - HB 104	49
Off-highway Vehicle Use on Public Highways -		Water Quality Board Amendments - HB 222	73
SB 181	173	Water Right Amendments - HB 51	18
Salvage Vehicle Amendments - SB 179	172	Water Right Application for Electrical	
School Bus Amendments - HB 146	59	Cooperative - HB 42	14
Traffic Code Amendments - HB 406	108	Wildlife Amendments - SB 59	141
Uniform Fees on Vintage Motor Vehicles -			
HB 373	104	NOTARIZATION AND AUTHENTICATION	
Vehicle Concealing Illegal Items - HB 30	10	Notary Public Revision - SB 114	
Vehicle Towing Requirements - HB 275		Notary Public Revisions - HB 26	. 8
Vehicles Covered by New Motor Vehicle		OCCUPATIONAL LICENSING	
Warranties - HB 249	77	Certified Public Accountant Licensing Act	
Zion National Park Special Group		Amendments - SB 163	160
License Plate - HB 348	97	Child Care Licensing Exemptions - SB 184	
		Controlled Substance Database Amendments -	173
MOTORCYCLES			52
Motorcycle License and Endorsement		HB 119	32
Amendments - HB 72	34	Deception Detection Examiners Licensing Act	40E
Amendments - TID 72	J -1	Amendments - HB 375	105
MUCTUMO		Dentist and Dental Hygienist Practice Act	474
MUSEUMS Charitable Solicitations Act Amendments -		Amendments - SB 174	171
	70	Disclosure of Information by the Department	0.4
HB 252	78	of Workforce Services - HB 64	, 31
		Exemption from Licensure by Division of	
NATURAL RESOURCES		Real Estate - HB 223	74
Administration of Interstate Water - HB 143		Funeral Services Licensing Act Amendments -	
Aquaculture Revitalization Act - HB 148	60	HB 437	110
Aquatic Invasive Species Interdiction Act -		Licensed Direct Entry Midwife Amendments -	
SB 238	185	SB 93	152
Board of Water Resources Amendments -		Licensing of Security Services - SB 98	153
SB 170	170	Master Plumber Licensing - HB 401	107

Medication Aide Certified Amendments - HB 399	107	OIL AND GAS	
Membership of Occupational and Professional Licensure Review Committee - HB 443	110	Severance Tax Amendments - HB 58	22
Naturopathic Physician Licensing Amendments -	110	PARKS	
SB 56	140	Division of Parks and Recreation to Support	
Professional Employer Organization		Nonprofit Corporation or Foundation - SB 244 1	186
Licensing Act - HB 159	62	Highway Funding Amendments - SB 168 1	170
Professional Engineers Licensing		Off-highway Vehicle Amendments - HB 291	85
Amendments - SB 200	177	State Parks and Recreation Amendments -	
Security Alarm Business Licensing		SB 76 1	147
Amendments - SB 295	193	Urban Trails Appropriation - HB 104	49
Uniform Emergency Volunteer Health		Zion National Park Special Group	
Practitioners Act - SB 66	144	License Plate - HB 348	97
Utah Residential Mortgage Practices			
Act Amendments - HB 128	55	PARTNERSHIPS	
		Foreign Business Entities and Tribal Law -	4
OCCUPATIONS AND PROFESSIONS			156
Certified Public Accountant Licensing		Senate Resolution Urging the Consideration of	
Act Amendments - SB 163	169	the United States Ending its Participation in the	
Construction Trades Exemption - HB 459	111	Security and Prosperity Partnership of North America - SR 1	199
Controlled Substance Database Amendments -		America - SR 1	198
HB 119	52	PAWNSHOPS	
Funeral Services Licensing Act Amendments -		Property Transaction Amendments - HB 192	69
HB 437	110	Troporty Transaction Americaniente T12 102 111111	•
Licensing of Security Services - SB 98	153	PEACE OFFICER	
Master Plumber Licensing - HB 401	107	Assault on a Peace Officer Penalty Amendments -	
Membership of Occupational and Professional		HB 19	6
Licensure Review Committee - HB 443	110	County Law Enforcement Duties - SB 253 1	
Professional Employer Organization		County Merit System Amendments - HB 235	75
Licensing Act - HB 159	62	Disclosure of Identity to Officer - HB 10	3
Professional Engineers Licensing Amendments -			
SB 200	177	PHARMACIES	
		Anti-seizure Drug Notification - HB 361	
OFF-HIGHWAY VEHICLES		Medicaid Drug Utilization Amendments - HB 258	79
Off-highway Vehicle Amendments - HB 291	85	DOLUTION CURRIVISIONS (LOCAL ISSUES)	
Off-highway Vehicle Use on Public Highways -		POLITICAL SUBDIVISIONS (LOCAL ISSUES)	
SB 181	173	Agriculture and Industrial Protection Area Amendments - HB 221	73
State Parks and Recreation Amendments -		Annexation Revisions - HB 216	
SB 76	147	Anti-flow Control Amendments - SB 46	
		Community Development and Renewal	100
OFFENSES			193
Bail in Capital Offense Cases - SB 187	174	Construction Amendments - HB 184	
Child Abuse Homicide Amendments - HB 102	48	County and Municipal Land Use Amendments -	٠.
Child and Family Protection - HB 23	. 7		176
Criminal Penalties Amendments -		County and Municipal Land Use Regulation of	
Including Jessica's Law - HB 256			66
Criminal Penalties Revisions - SB 150		County Charges for Services to Incarcerated	
Enticing a Minor by Electronic Means - HB 327		Persons - HB 121	52
Human Trafficking Amendments - HB 339			188
Stalking Amendments - HB 493	115	County Merit System Amendments - HB 235	75
		County Personnel Management Act	
OFFICE OF ECONOMIC DEVELOPMENT		Amendments - SB 78 1	
Health System Reform - HB 133	56	Election Law - Financial Reporting - HB 29	Ĝ

Eminent Domain Amendments - HB 323 90	PUBLIC ASSISTANCE
Exemption from Licensure by Division of	Child Care Providers - HB 73
Real Estate - HB 223	
Impact Fees Amendments - HB 153 61	
Inventory and Review of Commercial	Administration of Medication to Students
Activities - HB 75 36	
Inventory for Competitive Activities of	Amendments to Emergency Injection for
Local Entities - SB 45	
Limited Purpose Local Government Entities	Bullying and Hazing - HB 325 9
Revisions - SB 47	
Local Government Bonding Act - SB 32 132	
Local Government Disposal of Real Property	Charter School Building and Enrollment
Acquired by Exaction - SB 177 171	
Municipal Government Amendments - SB 20 128	
Municipal Oversight of Rental Dwellings -	Educator Relicensure Initiative - HB 68
HB 290 84	
Municipal Rental Fees Amendments - HB 369 104	SB 162
Office of the Attorney General - Safety Net	International Education Initiative -
Initiative - SB 239	Critical Languages Program - SB 41
Political Subdivision Annexation Amendments -	Kindergarten Assessment Amendments -
SB 261	
Real Property Recording Amendments - SB 92 152	Methamphetamine Decontamination
Revision to Local Government - SB 299 195	Standards and Funding - SB 209 179
Safe Drinking Water Revisions - HB 40 14	Minimum School Program Budget
School District Amendments - SB 71 146	Amendments - SB 2
Town Incorporation Process Amendments -	Open Enrollment Revisions - HB 349 97
HB 164 63	
Utility Improvement District Revisions - SB 130 160	
Water Right Amendments - HB 51 18	Permanent Teacher License Revocation
	for Sexual Activity with Students - HB 286 83
PORTS OF ENTRY	Public Education Foundation Amendments -
	HB 112
Aquatic Invasive Species Interdiction Act - SB 238	Regents' Scholarship Program - SB 180
SB 230	Regulation of Teacher - Student Relationships - HB 287
DDODEDTY TAY	Resolution Encouraging the Advertisement of
PROPERTY TAX	Alternative Poutes to Teaching, S.IP.1 103
Aviation Amendments - HB 365	School Community Council Amendments -
Commercial Airline and Airport Taxation	LID 254
Amendments - SB 237	School Community Councils - HB 189 68
Equalization of School Capital Outlay Funding -	Use of Minimum School Program Nonlansing
SB 48	Palancos SP 291
Personal Property Tax Amendments - HB 77 37 Political Subdivision Annexation Amendments -	Use of Public Schools by Community
	Organizations - HR 332
SB 261	Veterans High School Diplomas - HB 118 5
Property Tax - County Assessment and Collection Amendments - HB 186	
Property Tax Assessment Revisions - HB 54	DUDI IO FUNDO AND ACCOUNTO
Truth in Taxation Amendments - SB 29	A construct of Delete Lte Manter Delte Lte on New York
Uniform Fees on Vintage Motor Vehicles - HB 373 . 104	Nation December Lands in Utah LID 250
Official Tees of Village Wold Verlides - 110 373 . 104	Budget Reserve Account and Disaster Recovery
	Account Amendments - HB 49
PROPERTY TAX RELIEF	Economic Incentive Revisions - SB 185
Amendments to the Veteran's Property Tax	Money Management Act Updates - HB 173 65
Exemption - SB 128	

State Accounting and Budgetary Procedures Amendments - HB 378	106 134	Local Government Disposal of Real Property Acquired by Exaction - SB 177 Mobile Home Owners' Rights - HB 48	
PUBLIC LANDS - CONST. ART. XX	134	<u> </u>	152
Livestock Watering Rights - HB 208	72	Indebtedness on Residential Real Property - HB 56	22
PUBLIC OFFICERS		Trustees Sale - Process for Excess Proceeds -	
County Merit System Amendments - HB 235		SB 27	131
HB 305	87	Amendments - HB 128	55
Enhanced Public Safety Retirement Systems COLA Option - SB 19	127	RECODIFICATION	
Retirement Death Benefits and Divorce	121	Recodification of Title 63 State Affairs in	
Revisions - SB 24	130	General - HB 63	
PUBLIC SAFETY		RECREATION	
County Sheriff Qualification Amendments -		Division of Parks and Recreation to Support	
HB 305		Nonprofit Corporation or Foundation - SB 244	186
Employee Benefit Amendments - HB 202 Enhanced Public Safety Retirement Systems	70	Off-highway Vehicle Amendments - HB 291	85
COLA Option - SB 19	127	State Parks and Recreation Amendments -	
Joint Resolution Recognizing Unreinforced	127	SB 76	147
	118	RECYCLING	
Search Warrant Procedure Amendments - SB 10	123	Waste Tire Recycling Amendments - HB 132	56
DUDI IC TRANCIT DISTRICTS		REDISTRICTING	
PUBLIC TRANSIT DISTRICTS Transportation and Transit Amendments -		Joint Resolution Amending Legislative	
SB 286	192	Apportionment - SJR 5	198
Transportation Governance - SB 231	183	REGISTRATION AND REGISTRATION FEES	
·		Clean Fuel Special Group License Plate	
PUBLIC UTILITIES		Amendments - HB 62	24
Damage to Underground Utility Facilities	0.4	Gold Star Family Special Group License Plate	
Amendments - HB 341	94	Amendments - HB 259	79
Energy Resource and Carbon Emission Reduction Initiative - SB 202	178	Honoring Heroes Special Group License Plate -	0
Net Metering Programs - SB 84	150	HB 28	. 9
Water Right Application for Electrical	100	License Plate - HB 348	97
Cooperative - HB 42	14	License Flate TIB 646	01
Punishments		RESOLUTIONS	
		Concurrent Resolution - Declaring Love	115
CRIMINAL PENALTIES REVISIONS - SB 150	165	Your Library Week - HCR 3	115
RAILROADS		Balanced Immigration Reform - SCR 5	196
Burglary of a Railroad Car - SB 94	153	Concurrent Resolution Declaring Colorectal Cancer	
Daighary of a Hamildad Gail GD of Firming	.00	Awareness Month - HCR 7	116
REAL ESTATE		Concurrent Resolution Declaring February 6, 2008	
Access to Landlocked Parcels - HB 464	111	Ronald Reagan Day - HCR 2	115
Appraisals for State Land Purchases - HB 354	98	Concurrent Resolution Encouraging Congressional	
Condominium Ownership Act Amendments -	192	Action to Designate a New Recipient of	
SB 288	192	Royalties from Navajo Reservation Lands in Utah - HCR 4	116
HB 346	96	Concurrent Resolution Honoring the Life and	110
Exemption from Licensure by Division of		Contributions of President	
Real Estate - HB 223	74	Gordon B. Hinckley - HCR 6	116

Concurrent Resolution on the Reconstruction		Senate Resolution Honoring James L. Sorenson -	
of Interstate 15 - SCR 6	197	SR 2	199
Concurrent Resolution Recognizing Utah's		Senate Resolution Petitioning Congress to	
Nobel Prize Winner Mario Capecchi - SCR 4	196	Address the Illegal Immigration Crisis - SR 3	200
Concurrent Resolution Urging Congressional		Senate Resolution Regarding Trade with Taiwan -	
Approval of R.S. 2477 Rights-of-way		SR 4	200
Recognition Act - HCR 5	116	Senate Resolution Urging the Consideration	
House Resolution Honoring James L. Sorenson -		of the United States Ending its Participation in the	
HR 4	119	Security and Prosperity Partnership of North	
House Resolution Recognizing Utah's Asthma		America - SR 1	199
Open Airways Program - HR 3	119	RESOLUTIONS, CONSTITUTIONAL	
Joint Resolution Amending Legislative		Joint Resolution Amending Legislative	
Apportionment - SJR 5	198	Apportionment - SJR 5	198
Joint Resolution Amending the Utah Constitution -		Joint Resolution Amending the Utah Constitution -	100
Stock and Bond Subscriptions - HJR 12	119	Stock and Bond Subscriptions - HJR 12	119
Joint Resolution Encouraging the Governor's		Stock and Bond Subscriptions - Hork 12	113
Board Appointments to Reflect Utah		RESTITUTION	
Geographic Balance - SJR 6	198	Crime Victim Reparations Revisions - HB 312	88
Joint Resolution Honoring Hill Air Force Base's			
388th and 419th Fighter Wings - SJR 12	199	RETIREMENT	
Joint Resolution Opposing Designation of		Employee Benefit Amendments - HB 202	70
Public Lands Currently Urged by Congress and		Enhanced Public Safety Retirement Systems	
the Bureau of Land Management - HJR 10	118	COLA Option - SB 19	127
Joint Resolution Recognizing 100th Anniversary		Public Employee Benefit Approval Provisions -	
of Utah League of Cities and Towns - SJR 4	198	HB 250	77
Joint Resolution Recognizing Unreinforced		Retirement Death Benefits and Divorce Revisions -	
Masonry Buildings - HJR 7	118	SB 24	130
Joint Resolution Urging School Closings to		Retirement Office Amendments - SB 116	158
Recognize Veterans Day - HJR 4	117	RETIREMENT AND INDEPENDENT ENTITIES	
Joint Resolution Urging Support of Medicaid		Enhanced Public Safety Retirement Systems COLA	
Long-term Care Funding of Home and		Option - SB 19	127
Community-based Supports - HJR 5	118	Public Employee Benefit Approval Provisions -	
Master Study Resolution - SJR 11	199	HB 250	77
Meth Awareness for Students and Educators		Retirement Office Amendments - SB 116	158
Resolution - HCR 1	115	Trouvernorm emice / umonamente OB 110	.00
Resolution Addressing International Trade		REVENUE AND TAXATION	
	117	Amendments to Sales and Use Tax Exemption	
Resolution Approving Compensation of		for Certain Property Incorporated into Real	
In-session Employees - SJR 3	198	Property - HB 248	76
Resolution Encouraging Manufactured and Mobile		Amendments to Sales and Use Tax Exemption for	
Home Parks as Affordable Housing - HJR 2	117	Prosthetic Devices - SB 99	154
Resolution Encouraging the Advertisement of		Amendments to the Veteran's Property Tax	
Alternative Routes to Teaching - SJR 1	197	Exemption - SB 128	160
Resolution Encouraging United States Withdrawal		Apportionment of Business Income and Deduction	
from Security and Prosperity Partnership of North		of Net Losses by an Acquired Corporation -	
America - HR 1	119	SB 136	162
Resolution Promoting Legislators Back to		Budget Reserve Account and Disaster Recovery	
School Program - SCR 2	195	Account Amendments - HB 49	17
Resolution Reaffirming the Words, Under God,		City or Town Option Sales and Use Tax -	
8 8	117	HB 172	65
Resolution Supporting Obesity Awareness -		Clean Air and Efficient Vehicle Tax Incentives -	
SCR 1	195	HB 106	49
Resolution Supporting Observance of Peace		Commercial Airline and Airport Taxation	
Officers Memorial Day - SCR 3	196	Amendments - SB 237	184

Equalization of School Capital Outlay		SAFETY INSPECTION	
	139	Motor Vehicles, Motor Vehicle Safety Inspection	
Extending the Sales and Use Tax Exemption		Advisory Council Amendments - SB 115	157
for Pollution Control Facilities - SB 135	162		
Funding Relating to Airports, Highways, and		SALES AND USE TAX	
	187	Amendments to Sales and Use Tax Exemption	
Mineral Production Tax Withholding	101	for Certain Property Incorporated into	
Amendments - SB 137	162	Real Property - HB 248	76
Personal Property Tax Amendments - HB 77		Amendments to Sales and Use Tax	
Political Subdivision Annexation	31	Exemption for Prosthetic Devices - SB 99	154
	100	City or Town Option Sales and Use Tax - HB 172	65
Amendments - SB 261	100	Commercial Airline and Airport Taxation	
Property Tax - County Assessment and	07	Amendments - SB 237	184
Collection Amendments - HB 186		Extending the Sales and Use Tax Exemption	
Property Tax Assessment Revisions - HB 54	20	for Pollution Control Facilities - SB 135	162
Research Activities Tax Credits Amendments -		Funding Relating to Airports, Highways, and	
HB 52	19		187
Revenue Bond, Capital Facility, and		Sales and Use Tax - Definitions of Permanently	
Property Acquisition Authorizations - HB 5	. 3	Attached to Real Property and Tangible Personal	
Sales and Use Tax - Definitions of Permanently			159
Attached to Real Property and Tangible		Sales and Use Tax Exemptions Relating	100
Personal Property - SB 124	159	to Aircraft - HB 165	63
Sales and Use Tax Exemptions Relating to		Sales and Use Tax Revenues for Qualified	UJ
Aircraft - HB 165	63	Emergency Food Agencies - HB 304	96
Sales and Use Tax Revenues for Qualified		Sales and Use Tax Revisions - HB 251	
Emergency Food Agencies - HB 304	86		
Sales and Use Tax Revisions - HB 251		Tax Changes - HB 359	99
Severance Tax Amendments - HB 58	22	SCHOOL FINANCE	
Tax Amendments - HB 206	70	Equalization of School Capital Outlay	
Tax Changes - HB 359		Funding - SB 48	139
Taxation of Moist Snuff - HB 356		Minimum School Program Base Budget	
Truth in Taxation Amendments - SB 29		Amendments - HB 1	1
Uniform Fees on Vintage Motor Vehicles -		Minimum School Program Budget	·
HB 373	104	Amendments - SB 2	120
Wage Withholding for Employee Contributions -		Use of Minimum School Program Nonlapsing	0
SB 131	161	Balances - SB 281	191
		Balanoo OB 201	
		SCHOOL PERSONNEL	
REVISOR LEGISLATION		Administration of Medication to Students	
Revisor's Statute - SB 111	156	Amendments - HB 245	
		Educator Relicensure Initiative - HB 68	32
RIGHT OF WAY		Paraeducator to Teacher Scholarship Program -	
		HB 66	32
Concurrent Resolution Urging Congressional		Permanent Teacher License Revocation for	
Approval of R.S. 2477 Rights-of-way	440	Sexual Activity with Students - HB 286	83
Recognition Act - HCR 5	116	Regulation of Teacher - Student	
		Relationships - HB 287	84
RURAL DEVELOPMENT			
Governor's Rural Partnership Board and Rural		SCHOOL SAFETY	
Coordinating Committee Amendments -		Bullying and Hazing - HB 325	91
SB 158	167	SEAT BELT LAWS	
05 100	.01	Child Restraint Device Amendments - HB 140	58
		Offine Restraint Device Americanients - 110 140	50
RURAL HEALTH		SECURITY LICENSING	
Grants to Rural Hospitals - Oversight		Deception Detection Examiners Licensing Act	
Responsibilities - HB 281	83	Amendments - HB 375	105

SEVERANCE TAX	Legislative Space in the Capitol - SB 112 156
Severance Tax Amendments - HB 58	State Agency Energy Efficiency - HB 198 69
SEXUAL OFFENSES Email Information Required of Registered Sex Offenders - HB 34	STATE INSTITUTIONS Development Around Military Installations - SB 264
Enticing a Minor by Electronic Means - HB 327 91 Material Harmful to Minors Amendments - HB 18 6	STATE LANDS
Sex Offender Notification and Registration - HB 492	STATE OFFICERS AND EMPLOYEES
Sex Offense Amendments - SB 192 175	Employee Benefit Amendments - HB 202 70
Sexual Offenses - Definitions - HB 314	Executive Compensation Revisions - SB 5
SOLID WASTE	Description Approximation the Approximation of
Anti-flow Control Amendments - SB 46	Legislative Fiscal Analyst - SJR 2
STATE AFFAIRS IN GENERAL Administrative Rule Penalty Amendments -	·
HB 80 45	SUBSTANCE ABUSE
Amendments Related to Monies Derived	Education and Odifeach Regarding Substances
from Navajo Nation Reservation Lands in Utah - HB 352	Harmful During Pregnancy - HB 38
Concurrent Resolution Encouraging Congressional	and Funding - SB 209
Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah - HCR 4 116	Women and Pregnant Minors - HB 316 89
Development Around Military Installations - SB 264	Coordinating Council Amendments - SB 138 163
Independent Contractor Database - SB 189 175 Inventory and Review of Commercial Activities - HB 75	Sunset Reauthorizations and Amendments -
Parameters on Governor's Ability to Enter	
Agreements Binding the State - SB 144 201 Recodification of Title 63 State Affairs in	Office of the Attorney General - Safety Net
General - HB 63	Initiative - SB 239
Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants - HB 262 80	
Use of State Alternative Fuel Network - HB 103 48 Waivers of Immunity - Exceptions - HB 33	
	TITLE AND ESCROW
STATE BOARDS, COMMISSIONS, AND COUNCILS	Title Insurance Recovery, Education, and
Governor's Rural Partnership Board and Rural Coordinating Committee Amendments -	Research Fund Act - HB 466
SB 158	Taxation of Moist Snuff - HB 356 99
Joint Resolution Encouraging the Governor's Board Appointments to Reflect Utah	TOURISM Affirmative Defense for Agri-tourism Activity -
Geographic Balance - SJR 6	02
Coordinating Council Amendments - SB 138 163	TOW TRUCKS Vehicle Towing Requirements - HB 275 82
STATE BUILDINGS	TRADEMARKS
Capital Development and Improvement	Trademark Protection Act Amendments -
Amendments - SB 221	

TRANSPORTATION	Transportation Administrative Rules - Criminal
Aviation Amendments - HB 365	and Civil Penalty Amendments - HB 57 22
Child Restraint Device Amendments - HB 140 58	Transportation and Transit Amendments -
Clean Fuel Special Group License Plate	SB 286
Amendments - HB 62	Transportation Corridor Preservation
Commercial Airline and Airport Taxation	Amendments - SB 208 179
Amendments - SB 237	Transportation Funding Amendments - SB 283 191
Concurrent Resolution on the Reconstruction	Transportation Funding Revisions - HB 242 76
of Interstate 15 - SCR 6	Transportation Governance - SB 231 183
Confidentiality of Reports to Driver License	Transportation Infrastructure Loan
Division - SB 34	Fund Amendments - HB 105
Designation of State Highways Amendments -	Vehicle Towing Requirements - HB 275 82
HB 61	Zion National Park Special Group License
Driver License - Application of Minor	Plate - HB 348 97
Amendments - HB 122 53	
Driving Privilege Card Amendments -	TRANSPORTATION COMMISSION
HB 171	Transportation Governance - SB 231
Driving Under the Influence Amendments -	, 183
SB 15	TRUCTO
Enforcement of Front License Plate Display	TRUSTS
Requirement Amendments - SB 148 164	Amendments Related to Monies Derived from
Franchise Law Amendments - SB 57	Navajo Nation Reservation Lands in Utah -
Funding Relating to Airports, Highways,	HB 352
and Public Transit - SB 245	Concurrent Resolution Encouraging Congressional Action
Gold Star Family Special Group License Plate	to Designate a New Recipient of Royalties from Navajo
Amendments - HB 259	Reservation Lands in Utah - HCR 4 116
Highway Funding Amendments - SB 168	UNDERGROUND STORAGE TANKS
Honoring Heroes Special Group License Plate -	Underground Storage Tank Amendments - HB 50 18
HB 28	Onderground etorage rank ranonamente rib eo Te
Identity Theft and Other Crimes - HB 210	UNEMPLOYMENT COMPENSATION
Motor and Special Fuel Tax Amendments - HB 35 12	Employment Security Act Amendments - HB 21 7
Motor Vehicle Business Regulation Amendments -	Unemployment Insurance Contribution Rates
HB 347	Amendments - SB 176
Motor Vehicle Dealer Disclosure Requirements	
Amendments - SB 100	UNIFORM FEES
Motor Vehicle Insurance Amendments - HB 144 59	Uniform Fees on Vintage Motor Vehicles -
Motor Vehicle Insurance Arbitration Amendments -	HB 373
HB 467	INVESTMENTS.
Motor Vehicle Liability Policy Minimum Limits -	UNIFORM LAWS
SB 149	Amendment to Uniform Anatomical
Motor Vehicle Revisions - HB 151 60	Gift Act - SB 146
Motor Vehicle Safety Inspection Advisory Council	Uniform Adult Guardianship and Protective
Amendments - SB 115	Proceedings Jurisdiction Act - SB 122
Motorcycle License and Endorsement	Uniform Emergency Volunteer Health
Amendments - HB 72	Practitioners Act - SB 66
Off-highway Vehicle Amendments - HB 291 85	Uniform Interstate Depositions and
Off-highway Vehicle Use on Public Highways -	Discovery Act - SB 205
SB 181	Uniform Limited Cooperative Association Act -
Penalties for Failing to Secure a Load or	SB 69
Littering on a Highway - SB 44	Uniform Model Registered Agent Act - SB 88 151
Salvage Vehicle Amendments - SB 179	UTAH MUNICIPAL CODE
School Bus Amendments - HB 146	Agriculture and Industrial Protection
Tax Changes - HB 359	Area Amendments - HB 221
Traffic Code Amendments - HB 406	Annexation Revisions - HB 216
55467 (Inorialitionic Tib +00 100	, 5, duoi i to tioloilo - i i i i i i i i i i i i i i i i i i

County and Municipal Land Use Amendments - SB 196	176	Livestock Watering Rights - HB 208	
County and Municipal Land Use Regulation	170	Safe Drinking Water Revisions - HB 40	
of Potential Geologic Hazard Areas - HB 177	66	Water Right Amendments - HB 51	
Eminent Domain Amendments - HB 323		Water Right Application for Electrical	
Exemption from Licensure by Division of		Cooperative - HB 42	14
Real Estate - HB 223	74		
Impact Fees Amendments - HB 153		WATER QUALITY	
Inventory for Competitive Activities of		Aquatic Invasive Species Interdiction Act -	
Local Entities - SB 45	135		185
Joint Resolution Recognizing 100th Anniversary		Phosphorus Limit in Dishwashing Detergent -	100
of Utah League of Cities and Towns - SJR 4	198	HB 303	86
Local Government Disposal of Real Property		Safe Drinking Water Revisions - HB 40	
Acquired by Exaction - SB 177	171	Water Quality Board Amendments - HB 222	
Municipal Government Amendments - SB 20	128	Trator quality Board 7 anonamonto 118 222 1111111	
Municipal Oversight of Rental Dwellings -		WEAPONS	
HB 290	84	Discharge of Firearm Amendments - HB 14	F
•	104	Rights of Citizens to Carry Firearms in Declared	·
Revision to Local Government - SB 299	195		167
Town Incorporation Process Amendments -		Emergency - 3B 137	107
HB 164	63	W// B/ IEE	
Transportation and Transit Amendments -		WILDLIFE	0.0
SB 286	192	Aquaculture Revitalization Act - HB 148	ы
Transportation Corridor Preservation Amendments -		Aquatic Invasive Species Interdiction Act -	405
SB 208	179		185
Use of Initiative and Referendum for Administrative		Computer Assisted Remote Hunting Prohibited -	160
Land Use and Zoning Matters - SB 53	140		169
Utility Improvement District Revisions - SB 130	160	Hunter Education Requirement Exemption for Military Personnel - HB 427	100
		Instream Flow to Protect Trout Habitat - HB 117	
UTILITIES SITING		Wildlife Amendments - SB 59	
Damage to Underground Utility Facilities		Wildlife Amendments - 35 33	171
Amendments - HB 341	94	WORKERS COMPENSATION	
Net Metering Programs - SB 84	150	WORKERS' COMPENSATION	
Utility Improvement District Revisions - SB 130	160	Employee Obligations Related to Workers'	100
		•	106
VICTIMS' RIGHTS		Insurance Department - Workers' Compensation	106
A Victim Amicus Bill - HB 167	64	Amendments - HB 380	106
Crime Victim Reparations Revisions - HB 312	88	·	155
			144
WAGES			167
Wage Withholding for Employee		Workers' Compensation Related Amendments -	101
	161		141
WATER AND IRRIGATION		WORKFORCE SERVICES CODE	
Administration of Interstate Water - HB 143	58	Authority to Establish Refugee Services	
Aquaculture Revitalization Act - HB 148		Fund - HB 336	93
Aquatic Invasive Species Interdiction Act -		Child Care Providers - HB 73	
	185	Disclosure of Information by the Department	
Board of Water Resources Amendments -		of Workforce Services - HB 64	31
SB 170	170	Employment Security Act Amendments - HB 21	7
Instream Flow to Protect Trout Habitat - HB 117	51	Illegal Immigration - SB 81	148
Judicial Review of State Engineer's Decision -		Unemployment Insurance Contribution Rates	
HB 203	70	Amendments - SB 176	171

PASSED LEGISLATION - 2008 GENERAL SESSION

HB 1 Minimum School Program Base Budget Amendments (Bradley G. Last)

This bill provides base funding for the Minimum School Program.

This bill:

- establishes a ceiling for the state contribution to the maintenance and operations portion of the Minimum School Program for fiscal year 2008-09 of \$2,327,524,711;
- ▶ appropriates \$27,288,900 to the State Board of Education for fiscal year 2008-09 for school building aid programs for school districts; and
- makes one-time appropriations for fiscal year 2007-08 for educator salary adjustments and bonuses.

This bill appropriates:

- as an ongoing appropriation, \$2,333,813,611 from the Uniform School Fund for fiscal year 2008-09;
- as an ongoing appropriation, \$21,000,000 from the Interest and Dividends Account for fiscal year 2008-09; and
- ▶ for fiscal year 2007-08 only, \$22,347,000 from the Uniform School Fund.

Amends 53A-17a-104, 53A-17a-108, 53A-17a-135, 53A-21-105;

Enacts 53A-17a-154, 53A-17a-155

Effective January 30, 2008

Chapter 1, Laws of Utah 2008

HB 2 New Fiscal Year Supplemental Appropriations Act (Ron Bigelow)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

This bill:

- provides appropriations for the use and support of certain state agencies;
- provides appropriations for the use and support of certain institutions of higher education;
- provides appropriations for other purposes as described;
- provides intent language;
- approves employment levels for internal service funds;
- approves capital acquisition amounts for internal service funds;
- authorizes rates and fees.

This bill appropriates for fiscal year 2009:

- \$105,907,100 from the General Fund;
- \$5,515,200 from the Uniform School Fund;
- \$30,739,500 from the Education Fund;
- \$95,533,500 from various sources as detailed in this bill.

Effective July 1, 2008

Chapter 392, Laws of Utah 2008

HB 3 Appropriations Adjustments (Ron Bigelow)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal years beginning July 1, 2007 and ending June 30, 2008 and beginning July 1, 2008 and ending June 30, 2009.

This bill:

- provides budget increases and decreases for the use and support of certain state agencies;
- provides funds for the bills with fiscal impact passed in the 2008 General Session;
- provides budget increases and decreases for other purposes as described;
- provides intent language;

This bill appropriates for fiscal year 2008:

- ▶ \$49,100 from the General Fund;
- ▶ (\$49,100) from various sources as detailed in this bill.

This bill appropriates for fiscal year 2009:

- (\$36,504,200) from the General Fund;
- ▶ \$104,180,200 from the Uniform School Fund;
- \$262,641,700 from the Education Fund;
- \$68,498,600 from various sources as detailed in this bill.

Section 1 of this bill takes effect March 20, 2008. Section 2 of this bill takes effect on July 1, 2008.

Chapter 393, Laws of Utah 2008

HB 4 State Agency and Higher Education Compensation Amendments (Ron Bigelow)

This bill supplements or reduces appropriations previously provided for the use and operation of state government. The bill funds compensation changes for state and higher education employees for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

This bill:

- provides budget increases and decreases for the compensation of state and higher education employees not including school district personnel;
- provides for a 3% cost of living allowance for state and higher education employees not including school district personnel;
- provides for an additional 2% cost of living allowance for state employees not including school district personnel contingent upon changes in health benefit plans;
- adjusts funding for changes in health plans offered to state employees not including school district personnel contingent upon such changes;
- ▶ provides funding for a 9.9% increase in the premiums charged for higher education employee health benefits;
- provides funding for an increase in the cost of retirement for certain employees;
- adjusts funding for changes in the cost of Workers' Compensation;
- ▶ provides funding for a 3% contract increase for certain contract service providers.

This bill appropriates for fiscal year 2009:

- \$22,823,300 from the General Fund;
- ▶ \$1,998,400 from the Uniform School Fund;
- \$26,804,800 from the Education Fund;
- ▶ \$27,737,300 from various sources as detailed in this bill.

This bill appropriates for fiscal year 2009 contingent upon certain health benefit plan changes:

- \$11,097,800 from the General Fund;
- ▶ \$722,800 from the Uniform School Fund;
- ▶ \$10,122,400 from various sources as detailed in this bill.

Effective July 1, 2008

Chapter 394, Laws of Utah 2008

HB 5 Revenue Bond, Capital Facility, and Property Acquisition Authorizations (Kevin S. Garn)

This bill authorizes certain state agencies and higher education institutions to issue revenue bonds, build capital facilities using agency or institutional funds, transfer capital facilities monies between funds, or acquire or exchange property.

This bill:

- authorizes the issuance of revenue bonds by the State Building Ownership Authority and the State Board of Regents;
- authorizes other capital facility construction to be funded from agency or institutional funds;
- authorizes the transfer of certain higher education capital facilities monies from one fund to another; and
- authorizes the acquisition or exchange of certain state property.

Enacts 63B-17-101, 63B-17-102, 63B-17-201, 63B-17-202, 63B-17-301

Effective May 5, 2008

Chapter 128, Laws of Utah 2008

HB 10 Disclosure of Identity to Officer (Curtis Oda)

This bill modifies the Utah Criminal Code by making it a class B misdemeanor for a person to fail to disclose the person's identity to a peace officer under specified circumstances, and modifies the Utah Code of Criminal Procedure by providing that a peace officer may arrest a person for this offense without a warrant.

This bill:

- provides that it is a class B misdemeanor for a person to fail to disclose the person's name when disclosure is demanded by a peace officer after the peace officer stops the person based on a reasonable suspicion that the person has committed, is in the act of committing, or is attempting to commit a criminal offense, and provides certain exceptions;
- provides that a peace officer may, without a warrant, arrest a person for failure to disclose identity if the peace officer has reasonable cause to believe that the person committed the offense: and
- makes technical changes.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 77-7-2;

Enacts 76-8-301.5

Effective May 5, 2008

Chapter 293, Laws of Utah 2008

HB 11 Parole Amendments (Curtis Oda)

This bill modifies the Code of Criminal Procedure regarding procedures required in order for the Board of Pardons and Parole to grant parole to an inmate.

This bill:

- requires that an inmate must agree, prior to being granted parole, that the Board of Pardons may issue a warrant for the inmate and conduct a parole revocation hearing if the inmate:
 - provided false information at the parole hearing; or
 - had committed a criminal offense the board was not aware of at the time of granting the parole.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 77-27-10

Effective May 5, 2008

Chapter 294, Laws of Utah 2008

HB 12 Controlled Substances and Paraphernalia (Curtis Oda)

This bill modifies the Controlled Substances Act regarding controlled substances, drug paraphernalia, and certain plea processes.

This bill:

- specifies that a plea in abeyance for the offense of production or distribution of a controlled substance is considered to be a conviction for sentencing enhancement purposes;
- amends language regarding items used to ingest or inhale controlled substances so the language refers to all controlled substances, rather than specifically marijuana, cocaine, and hashish:
- clarifies that a person may be charged for an illegal drug or paraphernalia offense and may also be charged for a violation of any other section of the Controlled Substances Act or the Drug Paraphernalia Act; and
- makes technical changes.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 58-37-8, 58-37a-3, 58-37a-5

Effective May 5, 2008

Chapter 295, Laws of Utah 2008

HB 13 Criminal Statute of Limitations Amendments (Carl Wimmer)

This bill removes the statutes of limitations for prosecution of all first degree felony sex offenses.

This bill:

provides that prosecution of a person for any first degree felony sex offense may be commenced at any time.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 76-1-301, 76-1-302;

Repeals 76-1-303.5

Effective May 5, 2008

Chapter 129, Laws of Utah 2008

HB 14 Discharge of Firearm Amendments (Carl Wimmer)

This bill modifies the Utah Criminal Code to provide an enhanced penalty for felony offenses involving discharge of a firearm.

This bill:

- provides that having the permission of the person in charge of the property when discharging a firearm is only a defense to a misdemeanor offense of discharging a firearm, not a felony offense:
- modifies provisions relating to felony discharge of a firearm by describing conduct that constitutes a first, second, or third degree felony and describing enhanced penalties for these offenses:
- describes circumstances under which discharge of a dangerous weapon or a firearm from a vehicle is not a crime; and
- makes technical changes.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 53-3-220, 76-5-203, 76-10-508;

Enacts 76-10-508.1

Effective May 5, 2008

Chapter 296, Laws of Utah 2008

HB 15 Control and Prevention of Sexually Transmitted Diseases (Phil Riesen)

This bill amends the Communicable Disease and Control Act of the Health Code.

This bill:

- requires the Department of Health and local health departments to provide information to the public and health care professionals about:
 - the health consequences of untreated sexually transmitted diseases;
 - medical options for treatment of sexually transmitted diseases; and
 - services and medical benefits that are available for treatment of sexually transmitted diseases.

This bill appropriates:

as an ongoing appropriation subject to future budget constraints, \$175,000 from the General Fund for fiscal year 2008-09 to the Department of Health.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 26-6-3

Effective May 5, 2008

Chapter 130, Laws of Utah 2008

HB 16 Medicaid Coverage for Certain Telehealth Services (Bradley G. Last)

This bill amends the Medical Assistance Act in the Health Code.

This bill:

- requires the state Medicaid program to allow the use of telemedicine for certain services that are otherwise reimbursable under the state Medicaid plan;
- provides guidelines for reimbursing for telemedicine services; and
- requires rulemaking.

The original bill was recommended by the Health and Human Services Interim Committee

Enacts 26-18-12

Effective May 5, 2008

Chapter 41, Laws of Utah 2008

HB 18 Material Harmful to Minors Amendments (Paul Ray)

This bill modifies the Criminal Code regarding materials harmful to minors.

This bill:

- amends the intent of a person dealing with material harmful to minors to include persons who believe the victim is a minor;
- modifies the definition of "restrict" regarding access to material harmful to minors by removing "age verification mechanism" as a form of restriction;
- ▶ amends the definition of "service provider" to include only Internet service providers;
- allows a provider to comply with the requirement to provide filtering for users by referring users to a third party that provides filtering software; and
- removes certain criminal penalties, imposes the standard of intentionally and knowingly, and imposes civil financial penalties regarding failure to comply with requirements that Internet service providers:
 - provide information about filtering content; and
 - · restrict access to material harmful to minors.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 76-10-1201, 76-10-1206, 76-10-1230, 76-10-1231, 76-10-1233

Effective May 5, 2008

Chapter 297, Laws of Utah 2008

HB 19 Assault on a Peace Officer Penalty Amendments (Paul Ray)

This bill modifies the Criminal Code regarding assault on a peace officer.

This bill:

- increases the penalty for committing a second or subsequent assault against a peace officer from a class A misdemeanor to a third degree felony;
- provides that the section amended in this bill does not affect the exercise of constitutional rights, including the right of free speech and the right of assembly; and
- provides a definition of "peace officer."

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 76-5-102.4

Effective May 5, 2008

Chapter 131, Laws of Utah 2008

HB 20 Economic Development Incentives Modifications (Steven R. Mascaro)

This bill modifies the definition section of the Economic Development Incentives Act regarding high paying jobs.

This bill:

modifies the definition of high paying jobs in the Economic Development Incentives Act by replacing "median wage of a community" with "average wage of a community."

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 63-38f-1703

Effective May 5, 2008

Chapter 42, Laws of Utah 2008

HB 21 Employment Security Act Amendments (Steven R. Mascaro)

This bill modifies provisions of the Employment Security Act regarding the eligibility of a claimant to receive unemployment compensation benefits.

This bill:

- clarifies that a claimant for unemployment benefits is not required to personally report at an employment office as a condition of ongoing eligibility to receive benefits;
- provides for the waiver of certain filing requirements for unemployment compensation benefits if a disaster is declared by the President of the United States or the governor; and
- makes certain technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 35A-4-403

Effective May 5, 2008

Chapter 43, Laws of Utah 2008

HB 22 Expedited Parent-time Enforcement (Julie Fisher)

This bill converts the Expedited Parent-time Enforcement Program from a pilot program to a program in the Third District Court.

This bill:

converts the Expedited Parent-time Enforcement Program from a pilot program in the Third Judicial District.

This bill coordinates with S.B. 111, Revisor's Statute.

The original bill was recommended by the Judiciary Interim Committee

Amends 30-3-38, 63-63a-8

Effective May 5, 2008

Chapter 44, Laws of Utah 2008

HB 23 Child and Family Protection (Lorie D. Fowlke)

This bill amends portions of the Utah Criminal Code relating to child abuse and the Pattern of Unlawful Activity Act.

This bill:

- defines terms;
- includes child abandonment as a type of child abuse;
- provides that a person who commits child abandonment, or encourages or causes another to commit child abandonment, or an enterprise that encourages, commands, or causes another to commit child abandonment is:
 - guilty of a felony of the third degree; or
 - if the child abandonment results in serious physical injury to the child, or the person or enterprise receives any benefit as a result of the child abandonment, guilty of a felony of the second degree;
- provides that a court may order a person or enterprise to pay the costs of investigating and prosecuting a child abandonment case and the costs of securing a forfeiture provided for in this bill:
- provides that tangible or pecuniary benefits received from child abandonment are subject to criminal or civil forfeiture; and
- makes technical changes.

The original bill was recommended by the Judiciary Interim Committee

Amends 62A-4a-1002, 76-5-109

Effective May 5, 2008

Chapter 45, Laws of Utah 2008

HB 24 Amendments to Utah Digital Health Service Commission Act (Ronda Rudd Menlove)

This bill amends the Utah Digital Health Service Commission Act.

This bill:

- amends the appointment of the members;
- requires the chairperson of the commission to report to the executive director of the Department of Health; and
- amends the duties of the commission, including requires the commission to:
 - advise and make recommendations to the department concerning patient privacy related policies; and
 - place an emphasis on helping rural health care providers and special populations.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 26-9f-102, 26-9f-103, 26-9f-104

Effective May 5, 2008

Chapter 46, Laws of Utah 2008

HB 26 Notary Public Revisions (Glenn A. Donnelson)

This bill modifies the Notaries Public Reform Act by amending provisions.

This bill:

- amends the definition of "satisfactory evidence of identity" to provide that personal identification includes a passport, or other identification issued by the United States government, any state within the United States, or a foreign government, and that a driving privilege card is not satisfactory evidence of identity;
- eliminates requirements for a notary's address to appear on the notary's seal;
- provides that a notary's change of address must be given to the lieutenant governor; and
- makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 46-1-2, 46-1-16, 46-1-20

Effective May 5, 2008

Chapter 47, Laws of Utah 2008

HB 27 Lieutenant Governor Powers - Administration of Oaths (Glenn A. Donnelson)

This bill modifies the State Officers and Employees title by amending powers of the lieutenant governor.

This bill:

allows the lieutenant governor and designated employees to administer oaths.

The original bill was recommended by the Government Operations Interim Committee

Enacts 67-1a-12

Effective February 15, 2008

Chapter 5, Laws of Utah 2008

HB 28 Honoring Heroes Special Group License Plate (Paul Ray)

This bill modifies the Motor Vehicles Code by amending special group license plate provisions.

This bill:

- authorizes the Honoring Heroes special group license plate to provide financial support to the families of fallen Utah Highway Patrol troopers and other Department of Public Safety employees;
- requires applicants for the plate to contribute \$35 annually to the Public Safety Honoring Heroes Restricted Account;
- creates the Public Safety Honoring Heroes Restricted Account; and
- makes technical changes.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 41-1a-418, 41-1a-422;

Enacts 53-1-118

Effective October 1, 2008

Chapter 48, Laws of Utah 2008

HB 29 Election Law - Financial Reporting (Bradley M. Daw)

This bill modifies election financial reporting provisions in the Election Code, the Municipal Code, and Title 17, Counties.

This bill:

- requires municipalities and counties to make campaign finance disclosure statements that are filed by candidates for elective office available for public copying and inspection no later than the working day following the date of filing;
- requires municipalities and counties to either:
 - post an electronic copy or the contents of the disclosure statement on the municipality's or county's website and provide the link to the lieutenant governor's office; or
 - submit a copy of the statement for posting on the lieutenant governor's campaign finance disclosure website;
- expands the regulation of political issues committees to include committees that receive contributions or make expenditures in relation to local ballot issues, instead of only statewide ballot issues;
- expands the regulation of political action committees to include committees that receive contributions or make expenditures to influence the election of a candidate for county or municipal office;
- clarifies definitions;
- requires the lieutenant governor to make campaign finance disclosure statements available for public copying and inspection no later than the working day following the date of filing;
- provides a statutory requirement for the lieutenant governor to post campaign finance disclosure statements on the Internet;
- requires the lieutenant governor to post each campaign finance statement that is provided by a municipality or a county on its website; and
- makes technical changes.

The original bill was recommended by the Political Subdivisions Interim Committee

Amends 10-3-208, 17-16-6.5, 20A-11-101, 20A-11-103, 20A-11-602, 20A-11-802

Effective May 5, 2008

Chapter 49, Laws of Utah 2008

HB 30 Vehicle Concealing Illegal Items (Paul Ray)

This bill modifies the Criminal Code to provide that altering a vehicle to facilitate concealing an illegal item is a criminal offense.

This bill:

- provides that modifying any vehicle to facilitate the illegal transportation, concealment, or storage of contraband is a third degree felony; and
- provides that possession of a vehicle modified to facilitate concealing contraband, with the intent to conceal or transport contraband, is a class A misdemeanor.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 76-10-1602;

Enacts 76-10-2701

Effective May 5, 2008

Chapter 298, Laws of Utah 2008

HB 31 Child Welfare Definitions (Wayne A. Harper)

This bill amends definitions and related provisions in the Child and Family Services chapter of the Utah Human Services Code and in the Juvenile Court Act of 1996.

This bill:

- eliminates overlapping portions of definitions;
- modifies definitions;
- adds new definitions;
- simplifies and consolidates definitions;
- establishes consistency between definitions in the Child and Family Services chapter of the Utah Human Services Code and the Juvenile Court Act of 1996;
- modifies portions of the Child and Family Services chapter of the Utah Human Services Code and the Juvenile Court Act of 1996 to conform with the changes to, and addition of, definitions in this bill; and
- makes technical changes.

This bill coordinates with H.B. 78 by providing technical amendments.

The original bill was recommended by the Health and Human Services Interim Committee and the Child Welfare Legislative Oversight Panel

Amends 62A-4a-101, 62A-4a-107.5, 62A-4a-113, 62A-4a-201, 62A-4a-202.4, 62A-4a-202.6, 62A-4a-203, 62A-4a-301, 62A-4a-302, 62A-4a-303, 62A-4a-304, 62A-4a-305, 62A-4a-306, 62A-4a-309, 62A-4a-311, 62A-4a-401, 62A-4a-402, 62A-4a-403, 62A-4a-405, 62A-4a-406, 62A-4a-409, 62A-4a-411, 62A-4a-412, 62A-4a-414, 62A-4a-802, 62A-4a-1002, 62A-4a-1003, 62A-4a-1005, 62A-4a-1006, 62A-4a-1007, 62A-4a-1009, 62A-4a-1010, 76-7-304, 78-3a-103, 78-3a-301, 78-3a-306, 78-3a-307.1, 78-3a-311, 78-3a-314, 78-3a-318, 78-3a-403, 78-3a-407, 78-3a-408, 78-3a-801

Effective May 5, 2008

Chapter 299, Laws of Utah 2008

HB 32 Affirmative Defense for Agri-tourism Activity (Michael T. Morley)

This bill provides an affirmative defense for an operator of an agri-tourism activity.

This bill:

- defines agri-tourism; and
- provides an affirmative defense for an owner or operator of an agri-tourism activity if:
 - the injured person disregarded safety measures; or
 - any equipment, including animals, utilized during the activity was used in an unsafe manner.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee

Enacts 78B-4-512

Effective May 5, 2008

Chapter 132, Laws of Utah 2008

HB 33 Waivers of Immunity - Exceptions (Gregory H. Hughes)

This bill amends the Utah Human Services Code and the Governmental Immunity Act of Utah to provide exceptions to the immunity granted to government employees and certain persons, officials, and institutions.

This bill:

- provides that the immunity of a person, official, or institution who participates or assists in a child protection matter does not apply if the person intentionally, willfully, or knowingly engages in certain misconduct;
- provides that the immunity of a government employee during the performance of an employee's duties, within the scope of employment, or under color of authority does not apply if the employee intentionally or knowingly engages in certain misconduct; and
- makes technical changes.

The original bill was recommended by the Child Welfare Legislative Oversight Panel

Amends 62A-4a-410, 63-30d-202

Effective May 5, 2008

Chapter 395, Laws of Utah 2008

HB 34 Email Information Required of Registered Sex Offenders (Jim Bird)

This bill requires that sex offenders required to register also provide online names and email addresses.

This bill:

- defines "online identifier";
- requires that a sex offender also provide online identifiers when registering as required by law:
- requires that sex offenders provide websites on which they are registered with online identifiers; and
- requires the sex offender to provide passwords to the department for certain electronic sites, but prohibits the passwords from being provided to the public.

The original bill was recommended by the Public Utilities and Technology Interim Committee

Amends 77-27-21.5

Effective July 1, 2008

Chapter 133, Laws of Utah 2008

HB 35 Motor and Special Fuel Tax Amendments (Craig A. Frank)

This bill modifies the Motor and Special Fuel Tax Act by amending provisions relating to refunds or credits of motor fuel and special fuel taxes.

This bill:

- authorizes the State Tax Commission to refund or credit motor fuel or special fuel tax paid on motor fuel or special fuel that is mixed with dyed diesel fuel or special fuel and is required to be re-refined:
- provides that a claimant of a refund or credit has the burden of proof to establish a claim for a refund or credit;
- specifies the evidence that is necessary to receive a refund or credit; and
- makes technical changes.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-13-202.5, 59-13-322

Effective July 1, 2008

Chapter 134, Laws of Utah 2008

HB 36 Child Welfare Amendments (Wayne A. Harper)

This bill amends background check and child placement provisions in the Utah Human Services Code and the Juvenile Court Act of 1996.

This bill:

- defines terms:
- provides that the requirement that a child in state custody may not be placed with a prospective foster or adoptive parent until the Department of Human Services conducts a comprehensive background check, does not prohibit the Division of Child and Family Services or a court placing the child with a noncustodial parent, or with a relative, pending further investigation of the appropriateness of the placement;
- provides exceptions to certain background check requirements if the exceptions are permitted by federal law or rule;
- modifies background check requirements for prospective foster or adoptive placements;
- clarifies the rulemaking authority of the Office of Licensing, within the Department of Human Services:
- provides that priority shall be given for placing a child with a noncustodial parent, relative, or friend, over placing the child in a shelter;
- modifies provisions relating to the placement and custody of a child who has been removed from the custody of the child's parents;
- provides that, in order to be considered a "willing relative or friend" for purposes of determining placement of a child following a shelter care hearing, the friend or relative must be willing to cooperate with the child's permanency goal;
- describes the limited background check or investigation that must be completed before a child in state custody is placed with a noncustodial parent or relative; and
- makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee and the Child Welfare Legislative Oversight Panel

Amends 62A-2-120, 62A-4a-202.1, 62A-4a-206, 62A-4a-209, 62A-5-103.5, 78A-6-306, 78A-6-307, 78A-6-308, 78A-6-318, 78B-6-113, 78B-6-131;

Enacts 78A-6-307.5

Effective March 13, 2008

Chapter 17, Laws of Utah 2008

HB 37 Utah Business Resource Centers Act (David Clark)

This bill provides for the establishment and administration of business resource centers by the Governor's Office of Economic Development.

This bill:

- enacts the Utah Business Resource Centers Act;
- creates a partnership between the Governor's Office of Economic Development and state institutions of higher education to establish business resource centers;
- specifies that the primary functions of a business resource center are to coordinate economic development activities in a geographical area of the state and to measure economic impact;
- provides for the composition and administration of the business resource centers;
- provides duties and responsibilities for the centers; and
- creates the Utah Business Resource Centers Advisory Board.

This bill appropriates:

as an ongoing appropriation subject to future budget constraints, \$125,000 from the General Fund for fiscal year 2008-09 to the Governor's Office of Economic Development.

The original bill was recommended by the Business and Labor Interim Committee and

Enacts 63-38f-2401, 63-38f-2402, 63-38f-2403, 63-38f-2404, 63-38f-2405, 63-38f-2406, 63-38f-2407

Effective July 1, 2008

Chapter 50, Laws of Utah 2008

HB 38 Education and Outreach Regarding Substances Harmful During Pregnancy (Ronda Rudd Menlove)

This bill amends the Utah Health Code to establish a public education and outreach program regarding the use of alcohol, tobacco, and other substances that are harmful during pregnancy.

This bill:

▶ directs the Department of Health, to conduct a public education and outreach program to inform pregnant women, and women who may become pregnant, of the risk of using substances that are harmful during pregnancy, of treatment available to avoid or stop the use or abuse of these substances, and legal protections pertaining to this treatment.

The original bill was recommended by the Health and Human Services Interim Committee

Enacts 26-7-4

Effective May 5, 2008

Chapter 135, Laws of Utah 2008

HB 40 Safe Drinking Water Revisions (Sylvia S. Andersen)

This bill requires a county to adopt an ordinance to protect a source of drinking water.

This bill:

- defines terms;
- requires a first or second class county to adopt an ordinance to protect a groundwater source of public drinking water;
- authorizes a municipality located in a first or second class county to adopt an ordinance to protect a groundwater source of public drinking water;
- allows a city ordinance to supercede another county or municipal ordinance in certain circumstances;
- allows a county or municipality to change a zoning designation in an industrial protection area in certain circumstances;
- requires the Drinking Water Board to:
 - · provide guidelines and technical resources to a county or municipality; and
 - report to the Legislature; and
- makes technical changes.

The original bill was recommended by the Political Subdivisions Interim Committee

Amends 17-41-402, 19-4-102;

Enacts 19-4-113

Effective May 5, 2008

Chapter 51, Laws of Utah 2008

HB 42 Water Right Application for Electrical Cooperative (Gordon E. Snow)

This bill amends a provision relating to the extension of a water right application.

This bill:

- allows the state engineer to approve an extension of time beyond 50 years for a wholesale electrical cooperative to put its water right to beneficial use; and
- makes technical changes.

The original bill was recommended by the Public Utilities and Technology Interim Committee

Amends 73-3-12

Effective May 5, 2008

Chapter 52, Laws of Utah 2008

HB 43 Allowance of Polling Places for Early Voting (Glenn A. Donnelson)

This bill modifies the Election Code by amending provisions for the location of early voting polling places.

This bill:

- amends early voting polling place location provisions to permit the election officer to use a nongovernment building or office for a polling place if there is no government building or office available that meets certain requirements; and
- makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-3-603

Effective May 5, 2008

Chapter 53, Laws of Utah 2008

HB 44 Declaration of Candidacy Revisions (Glenn A. Donnelson)

This bill modifies election provisions in Title 17B, Limited Purpose Entities - Local Districts.

This bill:

changes the dates for filing a declaration of candidacy for local district board positions to be consistent with the filing dates required for municipal office candidates.

The original bill was recommended by the Government Operations Interim Committee

Amends 17B-1-306

Effective May 5, 2008

Chapter 54, Laws of Utah 2008

HB 45 Supported Employment Services to a Person with a Disability (Ronda Rudd Menlove)

This bill makes the pilot program for provision of supported employment services, contained in the Services to People With Disabilities Chapter of the Utah Human Services Code, into an ongoing program, subject to sunset review.

This bill:

- establishes as an ongoing program the pilot program for provision of supported employment services, subject to a sunset provision; and
- makes technical changes.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 62A-5-103.1, 63-55-262

Effective May 5, 2008

Chapter 136, Laws of Utah 2008

HB 46 Adoption and Termination of Parental Rights (Sheryl L. Allen)

This bill amends provisions of the Utah Health Code, the Utah Criminal Code, and the Judicial Code, relating to adoption and the termination of parental rights.

This bill:

- defines terms;
- provides that a child-placing agency has a direct, tangible, and legitimate interest in the vital records of a child that has been placed with the agency pending finalization of an adoption;
- modifies and clarifies the definition of "adoption related expenses" that a person may pay or accept without committing the crime of "sale of a child";
- ▶ amends the offense of "sale of a child" to make it a third degree felony to offer to sell or dispose of a child, or to give, or attempt to give, money or another thing of value to a person with the intent to induce the person to sell or dispose of a child;
- makes incarceration for a felony a factor that a court must consider in determining whether a parent is unfit or has neglected a child, regardless of whether the child is in the custody of the Division of Child and Family Services;
- modifies requirements relating to taking consents and relinquishments for adoption;
- clarifies which code provisions must be complied with in order for a court to waive the requirement that adoptive parents and the child to be adopted appear before the court prior to entry of a final decree of adoption;
- ▶ requires a child-placing agency and a petitioner for adoption to comply with the Indian Child Welfare Act in an adoption proceeding involving an "Indian child"; and
- makes technical changes.

This bill coordinates with S.B. 111, Revisor's Statute, by providing technical amendments.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 26-2-22, 76-7-203, 78A-6-508, 78B-6-103, 78B-6-105, 78B-6-107, 78B-6-124, 78B-6-128, 78B-6-129, 78B-6-134, 78B-6-136, 78B-6-143, 78B-6-144

Effective May 5, 2008

Chapter 137, Laws of Utah 2008

HB 47 Standards for Electronic Exchange of Clinical Health Information (Ronda Rudd Menlove)

This bill adds to the duties of the Department of Health.

This bill:

- authorizes the Department of Health to adopt standards for the electronic exchange of clinical health information;
- defines terms;
- authorizes the department to require individuals who elect to participate in an electronic exchange of clinical health information to use the standards adopted by the department;
- requires the department to report to the Legislature's Health and Human Services Interim Committee concerning the adoption of the standards for the electronic exchange of clinical health information; and
- coordinates rulemaking authority between the Department of Health and the Insurance Department.

The original bill was recommended by the Health and Human Services Interim Committee

Amends 31A-22-614.5;

Enacts 26-1-37

Effective May 5, 2008

Chapter 379, Laws of Utah 2008

HB 48 Mobile Home Owners' Rights (Phil Riesen)

This bill addresses the provision of notice to a resident of a mobile home park before the resident may be required to vacate the park because of a change in land use or condemnation.

This bill:

- requires nine months notice before a lease may be terminated or a resident may be forced to vacate a mobile home park because of a change in land use or condemnation;
- addresses the provision of notice of certain governmental proceedings surrounding a change in land use or condemnation;
- addresses the provision of notice to a resident who is not a resident of the mobile home park at the time notice is initially given of a change in land use or condemnation;
- provides that rent may not increase during the period between the provision of notice of a change in land use or condemnation and the day on which the resident is required to vacate the mobile home park;
- forbids ordinances by a town, city, or county concerning the closure of a mobile home park because of a change in land use or condemnation; and
- makes technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 57-16-6;

Enacts 57-16-18

Effective May 5, 2008

Chapter 55, Laws of Utah 2008

HB 49 Budget Reserve Account and Disaster Recovery Account Amendments (Wayne A. Harper)

This bill makes changes to the state's budget reserve and disaster recovery accounts.

This bill:

- changes target amounts for year-end surplus transfers to the General Fund Budget Reserve Account, Education Fund Budget Reserve Account, and State Disaster Recovery Restricted Account:
- modifies requirements governing deposits into the accounts;
- changes the conditions under which monies may be appropriated from the budget reserve accounts:
- designates legislative appropriations to the budget reserve accounts as repayments when specified appropriations from the accounts have not been repaid;
- requires the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget to report to the Executive Appropriations Committee and the Tax Review Commission on revenue volatility and its relation to the balances in the General Fund Budget Reserve Account and the Education Budget Reserve Account; and
- makes technical changes.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 63-38-2.5, 63-38-2.6, 63-38-2.7;

Enacts 63J-1-205

Effective May 5, 2008

Chapter 138, Laws of Utah 2008

HB 50 Underground Storage Tank Amendments (Sylvia S. Andersen)

This bill amends the Underground Storage Tank Act.

This bill:

- amends references to federal statutes regulating underground storage tanks; and
- makes technical corrections.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee

Amends 19-6-403

Effective May 5, 2008

Chapter 56, Laws of Utah 2008

HB 51 Water Right Amendments (Patrick Painter)

This bill protects specific entities from forfeiting a water right because of nonuse.

This bill:

- defines terms;
- changes the nonuse period of a water right from five to seven years;
- clarifies the forfeiture procedure and the distribution of water after a forfeiture;
- allows a shareholder to file a nonuse application;
- protects a water right from forfeiture if:
 - a public water supplier holds the water for the reasonable future water requirements of the public and in some cases, receives approval of a change application;
 - the land where the water is used is under a fallowing program;
 - water is not available because of distribution based on priority date;
 - the water is stored in an aquifer;
 - a storage water right is not used in certain circumstances; and
 - another water source is available for the beneficial use;
- establishes how the reasonable future water requirements of the public are determined;
- describes how a community water system's projected service area is determined;
- changes the requirements for a nonuse application;
- clarifies the effect of a nonuse application;
- allows an applicant to file a subsequent nonuse application;
- authorizes the state engineer to use fees to hire staff; and
- makes technical changes.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee

Amends 73-1-4, 73-2-14

Effective May 5, 2008

Chapter 380, Laws of Utah 2008

HB 52 Research Activities Tax Credits Amendments (John Dougall)

This bill amends the Corporate Franchise and Income Taxes chapter and the Individual Income Tax Act to address tax credits for research activities.

This bill:

- modifies tax credit percentages;
- addresses the taxable year for which certain tax credits for research activities may be claimed;
- addresses Utah Tax Review Commission study requirements for the tax credits; and
- makes technical changes.

This bill takes effect May 5, 2008 and has retrospective operation for taxable years beginning on or after January 1, 2008.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-7-612, 59-7-613, 59-10-1012, 59-10-1013

Chapter 4, Laws of Utah 2008

HB 53 Impact of Administrative Rules on Small Businesses (Stephen D. Clark)

This bill modifies the Administrative Rulemaking Act to address the economic impact of state agency rules on small businesses.

This bill:

- requires a state agency to consider methods to minimize the impact of an agency's proposed administrative rule if the agency reasonably expects the rule will have a measurable negative fiscal impact on small businesses; and
- makes technical corrections regarding cross references.

The original bill was recommended by the Business and Labor Interim Committee

Amends 53C-1-201, 63-46a-4, 63-46a-7, 63-46a-10.5

Effective May 5, 2008

Chapter 300, Laws of Utah 2008

HB 54 Property Tax Assessment Revisions (Wayne A. Harper)

This bill amends provisions in the Property Tax Act relating to the real property appraisal requirements for county assessors.

This bill:

- defines terms:
- requires a county assessor of a first or second class county to use a computer assisted mass appraisal system to conduct its annual update of property values;
- requires a county assessor to maintain a record of the last property review date for each parcel of real property located within the county assessor's county on the county's computer system;
- requires a county assessor to prepare a five-year plan to comply with the statutory property review requirements;
- requires a county assessor to create and update a database with sales and property characteristic information;
- requires a county assessor to include the last property review date for a parcel of property on the property owner's tax notice;
- provides a penalty if a county assessor fails to comply with statutory property review requirements;
- requires a county assessor to report certain information to the Tax Commission;
- requires the Tax Commission to report certain information to the Revenue and Taxation Interim Committee; and
- makes technical changes.

This bill coordinates with H.B. 186, Property Tax -- Assessment and Collection Amendments, by changing technical cross references.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-2-102, 59-2-303.1, 59-2-505, 59-2-906.2, 59-2-918.5, 59-2-918.6, 59-2-919, 59-2-1004, 59-2-1330;

Enacts 59-2-919.1

Effective January 1, 2009

Chapter 301, Laws of Utah 2008

HB 55 Captive Insurance Company Amendments (James A. Dunnigan)

This bill modifies the Captive Insurance Companies Act and enacts the Special Purpose Financial Captive Insurance Company Act.

This bill:

- addresses fee amounts that are nonlapsing;
- modifies and enacts definitions:
- makes changes related to a captive insurance company formed as a limited liability company;
- addresses applicable law;
- addresses the applicability of reorganization, receivership, and injunction statutes;
- addresses permissive areas of insurance;
- addresses sponsored captive insurance companies;
- addresses reporting to the commissioner;
- enacts the Special Purpose Financial Captive Insurance Company Act including:
 - defining terms;
 - outlining applicable law;
 - · imposing reporting requirements;
 - imposing requirements related to books and records;
 - providing for a transition to the new certificate of authority;
 - establishing a process to issue a certificate of authority;
 - addressing revocation, suspension, amendment, or modification of a certificate of authority;
 - requiring commissioner approval of certain actions;
 - addressing sponsored captives;
 - addressing the formation, assets, investments, and securities of a special purpose financial captive insurance company;
 - · addressing reinsurance; and
 - providing for enforcement and delinquency; and
- makes technical and conforming amendments.

This bill takes effect on May 5, 2008, except the amendments to Section 31A-3-304 in this bill takes effect on July 1, 2010.

The original bill was recommended by the Business and Labor Interim Committee

Amends 31A-3-304, 31A-37-102, 31A-37-103, 31A-37-104, 31A-37-106, 31A-37-202, 31A-37-402, 31A-37-501, 31A-37-502, 31A-37-602, 31A-37-603;

Enacts 31A-37a-101, 31A-37a-102, 31A-37a-103, 31A-37a-104, 31A-37a-105, 31A-37a-201, 31A-37a-202, 31A-37a-203, 31A-37a-204, 31A-37a-205, 31A-37a-301, 31A-37a-302, 31A-37a-303, 31A-37a-304, 31A-37a-401, 31A-37a-402, 31A-37a-501, 31A-37a-502

Chapter 302, Laws of Utah 2008

HB 56 Repeal Provisions Related to Assumption of Indebtedness on Residential Real Property (Kevin S. Garn)

This bill repeals provisions related to assumption of indebtedness on residential real property.

This bill:

- repeals provisions related to assumption of indebtedness on residential real property; and
- makes technical and conforming changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 7-7-44:

Repeals 57-15-1, 57-15-2, 57-15-3, 57-15-4, 57-15-5, 57-15-6, 57-15-7, 57-15-8, 57-15-8.5, 57-15-9, 57-15-10, 57-15-11

Effective May 5, 2008

Chapter 139, Laws of Utah 2008

HB 57 Transportation Administrative Rules - Criminal and Civil Penalty Amendments (Todd E. Kiser)

This bill modifies the Transportation Code by amending provisions that grant authority to enforce or provide procedures for enforcing administrative rules.

This bill:

- authorizes the Department of Transportation to enforce the provisions of the Junkyard Control Act or rules made under the Junkyard Control Act through administrative procedures;
- repeals the authority of the Department of Transportation to specify by administrative rule conduct that may constitute a misdemeanor or felony in the Transportation Code; and
- makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 72-7-208, 72-7-302, 72-7-402, 72-7-407, 72-7-409, 72-9-701, 72-10-120;

Repeals 72-7-211

Effective May 5, 2008

Chapter 140, Laws of Utah 2008

HB 58 Severance Tax Amendments (John Dougall)

This bill provides for the disposition of certain revenues from severance taxes.

This bill:

- provides that certain severance tax revenues that exceed a base amount are deposited into the permanent state trust fund or the Severance Tax Holding Account;
- provides that certain interest earnings be deposited into the Infrastructure and Economic Diversification Investment Account;
- ▶ defines terms; and
- makes technical changes.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, changing technical cross references.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 59-5-115, 59-5-215, 63-97a-201, 63-97a-202;

Enacts 63-97a-301

Effective July 1, 2008

Chapter 141, Laws of Utah 2008

HB 59 Community and Economic Development Technical Changes (Steven R. Mascaro)

This bill makes certain technical changes to reporting requirements for the Governor's Office of Economic Development and Department of Community and Culture and provides for uniformity in referencing the Office of Rural Development and its director.

This bill:

- correctly identifies the legislative interim committee to which the Governor's Office of Economic Development and the Department of Community and Culture's Olene Walker Housing Fund Board make annual reports;
- provides for uniformity in referencing the Office of Rural Development and its director;
- provides for ongoing rather than one-time reporting of activities associated with the Economic Development Incentives Act; and
- makes certain other technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 9-4-708, 63-38d-603, 63-38f-1103, 63-38f-1602, 63-38f-1603, 63-38f-1604, 63-38f-1605, 63-38f-1706

Effective May 5, 2008

Chapter 381, Laws of Utah 2008

HB 60 Legislative Review of Health Insurance Mandates (James A. Dunnigan)

This bill modifies provisions related to the Legislature to clarify review of health insurance mandates by an interim committee.

This bill:

- modifies the process by which the Business and Labor Interim Committee and Health and Human Services Interim Committee review health insurance mandates;
- requires the Insurance Department to take certain actions in relationship to a review;
- removes provisions related to the legislative auditor general assisting with a review; and
- makes technical and conforming amendments.

The original bill was recommended by the Business and Labor Interim Committee

Amends 36-12-5, 36-12-15

Effective May 5, 2008

Chapter 142, Laws of Utah 2008

HB 61 Designation of State Highways Amendments (Todd E. Kiser)

This bill modifies the Designation of State Highways Act by amending the definitions of selected state highways and adding highways to or deleting highways from the state highway system.

This bill:

- creates SR-252;
- ▶ deletes SR-184, SR-237, SR-238, SR-239, and SR-288 from the state highway system;
- modifies the definition of SR-89, SR-186, and SR-270;
- deletes SR-181 from the state highway system;
- renames SR-11 as SR-89A; and
- makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 72-4-107, 72-4-114, 72-4-124, 72-4-129, 72-4-131, 72-4-132, 72-4-134

Effective May 5, 2008

Chapter 57, Laws of Utah 2008

HB 62 Clean Fuel Special Group License Plate Amendments (Todd E. Kiser)

This bill modifies the Motor Vehicles Code by amending provisions relating to clean fuel special group license plates.

This bill:

- changes the eligibility requirements for a clean fuel special group license plate from requiring a vehicle to maintain a clean special fuel tax certificate to requiring that the vehicle meet standards established by the Department of Transportation in administrative rules beginning on the effective date of the rules;
- provides that a person is exempt from certain license plate fees if the person:
 - was issued a clean fuel special group license plate;
 - is no longer eligible for a clean fuel special group license plate under rules made by the Department of Transportation; and
 - is required to replace the clean fuel special group license plate with a new license plate;
 and
- makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-1a-418, 41-1a-1201, 41-1a-1211

Effective May 5, 2008

Chapter 143, Laws of Utah 2008

HB 63 Recodification of Title 63 State Affairs in General (Douglas C. Aagard)

This bill modifies Title 63, State Affairs in General, by recodifying and renumbering the content of the title to other parts of the code.

This bill:

- renumbers and moves almost all chapters in Title 63 to different or new titles, chapters, and parts of the code;
- creates new titles into which many chapters of Title 63 are renumbered and moved;
- renumbers and moves several other chapters to related titles of the code;
- ▶ amends cross-references to coincide with renumbering of sections;
- repeals certain redundant provisions; and
- makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 3-1-6, 3-1-36, 4-1-3.5, 4-2-2, 4-2-8.5, 4-3-2, 4-3-14, 4-4-2, 4-5-9, 4-5-9.5, 4-9-2, 4-9-15, 4-10-3, 4-11-3, 4-12-3, 4-14-3, 4-14-6, 4-14-13, 4-15-3, 4-16-3, 4-18-5, 4-18-6.5, 4-20-1.5, 4-22-4.5, 4-23-5, 4-24-3, 4-25-3, 4-29-1, 4-30-3, 4-31-16.5, 4-31-21, 4-32-7, 4-33-4, 4-37-109, 4-37-201, 4-37-301, 4-37-602, 4-38-4, 4-38-6, 4-38-14, 4-39-106, 4-39-203, 4-39-502, 7-1-105, 7-1-301, 7-1-323, 7-1-324, 7-1-325, 7-1-704, 7-1-810, 7-2-9, 7-2-21, 7-9-59, 7-23-103, 7-23-106, 7-23-108, 7-24-201, 7-24-203, 7-24-301, 7-24-303, 9-1-203, 9-1-809, 9-3-308, 9-3-410, 9-4-202, 9-4-306, 9-4-307, 9-4-509, 9-4-704, 9-4-906, 9-4-917, 9-4-1103, 9-4-1301, 9-4-1404, 9-4-1406, 9-6-205, 9-6-504, 9-6-605, 9-7-213, 9-7-302, 9-8-203, 9-8-305, 9-8-309, 9-8-405, 9-8-704, 9-9-104, 9-10-105, 9-11-102, 9-11-105, 9-11-106, 9-11-107, 9-12-103, 9-12-105, 10-1-306, 10-1-308, 10-1-405, 10-3-208, 10-3-1303, 10-3-1304, 10-3-1305, 10-7-86, 10-7-87, 10-8-2, 10-8-58.5, 10-9a-203, 10-9a-402, 10-18-302, 11-13-222, 11-13-302, 11-13-303, 11-17-20, 11-36-201, 11-36-402, 11-37-101, 11-38-102, 11-38-303, 11-39-101,

11-39-107, 11-42-205, 12-1-10, 13-1-2, 13-1-8.5, 13-1a-5, 13-1a-6, 13-1a-7, 13-1a-9, 13-2-5, 13-2-6, 13-2-8, 13-2-9, 13-14-104, 13-14-105, 13-14-106, 13-14-107, 13-15-4, 13-15-4.5, 13-21-3, 13-22-3, 13-22-6, 13-22-8, 13-22-9, 13-22-12, 13-23-5, 13-25a-109, 13-26-3, 13-32a-106.5, 13-32a-111, 13-34-104, 13-34-107, 13-34-113, 13-35-104, 13-35-105, 13-35-106, 13-35-107, 13-39-201, 13-39-203, 13-41-102, 13-42-105, 13-42-109, 13-42-110, 13-42-111, 13-42-112, 13-42-132, 13-42-134, 13-43-203, 13-43-204, 13-43-206, 14-1-18, 15-9-103, 15-9-105, 15-9-106, 15-9-107, 15-9-109, 16-6a-107, 16-6a-111, 16-6a-1413, 16-6a-1502, 16-6a-1517, 16-7-11, 16-10a-122, 16-10a-1423, 16-12-3, 16-13-12, 16-15-105, 16-15-107, 16-15-108, 17-15-24, 17-16-21, 17-16a-4, 17-21-17, 17-21-19, 17-27a-203, 17-27a-402, 17-43-202, 17-43-302, 17-50-302, 17-50-401, 17-53-225, 17-53-311, 17-53-313, 17B-1-106, 17B-1-108, 17B-2a-818, 17C-2-602, 19-1-201, 19-1-301, 19-1-305, 19-1-306, 19-1-403, 19-1-404, 19-1-405, 19-2-104, 19-2-105.3, 19-2-109.1, 19-2-109.3, 19-2-109.5, 19-2-112, 19-2-115, 19-3-104, 19-3-106.4, 19-3-109, 19-3-111, 19-3-303, 19-3-308, 19-3-315, 19-4-104, 19-4-109, 19-5-104, 19-5-113, 19-5-120, 19-5-121, 19-5-122, 19-6-102.6, 19-6-105, 19-6-108.3, 19-6-303, 19-6-321, 19-6-326, 19-6-403, 19-6-405.3, 19-6-408, 19-6-410.5, 19-6-427, 19-6-704, 19-6-721, 19-6-803, 19-6-806, 19-6-818, 19-6-819, 19-6-821, 19-6-906, 19-6-1003, 19-7-103, 19-7-104, 19-8-112, 19-8-117, 19-8-120, 19-9-105, 19-10-108, 20A-1-204, 20A-2-104, 20A-3-304.1, 20A-3-408.5, 20A-9-206, 20A-12-104, 23-14-2.1, 23-14-18, 23-14-21, 23-16-3.2, 23-16-4, 23-19-9, 23-19-38.2, 23-21-2.3, 23-24-1, 24-1-19, 26-1-4.1, 26-1-5, 26-1-6, 26-1-7.1, 26-1-17.5, 26-1-21, 26-2-22, 26-6b-1, 26-8a-104, 26-8a-105, 26-8a-207, 26-8a-310, 26-8a-404, 26-8a-405.3, 26-8a-407, 26-8a-414, 26-8a-503, 26-8a-504, 26-15a-102, 26-15a-104, 26-15a-105, 26-18-3, 26-18-103, 26-18-104, 26-18-304, 26-18-504, 26-18a-4, 26-21-5, 26-21-9.5, 26-21-23, 26-21a-203, 26-21a-205, 26-23-2, 26-23b-110, 26-25-2, 26-33a-104, 26-35a-106, 26-38-9, 26-39-108, 26-39-109, 26-40-103, 26-40-110, 26-41-104, 26-42-104, 26-43-103, 26-46-102, 26-47-103, 26-48-102, 26A-1-108.7, 30-2-11, 30-3-11.3, 30-3-11.4, 30-3-38, 31A-1-103, 31A-1-301, 31A-2-201, 31A-2-201.1, 31A-2-203, 31A-2-203.5, 31A-2-204, 31A-2-207, 31A-2-209, 31A-2-217, 31A-2-302, 31A-2-306.5, 31A-2-404, 31A-3-101, 31A-3-103, 31A-3-304, 31A-4-103, 31A-5-204, 31A-6a-110, 31A-8a-203, 31A-8a-210, 31A-12-107, 31A-14-217, 31A-17-503, 31A-19a-211 (Effective 07/01/08), 31A-19a-211 (Superseded 07/01/08), 31A-19a-304, 31A-21-109, 31A-22-315, 31A-22-320, 31A-22-403, 31A-22-409, 31A-22-425, 31A-22-614.5, 31A-22-625, 31A-22-1308, 31A-23a-104, 31A-23a-111, 31A-23a-112, 31A-23a-115, 31A-23a-202, 31A-23a-302, 31A-23a-402, 31A-23a-417, 31A-23a-809, 31A-25-202, 31A-25-208, 31A-25-209, 31A-26-202, 31A-26-206, 31A-26-213, 31A-26-214, 31A-27a-102, 31A-27a-116, 31A-27a-117, 31A-27a-514, 31A-27a-515, 31A-27a-804, 31A-29-106, 31A-29-110, 31A-29-111, 31A-29-116, 31A-30-106, 31A-30-106.7, 31A-31-104, 31A-31-106, 31A-31-108, 31A-33-104, 31A-33-107, 31A-34-104, 31A-35-301, 31A-35-401, 31A-35-405, 31A-35-406, 31A-35-502, 31A-36-104, 31A-36-115, 31A-36-117, 31A-36-119, 31A-37-106, 31A-37-202, 31A-37-503, 31A-37-602, 32A-1-115, 32A-1-118, 32A-1-119, 32A-1-120, 32A-1-603, 32A-4-103, 32A-4-203, 32A-4-304, 32A-4-403, 32A-4-406, 32A-5-103, 32A-6-103, 32A-7-103, 32A-8-103, 32A-8-503, 32A-9-103, 32A-10-203, 32A-10-303, 32A-11-103, 32A-15a-103, 32A-15a-201, 34-20-10, 34-23-104, 34-23-401, 34-28-19, 34-40-104, 34-40-105, 34-40-202, 34-41-103, 34A-1-104, 34A-1-106, 34A-1-302, 34A-1-303, 34A-1-304, 34A-1-307, 34A-1-309, 34A-1-402, 34A-2-111, 34A-2-203, 34A-2-205, 34A-2-211, 34A-2-407, 34A-2-704, 34A-2-801, 34A-5-102, 34A-5-107, 34A-5-108, 34A-6-103, 34A-6-105, 34A-6-202, 34A-6-301, 34A-6-304, 34A-6-307, 34A-7-104, 34A-7-203, 34A-8-111, 34A-8-112, 35A-1-104, 35A-1-106, 35A-1-301, 35A-1-303, 35A-3-105, 35A-3-111, 35A-3-207, 35A-3-302, 35A-3-310, 35A-3-602, 35A-3-604, 35A-4-202, 35A-4-304, 35A-4-312, 35A-4-401, 35A-4-502, 35A-4-503, 35A-5-102, 35A-5-202, 35A-7-106, 35A-7-107, 36-11-102, 36-11-103, 36-11-404, 36-12-13, 36-12-15, 36-23-106, 38-1-11, 38-1-27, 38-1-28, 38-1-30, 38-1-31, 38-1-39, 38-11-105, 38-11-108, 38-11-110, 38-11-201, 38-11-202, 38-11-204, 38-11-206, 38-11-207, 38-11-301, 38-11-302, 39-5-2, 39-7-119, 40-2-1.1, 40-2-15, 40-2-16, 40-6-10, 40-6-14.5, 40-8-4, 40-8-6, 40-8-7, 40-10-6, 40-10-6.5, 40-10-6.7, 40-10-13, 40-10-14, 40-10-16, 40-10-21, 40-10-30, 41-1a-115, 41-1a-116, 41-1a-117, 41-1a-119, 41-1a-231, 41-1a-301, 41-1a-407, 41-1a-416, 41-1a-418, 41-1a-419, 41-1a-420, 41-1a-422, 41-1a-522, 41-1a-712, 41-1a-1007, 41-1a-1010, 41-1a-1101, 41-1a-1211, 41-1a-1212, 41-1a-1221, 41-3-105, 41-3-109, 41-3-202, 41-3-209, 41-3-301, 41-3-302, 41-3-304, 41-3-306, 41-3-601, 41-3-604, 41-6a-212, 41-6a-301, 41-6a-303, 41-6a-403 (Effective 07/01/08), 41-6a-403 (Superseded 07/01/08), 41-6a-404, 41-6a-514, 41-6a-518, 41-6a-702, 41-6a-1304, 41-6a-1307, 41-6a-1406, 41-6a-1601, 41-6a-1617, 41-6a-1636, 41-6a-1639, 41-12a-201,

41-12a-202, 41-12a-407, 41-12a-803, 41-12a-805, 41-22-5.1, 41-22-10.7, 41-22-19.5, 41-22-29, 41-22-31, 41-22-35, 41-22-36, 42-2-10, 42-3-2, 42-3-4, 46-1-3, 46-4-501, 46-4-503, 48-1-42, 48-2a-203.5, 48-2a-206, 48-2a-1107, 48-2c-214, 48-2c-1209, 49-11-613, 49-14-201, 49-15-201, 51-2a-301, 51-5-7, 52-4-203, 52-4-206, 52-4-304, 53-1-105, 53-1-106, 53-1-108, 53-1-110, 53-1-117, 53-2-102, 53-2-102.5, 53-2-104, 53-2-105, 53-2-106, 53-2-107, 53-2-110, 53-2-402, 53-2-403, 53-2-404, 53-2-509, 53-3-104, 53-3-106, 53-3-109, 53-3-205, 53-3-221 (Effective 07/01/08), 53-3-221 (Superseded 07/01/08), 53-3-221.5 (Effective 07/01/08), 53-3-303.5, 53-3-304, 53-3-505, 53-3-506, 53-3-510, 53-3-805, 53-3-903, 53-5-704, 53-5-705, 53-5-708, 53-6-105, 53-6-213, 53-7-204, 53-7-204.2, 53-7-216, 53-7-225.5, 53-7-225.6, 53-7-314, 53-7-407 (Effective 07/01/08), 53-8-204, 53-8-211, 53-9-103, 53-9-108, 53-9-113, 53-9-115, 53-9-118, 53-10-108, 53-10-406, 53-10-602, 53-11-103, 53-11-118, 53-11-119, 53-13-106, 53A-1-402.5, 53A-1-408, 53A-1-611, 53A-1-612, 53A-1-706, 53A-1a-508, 53A-1a-509, 53A-1a-510, 53A-1a-511, 53A-1a-513, 53A-1a-601, 53A-1a-602, 53A-1a-707, 53A-1a-808, 53A-1a-902, 53A-2-123, 53A-2-206, 53A-3-303, 53A-3-402.11, 53A-3-424, 53A-3-702, 53A-6-103, 53A-6-105, 53A-6-112, 53A-6-503, 53A-11-102.5, 53A-12-103, 53A-13-101.6, 53A-13-106, 53A-13-201, 53A-13-208, 53A-13-209, 53A-15-101.5, 53A-15-104, 53A-16-101.5, 53A-17a-105, 53A-17a-107, 53A-17a-111, 53A-17a-120, 53A-17a-121, 53A-17a-131.9, 53A-17a-131.15, 53A-17a-131.17, 53A-17a-153, 53A-19-105, 53A-20-101, 53A-20c-102, 53A-21-103, 53A-21-103.5, 53A-24-114, 53A-26a-302, 53B-2-107, 53B-2-108, 53B-6-105, 53B-6-105.7, 53B-6-105.9, 53B-6-106, 53B-7-502, 53B-12-101, 53B-16-302, 53B-16-303, 53B-16-304, 53B-16-305, 53B-17-603, 53C-1-201, 53C-1-202, 53C-1-304, 53C-2-201, 54-1-2.5, 54-3-28, 54-5-1.5, 54-7-15, 54-8b-2.1, 54-8b-10, 54-14-104, 54-14-307, 54-17-102, 54-17-103, 54-17-201, 54-17-202, 54-17-203, 54-17-301, 54-17-302, 54-17-304, 54-17-401, 54-17-402, 54-17-404, 54-17-501, 56-1-22.5, 56-2-8, 57-11-3.5, 57-11-10, 57-11-13, 57-11-14, 57-12-9, 57-19-20, 57-21-2, 57-21-8, 57-21-9, 57-21-10, 57-23-8, 57-24-101, 57-25-109, 58-1-106, 58-1-108, 58-1-109, 58-1-301, 58-1-308, 58-1-402, 58-1-404, 58-3a-103, 58-3a-302, 58-3a-502, 58-5a-302, 58-9-302, 58-9-504, 58-9-701, 58-11a-102, 58-11a-302, 58-11a-503, 58-13-5, 58-15-4, 58-16a-302, 58-17b-303, 58-17b-304, 58-17b-305, 58-17b-306, 58-17b-307, 58-17b-504, 58-17b-701, 58-20a-302, 58-22-103, 58-22-302, 58-22-503, 58-26a-102, 58-26a-302, 58-26a-306, 58-26a-307, 58-28-302, 58-28-503, 58-31b-102, 58-31b-301.6, 58-31b-302, 58-31b-304, 58-31b-305, 58-31b-401, 58-31b-402, 58-31b-601, 58-37-2, 58-37-6, 58-37-21, 58-37c-3, 58-37c-6, 58-37c-8, 58-37c-14, 58-39a-5, 58-40-5, 58-40a-302, 58-40a-304, 58-41-5, 58-41-13, 58-42a-302, 58-44a-102, 58-44a-302, 58-44a-402, 58-46a-302, 58-47b-302, 58-53-103, 58-53-302, 58-53-502, 58-54-2, 58-54-5, 58-55-103, 58-55-302, 58-55-307, 58-55-308, 58-55-503, 58-56-4, 58-56-7, 58-56-9.3, 58-56-9.5, 58-56-16, 58-57-4, 58-57-14, 58-59-302, 58-59-302.5, 58-59-303, 58-59-308, 58-60-115, 58-60-117, 58-60-205, 58-60-305, 58-60-405, 58-60-506, 58-61-304, 58-63-302, 58-63-304, 58-63-503, 58-64-302, 58-67-102, 58-67-302, 58-67-402, 58-67-601, 58-68-102, 58-68-302, 58-68-402, 58-68-601, 58-69-302, 58-69-601, 58-70a-302, 58-71-102, 58-71-302, 58-71-402, 58-71-601, 58-72-302, 58-73-302, 58-73-701, 58-74-302, 58-75-102, 58-75-302, 58-76-103, 58-76-302, 58-76-502, 58-77-302, 59-1-210, 59-1-302, 59-1-304, 59-1-305, 59-1-401, 59-1-403, 59-1-404, 59-1-502.5, 59-1-601, 59-1-602, 59-1-610, 59-1-1302, 59-1-1303, 59-1-1306, 59-1-1307, 59-2-102, 59-2-103.5, 59-2-107, 59-2-202, 59-2-207, 59-2-307, 59-2-309, 59-2-405.2, 59-2-406, 59-2-503, 59-2-703, 59-2-704.5, 59-2-801, 59-2-924, 59-2-1004, 59-2-1004.5, 59-2-1007, 59-2-1102, 59-2-1105, 59-2-1115, 59-2-1202, 59-5-101, 59-5-110, 59-5-203, 59-5-204, 59-5-210, 59-6-104, 59-7-101, 59-7-311, 59-7-610, 59-7-612, 59-7-613, 59-7-614.1, 59-7-703, 59-8-106, 59-10-103, 59-10-114, 59-10-115, 59-10-116, 59-10-117, 59-10-202, 59-10-209.1, 59-10-210, 59-10-405.5, 59-10-514, 59-10-514.1, 59-10-549, 59-10-1007, 59-10-1012, 59-10-1013, 59-10-1015, 59-10-1105, 59-10-1205, 59-11-113, 59-12-102, 59-12-104, 59-12-104.1, 59-12-106, 59-12-107, 59-12-107.1, 59-12-108, 59-12-110, 59-12-114, 59-12-207, 59-12-208.1, 59-12-209, 59-12-210, 59-12-301, 59-12-403, 59-12-504, 59-12-703, 59-12-806, 59-12-902, 59-12-1001, 59-12-1102, 59-12-1302, 59-12-1402, 59-12-1503, 59-12-1703, 59-12-1803, 59-13-201, 59-13-201.5, 59-13-202.5, 59-13-203.1, 59-13-301, 59-13-301.5, 59-13-302, 59-13-322, 59-13-404, 59-13-502, 59-14-204, 59-14-407, 59-14-409, 59-14-603, 59-19-105, 59-21-2, 59-24-108, 59-25-108, 59-26-106, 59-26-108, 59-27-104, 61-1-4, 61-1-6, 61-1-11.1, 61-1-12, 61-1-13, 61-1-14, 61-1-15.5, 61-1-18.4, 61-1-18.6, 61-1-18.7, 61-1-23, 61-2-5.1, 61-2-6, 61-2-7.1, 61-2-9, 61-2-10, 61-2-12, 61-2-21, 61-2-26, 61-2-28, 61-2b-2, 61-2b-6, 61-2b-8, 61-2b-18, 61-2b-21, 61-2b-22, 61-2b-27, 61-2b-28, 61-2b-30, 61-2b-37, 61-2c-102,

61-2c-103, 61-2c-104, 61-2c-105, 61-2c-201, 61-2c-202, 61-2c-205, 61-2c-206, 61-2c-207, 61-2c-208, 61-2c-402.1, 61-2c-403, 62A-1-106, 62A-1-108.5, 62A-1-111, 62A-1-112, 62A-1-118, 62A-2-105, 62A-2-106, 62A-2-108.2, 62A-2-108.3, 62A-2-109, 62A-2-111, 62A-2-120, 62A-2-121, 62A-2-122, 62A-3-104, 62A-3-104.1, 62A-3-106.5, 62A-3-109, 62A-3-205, 62A-3-311, 62A-3-311.1, 62A-3-312, 62A-4a-102, 62A-4a-112, 62A-4a-115, 62A-4a-119, 62A-4a-120, 62A-4a-206, 62A-4a-207, 62A-4a-208, 62A-4a-303, 62A-4a-304, 62A-4a-410, 62A-4a-412, 62A-4a-906, 62A-4a-1003, 62A-4a-1006, 62A-4a-1009, 62A-5-103, 62A-5-103.1, 62A-5-103.2, 62A-5-105, 62A-5-313, 62A-5a-104, 62A-7-202, 62A-11-104.1, 62A-11-105, 62A-11-303, 62A-11-304.1, 62A-11-304.2, 62A-11-304.4, 62A-11-326.3, 62A-11-333, 62A-11-407, 62A-11-603 (Effective 07/01/08), 62A-13-105, 62A-14-105, 62A-14-106, 62A-14-108, 62A-14-109, 62A-15-103, 62A-15-105, 62A-15-401, 62A-15-704, 62A-15-707, 62A-15-902, 63-11-12, 63-11-17, 63-11a-503, 63-34-3.1, 63-34-5 (Contingently Effective), 63-34-15, 63-34-17, 63-63c-101, 63-73-4, 63-73-6, 63A-1-105.5, 63A-1-112, 63A-1-114, 63A-2-103, 63A-3-306, 63A-4-102, 63A-4-204, 63A-4-204.5, 63A-4-207, 63A-5-103, 63A-5-104, 63A-5-204, 63A-5-205, 63A-5-206, 63A-5-208, 63A-5-302, 63A-8-201, 63A-8-204, 63A-9-401, 63A-9-801, 63A-9-808, 63A-11-107, 63A-11-202, 63A-11-204, 63B-1a-401, 63B-2-102, 63B-2-105, 63B-2-205, 63B-2-301, 63B-3-102, 63B-3-105, 63B-3-205, 63B-3-301, 63B-4-102, 63B-4-105, 63B-4-201, 63B-4-301, 63B-5-102, 63B-5-105, 63B-6-102, 63B-6-105, 63B-6-205, 63B-6-402, 63B-6-405, 63B-6-501, 63B-7-102, 63B-7-105, 63B-7-205, 63B-7-402, 63B-7-405, 63B-7-501, 63B-7-503, 63B-8-102, 63B-8-105, 63B-8-205, 63B-8-402, 63B-8-405, 63B-8-501, 63B-9-102, 63B-9-103, 63B-9-205, 63B-10-105, 63B-10-301, 63B-10-302, 63B-11-105, 63B-11-202, 63B-11-205, 63B-11-305, 63B-11-505, 63B-11-701, 63B-12-201, 63C-4-101, 63C-4-102, 63C-4-103, 63C-7-210, 63C-8-105, 63C-8-106, 63C-9-301, 63C-11-202, 63C-11-302, 63C-11-304, 63C-11-308, 63C-11-310, 63C-11-311, 63C-11-315, 63C-11-316, 63C-11-317, 63C-11-318, 63D-2-103, 63E-1-102, 63E-2-109, 63F-1-103, 63F-1-204, 63F-1-205, 63F-1-206, 63F-1-207, 63F-1-209, 63F-1-301, 63F-1-302, 63F-1-509, 64-9b-6, 64-13-10, 64-13-14.7, 64-13-17, 64-13-20, 64-13-21, 64-13-25, 64-13-38, 64-13-39.5, 64-13-41, 64-13a-13, 65A-1-4, 65A-8-105, 65A-8-207, 65A-8a-103, 67-1-2, 67-1a-2.5, 67-3-1, 67-4a-703, 67-5-15, 67-5-18, 67-5a-8, 67-5b-107, 67-16-3, 67-16-4, 67-16-5, 67-16-5.3, 67-16-6, 67-18-5, 67-19-5, 67-19-6, 67-19-6.7, 67-19-11, 67-19-12.5, 67-19-14, 67-19-30, 67-19-31, 67-19-34, 67-19a-202, 67-19a-203, 69-2-5.6, 70-3a-201, 70-3a-203, 70-3a-303, 70A-9a-526, 70C-8-104, 70D-1-14, 70D-1-16, 70D-1-17, 71-7-3, 71-8-2, 71-11-5, 72-1-201, 72-1-211, 72-1-303, 72-1-304, 72-2-109, 72-2-111, 72-2-113, 72-2-117, 72-2-122, 72-2-123, 72-2-202, 72-2-203, 72-2-204, 72-3-109, 72-3-207, 72-4-102, 72-4-102.5, 72-4-303, 72-5-203, 72-5-306, 72-5-309, 72-5-405, 72-5-406, 72-6-107, 72-6-108, 72-6-111, 72-6-116, 72-6-118, 72-6-119, 72-6-120, 72-6-204, 72-6-205, 72-7-102, 72-7-104, 72-7-107, 72-7-108, 72-7-203, 72-7-205, 72-7-206, 72-7-207, 72-7-209, 72-7-402, 72-7-406, 72-7-407, 72-7-504, 72-7-506, 72-7-507, 72-7-508, 72-9-103, 72-9-502, 72-9-602, 72-9-603, 72-10-103, 72-10-107, 72-10-116, 72-10-117, 72-11-203, 72-11-208, 72-11-210, 73-1-4, 73-2-1, 73-2-1.5, 73-2-14, 73-2-25, 73-3-14, 73-3-25, 73-3-29, 73-3a-104, 73-3a-105, 73-3b-104, 73-3b-105, 73-3b-201, 73-3b-204, 73-3b-302, 73-3c-301, 73-3c-302, 73-5-15, 73-10-27, 73-10c-4.1, 73-10c-4.2, 73-10c-4.5, 73-10c-8, 73-10c-10, 73-18-4, 73-18-7, 73-18-13.5, 73-18-19, 73-18-25, 73-18a-4, 73-18a-5, 73-18a-12, 73-18c-201, 73-18c-306, 73-22-5, 73-23-3, 73-26-402, 73-26-403, 73-28-104, 73-28-404, 75-2a-106, 76-6-513, 76-7-317.1, 76-8-311.3, 76-8-317, 76-8-1101, 76-10-526, 76-10-1209, 76-10-1231, 76-10-1234, 76-10-1311, 76-10-1602, 77-2-4.2, 77-2a-3, 77-10a-5, 77-18-1, 77-18-11, 77-18-15, 77-19-6, 77-19-9, 77-19-202, 77-22-2, 77-27-7, 77-27-9, 77-27-10, 77-27-21.5, 77-28c-104, 77-37-3, 77-37-5, 77-38-3, 77-38a-401, 78-2-2, 78-2a-3, 78-2a-6, 78-3-4, 78-3-24.1, 78-3a-104, 78-3a-113, 78-3a-114, 78-3a-116, 78-3a-118, 78-3a-504, 78-3a-505, 78-3a-904, 78-3a-912, 78-3g-102, 78-5-116, 78-5-116.5, 78-6-14, 78-7-35, 78-8-107, 78-12-29, 78-14-12, 78-17-3, 78-19-1, 78-27-37, 78-27-43, 78-27a-6, 78-31b-8, 78-31c-106, 78-31c-108, 78-32-17, 78-35a-202, 78-45-7.3, 78-45g-104, 78-45g-313, 78-45g-407, 78-45g-511, 78-45g-601, 78-57-108, 78-61-101;

Enacts 51-9-101, 52-6-101, 52-7-101, 63G-1-101, 63G-6-101, 63G-8-101, 63G-9-101, 63G-10-101, 63I-2-101, 63I-4-101, 63J-5-101, 63J-6-101, 63K-2-101, 63K-3-101, 63K-4-101, 63L-1-101, 63L-2-101, 63L-4-101, 63M-3-101, 63M-5-101, 63M-6-101, 63M-7-101, 63M-8-101;

Renumbers and Amends 63-2-101 to 63G-2-101, 63-2-102 to 63G-2-102, 63-2-103 to 63G-2-103, 63-2-104 to 63G-2-104, 63-2-105 to 63G-2-105, 63-2-106 to 63G-2-106, 63-2-107 to

63G-2-107, 63-2-201 to 63G-2-201, 63-2-202 to 63G-2-202, 63-2-203 to 63G-2-203, 63-2-204 to 63G-2-204, 63-2-205 to 63G-2-205, 63-2-206 to 63G-2-206, 63-2-207 to 63G-2-207, 63-2-301 to 63G-2-301, 63-2-302 to 63G-2-302, 63-2-302.5 to 63G-2-303, 63-2-303 to 63G-2-304, 63-2-304 to 63G-2-305, 63-2-305 to 63G-2-306, 63-2-306 to 63G-2-307, 63-2-307 to 63G-2-308, 63-2-308 to 63G-2-309, 63-2-401 to 63G-2-401, 63-2-402 to 63G-2-402, 63-2-403 to 63G-2-403, 63-2-404 to 63G-2-404, 63-2-405 to 63G-2-405, 63-2-501 to 63G-2-501, 63-2-502 to 63G-2-502, 63-2-601 to 63G-2-601, 63-2-602 to 63G-2-602, 63-2-603 to 63G-2-603, 63-2-604 to 63G-2-604, 63-2-701 to 63G-2-701, 63-2-702 to 63G-2-702, 63-2-703 to 63G-2-703, 63-2-801 to 63G-2-801, 63-2-802 to 63G-2-802, 63-2-803 to 63G-2-803, 63-2-804 to 63G-2-804, 63-2-901 to 63A-12-101, 63-2-902 to 63A-12-102, 63-2-903 to 63A-12-103, 63-2-904 to 63A-12-104, 63-2-905 to 63A-12-105, 63-2-906 to 63A-12-106, 63-2-907 to 63A-12-107, 63-2-908 to 63A-12-108, 63-2-909 to 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63I-2-258, 63-55b-159 to 63I-2-259, 63-55b-163 to 63I-2-263, 63-55b-164 to 63I-2-264, 63-55b-167 to 63I-2-267, 63-55b-172 to 63I-2-272, 63-55b-176 to 63I-2-276, 63-55b-177 to 63I-2-277, 63-55b-178 to 63I-2-278, 63-56-101 to 63G-6-102, 63-56-102 to 63G-6-104, 63-56-103 to 63G-6-105, 63-56-104 to 63G-6-106, 63-56-105 to 63G-6-103, 63-56-201 to 63G-6-201, 63-56-202 to 63G-6-202, 63-56-203 to 63G-6-203, 63-56-204 to 63G-6-204, 63-56-205 to 63G-6-205, 63-56-206 to 63G-6-206, 63-56-207 to 63G-6-207, 63-56-208 to 63G-6-208, 63-56-209 to 63G-6-209, 63-56-301 to 63G-6-301, 63-56-302 to 63G-6-302, 63-56-303 to 63G-6-303, 63-56-401 to 63G-6-401, 63-56-402 to 63G-6-402, 63-56-403 to 63G-6-403, 63-56-404 to 63G-6-404, 63-56-405 to 63G-6-405, 63-56-406 to 63G-6-406, 63-56-407 to 63G-6-407, 63-56-408 to 63G-6-408, 63-56-409 to 63G-6-409, 63-56-410 to 63G-6-410, 63-56-411 to 63G-6-411, 63-56-412 to 63G-6-412, 63-56-413 to 63G-6-413, 63-56-414 to 63G-6-414, 63-56-415 to 63G-6-415, 63-56-416 to 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Repeals 63-46a-17, 63-97-101

Effective May 5, 2008

Chapter 382, Laws of Utah 2008

HB 64 Disclosure of Information by the Department of Workforce Services

(Paul A. Neuenschwander)

This bill modifies the Employment Security Act to address disclosure of information by the Department of Workforce Services.

This bill:

- authorizes the Unemployment Insurance Division to disclose information to the Department of Commerce for certain purposes;
- updates language related to industry codes or classifications; and
- makes technical and conforming changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 35A-4-312, 72-1-208.5

Effective May 5, 2008

Chapter 58, Laws of Utah 2008

HB 66 Paraeducator to Teacher Scholarship Program (Ronda Rudd Menlove)

This bill creates a program to award scholarships to paraeducators for education and training to become a licensed teacher.

This bill:

- creates the Paraeducator to Teacher Scholarship Program which provides scholarships of up to \$5,000 to paraeducators employed by school districts and charter schools who are pursuing an associate's degree or bachelor's degree to become a licensed teacher;
- provides that scholarship monies may only be used for tuition costs for:
 - an associate's degree program that fulfills credit requirements for the first two years of a bachelor's degree program leading to teacher licensure; or
 - the first two years of a bachelor's degree program leading to teacher licensure; and
- directs the State Board of Education to:
 - establish a committee to select scholarship recipients; and
 - make rules to administer the Paraeducator to Teacher Scholarship Program.

This bill appropriates:

as an ongoing appropriation, \$25,000 from the Uniform School Fund for fiscal year 2008-09.

The original bill was recommended by the Education Interim Committee

Enacts 53A-6-801, 53A-6-802

Effective July 1, 2008

Chapter 144, Laws of Utah 2008

HB 68 Educator Relicensure Initiative (Ronda Rudd Menlove)

This bill creates a procedure to reinstate the license of an educator whose license has expired.

This bill:

- provides for the reinstatement of an educator's license subject to:
 - payment of a licensing fee;
 - · successful completion of a criminal background check; and
 - verification that the applicant's previous license had not been revoked, suspended, or surrendered; and
- requires the principal of a school at which an educator whose license is reinstated is employed to provide information and training to assist the educator in performing the educator's assigned position.

The original bill was recommended by the Education Interim Committee

Enacts 53A-6-104.1

Effective May 5, 2008

Chapter 145, Laws of Utah 2008

HB 70 Expungement Law Amendments (Lorie D. Fowlke)

This bill modifies the Utah Code of Criminal Procedure regarding granting an expungement for any crime that has been pardoned by the Board of Pardons and Parole.

This bill:

- provides that a person who has been granted a pardon by the Board of Pardons and Parole for a criminal offense may also petition for the expungement of the record of the pardoned offense; and
- provides that prior offenses that have been pardoned may not be considered regarding eligibility for an expungement.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Amends 77-18-11, 77-18-12

Effective May 5, 2008

Chapter 303, Laws of Utah 2008

HB 71 Parent-time Amendments (Lorie D. Fowlke)

This bill rearranges some parent-time days, clarifies terms and requirements, and makes technical changes.

This bill:

- changes the following parent-time days from even to odd years:
 - July 4;
 - Labor Day; and
 - Fall Break:
- changes the following parent-time days from odd to even years:
 - Memorial Day;
 - July 24; and
 - Halloween:
- allows for the election of an entire weekday by the noncustodial parent if school is not in session; and
- includes snow days, teacher development days, and other days when school is not in session in the definition of holidays.

The original bill was recommended by the Judiciary Interim Committee

Amends 30-3-32, 30-3-33, 30-3-34, 30-3-35, 30-3-35.5, 30-3-37

Effective May 5, 2008

Chapter 146, Laws of Utah 2008

HB 72 Motorcycle License and Endorsement Amendments (Paul A. Neuenschwander)

This bill modifies the Motor Vehicles Code and the Uniform Driver License Act by amending provisions relating to motorcycle endorsements and class M licenses.

This bill:

- repeals the class M license;
- expires all existing class M licenses on June 30, 2008;
- prohibits the Driver License Division from issuing a motorcycle endorsement to a person who:
 - does not hold an original or provisional class D license, a CDL, or an out-of-state equivalent; and
 - if the person is under 19 years of age, has not held a learner permit for two months unless the person has completed a motorcycle rider education program;
- creates the motorcycle learner permit;
- provides that a motorcycle learner permit entitles the holder of the permit to operate a motorcycle subject to certain restrictions;
- grants the division rulemaking authority to implement rules for the issuance of a motorcycle learner permit and the proof requirements for demonstrating that an applicant has completed a motorcycle rider education program;
- requires an applicant to state whether the applicant has had a license suspended, cancelled, revoked, disqualified, or denied in the last ten, rather than six, years; and
- makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-6a-521, 53-3-105, 53-3-106, 53-3-202, 53-3-204, 53-3-205, 53-3-207, 53-3-214, 53-3-216, 53-3-223, 53-3-231, 53-3-407, 53-3-905;

Enacts 53-3-210.6

Effective July 1, 2008

Chapter 304, Laws of Utah 2008

HB 73 Child Care Providers (Karen W. Morgan)

This bill provides a screening process for the Department of Workforce Services to verify qualifications of certain child care providers by requiring criminal background checks.

This bill:

- provides that criminal backgrounds checks shall be performed on:
 - child care providers who are not required by current law to undergo a check through the Department of Health, Bureau of Child Care Licensing, and are not a license exempt child care center or program; and
 - individuals who reside in the premises where the child care is provided;
- provides for a waiver of the fingerprint submission requirement under certain circumstances;
- ▶ allows the Utah Division of Criminal Investigation and Technical Services to give the Department of Workforce Services access to the division's data base to determine if a child care provider has been convicted of a crime;
- provides the department with access to juvenile court records for purposes of a criminal background check of certain child care providers and individuals who reside where the child care is provided;
- provides that a child care provider may not allow an individual who has been convicted of a felony or certain misdemeanors to:
 - provide subsidized child care; or
 - reside at the premises where subsidized child care is provided;
- requires the child care provider to pay for any costs of a background check
- provides that a person who commits a severe type of child abuse or neglect shall be disqualified from receiving state funds as a child care provider; and
- allows individuals designated by the Department of Workforce Services and approved by the Department of Human Services to have access to the Division of Child and Family Services' Licensing Information System for the purpose of checking the background of child care providers.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 62A-4a-1005, 62A-4a-1006;

Enacts 35A-3-310.5

Effective May 5, 2008

Chapter 59, Laws of Utah 2008

HB 74 Medicaid 340b Drug Pricing Programs (David Litvack)

This bill amends the Medical Assistance Programs chapter in the Health Code.

This bill:

- requires the department to explore the feasibility of expanding the use of 340B drug pricing programs in the state Medicaid program;
- requires the department to report to the Legislature's Health and Human Services Interim Committee and Health and Human Services Appropriations Subcommittee regarding implementation of the expansion of the 340B drug pricing program; and
- sunsets the section on July 1, 2013.

The original bill was recommended by the Medicaid Interim Committee

Amends 63-55-226;

Enacts 26-18-12

Effective May 5, 2008

Chapter 60, Laws of Utah 2008

HB 75 Inventory and Review of Commercial Activities (Craig A. Frank)

This bill modifies provisions related to the Privatization Policy Board.

This bill:

- defines terms;
- addresses the membership of the board;
- addresses the duties of the board, including:
 - creating an inventory of activities of state agencies; and
 - creating an accounting method;
- requires the governor to review certain commercial activities;
- creates conforming processes;
- clarifies application of government immunity; and
- makes technical corrections.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, to address technical renumbering.

The original bill was recommended by the Government Competition and Privatization Subcommittee

Enacts 63-55d-101, 63-55d-203, 63-55d-301, 63-55d-302, 63-55d-303, 63-55d-304;

Renumbers and Amends 63-55a-1 to 63-55d-102, 63-55a-2 to 63-55d-201, 63-55a-3 to 63-55d-202

Effective May 5, 2008

Chapter 147, Laws of Utah 2008

HB 77 Personal Property Tax Amendments (John Dougall)

This bill amends the Property Tax Act and the chapter relating to the collection of certain personal property taxes and the calculation of the certified tax rate.

This bill:

- defines terms;
- amends the time period within which a county assessor or treasurer is required to deposit its collections of personal property tax revenue with the state treasurer or a qualified depository for the credit of the state;
- creates a depreciation schedule for certain classes of taxable tangible personal property;
- allows a person to elect to designate certain taxable tangible personal property as "expensed personal property" for valuation and taxing purposes;
- starting January 1, 2010, requires the Tax Commission to develop a depreciation schedule for short life expensed personal property;
- prohibits a county from requiring a person to itemize the person's expensed personal property;
- amends the date within which a person is required to file a statement with the county assessor's office listing the person's real and personal property;
- eliminates the certified mailing requirement for a county assessor when the county assessor notifies a personal property taxpayer that the personal property taxpayer's signed statement is past due;
- amends the formula for the calculation of the certified tax rate;
- requires the portions of the certified tax rate calculation that relate to personal property values to be based on the prior year's personal property values;
- amends the exemption amount for certain personal property;
- exempts certain personal property with a residual value of 15% or less from taxation;
- ▶ amends the time period within which a personal property tax or uniform fee is due; and
- makes technical changes.

The original bill was recommended by the Revenue and Taxation Committee

Amends 17-34-3, 17C-1-408, 53A-16-106, 53A-17a-103, 53A-17a-133, 53A-19-102, 53A-19-105, 59-2-102, 59-2-306, 59-2-307, 59-2-908, 59-2-913, 59-2-914, 59-2-918, 59-2-924, 59-2-1115, 59-2-1302, 59-2-1330;

Enacts 59-2-108, 59-2-924.2

Effective January 1, 2009

Chapter 61, Laws of Utah 2008

HB 78 Title 78 Recodification and Revision (Jackie Biskupski)

This bill is a Recodification, Revision, and Renumber of Title 78, Utah Code Annotated, 1953.

This bill:

- creates new two new titles within the Utah Code;
- ▶ Title 78A Judiciary and Judicial Administration, which includes:
 - Chapter 1: Judiciary;
 - Chapter 2: Administration;
 - Chapter 3: Supreme Court;

- Chapter 4: Court of Appeals;
- Chapter 5: District Court;
- Chapter 6: Juvenile Court;
- Chapter 7: Justice Court;
- Chapter 8: Small Claims Court;
- Chapter 9: Attorneys;
- Chapter 10: Judicial Selection Act; and
- Chapter 11: Judicial Conduct Commission;
- ▶ Title 78B Judicial Code, which includes:
 - Chapter 1: Juries and Witnesses;
 - Chapter 2: Statutes of Limitations;
 - Chapter 3: Actions and Venue;
 - Chapter 4: Limitations on Liability;
 - Chapter 5: Procedure and Evidence;
 - Chapter 6: Particular Proceedings;
 - Chapter 7: Protective Orders;
 - Chapter 8: Miscellaneous;
 - Chapter 9: Post-Conviction Remedies Act;
 - Chapter 10: Utah Uniform Mediation Act;
 - Chapter 11: Utah Uniform Arbitration Act;
 - Chapter 12: Utah Child Support Act;
 - Chapter 13: Utah Uniform Child Custody Jurisdiction and Enforcement Act;
 - Chapter 14: Uniform Interstate Family Support Act;
 - Chapter 15: Utah Uniform Parentage Act; and
 - Chapter 16: Utah Uniform Child Abduction Prevention Act; and
- makes other technical and stylistic changes.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing superseding amendments.

The original bill was recommended by the Judiciary Interim Committee

Amends 7-1-301, 10-8-2, 11-13-313, 11-13-314, 11-36-402, 13-42-119, 13-43-203, 13-43-204, 13-43-206, 15-4-6.7, 17-20-1, 17-50-302, 17B-1-103, 17B-1-506, 17B-2a-820, 19-6-113, 19-9-106, 20A-1-506, 20A-7-702, 24-1-3.5, 26-2-5, 26-2-10, 26-2-15, 26-2-22, 26-2-28, 26-3-7, 26-6-6, 26-6-27, 26-6b-3.4, 26-21-9.5, 26-23b-102, 26-25-1, 26A-1-121, 30-1-17.2, 30-2-5, 30-2-11, 30-3-3, 30-3-4, 30-3-5.2, 30-3-10, 30-3-10.5, 30-3-15.3, 30-3-17.1, 30-3-32, 30-3-39, 31A-2-304, 31A-4-106, 31A-8a-102, 31A-21-313, 31A-22-303, 31A-22-305, 31A-22-305.3, 31A-22-321, 31A-22-610.5, 31A-22-617, 31A-23a-109, 31A-26-208, 31A-29-103, 32A-11a-108, 32A-12-209, 32A-12-209.5, 32A-14a-102, 34A-1-302, 34A-2-106, 34A-2-901, 34A-2-902, 34A-6-301, 34A-7-202, 35A-1-301, 35A-3-307, 35A-3-308, 35A-4-305, 36-14-5, 36-20-1, 38-1-11, 38-9-2, 40-10-22, 40-10-30, 41-6a-521, 49-17-102, 49-17-301, 49-18-102, 49-18-301, 53-3-204, 53-3-219, 53-3-220, 53-3-223, 53-5-704, 53-10-108, 53-10-208, 53-10-208.1, 53-10-404, 53-10-407, 53A-1a-105.5, 53A-11-103, 53A-11-105, 53A-11-806, 53A-11-1001, 53A-11-1004, 53B-8d-102, 54-8a-8.5, 57-3-106, 57-8-38, 57-16-6, 57-16-15.1, 57-18-7, 57-19-19, 57-22-4, 57-22-5.1, 57-22-6, 58-13-4, 58-13-5, 58-31b-701, 58-37-6, 58-60-114, 58-60-509, 58-61-602, 58-74-401, 58-74-502, 59-1-403, 59-12-102, 61-1-21.1, 61-2-12, 61-2b-31, 61-2c-402.1, 61-2d-106, 62A-1-111, 62A-2-117.5, 62A-2-120, 62A-2-121,

62A-4a-101, 62A-4a-102, 62A-4a-103, 62A-4a-105, 62A-4a-113, 62A-4a-114, 62A-4a-118, 62A-4a-201, 62A-4a-202.1, 62A-4a-202.2, 62A-4a-202.3, 62A-4a-202.4, 62A-4a-202.6, 62A-4a-202.8, 62A-4a-203, 62A-4a-203.5, 62A-4a-205, 62A-4a-205.5, 62A-4a-205.6, 62A-4a-206, 62A-4a-207, 62A-4a-208, 62A-4a-209, 62A-4a-250, 62A-4a-409, 62A-4a-412, 62A-4a-602, 62A-4a-607, 62A-4a-702, 62A-4a-708, 62A-4a-802, 62A-4a-1003, 62A-4a-1005, 62A-4a-1006, 62A-4a-1010, 62A-5-103.5, 62A-5-109, 62A-7-101, 62A-7-102, 62A-7-104, 62A-7-201, 62A-11-104, 62A-11-107, 62A-11-303, 62A-11-304.2, 62A-11-304.4, 62A-11-305, 62A-11-312.5, 62A-11-333, 62A-11-401, 62A-15-202, 62A-15-204, 62A-15-607, 62A-15-626, 62A-15-630, 62A-15-703, 63-2-304, 63-5a-8, 63-11-17, 63-30d-302, 63-46b-15, 63-46c-102, 63-46c-103, 63-55-278, 63-55b-178, 63-56-207, 63-63a-1, 63-63a-2, 63-63a-5, 63-63a-8, 63-63a-8.5, 63-75-6, 63A-8-201, 63A-9-801, 63A-11-102, 63A-11-201, 63D-2-102, 63D-2-104, 67-19-15, 72-5-111, 72-5-404, 72-7-510, 73-3-3.5, 73-26-404, 73-28-104, 75-2-114, 75-2a-103, 75-5-209, 76-3-406.5, 76-5-102.7, 76-5-108, 76-5-109.1, 76-5-110, 76-5-413, 76-7-305, 76-8-601, 76-9-701, 76-10-306, 76-10-523.5, 76-10-803, 76-10-1605, 77-1-3, 77-2-4.2, 77-2a-3, 77-3a-101, 77-7-6, 77-10a-5, 77-13-6, 77-18-1, 77-18-3, 77-18-6, 77-18-10, 77-19-8, 77-20-9, 77-32-303, 77-36-1, 77-36-2.1, 77-36-2.4, 77-36-2.5, 77-36-2.7, 77-36-6, 77-38-5, 77-38a-404;

Enacts 77-38-301, 78A-6-301, 78A-8-101, 78A-8-109, 78A-10-101, 78A-10-201, 78A-10-202, 78A-10-203, 78A-10-204, 78A-10-205, 78A-10-301, 78A-10-302, 78A-10-303, 78A-10-304, 78A-10-305, 78A-11-101, 78A-11-104, 78A-11-109, 78A-11-110, 78A-11-111, 78A-11-112, 78B-3-101, 78B-3-104, 78B-3-108, 78B-3-109, 78B-5-613, 78B-6-101, 78B-6-103, 78B-6-104, 78B-6-117, 78B-6-120, 78B-6-121, 78B-6-122, 78B-6-128, 78B-6-129, 78B-6-130, 78B-6-131, 78B-6-313, 78B-6-605, 78B-6-702, 78B-6-801, 78B-6-1102, 78B-6-1106, 78B-6-1201, 78B-6-1301, 78B-6-1302, 78B-6-1303, 78B-6-1304, 78B-6-1313, 78B-7-101, 78B-8-101, 78B-8-104, 78B-8-105, 78B-8-106, 78B-8-107, 78B-8-108, 78B-8-109, 78B-8-110, 78B-8-601, 78B-8-602, 78B-12-302, 78B-12-402, 78B-12-403;

Renumbers and Amends 20A-12-101 to 78A-10-102, 20A-12-104 to 78A-10-103, 20A-12-105 to 78A-10-104, 30-6-1 to 78B-7-102, 30-6-2 to 78B-7-103, 30-6-3 to 78B-7-104, 30-6-4 to 78B-7-105, 30-6-4.1 to 78B-7-109, 30-6-4.2 to 78B-7-106, 30-6-4.3 to 78B-7-107, 30-6-4.4 to 78B-7-110, 30-6-4.5 to 78B-7-108, 30-6-4.6 to 78B-7-111, 30-6-8 to 78B-7-113, 30-6-11 to 78B-7-112, 30-6-12 to 78B-7-116, 30-6-14 to 78B-7-114, 30-6-15 to 78B-7-115, 30-6a-101 to 78B-7-301, 30-6a-102 to 78B-7-302, 30-6a-103 to 78B-7-303, 30-6a-104 to 78B-7-304, 30-6a-105 to 78B-7-305, 30-6a-106 to 78B-7-306, 30-6a-107 to 78B-7-307, 30-6a-108 to 78B-7-308, 30-6a-109 to 78B-7-309, 30-6a-111 to 78B-7-310, 63-63c-101 to 78A-2-601, 63-63c-102 to 78A-2-602, 78-1-1 to 78A-1-101, 78-1-2 to 78A-1-105, 78-1-2.1 to 78A-1-102, 78-1-2.2 to 78A-1-103, 78-1-2.3 to 78A-1-104, 78-2-1 to 78A-3-101, 78-2-2 to 78A-3-102, 78-2-4 to 78A-3-103, 78-2-4.5 to 78A-9-101, 78-2-6 to 78A-3-104, 78-2-7.5 to 78A-3-105, 78-2a-1 to 78A-4-101, 78-2a-2 to 78A-4-102, 78-2a-3 to 78A-4-103, 78-2a-4 to 78A-4-105, 78-2a-5 to 78A-4-104, 78-2a-6 to 78A-4-106, 78-3-3 to 78A-5-105, 78-3-4 to 78A-5-102, 78-3-6 to 78A-5-104, 78-3-11.5 to 78A-5-101, 78-3-12.5 to 78A-5-109, 78-3-13.4 to 78A-5-111, 78-3-14.2 to 78A-5-103, 78-3-14.5 to 78A-5-110, 78-3-18 to 78A-2-101, 78-3-19 to 78A-2-102, 78-3-20 to 78A-2-103, 78-3-21 to 78A-2-104, 78-3-21.5 to 78A-2-110, 78-3-22 to 78A-2-106, 78-3-23 to 78A-2-105, 78-3-24 to 78A-2-107, 78-3-24.1 to 78A-2-112, 78-3-25 to 78A-2-108, 78-3-26 to 78A-2-109, 78-3-27 to 78A-2-111, 78-3-29 to 78A-5-106, 78-3-30 to 78A-5-108, 78-3-31 to 78A-5-107, 78-3-32 to 78A-5-201, 78-3-33 to 78A-5-202, 78-3a-101 to 78A-6-101, 78-3a-102 to 78A-6-102, 78-3a-103 to 78A-6-105, 78-3a-104 to 78A-6-103, 78-3a-105 to 78A-6-104, 78-3a-106 to 78A-6-106, 78-3a-106.5 to 78A-6-107, 78-3a-107 to 78A-6-201, 78-3a-108 to 78A-6-202, 78-3a-109 to 78A-6-108, 78-3a-110 to 78A-6-109, 78-3a-111 to 78A-6-110, 78-3a-112 to 78A-6-111, 78-3a-113 to 78A-6-112, 78-3a-114 to 78A-6-113, 78-3a-115 to 78A-6-114, 78-3a-116 to 78A-6-115, 78-3a-117 to 78A-6-116, 78-3a-118 to 78A-6-117, 78-3a-119 to 78A-6-118, 78-3a-120 to 78A-6-119, 78-3a-121 to 78A-6-120, 78-3a-122 to 78A-6-121, 78-3a-201 to 78A-6-203, 78-3a-202 to 78A-6-204, 78-3a-203 to 78A-6-205, 78-3a-204 to 78A-6-206, 78-3a-205 to 78A-6-207, 78-3a-206 to 78A-6-209, 78-3a-207 to 78A-6-210, 78-3a-208 to 78A-6-211, 78-3a-209 to 78A-6-208, 78-3a-301 to 78A-6-302, 78-3a-304.5 to 78A-6-303, 78-3a-305 to 78A-6-304, 78-3a-305.5 to 78A-6-305, 78-3a-306 to 78A-6-306, 78-3a-307 to 78A-6-307, 78-3a-307.1 to 78A-6-308, 78-3a-308 to 78A-6-309, 78-3a-309 to 78A-6-310, 78-3a-310 to 78A-6-311, 78-3a-311 to 78A-6-312, 78-3a-311.5 to

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78A-6-1101, 78-3a-902 to 78A-6-1102, 78-3a-903 to 78A-6-1103, 78-3a-904 to 78A-6-1104, 78-3a-905 to 78A-6-1105, 78-3a-906 to 78A-6-1106, 78-3a-907 to 78A-6-1107, 78-3a-908 to 78A-6-1108, 78-3a-909 to 78A-6-1109, 78-3a-910 to 78A-6-1110, 78-3a-911 to 78A-6-901, 78-3a-912 to 78A-6-902, 78-3a-913 to 78A-6-1111, 78-3a-914 to 78A-6-1112, 78-3a-1001 to 78A-6-801, 78-3a-1002 to 78A-6-802, 78-3a-1003 to 78A-6-803, 78-3a-1004 to 78A-6-804, 78-3a-1005 to 78A-6-805, 78-3c-1 to 77-38-201, 78-3c-2 to 77-38-202, 78-3c-3 to 77-38-203, 78-3c-4 to 77-38-204, 78-3e-1 to 53A-11-1301, 78-3e-2 to 53A-11-1302, 78-3e-3 to 53A-11-1303, 78-3e-4 to 53A-11-1304, 78-3e-5 to 53A-11-1305, 78-3g-101 to 78B-8-102, 78-3g-102 to 78B-8-103, 78-3h-101 to 78B-7-201, 78-3h-102 to 78B-7-202, 78-3h-103 to 78B-7-203, 78-3h-104 to 78B-7-204, 78-3h-105 to 78B-7-205, 78-3h-106 to 78B-7-206, 78-3h-107 to 78B-7-207, 78-5-101 to 78A-7-101, 78-5-101.5 to 78A-7-102, 78-5-102 to 78A-7-204, 78-5-103 to 78A-7-105, 78-5-104 to 78A-7-106, 78-5-105 to 78A-7-107, 78-5-106 to 78A-7-104, 78-5-106.5 to 78A-7-210, 78-5-107 to 78A-7-212, 78-5-108 to 78A-7-213, 78-5-109 to 78A-7-214, 78-5-110 to 78A-7-211, 78-5-111 to 78A-7-209, 78-5-113 to 78A-7-109, 78-5-116 to 78A-7-120, 78-5-116.5 to 78A-7-122, 78-5-116.7 to 78A-7-301, 78-5-117 to 78A-7-114, 78-5-118 to 78A-7-116, 78-5-119 to 78A-7-117, 78-5-120 to 78A-7-118, 78-5-121 to 78A-7-110, 78-5-122 to 78A-7-111, 78-5-123 to 78A-7-112, 78-5-124 to 78A-7-113, 78-5-125 to 78A-7-115, 78-5-126 to 78A-7-119, 78-5-127 to 78A-7-205, 78-5-128 to 78A-7-206, 78-5-129 to 78A-7-207, 78-5-130 to 78A-7-215, 78-5-132 to 78A-7-203, 78-5-134 to 78A-7-202, 78-5-135 to 78A-7-121, 78-5-135.5 to 78A-7-108, 78-5-137 to 78A-7-201, 78-5-138 to 78A-7-208, 78-5-139 to 78A-7-103, 78-5-140 to 78A-7-123, 78-6-1 to 78A-8-102, 78-6-1.5 to 78A-8-108, 78-6-6 to 78A-8-103, 78-6-8 to 78A-8-104, 78-6-10 to 78A-8-106, 78-6-14 to 78A-8-105, 78-6-15 to 78A-8-107, 78-7-1 to 78A-2-222, 78-7-2 to 78A-2-221, 78-7-3 to 78A-2-208, 78-7-5 to 78A-2-201, 78-7-6 to 78A-2-203, 78-7-7 to 78A-2-211, 78-7-8 to 78A-2-212, 78-7-9 to 78A-2-227, 78-7-9.5 to 78A-2-225, 78-7-12 to 78A-2-210, 78-7-13 to 78A-2-209, 78-7-14 to 78A-2-204, 78-7-15 to 78A-2-205, 78-7-16 to 78A-2-219, 78-7-17 to 78A-2-218, 78-7-17.5 to 78A-2-220, 78-7-19 to 78A-2-226, 78-7-21 to 78A-2-213, 78-7-22 to 78A-2-206, 78-7-23 to 78A-2-215, 78-7-24 to 78A-2-202, 78-7-25 to 78A-2-223, 78-7-32 to 78A-2-207, 78-7-33 to 78A-2-214, 78-7-34 to 78A-2-217, 78-7-35 to 78A-2-301, 78-7-35.1 to 78A-9-102, 78-7-36 to 78A-2-302, 78-7-37 to 78A-2-304, 78-7-38 to 78A-2-305, 78-7-39 to 78A-2-306, 78-7-40 to 78A-2-307, 78-7-41 to 78A-2-308, 78-7-42 to 78A-2-309, 78-7-43 to 78A-2-303, 78-7-44 to 78A-2-216, 78-7-45 to 78A-2-228, 78-7-46 to 78A-2-224, 78-8-101 to 78A-11-102, 78-8-102 to 78A-11-103, 78-8-103 to 78A-11-105, 78-8-104 to 78A-11-106, 78-8-105 to 78A-11-107, 78-8-106 to 78A-11-108, 78-8-108 to 78A-11-113, 78-9-101 to 78A-9-103, 78-11-6 to 78B-3-102, 78-11-6.5 to 78B-3-105, 78-11-7 to 78B-3-106, 78-11-8 to 78B-3-103, 78-11-12 to 78B-3-107, 78-11-20 to 78A-6-1113, 78-11-20.7 to 76-6-107.1, 78-11-22 to 78B-4-501, 78-11-22.1 to 78B-4-502, 78-11-22.2 to 78B-4-504, 78-11-26 to 78B-1-132, 78-11-27 to 78B-3-110, 78-11-28 to 78B-4-505, 78-12-1 to 78B-2-102, 78-12-2 to 78B-2-201, 78-12-3 to 78B-2-202, 78-12-4 to 78B-2-203, 78-12-5 to 78B-2-204, 78-12-5.1 to 78B-2-205, 78-12-5.2 to 78B-2-206, 78-12-5.3 to 78B-2-101, 78-12-6 to 78B-2-207, 78-12-7 to 78B-2-208, 78-12-7.1 to 78B-2-209, 78-12-8 to 78B-2-210, 78-12-9 to 78B-2-211, 78-12-10 to 78B-2-212, 78-12-11 to 78B-2-213, 78-12-12 to 78B-2-214, 78-12-12.1 to 78B-2-215, 78-12-13 to 78B-2-216, 78-12-14 to 78B-2-217, 78-12-15 to 78B-2-218, 78-12-16 to 78B-2-219, 78-12-17 to 78B-2-220, 78-12-18 to 78B-2-221, 78-12-19 to 78B-2-222, 78-12-20 to 78B-2-223, 78-12-21 to 78B-2-224, 78-12-21.5 to 78B-2-225, 78-12-21.7 to 78B-2-226, 78-12-22 to 78B-2-311, 78-12-23 to 78B-2-309, 78-12-24 to 78B-2-310, 78-12-25 to 78B-2-307, 78-12-25.1 to 78B-2-308, 78-12-26 to 78B-2-305, 78-12-27 to 78B-2-306, 78-12-28 to 78B-2-304, 78-12-29 to 78B-2-302, 78-12-30 to 78B-2-303, 78-12-31 to 78B-2-301, 78-12-32 to

78B-2-312, 78-12-33 to 78B-2-115, 78-12-33.5 to 78B-2-116, 78-12-35 to 78B-2-104, 78-12-36 to 78B-2-108, 78-12-37 to 78B-2-105, 78-12-38 to 78B-2-106, 78-12-39 to 78B-2-107, 78-12-40 to 78B-2-111, 78-12-41 to 78B-2-112, 78-12-42 to 78B-2-109, 78-12-43 to 78B-2-110, 78-12-44 to 78B-2-113, 78-12-45 to 78B-2-103, 78-12-47 to 78B-2-114, 78-12-48 to 78B-2-117, 78-12a-1 to 78B-8-301, 78-12a-2 to 78B-8-302, 78-12a-3 to 78B-8-303, 78-12a-4 to 78B-8-304, 78-13-1 to 78B-3-301, 78-13-2 to 78B-3-302, 78-13-3 to 78B-3-303, 78-13-4 to 78B-3-304, 78-13-5 to 78B-3-305, 78-13-6 to 78B-3-306, 78-13-7 to 78B-3-307, 78-13-8 to 78B-3-308, 78-13-9 to 78B-3-309, 78-13-10 to 78B-3-310, 78-13-11 to 78B-3-311, 78-14-1 to 78B-3-401, 78-14-2 to 78B-3-402, 78-14-3 to 78B-3-403, 78-14-4 to 78B-3-404, 78-14-4.5 to 78B-3-405, 78-14-5 to 78B-3-406, 78-14-5.5 to 78B-3-407, 78-14-6 to 78B-3-408, 78-14-7 to 78B-3-409, 78-14-7.1 to 78B-3-410, 78-14-7.5 to 78B-3-411, 78-14-8 to 78B-3-412, 78-14-9 to 78B-3-413, 78-14-9.5 to 78B-3-414, 78-14-10 to 78B-3-415, 78-14-12 to 78B-3-416, 78-14-13 to 78B-3-417, 78-14-14 to 78B-3-418, 78-14-15 to 78B-3-419, 78-14-16 to 78B-3-420, 78-14-17 to 78B-3-421, 78-14-18 to 78B-3-422, 78-14a-101 to 78B-3-501, 78-14a-102 to 78B-3-502, 78-15-1 to 78B-6-701, 78-15-3 to 78B-6-706, 78-15-4 to 78B-6-704, 78-15-5 to 78B-6-705, 78-15-6 to 78B-6-703, 78-15-7 to 78B-6-707, 78-17-1 to 78B-3-601, 78-17-2 to 78B-3-602, 78-17-3 to 78B-3-603, 78-17-4 to 78B-3-604, 78-18-1 to 78B-8-201, 78-18-1.5 to 78B-8-202, 78-18-2 to 78B-8-203, 78-19-1 to 78B-4-101, 78-19-2 to 78B-4-102, 78-19-3 to 78B-4-103, 78-20-101 to 78B-3-701, 78-20-102 to 78B-3-702, 78-20-103 to 78B-3-703, 78-21-1 to 78B-5-101, 78-21-2 to 78B-5-102, 78-21-3 to 78B-5-103, 78-22-1 to 78B-5-202, 78-22-1.1 to 78B-5-203, 78-22-1.5 to 78B-5-201, 78-22-2 to 78B-5-204, 78-22-3 to 78B-5-205, 78-22-4 to 78B-5-206, 78-22a-1 to 78B-5-301, 78-22a-2 to 78B-5-302, 78-22a-3 to 78B-5-303, 78-22a-4 to 78B-5-304, 78-22a-5 to 78B-5-305, 78-22a-6 to 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78-45-7.18 to 78B-12-211, 78-45-7.19 to 78B-12-213, 78-45-7.20 to 78B-12-218, 78-45-7.21 to 78B-12-217, 78-45-7.22 to 78B-12-116, 78-45-8 to 78B-12-104, 78-45-9 to 78B-12-113, 78-45-9.2 to 78B-12-114, 78-45-9.3 to 78B-12-112, 78-45-10 to 78B-12-110, 78-45-11 to 78B-12-115, 78-45-12 to 78B-12-117, 78-45c-101 to 78B-13-101, 78-45c-102 to 78B-13-102, 78-45c-103 to 78B-13-103, 78-45c-104 to 78B-13-104, 78-45c-105 to 78B-13-105, 78-45c-106 to 78B-13-106, 78-45c-107 to 78B-13-107, 78-45c-108 to 78B-13-108, 78-45c-109 to 78B-13-109, 78-45c-110 to 78B-13-110, 78-45c-111 to 78B-13-111, 78-45c-112 to 78B-13-112, 78-45c-201 to 78B-13-201, 78-45c-202 to 78B-13-202, 78-45c-203 to 78B-13-203, 78-45c-204 to 78B-13-204, 78-45c-205 to 78B-13-205, 78-45c-206 to 78B-13-206, 78-45c-207 to 78B-13-207, 78-45c-208 to 78B-13-208, 78-45c-209 to 78B-13-209, 78-45c-210 to 78B-13-210, 78-45c-301 to 78B-13-301, 78-45c-302 to 78B-13-302, 78-45c-303 to 78B-13-303, 78-45c-304 to 78B-13-304, 78-45c-305 to 78B-13-305, 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78B-15-111, 78-45g-112 to 78B-15-112, 78-45g-113 to 78B-15-113, 78-45g-114 to 78B-15-114, 78-45g-115 to 78B-15-115, 78-45g-201 to 78B-15-201, 78-45g-202 to 78B-15-202, 78-45g-203 to 78B-15-203, 78-45g-204 to 78B-15-204, 78-45g-301 to 78B-15-301, 78-45g-302 to 78B-15-302, 78-45g-303 to 78B-15-303, 78-45g-304 to 78B-15-304, 78-45g-305 to 78B-15-305, 78-45g-306 to 78B-15-306, 78-45g-307 to 78B-15-307, 78-45g-308 to 78B-15-308, 78-45g-309 to 78B-15-309, 78-45g-310 to 78B-15-310, 78-45g-311 to 78B-15-311, 78-45g-312 to 78B-15-312, 78-45g-313 to 78B-15-313, 78-45g-401 to 78B-15-401, 78-45g-402 to 78B-15-402, 78-45g-403 to 78B-15-403, 78-45g-404 to 78B-15-404, 78-45g-405 to 78B-15-405, 78-45g-406 to 78B-15-406, 78-45g-407 to 78B-15-407, 78-45g-408 to 78B-15-408, 78-45g-409 to 78B-15-409, 78-45g-410 to 78B-15-410, 78-45g-501 to 78B-15-501, 78-45g-502 to 78B-15-502, 78-45g-503 to 78B-15-503, 78-45g-504 to 78B-15-504, 78-45g-505 to 78B-15-505, 78-45g-506 to 78B-15-506, 78-45g-507 to 78B-15-507, 78-45g-508 to 78B-15-508, 78-45g-509 to 78B-15-509, 78-45g-510 to 78B-15-510, 78-45g-511 to 78B-15-511, 78-45g-601 to 78B-15-601, 78-45g-602 to 78B-15-602, 78-45g-603 to 78B-15-603, 78-45g-604 to 78B-15-604, 78-45g-605 to 78B-15-605, 78-45g-606 to 78B-15-606, 78-45g-607 to 78B-15-607, 78-45g-608 to 78B-15-608, 78-45g-609 to 78B-15-609, 78-45g-610 to 78B-15-610, 78-45g-611 to 78B-15-611, 78-45g-612 to 78B-15-612, 78-45g-613 to 78B-15-613, 78-45g-614 to 78B-15-614, 78-45g-615 to 78B-15-615, 78-45g-616 to 78B-15-616, 78-45g-617 to 78B-15-617, 78-45g-618 to 78B-15-618, 78-45g-619 to 78B-15-619, 78-45g-620 to 78B-15-620, 78-45g-621 to 78B-15-621, 78-45g-622 to 78B-15-622, 78-45g-623 to 78B-15-623, 78-45g-701 to 78B-15-701, 78-45g-702 to 78B-15-702, 78-45g-703 to 78B-15-703, 78-45g-704 to 78B-15-704, 78-45g-705 to 78B-15-705, 78-45g-706 to 78B-15-706, 78-45g-707 to 78B-15-707, 78-45g-801 to 78B-15-801, 78-45g-802 to 78B-15-802, 78-45g-803 to 78B-15-803, 78-45g-804 to 78B-15-804, 78-45g-805 to 78B-15-805, 78-45g-806 to 78B-15-806, 78-45g-807 to 78B-15-807, 78-45g-808 to 78B-15-808, 78-45g-809 to 78B-15-809, 78-45g-901 to 78B-15-901, 78-45g-902 to 78B-15-902, 78-46-1 to 78B-1-101, 78-46-2 to 78B-1-103, 78-46-4 to 78B-1-102, 78-46-5 to 78B-1-104, 78-46-7 to 78B-1-105, 78-46-10 to 78B-1-106, 78-46-12 to 78B-1-107, 78-46-14 to 78B-1-108, 78-46-15 to 78B-1-109, 78-46-16 to 78B-1-113, 78-46-17 to 78B-1-112, 78-46-19 to 78B-1-110, 78-46-20 to 78B-1-115, 78-46-21 to 78B-1-116, 78-46-24 to 78B-1-118, 78-46-25 to 78B-1-117, 78-46-26 to 78B-1-120, 78-46-27 to 78B-1-121, 78-46-28 to 78B-1-119, 78-46-29 to 78B-1-111, 78-46-30 to 78B-1-147, 78-46-31 to 78B-1-122, 78-46-32 to 78B-1-150, 78-46-33 to 78B-1-151, 78-46-34 to 78B-1-149, 78-46-35 to 78B-1-148, 78-46-37 to 78B-1-114, 78-46-38 to 78B-1-124, 78-46-39 to 78B-1-125, 78-46-40 to 78B-1-126, 78-46-41 to 78B-1-123, 78-56-101 to 78A-2-401, 78-56-102 to 78A-2-402, 78-56-103 to 78A-2-403, 78-56-104 to 78A-2-404, 78-56-105 to 78A-2-405, 78-56-106 to 78A-2-406, 78-56-107 to 78A-2-407, 78-56-108 to 78A-2-408, 78-56-109 to 78A-2-409, 78-56-110 to 78A-2-410, 78-56-111 to 78A-2-411, 78-57-101 to 78A-6-1201, 78-57-102 to 78A-6-1202, 78-57-103 to 78A-6-1203, 78-57-104 to 78A-6-1204, 78-57-105 to 78A-6-1205, 78-57-106 to 78A-6-1206, 78-57-107 to 78A-6-1207, 78-57-108 to 78A-6-1208, 78-57-109 to 78A-6-1209, 78-58-101 to 78B-6-1401, 78-58-102 to 78B-6-1402, 78-58-103 to 78B-6-1403, 78-58-104 to 78B-6-1404, 78-58-105 to 78B-6-1405, 78-59-101 to 78B-6-1501, 78-59-102 to 78B-6-1502, 78-59-103 to 78B-6-1503, 78-59-104 to 78B-6-1504, 78-59-105 to 78B-6-1505, 78-59-106 to 78B-6-1506, 78-59-107 to 78B-6-1507, 78-59-108 to 78B-6-1508, 78-61-101 to 77-38-302, 78-61-102 to 77-38-303, 78-62-101 to 78B-16-101, 78-62-102 to 78B-16-102, 78-62-103 to 78B-16-103, 78-62-104 to 78B-16-104, 78-62-105 to 78B-16-105, 78-62-106 to 78B-16-106, 78-62-107 to 78B-16-107, 78-62-108 to 78B-16-108, 78-62-109 to 78B-16-109, 78-62-110 to 78B-16-110, 78-62-111 to 78B-16-111, 78-62-112 to 78B-16-112:

Repeals 20A-12-102, 20A-12-103, 30-6a-110, 78-3-17.5, 78-3g-103, 78-7-4, 78-7-18, 78-7-20, 78-8-107, 78-11-1, 78-11-2, 78-11-3, 78-11-4, 78-11-5, 78-11-10, 78-11-11, 78-11-13, 78-11-14, 78-11-15, 78-11-16, 78-11-17, 78-11-18, 78-11-19, 78-11-23, 78-11-24, 78-11-25, 78-12-46, 78-14-11, 78-25-14, 78-27-3, 78-30-1.1, 78-30-3.5, 78-30-4.12, 78-30-4.14, 78-30-6, 78-30-14.5, 78-30-16, 78-32-14, 78-32-15, 78-32-16, 78-33-13, 78-36-1, 78-36-2, 78-38-4.5, 78-38-6, 78-38-8, 78-39-1, 78-39-11, 78-40-1, 78-40-2, 78-40-2.5, 78-40-11, 78-43-7, 78-43-8, 78-45-4, 78-45-4.2, 78-45-13, 78-46-3, 78-46-8, 78-46-36

Effective February 7, 2008

Chapter 3, Laws of Utah 2008

HB 79 Sunset Reauthorizations and Amendments (David Clark)

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2009 Annual General Session of the Utah Legislature.

This bill:

- reauthorizes certain named state entities and programs that are scheduled to sunset before the 2009 Annual General Session; and
- makes technical changes.

The original bill was recommended by the Legislative Management Committee

Amends 63-55-219, 63-55-226, 63-55-238, 63-55-258, 63-55-263, 63-55-273, 63-55-278, 63-55b-120, 63-55b-163

Effective May 5, 2008

Chapter 148, Laws of Utah 2008

HB 80 Administrative Rule Penalty Amendments (Ben C. Ferry)

This bill modifies specified provisions of law by removing authority of certain state agencies to impose by administrative rule criminal penalties for the violation of rules.

This bill:

- repeals statutory grants of authority to the Alcoholic Beverage Control Commission, Department of Workforce Services, State Tax Commission, Public Service Commission, and Department of Public Safety which allow the imposition of a criminal penalty for the violation of administrative rule provisions; and
- makes technical changes.

The original bill was recommended by the Administrative Rules Review Committee

Amends 32A-13-106, 35A-4-103, 41-1a-712, 54-7-26, 54-7-28, 58-37d-4, 59-14-208, 72-7-406, 76-8-1301

Effective May 5, 2008

Chapter 305, Laws of Utah 2008

HB 82 Notice of Changes to the State Medicaid Plan (Merlynn T. Newbold)

This bill amends the Department of Health's reporting requirements to the Legislature when the department makes a change to the state Medicaid plan.

This bill:

- clarifies the content of the Department of Health's notice to the Legislature when the department makes a change to the state Medicaid plan; and
- makes technical and clarifying changes.

The original bill was recommended by the Medicaid Interim Committee

Amends 26-18-3, 26-18-4, 26-18-10, 26-40-103

Effective May 5, 2008

Chapter 62, Laws of Utah 2008

HB 86 Funding of Inmate Postsecondary Education (Jack R. Draxler)

This bill provides an appropriation for existing inmate postsecondary education.

This bill:

- appropriates money to the State Board of Regents to distribute to institutions of higher education that currently provide inmate postsecondary education under the supervision of the Utah Department of Corrections;
- requires participating inmates to pay affordable tuition to help offset the state costs of providing the education;
- ▶ limits the education to inmates who have a legal presence in the United States; and
- designates the appropriation as nonlapsing.

This bill appropriates:

▶ as an ongoing appropriation subject to future budget constraints, \$150,000 from the Education Fund for fiscal year 2008-09 to the State Board of Regents.

Effective July 1, 2008

Chapter 63, Laws of Utah 2008

HB 90 Expungement Amendments (R. Curt Webb)

This bill amends the Code of Criminal Procedure regarding the expungement time period for multiple misdemeanor offenses.

This bill:

- amends the provisions regarding time periods for expungement to specify that in the case of:
 - multiple class A misdemeanors, 15 years must elapse before the offenses may be expunged;
 - multiple class B misdemeanors, 12 years must elapse; and
 - multiple class C misdemeanors, six years must elapse.

Amends 77-18-12

Effective May 5, 2008

Chapter 306, Laws of Utah 2008

HB 92 Garnishment Amendments (Jack R. Draxler)

This bill allows a person who is wrongfully served with a writ of garnishment to recover from the plaintiff.

This bill:

- allows a person wrongfully served with a writ of garnishment to ask the court for redress from the plaintiff in an amount up to \$1,000; and
- provides guidelines for the court to determine whether the plaintiff was diligent in determining the identity and location of the judgment debtor.

Amends 78A-2-216

Effective May 5, 2008

Chapter 149, Laws of Utah 2008

HB 93 Insurance Fraud Amendments (Douglas C. Aagard)

This bill modifies the Insurance Code to address reporting of fraudulent insurance acts.

This bill:

- addresses immunity;
- expands required reporting of fraudulent insurance acts;
- modifies the requirements of that report;
- modifies penalties;
- provides for rulemaking; and
- makes technical changes.

Amends 31A-31-105, 31A-31-110

Effective May 5, 2008

Chapter 150, Laws of Utah 2008

HB 97 Court-ordered Restitution for Costs of Incarceration (Curtis Oda)

This bill amends sentencing provisions of the Utah Criminal Code relating to determining the costs of incarceration of an inmate in the custody of a county correctional facility.

This bill:

provides that, when determining the costs of incarceration in a county correctional facility for purposes of ordering restitution by a county inmate, the cost will be the amount determined by the county correctional facility, but may not exceed the daily inmate incarceration costs and medical and transportation costs for the county correctional facility.

Amends 76-3-201

Effective May 5, 2008

Chapter 151, Laws of Utah 2008

HB 99 Business Registration - Optional Inclusion of Ownership Data (Mark A. Wheatley)

This bill requires a certificate of assumed and true name form created by the Division of Corporations and Commercial Code to allow a person to provide information about the gender and race of the entity's owner.

This bill:

- requires the division to include on a form created by the division a way to indicate the gender and race of one or more owners of the entity for which the form is filed; and
- provides that information concerning gender or race is not required to be provided.

Amends 42-2-5

Effective May 5, 2008

Chapter 307, Laws of Utah 2008

HB 101 Amendments to Emergency Injection for Anaphylactic Reaction Act (Todd E. Kiser)

This bill amends provisions of the Emergency Injection for Anaphylactic Reaction Act.

This bill:

- defines terms:
- provides that a school, school board, or school official of a primary or secondary school may not prohibit or dissuade a teacher or other school employee from receiving training to administer, possessing, storing, or administering an epinephrine auto-injector;
- requires each primary or secondary school in the state to make an emergency epinephrine auto-injector available to any teacher or other school employee who is employed at the school and is qualified to administer an epinephrine auto-injector;
- requires each primary and secondary school to make training available, regarding the storage and use of an epinephrine auto-injector, to a teacher or other school employee who volunteers to take the training; and
- makes technical changes.

Amends 26-41-102, 26-41-103, 26-41-104, 26-41-105, 26-41-106

Effective May 5, 2008

Chapter 64, Laws of Utah 2008

HB 102 Child Abuse Homicide Amendments (Carl Wimmer)

This bill makes amendments to the offense of child abuse homicide.

This bill:

- clarifies that the offense of child abuse homicide does not apply under circumstances that constitute aggravated murder;
- clarifies that the mental states referred to in the offense of child abuse homicide are only applicable to the element of the commission of child abuse, not to the element of causing the death of a child:
- increases the penalties for child abuse homicide; and
- makes other clarifying and technical changes.

Amends 76-5-208

Effective May 5, 2008

Chapter 152, Laws of Utah 2008

HB 103 Use of State Alternative Fuel Network (Fred R. Hunsaker)

This bill modifies provisions of the Administrative Services Code relating to the public purchase of compressed natural gas through the state's fuel network.

This bill:

- provides that the Division of Fleet Services may allow certain private individuals and entities to purchase compressed natural gas through the state's fuel network under certain circumstances:
- authorizes the division to create rules to establish guidelines for the private use of compressed natural gas through the state's fuel network; and
- makes technical changes.

Amends 63A-9-101;

Enacts 63A-9-702

Effective May 5, 2008

Chapter 65, Laws of Utah 2008

HB 104 Urban Trails Appropriation (Kory M. Holdaway)

This bill establishes one-time appropriations to the Department of Natural Resources.

This bill:

- ▶ defines an urban trail as a trail located in a county of the first or second class;
- establishes a one-time appropriation of \$250,000 to the Department of Natural Resources for grants to plan and develop urban trails; and
- establishes a one-time appropriation of \$250,000 to the Department of Natural Resources for the Bonneville Shoreline Trail Program.

This bill appropriates:

- \$250,000 from the General Fund for fiscal year 2008-09 only to the Department of Natural Resources for grants to plan and develop urban trails; and
- \$250,000 from the General Fund for fiscal year 2008-09 only to the Department of Natural Resources for the Bonneville Shoreline Trail Program.

Amends 63-11a-103

Effective May 5, 2008

Chapter 308, Laws of Utah 2008

HB 105 Transportation Infrastructure Loan Fund Amendments (Julie Fisher)

This bill modifies the Transportation Finances Act by amending provisions relating to the Transportation Infrastructure Loan Fund.

This bill:

- expands the definition of transportation project to include a local highway as a project that is eligible for an infrastructure loan or infrastructure assistance from the Transportation Infrastructure Loan Fund; and
- makes technical changes.

Amends 72-2-201

Effective May 5, 2008

Chapter 396, Laws of Utah 2008

HB 106 Clean Air and Efficient Vehicle Tax Incentives (Rosalind J. McGee)

This bill provides a tax credit for new vehicles meeting air quality and fuel economy standards, eliminates the clean fuel certificate, and imposes a fuel tax on compressed natural gas for vehicles.

This bill:

- eliminates the clean special fuel tax certificate;
- defines terms;
- reduces the tax credit available for certain vehicles to the lesser of \$2,500 or 35% of the vehicle's purchase price;
- provides a tax credit of \$750 for a new vehicle meeting air quality and fuel economy standards;
- eliminates a provision excluding hybrid electric-gasoline vehicles from the tax credit;
- ▶ imposes a fuel tax on the purchase of compressed natural gas for vehicles; and
- makes technical changes.

Amends 41-1a-418, 41-6a-1508, 59-7-605, 59-10-1009, 59-13-103, 59-13-301, 59-13-304, 59-13-314, 72-2-124

Effective January 1, 2009

Chapter 153, Laws of Utah 2008

HB 107 Emergency Management Administrative Council (Curtis Oda)

This bill modifies the Emergency Management Act by amending the name, membership, and duties of the Disaster Emergency Advisory Council to the Emergency Management Administration Council.

This bill:

- ▶ changes the name of the Disaster Emergency Advisory Council to the Emergency Management Administration Council;
- expands its duties to include coordination with both state and local government agencies on government emergency prevention, mitigation, preparedness, response, and recovery actions and activities;
- changes the membership of the council;
- requires the council to coordinate with existing emergency management entities;
- > allows the council to create additional committees and task forces as needed; and
- makes technical changes.

This bill coordinates with H.B. 63, Recodification of Title 63, State Affairs in General, by providing technical amendments.

Amends 63-5-4

Effective May 5, 2008

Chapter 154, Laws of Utah 2008

HB 109 Sex Offender Law Amendments (Gregory H. Hughes)

This bill modifies the Code of Criminal Procedure to require the Utah Department of Corrections to use a periodic multi-domain assessment tool during a three-year trial period to evaluate sex offenders who are supervised in the community.

This bill:

- requires the Utah Department of Corrections to issue a request for proposals to provide a multi-domain assessment to registered sex offenders it supervises in the community in Region 3 beginning July 1, 2008 and ending June 30, 2011;
- requires that the assessment is to be administered:
 - not less than every 16 weeks during the first year the offender is supervised in the community; and
 - not less than every 26 weeks nor more than every 12 weeks as determined to be appropriate by the department's supervisory personnel and the sex offender's treatment team, during the second or subsequent year the offender is supervised in the community and continuing until termination of the offender's probation or parole;
- specifies the content of the assessment tool; and
- provides definitions.

This bill appropriates \$200,000 in non-lapsing funds from the General Fund for fiscal year 2008-09 only, to the Utah Department of Corrections.

Enacts 77-27-21.9

Effective May 5, 2008

Chapter 309, Laws of Utah 2008

HB 112 Public Education Foundation Amendments (Sheryl L. Allen)

This bill modifies provisions of the State System of Public Education relating to the financial accountability of school district foundations.

This bill:

- requires school district foundations to report certain financial information to schools;
- prohibits a school district foundation from engaging in certain political activities;
- requires a local school board that establishes a foundation to require the foundation to follow certain accounting, purchasing, and check issuance policies; and
- makes technical corrections.

Amends 53A-4-205

Effective May 5, 2008

Chapter 310, Laws of Utah 2008

HB 117 Instream Flow to Protect Trout Habitat (Stephen E. Sandstrom)

This bill authorizes a fishing group to temporarily change a water right for instream flow to protect trout habitat.

This bill:

- defines terms;
- authorizes a fishing group to file a change application for a fixed period not exceeding ten years for an instream flow to protect or restore habitat for native trout;
- requires the Division of Wildlife Resources' director to review the proposed change;
- allows a fixed time change applicant to refile the application;
- provides that the water right will automatically revert to its previous place and purpose of use when the application expires;
- repeals the instream flow water right held by a fishing group in ten years; and
- makes technical changes.

Amends 63-55-273, 73-3-3, 73-3-12, 73-3-16, 73-3-17, 73-5-4;

Enacts 73-3-30

Effective May 5, 2008

Chapter 311, Laws of Utah 2008

HB 118 Veterans High School Diplomas (Lynn N. Hemingway)

This bill provides for honorary high school diplomas for certain veterans.

This bill:

- allows a board of education of a school district to award an honorary high school diploma to a veteran who:
 - left high school before graduating to serve in the armed forces of the United States; and
 - served in the armed forces of the United States during the period of World War II, the Korean War, or the Vietnam War; and
- specifies eligibility requirements and procedures for requesting an honorary high school diploma.

Enacts 53A-3-427

Effective May 5, 2008

Chapter 312, Laws of Utah 2008

HB 119 Controlled Substance Database Amendments (Bradley M. Daw)

This bill amends provisions of the Utah Controlled Substances Act relating to the controlled substance database and establishes a pilot program for real-time reporting of data to, and access from, the controlled substance database.

This bill:

- defines terms;
- provides for education of the public regarding the controlled substance database;
- makes it a third degree felony to obtain or attempt to obtain information from the controlled substances database for a purpose other than a purpose authorized by statute or rule;
- prohibits access to, and use of, identifying information in the controlled substance database, by discovery, subpoena, or similar process, in certain civil, judicial, administrative, or legislative proceedings;
- ▶ establishes a pilot program, beginning on July 1, 2008, and ending on July 1, 2010, for the real-time reporting of, and access to, controlled substance database information by pharmacies, pharmaceutical facilities, and prescribing practitioners;
- grants rulemaking authority to the Division of Occupational and Professional Licensing in relation to the pilot program;
- ▶ requires the Division of Occupational and Professional Licensing to report on the pilot program and the advisability and cost of implementing the pilot program on a statewide basis and the use of the controlled substance database by prescribing practitioners;
- ▶ requires the Division of Occupational and Professional Licensing to implement the pilot program established in this bill as a permanent program on a statewide basis, on or before July 1, 2010; and
- makes technical changes.

This bill appropriates:

- ▶ \$175,000 as an ongoing appropriation from the General Fund, for fiscal year 2008-09, to the Division of Occupational and Professional Licensing; and
- ▶ \$650,000 from the General Fund, for fiscal year 2008-09 only, to the Division of Occupational and Professional Licensing, as nonlapsing funds.

Amends 26-1-36, 58-37-7.5;

Enacts 58-37-7.8

Effective July 1, 2008

Chapter 313, Laws of Utah 2008

HB 121 County Charges for Services to Incarcerated Persons (Richard A. Greenwood)

This bill modifies a provision related to county charges.

This bill:

- expands a provision relating to health care expenses incurred for persons booked into or committed to a county jail to include health care expenses incurred by health care providers, making those expenses county charges subject to current statutory limits;
- removes language that made that provision applicable to only first and second class counties:
- establishes a fee schedule that applies in the absence of a contract with respect to medical services provided by a health care provider; and
- provides that certain information provided to a county by the Public Employees' Benefit and Insurance Program is not a record for purposes of the Government Records Access and Management Act.

Amends 17-50-319, 63-2-103

Effective May 5, 2008

Chapter 155, Laws of Utah 2008

HB 122 Driver License - Application of Minor Amendments (David Litvack)

This bill modifies the Utah Human Services Code and the Driver Licensing Act by amending provisions relating to driver license applications by certain minors.

This bill:

- clarifies that a guardianship relationship between a foster parent and a minor who is in the legal custody of the Division of Child and Family Services is included in the relationships that are covered under certain insurance policies;
- provides that if a minor is in the legal custody of the Division of Child and Family Services, a parent or responsible adult who is willing to assume certain obligations and liability requirements may sign the minor's application for a learner permit or provisional driver license:
- ▶ limits the liability of a foster parent who signs an application for a foster child's driver license;
- provides that the Office of Licensing within the Department of Human Services shall require a child placing agency that provides foster home services to notify a foster parent of the liability requirements when signing as a responsible adult for a foster child to receive a learner permit or provisional driver license;
- grants the Office of Licensing rulemaking authority to establish procedures for a child placing agency to provide the notifications;
- authorizes the Division of Child and Family Services to reimburse a foster parent for providing motor vehicle insurance coverage for a foster child who is in the legal custody of the division;
- grants the Division of Child and Family Services rulemaking authority to establish a procedure, eligibility requirements, and a method for determining the amount for motor vehicle insurance coverage reimbursements;
- requires the Division of Child and Family Services to report to the Transportation Interim Committee; and
- makes technical changes.

Amends 31A-22-303, 53-3-211;

Enacts 62A-2-108.5, 62A-4a-121

Effective May 5, 2008

Chapter 314, Laws of Utah 2008

HB 125 Department of Agriculture and Food Amendments (Kerry W. Gibson)

This bill amends provisions relating to the Department of Agriculture and Food.

This bill:

- expands the types of actions for which the department may receive court costs and fees;
- requires the attorney general to represent the department in an action enforcing the Utah Dairy Act and the Utah Wholesome Food Act;
- adds the director of the School and Institutional Trust Lands Administration to the Conservation Commission;
- authorizes a regional grazing board to elect a treasurer;
- requires a regional grazing board treasurer to post a bond; and
- makes technical changes.

Amends 4-1-4, 4-18-4, 4-20-1.6

Effective May 5, 2008

Chapter 156, Laws of Utah 2008

HB 126 Election Law - Ballot Proposition Amendments (Christine A. Johnson)

This bill modifies ballot proposition numbering requirements under the Election Code.

This bill:

- modifies definitions;
- requires that the certified ballot titles of ballot propositions or ballot questions be submitted to the election officer before a set time before each election;
- requires that proposed constitutional amendments appearing on a ballot be identified by a letter of the alphabet;
- provides that bond issues on the ballot are identified by a title as provided according to procedures in Title 11, Chapter 14, Local Government Bonding Act;
- requires that all state and local ballot propositions, including opinion questions, state and local initiatives, state and local referendums, and other ballot issues appearing on the ballot, be identified by a unique number assigned by the lieutenant governor;
- provides that numbers for ballot propositions be assigned by the lieutenant governor in the order that each number request is received;
- provides procedures for determining whether similar ballot issues should be assigned the same number;
- eliminates duplicate references; and
- makes technical changes.

Amends 20A-1-102, 20A-6-301, 20A-6-303, 20A-6-304, 20A-6-402, 20A-7-103, 20A-7-209, 20A-7-308, 20A-7-508, 20A-7-608;

Enacts 20A-6-106, 20A-6-107

Effective May 5, 2008

Chapter 315, Laws of Utah 2008

HB 127 Community Council Elections (Kenneth W. Sumsion)

This bill modifies the Utah Strategic Planning Act for Educational Excellence by amending provisions for the election of members of school community councils.

This bill:

- adds provisions for conducting elections of members of school community councils by secret ballot;
- requires the principal of the school, or the principal's designee, to provide notice of the election and the available community council positions at least 14 days before the date of the election;
- provides that the principal of the school, or the principal's designee, oversee the election for parent or guardian members of the council;
- requires that ballots for parent or guardian members be deposited in a secure ballot box; and
- makes technical changes.

Amends 53A-1a-108

Effective May 5, 2008

Chapter 157, Laws of Utah 2008

HB 128 Utah Residential Mortgage Practices Act Amendments (Merlynn T. Newbold)

This bill modifies provisions related to licensing under the Utah Residential Mortgage Practices Act.

This bill:

- modifies definitions:
- provides that a principal lending manager may act as a mortgage officer;
- requires the Division of Real Estate to make rules providing a combined licensing process related to a principal lending manager maintaining a license as an entity if certain conditions are met; and
- makes technical and conforming amendments.

Amends 61-2c-102, 61-2c-103

Effective May 5, 2008

Chapter 158, Laws of Utah 2008

HB 129 Appropriation for Construction of a Veterans' Nursing Home in Ogden (Brad L. Dee)

This bill appropriates \$19.7 million dollars for design and construction of a Veterans' Nursing Home in Ogden.

This bill:

- appropriates \$19.7 million dollars for design and construction of a Veterans' Nursing Home in Ogden;
- expresses legislative intent to not fund design or construction of any future veterans' nursing homes until the state is reimbursed by the federal government for its share of the cost of the Ogden Veterans' Nursing Home; and
- repeals an authorization to issue a general obligation bond to partially fund construction of a Veterans' Nursing Home in Ogden.

This bill appropriates:

for fiscal year 2008-09 only, \$19.7 million to the Division of Facilities Construction and Management for the design and construction of a Veterans' Nursing Home in Ogden, Utah.

Amends 63-55b-163;

Repeals 63B-14-101

Effective May 5, 2008

Chapter 316, Laws of Utah 2008

HB 131 Community Based Self Sufficiency Program (Jennifer M. Seelig)

This bill amends the Access to Health Care part of the Medical Assistance Act in the Health Code.

This bill:

- authorizes the Department of Health to contract with private entities for community based services for low income individuals and individuals who are underserved in health care to assist them with prudent and appropriate use of health care resources;
- establishes the purposes of the contracts;
- amends definitions:
- directs the department to maximize federal matching dollars for the purpose of funding additional contracts for services;
- establishes the criteria for awarding the contract; and
- establishes a pilot program for the contract for services.

This bill appropriates:

\$175,000 from the General Fund for fiscal year 2008-09 only, to fund the pilot program for community based services.

Amends 26-18-301, 26-18-302, 26-18-304

Effective May 5, 2008

Chapter 159, Laws of Utah 2008

HB 132 Waste Tire Recycling Amendments (Neal B. Hendrickson)

This bill reduces the partial reimbursement paid to waste tire recyclers and landfill owners for certain waste tire disposal and recycling uses.

This bill:

- reduces the partial reimbursement paid to waste tire recyclers for certain waste tire recycling uses:
- reduces the partial reimbursement paid to landfill owners for waste tire disposal; and
- makes technical corrections.

Amends 19-6-809, 19-6-812

Effective May 5, 2008

Chapter 66, Laws of Utah 2008

HB 133 Health System Reform (David Clark)

This bill requires the Department of Health, the Insurance Department, and the Governor's Office of Economic Development to work with the Legislature to develop the state's strategic plan for health system reform.

This bill:

- directs the Department of Health to work with the Insurance Department, the Department of Workforce Services, the Governor's Office of Economic Development, and the Legislature to develop a state strategic plan for health system reform;
- requires the Insurance Department to participate in the development of the state's strategic plan for health system reform;

- requires the Insurance Department to:
 - work with insurers to develop standards for health insurance applications and compatible electronic systems;
 - facilitate a private sector method of collection of premium payments from multiple sources; and
 - encourage health insurers to develop health insurance products that meet certain criteria;
- changes the threshold at which an individual qualifies for the state's Comprehensive Health Insurance Pool:
- changes the eligibility for the individual market so that:
 - if Utah's Premium Partnership for Health Insurance may be used to help purchase an individual policy, an insurer may not deny coverage based on the individual's use of a premium subsidy; and
 - eligibility for Utah's Premium Partnership for Health Insurance is a qualifying event for coverage under an employer plan;
- requires the Department of Workforce Services to participate in the development of the strategic plan for health system reform;
- enacts the "Health System Reform Act" which:
 - requires the Governor's Office of Economic Development to serve as the coordinating entity to work with the executive branch agencies, and to report to and assist the Legislature with the state's strategic plan for health system reform; and
 - describes the state's strategic plan for health system reform and the time line for implementing the strategic plan; and
- establishes the Health System Reform Legislative Task Force to develop and implement the state's strategic plan for health system reform.

This bill appropriates:

- as an ongoing appropriation, \$615,000, from the General Fund for fiscal year 2008-09 to the Department of Health to be used to fund health care cost and quality data collection, analysis, and distribution;
- ▶ \$500,000 from the General Fund for fiscal year 2008-09 only, to the Department of Health to fund the department's implementation of the standards developed for the electronic exchange of clinical health information;
- \$32,000 from the General Fund for fiscal years 2008-09 only, to fund the Health System Reform Task Force; and
- \$350,000 from the General Fund for fiscal year 2008-09 only, to the Health System Reform Task Force to fund professional and actuarial services for the task force.

This bill repeals the Health System Reform Task Force on November 30, 2008.

Amends 31A-30-106, 31A-30-108;

Enacts 26-18-12, 31A-2-218, 31A-22-610.6, 31A-22-635, 35A-1-104.5, 63M-1-2401, 63M-1-2402, 63M-1-2403, 63M-1-2404, 63M-1-2405

Effective May 5, 2008

Chapter 383, Laws of Utah 2008

HB 140 Child Restraint Device Amendments (Tim M. Cosgrove)

This bill modifies the Motor Vehicles Code by amending provisions relating to child restraint devices and safety belts.

This bill:

- requires that the operator of a motor vehicle shall provide for the protection of a person younger than eight years of age by using an appropriate child restraint device with certain exceptions; and
- makes technical changes.

Amends 41-6a-1803

Effective May 5, 2008

Chapter 160, Laws of Utah 2008

HB 141 Identity Theft Reporting Information System Amendments (Douglas C. Aagard)

This bill amends provisions and establishes an identify theft program and database in the Office of the Attorney General.

This bill:

- amends provisions in the Government Records Access and Management Act to provide protected status to all information collected in relation to the Identity Theft Reporting Information System established in the Office of the Attorney General;
- establishes the Identity Theft Reporting Information System (IRIS) program in the Office of the Attorney General;
- states the purposes of the IRIS program;
- establishes a database to store information related to the reporting, investigation, and resolution of identity theft reports filed under the IRIS program;
- provides requirements for the format, contents, and administration of the IRIS database;
- provides that the Department of Technology Services shall maintain, administer, and make rules in relation to use of the database, with the approval of the Office of the Attorney General;
- provides criminal penalties for unlawful access or misuse of information in the IRIS database;
 and
- makes technical amendments.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing technical renumbering.

Amends 63-2-304, 67-5-22

Effective May 5, 2008

Chapter 161, Laws of Utah 2008

HB 143 Administration of Interstate Water (Melvin R. Brown)

This bill authorizes the state engineer to administer an interstate water source.

This bill:

- authorizes the state engineer to:
 - enter into an agreement with another state regarding an interstate surface water source;
 and
 - implement an agreement with another state to regulate, distribute, and administer an interstate surface water source.

Enacts 73-2-29

Effective May 5, 2008

Chapter 67, Laws of Utah 2008

HB 144 Motor Vehicle Insurance Amendments (Todd E. Kiser)

This bill modifies the Insurance Code by amending provisions relating to personal injury protection coverage.

This bill:

- provides that there is no right of reimbursement to an insurer that has paid for benefits that are required to be paid under personal injury protection by the insurer of the person who would be held legally liable for the personal injuries sustained if the insurer of the person who would be held legally liable has tendered its policy limits;
- provides that if the insurer of the person who would be held legally liable for the personal injuries sustained reimburses a no-fault insurer and subsequently determines that the reimbursement is needed to settle a third party liability claim, the insurer of the person who would be held legally liable shall notify the no-fault insurer that a portion of the reimbursement is needed to settle a third party liability claim;
- provides a procedure for an insurer to notify a no-fault insurer that a portion of the reimbursement is needed;
- requires a no-fault insurer to return the needed portion of the reimbursement within 15 business days; and
- makes technical changes.

Amends 31A-22-309, 31A-22-321

Effective May 5, 2008

Chapter 162, Laws of Utah 2008

HB 146 School Bus Amendments (Christine A. Johnson)

This bill modifies the Environmental Quality Code and the Motor Vehicles Code by amending provisions relating to school buses.

This bill:

- requires the State Board of Education, in consultation with local school districts and the Air Quality Board, to adopt idling reduction standards and implement an idling reduction program; and
- makes technical changes.

This bill appropriates:

▶ for the fiscal year 2008-09 only, \$100,000 from the Uniform School Fund to the State Board of Education for a clean school bus purchase or retrofit program.

Amends 19-2-102, 19-2-104;

Enacts 41-6a-1308

Effective July 1, 2008

Chapter 68, Laws of Utah 2008

HB 148 Aquaculture Revitalization Act (Michael E. Noel)

This bill amends provisions relating to aquaculture and aquatic wildlife stocking.

This bill:

- defines terms;
- changes the membership of the Fish Health Policy Board;
- allows an aquaculture facility to sell a live aquatic animal to a private fish pond in certain circumstances:
- requires a private fish pond to have a screen;
- allows the Wildlife Board to make rules limiting aquatic wildlife stocking in a private fish pond in certain circumstances;
- ▶ changes the requirement for a private fish pond to have a certificate of registration; and
- makes technical changes.

Amends 4-37-103, 4-37-204, 4-37-503, 23-13-2, 23-15-9, 23-15-10, 23-19-1

Effective May 5, 2008

Chapter 69, Laws of Utah 2008

HB 149 Protective Order Amendments (Lorie D. Fowlke)

This bill allows for the appointment of a Guardian Ad Litem when a protective order is issued and there are minor children in the home, and prohibits extension of the 20-day period for an ex parte protective order without the respondent's consent.

This bill:

- gives the court authority to appoint a Guardian Ad Litem when an ex parte protective order is issued and there are minor children between the parties;
- prohibits extension of the 20-day hearing period without the respondent's consent if no hearing was held; and
- provides direction for the dismissal of protective orders in place longer than two years.

Amends 78B-7-106, 78B-7-107, 78B-7-115

Effective May 5, 2008

Chapter 163, Laws of Utah 2008

HB 151 Motor Vehicle Revisions (Stephen H. Urquhart)

This bill modifies the Motor Vehicles Code by amending provisions relating to the removal and impoundment of a vehicle.

This bill:

- authorizes the Motor Vehicle Division or a peace officer to seize and take possession of a vehicle if the vehicle is being operated on a highway without owner's or operator's security;
- provides that the Motor Vehicle Division or a peace officer may not seize and take possession of a vehicle if the operator of the vehicle is not carrying evidence of owner's or operator's security unless the division or peace officer verifies that owner's or operator's security is not in effect for the vehicle through the Uninsured Motorist Identification Database;
- provides that a vehicle that is seized or impounded for not having owner's or operator's security is subject to certain seizure or impoundment procedures and requirements; and
- makes technical changes.

Amends 41-1a-1101

Effective May 5, 2008

Chapter 164, Laws of Utah 2008

HB 153 Impact Fees Amendments (Michael T. Morley)

This bill modifies provisions relating to impact fees.

This bill:

- expands a requirement for a capital facilities plan to include private water providers that impose impact fees;
- removes language limiting application of a capital facilities plan notice requirement to land within a county of the first or second class;
- ▶ requires certain notices to be given to certain private construction and real estate entities;
- modifies a provision requiring notice to be given of a local political subdivision's independent capital facilities plan;
- expands a provision requiring an impact fee analysis with respect to the imposition of impact fees to apply to private water providers;
- requires notice to be provided before a local political subdivision or private water provider may prepare or contract to prepare the required impact fee analysis;
- makes certain capital facilities plan requirements applicable to amendments to a capital facilities plan;
- modifies a provision that requires a copy of an impact fee enactment to be available to the public and that requires notice of the impact fee enactment;
- requires impact fee enactments to allow a developer to receive a credit or proportionate reimbursement of an impact fee for land, improvements, or construction that the developer is required to provide in excess of requirements for the project;
- includes private water providers in other impact fee provisions;
- prohibits an impact fee enactment from taking effect until 90 days after it is enacted; and
- makes technical changes.

Amends 11-36-102, 11-36-201, 11-36-202

Effective May 5, 2008

Chapter 70, Laws of Utah 2008

HB 157 Alcoholic Beverage Control Violations Amendments (Curtis Oda)

This bill modifies the Alcoholic Beverage Control Act to impose certain notification requirements.

This bill:

- requires notification of violations within a specified time period in order for a disciplinary proceeding to be initiated or maintained on the basis of the alleged violation; and
- makes technical and conforming changes.

Amends 32A-1-105, 32A-1-119, 32A-1-120, 76-5-113;

Enacts 32A-1-119.5

Effective May 5, 2008

Chapter 317, Laws of Utah 2008

HB 159 Professional Employer Organization Licensing Act (James A. Dunnigan)

This bill modifies provisions related to the Insurance Code and Occupations and Professions to change the regulation of professional employer organizations from registration under the Division of Occupations and Professional Licensing to licensure under the Insurance Department.

This bill:

- repeals the Professional Employer Organization Registration Act;
- enacts the Professional Employer Organization Licensing Act, including:
 - · defining terms;
 - addressing the duties of the Insurance Department, including rulemaking;
 - providing for confidentiality of certain information;
 - outlining enforceable rights and obligations in a coemployment relationship;
 - discussing covered employees;
 - · outlining rights and obligations affected or unaffected by the act;
 - establishing financial requirements;
 - addressing issues such as insurance, taxation, benefit plans, workers' compensation, unemployment compensation insurance, and employment related economic incentives;
 - imposing licensing requirements and procedures, including grandfathering; and
 - providing for enforcement; and
- makes technical and conforming amendments.

Amends 34A-2-103, 34A-2-105, 35A-4-202, 49-12-102, 49-13-102;

Enacts 31A-40-101, 31A-40-102, 31A-40-103, 31A-40-104, 31A-40-201, 31A-40-202, 31A-40-203, 31A-40-204, 31A-40-205, 31A-40-206, 31A-40-207, 31A-40-208, 31A-40-209, 31A-40-210, 31A-40-211, 31A-40-301, 31A-40-302, 31A-40-303, 31A-40-304, 31A-40-305, 31A-40-306, 31A-40-401, 31A-40-402;

Repeals 58-59-101, 58-59-102, 58-59-301, 58-59-302, 58-59-302.5, 58-59-303, 58-59-303.5, 58-59-306, 58-59-306.5, 58-59-308, 58-59-501, 58-59-503

Effective May 5, 2008

Chapter 318, Laws of Utah 2008

HB 160 Charter School Law Revisions (Rebecca D. Lockhart)

This bill modifies provisions relating to charter schools.

This bill:

- modifies the appointment procedures for the staff director of the State Charter School Board;
- modifies provisions relating to the purposes and status of charter schools;
- ▶ requires the State School Board, in consultation with the State Charter School Board, to make rules relating to charter school accountability; and
- makes technical corrections.

Amends 53A-1a-501.7, 53A-1a-503, 53A-1a-503.5;

Enacts 53A-1a-519

Effective May 5, 2008

Chapter 319, Laws of Utah 2008

HB 164 Town Incorporation Process Amendments (Melvin R. Brown)

This bill modifies provisions relating to the incorporation of a town.

This bill:

- modifies the process of incorporating a town;
- limits the areas in counties of the first class that qualify as contiguous for purposes of a proposed incorporation of a town;
- requires at least five sponsors to be designated on a petition to incorporate an area as a town;
- prohibits the filing of a petition to incorporate an area as a town if the petition sponsors own more than 40% of the total area proposed to be incorporated;
- eliminates definitions of "base petition" and "qualifying petition";
- enacts definitions:
- modifies a requirement regarding county legislative body approval of a petition for the incorporation of a town if the petition meets certain signature requirements;
- clarifies that the value of property for purposes of determining incorporation petition requirements is assessed value;
- establishes a process for a public hearing on a proposed incorporation of a town before a petition to incorporate may be filed;
- requires a majority of registered voters to sign a petition to incorporate as a town;
- allows a county legislative body the option whether to commission a financial feasibility study with respect to a proposed incorporation of a town and provides a process for commissioning a financial feasibility study;
- establishes financial feasibility study criteria;
- requires the initial officers of a newly incorporated town to be elected rather than appointed by the county legislative body;
- modifies election provisions to allow the election of officers of a newly incorporated town to be conducted as a special election;
- provides for when newly elected town officers in a new town take office;
- provides that a previously filed petition is subject to the law in effect when the petition was filed; and
- modifies the date upon which a town is incorporated.

This bill provides revisor instructions.

This bill coordinates with S.B. 20, Municipal Government Amendments, by technically merging amendments.

Amends 10-2-109, 10-2-125, 20A-1-203, 20A-1-204

Effective March 5, 2008

Chapter 16, Laws of Utah 2008

HB 165 Sales and Use Tax Exemptions Relating to Aircraft (Brad L. Dee)

This bill amends the Sales and Use Tax Act relating to sales and use tax exemptions for aircraft.

This bill:

- addresses certain sales and use tax exemptions relating to:
 - sales of parts and equipment for aircraft; or
 - sales of aircraft: and
- makes technical changes.

Amends 59-12-104

Effective July 1, 2008

Chapter 320, Laws of Utah 2008

HB 167 A Victim Amicus Bill (R. Curt Webb)

This bill provides victims of crime the right to submit a written statement in actions on appeal related to that crime.

This bill:

gives victims of crime the right to submit a written statement in actions on appeal related to the crime of which they are victims.

Amends 77-38-4

Effective May 5, 2008

Chapter 321, Laws of Utah 2008

HB 171 Driving Privilege Card Amendments (Bradley M. Daw)

This bill amends provisions relating to the driving privilege card.

This bill:

- amends definitions;
- prohibits a person authorized by law to sell or otherwise handle alcoholic beverages or products from accepting a driving privilege card as evidence of the legal age of the person;
- requires the Motor Vehicle Division to notify the Driver License Division if the Motor Vehicle Division revokes a vehicle registration for failing to provide evidence of owner's or operator's security as required under the Uninsured Motorist Identification Database Program;
- ▶ requires the Driver License Division to suspend a driving privilege card holder's driving privilege card if the division receives notice that the driving privilege card holder's vehicle registration has been revoked for failing to provide evidence of owner's or operator's security as required under the Uninsured Motorist Identification Database Program;
- prohibits the Driver License Division from issuing a receipt that serves as a temporary driving privilege card or other temporary permit to an applicant for a driving privilege card;
- prohibits a driving privilege card from being used as providing proof of a person's age for any government required purpose;
- provides that a person that engages in the transfer, distribution, or furnishing of certain precursor chemicals may not accept a driving privilege card as proof of identification from a purchaser that purchases certain controlled substance precursors;
- provides that a dealer of firearms may not accept a driving privilege card for the purpose of establishing personal identification and residence to receive a firearm; and
- makes technical changes.

Amends 32A-1-105, 32A-1-304, 41-1a-110, 41-1a-1220, 41-12a-806, 53-3-102 (Effective 07/01/08), 53-3-207, 53-3-221 (Effective 07/01/08), 58-37c-10, 76-10-526

Effective July 1, 2008

Chapter 322, Laws of Utah 2008

HB 172 City or Town Option Sales and Use Tax (Brad L. Dee)

This bill amends the Sales and Use Tax Act to authorize the imposition of a city or town option sales and use tax.

This bill:

- creates a part within the Sales and Use Tax Act authorizing the imposition of a city or town option sales and use tax by certain cities or towns for a certain time period;
- defines terms:
- provides that a city or town legislative body may expend the sales and use tax revenues for the same purposes for which the city or town may expend the city's or town's general fund revenues;
- addresses the procedures and requirements for imposing the sales and use tax, including providing that the sales and use tax is an agreement sales and use tax; and
- makes technical changes.

This bill coordinates with H.B. 206, Tax Amendments, to make substantive and technical amendments, including enacting Sections

59-12-1904, 59-12-1905, and 59-12-1906.

Amends 59-12-102;

Enacts 59-12-1901, 59-12-1902, 59-12-1903

Effective May 5, 2008

Chapter 323, Laws of Utah 2008

HB 173 Money Management Act Updates (Paul A. Neuenschwander)

This bill makes a clarifying modification in the list of federal government obligations in which public treasurers are authorized to invest public funds.

This bill:

- removes obligations issued by the Student Loan Marketing Association from the list of approved investments; and
- clarifies that an authorized agency or instrumentality that becomes private and is no longer considered to be a government agency is no longer authorized as an approved investment for public funds.

Amends 51-7-11

Effective May 5, 2008

Chapter 324, Laws of Utah 2008

HB 174 Traumatic Brain Injury Fund (James R. Gowans)

This bill creates the Traumatic Brain Injury Fund within the Department of Health.

This bill:

- creates the Traumatic Brain Injury Fund within the Department of Health to be administered by the executive director;
- directs the executive director to create an advisory committee to make recommendations for expenditures from the fund;
- specifies duties and responsibilities for the Traumatic Brain Injury Advisory Committee; and
- makes technical changes.

Enacts 26-49-101, 26-49-102, 26-49-201, 26-49-202

Effective May 5, 2008

Chapter 325, Laws of Utah 2008

HB 177 County and Municipal Land Use Regulation of Potential Geologic Hazard Areas (Michael T. Morley)

This bill modifies county and municipal land use and development provisions relating to the regulation of potential geologic hazard areas.

This bill:

- defines terms:
- authorizes counties and municipalities to enact an ordinance regulating land use and development in a flood plain or potential geologic hazard area to protect life or prevent the substantial loss of or damage to real property; and
- provides a process for assembling a panel of experts to decide the technical aspects of an appeal of a land use authority's decision administering or interpreting a county or municipal ordinance regulating land use and development in a flood plain or potential geologic hazard area.

Amends 10-9a-103, 10-9a-505, 10-9a-603, 10-9a-703, 17-27a-103, 17-27a-505, 17-27a-603, 17-27a-703

Effective May 5, 2008

Chapter 326, Laws of Utah 2008

HB 178 Jurisdiction for Prosecution (Paul A. Neuenschwander)

This bill modifies the Judicial Code regarding the jurisdiction of justice courts.

This bill:

- clarifies the territorial jurisdiction of justice courts, including situations such as:
 - when the offense is committed in or on a vehicle, railroad car, or watercraft passing through the jurisdiction of the court;
 - when the offense is committed on a body of water adjacent to the jurisdiction of the court;
 - when an unlawful communication is sent or received within the jurisdiction; or
 - when an element of an offense is committed within the jurisdiction.

Amends 78A-7-106

Effective May 5, 2008

Chapter 327, Laws of Utah 2008

HB 182 Deadline for Voting Precinct Designation (Gregory H. Hughes)

This bill modifies the Election Code by amending the deadline to modify voting precincts.

This bill:

changes the date by which a county legislative body must designate voting precincts from February 1 on a regular general election year to January 1 on a regular general election year.

Amends 20A-5-303

Effective May 5, 2008

Chapter 71, Laws of Utah 2008

HB 184 Construction Amendments (Michael T. Morley)

This bill addresses the numbering of building permits.

This bill:

- requires the standardized building permit number required by statute to be printed in a certain manner; and
- makes technical changes.

Amends 58-56-20

Effective July 1, 2008

Chapter 328, Laws of Utah 2008

HB 185 Western States Presidential Primary Amendments (Keith Grover)

This bill modifies provisions of the Election Code that relate to procedures for Utah's Western States Presidential Primary.

This bill:

- changes the registration deadline for Utah's Western States Presidential Primary from seven days before the election to the same date used by other elections;
- provides that, consistent with the regular primary election, a voter may not change party affiliation during the 30 day period before the Western States Presidential Primary;
- provides that voting procedures for the Western States Presidential Primary shall mirror voting procedures for regular primary elections;
- changes the date of the canvass for the Western States Presidential Primary from seven days after the election to seven to 14 days after the election; and
- makes technical changes.

Amends 20A-2-107, 20A-2-107.5, 20A-3-104.5, 20A-4-301, 20A-9-804, 20A-9-809;

Repeals and Reenacts 20A-9-808

Effective May 5, 2008

Chapter 329, Laws of Utah 2008

HB 186 Property Tax - County Assessment and Collection Amendments (Kay L. McIff)

This bill amends provisions in the Property Tax Act that relate to the multicounty assessing and collecting levy.

This bill:

- defines terms;
- provides that the county additional property tax levy is subject to the property tax notice and hearing requirements if the levy is levied within certain counties;
- requires that after distributions have been made to receiving counties, money remaining in the Property Tax Valuation Fund shall be retained in the fund until the following year; and
- makes technical changes.

Amends 17C-1-102, 59-2-911, 59-2-924, 59-2-926;

Enacts 59-2-1601;

Renumbers and Amends 59-2-906.1 to 59-2-1602, 59-2-906.2 to 59-2-1603, 59-2-906.3 to 59-2-1604, 59-2-906.4 to 59-2-1605

Effective January 1, 2009

Chapter 330, Laws of Utah 2008

HB 187 Death Caused by Illegal Drugs (Christopher N. Herrod)

This bill sets forth a civil cause of action against persons who provide illegal controlled substances that cause or contribute to the death of a person.

This bill:

- provides that the estate of a person who died due to the use of an illegal controlled substance may bring a civil action against any person who illegally provided or administered the substance, and against any person who illegally provided the substance to any person in the direct chain of supply of providing the substance to the person who provided the substance to the deceased person;
- provides an exemption in these actions regarding certain limitations on punitive damages;
- provides that this bill does not create or impose liability on the parent or guardian of a minor who acts in violation of the provisions of this bill unless the parent or guardian acts in violation of this bill;
- provides for treble damages; and
- provides that the burden is on the party bringing the action to establish the causal connection between the illegal controlled substance and the death.

Amends 78B-8-201;

Enacts 78B-3-801

Effective May 5, 2008

Chapter 331, Laws of Utah 2008

HB 189 School Community Councils (Ron Bigelow)

This bill modifies provisions relating to the State System of Public Education by requiring a school community council to provide certain information to school households.

This bill:

- requires a school community council to provide the following information to each household that has a student attending the school:
 - a school community council meeting schedule for the year;
 - a mid-year action and activity report; and
 - an end-of-year report, including how the school's School LAND Trust Program monies were used;
- specifies delivery methods for the information; and
- makes technical corrections.

Amends 53A-1a-108, 53A-16-101.5

Effective July 1, 2008

Chapter 332, Laws of Utah 2008

HB 192 Property Transaction Amendments (Rebecca D. Lockhart)

This bill modifies the Pawnshop and Secondhand Merchandise Transaction Information Act regarding functions of the Division of Consumer Protection and exemption of certain businesses.

This bill:

- directs the Division of Consumer Protection to by rule exempt from regulation specific classes of businesses that deal in secondhand goods;
- directs the division to consult with the board when making the administrative rules to exempt the specified types of businesses that deal in secondhand goods; and
- requires that prior to November 30, 2008, the Division of Consumer Protection report to the Legislature regarding issues considered and actions taken by the division and by the Pawnshop and Secondhand Merchandise Advisory Board during the year.

Amends 13-32a-102, 13-32a-102.5, 13-32a-104, 13-32a-112, 13-32a-113;

Enacts 13-32a-112.5

Effective May 5, 2008

Chapter 333, Laws of Utah 2008

HB 198 State Agency Energy Efficiency (Fred R. Hunsaker)

This bill enacts and amends provisions relating to state agency energy efficiency.

This bill:

- requires the Legislature, subject to future budget constraints, to retain energy savings in a state agency's appropriation;
- creates a revolving loan fund to lend monies to state agencies to finance energy efficiency measures;
- establishes a sunset date for certain provisions of the bill; and
- makes technical corrections.

Amends 63-55-263;

Enacts 63A-5-602, 63A-5-603;

Renumbers and Amends 63-9-63 to 63A-5-601

Effective May 5, 2008

Chapter 334, Laws of Utah 2008

HB 202 Employee Benefit Amendments (John Dougall)

This bill modifies the Utah State Retirement and Insurance Benefit Act by allowing the transfer of certain members' defined benefit balance to a defined contribution plan, by adding certain employees who may elect to be excluded from membership in the public employees retirement systems.

This bill:

- defines certain terms;
- allows certain elected state officials and certain appointed executives and senior staff to elect to have the members' defined benefit balance transferred from the defined benefit system or plan to a defined contribution plan;
- allows certain employees to be excluded, upon written request, from future coverage under the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System, including employees of the Commission on Criminal and Juvenile Justice, employees of the governor's offices, and employees of the state treasurer and state auditor; and
- makes technical changes.

Amends 49-11-102, 49-11-801, 49-12-203, 49-13-203;

Enacts 49-11-406

Effective March 18, 2008

Chapter 335, Laws of Utah 2008

HB 203 Judicial Review of State Engineer's Decision (Patrick Painter)

This bill amends provisions relating to the judicial review of a state engineer decision.

This bill:

- requires a person seeking judicial review to:
 - name the state engineer, and in some cases the person who is the subject of the proceeding, as a respondent; and
 - give notice to a person who protested during the adjudicative proceeding; and
- makes technical changes.

Amends 73-3-14

Effective May 5, 2008

Chapter 165, Laws of Utah 2008

HB 206 Tax Amendments (Wayne A. Harper)

This bill amends the Sales and Use Tax Act and related provisions.

This bill:

- addresses definitions;
- addresses the administration, collection, and enforcement of taxes, fees, or charges administered by the State Tax Commission;
- addresses the State Tax Commission authority to provide information contained in a return, report, related schedule, or other document to the governing board of the Streamlined Sales and Use Tax Agreement or certain other taxing officials;

- authorizes the state to become a party to the Streamlined Sales and Use Tax Agreement and addresses the authority of the State Tax Commission relating to the state becoming a party to the Streamlined Sales and Use Tax Agreement;
- addresses the appointment of delegates to the governing board of the Streamlined Sales and Use Tax Agreement;
- ▶ addresses transactions that are subject to state and local sales and use taxation;
- addresses tax rates that apply to specified transactions;
- addresses the enactment, repeal, or change in the rate of state and local sales and use taxes;
- repeals the distribution of certain local taxes collected by a remote seller to counties, cities, and towns:
- repeals the requirement to deposit certain state sales and use tax revenues into the Remote Sales Restricted Account;
- addresses state and local sales and use tax exemptions;
- addresses the Utah Tax Review Commission's requirement to study the state's sales and use tax system;
- addresses provisions relating to an exemption certificate;
- addresses the collection and remittance of sales and use taxes by a seller that is registered under the Streamlined Sales and Use Tax Agreement;
- addresses provisions relating to a direct payment permit;
- addresses the collection, remittance, and payment of taxes on direct mail;
- addresses certified service provider liability relating to state and local sales and use taxes;
- addresses seller or certified service provider reliance on State Tax Commission information or certain systems with respect to state and local sales and use taxes;
- addresses certified service provider or model 2 seller reliance on State Tax Commission certified software with respect to state and local sales and use taxes;
- addresses a purchaser's relief from liability for a tax, penalty, or interest;
- addresses return filing requirements;
- addresses seller discounts;
- addresses overpayments of sales and use taxes;
- addresses amnesty for a seller;
- addresses a monetary allowance under the Streamlined Sales and Use Tax Agreement;
- addresses the sourcing of sales and use transactions;
- addresses provisions relating to funding for 911 emergency telecommunications service;
- addresses provisions relating to the emergency services telecommunications charge to fund the Poison Control Center;
- addresses provisions relating to the emergency services telecommunications charge to fund the statewide unified E-911 service;
- grants rulemaking authority to the State Tax Commission; and
- makes technical changes.

Amends 10-1-307, 10-1-402, 10-1-405, 10-1-407, 11-41-102, 53-10-605, 59-1-403, 59-12-102, 59-12-103, 59-12-104, 59-12-104.5, 59-12-105, 59-12-106, 59-12-107, 59-12-107.1, 59-12-108, 59-12-110, 59-12-110.1, 59-12-205, 59-12-208.1, 59-12-210, 59-12-302, 59-12-354, 59-12-401, 59-12-402, 59-12-403, 59-12-501, 59-12-502, 59-12-504, 59-12-603, 59-12-703, 59-12-802, 59-12-804, 59-12-806, 59-12-1001, 59-12-1002, 59-12-1102, 59-12-1201, 59-12-1302, 59-12-1402, 59-12-1503, 59-12-1703, 59-12-1802, 59-12-1803, 63-55-269, 69-2-5, 69-2-5.5, 69-2-5.6, 72-2-125;

Enacts 59-12-102.3, 59-12-123, 59-12-124, 59-12-125, 59-12-126, 59-12-127, 59-12-128, 59-12-129, 59-12-211, 59-12-212, 59-12-213, 59-12-214, 59-12-216, 59-12-217, 59-12-218,

59-12-304, 59-12-305, 59-12-306, 59-12-357, 59-12-358, 59-12-359, 59-12-406, 59-12-407, 59-12-408, 59-12-506, 59-12-507, 59-12-508, 59-12-605, 59-12-606, 59-12-607, 59-12-707, 59-12-708, 59-12-709, 59-12-808, 59-12-809, 59-12-810, 59-12-1004, 59-12-1005, 59-12-1006, 59-12-1104, 59-12-1105, 59-12-1106, 59-12-1202, 59-12-1203, 59-12-1204, 59-12-1304, 59-12-1305, 59-12-1306, 59-12-1405, 59-12-1406, 59-12-1407, 59-12-1505, 59-12-1506, 59-12-1507, 59-12-1707, 59-12-1708, 59-12-1804, 59-12-1805, 59-12-1806;

Renumbers and Amends 59-12-207.4 to 59-12-215;

Repeals 59-12-102.2, 59-12-207

Effective January 1, 2009

Chapter 384, Laws of Utah 2008

HB 208 Livestock Watering Rights (Michael E. Noel)

This bill enacts a section relating to a livestock watering right.

This bill:

- defines terms:
- provides that only a beneficial user may acquire a livestock watering right on public land;
- recognizes a forage right that is appurtenant to a livestock watering right;
- authorizes the state engineer to:
 - issue a livestock water use certificate; and
 - charge a fee;
- ▶ directs the Department of Agriculture and Food in certain circumstances to:
 - · hold a livestock watering right in trust; or
 - sell a livestock watering right at a public auction;
- prohibits the state engineer from approving a change application in certain circumstances;
 and
- directs the proceeds from a sale of a livestock watering right by the Department of Agriculture and Food to be deposited in the Rangeland Improvement Fund.

Amends 4-20-2, 73-2-14;

Enacts 73-3-30

Effective May 5, 2008

Chapter 399, Laws of Utah 2008

HB 210 Identity Theft and Other Crimes (Stephen E. Sandstrom)

This bill modifies provisions of the Financial Responsibility of Motor Vehicle Owners and Operators Act related to access by a state or local law enforcement agency to the Uninsured Motorist Identification Database.

This bill:

- provides that the Uninsured Motorist Identification Database Program shall be used to assist in the identification and prevention of identity theft and other crimes;
- provides that information in the Uninsured Motorist Identification Database may be disclosed to a state or local law enforcement agency upon its request for the purpose of investigating and prosecuting identity theft and other crimes; and
- makes certain technical changes.

Amends 41-12a-803, 41-12a-805

Effective May 5, 2008

Chapter 166, Laws of Utah 2008

HB 216 Annexation Revisions (Bradley G. Last)

This bill modifies the Utah Municipal Code relating to municipal annexations.

This bill:

- eliminates a definition for "conical surface area"; and
- modifies a provision requiring the consent of a municipality operating or building an airport for an annexation of land to another municipality.

Amends 10-2-402

Effective May 5, 2008

Chapter 167, Laws of Utah 2008

HB 221 Agriculture and Industrial Protection Area Amendments (John G. Mathis)

This bill modifies provisions relating to agriculture protection areas.

This bill:

- requires county and municipal planning commissions to identify and consider agriculture protection areas in drafting a land use element of a general plan and to avoid uses that are inconsistent with or detrimental to agriculture in those areas;
- clarifies that an owner of land in an agriculture protection area or industrial protection area may withdraw some or all of the owner's land from the area;
- prohibits a county or municipal legislative body from charging a fee for a petition to remove land from an agriculture protection area or industrial protection area; and
- requires state agencies and political subdivisions to consider impacts on agriculture protection areas and reasonably comparable alternatives when designating a transportation corridor and to make reasonable efforts to minimize or eliminate detrimental impacts on agriculture.

Amends 10-9a-403, 17-27a-403, 17-41-306, 17-41-406

Effective May 5, 2008

Chapter 168, Laws of Utah 2008

HB 222 Water Quality Board Amendments (Patrick Painter)

This bill amends provisions relating to water quality.

This bill:

- authorizes the Water Quality Board to:
 - issue an operating permit; and
 - delegate authority to issue an operating permit to a local health department; and
- makes technical changes.

This bill coordinates with S.B. 111, Revisor's Statute, by providing that certain technical amendments in this bill supersede certain technical amendments in S.B. 111.

Amends 19-5-103, 19-5-104

Effective May 5, 2008

Chapter 336, Laws of Utah 2008

HB 223 Exemption from Licensure by Division of Real Estate (Mark W. Walker)

This bill modifies provisions related to state and local governments and licensure by the Division of Real Estate.

This bill:

- exempts from licensure certain regular salaried employees of a county when acting on behalf of the county;
- exempts from licensure certain agents of the Department of Transportation;
- > expands the activities government employees may engage in without being licensed; and
- makes technical changes.

Amends 10-3-1110, 61-2-3, 72-5-116;

Enacts 17-50-106

Effective May 5, 2008

Chapter 169, Laws of Utah 2008

HB 231 Local Voter Information Pamphlet Amendments (Douglas C. Aagard)

This bill requires local voter information pamphlets to be prepared for all ballot propositions and advances the filing deadlines for submitting arguments relating to the proposals.

This bill:

- clarifies the definition of "ballot proposition";
- requires local voter information pamphlets to be prepared for all ballot propositions;
- advances the deadline for filing a request to submit an argument relating to the ballot proposition from 45 days before the election to 50 days; and
- advances the deadline for submitting an argument relating to the ballot proposition from 30 days before the election to 45 days.

Amends 20A-1-102, 20A-7-402

Effective May 5, 2008

Chapter 170, Laws of Utah 2008

HB 234 Kindergarten Assessment Amendments (LaWanna Lou Shurtliff)

This bill modifies provisions regarding the administration of kindergarten readiness assessments.

This bill:

encourages schools to schedule the kindergarten readiness assessment early enough before the kindergarten starting date so that a parent has time to develop the child's needed skills as identified by the assessment.

Amends 53A-3-402.9

Effective May 5, 2008

Chapter 171, Laws of Utah 2008

HB 235 County Merit System Amendments (Brad L. Dee)

This bill modifies provisions of the County Personnel Management Act.

This bill:

- clarifies that a sheriff in a county employing more than 100 full-time uniformed peace officers may appoint more than one chief deputy or undersheriff, even if the county has chosen to use the County Personnel Management Act provisions as a single merit system for all county employees; and
- makes technical changes.

Amends 17-33-1, 17-33-8;

Enacts 17-33-16

Effective May 5, 2008

Chapter 172, Laws of Utah 2008

HB 238 Campaign Finance Filing Requirements (Gregory H. Hughes)

This bill modifies the Election Code, the Utah Municipal Code, and provisions related to counties in order to amend certain requirements for compliance with election-related financial reporting provisions.

This bill:

- requires strict compliance for filing deadlines when a petition is brought to the district court regarding compliance with campaign and judicial retention election finance reporting provisions;
- ▶ requires the election filing officer to provide each person that files a valid declaration of candidacy with a copy of current campaign financial disclosure laws and to inform the person that failure to comply will result in disqualification as a candidate and removal of the person's name from the ballot;
- requires the person filing, in the declaration of candidacy, to promise to file all financial disclosure reports as required by law and to acknowledge that failure to do so will result in the person's disqualification for the office and removal of the person's name from the ballot; and
- makes technical changes.

Amends 20A-1-404, 20A-9-201, 20A-9-203

Effective February 28, 2008

Chapter 13, Laws of Utah 2008

HB 242 Transportation Funding Revisions (Wayne A. Harper)

This bill modifies provisions relating to the use of monies in the County of the First Class State Highway Projects Fund.

This bill:

- provides that \$30,000,000 of certain bond proceeds previously authorized shall be used to pay for or to provide funds to a municipality or county to pay for the costs of right-of-way acquisition, construction, reconstruction, renovations, or improvements to certain highways within Salt Lake County;
- ▶ requires that, for fiscal year 2008-09 only, the executive director of the Department of Transportation shall use monies in the County of the First Class State Highway Projects Fund to pay for or to provide a municipality or county funds to pay for the costs of right-of-way acquisition, construction, reconstruction, renovations, or improvements to certain highways within Salt Lake County;
- provides that prior to receiving bond proceeds or funds from the County of the First Class State Highway Projects Fund, a municipality or county shall sign and file a written certification with the Department of Transportation certifying that it will use the funds solely for designated projects; and
- makes technical changes.

Amends 63B-16-102, 72-2-121

Effective July 1, 2008

Chapter 337, Laws of Utah 2008

HB 245 Administration of Medication to Students Amendments (Rebecca D. Lockhart)

This bill modifies the State System of Public Education Code relating to the administration of medication to students.

This bill:

- allows school administrators rather than school boards to meet certain requirements;
- modifies the role of school nurses relating to the administration of medication to students;
 and
- makes technical corrections.

Amends 53A-11-601

Effective May 5, 2008

Chapter 173, Laws of Utah 2008

HB 248 Amendments to Sales and Use Tax Exemption for Certain Property Incorporated into Real Property (John Dougall)

This bill amends the Sales and Use Tax Act relating to an exemption for certain property incorporated into real property.

This bill:

- amends a sales and use tax exemption for certain tangible personal property incorporated into real property to repeal certain requirements for the exemption;
- provides that for certain sales made on or after July 1, 2004, but on or before June 30, 2008, a person may claim the exemption under certain circumstances by filing for a refund; and
- makes technical changes.

This bill takes effect July 1, 2008, and has retrospective operation to July 1, 2004.

Amends 59-12-104

Chapter 174, Laws of Utah 2008

HB 249 Vehicles Covered by New Motor Vehicle Warranties (Kerry W. Gibson)

This bill includes a farm tractor as a vehicle covered by Title 13, Chapter 20, New Motor Vehicle Warranties Act.

This bill:

- includes a farm tractor as a vehicle covered by Title 13, Chapter 20, New Motor Vehicle Warranties Act: and
- makes technical changes.

Amends 13-20-2

Effective May 5, 2008

Chapter 175, Laws of Utah 2008

HB 250 Public Employee Benefit Approval Provisions (John Dougall)

This bill modifies the Public Employees' Benefit and Insurance Program Act by amending provisions related to the determination of state employee insurance benefits.

This bill:

- requires the Public Employees' Benefit and Insurance Program (PEHP) to provide the Legislature with its recommended benefit adjustments for state employees; and
- requires that PEHP determine benefits and rates based on the total estimated costs and the employee premium shares established by the Legislature.

Amends 49-20-401

Effective May 5, 2008

Chapter 176, Laws of Utah 2008

HB 251 Sales and Use Tax Revisions (John Dougall)

This bill amends the Sales and Use Tax Act.

This bill:

- repeals certain dates relating to the taxation of food and food ingredients;
- modifies a sales and use tax exemption relating to sales of aircraft manufactured in the state;
- modifies the sales and use tax exemption to which public transit districts and their subcontractors are entitled;
- modifies requirements for calculating the use tax for purposes of a sales and use tax return filed quarterly;
- clarifies that a county, city, or town within a transit district may impose a sales and use tax of up to .25% to fund a public transportation system if within the county, city, or town a sales and use tax is also imposed under Title 59, Chapter 12, Part 15, County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems for Public Transit; and
- makes technical changes.

This bill takes effect February 19, 2008 and provides for retrospective operation to January 1, 2008.

Amends 59-12-103, 59-12-104, 59-12-107, 59-12-501

Chapter 7, Laws of Utah 2008

HB 252 Charitable Solicitations Act Amendments (Wayne A. Harper)

This bill provides for the creation of a certified local museum designation and provides for a discounted registration fee under Title 13, Chapter 22, Charitable Solicitations Act.

This bill:

- requires the Office of Museum Services to create a certified local museum designation;
- provides a discounted fee under Title 13, Chapter 22, Charitable Solicitations Act, for a certified local museum; and
- makes technical changes.

Amends 9-6-603, 13-22-6

Effective May 5, 2008

Chapter 177, Laws of Utah 2008

HB 254 School Community Council Amendments (Ronda Rudd Menlove)

This bill modifies provisions regarding the term of office of school community council members.

This bill:

allows schools, in consultation with local school boards, to set the beginning date of the term of office for school community council members.

Amends 53A-1a-108

Effective May 5, 2008

Chapter 178, Laws of Utah 2008

HB 256 Criminal Penalties Amendments - Including Jessica's Law (Carl Wimmer)

This bill amends penalty provisions of the Utah Criminal Code.

This bill:

- makes it a first degree felony to engage in criminal solicitation to commit, or attempt to commit, a felony punishable by imprisonment for life without parole;
- makes it a first degree felony, punishable by imprisonment for not less than three years and which may be for life, to engage in criminal solicitation to commit, or attempt to commit, murder, child kidnapping, and certain sexual offenses;
- ▶ makes it a first degree felony, punishable by imprisonment of not less than 15 years and which may be for life, to engage in criminal solicitation to commit, or attempt to commit, rape of a child, object rape of a child, or sodomy on a child;
- provides that a court may impose a lesser term of imprisonment than the term of imprisonment described in the preceding paragraph if the court finds that a lesser term of imprisonment is in the interests of justice and states the reasons for this finding on the record;
- increases the minimum term of imprisonment for rape of a child, object rape of a child, or sodomy on a child, to 25 years and which may be for life;
- removes the authority of a court to impose a lesser sentence than the minimum term of imprisonment for rape of a child, object rape of a child, or sodomy on a child; and
- makes technical changes.

Amends 76-4-102, 76-4-204, 76-5-402.1, 76-5-402.3, 76-5-403.1

Effective May 5, 2008

Chapter 179, Laws of Utah 2008

HB 258 Medicaid Drug Utilization Amendments (Rebecca D. Lockhart)

This bill amends the Medical Assistance Act.

This bill:

- prohibits the inclusion of immunosuppressive drugs used to prevent transplanted organ rejection:
 - on a preferred drug list for the State Medicaid Program;
 - in step therapy requirements of the Drug Utilization Board; and
 - in generic substitution requirements of the State Medicaid Program.

Amends 26-18-2.4

Effective May 5, 2008

Chapter 180, Laws of Utah 2008

HB 259 Gold Star Family Special Group License Plate Amendments (Curtis Oda)

This bill modifies the Motor Vehicles Code by amending Gold Star Family special group license plate provisions.

This bill:

- permits any recipient of a gold star award issued by the United States Secretary of Defense to receive the Gold Star Family special group license plate;
- eliminates provisions addressing plate design; and
- makes technical changes.

Amends 41-1a-418, 41-1a-421

Effective May 5, 2008

Chapter 181, Laws of Utah 2008

HB 261 Local District Primary Elections (Karen W. Morgan)

This bill modifies the Limited Purpose Local Government Entities -- Local District title by amending provisions related to the election of local district board members.

This bill:

- allows rather than prohibits a primary election for local district board members;
- provides that the primary election may only be held if:
 - the election is authorized by the local district board; and
 - the number of candidates for a particular local board position exceeds twice the number of persons needed to fill that position;
- provides certain procedures for conducting the primary election; and
- makes technical changes.

Amends 17B-1-306

Effective May 5, 2008

Chapter 182, Laws of Utah 2008

HB 262 Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants (Karen W. Morgan)

This bill directs the Office of Legislative Research and General Counsel to complete a study of all available remedies the state may have in seeking reimbursement from the federal government for costs incurred by the state resulting from illegal immigration.

This bill:

- directs the Office of Legislative Research and General Counsel to complete a study of all available remedies to recover any moneys owing from the federal government to the state for the reimbursement of costs incurred by the state resulting from illegal immigration; and
- directs the Office of Legislative Research and General Counsel to file a written report with the governor, the president of the Senate, the speaker of the House of Representatives, and the chairs of the Executive Appropriations Committee that details the findings of the study.

Effective May 5, 2008

Chapter 183, Laws of Utah 2008

HB 263 Utah Registry of Autism and Developmental Disabilities (Eric K. Hutchings)

This bill amends the Utah Health Code to provide for the operation of the Utah Registry of Autism and Developmental Disabilities and the operation of a public education campaign related to autism spectrum disorders and developmental disabilities.

This bill:

- requires the Department of Health to enter into an agreement for the operation of:
 - the Utah Registry of Autism and Developmental Disabilities (URADD); and
 - a public education campaign to increase the early identification of autism spectrum disorders and developmental disabilities; and
- describes the purposes of URADD.

This bill appropriates:

as an ongoing appropriation subject to future budget constraints, \$75,000 from the General Fund for fiscal year 2008-09 to the Department of Health.

Enacts 26-7-4

Effective May 5, 2008

Chapter 72, Laws of Utah 2008

HB 265 Office of Recovery Services - Electronic Funds Transfer (Paul Ray)

This bill amends portions of the Recovery Services chapter of the Utah Human Services Code, relating to electronic funds transfer.

This bill:

- defines terms;
- recodifies provisions of the Recovery Services chapter of the Utah Human Services Code, relating to electronic funds transfer;
- requires the Office of Recovery Services, within the Department of Human Services, to distribute child support payments by electronic funds transfer;
- grants rulemaking authority to the Office of Recovery Services to make exceptions to the electronic funds transfer requirement, described above, where the requirement would impose an undue hardship on the office or a person, or where the distribution will not likely be made on a recurring basis; and
- makes technical changes.

Amends 62A-11-401;

Enacts 62A-11-701, 62A-11-702, 62A-11-704;

Renumbers and Amends 62A-11-502.1 to 62A-11-703;

Repeals 62A-11-403.1

Effective May 5, 2008

Chapter 73, Laws of Utah 2008

HB 268 Health Facility Committee Membership (Christopher N. Herrod)

This bill amends the Health Care Facility Licensing and Inspection Act within the Utah Health Code.

This bill:

- adds one representative of a freestanding ambulatory surgical facility and one representative of an ambulatory surgical facility that is affiliated with a hospital to the membership of the Health Facility Committee within the Department of Health; and
- increases the number of members that constitutes a quorum of the Health Facility Committee.

Amends 26-21-3

Effective May 5, 2008

Chapter 74, Laws of Utah 2008

HB 269 Scott B. Lundell Military Survivors' Tuition Waiver Amendments (Michael T. Morley)

This bill modifies the undergraduate tuition waiver available for certain surviving dependents of military members.

This bill:

- expands the undergraduate tuition waiver to surviving dependents of Utah resident military members killed on state active duty;
- clarifies that tuition waivers are available for surviving dependents, beginning on September 11, 2001; and
- requires the Department of Veterans' Affairs to certify the eligibility of surviving dependents to state institutions of higher education.

Amends 53B-8-107

Effective May 5, 2008

Chapter 184, Laws of Utah 2008

HB 271 Utah Purple Heart Recipients Tuition Act Amendments (Roger E. Barrus)

This bill provides a graduate tuition waiver for Purple Heart recipients under specified conditions.

This bill:

- waives the graduate tuition at a state institution of higher education for Purple Heart recipients:
 - for a maximum amount of money; and
 - to be used in a certain time frame; and
- makes technical amendments.

Amends 53B-8e-103

Effective May 5, 2008

Chapter 185, Laws of Utah 2008

HB 272 False Impersonation and Representation (Gage Froerer)

This bill amends the Utah Criminal Code relating to the false representation of a military award and the false wearing or use of a medal, name, title, insignia, ritual, or ceremony of a military related organization.

This bill:

- defines terms:
- consolidates code provisions relating to false representation of a military award and the false wearing or use of a medal, name, title, insignia, ritual, or ceremony of a military related organization;
- adds Utah National Guard medals and ribbons to the definition of "service medal";
- deletes the requirement that a military related organization must exist at least ten years in the state before criminal provisions apply relating to the false wearing or use of a military related organization's medal or the false use of a military related organization's name, titles, insignias, rituals, or ceremonies;
- provides that certain criminal provisions described in this bill are only violated if the person engages in the prohibited conduct with the intent to defraud or with the intent to make a false representation;
- makes the penalty for the criminal provisions described in this bill a class C misdemeanor; and
- makes technical changes.

Amends 76-9-706;

Repeals 76-8-514

Effective May 5, 2008

Chapter 186, Laws of Utah 2008

HB 275 Vehicle Towing Requirements (Bradley M. Daw)

This bill modifies the Transportation Code by amending tow truck provisions.

This bill:

- prohibits a tow truck operator or tow truck motor carrier from towing a vehicle when proper notice does not exist informing drivers of a tow away zone in certain locations;
- provides exceptions to the notice requirements; and
- makes technical changes.

Amends 72-9-603

Effective May 5, 2008

Chapter 75, Laws of Utah 2008

HB 277 Pandemic Preparedness Amendments (Bradley G. Last)

This bill amends the Health Care Providers Immunity from Liability Act.

This bill:

provides that an entity that allows a governmental agency or political subdivision to use its building to provide drugs or vaccines during certain declared public health emergencies is protected from liability during the public health emergency.

Amends 58-13-2.6

Effective May 5, 2008

Chapter 76, Laws of Utah 2008

HB 281 Grants to Rural Hospitals - Oversight Responsibilities (Merlynn T. Newbold)

This bill directs the State Tax Commission rather than the Department of Health to distribute the money from the Rural Health Care Facilities Fund to local governments.

This bill:

- moves the authority to distribute funds from the Rural Health Care Facilities Fund from the Department of Health to the State Tax Commission; and
- makes conforming amendments.

Amends 26-9-4, 59-1-210

Effective May 5, 2008

Chapter 187, Laws of Utah 2008

HB 282 State Payment and Reimbursement to County Correctional Facilities (Michael E. Noel)

This bill amends provisions related to payment and reimbursement to county correctional facilities for housing state inmates.

This bill:

- defines terms;
- modifies the formula for calculating the final state daily incarceration rate;
- reduces the percentage of the final state daily incarceration rate that is paid to a county as reimbursement for housing a state probationary inmate or a state parole inmate; and
- makes technical changes.

Amends 64-13e-102, 64-13e-103, 64-13e-104, 64-13e-105, 64-13e-106

Effective May 5, 2008

Chapter 188, Laws of Utah 2008

HB 286 Permanent Teacher License Revocation for Sexual Activity with Students (Carl Wimmer)

This bill requires the State Board of Education to permanently revoke an educator's license under certain conditions.

This bill:

- requires the State Board of Education to permanently revoke an educator's license if the educator commits a sexual offense against a minor or engages in sexually explicit conduct with a student; and
- makes technical corrections.

Amends 53A-6-501

Effective May 5, 2008

Chapter 189, Laws of Utah 2008

HB 287 Regulation of Teacher - Student Relationships (Stephen E. Sandstrom)

This bill requires the State Board of Education to revoke an educator's license under certain conditions.

This bill:

- requires the State Board of Education to revoke an educator's license if the educator commits a sexual offense against a minor or engages in sexually explicit conduct with a student; and
- makes technical corrections.

Amends 53A-6-501

Effective May 5, 2008

Chapter 190, Laws of Utah 2008

HB 288 911 Committee (Brad L. Dee)

This bill addresses membership in the Utah 911 Committee.

This bill:

- provides additional members to the Utah 911 Committee; and
- makes technical changes.

Amends 53-10-601

Effective May 5, 2008

Chapter 77, Laws of Utah 2008

HB 290 Municipal Oversight of Rental Dwellings (Gage Froerer)

This bill modifies a Utah Municipal Code provision relating to rental dwellings.

This bill:

- eliminates a provision exempting owners of buildings with two or fewer rental dwellings from regulatory business license or inspection requirements;
- eliminates a provision authorizing a municipality to impose a reasonable inspection fee for the inspection of a rental dwelling;
- prohibits a municipality from:
 - imposing a fee on or after September 1, 2008 for the inspection of a rental dwelling;
 - interfering with the ability of an owner of a rental dwelling to contract with a tenant concerning the payment of utility and municipal service costs;
 - requiring the owner of a rental dwelling to retrofit a rental dwelling with or install in a rental
 dwelling a safety feature not required at the time the rental dwelling was constructed,
 except as required under the Utah Uniform Building Standards Act for a structural
 change to the rental dwelling, or as required in an ordinance adopted before January 1,
 2008; and
- makes technical changes.

Amends 10-8-4, 10-8-85.5

Effective May 5, 2008

Chapter 78, Laws of Utah 2008

HB 291 Off-highway Vehicle Amendments (Michael E. Noel)

This bill modifies the Motor Vehicles Code by amending provisions relating to off-highway vehicles.

This bill:

- defines "direct supervision";
- ▶ requires that certain persons operating an off-highway vehicle with an appropriate safety certificate issued or approved by the Division of Parks and Recreation shall be under the direct supervision of a person who is at least 18 years of age if operating the off-highway vehicle on certain highways;
- increases the fine for violating the off-highway vehicle supervision, safety certificate, or driver license operating requirement; and
- makes technical changes.

Amends 41-22-30

Effective May 5, 2008

Chapter 79, Laws of Utah 2008

HB 294 Appropriation Limit Amendments - Fire Suppression (Ben C. Ferry)

This bill exempts certain supplemental appropriations for fire suppression expenses from the State Appropriations and Tax Limitation Act.

This bill:

exempts certain supplemental appropriations made to the Division of Forestry, Fire, and State Lands to provide monies for wildland fire control expenses from the State Appropriations and Tax Limitation Act.

Amends 63-38c-103

Effective May 5, 2008

Chapter 191, Laws of Utah 2008

HB 296 Voting Machines Used by Municipalities (Neil A. Hansen)

This bill modifies the Election Code by amending provisions governing costs that may be charged by an entity for administering certain elections.

This bill:

- provides that costs assessed by a county clerk or a municipal clerk in relation to a municipal election or a bond or leeway election may not exceed the actual cost to the county clerk or municipal clerk assessing the fees or charges;
- provides that costs assessed by a county clerk to a municipality for a municipal election may not exceed the actual costs incurred by the county clerk; and
- makes technical changes.

Amends 20A-5-400.5, 20A-5-403

Effective May 5, 2008

Chapter 80, Laws of Utah 2008

HB 301 Comprehensive Health Insurance Pool Amendments (James A. Dunnigan)

This bill amends the Comprehensive Health Insurance Pool Act and the Individual, Small Employer, and Group Health Insurance Act.

This bill:

- makes amendments to the Comprehensive Health Insurance Pool Act;
- amends provisions in the Individual, Small Employer, and Group Health Insurer Act that relate to the Utah Comprehensive Health Insurance Pool; and
- increases the points required to be considered uninsurable.

Amends 31A-29-102, 31A-29-103, 31A-29-111, 31A-29-119, 31A-30-106

Effective May 5, 2008

Chapter 385, Laws of Utah 2008

HB 303 Phosphorus Limit in Dishwashing Detergent (Christine A. Johnson)

This bill prohibits the sale of certain types of dishwashing detergent.

This bill:

prohibits the sale of a household dishwashing detergent that contains 0.5% or more phosphorus by weight.

Enacts 19-5-124

Effective May 5, 2008

Chapter 81, Laws of Utah 2008

HB 304 Sales and Use Tax Revenues for Qualified Emergency Food Agencies (Larry B. Wiley)

This bill amends the State Community Services Act and the Sales and Use Tax Act relating to qualified emergency food agencies.

This bill:

- modifies the duties of the State Community Services Office relating to qualified emergency food agencies;
- creates the Qualified Emergency Food Agencies Fund;
- dedicates certain state sales and use tax revenues to be distributed by the State Community Services Office to qualified emergency food agencies;
- establishes procedures and requirements for making or receiving a distribution of those state sales and use tax revenues;
- repeals a sales tax refund for qualified emergency food agencies; and
- makes technical changes.

This bill takes effect on May 5, 2008, except the repeal of Sections 59-12-901 and 59-12-902 take effect on July 1, 2008.

Amends 9-4-1404, 59-12-103;

Enacts 9-4-1409;

Repeals 59-12-901, 59-12-902

Chapter 192, Laws of Utah 2008

HB 305 County Sheriff Qualification Amendments (Richard A. Greenwood)

This bill modifies provisions relating to the qualifications of a county sheriff.

This bill:

- requires a person filing a declaration of candidacy for county sheriff to submit a certificate issued by the Peace Officer Standards and Training Division that the candidate has:
 - successfully met the standards and training requirements established for peace officers in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act and is certified as a law enforcement officer, as defined in Section 53-13-103;
- requires an elected county sheriff at the time of taking office to be certified as a correctional officer, as defined in Section 53-13-104; and
- requires a county sheriff to remain certified as a law enforcement officer and correctional officer during the sheriff's term of office.

Amends 17-22-1.5

Effective May 5, 2008

Chapter 338, Laws of Utah 2008

HB 309 Election Information Amendments (John Dougall)

This bill modifies the Election Code to permit an alternative method of publishing election results and to require an addition to the voter information pamphlet.

This bill:

- requires election results to be published on the county's website;
- requires that the voter information pamphlet include, for each referendum qualified for a ballot, a copy of the law being submitted to the voters;
- permits the voter information pamphlet to be distributed to each household in the state instead of being distributed by newspaper; and
- changes the dates for providing the voter information pamphlet.

Amends 20A-4-304, 20A-7-702

Effective May 5, 2008

Chapter 82, Laws of Utah 2008

HB 310 Absentee Ballot Revisions (Douglas C. Aagard)

This bill modifies the Election Code that relates to the form of absentee ballots.

This bill:

- removes the requirement to print the words "absentee ballot" on an absentee ballot or on the stub of an absentee ballot; and
- makes technical changes.

Amends 20A-3-303

Effective May 5, 2008

Chapter 193, Laws of Utah 2008

HB 312 Crime Victim Reparations Revisions (Julie Fisher)

This bill clarifies responsibilities for reparations awards to crime victims, allows the release of certain records to a prosecuting attorney, and makes technical name changes throughout the code.

This bill:

- prohibits a court from reducing restitution based on a reparations award;
- allows reparations officers to decide whether a hearing on an award is necessary;
- extends eligibility for awards to Utah residents regardless of the location of the criminally injurious conduct in specific situations;
- clarifies that persons who are injured while in a correctional facility are ineligible for awards;
- allows the Office of Crime Victim Reparations to release records to a prosecuting attorney for use in seeking a restitution order;
- delineates amounts and priorities for awards to homicide victims;
- allows the board to determine when the benefit to the victim outweighs the state's right to reimbursement and decide not to pursue a reimbursement claim;
- requires a medical service provider that accepts payments from the Reparations Office to consider payments made as payment in full; and
- makes technical changes.

Amends 26-1-30, 26A-1-114, 53-1-106, 53-6-213, 63-25a-401, 63-25a-402, 63-25a-403, 63-25a-404, 63-25a-405, 63-25a-407, 63-25a-408, 63-25a-409, 63-25a-410, 63-25a-411, 63-25a-412, 63-25a-414, 63-25a-415, 63-25a-419, 63-25a-421, 63-25a-428, 63-55-263, 63-63a-4, 67-4a-405, 77-2-4.2, 77-2a-3, 77-37-3, 77-38-3, 77-38-302;

Enacts 63M-7-511.5, 63M-7-521.5;

Repeals 63-25a-420

Effective July 1, 2008

Chapter 339, Laws of Utah 2008

HB 314 Sexual Offenses - Definitions (Ron Bigelow)

This bill modifies the Criminal Code regarding sexual offenses.

This bill:

amends the offense of object rape to clarify the elements of the offense.

Amends 76-5-402.2

Effective May 5, 2008

Chapter 340, Laws of Utah 2008

HB 316 Substance Abuse Treatment for Pregnant Women and Pregnant Minors (Eric K. Hutchings)

This bill amends the Local Human Services Act and the Utah Human Services Code to provide priority substance abuse treatment services to pregnant women and pregnant minors.

This bill:

- requires a local substance abuse authority to ensure that all substance abuse treatment programs that receive public funds provide priority for admission to a pregnant woman or a pregnant minor;
- requires a local substance abuse authority to provide a comprehensive referral for interim services to a pregnant woman or pregnant minor that cannot be admitted for substance abuse treatment within 24 hours of the request for admission;
- provides that, if a substance abuse treatment program is not able to accept and admit a pregnant woman or pregnant minor within 48 hours of the time that request for admission is made, the local substance abuse authority shall contact the Division of Substance Abuse and Mental Health, which shall assist in providing services to the pregnant woman or pregnant minor; and
- makes technical changes.

Amends 17-43-201, 17-43-204, 62A-15-103

Effective May 5, 2008

Chapter 194, Laws of Utah 2008

HB 319 Review and Approval of Grants (David Clark)

This bill establishes a process for review and approval for certain grants that persons and corporations offer to a state agency.

This bill:

- requires that the governor approve certain grants to executive branch agencies;
- requires the Judicial Council to approve certain grants to judicial branch agencies;
- requires that the Executive Appropriations Committee review and comment on certain grants;
- requires that the Legislature review and approve certain grants;
- establishes remedies if state agencies fail to obtain appropriate approvals; and
- makes technical corrections.

Enacts 63J-7-101, 63J-7-102, 63J-7-201, 63J-7-202, 63J-7-203

Effective May 5, 2008

Chapter 195, Laws of Utah 2008

HB 321 Higher Education Savings Incentive Program Amendments (Kevin S. Garn)

This bill modifies provisions relating to the Utah Educational Savings Plan Trust.

This bill:

- deletes provisions making a beneficiary of a vested account eligible for resident status for tuition purposes;
- deletes restrictions regarding when the payment of benefits under an account agreement must begin;
- provides that money may be transferred from the endowment fund to the administrative fund as approved by the board of directors of the Utah Educational Savings Plan Trust;
- expands the uses of money in the endowment fund;
- clarifies provisions regarding:
 - the permitted uses of account funds; and
 - the ownership of funds in an account;
- modifies financial reporting requirements applicable to the Utah Educational Savings Plan Trust;
- classifies certain records of the Utah Educational Savings Plan Trust as protected records under Title 63, Chapter 2, Government Records Access and Management Act; and
- makes technical amendments.

Amends 53B-8a-101, 53B-8a-102, 53B-8a-106, 53B-8a-107, 53B-8a-108, 53B-8a-109, 53B-8a-111, 63-2-304

Effective May 5, 2008

Chapter 196, Laws of Utah 2008

HB 323 Eminent Domain Amendments (Aaron Tilton)

This bill modifies provisions relating to eminent domain.

This bill:

- clarifies an exclusion from a public use relating to trails, paths, or other ways for walking, hiking, bicycling, equestrian use, or other recreational uses for which eminent domain may not be used; and
- excludes certain parks from the scope of what is a public use for purposes of eminent domain.

Amends 78B-6-501

Effective May 5, 2008

Chapter 341, Laws of Utah 2008

HB 325 Bullying and Hazing (Carol Spackman Moss)

This bill amends Title 53A, State System of Public Education, to enact provisions, and require adoption of school policies, relating to bullying and hazing.

This bill:

- defines terms;
- prohibits bullying or hazing, retaliation for reporting, or assisting in the investigation of, bullying or hazing, and making a false report of bullying or hazing;
- requires local school boards and local charter boards to adopt a policy, on or before September 1, 2009, for reporting and responding to bullying, hazing, or retaliation;
- describes the minimum requirements for a policy described in the preceding paragraph;
- requires the State Board of Education to develop, on or before September 1, 2008, a model policy on bullying, hazing, or retaliation; and
- provides for training and education regarding, and the prevention of, bullying, hazing, or retaliation.

Enacts 53A-11a-101, 53A-11a-102, 53A-11a-201, 53A-11a-202, 53A-11a-301, 53A-11a-302, 53A-11a-401, 53A-11a-402

Effective May 5, 2008

Chapter 197, Laws of Utah 2008

HB 326 Children's Health Insurance Program - Open Enrollment (Greg J. Curtis)

This bill amends the Utah Children's Health Insurance Act.

This bill:

- makes technical drafting amendments;
- requires the Department of Health to keep enrollment in the Children's Health Insurance Program open so that an eligible child who applies for coverage under the Children's Health Insurance Program can enroll in the program; and
- designates the appropriations to the Utah Children's Health Insurance Program as non-lapsing appropriations.

Amends 26-40-105, 26-40-108

Effective May 5, 2008

Chapter 386, Laws of Utah 2008

HB 327 Enticing a Minor by Electronic Means (Kerry W. Gibson)

This bill modifies the Criminal Code regarding the offense of enticing a minor for the purpose of luring the minor to commit a sexual offense in violation of state law.

This bill:

- modifies the offense of enticing a minor for unlawful sexual purposes by use of the Internet so that the offense includes the use of text messaging;
- clarifies a separate offense of when a person initiates contact with a minor by use of the Internet or text messaging, and subsequently entices the minor by electronic or written means;
- provides definitions; and
- provides technical cross reference amendments.

Amends 76-4-401, 77-27-21.5

Effective May 5, 2008

Chapter 342, Laws of Utah 2008

HB 330 State Supplemental Funding for Head Start (LaWanna Lou Shurtliff)

This bill establishes state supplemental funding for Head Start programs in Utah.

This bill:

- appropriates money to the State Board of Education; and
- directs the board to provide:
 - grants to local public and private non-profit and for-profit agencies to provide school readiness services to economically disadvantaged children and families in accordance with federal Head Start program performance standards; and
 - supplemental funding to Head Start programs in Utah that are currently funded by the federal government.

This bill appropriates:

as an ongoing appropriation subject to future budget constraints, \$100,000 from the Uniform School Fund for fiscal year 2008-09 to the State Board of Education.

Effective July 1, 2008

Chapter 198, Laws of Utah 2008

HB 332 Use of Public Schools by Community Organizations (Gregory H. Hughes)

This bill modifies provisions of the State System of Public Education code relating to the use of public school buildings and grounds as a civic center.

This bill:

- provides definitions;
- requires all public school buildings and grounds to be made available as a civic center to district residents for supervised recreational activities and meetings;
- provides that a local school board may not refuse the use of a civic center, for other than school purposes, unless it determines that the use interferes with a school function or purpose;
- requires a local school board to ensure that school administrators are trained about and properly implement certain provisions; and
- makes technical corrections.

Amends 53A-3-413, 53A-3-414

Effective May 5, 2008

Chapter 199, Laws of Utah 2008

HB 336 Authority to Establish Refugee Services Fund (Christopher N. Herrod)

This bill creates a restricted special revenue fund, known as the Refugee Services Fund, for purposes related to the supplying of services to refugees located in the state.

This bill:

- creates a restricted special revenue fund, known as the Refugee Services Fund, identifies a revenue stream for the fund, and provides that fund monies shall be used to train refugee organizations to develop their capacity to operate effectively and to provide grants to organizations to provide refugee services;
- provides for administration of the Refugee Services Fund by the director of the Employment Development Division of the Department of Workforce Services;
- provides the purposes for which monies in the Refugee Services Fund may be used;
- provides for monitoring of the Refugee Services Fund and an accounting of how monies in the fund are spent; and
- provides for an annual report.

Enacts 35A-3-116

Effective March 17, 2008

Chapter 200, Laws of Utah 2008

HB 339 Human Trafficking Amendments (Christopher N. Herrod)

This bill criminalizes human trafficking and human smuggling.

This bill:

- criminalizes human smuggling for profit or commercial purposes;
- criminalizes human trafficking for forced labor and for sexual exploitation;
- distinguishes between human trafficking and aggravated human trafficking; and
- distinguishes between human smuggling and aggravated human smuggling.

This bill coordinates with S.B. 81, Illegal Immigration, by providing a substantive amendment.

Enacts 76-5-307, 76-5-308, 76-5-309, 76-5-310

Effective May 5, 2008

Chapter 343, Laws of Utah 2008

HB 341 Damage to Underground Utility Facilities Amendments (David Clark)

This bill addresses liability provisions and other provisions concerning the location of an underground utility facility.

This bill:

- defines terms:
- requires certain information be provided concerning an operators' association;
- provides warning language that may be included with a building permit;
- addresses requirements for and effects of a notice of excavation;
- describes an underground facility that need not be marked;
- outlines a method for determining the precise location of a marked underground utility facility;
- requires an excavator to call 911 if certain damage occurs;
- provides a civil penalty for a violation of the chapter;
- provides for enforcement by the attorney general;
- limits the period for which an operators' association must maintain a record of notices of excavation;
- addresses the installation of a nonmetallic underground facility;
- creates the Underground Facilities Damage Dispute Board to arbitrate disputes arising under the chapter; and
- makes technical changes.

Amends 54-8a-2, 54-8a-3, 54-8a-4, 54-8a-5, 54-8a-5.5, 54-8a-6, 54-8a-7, 54-8a-9, 54-8a-10;

Enacts 54-8a-3.5, 54-8a-12, 54-8a-13;

Repeals 54-8a-8.5, 54-13-6;

Repeals and Reenacts 54-8a-8

Effective May 5, 2008

Chapter 344, Laws of Utah 2008

HB 342 Insurance Code Amendments (James A. Dunnigan)

This bill modifies the Insurance Code to make various amendments.

This bill:

- modifies definition provisions;
- addresses the timing of examinations;
- changes the requirements for appointments to the Title and Escrow Commission;
- addresses requirements to conduct an insurance business in Utah;
- addresses filing of evidence of preemption;
- addresses service contract providers and service contract reimbursement insurance policies including:
 - requiring registration;
 - requiring disclosures; and
 - addressing prohibited acts;
- addresses how to calculate monies paid a beneficiary in certain circumstances where a suicide occurs;
- addresses certain circumstances related to annuity payments;
- provides for the payment of interest on life insurance proceeds;
- provides for special enrollment for individuals receiving premium assistance;
- addresses the Basic Health Care Plan;
- clarifies language related to catastrophic coverage of mental health conditions;
- clarifies circumstances when the commissioner can prohibit a policy, contract, certificate, or form;
- requires submission to criminal background checks in certain circumstances;
- modifies the contents of a form used in a license;
- addresses grounds involving a viatical settlement for action against a licensee;
- makes technical changes regarding delinquency proceedings;
- expands the purposes of the Individual, Small Employer, and Group Health Insurance Act;
 and
- makes additional technical amendments.

Amends 31A-1-301, 31A-2-203, 31A-2-403, 31A-4-102, 31A-4-106, 31A-6a-103, 31A-6a-104, 31A-6a-105, 31A-22-404, 31A-22-409, 31A-22-613.5, 31A-22-625, 31A-22-807, 31A-23a-105, 31A-23a-110, 31A-23a-111, 31A-23a-116, 31A-25-203, 31A-26-203, 31A-27a-513, 31A-27a-515, 31A-27a-516, 31A-30-102, 31A-30-112;

Enacts 31A-22-428, 31A-22-610.6

Effective May 5, 2008

Chapter 345, Laws of Utah 2008

HB 346 Division of Real Estate Related Amendments (Gage Froerer)

This bill modifies provisions related to areas regulated by the Division of Real Estate.

This bill:

- addresses rulemaking by the Real Estate Commission;
- addresses fines that may be imposed;
- addresses firms;
- addresses disciplinary actions that may be imposed under provisions related to real estate brokers and agents, the Real Estate Appraiser Licensing and Certification Act, and the Utah Residential Mortgage Practices Act;
- provides for registration of trainees under the Real Estate Appraiser Licensing and Certification Act;
- addresses terminology for experts under the Real Estate Appraiser Licensing and Certification Act;
- modifies criminal penalties under the Real Estate Appraiser Licensing and Certification Act and the Utah Residential Mortgage Practices Act;
- addresses the hours required of prelicensing education for mortgage licensing including providing for rulemaking;
- removes grandfathering language related to principal lending manager;
- provides for deposit of certain fees into the Residential Mortgage Loan Education, Research, and Recovery Fund; and
- makes technical and conforming amendments.

Amends 61-2-5.5, 61-2-13, 61-2-20, 61-2-21, 61-2b-2, 61-2b-6, 61-2b-8, 61-2b-18, 61-2b-21, 61-2b-22, 61-2b-24, 61-2b-25, 61-2b-26, 61-2b-27, 61-2b-28, 61-2b-29, 61-2b-30.5, 61-2b-31, 61-2b-33, 61-2c-202, 61-2c-206, 61-2c-403, 61-2c-502;

Enacts 61-2c-405

Effective May 5, 2008

Chapter 387, Laws of Utah 2008

HB 347 Motor Vehicle Business Regulation Amendments (Sylvia S. Andersen)

This bill modifies the New Automobile Franchise Act and the Motor Vehicles Code by amending motor vehicle business regulations.

This bill:

- amends definitions:
- provides that the requirements for motor vehicle dealers apply to a person who sells off-highway motor vehicles;
- requires a provider of a motor vehicle dealer orientation class to submit the class curriculum to the Motor Vehicle Division for approval prior to teaching the class;
- requires a distributor who is either located in the state or has a branch office within the state to maintain a principal place of business;
- provides that a used motor vehicle dealer whose license has been suspended may liquidate any existing inventory by selling the remaining used motor vehicles to certain persons and provides that the fine for violating the liquidation provisions is a class A misdemeanor; and
- makes technical changes.

Amends 13-14-102, 41-3-102, 41-3-201, 41-3-204, 41-3-206, 41-3-701;

Enacts 41-3-207.5

Effective July 1, 2008

Chapter 388, Laws of Utah 2008

HB 348 Zion National Park Special Group License Plate (Bradley G. Last)

This bill authorizes a Zion National Park special group license plate.

This bill:

- creates a Zion National Park special group license plate for Zion National Park support programs through the Division of Parks and Recreation;
- requires applicants for a new plate to make a \$25 annual donation to the Division of Parks and Recreation for Zion National Park support programs;
- creates the Zion National Park Support Programs Restricted Account;
- grants the Division of Parks and Recreation rulemaking authority to make rules establishing a procedure for an organization to apply for funds in the Zion National Park Support Programs Restricted Account; and
- makes technical changes.

Amends 41-1a-418, 41-1a-422, 63-11-17;

Enacts 63-11-67

Effective October 1, 2008

Chapter 201, Laws of Utah 2008

HB 349 Open Enrollment Revisions (Julie Fisher)

This bill modifies provisions allowing students to attend public schools other than their school of residence.

This bill:

- provides for an early and a late enrollment period during which a student may apply for enrollment in a school that is not the student's school of residence;
- establishes different open enrollment thresholds, below which a school is open for enrollment of nonresident students, for the early and late enrollment periods;
- modifies standards for accepting or rejecting an application for enrollment; and
- requires local school boards to post data on the school district's website regarding school capacity and applications for enrollment of nonresident students.

Amends 53A-2-207, 53A-2-208, 53A-2-210, 53A-2-213;

Enacts 53A-2-206.5

Effective May 5, 2008

Chapter 346, Laws of Utah 2008

HB 352 Amendments Related to Monies Derived from Navajo Nation Reservation Lands in Utah (David Clark)

This bill modifies provisions related to the repealed Navajo Trust Fund and the Navajo Revitalization Fund Act to provide for a transition until Congress designates a new recipient of Utah Navajo royalties.

This bill:

- addresses definitions;
- modifies the structure of the revitalization fund board;
- modifies a matching requirement related to powers and activities of the board;
- provides for a transition process until Congress designates a new recipient of Utah Navajo royalties, including imposing one or more obligations on the governor, state auditor, state treasurer, and divisions of the Department of Administrative Services;
- clarifies the revitalization fund's exemption from legislative approval for a capital development project; and
- makes technical and conforming amendments.

This bill provides revisor instructions.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, providing technical renumbering.

Amends 9-11-102, 9-11-105, 9-11-107, 63A-5-104;

Enacts 63-88a-101, 63-88a-102, 63-88a-103, 63-88a-104

Effective March 17, 2008

Chapter 202, Laws of Utah 2008

HB 354 Appraisals for State Land Purchases (Jack R. Draxler)

This bill modifies the School and Institutional Trust Lands Management Act, the Utah Natural Resources Act, the Utah Administrative Services Code, and the Transportation Code by requiring certain rulemaking provisions for the purchase or sale of real property.

This bill:

- requires the School and Institutional Trust Lands Administration, the Department of Natural Resources, the Division of Facilities Construction and Management, and the Utah Department of Transportation to make rules to establish procedures for determining that the value is congruent with the proposed price and other terms of the purchase, sale, or exchange;
- allows the rules to require an appraisal and to require that the appraisal be completed by a state-certified general appraiser; and
- provides exceptions for real property with an estimated value below a certain limit.

Enacts 53C-4-103, 63-34-21, 63A-5-501, 72-5-117

Effective May 5, 2008

Chapter 203, Laws of Utah 2008

HB 356 Taxation of Moist Snuff (Rebecca D. Lockhart)

This bill amends the Tobacco Products part to address the taxation of moist snuff.

This bill:

- provides and modifies definitions;
- modifies the taxation of moist snuff; and
- makes technical changes.

Amends 59-14-102, 59-14-302

Effective July 1, 2008

Chapter 204, Laws of Utah 2008

HB 359 Tax Changes (John Dougall)

This bill amends the Corporate Franchise and Income Taxes chapter, the Individual Income Tax Act, the Sales and Use Tax Act, the Transportation Code, and related provisions to address the income taxation of individuals, estates, and trusts, including real estate investment trusts, a change in a state sales and use tax rate, a sales and use tax exemption, and the expenditure of certain state sales and use tax revenues.

This bill:

- defines terms;
- addresses the income taxation of a real estate investment trust or income from a real estate investment trust;
- repeals provisions imposing an individual income tax on the basis of graduated brackets and rates:
- provides that an individual income tax is imposed on the basis of a single tax rate, including:
 - modifying and repealing definitions;
 - modifying additions to, subtractions from, and adjustments to adjusted gross income;
 - addressing the taxation of a nonresident individual or part-year resident individual; and
 - addressing provisions relating to the determination and reporting of income tax liability and information;
- addresses the apportionment of business income for purposes of the individual income tax;
- modifies the income taxation of estates and trusts, including:
 - providing definitions;
 - providing that the tax is calculated on the basis of unadjusted income;
 - modifying additions to, subtractions from, and adjustments to unadjusted income;
 - addressing the taxation of a nonresident estate or trust; and
 - addressing provisions relating to the determination and reporting of income tax liability and information;
- addresses the taxation of pass-through entities, including:
 - providing definitions; and
 - renumbering and amending provisions relating to pass-through entities;
- renumbers and amends provisions relating to tax credits, including tax credits for:
 - a taxpayer;
 - an investment in the Utah Educational Savings Plan Trust; or

- retirement income;
- provides nonrefundable tax credits for:
 - a trust or estate;
 - a contribution to a medical care savings account;
 - capital gain transactions;
 - certain amounts paid for insurance under a health benefit plan; or
 - certain solar projects;
- requires the Utah Tax Review Commission to study the solar projects tax credits;
- provides that a person may not claim a nonrefundable renewable energy systems tax credit for certain purchases for which the person claims a tax credit for certain solar projects;
- modifies the refundable renewable energy tax credit to clarify that an estate or trust may claim the tax credit;
- addresses the apportionment of tax credits;
- addresses the following relating to a medical care savings account:
 - taxation;
 - penalties; and
 - interest;
- amends provisions relating to the taxation of an investment in the Utah Educational Savings Plan Trust;
- renumbers and amends the individual income tax contribution provisions;
- addresses the administration of income tax contributions;
- grants rulemaking authority to:
 - the State Tax Commission; and
 - the Insurance Department;
- increases a state sales and use tax rate from 4.65% to 4.70%;
- provides that a .025% tax rate on certain sales and use transactions shall be deposited into the Critical Highway Needs Fund and the Transportation Investment Fund of 2005;
- provides that a .025% tax rate on certain sales and use transactions shall be deposited into the Transportation Fund to be expended to address chokepoints in construction management;
- extends the expiration date for certain sales and use tax exemptions;
- provides a sales and use tax exemption for sales of fuel to a common carrier that is a railroad for use in a locomotive engine;
- provides that state sales and use tax revenues deposited into the Transportation Fund are not appropriated into the class B and class C roads account;
- modifies the statutes creating the Transportation Investment Fund of 2005 and the Critical Highway Needs Fund to address the sources of revenue that may be deposited into the funds; and
- makes technical changes.

This bill takes effect May 5, 2008 and provides retrospective operation for taxable years beginning on or after January 1, 2008.

Amendments to the following sections take effect on January 1, 2009: Sections 59-12-103; 59-12-104; 72-2-107; 72-2-124; and 72-2-125.

Amends 9-4-802, 9-4-803, 23-14-13, 23-14-14.1, 26-18a-3, 26-18a-4, 26-48-102, 31A-32a-101, 31A-32a-103, 31A-32a-104, 31A-32a-105, 31A-32a-106, 31A-32a-107, 48-2c-117, 53B-8a-106, 59-7-101, 59-7-105, 59-7-106, 59-7-116.5, 59-7-402, 59-7-614, 59-10-103, 59-10-104, 59-10-104.1, 59-10-110, 59-10-114, 59-10-115, 59-10-116, 59-10-117, 59-10-118, 59-10-119, 59-10-120, 59-10-121, 59-10-122, 59-10-123, 59-10-124, 59-10-125, 59-10-126, 59-10-201, 59-10-201.1, 59-10-202, 59-10-204, 59-10-205, 59-10-207, 59-10-209.1, 59-10-210, 59-10-507, 59-10-1014, 59-10-1106, 59-12-103, 59-12-104, 72-2-107, 72-2-124, 72-2-125;

Enacts 59-7-614.2, 59-10-1020, 59-10-1021, 59-10-1022, 59-10-1023, 59-10-1024, 59-10-1301, 59-10-1302, 59-10-1303, 59-10-1401, 59-10-1402;

Renumbers and Amends 59-10-301 to 59-10-1403, 59-10-302 to 59-10-1404, 59-10-303 to 59-10-1405, 59-10-530 to 59-10-1305, 59-10-530.5 to 59-10-1306, 59-10-547 to 59-10-1311, 59-10-548 to 59-10-1312, 59-10-549 to 59-10-1307, 59-10-550 to 59-10-1308, 59-10-550.1 to 59-10-1309, 59-10-550.2 to 59-10-1310, 59-10-551 to 59-10-1304, 59-10-1016 to 59-10-1002.1, 59-10-1206.1 to 59-10-1017, 59-10-1206.2 to 59-10-1018, 59-10-1206.3 to 59-10-1019, 59-10-1206.9 to 59-10-1002.2;

Repeals 59-10-206, 59-10-801, 59-10-1201, 59-10-1202, 59-10-1203, 59-10-1204, 59-10-1205, 59-10-1206, 59-10-1207

Chapter 389, Laws of Utah 2008

HB 361 Anti-seizure Drug Notification (Eric K. Hutchings)

This bill amends the Pharmacy Practice Act by requiring notification of a prescribing practitioner when substituting a drug product equivalent for an epilepsy drug prescribed to treat or prevent seizures.

This bill:

- requires a pharmacist or pharmacy intern who substitutes a drug product equivalent for an epilepsy drug prescribed to a patient to treat or prevent seizures to notify the prescribing practitioner prior to the substitution, regardless of whether the substitution is a substitution of a generic drug for another generic drug, a generic drug for a nongeneric drug, a nongeneric drug for another nongeneric drug, or a nongeneric drug for a generic drug;
- provides an exception to the notification requirement; and
- makes technical changes.

Amends 58-17b-605

Effective May 5, 2008

Chapter 205, Laws of Utah 2008

HB 364 Promotion of Health Care Coverage (Kory M. Holdaway)

This bill amends the Medical Assistance Act and the Individual, Small Employer, and Group Health Insurance Act.

This bill:

- requires the Department of Workforce Services, the State Board of Education, and the Department of Health to:
 - collaborate with one another to develop a process to promote the health insurance awareness and coverage of children in schools;
 - report to the Legislature on the development of the process; and
 - implement the process no later than the 2009-10 school year;
- ▶ requires the Department of Workforce Services to promote and facilitate the enrollment of the children identified in public schools without health insurance in the Utah Children's Health Insurance Program or the Medicaid program; and
- provides that under certain conditions an individual who qualifies for premium assistance under the Utah's Premium Partnership for Health Insurance Program, or the individual's dependents, may enroll in an employer health benefit plan outside an open enrollment period.

This bill appropriates:

■ as an ongoing appropriation subject to future budget constraints, \$60,000 from the General Fund for fiscal year 2008-09 to the Division of Health Care Financing within the Department of Health to promote awareness of and facilitate enrollment in the Utah's Premium Partnership for Health Insurance Program.

Enacts 26-18-12, 31A-22-610.6

Effective May 5, 2008

Chapter 390, Laws of Utah 2008

HB 365 Aviation Amendments (Wayne A. Harper)

This bill amends provisions in the Property Tax Act and the Uniform Aeronautical Regulatory Act relating to the taxation and registration of aircraft.

This bill:

- amends the uniform fees for certain aircraft;
- amends the registration fee for certain aircraft to 0.4% of the average wholesale Aircraft Bluebook Price Digest market value;
- exempts certain aircraft without an airworthiness certificate from registration requirements;
- provides a \$100 registration fee for:
 - aircraft not listed in the Aviation Bluebook Digest;
 - aircraft 50 years of age or older;
 - · experimental aircraft; and
 - antique aircraft;
- requires the Tax Commission to issue a registration card to an owner of an aircraft in compliance with the registration requirements;
- requires an owner of registered aircraft to carry a registration card in the owner's aircraft;
- requires the Tax Commission to register aircraft and collect certain fees;
- requires the Utah Division of Aeronautics to maintain a statewide database of aircraft based in the state;
- requires that an airport owner provide a list of all aircraft based at the owner's airport to the Utah Division of Aeronautics; and
- makes technical changes.

Amends 59-2-404, 72-10-102, 72-10-110, 72-10-116;

Repeals 72-10-111

Effective January 1, 2009

Chapter 206, Laws of Utah 2008

HB 366 Medicaid Long Term Care Amendments (Merlynn T. Newbold)

This bill amends the facility licensing chapter and the medical assistance chapters of the Health Code.

This bill:

- removes the authority of a Medicaid certified nursing care facility to increase its Medicaid certified bed capacity by 30% without Department of Health oversight;
- eliminates bed banking by nursing care facilities for the purpose of Medicaid reimbursement;
- requires the Department of Health to adjust the Medicaid reimbursement methodology for nursing care facilities, but protects rural nursing care facilities from some of the adjustments; and
- extends the time period for obtaining Medicaid certification for a bed for a nursing care facility providing service to the medically fragile.

Amends 26-18-503, 26-18-504;

Enacts 26-21-24

Effective March 18, 2008

Chapter 347, Laws of Utah 2008

HB 369 Municipal Rental Fees Amendments (Mark W. Walker)

This bill modifies a provision relating to disproportionate rental fees imposed by municipalities.

This bill:

- allows a municipality six years rather than four years to conduct an updated municipal services study if the municipality has established a program providing a reduction in the disproportionate rental fee to a landlord who participates in a training program; and
- makes technical changes.

Amends 10-1-203

Effective May 5, 2008

Chapter 207, Laws of Utah 2008

HB 370 Children's Health Insurance Program Amendments (James A. Dunnigan)

This bill amends the Utah Children's Health Insurance Act.

This bill:

- establishes criteria for bids for health insurance program benefits;
- requires the Children's Health Insurance Program to rebid the program at least once every five years; and
- clarifies when the Children's Health Insurance Program may use the non-risk bearing Public Employees Health Plan to provide services to the Children's Health Insurance Program.

Amends 26-40-110

Effective May 5, 2008

Chapter 208, Laws of Utah 2008

HB 371 Digital Certificates for Breathalizers (Christopher N. Herrod)

This bill allows the Department of Public Safety to digitize certificates of calibration for breathalizers and upload them to a secure website for use by prosecutors and courts.

This bill:

- allows the Department of Public Safety to digitize certificates of calibration for breathalizers;
 and
- requires that the department provide a secure location on its website to post the digital certificates.

Enacts 78B-5-620

Effective May 5, 2008

Chapter 209, Laws of Utah 2008

HB 373 Uniform Fees on Vintage Motor Vehicles (Wayne A. Harper)

This bill amends provisions in the Property Tax Act relating to the taxation of certain motor vehicles.

This bill:

- provides that vintage vehicles are subject to annual registration;
- provides that vintage vehicles are exempt from paying the renewal of registration fees;
- repeals the exemption from statewide uniform fees for vintage motor vehicles; and
- makes technical changes.

Amends 41-1a-205, 41-1a-215, 41-1a-226, 41-1a-402, 41-1a-1206, 41-1a-1209, 41-6a-1642, 53-8-205, 59-2-405, 59-2-405.1

Effective January 1, 2009

Chapter 210, Laws of Utah 2008

HB 374 Child Abuse and Neglect Prevention and Treatment Amendments (Paul Ray)

This bill amends provisions of the Utah Human Services Code relating to prevention and treatment of child abuse and neglect.

This bill:

- provides that a local board of education may grant to the superintendent the authority to approve a child abuse or neglect prevention or treatment service or program which is intended for presentation in a public school;
- permits, under certain circumstances, the waiver or reduction of cash-matching and in-kind matching requirements in order for an entity to receive funds from the Children's Trust Account;
- amends provisions relating to the Child Abuse Advisory Council, including provisions regarding reimbursement of members for expenses and the number of members that constitute a quorum; and
- makes technical changes.

Amends 62A-4a-306, 62A-4a-309, 62A-4a-311

Effective May 5, 2008

Chapter 83, Laws of Utah 2008

HB 375 Deception Detection Examiners Licensing Act Amendments (Roger E. Barrus)

This bill amends the Deception Detection Examiners Licensing Act as it relates to supervision of deception detection interns and background checks of applicants.

This bill:

- provides that supervision of a deception detection intern is not required to be done directly;
- provides for a criminal background check of a person who applies for a license as a deception detection examiner or a deception detection intern; and
- makes technical changes.

Amends 58-1-301.5, 58-64-102, 58-64-302

Effective May 5, 2008

Chapter 211, Laws of Utah 2008

HB 377 Code of Criminal Procedure Amendments (Rebecca D. Lockhart)

This bill eliminates references to civil commitment in the criminal competency statutes.

This bill:

▶ deletes provisions that reference civil commitment procedures within the criminal competency procedures.

Amends 77-15-5, 77-15-6, 77-15-6.5

Effective May 5, 2008

Chapter 212, Laws of Utah 2008

HB 378 State Accounting and Budgetary Procedures Amendments (Ron Bigelow)

This bill makes certain changes to state accounting and budgetary procedures involving state funds and accounts and the governor's budget submission.

This bill:

- eliminates certain obsolete fund types;
- modifies fund types to comply with certain Governmental Accounting Standards Board requirements; and
- requires the governor to report certain staff funding information in the governor's budget.

Amends 51-5-4, 63-38-2

Effective May 5, 2008

Chapter 213, Laws of Utah 2008

HB 380 Insurance Department - Workers' Compensation Amendments (Ron Bigelow)

This bill modifies the Insurance Code to impose new requirements on the Insurance Department related to workers' compensation.

This bill:

- ▶ requires the department to make rules to monitor employers who can only obtain workers' compensation from the Workers' Compensation Fund because of certain underwriting standards or guidelines in the workers' compensation insurance market; and
- requires the department to report annually to the Business and Labor Interim Committee regarding workers' compensation.

Enacts 31A-22-1011, 31A-22-1012

Effective May 5, 2008

Chapter 348, Laws of Utah 2008

HB 384 Employee Obligations Related to Workers' Compensation (Michael T. Morley)

This bill modifies the Workers' Compensation Act to address an employee's duties related to workers' compensation.

This bill:

- defines terms;
- addresses reductions in disability compensation under certain circumstances;
- provides for adjudication;
- addresses application of certain provisions to a local governmental entity or state institution of higher education;
- addresses the scope of the provisions;
- provides for rulemaking;
- addresses incarceration or unlawful employment related to permanent total disabilities; and
- makes technical changes.

Amends 34A-2-410, 34A-2-413;

Enacts 34A-2-410.5

Effective July 1, 2008

Chapter 349, Laws of Utah 2008

HB 399 Medication Aide Certified Amendments (Rebecca D. Lockhart)

This bill amends the Nurse Practice Act.

This bill:

- changes the status of Medication Aide Certified from a pilot program to an ongoing certification by the Division of Occupational and Professional Licensing;
- amends definitions;
- moves the authority to impose a penalty from one code section to another code section;
- permits the use of the restricted funds in the Nurse Education and Enforcement Fund for reviewing and approving nurse education and medication aide certified education programs;
- authorizes the division to issue citations and take administrative action for unlawful or unprofessional conduct; and
- makes technical amendments.

Amends 58-31b-102, 58-31b-103, 58-31b-401, 58-31b-503, 58-31b-601, 63-55b-158;

Repeals 58-31b-301.6, 58-31b-402

Effective May 5, 2008

Chapter 214, Laws of Utah 2008

HB 401 Master Plumber Licensing (James A. Dunnigan)

This bill modifies provisions of the Utah Construction Trades Licensing Act by providing for new license classifications of master plumber and residential master plumber in the plumbing trade.

This bill:

- defines "master plumber" and "residential master plumber" for the purpose of license classification in the plumbing trade;
- modifies provisions related to the composition of the Plumbers Licensing Board;
- recognizes master plumbers and residential master plumbers as license classifications under the Utah Construction Trades Licensing Act;
- provides educational and practical experience qualifications for licensure as a master plumber and residential master plumber; and
- makes certain technical changes.

Amends 58-55-102, 58-55-201, 58-55-301, 58-55-302

Effective May 5, 2008

Chapter 215, Laws of Utah 2008

HB 406 Traffic Code Amendments (James A. Dunnigan)

This bill modifies the Traffic Code by amending provisions relating to the operation of a motor vehicle.

This bill:

- authorizes the Department of Transportation to establish a posted speed limit that exceeds 75 miles per hour if the speed limit is based on a traffic engineering and safety study and is located between certain mile posts on a portion of the interstate;
- requires the Department of Transportation to consider the roadway geometry and population density when establishing a speed limit that exceeds certain maximum speed limits;
- requires the Department of Transportation to analyze the results and impacts of imposing a higher speed limit;
- requires the Department of Transportation to report its evaluation results to the Transportation Interim Committee of the Legislature;
- provides that an operator of a vehicle that is exempt from minimum speed regulations while operating on a grade is not exempt from the requirement to promptly pass an overtaken vehicle on the left at a safe distance; and
- makes technical changes.

Amends 41-6a-602, 41-6a-704

Effective May 5, 2008

Chapter 350, Laws of Utah 2008

HB 410 Restricted Accounts Amendments (Ron Bigelow)

This bill amends the interest provisions of certain restricted accounts.

This bill:

requires interest earnings in certain restricted accounts to be deposited into the General Fund rather than into the restricted account.

Amends 41-22-19.5, 53-2-403, 53-7-404 (Effective 07/01/08), 53C-3-203, 61-2-28, 63-38f-2303, 63-63a-10, 63-97a-201, 63-97a-202, 67-5-25

Effective July 1, 2008

Chapter 216, Laws of Utah 2008

HB 412 Below Cost Sales (Stephen H. Urquhart)

This bill eliminates provisions of Title 13, Chapter 5, Unfair Practices Act, concerning the sale of products below cost.

This bill:

- eliminates provisions of Title 13, Chapter 5, Unfair Practices Act, concerning the sale of products below cost; and
- makes technical changes.

Amends 13-5-9;

Repeals 13-5-7

Effective May 5, 2008

Chapter 351, Laws of Utah 2008

HB 426 Government Procurement - Private Proposals (Kevin S. Garn)

This bill creates a program allowing a private entity to submit proposals to provide certain products or services to the Department of Technology Services or the Board of Education.

This bill:

- creates a program allowing the submission of a proposal to provide a product or service to the Department of Technology Services or the Board of Education;
- requires the Board of Business and Economic Development to appoint a committee to evaluate a proposal under the program;
- defines terms;
- addresses the requirements of an initial proposal submitted to the committee;
- provides for review of an initial proposal by the committee and the affected department and allows comments by various entities;
- addresses the procurement process for detailed proposals if the initial proposal is accepted by the committee;
- provides requirements for a detailed proposal;
- makes an initial proposal a protected record under Title 63, Chapter 2, Government Records Access and Management Act;
- allows the committee, by rule, to maintain certain portions of an initial proposal as a protected record;
- addresses cooperation between a private entity submitting a detailed proposal and the affected department;
- requires the Governor's Office of Planning and Budget to prepare an economic feasibility report concerning a proposal;
- provides for the acceptance of a detailed proposal and the preparation and execution of a project agreement;
- creates a restricted special revenue fund, comprised of monies collected from fees for submitting a proposal;
- establishes uses for which monies may be expended from the restricted account;
- requires the establishment of fees for proposals and project agreements;
- allows for the appointment of an advisory committee to assist the committee in evaluating proposals and preparing project agreements; and
- makes technical changes.

Amends 63-2-304, 63-38f-203, 63-56-204, 63-56-205, 63-56-302, 63F-1-205;

Enacts 63G-6-408.5, 63M-1-2401, 63M-1-2402, 63M-1-2403, 63M-1-2404, 63M-1-2405, 63M-1-2406, 63M-1-2407, 63M-1-2408, 63M-1-2409, 63M-1-2410, 63M-1-2411, 63M-1-2412

Effective May 5, 2008

Chapter 352, Laws of Utah 2008

HB 427 Hunter Education Requirement Exemption for Military Personnel (Bradley A. Winn)

This bill exempts certain military personnel from certain hunter education requirements.

This bill:

exempts certain military personnel from a practical shooting test requirement of an approved hunter education course.

Enacts 23-19-11.1

Effective May 5, 2008

Chapter 217, Laws of Utah 2008

HB 437 Funeral Services Licensing Act Amendments (Stephen H. Urguhart)

This bill modifies provisions of the Funeral Services Licensing Act related to the cremation and disposition of cremated human remains and the distribution of preneed funeral arrangement funds.

This bill:

- provides definitions pertaining to the cremation and disposition of cremated human remains;
- provides an authorization process for a funeral service establishment to cremate human remains, including the required content of a cremation authorization form;
- provides a criminal penalty for individuals who remove valuables from human remains without authorized permission;
- provides for record keeping by a funeral service establishment of the contacts between the establishment and persons who deliver and receive the human remains of persons cremated at the establishment's crematory;
- provides guidelines regarding the use and acceptance of cremation containers;
- provides for cremation procedures to be followed by a funeral service establishment, including the required receipt or proof of a death certificate, the removal of a pacemaker or other battery powered implant from the human remains prior to cremation, verification of the identification of the human remains, and return of the cremated remains to an authorizing agent or the agent's designee;
- provides for the final disposition of cremated remains and limitation of liability on the part of a funeral service establishment; and
- modifies requirements regarding the distribution of preneed funeral arrangement funds by a funeral service establishment.

Amends 58-9-102, 58-9-705;

Enacts 58-9-607, 58-9-608, 58-9-609, 58-9-610, 58-9-611, 58-9-612

Effective May 5, 2008

Chapter 353, Laws of Utah 2008

HB 443 Membership of Occupational and Professional Licensure Review Committee (Gregory H. Hughes)

This bill amends provisions of the Occupational and Professional Licensure Review Committee Act related to the committee's membership.

This bill:

- modifies the membership of the Occupational and Professional Licensure Review Committee from 13 to nine members by reducing the number of nonlegislators on the committee;
- reduces the quorum requirement from seven to five members; and
- makes certain technical changes.

Amends 36-23-102, 36-23-103, 36-23-104, 36-23-106

Effective May 5, 2008

Chapter 218, Laws of Utah 2008

HB 445 Nursing Home Amendments (Merlynn T. Newbold)

This bill amends the Long-term Care Facility Medicaid Certification part of the Medical Assistance chapter of the Health Code.

This bill:

- permits a Medicaid nursing care facility program to transfer or sell a license for a Medicaid bed to another entity;
- establishes certain requirements that must be met to transfer a license for a Medicaid bed;
 and
- reduces the total number of licensed Medicaid beds in the state by applying a conversion factor to the licenses for Medicaid certified beds that are transferred.

Enacts 26-18-505

Effective May 5, 2008

Chapter 219, Laws of Utah 2008

HB 459 Construction Trades Exemption (Stephen H. Urquhart)

This bill modifies the exemptions from licensure provisions of the Utah Construction Trades Licensing Act related to the ceiling cost set for exempt building projects.

This bill:

▶ increases the ceiling on the building cost exemption in the Utah Construction Trades Licensing Act from under \$1,000 to under \$3,000 on alterations, repairs, additions, remodels, or improvements to a building.

Amends 58-55-305

Effective May 5, 2008

Chapter 354, Laws of Utah 2008

HB 464 Access to Landlocked Parcels (Mark W. Walker)

This bill modifies a provision relating to the Office of the Property Rights Ombudsman.

This bill:

modifies the duties of the Office of the Property Rights Ombudsman to include advising the owners of landlocked property.

Amends 13-43-203

Effective May 5, 2008

Chapter 84, Laws of Utah 2008

HB 466 Title Insurance Recovery, Education, and Research Fund Act (Michael T. Morley)

This bill modifies the Insurance Code to create the Title Insurance Recovery, Education, and Research Fund and make related amendments.

This bill

- modifies requirements for title insurance producer reserve accounts;
- ▶ enacts the Title Insurance Recovery, Education, and Research Fund Act, including:
 - defining terms;
 - addressing disciplinary actions;
 - creating the fund;
 - providing for assessments;
 - providing for how the fund may be used;
 - providing procedures for making claims against the fund; and
 - creating subrogation rights; and
- makes technical and conforming amendments.

Amends 31A-23a-204;

Enacts 31A-40-101, 31A-40-102, 31A-40-103, 31A-40-201, 31A-40-202, 31A-40-203, 31A-40-301, 31A-40-302, 31A-40-303, 31A-40-304, 31A-40-305, 31A-40-306

Effective July 1, 2008

Chapter 220, Laws of Utah 2008

HB 467 Motor Vehicle Insurance Arbitration Amendments (Stephen H. Urquhart)

This bill modifies the Insurance Code by amending provisions relating to the use of arbitration in third party motor vehicle accident cases.

This bill:

- provides that if a plaintiff, as the moving party in a trial de novo, does not obtain a verdict that is at least 35%, rather than 20%, greater than the arbitration award, the plaintiff is responsible for the nonmoving party's costs;
- provides that if a defendant, as the moving party in a trial de novo, does not obtain a verdict that is at least 35%, rather than 20%, less than the arbitration award, the defendant is responsible for the nonmoving party's costs;
- ▶ increases the cap on the award of costs from \$2,500 to \$4,000; and
- makes technical changes.

Amends 31A-22-321

Effective May 5, 2008

Chapter 221, Laws of Utah 2008

HB 472 Charter School Building and Enrollment Amendments (Kevin S. Garn)

This bill modifies charter school provisions of the State System of Public Education.

This bill:

- modifies the reporting deadlines and requirements relating to students who have accepted enrollment in a charter school; and
- makes technical corrections.

Amends 53A-1a-506.5

Effective May 5, 2008

Chapter 222, Laws of Utah 2008

HB 476 Pay of National Guard Members (Gregory H. Hughes)

This bill provides that the state pay members of the National Guard on the same level as their federal counterparts.

This bill:

- requires that the state provide for members of the National Guard who are called into service on behalf of the state:
 - pay at the same rate as federal servicemembers of the same rank and years of service;
 - medical, dental, disability, and death benefits at the same rate as full-time state employees.

Amends 39-1-51

Effective May 5, 2008

Chapter 85, Laws of Utah 2008

HB 486 Wrongful Liens and Wrongful Judgement Liens (James R. Gowans)

This bill addresses the filing of, and an action against, a wrongful lien.

This bill:

- includes a notice of interest and other encumbrances within the definition of "wrongful lien";
- addresses the impact of various wrongful lien provisions on a notice of interest and other encumbrance;
- increases the statutory amount that may be recovered by a person against whom a wrongful lien is recorded; and
- makes technical changes.

Amends 38-9-1, 38-9-2, 38-9-4, 38-9a-201

Effective May 5, 2008

Chapter 223, Laws of Utah 2008

HB 492 Sex Offender Notification and Registration (Paul Ray)

This bill modifies the Criminal Code and the Code of Criminal Procedure regarding the registration of sex offenders and the content of the sex offender registry.

This bill:

- defines "offender" to include both sex offender and kidnap offender as each is defined in the bill:
- provides a definition of jurisdictions, including the federal government and Indian Country;
- requires nonresident sex offenders subject to registration to register in Utah if the offender is in Utah for ten or more days during a year;
- provides that sex offenders shall serve on parole the maximum time of the offender's sentence, unless the Board of Pardons reduces the period of parole;
- requires nonresident sex offenders to register in Utah as required in the state of conviction, if that state requires more frequent registration;
- requires offenders to report changes of residence, work, education institution, vehicle, and other information within three business days rather than five days;
- requires offenders to register every six months, rather than every year as is currently required;
- provides that an offender who does not register as required shall register for an additional year for each registration violation;
- adds aggravated kidnapping as a lifetime registration offense;
- exempts child kidnapping as an offense subject to registration if the offender is the natural parent of the child;
- requires that the offender register information regarding:
 - any secondary residence, as well as the primary residence;
 - not only the vehicle used, but any vehicle owned or regularly used, and also any vehicle, aircraft, or watercraft that is required to be registered in any jurisdiction;
 - telephone numbers, Internet identifiers, passport information, immigration documents if the offender is an alien, and all professional licenses held by the offender; and
 - · employment and volunteer locations;
- requires that the offender register the offender's Social Security number; and
- clarifies the difference between offender information that is available to law enforcement and information that is available to the public on the Sex Offender Notification and Registration website and specifies the offender information that is to be provided on the website.

Amends 53-3-216, 53-3-807, 62A-7-104, 76-3-202, 77-18-12, 77-27-21.5

Effective May 5, 2008

Chapter 355, Laws of Utah 2008

HB 493 Stalking Amendments (Lorie D. Fowlke)

The bill modifies the Criminal Code regarding the elements and penalties for the offense of stalking.

This bill:

- amends the definition of "course of conduct" to include contacting a victim by any means, acting through third parties, and sending or delivering items to the victim;
- ▶ includes as an element a victim's fear for the victim's own safety or the safety of third parties;
- defines "emotional distress";
- ▶ includes stalking by electronic communication as an offense;
- expands the reference to other parties whom the victim may fear for so the reference includes any third party, rather than only immediate family; and
- provides that the defendant may not claim as a defense that the victim did not give the defendant actual notice that the course of conduct was unwanted by the victim.

Amends 76-3-203.5, 76-5-106.5

Effective May 5, 2008

Chapter 356, Laws of Utah 2008

HCR 1 Meth Awareness for Students and Educators Resolution (Curtis Oda)

This concurrent resolution of the Legislature and the Governor urges that age appropriate materials on the dangers of meth be distributed to students through the state's education systems and that state government continue to partnership with the business community, city and county governments, and various religious entities regarding the dangers of meth.

This resolution:

strongly urges that all junior high, senior high, and post-secondary education programs in the state provide timely and age appropriate materials on the dangers of meth use and that these materials be made available to the business community, city and county governments, and religious communities.

Effective February 29, 2008

Laws of Utah 2008

HCR 2 Concurrent Resolution Declaring February 6, 2008 Ronald Reagan Day (Michael T. Morley)

This concurrent resolution of the Legislature and the Governor designates February 6, 2008 as Ronald Reagan Day.

This resolution:

designates February 6, 2008 as Ronald Reagan Day in the state of Utah and encourages Utahns to participate in its observance.

Effective March 17, 2008

Laws of Utah 2008

HCR 3 Concurrent Resolution - Declaring Love Your Library Week (Stephen D. Clark)

This concurrent resolution of the Legislature and the Governor designates "Love Your Library Week" in the state of Utah.

This resolution:

designates one week in April as "Love Your Library Week" in the state of Utah, to coincide with National Library Week.

Effective March 19, 2008

HCR 4 Concurrent Resolution Encouraging Congressional Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah (David Clark)

This concurrent resolution addresses the removal of the state as the recipient of certain oil and gas royalties from the San Juan County portion of the Navajo reservation.

This resolution:

- describes aspects of the history surrounding the state's receipt of the oil and gas royalties;
- explains that the state is unique in having such a responsibility;
- discusses how litigation has proven problematic in the state meeting its obligations;
- discusses the expressed desire of Navajos to have greater control over the expenditure of the oil and gas royalties;
- ▶ discusses congressional action to designate a new recipient of the oil and gas royalties;
- supports the continuation of the benefits flowing to San Juan Navajos;
- encourages Congress to work with interested parties to take action; and
- provides for the distribution of the resolution.

Effective March 19, 2008

Laws of Utah 2008

HCR 5 Concurrent Resolution Urging Congressional Approval of R.s. 2477 Rights-of-way Recognition Act (Melvin R. Brown)

This concurrent resolution of the Legislature and the Governor urges the United States Congress to pass R.S. 2477, Rights-of-way Recognition Act.

This resolution:

▶ urges the United States Congress to pass R.S. 2477, Rights-of-way Recognition Act, a bill that codifies the principles established in the 10th Circuit Court of Appeals' decision in Southern Utah Wilderness Alliance v. Bureau of Land Management (SUWA v. BLM).

Effective March 18, 2008

Laws of Utah 2008

HCR 6 Concurrent Resolution Honoring the Life and Contributions of President Gordon B. Hinckley (Michael T. Morley)

This concurrent resolution of the Legislature and the Governor honors Gordon Bitner Hinckley, President of The Church of Jesus Christ of Latter-day Saints, for his life of service and dedication.

This resolution:

▶ honors Gordon B. Hinckley for his many years of service as a leader in The Church of Jesus Christ of Latter-day Saints, including nearly 13 years as the church's president.

Effective March 17, 2008

Laws of Utah 2008

HCR 7 Concurrent Resolution Declaring Colorectal Cancer Awareness Month (Eric K. Hutchings)

This concurrent resolution of the Legislature and the Governor designates March 2008 as Colorectal Cancer Awareness Month.

This resolution:

- designates March 2008 as Colorectal Cancer Awareness Month in the state of Utah; and
- urges Utahns to recognize the importance of colon cancer screening and early detection in fighting the deadly disease.

Effective March 14, 2008

HJR 1 Resolution Addressing International Trade Issues (Sheryl L. Allen)

This joint resolution of the Legislature suggests methods for consideration of issues pertaining to state sovereignty raised by international trade agreements of the United States.

This resolution:

- suggests provisions that should be included in and excluded from international trade agreements; and
- proposes other provisions related to the United States' process for negotiating, ratifying, and litigating international trade agreements.

The original bill was recommended by the Utah International Trade Commission

Effective February 14, 2008

Laws of Utah 2008

HJR 2 Resolution Encouraging Manufactured and Mobile Home Parks as Affordable Housing (Neal B. Hendrickson)

This joint resolution of the Legislature encourages efforts focused on increasing the availability and affordability of manufactured housing.

This resolution:

- recognizes manufactured housing as an important component of affordable housing choices and options;
- encourages the inclusion of manufactured housing in local land use planning and development; and
- supports mechanisms that will increase housing affordability for all Utahns.

Effective February 14, 2008

Laws of Utah 2008

HJR 3 Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance (Kerry W. Gibson)

This joint resolution of the Legislature reaffirms the words "under God" as part of the official Pledge of Allegiance of the United States.

This resolution:

reaffirms the words "under God" as part of the official Pledge of Allegiance of the United States of America.

Effective February 28, 2008

Laws of Utah 2008

HJR 4 Joint Resolution Urging School Closings to Recognize Veterans Day (Carl Wimmer)

This joint resolution of the Legislature urges the closing of public schools on Veterans Day.

This resolution:

▶ urges the State Board of Education to close public schools on Veterans Day to allow students to more fully recognize veterans for preserving freedom for the United States and its citizens.

Effective February 27, 2008

HJR 5 Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports (Michael E. Noel)

This joint resolution of the Legislature urges Utah's congressional delegation to support Medicaid long-term care funding for home and community-based supports, state flexibility to manage long-term care costs, and cost efficiency and individual choice.

This resolution:

- urges Utah's congressional delegation to support the continued shift of Medicaid long-term care funding toward home and community-based supports;
- urges the delegation to support providing states with the flexibility and tools needed to manage Medicaid long-term care costs in a fiscally responsible manner;
- urges the delegation to support providing Medicaid long-term care and supports in the most appropriate and cost-effective manner while maintaining individual choice; and
- urges the delegation to ensure the active participation of people with disabilities and older Americans in the ongoing design, implementation, and review of Medicaid's long-term care system.

Effective February 15, 2008

Laws of Utah 2008

HJR 7 Joint Resolution Recognizing Unreinforced Masonry Buildings (Larry B. Wiley)

This joint resolution of the Legislature urges the Utah Seismic Safety Commission to inventory public unreinforced masonry buildings in Utah and recommend how to address the problem.

This resolution:

- urges the Utah Seismic Safety Commission to compile an inventory of public unreinforced masonry buildings in the state;
- ▶ urges the Commission to use the data to determine the extent of the problem in the state; and
- urges the Commission to recommend priorities to address the problem in a manner that will most effectively protect the lives, property, and economy of the state.

Effective March 4, 2008

Laws of Utah 2008

HJR 10 Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton)

This joint resolution of the Legislature urges Congress and the United States Bureau of Land Management not to limit public access to public lands in Utah either through wilderness designation in H.R. 1919, the so-called "Hinchey Bill," or through Bureau of Land Management regulatory processes.

This resolution:

- ▶ urges Congress not to enact federal legislation designating additional "wilderness" on public lands within Utah without the unanimous support of Utah's congressional delegation;
- urges the United States Bureau of Land Management not to restrict access to existing public lands in Utah under its jurisdiction through so-called "wilderness characteristics" options in resource management plans; and
- reaffirms the Legislature's strong support for continued public access and multiple use regarding public lands.

Effective February 29, 2008

HJR 12 Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark)

This joint resolution of the Legislature proposes to amend the Utah Constitution to amend a provision relating to the subscription to stock or bonds.

This resolution proposes to amend the Utah Constitution to:

authorize the state to subscribe to stock or bonds using funds in the permanent State School Fund and funds derived from federal land grants designated in the Enabling Act, except as limited by statute.

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2009 for this proposal.

Amends Article VI, Section 29

Effective January 1, 2009

Laws of Utah 2008

HR 1 Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom)

This resolution of the House of Representatives urges the United States to withdraw from the Security and Prosperity Partnership of North America and any other activity which seeks to create a North American Union.

This resolution:

urges the United States to withdraw from the Security and Prosperity Partnership of North America and any other bilateral or multilateral activity which seeks to create a North American Union.

Effective February 4, 2008

Laws of Utah 2008

HR 3 House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser)

This resolution of the House of Representatives recognizes the efforts of the Utah Asthma Task Force and the American Lung Association of Utah to address problems caused by asthma.

This resolution:

- recognizes the efforts of the Utah Asthma Task Force and the American Lung Association of Utah for their Open Airways Program; and
- recognizes the Utah Asthma Task Force and the American Lung Association of Utah for their efforts to improve asthma care, reduce the economic burden of asthma upon Utah communities, and eliminate preventable deaths caused by asthma.

Effective February 13, 2008

Laws of Utah 2008

HR 4 House Resolution Honoring James L. Sorenson (Gregory H. Hughes)

This resolution of the House of Representatives honors the life and accomplishments of James L. Sorenson.

This resolution:

- ▶ honors the extraordinary life of James L. Sorenson, his accomplishments, and their impact for good on Utah, its citizens, and the world; and
- expresses condolences to James L. Sorenson's family at his passing.

Effective February 25, 2008

SB 1 State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2007 and ending June 30, 2008, and appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

This bill:

- provides appropriations for the use and support of certain state agencies;
- provides appropriations for the use and support of certain institutions of higher education;
- provides appropriations for other purposes as described;
- approves employment levels for internal service funds;
- approves capital acquisition amounts for internal service funds.

This bill appropriates for fiscal year 2008:

- \$18,731,300 from the General Fund;
- ▶ \$44,236,800 from the Uniform School Fund;
- ▶ \$820,200 from various sources as detailed in this bill.

This bill appropriates for fiscal year 2009:

- ▶ \$2,106,518,450 from the General Fund;
- ▶ \$133,460,700 from the Uniform School Fund;
- ▶ \$2,908,010,600 from the Education Fund;
- ▶ \$5,345,749,328 from various sources as detailed in this bill.

Section 1 of this bill takes effect February 4, 2008. Section 2 of this bill takes effect on July 1, 2008.

Chapter 2, Laws of Utah 2008

SB 2 Minimum School Program Budget Amendments (Howard A. Stephenson)

This bill provides funding for the Minimum School Program and other education programs.

This bill:

- establishes the value of the weighted pupil unit at \$2,577;
- establishes a ceiling for the state contribution to the maintenance and operations portion of the Minimum School Program for fiscal year 2008-09 of \$2,497,012,086;
- modifies provisions related to the funding of charter schools;
- modifies requirements regarding instructional materials;
- authorizes the use of appropriations for accelerated learning programs for International Baccalaureate programs;
- modifies the positions that qualify for educator salary adjustments and increases the salary adjustments for those positions;
- establishes and funds the following ongoing programs:
 - a pilot project using a home-based educational technology program to develop school readiness skills of preschool children;
 - a financial and economic literacy passport to track student mastery of certain concepts;
 - the Teacher Salary Supplement Program to provide a salary supplement to an eligible teacher;

- stipends for special educators for additional days of work;
- an optional grant program to provide an extended year for math and science teachers through the creation of Utah Science Technology and Research Centers;
- the High-ability Student Initiative Program to provide resources for educators to enhance the academic growth of high-ability students;
- the English Language Learner Family Literacy Centers Program; and
- career and technical education online assessment;
- makes one-time appropriations for fiscal year 2008-09 for:
 - pupil transportation to and from school;
 - the Beverley Taylor Sorenson Elementary Arts Learning Program to provide grants to integrate arts teaching and learning into selected schools; and
 - classroom supplies;
- provides a repeal date for certain pilot programs;
- makes nonlapsing appropriations; and
- makes technical corrections.

This bill appropriates:

- the following Minimum School Program Monies:
 - \$2,438,692,586 from the Uniform School Fund for fiscal year 2008-09;
 - \$26,499,500 from the Uniform School Fund Restricted Interest and Dividends Account for fiscal year 2008-09;
 - \$31,820,000 from the Uniform School Fund for fiscal year 2008-09 only; and
 - \$280,000 from the Uniform School Fund for fiscal year 2007-08 only; and
- the following other education program monies:
 - \$3,000,000 from the Uniform School Fund for fiscal year 2008-09;
 - \$150,000 from the Uniform School Fund for fiscal year 2008-09 only;
 - \$1,000,000 from the Uniform School Fund for fiscal year 2007-08 only;
 - \$250,000 from the General Fund for fiscal year 2008-09; and
 - \$50,000 from the General Fund for fiscal year 2007-08 only.

This bill coordinates with H.B. 1 by providing superseding and substantive amendments.

Amends 53A-1a-502.5, 53A-1a-513, 53A-14-107, 53A-17a-103, 53A-17a-104, 53A-17a-108, 53A-17a-120, 53A-17a-126, 53A-17a-127, 53A-17a-153, 63-55b-153;

Enacts 53A-1a-1001, 53A-1a-1002, 53A-1a-1003, 53A-1a-1004, 53A-1a-1005, 53A-1a-1006, 53A-1a-1007, 53A-13-110, 53A-17a-156, 53A-17a-157, 53A-17a-158, 53A-17a-159, 53A-17a-160, 53A-17a-161, 53A-17a-162

Effective March 20, 2008

Chapter 397, Laws of Utah 2008

SB 3 Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

This bill:

- provides budget increases and decreases for the use and support of certain state agencies;
- provides budget increases and decreases for the use and support of certain institutions of higher education;
- provides budget increases and decreases for other purposes as described;
- provides intent language.

This bill appropriates for fiscal year 2008:

- ▶ \$56,541,700 from the General Fund;
- \$2,401,500 from the Uniform School Fund;
- ▶ \$2,408,500 from the Education Fund;
- \$46,541,300 from various sources as detailed in this bill.

Effective March 20, 2008

Chapter 398, Laws of Utah 2008

SB 4 General Obligation Bond Authorization (Scott K. Jenkins)

This bill authorizes the issuance of general obligation bonds for certain capital facilities and repeals obsolete authorizations.

This bill:

- modifies the bonding code by authorizing the issuance and sale of general obligation bonds by the State Bonding Commission for capital facilities;
- specifies the use of the general obligation bond proceeds and the manner of issuance;
- repeals obsolete general obligation bond issuance authorizations; and
- provides expressions of legislative intent.

Amends 63B-11-502;

Enacts 63B-17-101;

Repeals 63B-9-201, 63B-9-202, 63B-9-203, 63B-9-204, 63B-9-205, 63B-9-206, 63B-9-207, 63B-9-208, 63B-9-209, 63B-9-210, 63B-9-211, 63B-9-212, 63B-9-213, 63B-9-214, 63B-9-215, 63B-9-216, 63B-9-217, 63B-14-101

Effective May 5, 2008

Chapter 224, Laws of Utah 2008

SB 5 Executive Compensation Revisions (Curtis S. Bramble)

This bill increases compensation for the state's constitutional officers and adds two positions to the list of appointed executives.

This bill:

- increases compensation for the governor, lieutenant governor, attorney general, state treasurer, and state auditor:
- provides that the state auditor's salary is 95% of the governor's salary;
- adds the executive directors of the Department of Veterans Affairs and the Utah Sports Authority to the list of appointed executives whose salary is governed by the appointed executives' compensation plan; and
- makes technical corrections.

Amends 67-22-1, 67-22-2

Effective June 28, 2008

Chapter 86, Laws of Utah 2008

SB 10 Search Warrant Procedure Amendments (Jon J. Greiner)

This bill modifies Title 77, Chapter 23, Search and Administrative Warrants, to implement the process of warrantless search and seizure of parolees by parole officers or by law enforcement officers regarding evidence of a parole violation or a criminal law violation.

This bill:

- ▶ requires that an inmate eligible for parole must sign an agreement that the inmate is subject as a parolee to search or seizure for parole violations at any time and with or without a search warrant, in order to be placed on parole;
- specifies when a law enforcement officer may conduct, with or without a warrant, a search or seizure regarding a parolee, including requirements that the law enforcement officer obtain prior approval from a parole officer or provide prompt notification to the parole officer; and
- prohibits searches for the purpose of harassment.

The original bill was recommended by the Law Enforcement and Criminal Justice Interim Committee

Enacts 77-23-301

Effective May 5, 2008

Chapter 357, Laws of Utah 2008

SB 11 Utah Venture Capital Enhancement Act Amendments (Scott K. Jenkins)

This bill modifies provisions of the Utah Venture Capital Enhancement Act related to the ability of the Utah Capital Investment Corporation to receive loans and issue debt obligations on behalf of the Utah fund of funds and the amount of aggregate outstanding contingent tax credit certificates that can be issued by the Utah Capital Investment Board.

This bill

- modifies definitions in the Utah Venture Capitol Enhancement Act;
- authorizes the Utah Capital Investment Corporation to receive loans and issue debt obligation on behalf of the Utah fund of funds;
- ▶ increases the ceiling on the amount of aggregate outstanding contingent tax credit certificates that can be issued by the Utah Capital Investment Board from \$100,000,000 to \$300,000,000:
- ▶ increases the ceiling on the redemption reserve from \$100,000,000 to \$300,000,000;
- exempts the corporation from certain statutes governing state agencies; and
- makes certain technical changes.

The original bill was recommended by the Workforce Services and Community and Economic Development Interim Committee

Amends 63-38f-1203, 63-38f-1205, 63-38f-1206, 63-38f-1207, 63-38f-1213, 63-38f-1214, 63-38f-1216, 63-38f-1218, 63-38f-1224

Effective May 5, 2008

Chapter 18, Laws of Utah 2008

SB 12 Election Law Modifications (Peter C. Knudson)

This bill modifies provisions of the Election Code.

This bill:

- consolidates provisions for calculating time when dates of interest fall on a Saturday, Sunday, or legal holiday;
- consolidates the date for the lieutenant governor's certification of candidates, ballot measures, and other matters to a single date;
- modifies the date for circulation of the voter information pamphlet to accommodate the early voting period;
- removes outdated ballot formatting requirements;
- provides alternative deadlines for submissions to the voter information pamphlet to accommodate voter information pamphlets issued for elections other than the regular general election;
- modifies language to clarify differences between a statewide voter information pamphlet and a local voter information pamphlet;
- modifies inaccurate references to reporting years for campaign finance reports;
- clarifies certain definitions; and
- makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-1-401, 20A-2-102.5, 20A-2-201, 20A-3-404, 20A-4-101, 20A-4-306, 20A-5-409, 20A-6-301, 20A-6-303, 20A-6-304, 20A-7-103, 20A-7-209, 20A-7-503, 20A-7-701, 20A-7-702, 20A-7-703, 20A-7-705, 20A-7-706, 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-403, 20A-9-601, 20A-9-701, 20A-9-802, 20A-9-803, 20A-11-302, 20A-11-506, 20A-11-601, 20A-11-801, 20A-11-1202, 20A-11-1203, 20A-11-1302, 20A-12-201

Effective May 5, 2008

Chapter 225, Laws of Utah 2008

SB 13 Candidate Residency Requirements (Peter C. Knudson)

This bill modifies provisions of the Election Code by establishing residency requirements for state and local boards of education.

This bill:

- establishes residency requirements for state and local boards of education;
- provides that residency requirements for local boards of education are effective for elections held after the 2008 general election; and
- makes technical changes.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-14-103, 20A-14-202

Effective February 19, 2008

Chapter 8, Laws of Utah 2008

SB 15 Driving Under the Influence Amendments (Carlene M. Walker)

This bill amends provisions relating to driving under the influence.

This bill:

- amends definitions;
- enacts an impaired driving plea;
- provides that a plea to a driving under the influence violation for an offense committed on or after July 1, 2008 may be entered as an impaired driving conviction in certain circumstances;
- provides that an impaired driving violation is a class B misdemeanor;
- provides requirements for a court entering a conviction of impaired driving in certain circumstances;
- requires the court to notify the Driver License Division of an impaired driving conviction;
- provides sentencing requirements for impaired driving convictions;
- provides that certain plea requirements when the prosecution agrees to a plea of guilty or no contest to an alcohol or drug-related reckless charge in satisfaction or substitute of an original charge of driving under the influence only apply to an offense committed before July 1, 2008;
- clarifies that certain license reinstatement provisions only apply to a certain 90 day suspension period imposed by the Driver License Division;
- increases the administrative impound fee for a driving under the influence violation impound;
 and
- makes technical changes.

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, \$660,000 from the General Fund for fiscal year 2008-09 to the Department of Public Safety, Utah Highway Patrol; and
- as an ongoing appropriation subject to future budget constraints, \$660,000 from the General Fund for fiscal year 2008-09 to the Department of Public Safety, Liquor Law Enforcement Program.

The original bill was recommended by the Transportation Interim Committee

Amends 41-6a-501, 41-6a-510, 41-6a-512, 41-6a-518.2, 41-6a-529, 41-6a-1406, 53-3-220, 53-3-223, 76-5-207, 76-10-528;

Enacts 41-6a-502.5

Effective March 17, 2008

Chapter 226, Laws of Utah 2008

SB 16 Exoneration and Innocence Assistance (Gregory S. Bell)

This bill modifies provisions regarding postconviction DNA testing and creates a process for postconviction claims of factual innocence, and for financial assistance if the petitioner is found to be factually innocent.

This bill:

- tolls the statute of limitations during a postconviction:
 - petition for DNA testing for exoneration; or
 - · petition claiming factual innocence;
- changes the current reference term "actually innocent" to "factually innocent" regarding postconviction DNA testing;
- establishes a process for a postconviction petition and hearing to determine factual innocence regarding a felony conviction, including:
 - defining factual innocence;
 - · grounds for filing a petition;
 - grounds for presentation of evidence that may be considered by the court, including newly discovered evidence;
 - right of the victims to attend the hearing; and
 - appointment of pro bono counsel;
- provides that a petitioner who is convicted of a felony and is imprisoned, and is then found to be factually innocent, is entitled to financial assistance from the state for the period of imprisonment;
- provides that the financial assistance amount shall be the monetary equivalent of the average annual wage for a single wage earner in Utah for each year of imprisonment, for a maximum of 15 years of imprisonment; and
- provides that a petitioner found to be factually innocent shall receive two years' financial assistance in a lump sum, and the balance shall be paid out quarterly to the person from the Commission on Criminal and Juvenile Justice beginning no later than one year after the legislative appropriation of the funds is made and ending no later than ten years after the appropriation is made.

The original bill was recommended by the Judiciary Interim Committee

Amends 78-35a-107, 78-35a-301, 78-35a-303;

Enacts 78-35a-300.5, 78-35a-401, 78-35a-402, 78-35a-403, 78-35a-404, 78-35a-405

Effective May 5, 2008

Chapter 358, Laws of Utah 2008

SB 17 Child Abuse and Neglect Registry - Management and Licensing Information Systems Amendments (Gene Davis)

This bill amends provisions of the Utah Human Services Code and the Government Records Access and Management Act relating to the Management Information System maintained by the Department of Human Services.

This bill:

- modifies provisions related to access to records in the Management Information System;
- provides that proceedings for judicial review of a final agency action relating to a report on the Management Information System are closed to the public;
- grants rulemaking authority to the Judicial Council to ensure the confidentiality of the proceedings described above; and
- makes technical changes.

The original bill was recommended by the Child Welfare Legislative Oversite Panel

Amends 62A-4a-412, 62A-4a-1009, 63-2-202, 63-2-304, 78A-6-317

Effective May 5, 2008

Chapter 87, Laws of Utah 2008

SB 19 Enhanced Public Safety Retirement Systems Cola Option (Carlene M. Walker)

This bill modifies the Utah State Retirement and Insurance Benefit Act by allowing participating employers to provide an enhanced maximum annual cost-of-living adjustment for certain public safety retirees.

This bill:

- repeals the Public Safety Retirees' Cost-of-Living Increase Restricted Account and deposits its balance and future revenue into the public safety trust funds to fund a portion of the increase in the maximum annual cost-of-living adjustment for public safety retirees;
- for purposes of determining contribution rates, provides for additional subdivisions of the Public Safety Contributory Retirement System and the Public Safety Noncontributory Retirement System to allow for different maximum annual cost-of-living adjustments;
- provides a maximum annual cost-of-living adjustment of 4% for state agency public safety members and retirees in lieu of the current 2.5%:
- allows other participating employers the option to offer a maximum annual cost-of-living adjustment of 4% for public safety members and retirees in lieu of the current 2.5%;
- allows a participating employer to make a one-time election to offer the enhanced cost-of-living adjustment, if made within a certain period of time;
- provides certain eligibility requirements for covered employees and retirees to receive the increased benefit:
- provides for procedures and rules to make the election and have the enhanced cost-of-living adjustment to become effective;
- provides that the enhanced cost-of-living adjustment may not be applied to a retirement allowance already received; and
- makes technical changes.

The original bill was recommended by the Retirement and Independent Entities Interim Committee

Amends 49-11-902, 49-14-301, 49-14-403, 49-15-301, 49-15-403;

Repeals 49-11-901

Effective July 1, 2008

Chapter 227, Laws of Utah 2008

SB 20 Municipal Government Amendments (Carlene M. Walker)

This bill modifies provisions of the Utah Municipal Code.

This bill:

- rewrites and reorganizes provisions relating to forms of municipal government and municipal administration;
- repeals provisions relating to forms of municipal government that have been rewritten or made obsolete by the rewritten provisions;
- clarifies the forms of government under which a municipality may operate;
- clarifies provisions relating to the council-mayor, six-member council, and five-member council forms of municipal government;
- specifies that an election on a proposed change in the form of municipal government occur on a municipal general election or regular general election date;
- requires municipalities to operate under a council-mayor, six-member council, or five-member council form of government, except those currently operating under a specified council-manager form;
- requires municipalities operating under the former council-manager form of government to continue to operate under that form of government, subject to a future potential change to another form; and
- makes technical and conforming changes.

This bill coordinates with S.B. 72 by merging technical and substantive amendments.

The original bill was recommended by the Political Subdivisions Committee and Local Issues Task Force

Amends 10-2-112, 10-2-114, 10-2-125, 10-2-303, 10-3-301, 10-3-502, 10-3-504, 10-3-507, 10-3-820, 10-3-902, 10-3-1106, 10-6-151, 10-9a-103, 20A-1-102, 20A-1-506, 20A-1-510, 20A-9-203, 78A-7-202;

Enacts 10-3b-101, 10-3b-102, 10-3b-103, 10-3b-104, 10-3b-105, 10-3b-201, 10-3b-202, 10-3b-203, 10-3b-204, 10-3b-205, 10-3b-301, 10-3b-302, 10-3b-303, 10-3b-401, 10-3b-402, 10-3b-403, 10-3b-501, 10-3b-502, 10-3b-503, 10-3b-504, 10-3b-505, 10-3b-506, 10-3b-507;

Repeals 10-3-101, 10-3-102, 10-3-106, 10-3-206, 10-3-207, 10-3-403, 10-3-404, 10-3-501, 10-3-503, 10-3-802, 10-3-804, 10-3-806, 10-3-807, 10-3-808, 10-3-809, 10-3-810, 10-3-811, 10-3-812, 10-3-813, 10-3-814, 10-3-815, 10-3-816, 10-3-817, 10-3-830, 10-3-901, 10-3-1201, 10-3-1202, 10-3-1203, 10-3-1204, 10-3-1205, 10-3-1206, 10-3-1207, 10-3-1208, 10-3-1210, 10-3-1211, 10-3-1212, 10-3-1213, 10-3-1214, 10-3-1215, 10-3-1216, 10-3-1217, 10-3-1218, 10-3-1219, 10-3-1227, 10-3-1228

Effective May 5, 2008

Chapter 19, Laws of Utah 2008

SB 21 Campaign Finance Disclosure Revisions (Peter C. Knudson)

This bill modifies provisions related to campaign finance disclosure.

This bill:

requires a candidate to receive notice that they must comply with financial disclosure laws at the time the candidate files for office;

- requires candidates for state constitutional office and the Legislature and applicable local candidates to receive notice of the obligation to file a pre-convention report when the candidate files for office;
- consolidates definitions for clarity and consistency;
- clarifies the election officer's obligations to provide notice that certain campaign financial statements are due;
- provides that the election officer is not required to send advance notice of the requirement to file a report due before a convention or a report due in relation to a public hearing conducted on a proposed initiative;
- specifies what information the notices sent by the election officer must contain;
- requires that election-related financial reports that were previously due on September 15, are due by August 31;
- requires that reports due on August 31 be filed by every candidate, rather than only by those that are opposed;
- requires that year end summary reports that were previously due on January 5, are due by January 10;
- removes outdated filing guidelines;
- ▶ requires that reports due before a political convention or primary election be filed by all candidates, rather than only by those candidates that are opposed in the political convention or primary election;
- ▶ requires that beginning with the 2008 regular general election, a former candidate for state office, legislative office, or school board office must file an annual summary report by January 10 of each year if the former candidate has not filed a statement of dissolution of the former candidate's campaign account;
- requires that political action committees be required to file a statement of organization after making expenditures of \$50 or more, rather than \$750, in order to be consistent with the threshold for political issues committees;
- removes requirements for corporations to file reports on March 1 and June 1 in relation to donations to political issues committees;
- removes requirements for political issues committees to file reports on March 1 and June 1;
- provides that all filers have five days after the reporting period ends to prepare a financial report;
- adds a requirement for political issues committees to file a financial report at the time a verified referendum packet is submitted;
- requires a state school board office candidate to file a May 15 financial report; and
- makes technical changes.

This bill coordinates with S.B. 12, Election Law Modifications, by providing substantive amendments.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-9-201, 20A-11-101, 20A-11-103, 20A-11-203, 20A-11-204, 20A-11-206, 20A-11-302, 20A-11-303, 20A-11-305, 20A-11-401, 20A-11-506, 20A-11-507, 20A-11-508, 20A-11-601, 20A-11-602, 20A-11-603, 20A-11-701, 20A-11-702, 20A-11-802, 20A-11-803, 20A-11-1302, 20A-11-1303, 20A-11-1305, 20A-12-304

Effective February 29, 2008

Chapter 14, Laws of Utah 2008

SB 22 Timing of Ballot Items (Peter C. Knudson)

This bill modifies provisions of the Election Code relating to deadlines for submission of ballot questions.

This bill:

requires that, unless otherwise specifically provided for by law, all ballot questions be submitted to the elections officer at least 60 days before the date of the election.

The original bill was recommended by the Government Operations Interim Committee

Enacts 20A-6-106

Effective February 19, 2008

Chapter 9, Laws of Utah 2008

SB 23 Revision to Polling Requirements (Peter C. Knudson)

This bill modifies the Election Code by amending pollbook provisions.

This bill:

repeals the requirement that the local clerk or recorder transmit the pollbook (the record of names of voters) to the county clerk after the canvass of a November municipal election, local district election, bond election, or special election.

The original bill was recommended by the Government Operations Interim Committee

Amends 20A-4-305

Effective May 5, 2008

Chapter 228, Laws of Utah 2008

SB 24 Retirement Death Benefits and Divorce Revisions (Lyle W. Hillyard)

This bill modifies the Utah State Retirement and Insurance Benefit Act by allowing certain life insurance benefits to be split in the case of a court order due to a divorce.

This bill:

- defines benefits that are subject to a domestic relations order to include a death benefit provided under a group insurance policy in order to allow the group insurance policy to be split along with other retirement benefits as part of a domestic relations order issued by a court for the division of assets; and
- makes technical amendments.

The original bill was recommended by the Retirement and Independent Entities Interim Committee

Amends 49-11-612

Effective May 5, 2008

Chapter 229, Laws of Utah 2008

SB 26 Fire Management Areas (Margaret Dayton)

This bill allows the Division of Forestry, Fire and State Lands to enter into an agreement establishing a predetermined fire suppression plan.

This bill:

- allows the division to conduct a limited fire suppression strategy under certain circumstances; and
- allows the division to enter into an agreement establishing a predetermined fire suppression plan for a specific fire management area.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee

Amends 65A-8-101

Effective May 5, 2008

Chapter 20, Laws of Utah 2008

SB 27 Trustees Sale - Process for Excess Proceeds (Gene Davis)

This bill lengthens the period of time during which a person may contest another person's claim against the excess proceeds from a trustee's sale of real property.

This bill:

- lengthens the period of time during which a person may contest another person's claim against the excess proceeds from a trustee's sale of real property from 20 days to 45 days;
- makes technical changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 57-1-29

Effective May 5, 2008

Chapter 230, Laws of Utah 2008

SB 29 Truth in Taxation Amendments (Wayne L. Niederhauser)

This bill amends provisions in the Minimum School Program Act and the Property Tax Act relating to property tax advertisement and hearing requirements.

This bill:

- amends certain exemptions from property tax advertisement and hearing requirements;
- requires a school district to include a statement in its proposition submitted to its voters voting on the imposition or modification of a voted leeway program under certain circumstances;
- provides that a school district may continue to receive the full amount of state guarantee money tied to the voted leeway program and board approved leeway for a period of five years if the school district's guarantee would have been reduced solely due to changes in the school district's certified tax rate;
- defines terms; and
- makes technical changes.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 17-34-3, 17C-1-408, 53A-16-106, 53A-17a-133, 53A-17a-134, 53A-19-102, 53A-19-105, 59-2-102, 59-2-505, 59-2-908, 59-2-913, 59-2-914, 59-2-918, 59-2-918.5, 59-2-918.6, 59-2-919, 59-2-924, 59-2-1004, 59-2-1330;

Enacts 59-2-919.1, 59-2-924.2

Effective July 1, 2008

Chapter 231, Laws of Utah 2008

SB 30 Consumer Sales Practice Act Amendments (Patricia W. Jones)

This bill subjects a supplier to a penalty under Title 13, Chapter 11, Utah Consumer Sales Practices Act, if the supplier misrepresents the geographical location of the supplier's business.

This bill:

- subjects a supplier to a penalty under Title 13, Chapter 11, Utah Consumer Sales Practices Act, if the supplier misrepresents the geographical location of the supplier's business; and
- makes technical changes.

The original bill was recommended by the Business and Labor Interim Committee

Amends 13-11-4

Effective May 5, 2008

Chapter 232, Laws of Utah 2008

SB 32 Local Government Bonding Act (Scott K. Jenkins)

This bill modifies the Local Government Bonding Act.

This bill:

- addresses documents providing for the issuance of bonds;
- addresses a requirement that a local political subdivision conduct a public hearing to issue bonds:
- addresses the scope of the public hearing to include potential economic impacts on the private sector; and
- makes technical changes.

The original bill was recommended by the Government Competition and Privatization Subcommittee

Amends 11-14-307;

Enacts 11-14-318

Effective May 5, 2008

Chapter 21, Laws of Utah 2008

SB 34 Confidentiality of Reports to Driver License Division (Allen M. Christensen)

This bill modifies the Impaired Persons Licensing Act by amending provisions relating to notifying the Driver License Division of an impairment.

This bill:

- provides that a person may notify the Driver License Division if the person is aware of a physical, mental, or emotional impairment of another person that is an imminent threat to driver safety;
- provides that the Driver License Division may require a person that is the subject of a notification to submit to certain medical reports or certain tests;
- provides that, if requested by the person making a notification, the notification is a protected record and may not be disclosed by the division;
- prohibits the Driver License Division from accepting an anonymous notification;
- grants the Driver License Division rulemaking authority to establish a procedure to make a protected notification; and
- provides that it is a class C misdemeanor to make a notification with the intent to annoy, intimidate, or harass a person.

The original bill was recommended by the Transportation Interim Committee

Enacts 53-3-305

Effective May 5, 2008

Chapter 88, Laws of Utah 2008

SB 36 Charter and Online Schools - Participation in Extracurricular Activities (Mark B. Madsen)

This bill addresses the eligibility of charter school students and students who participate in online education programs to participate in extracurricular activities.

This bill:

- provides that a charter school student is eligible to participate in extracurricular activities not offered by the student's charter school at:
 - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
 - the public school from which the student withdrew for the purpose of attending a charter school;
- provides that a student who participates in an online education program sponsored or supported by a school district or charter school is eligible to participate in extracurricular activities at:
 - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
 - the public school from which the student withdrew for the purpose of participating in an online education program; and
- ▶ directs the State Board of Education to make rules establishing fees for charter school students and online students to participate in extracurricular activities at a school district school.

The original bill was recommended by the Education Interim Committee

Enacts 53A-1a-519, 53A-2-214

Effective May 5, 2008

Chapter 233, Laws of Utah 2008

SB 38 Transparency in Government (Wayne L. Niederhauser)

This bill modifies the Utah Administrative Services Code by providing that certain public financial information be made available on the Internet and modifies certain notice requirements of the Open and Public Meetings Act.

This bill:

- extends the date that notice of open and public meetings must be placed on the Utah Public Notice Website from April 1. 2008 to October 1. 2008:
- prohibits a court from voiding a final action taken by a public body for failure to comply with the posting written notice requirements on the Utah Public Notice Website if the posting is made for a meeting that is held prior to April 1, 2009;
- provides for definitions;
- creates the Utah Public Finance Website for the purpose of providing public financial information, and provides that it be administered by the Division of Finance;
- requires state entities to provide public financial information that will be accessed through the Utah Public Finance Website;
- provides the required capabilities of the website, and provides for website accessibility;
- creates the Utah Transparency Advisory Board to:
 - advise the Division of Finance on website implementation and administration and on what public financial information must be made available on the Internet; and
 - to develop plans, make recommendations, and evaluate the cost effectiveness of implementing certain information resources on the website;
- provides that the Division of Finance, in connection with the board, may make rules to:
 - determine what public financial information must be made available on the Internet;
 - require specific reporting obligations that are required of participating entities, including the frequency and form of submission of the information; and
 - establish minimum website capability requirements; and
- provides for board membership and other duties.

The original bill was recommended by the Revenue and Taxation Interim Committee

Amends 52-4-202, 52-4-302;

Enacts 63A-3-401, 63A-3-402, 63A-3-403, 63A-3-404

Effective March 17, 2008

Chapter 234, Laws of Utah 2008

SB 41 International Education Initiative - Critical Languages Program (Howard A. Stephenson)

This bill modifies the Critical Languages Program and establishes the Dual Language Immersion Program.

This bill:

- modifies the Critical Languages Program;
- establishes the Dual Language Immersion Program as a pilot program;
- makes a nonlapsing appropriation; and
- makes technical corrections.

This bill appropriates:

\$750,000 from the Uniform School Fund for fiscal year 2008-09 only to the State Board of Education.

The original bill was recommended by the Education Interim Committee

Amends 53A-15-104;

Enacts 53A-15-105

Effective July 1, 2008

Chapter 235, Laws of Utah 2008

SB 43 Administrative Rules Reauthorization (Howard A. Stephenson)

This bill provides legislative action regarding administrative rules.

This bill:

- reauthorizes all state agency administrative rules, except:
 - a rule regarding secure areas at the State Hospital; and
 - a rule regarding the issuing of concealed firearm permits.

The original bill was recommended by the Administrative Rules Review Committee

Effective May 1, 2008

Chapter 359, Laws of Utah 2008

SB 44 Penalties for Failing to Secure a Load or Littering on a Highway (Patricia W. Jones)

This bill amends provisions relating to failing to secure a load or littering on a highway.

This bill:

- increases the fine for littering on a highway for a second or subsequent violation within three years of a previous violation:
- increases the fine for failing to properly secure a load when operating a motor vehicle on a highway for certain violations;
- provides that a portion of the fines and forfeitures collected in a justice court or district court for a second or subsequent violation of failing to secure a load or littering on a highway shall be remitted to the Transportation Fund; and
- makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-6a-1712, 41-6a-1713, 72-7-409, 78A-5-110, 78A-7-120;

Enacts 76-10-2701, 76-10-2702

Effective July 1, 2008

Chapter 22, Laws of Utah 2008

SB 45 Inventory for Competitive Activities of Local Entities (Howard A. Stephenson)

This bill modifies provisions applicable to specified local entities to address inventories for competitive activities.

This bill:

- defines terms;
- requires a county or city of the first class to create an inventory of activities by June 30, 2010;
- requires a county or city of the second class to create an inventory of activities by June 30, 2011; and
- requires reporting and disclosure of the inventory.

The original bill was recommended by the Government Competition and Privatization Subcommittee

Enacts 10-1-119, 17-50-106

Effective July 1, 2009

Chapter 23, Laws of Utah 2008

SB 46 Anti-flow Control Amendments (Dan R. Eastman)

This bill amends the Solid Waste Management Act.

This bill:

- defines terms;
- prohibits a public entity from requiring solid waste to be stored, recovered, or disposed of at a specific waste facility except in certain circumstances;
- gives a private right of action; and
- makes technical changes.

The original bill was recommended by the Government Competition and Privatization Subcommittee

Amends 19-6-502, 19-6-503;

Enacts 19-6-502.5, 19-6-507

Effective May 5, 2008

Chapter 89, Laws of Utah 2008

SB 47 Limited Purpose Local Government Entities Revisions (Dennis E. Stowell)

This bill modifies provisions relating to limited purpose local government entities.

This bill:

- repeals and reenacts, rewrites, clarifies, and modifies provisions related to special service districts, municipal building authorities, and conservation districts;
- expands the entities authorized to create a building authority to include local districts and special service districts;
- repeals provisions related to parking and business improvement districts, special road districts, and historic districts;
- reenacts historic preservation authority for counties and municipalities;
- modifies assessment area provisions to preserve authority eliminated through the repeal of parking and business improvement district provisions;
- requires the type of local district proposed to be created to be specified in the petition or resolution proposing the creation of a local district;
- clarifies that a local district board of trustees member must be a registered voter at the location of the member's residence;
- modifies a provision authorizing a local district to agree to the use of its land or land over which it has a right-of-way;
- provides that a previously created local district authorized to provide fire protection service is also authorized to provide paramedic and emergency service;
- allows an agent or officer of an owner of land to qualify as a board of trustees member of certain local districts with seasonally occupied homes;
- specifies who may administer an oath of office to a local district board of trustees member and requires an oath to be filed with the local district clerk;
- modifies a provision relating to the relationship between a local district election and a municipal general election;
- exempts local district and special service district elections from early voting provisions;
- eliminates a requirement that a water conservancy district publish notice of a board vacancy;

- reduces the percentage of property owners or voters required to protest the creation of a special service district or the addition of new territory or a new service to the special service district:
- eliminates a provision stating that a federal employee protection act applies to public transit district leases and other agreements;
- makes a provision allowing a service area to establish divisions for electing some or all elected board members to apply to all local districts rather than just service areas;
- ▶ increases the number of services that a local district may provide from two to four;
- expands the group of service areas that have a higher allowable tax rate to include service areas in second class counties, if the service area provides fire protection, paramedic, and emergency services;
- eliminates a cap on the number of local district board of trustees members allowed, and makes conforming changes;
- authorizes animal control officers of special service districts to issue misdemeanor and infraction citations;
- ▶ limits the area that an improvement district for electric service may include and requires that type of district to have applied for and received approval of a certification before a certain date:
- authorizes a special service district to provide service outside its boundary;
- modifies the type of correctional facilities and services that a special service district is authorized to provide;
- authorizes a special service district in a county of the first class to provide extended police protection;
- eliminates a cap on the number of special service district administrative control board members allowed:
- modifies the qualifications of an administrative control board member;
- clarifies that a provision relating to the imposition and increasing of local district fees does not apply to impact fees;
- modifies a provision relating to the oath of office of local district board members;
- clarifies that a voter at an election of a local district board member must be a registered voter within the district:
- authorizes a local district board to pay local district board members a specified compensation for training every year rather than every two years;
- modifies the authority of a conservation district;
- modifies the date by which a conservation district's annual report is to be submitted to the commission; and
- makes technical changes.

This bill coordinates with H.B. 77, Personal Property Tax Amendments, by providing technical amendments.

The original bill was recommended by the Political Subdivisions Interim Committee

Amends 4-18-3, 4-18-5, 4-20-1.5, 10-2-101, 10-2-401, 10-2-428, 10-9a-103, 10-15-4, 10-15-6, 11-14-102, 11-17-3, 11-27-2, 11-32-2, 11-36-102, 11-36-201, 11-39-101, 11-39-104, 11-40-101, 11-42-102, 11-43-102, 17-27a-103, 17-52-403, 17-53-311, 17B-1-102, 17B-1-103, 17B-1-202, 17B-1-203, 17B-1-205, 17B-1-215, 17B-1-302, 17B-1-303, 17B-1-306, 17B-1-312, 17B-1-643, 17B-1-1002, 17B-1-1101, 17B-1-1103, 17B-1-1104, 17B-2a-404, 17B-2a-405, 17B-2a-406, 17B-2a-804, 17B-2a-813, 17B-2a-1005, 17B-2a-1007, 19-3-301, 19-6-502, 20A-1-102, 20A-11-1202, 26-8a-405.1, 26-8a-405.2, 51-7-3, 52-4-202, 52-4-203, 53-2-502, 53A-2-123, 54-14-103, 59-2-102, 59-2-924, 59-21-1, 59-21-2, 63-9-68, 63E-1-102, 67-1a-6.5, 67-3-1, 69-2-4, 69-2-5, 73-2-1, 73-5-15, 73-10-21, 77-7-18, 78B-4-509;

Enacts 10-8-85.9, 17-50-324, 17D-1-101, 17D-1-102, 17D-1-103, 17D-1-104, 17D-1-105, 17D-1-106, 17D-1-107, 17D-1-108, 17D-1-109, 17D-1-201, 17D-1-202, 17D-1-203, 17D-1-204, 17D-1-205, 17D-1-206, 17D-1-207, 17D-1-208, 17D-1-209, 17D-1-210, 17D-1-211, 17D-1-212, 17D-1-301, 17D-1-302, 17D-1-303, 17D-1-304, 17D-1-305, 17D-1-306, 17D-1-401, 17D-1-402, 17D-1-403, 17D-1-501, 17D-1-502, 17D-1-503, 17D-1-504, 17D-1-505, 17D-1-506, 17D-1-507, 17D-1-508, 17D-1-509, 17D-1-601, 17D-1-602, 17D-1-603, 17D-2-101, 17D-2-102, 17D-2-103, 17D-2-104, 17D-2-105, 17D-2-106, 17D-2-107, 17D-2-108, 17D-2-109, 17D-2-110, 17D-2-201, 17D-2-202, 17D-2-203, 17D-2-301, 17D-2-302, 17D-2-402, 17D-2-505, 17D-2-506, 17D-2-507, 17D-2-601, 17D-2-502, 17D-2-503, 17D-2-504, 17D-3-505, 17D-3-506, 17D-3-204, 17D-3-203, 17D-3-204, 17D-3-301, 17D-3-303, 17D-3-304, 17D-3-305, 17D-3-306, 17D-3-307, 17D-3-308, 17D-3-309, 17D-3-310, 20A-3-605;

Renumbers and Amends 17A-3-800 to 17D-3-102, 17B-2a-906 to 17B-1-306.5;

Repeals 17A-2-1301, 17A-2-1302, 17A-2-1303, 17A-2-1304, 17A-2-1305, 17A-2-1306, 17A-2-1307, 17A-2-1308, 17A-2-1309, 17A-2-1310, 17A-2-1311, 17A-2-1312, 17A-2-1313, 17A-2-1314, 17A-2-1315, 17A-2-1316, 17A-2-1317, 17A-2-1318, 17A-2-1319, 17A-2-1320, 17A-2-1321, 17A-2-1322, 17A-2-1323, 17A-2-1324, 17A-2-1325, 17A-2-1326, 17A-2-1327, 17A-2-1328, 17A-2-1329, 17A-2-1330, 17A-2-1331, 17A-2-1332, 17A-3-401, 17A-3-402, 17A-3-403, 17A-3-404, 17A-3-405, 17A-3-406, 17A-3-407, 17A-3-408, 17A-3-409, 17A-3-410, 17A-3-411, 17A-3-412, 17A-3-413, 17A-3-414, 17A-3-801, 17A-3-802, 17A-3-803, 17A-3-804, 17A-3-805, 17A-3-806, 17A-3-807, 17A-3-1201, 17A-3-1202, 17A-3-1203, 17A-3-1304, 17A-3-1305, 17A-3-1306

Effective May 5, 2008

Chapter 360, Laws of Utah 2008

SB 48 Equalization of School Capital Outlay Funding (Dan R. Eastman)

This bill amends the Public Education Capital Outlay Act and the Property Tax Act to modify school capital outlay funding.

This bill:

- defines terms;
- requires certain divided school districts to impose a capital outlay levy at a specified rate and allocates the revenue generated under the capital outlay levy to school districts located within the qualifying divided school district;
- changes the allocation methodology for the Capital Outlay Foundation Program;
- appropriates funding to the State Board of Education for the Capital Outlay Foundation Program and the Capital Outlay Enrollment Growth Program;
- requires each school district in a county of the first class to levy a capital outlay levy at a specified rate and allocates the revenue generated under the capital outlay levy to school districts located in the county of the first class;
- amends truth in taxation notice and hearing requirements for school districts imposing the mandatory portion of the capital outlay levy;
- amends the calculation of the certified tax rate with respect to the capital outlay levy; and
- makes technical corrections.

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, \$27,288,900 from the Uniform School Fund for fiscal year 2008-09 to the State Board of Education; and
- ▶ \$15,000,000 from the Uniform School Fund for fiscal year 2008-09 only to the State Board of Education.

This bill coordinates with H.B. 1, Minimum School Program Base Budget Amendments, by providing superseding amendments.

The original bill was recommended by the Equalization Task Force

Amends 11-13-302, 17-34-3, 17C-1-408, 53A-2-103, 53A-2-114, 53A-2-115, 53A-2-117, 53A-16-106, 53A-16-107, 53A-16-110, 53A-17a-133, 53A-19-102, 53A-19-105, 53A-21-102, 59-2-908, 59-2-913, 59-2-914, 59-2-918, 59-2-924, 59-2-1330;

Enacts 53A-2-118.3, 53A-16-107.1, 53A-21-101.5, 53A-21-201, 53A-21-202, 53A-21-301, 53A-21-302, 59-2-924.2, 59-2-924.3, 59-2-924.4;

 $\textbf{Renumbers and Amends} \ 53A-21-104 \ to \ 53A-21-401, \ 53A-21-105 \ to \ 53A-21-501;$

Repeals 53A-21-103, 53A-21-103.5

Effective July 1, 2008

Chapter 236, Laws of Utah 2008

SB 52 Identity Theft Amendment (Carlene M. Walker)

This bill modifies the Criminal Code regarding the crime of identity fraud.

This bill:

- directs the court to order restitution to the victim of an identity fraud offense or state on the record why restitution is not appropriate; and
- specifies that restitution related to an offense of identity fraud may include:
 - attorney fees, lost wages, and other costs; and
 - the victim's time involved in dealing with the offense, including administrative hearings and clearing the victim's record.

Amends 76-6-1102

Effective May 5, 2008

Chapter 361, Laws of Utah 2008

SB 53 Use of Initiative and Referendum for Administrative Land Use and Zoning Matters (Brent H. Goodfellow)

This bill modifies the Election Code relating to initiatives and referenda.

This bill:

- prohibits the use of local initiatives for land use ordinances or changes in land use ordinances; and
- prohibits voters from requiring the implementation of a land use ordinance to be submitted to voters.

Amends 20A-7-401

Effective May 5, 2008

Chapter 24, Laws of Utah 2008

SB 54 Initiative and Referendum Petition Amendments (Brent H. Goodfellow)

This bill modifies provisions that govern requirements for state and local initiative petitions and local referendum petitions.

This bill:

- requires that a law that is proposed through a state or local initiative contain a title that clearly expresses the subject of the proposed law;
- requires that a law proposed through a state or local initiative contain only one subject;
- changes the deadline for submitting signature packets for statewide initiative petitions from June 1 to April 15;
- changes the deadline for submitting signature packets for local initiatives and local referenda from 120 days before the election to April 15;
- changes signature verification deadlines, circulation finance disclosure deadlines, and appeal deadlines to accommodate the change in the deadline for submitting the signature packets;
- moves referenda provisions related to the imposition of a county option sales tax ordinance from Title 59, Revenue and Taxation, to the Election Code;
- provides that uniform signature verification timelines be applied to all local referenda; and
- makes technical changes.

Amends 20A-7-201, 20A-7-202, 20A-7-205.5, 20A-7-206, 20A-7-207, 20A-7-502, 20A-7-506, 20A-7-606, 20A-7-609, 59-12-1102

Effective May 5, 2008

Chapter 237, Laws of Utah 2008

SB 56 Naturopathic Physician Licensing Amendments (Scott D. McCoy)

This bill amends licensing provisions in the Naturopathic Physician Practice Act.

This bill:

- specifies that the Division of Occupational and Professional Licensing may rely on a credentialing association to certify that an applicant for licensure by endorsement as a naturopathic physician has met one or more of the requirements for licensure; and
- makes technical changes.

Amends 58-71-302

Effective May 5, 2008

Chapter 238, Laws of Utah 2008

SB 57 Franchise Law Amendments (Dan R. Eastman)

This bill makes changes to Title 13, Chapter 14, New Automobile Franchise Act.

This bill:

- defines terms:
- adds a member to the Utah Motor Vehicle Franchise Advisory Board;
- makes the executive director's decision in an adjudication under the chapter publicly available:
- addresses a franchisor's control over a franchisee's place of business;
- prohibits discrimination by a franchisor against a franchisee under certain circumstances;
- prohibits a franchisor from recovering the cost of a warranty repair through a fee or other charge to the franchisee;
- requires a franchisor to meet a higher burden of proof to terminate or relocate a franchise or to establish an additional franchise;
- requires the advisory board to consider any negative economic effect on an existing franchisee when evaluating a new or relocated franchise;
- addresses a franchisor's obligations when a franchise is terminated or not continued;
- allows a private right of action for a violation of the chapter; and
- makes technical changes.

Amends 13-14-102, 13-14-103, 13-14-104, 13-14-201, 13-14-304, 13-14-306, 13-14-307;

Enacts 13-14-308, 13-14-309

Effective May 5, 2008

Chapter 362, Laws of Utah 2008

SB 58 Workers' Compensation Related Amendments (Mike Dmitrich)

This bill modifies the Workers' Compensation Act to address issues related to benefits.

This bill:

- defines terms;
- imposes penalties if an employer unlawfully, directly pays workers' compensation benefits;
- addresses benefits paid a dependent; and
- makes technical amendments.

This bill coordinates with S.B. 108, Offset of Workers' Compensation and Social Security, to make technical changes.

Amends 34A-2-102, 34A-2-403, 34A-2-414, 34A-2-415, 34A-2-416, 34A-2-702, 34A-2-801;

Enacts 34A-2-201.3

Effective May 5, 2008

Chapter 90, Laws of Utah 2008

SB 59 Wildlife Amendments (Allen M. Christensen)

This bill amends a provision relating to the starting date for the general rifle deer season.

This bill:

prevents the commencement of the general rifle deer season before October 1.

Amends 23-16-6

Effective May 5, 2008

Chapter 239, Laws of Utah 2008

SB 60 Repealing Labor Commission Responsibilities to Oversee Employment Agencies (Ross I. Romero)

This bill modifies provisions related to labor to address the Labor Commission and employment agencies.

This bill:

- repeals the responsibilities of the Labor Commission related to employment agencies, including the approval of licensing and the receipt of filings regarding fees; and
- makes technical changes.

Amends 34-29-10;

Repeals 34-29-21

Effective May 5, 2008

Chapter 240, Laws of Utah 2008

SB 62 Health Insurance - Medical Complication Exclusions (Peter C. Knudson)

This bill amends the Insurance Code to require a health insurer to provide notice to an enrollee of the exclusion from coverage of a secondary medical condition resulting from an excluded condition or procedure.

This bill:

- applies to health insurers in the state and to the Public Employee's Health Program;
- ▶ requires health insurers to report to the Legislature's Health and Human Services Interim Committee by December 1, 2008 concerning efforts to inform enrollees of exclusions or limitations of coverage for secondary medical conditions:
- requires the Insurance Department to help develop examples of exclusions or limitations of coverage for secondary medical conditions; and
- beginning July 1, 2009, requires health insurers to give notice to enrollees that coverage may be denied for secondary conditions resulting from a procedure, drug, or condition that is excluded from coverage.

Amends 31A-22-605.5, 31A-22-613.5, 31A-22-723

Effective May 5, 2008

Chapter 241, Laws of Utah 2008

SB 63 Adult Protective Services Amendments (Kevin T. VanTassell)

This bill amends the Aging and Adult Services chapter of the Utah Human Services Code and related provisions.

This bill:

- defines and modifies terms;
- clarifies the rulemaking authority of the Division of Aging and Adult Services;
- describes the powers and duties of Adult Protective Services;
- clarifies that a law enforcement agency has discretion regarding whether to open an investigation of potential criminal conduct against a vulnerable adult;
- clarifies provisions regarding the collection of photographic, audio, or video evidence relating to the abuse, neglect, or exploitation of a vulnerable adult;
- removes or modifies time restrictions relating to an adult protection case;
- modifies provisions relating to access to records maintained by Adult Protective Services;
- modifies provisions related to the offender database maintained by Adult Protective Services, including findings made, the notice given to alleged perpetrators, and procedures to challenge findings;
- modifies provisions relating to emergency orders; and
- makes technical changes.

Amends 62A-2-122, 62A-3-109, 62A-3-301, 62A-3-302, 62A-3-303, 62A-3-304, 62A-3-305, 62A-3-308, 62A-3-309, 62A-3-311, 62A-3-311.1, 62A-3-312, 62A-3-318, 62A-3-320, 63-2-202, 63-2-302;

Enacts 62A-3-311.5;

Repeals 62A-3-306, 62A-3-313;

Repeals and Reenacts 62A-3-307

Effective May 5, 2008

Chapter 91, Laws of Utah 2008

SB 65 Soliciting Gang Members Prohibited (Jon J. Greiner)

This bill amends the Criminal Code regarding criminal actions concerning a street gang's involvement with minors.

This bill:

- defines a criminal street gang;
- creates the criminal offenses of intimidating a minor to:
 - join a criminal street gang; or
 - leave a criminal street gang;
- provides that it is an offense for a person affiliated with a criminal street gang to intimidate a minor to commit any misdemeanor criminal offense; and
- provides an increased penalty for repeatedly recruiting a minor into a gang.

Enacts 76-9-801, 76-9-802, 76-9-803

Effective February 29, 2008

Chapter 15, Laws of Utah 2008

SB 66 Uniform Emergency Volunteer Health Practitioners Act (Lyle W. Hillyard)

This bill enacts provisions governing licensed practitioners from outside of the state who come to Utah to provide health and veterinary services in response to declared emergencies in Utah.

This bill:

- defines terms:
- provides for the registration and regulation of volunteer health practitioners from outside of Utah;
- authorizes Utah to regulate, direct, and restrict the scope and extent of services provided by volunteer health practitioners;
- provides limitations on the civil liability exposure of volunteer health practitioners; and
- allows volunteer health practitioners who suffer injury or death while providing services the option to elect workers' compensation benefits as an exclusive remedy.

Amends 58-1-307, 58-13-2;

Enacts 26-49-101, 26-49-102, 26-49-103, 26-49-201, 26-49-202, 26-49-203, 26-49-204, 26-49-205, 26-49-301, 26-49-401, 26-49-501, 26-49-601, 26-49-701, 58-1-405

Effective July 1, 2008

Chapter 242, Laws of Utah 2008

SB 68 Workers' Compensation - Death Benefits (Karen Mayne)

This bill excludes workers' compensation death benefits from inclusion in the augmented estate during probate.

This bill:

excludes workers' compensation death benefits from inclusion in the augmented estate during probate.

Amends 75-2-206

Effective May 5, 2008

Chapter 243, Laws of Utah 2008

SB 69 Uniform Limited Cooperative Association Act (Lyle W. Hillyard)

This bill enacts the Uniform Limited Cooperative Association Act.

This bill:

- defines terms;
- ▶ addresses the nature, purpose, and duration of a limited cooperative association;
- outlines the relationship of the act to other law;
- provides for the adoption of various provisions governing a limited cooperative association;
- addresses voting within a limited cooperative association;
- ▶ details the nature of membership in a limited cooperative association;
- provides for meetings of a limited cooperative association;
- addresses marketing contracts between the limited cooperative association and another person;
- outlines the qualifications, election, service, and removal of a director;
- addresses liability and indemnification of a director;
- establishes requirements concerning contributions, allocations, and distributions to and by a limited cooperative association;
- provides for the dissociation of a member of a limited cooperative association;
- addresses dissolution of a limited cooperative association;
- allows a derivative action by a member of a limited cooperative association;
- provides for a foreign cooperative to do business in Utah;
- addresses the disposition of assets by a limited cooperative association;
- provides for the conversion to and from a limited cooperative association;
- addresses the merger of a limited cooperative association and another entity; and
- makes technical changes.

Amends 16-6a-207;

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Enacts 3-1-46, 16-16-101, 16-16-102, 16-16-103, 16-16-104, 16-16-105, 16-16-106,
16-16-107, 16-16-108, 16-16-109, 16-16-110, 16-16-111, 16-16-112, 16-16-113, 16-16-114,
16-16-115, 16-16-116, 16-16-117, 16-16-118, 16-16-119, 16-16-120, 16-16-201, 16-16-202,
16-16-203, 16-16-204, 16-16-205, 16-16-206, 16-16-207, 16-16-208, 16-16-301, 16-16-302,
16-16-303, 16-16-304, 16-16-401, 16-16-402, 16-16-403, 16-16-404, 16-16-405, 16-16-406,
16-16-407, 16-16-501, 16-16-502, 16-16-503, 16-16-504, 16-16-505, 16-16-506, 16-16-507,
16-16-508, 16-16-509, 16-16-510, 16-16-511, 16-16-512, 16-16-513, 16-16-514, 16-16-515,
16-16-516, 16-16-517, 16-16-601, 16-16-602, 16-16-603, 16-16-604, 16-16-605, 16-16-701,
16-16-702, 16-16-703, 16-16-704, 16-16-801, 16-16-802, 16-16-803, 16-16-804, 16-16-805,
16-16-806, 16-16-807, 16-16-808, 16-16-809, 16-16-810, 16-16-811, 16-16-812, 16-16-813,
16-16-814, 16-16-815, 16-16-816, 16-16-817, 16-16-818, 16-16-819, 16-16-820, 16-16-821,
16-16-822, 16-16-823, 16-16-901, 16-16-1001, 16-16-1002, 16-16-1003, 16-16-1004,
16-16-1005, 16-16-1006, 16-16-1007, 16-16-1008, 16-16-1009, 16-16-1101, 16-16-1102,
16-16-1103, 16-16-1201, 16-16-1202, 16-16-1203, 16-16-1204, 16-16-1205, 16-16-1206,
16-16-1207, 16-16-1208, 16-16-1209, 16-16-1210, 16-16-1211, 16-16-1212, 16-16-1213,
16-16-1214, 16-16-1215, 16-16-1301, 16-16-1302, 16-16-1303, 16-16-1304, 16-16-1305,
16-16-1401, 16-16-1402, 16-16-1403, 16-16-1404, 16-16-1405, 16-16-1406, 16-16-1407,
16-16-1408, 16-16-1501, 16-16-1502, 16-16-1503, 16-16-1504, 16-16-1601, 16-16-1602,
16-16-1603, 16-16-1604, 16-16-1605, 16-16-1606, 16-16-1607, 16-16-1608, 16-16-1609,
16-16-1610, 16-16-1611, 16-16-1612, 16-16-1701, 16-16-1702, 16-16-1703
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Effective May 5, 2008

Chapter 363, Laws of Utah 2008

SB 71 School District Amendments (Carlene M. Walker)

This bill modifies provisions relating to the creation of a new school district.

This bill:

- enacts definitions:
- lengthens the time in which transition teams must be appointed;
- extends the deadline for the existing school district to prepare an inventory of existing school district property;
- ▶ defines a date at which existing school district property and liabilities are to be determined;
- extends the deadline by which the transition teams are to determine the allocation of existing school district property;
- requires transition teams to prepare a written report setting forth the property allocation;
- modifies a provision relating to the reimbursement of transition team and other costs and expenses;
- modifies the required content of an inventory that an existing district is required to provide;
- requires transition teams to consider the value of school buildings and associated property in making the allocation of other existing district property;
- requires an existing school district to make money available to the remaining district and the new district, provides for who can access and spend that money, and requires transition teams to consider that money in allocating existing district property;
- requires an existing school district to transfer title of property to the new district within a certain time, except upon the mutual agreement of the school district boards;
- prohibits an existing school district from transferring title to school district property without the consent of specified boards or bodies;
- modifies provisions relating to the composition of the school district boards of the new district and remaining district;
- clarifies application of the changes in this bill to the procedure to create a new district; and
- makes technical changes.

This bill provides revisor instructions.

Amends 53A-2-117, 53A-2-118, 53A-2-118.1, 53A-2-121

Effective May 5, 2008

Chapter 92, Laws of Utah 2008

SB 72 Justice Court Amendments (Lyle W. Hillyard)

This bill modifies the selection and retention of justice court judges, and makes other changes.

This bill:

- provides for a performance evaluation and retention process for all justice court judges;
- amends the jurisdiction of the district court;
- specifies compensation for justice court judges; and
- reates a county-wide judicial nominating commission to fill vacancies in justice courts.

This bill takes effect on January 1, 2009, except the amendments to Section 78A-7-206 take effect on July 1, 2009.

Amends 20A-12-201, 78A-5-102, 78A-7-201, 78A-7-203, 78A-7-206, 78A-7-213;

Repeals and Reenacts 78A-7-202

Chapter 93, Laws of Utah 2008

SB 76 State Parks and Recreation Amendments (Brent H. Goodfellow)

This bill modifies the Motor Vehicles Code and the State Boating Act by amending Board of Parks and Recreation provisions.

This bill:

- amends definitions;
- authorizes the Board of Parks and Recreation to set fees for:
 - off-highway vehicle safety education and training programs;
 - knowledge and skills tests for off-highway vehicle use;
 - registering a boat livery; and
 - the Division of Parks and Recreation's boating safety course;
- changes the number of days that a nonresident motorboat or sailboat may be in the state from no more than 14 days to no more than 60 days to be exempt from registration;
- amends the restriction on an operator of a vessel to not exceed a wakeless speed in certain circumstances; and
- makes technical changes.

Amends 41-22-2, 41-22-33, 73-18-2, 73-18-4, 73-18-9, 73-18-15.1, 73-18-15.2

Effective May 5, 2008

Chapter 94, Laws of Utah 2008

SB 77 Revisions to Government Records Access Management Act (Margaret Dayton)

This bill modifies Title 63, Chapter 2, Government Records Access and Management Act, by amending sharing of records between government entities provisions and protected records provisions.

This bill:

- amends sharing provisions to provide procedures for sharing records with the Legislature; and
- clarifies that all bids, including bids and applications submitted in response to requests for proposals and grants, are public records after the contract or grant has been awarded.

Amends 63-2-206, 63-2-304

Effective May 5, 2008

Chapter 95, Laws of Utah 2008

SB 78 County Personnel Management Act Amendments (Wayne L. Niederhauser)

This bill modifies provisions of the County Personnel Management Act.

This bill:

- adds an exception to tenured positions included within the career service system for persons appointed by an elected county officer to be division directors, to administer division functions in furtherance of the performance of the elected officer's professional duties;
- clarifies that a person currently serving in a nonexempt position does not lose that status because of the enactment of the provision adding an exception;
- requires elected county officers to work with the office of personnel management to develop incentives to encourage certain nonexempt employees to convert voluntarily to exempt status;
- authorizes county legislative bodies to recommend personnel rules for the county; and
- makes technical changes.

This bill coordinates with H.B. 235, County Merit System Amendments, by providing which technical amendments supersede and by substantively and technically merging the amendments contained in H.B. 235 with the amendments contained in this bill.

Amends 17-33-1, 17-33-5, 17-33-8

Effective May 5, 2008

Chapter 25, Laws of Utah 2008

SB 81 Illegal Immigration (John W. Hickman)

This bill deals with provisions related to the immigration status of individuals within the state.

This bill:

- ▶ requires a county sheriff to make a reasonable effort to determine the citizenship status of a person confined to a county jail for a period of time and to verify the immigration status of a confined foreign national, and makes it a rebuttable presumption, for the purpose of determining the grant or issuance of a bond, that a person verified by the sheriff's efforts as a foreign national not lawfully admitted into the United States is at risk of flight;
- provides that the Alcoholic Beverage Control Commission may not grant a restaurant liquor license or private club license to a person who is not lawfully present in the United States;
- provides for the creation and issuance of identification documents and requires that those identification documents issued by public entities go only to United States citizens, nationals, or legal permanent resident aliens with certain exceptions;
- provides for exceptions to the issuance of identification documents by public entities based on valid documentation of certain approved or pending immigration status and places time period restrictions on the length of validity of the documents;
- requires public employers to register with and use a Status Verification System to verify the federal authorization status of a new employee;
- beginning July 1, 2009, provides that a public employer may not enter into a contract for the physical performance of services within the state with a contractor unless the contractor registers and participates in the Status Verification System to verify the work eligibility status of the contractor's new employees;
- provides that it is unlawful to discharge a lawful employee while retaining an unauthorized alien in the same job category;
- requires an agency or political subdivision of the state to verify the lawful presence in the United States of an individual who has applied for a state or local public benefit, as defined by

federal law, or a federal public benefit that is administered by the agency or the political subdivision and provides for exceptions;

- requires an applicant for a state or local public benefit to certify the applicant's lawful presence in the United States, and provides penalties for making a false, fictitious, or fraudulent statement or representation in the certification;
- provides, subject to the availability of funding, for the establishment of a Fraudulent Documents Identification Unit by the attorney general for the primary purpose of investigating, apprehending, and prosecuting individuals who participate in the sale or distribution of fraudulent identification documents created and prepared for individuals who are unlawfully residing within the state;
- requires the attorney general to negotiate a Memorandum of Understanding with the United States Department of Justice or the United States Department of Homeland Security for the enforcement of federal immigration and customs laws within the state by state and local law enforcement personnel;
- prohibits a unit of local government from enacting an ordinance or policy that limits or prohibits a law enforcement officer or government employee from communicating or cooperating with federal officials regarding the immigration status of a person within the state; and
- makes it a class A misdemeanor for a person to:
 - transport into this state or for a distance of 100 miles within the state an alien for commercial advantage or private financial gain, knowing that the alien is in the United States in violation of federal law, in furtherance of the illegal presence in the United States; or
 - conceal, harbor, or shelter from detection an alien, in a place within this state for commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien is in the United States in violation of federal law.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing technical renumbering.

Amends 32A-4-103, 32A-5-103;

Enacts 17-22-9.5, 63-99a-101, 63-99a-102, 63-99a-103, 63-99a-104, 67-5-22.5, 67-5-26, 76-10-2701

Effective July 1, 2009

Chapter 26, Laws of Utah 2008

SB 83 Check Cashing and Deferred Deposit Lending Registration Act (Karen Mayne)

This bill modifies the Check Cashing Registration Act to be the Check Cashing and Deferred Deposit Lending Registration Act.

This bill:

- modifies definition provisions;
- addresses references to a check casher or deferred deposit lender:
- ▶ requires a deferred deposit lender to file operations statements to renew registration;
- prohibits a deferred deposit lender from extending certain deferred deposit loans;
- requires the commissioner to report annually regarding deferred deposit lenders; and
- makes technical and conforming amendments.

Amends 7-1-325, 7-1-401, 7-1-501, 7-15-1, 7-23-101, 7-23-102, 15-1-4;

Enacts 7-23-503:

Renumbers and Amends 7-23-103 to 7-23-201, 7-23-104 to 7-23-301, 7-23-105 to 7-23-401, 7-23-105.1 to 7-23-402, 7-23-106 to 7-23-501, 7-23-107 to 7-23-502, 7-23-108 to 7-23-504, 7-23-109 to 7-23-104.1, 7-23-110 to 7-23-103.1

Effective May 5, 2008

Chapter 96, Laws of Utah 2008

SB 84 Net Metering Programs (Kevin T. VanTassell)

This bill addresses provisions allowing the net metering of electricity for an electrical corporation's customers.

This bill:

- defines terms;
- expands the type of eligible facilities that may qualify for a net metering program;
- changes the circumstances under which an electric corporation's discontinuance of a net metering program is allowed;
- allows various decisions to be made by a governing authority instead of solely by the Public Service Commission:
- provides methods for a governing authority's determination of the value of excess customer-generated electricity;
- requires that a customer generation system not compromise the quality of service for an electrical corporation's other customers;
- addresses the applicability of net metering provisions to a small electrical corporation headquartered in another state; and
- makes technical changes.

Amends 54-15-102, 54-15-103, 54-15-104, 54-15-105, 54-15-106;

Enacts 54-15-107

Effective May 5, 2008

Chapter 244, Laws of Utah 2008

SB 88 Uniform Model Registered Agent Act (Lyle W. Hillyard)

This bill enacts Title 16, Chapter 16, Uniform Model Registered Agents Act, and makes conforming amendments.

This bill:

- defines terms:
- provides for the manner of a business's appointment, change, and termination of a registered agent:
- addresses service of process on a business entity with a registered agent;
- provides a venue for certain actions concerning a company with or without a registered agent;
- provides duties for a registered agent;
- addresses the effect of other laws;
- specifically provides that Title 16, Chapter 16, Uniform Model Registered Agents Act, does not have retrospective effect;
- makes conforming amendments to other business entity provisions, including concerning:
 - registered agents, registered offices, designated offices, and principal offices; and
 - time limits for which a business entity may be without a registered agent; and
- makes technical changes.

Amends 3-1-44, 16-6a-102, 16-6a-105, 16-6a-110, 16-6a-202, 16-6a-703, 16-6a-710, 16-6a-1002, 16-6a-1105, 16-6a-1407, 16-6a-1410, 16-6a-1415, 16-6a-1503, 16-6a-1504, 16-6a-1514, 16-6a-1515, 16-6a-1604, 16-6a-1607, 16-7-15, 16-10a-103, 16-10a-120, 16-10a-125, 16-10a-202, 16-10a-703, 16-10a-720, 16-10a-809, 16-10a-1002, 16-10a-1107, 16-10a-1330, 16-10a-1407, 16-10a-1420, 16-10a-1431, 16-10a-1503, 16-10a-1504, 16-10a-1521, 16-10a-1530, 16-10a-1604, 16-10a-1607, 16-15-104, 16-15-109, 31A-5-203, 31A-5-401, 31A-8-202, 31A-8-204, 31A-14-204, 48-1-42, 48-2a-201, 48-2a-202.5, 48-2a-210, 48-2a-902, 48-2c-102, 48-2c-113, 48-2c-115, 48-2c-203, 48-2c-204, 48-2c-211, 48-2c-309, 48-2c-403, 48-2c-406, 48-2c-411, 48-2c-704, 48-2c-809, 48-2c-1204, 48-2c-1206, 48-2c-1207, 48-2c-1208, 48-2c-1211, 48-2c-1306, 48-2c-1511, 48-2c-1603, 48-2c-1604, 48-2c-1611, 48-2c-1612, 48-2c-1614;

Enacts 16-16-101, 16-16-102, 16-16-201, 16-16-202, 16-16-203, 16-16-204, 16-16-205, 16-16-206, 16-16-207, 16-16-208, 16-16-209, 16-16-210, 16-16-301, 16-16-302, 16-16-401, 16-16-402, 16-16-403, 16-16-404;

Repeals 16-6a-501, 16-6a-502, 16-6a-503, 16-6a-504, 16-6a-1508, 16-6a-1509, 16-10a-501, 16-10a-502, 16-10a-503, 16-10a-504, 16-10a-1508, 16-10a-1509, 42-2-11, 48-2a-104, 48-2a-104.5, 48-2c-111, 48-2c-112, 48-2c-301, 48-2c-302, 48-2c-303, 48-2c-304, 48-2c-306, 48-2c-307, 48-2c-308, 48-2c-310

Effective May 5, 2008

Chapter 364, Laws of Utah 2008

SB 89 Mitigation of Invasive Species (Dennis E. Stowell)

This bill enacts provisions relating to the mitigation of invasive species.

This bill:

- authorizes the Department of Agriculture and Food, after consulting with the Department of Natural Resources and the Conservation Commission to:
 - enter into a cooperative agreement with an agency or landowner to prevent wildland fire through land restoration;
 - expend monies and give grants from the Invasive Species Mitigation Fund; and
 - make rules; and
- ▶ creates the Invasive Species Mitigation Fund, a restricted special revenue account.

This bill appropriates \$2,000,000 from the General Fund for fiscal year 2008-09 to the Invasive Species Mitigation Fund.

Enacts 4-2-8.6, 4-2-8.7

Effective May 5, 2008

Chapter 245, Laws of Utah 2008

SB 92 Real Property Recording Amendments (Dennis E. Stowell)

This bill addresses the recording of documents concerning real property.

This bill:

- addresses policies and procedures established by a county recorder;
- requires a county recorder to endorse a document upon acceptance, instead of upon receipt;
- addresses a tenancy by the entirety;
- requires an affidavit concerning a terminated interest in real property due to death to be accompanied by a government-issued document certifying the death;
- forbids certain documents from being presented for recording;
- allows the governor or governor's designee to record a notice of acknowledgment of an R.S.
 2477 right-of-way, with supporting documentation; and
- makes technical changes.

Amends 17-21-1, 17-21-12, 57-1-5, 57-1-5.1, 57-3-105, 57-3-106, 72-5-309

Effective May 5, 2008

Chapter 97, Laws of Utah 2008

SB 93 Licensed Direct Entry Midwife Amendments (Margaret Dayton)

This bill amends the Direct-entry Midwife Act.

This bill:

- defines low risk birth;
- amends the definition of the practice of Direct-entry midwifery;
- requires administrative rulemaking for standards of practice related to mandatory consultation and mandatory transfer of a client;
- creates an advisory committee for the administrative rules related to licensed Direct-entry midwives;
- amends standards of practice for licensed Direct-entry midwives; and
- repeals the administrative rules advisory committee in two years.

Amends 58-77-102, 58-77-201, 58-77-601, 63-55b-158;

Enacts 58-77-204

Effective May 5, 2008

Chapter 365, Laws of Utah 2008

SB 94 Burglary of a Railroad Car (Darin G. Peterson)

This bill modifies the Utah Criminal Code by making burglary of a railroad car a third degree felony.

This bill:

- amends the definitions;
- provides that it is a third degree felony to break the lock or seal on any railroad car, with the intent to commit a felony or theft; and
- provides that a charge against any person for burglary of a railroad car does not preclude a charge for a commission of any other offense.

Amends 76-6-201;

Enacts 76-6-204.5

Effective May 5, 2008

Chapter 366, Laws of Utah 2008

SB 95 Markup on Alcoholic Beverages (Mike Dmitrich)

This bill modifies the Alcoholic Beverage Control Act to address markups on alcoholic beverages.

This bill:

- ▶ lowers the markup on liquor manufactured by a small distillery or brewery; and
- makes technical and conforming changes.

Amends 32A-1-122

Effective May 5, 2008

Chapter 98, Laws of Utah 2008

SB 98 Licensing of Security Services (Dan R. Eastman)

This bill modifies provisions related to the licensing of persons who provide security services.

This bill:

- modifies definitions related to the licensing of contract security companies and private security officers by establishing new classifications for armored car companies and armored car security officers;
- modifies the composition of the Security Services Licensing Board by including in its membership an individual who is an officer or owner of a licensed armored car company;
- provides for the licensing of armored car companies and armored car security officers as new classifications;
- establishes qualifications for licensure as an armored car company and armored car security officer;
- provides that it is unlawful conduct for an armored car company to employ the services of an unlicensed armored car security officer, with certain exceptions; and
- provides unprofessional conduct and penalty provisions related to armored car companies and armored car security officers.

Amends 31A-22-1301, 58-63-102, 58-63-201, 58-63-301, 58-63-302, 58-63-306, 58-63-307, 58-63-308, 58-63-310, 58-63-501, 58-63-502, 58-63-503

Effective May 5, 2008

Chapter 246, Laws of Utah 2008

SB 99 Amendments to Sales and Use Tax Exemption for Prosthetic Devices (Wayne L. Niederhauser)

This bill amends the Sales and Use Tax Act relating to an exemption for prosthetic devices.

This bill:

- modifies the eligibility requirements for the sales and use tax exemption for prosthetic devices; and
- makes technical changes.

Amends 59-12-104

Effective July 1, 2008

Chapter 99, Laws of Utah 2008

SB 100 Motor Vehicle Dealer Disclosure Requirements Amendments (Dan R. Eastman)

This bill modifies the Motor Vehicle Business Regulation Act by amending provisions relating to motor vehicle dealer disclosure requirements.

This bill:

amends the disclosure language that a motor vehicle dealer is required to provide if the dealer has contracted to enter into a lease agreement with someone other than another dealer.

Amends 41-3-401.5

Effective May 5, 2008

Chapter 100, Laws of Utah 2008

SB 103 Higher Education Enhancements (Dennis E. Stowell)

This bill appropriates monies to Utah Valley State College.

This bill appropriates monies to Utah Valley State College for university status.

This bill appropriates:

▶ as an ongoing appropriation subject to future budget constraints, \$2,000,000 from the Education Fund for fiscal year 2008-09 to Utah Valley State College.

Effective July 1, 2008

Chapter 247, Laws of Utah 2008

SB 105 Judicial Performance Evaluation Commission (D. Chris Buttars)

This bill establishes a judicial performance evaluation program and creates a commission to administer the program.

This bill:

- eliminates a provision requiring the Judicial Council to evaluate judicial performance;
- creates the Judicial Performance Evaluation Commission;
- requires a judicial performance evaluation to be conducted for a judge who is subject to a retention election;
- establishes the components of a judicial performance evaluation;
- requires the commission to establish minimum performance standards as part of the judicial performance evaluation;
- requires the commission to conduct a judicial performance evaluation survey;
- establishes the manner of reporting and publishing judicial performance evaluations;
- requires the commission to provide information concerning the evaluation to the lieutenant governor for inclusion in the voter information pamphlet; and
- makes technical changes.

Amends 20A-7-702, 63-2-304, 78A-2-104;

Enacts 78-63-101, 78-63-102, 78-63-201, 78-63-202, 78-63-203, 78-63-204, 78-63-205, 78-63-206

Effective May 5, 2008

Chapter 248, Laws of Utah 2008

SB 108 Offset of Workers' Compensation and Social Security (John W. Hickman)

This bill modifies provisions related to receipt of workers' compensation benefits.

This bill:

- removes the offset against permanent total disability compensation for cost-of-living increases in Social Security retirement benefits received by an employee with a permanent total disability;
- removes the offset against death benefits for cost-of-living increases in Social Security death benefits;
- clarifies its application to persons whose compensation was reduced on or before May 4, 2008; and
- makes technical changes.

Amends 34A-2-403, 34A-2-413, 34A-2-702

Effective May 5, 2008

Chapter 27, Laws of Utah 2008

SB 110 Foreign Business Entities and Tribal Law (Kevin T. VanTassell)

This bill modifies provisions related to corporations, partnerships, and other business entities to address tribal entities created by tribal law.

This bill:

- ▶ defines "tribe" and related terms for purposes of certain business entity provisions;
- modifies provisions related to nonprofit and for profit corporations, partnerships, and limited liability companies to provide for a tribal entity created by tribal law to be treated as a foreign business entity authorized to transact business in the state; and
- makes technical and conforming amendments.

Amends 16-4-102, 16-6a-102, 16-6a-1503, 16-10a-102, 16-10a-1503, 48-1-1, 48-1-44, 48-2a-101, 48-2a-902, 48-2c-102, 48-2c-1604

Effective May 5, 2008

Chapter 249, Laws of Utah 2008

SB 111 Revisor's Statute (John W. Hickman)

This bill modifies parts of the Utah Code to make technical corrections including eliminating references to repealed provisions, making minor wording changes, updating cross references, and correcting numbering.

This bill:

modifies parts of the Utah Code to make technical corrections including eliminating references to repealed provisions, making minor wording changes, updating cross references, and correcting numbering.

Amends 10-3-818, 11-13-103, 11-42-411, 11-42-605, 13-21-2, 13-43-206, 16-4-102, 16-6a-1702, 17-27a-103, 17-27a-301, 17-27a-306, 17-27a-307, 17-27a-603, 17-52-201, 17-53-216, 19-2-103, 19-4-103, 19-5-103, 19-6-108.3, 31A-22-605.5, 31A-22-723, 31A-28-114, 31A-28-222, 34A-2-103, 41-8-1, 41-10-1, 49-11-701, 53-2-402, 53-2-403, 53-3-202, 53-3-204, 53-3-227, 53-5-711, 53A-1-408, 53A-11-910, 53A-17a-131.16, 53A-29-103, 53B-2-107, 54-7-12.9, 57-1-5, 57-1-21, 57-1-21.5, 58-1-501.5, 58-37-5.5, 58-67-302.5, 58-72-301, 58-72-501, 59-2-405.2, 59-7-116, 61-1-30, 62A-4a-207, 63-34-6, 63-38c-103, 63-55-253, 63-55b-153, 63-55b-163, 63-63a-8, 63-97-201, 63A-5-222, 63B-6-502, 73-10f-1, 73-12a-1, 76-7-317.2, 78-3-21, 78-23-4, 78-30-8, 78-43-8;

Repeals 30-3-38, 53-2-102.5

Effective May 5, 2008

Chapter 250, Laws of Utah 2008

SB 112 Legislative Space in the Capitol (Curtis S. Bramble)

This bill amends the provisions regarding legislative space in the State Capitol.

This bill:

amends provisions regarding legislative space in the State Capitol.

Amends 36-5-1 (Effective 08/01/08), 36-5-1 (Superseded 08/01/08)

Effective February 15, 2008

Chapter 6, Laws of Utah 2008

SB 113 Access to Research Workers' Personal Information (Gregory S. Bell)

This bill modifies the Government Records Access and Management Act to add protected status to certain information.

This bill:

provides that the name, addresses, and phone numbers of individuals who perform, or provide supplies or services for, medical or scientific research at an institution within the state system of higher education that is conducted using animals be classified as protected documents.

Amends 63-2-304

Effective May 5, 2008

Chapter 101, Laws of Utah 2008

SB 114 Notary Public Revision (Gregory S. Bell)

This bill modifies the Notaries Public Reform Act by amending disqualification provisions from performing a notary act.

This bill:

- allows an attorney to notarize a document when the attorney is named in the document if the attorney is only named as representing a signer or another person named in the document; and
- makes technical changes.

Amends 46-1-7

Effective May 5, 2008

Chapter 102, Laws of Utah 2008

SB 115 Motor Vehicle Safety Inspection Advisory Council Amendments (Dan R. Eastman)

This bill modifies the Motor Vehicle Safety Inspection Act by amending provisions relating to the Motor Vehicle Safety Inspection Advisory Council.

This bill:

- repeals the requirement that a representative from the Department of Commerce with experience in consumer protection administration be a member of the Motor Vehicle Safety Inspection Advisory Council; and
- provides that the governor shall appoint a member of the public with experience or interest in product safety or consumer advocacy as a member of the Motor Vehicle Safety Inspection Advisory Council.

Amends 53-8-203

Effective May 5, 2008

Chapter 251, Laws of Utah 2008

SB 116 Retirement Office Amendments (Carlene M. Walker)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions related to the retirement systems and certain insurance provisions.

This bill:

- changes the period after which the retirement systems' executive director is required to make actuarial investigations of the retirement systems from every two years to every three years;
- adds a requirement for participating employers to submit an annual report identifying those employees that are on a benefit protection contract with the Utah Retirement Systems;
- changes the penalty amount for a participating employer's failure to correctly report certain records from 1% of the participating employer's last month's contributions to \$250 or 50% of the total contributions for the member for the period of the reporting error, whichever is greater;
- allows the retirement executive director to request a hearing officer review of a dispute over any benefit under rules adopted by the board;
- allows any member of the Utah Retirement Systems to relinquish a benefit of the retirement systems instead of only retirees or beneficiaries;
- repeals a requirement that a member of the governor or legislator's retirement system retire in order to be eligible for paid-up group health coverage;
- clarifies long-term disability coverage requirements for public safety employees;
- replaces the term "enrollment" with the term "eligibility" to clarify dates related to preexisting conditions;
- clarifies that a person who recovers from a disability is no longer disabled; and
- makes technical changes.

Amends 49-11-204, 49-11-404, 49-11-603, 49-11-613, 49-11-619, 49-20-404, 49-21-201, 49-21-401, 49-21-403

Effective May 5, 2008

Chapter 252, Laws of Utah 2008

SB 119 Department of Corrections Amendments (Darin G. Peterson)

This bill modifies Title 64, Chapter 13, Department of Corrections - State Prison, regarding hearings.

This bill:

- repeals the requirement that the Department of Corrections maintain an administrative hearing office to conduct hearings related to:
 - · offenders in the custody of the department; and
 - administrative matters and issues involving staff; and
- repeals the powers and duties of the hearing officer.

Repeals 64-13-28

Effective May 5, 2008

Chapter 367, Laws of Utah 2008

SB 120 Department of Corrections Employee Vehicle Use (Darin G. Peterson)

This bill modifies Title 64, Chapter 13, Department of Corrections - State Prison, authorizing the executive director of the Department of Corrections to permit the use of state vehicles by certain department personnel.

This bill:

- allows the executive director of the Department of Corrections to authorize the use of a state vehicle for commute and official purposes by a department employee who:
 - supervises probationers or parolees; or
 - is charged with investigating criminal activity of probationers or parolees.

Enacts 64-13-43

Effective May 5, 2008

Chapter 368, Laws of Utah 2008

SB 122 Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (Lyle W. Hillyard)

This bill provides for the determination of jurisdiction in proceedings for guardianship and conservatorships for incapacitated adults.

This bill:

- sets out procedures for determining where jurisdiction lies in guardianship and conservatorship proceedings when the parties are not all in the same state;
- provides for jurisdiction in states with a significant connection to the incapacitated person;
- defines "significant connection";
- provides for cooperation between courts of different states;
- allows for special circumstances if an incapacitated person is in a state that does not meet the "significant connection" standard;
- provides procedures for the transfer of jurisdiction to another state; and
- allows for registration of protective orders from other states.

Enacts 75-5b-101, 75-5b-102, 75-5b-103, 75-5b-104, 75-5b-105, 75-5b-106, 75-5b-201, 75-5b-202, 75-5b-203, 75-5b-204, 75-5b-205, 75-5b-206, 75-5b-207, 75-5b-208, 75-5b-301, 75-5b-302, 75-5b-401, 75-5b-402, 75-5b-403, 75-5b-501, 75-5b-502, 75-5b-503

Effective January 1, 2009

Chapter 253, Laws of Utah 2008

SB 124 Sales and Use Tax - Definitions of Permanently Attached to Real Property and Tangible Personal Property (Howard A. Stephenson)

This bill amends the Sales and Use Tax Act relating to definitions.

This bill:

- amends the definitions of:
 - "permanently attached to real property"; and
 - "tangible personal property"; and
- makes technical changes.

This bill takes effect May 5, 2008 and has retrospective operation to January 1, 2008.

Amends 59-12-102

Chapter 28, Laws of Utah 2008

SB 125 High School Voter Registration (Kevin T. VanTassell)

This bill modifies the Election Code by amending certain provisions for registering high school seniors to vote.

This bill:

- repeals the requirement that school districts and accredited nonpublic schools provide an estimate to the county clerk of the number of students who are 17 years old;
- allows, rather than requires, the county clerk to provide by-mail voter registration forms to high schools;
- allows, rather than requires, high schools to include the forms in senior registration packets, collect the forms, and forward them to the county clerk;
- repeals the requirement that public school districts and accredited nonpublic schools provide voter registration forms to students; and
- makes technical changes.

Amends 20A-2-301, 20A-2-302

Effective May 5, 2008

Chapter 103, Laws of Utah 2008

SB 128 Amendments to the Veteran's Property Tax Exemption (Brent H. Goodfellow)

This bill amends provisions in the Property Tax Act relating to the veteran's exemption.

This bill:

makes technical changes to provisions relating to the veteran's exemption.

Amends 59-2-1105

Effective May 5, 2008

Chapter 104, Laws of Utah 2008

SB 130 Utility Improvement District Revisions (Kevin T. VanTassell)

This bill modifies a provision of the Utah Underground Conversion of Utilities Law.

This bill:

- adds definitions for "point of delivery" and "service entrance equipment";
- modifies a utility's responsibility regarding the construction work to be done in the conversion of facilities from overhead to underground;
- modifies the notice that a county or municipality is required to give to property owners in an improvement district for the conversion of overhead facilities to underground;
- modifies provisions related to the conversion of overhead utility facilities to underground and an owner's responsibilities; and
- modifies a provision relating to the cost of converting facilities from overhead to underground.

Amends 54-8-3, 54-8-25, 54-8-26

Effective May 5, 2008

Chapter 369, Laws of Utah 2008

SB 131 Wage Withholding for Employee Contributions (Wayne L. Niederhauser)

This bill modifies provisions related to the payment of wages to address when wages can be withheld or diverted.

This bill:

- permits the automatic withholding of wages as a contribution to a retirement plan if certain conditions are met; and
- makes technical and conforming changes.

Amends 34-28-3

Effective May 5, 2008

Chapter 254, Laws of Utah 2008

SB 132 Consumer Credit Protection Act - Attorney General Powers (Carlene M. Walker)

This bill addresses the attorney general's enforcement powers under Title 13, Chapter 44, Consumer Credit Protection Act.

This bill:

- addresses the attorney general's power to enforce Title 13, Chapter 44, Consumer Credit Protection Act, including:
 - · investigative powers; and
 - adjudicative powers;
- makes the refusal to comply with certain requests or subpoenas a violation of Title 13, Chapter 44, Consumer Credit Protection Act;
- allows use of the Attorney General Litigation Fund to enforce the chapter; and
- makes technical changes.

Amends 13-44-301, 76-10-922

Effective May 5, 2008

Chapter 29, Laws of Utah 2008

SB 134 Mortgage Fraud Act (Sheldon L. Killpack)

This bill modifies the Utah Criminal Code relating to offenses against property and creating an offense of mortgage fraud.

This bill:

- establishes penalties for certain conduct governed by the Real Estate Appraiser Licensing and Certification Act and the Utah Residential Mortgage Practices Act;
- requires the attorney general to hire a mortgage fraud prosecutor;
- enacts the Mortgage Fraud Act, including:
 - creating the crime of mortgage fraud;
 - establishing penalties; and
 - providing definitions; and
- includes mortgage fraud as an illegal activity under the Pattern of Illegal Activity Act.

Amends 61-2-21, 61-2b-33, 76-10-1602;

Enacts 61-2c-405, 67-5-26, 76-6-1201, 76-6-1202, 76-6-1203, 76-6-1204

Effective May 5, 2008

Chapter 370, Laws of Utah 2008

SB 135 Extending the Sales and Use Tax Exemption for Pollution Control Facilities

(Wayne L. Niederhauser)

This bill extends the sales and use tax exemption for a pollution control facility.

This bill

- makes the sales and use tax exemption for a pollution control facility permanent; and
- makes technical changes.

Amends 19-2-124, 19-2-125

Effective May 5, 2008

Chapter 30, Laws of Utah 2008

SB 136 Apportionment of Business Income and Deduction of Net Losses by an Acquired Corporation (Wayne L. Niederhauser)

This bill amends the Corporate Franchise and Income Taxes chapter and the Individual Income Tax Act relating to the apportionment of business income and the calculation of a net loss deduction by an acquired corporation.

This bill:

- addresses the calculation of a net loss deduction by an acquired corporation;
- for purposes of apportionment of business income, addresses the circumstances under which certain receipts, rents, royalties, or sales are considered to be in this state;
- addresses the apportionment of business income for purposes of the individual income tax;
- makes technical changes.

Amends 59-7-110, 59-7-319, 59-10-118

Effective January 1, 2009

Chapter 105, Laws of Utah 2008

SB 137 Mineral Production Tax Withholding Amendments (Wayne L. Niederhauser)

This bill amends the Mineral Production Tax Withholding Amendments chapter.

This bill:

- defines terms;
- exempts a business entity that files an exemption certificate with the mineral producer and the State Tax Commission from the deduction and withholding requirements of the Mineral Production Tax Withholding chapter;
- allows a business entity to file an exemption certificate if the business entity:
 - files certain tax returns;
 - expects to claim a refund on certain tax returns of at least 75% of the amount that would otherwise be required to be deducted and withheld; and
 - consents to the jurisdiction of the State Tax Commission to enforce certain penalties or amounts required to be deducted and withheld;
- establishes procedures for filing an exemption certificate;
- addresses penalties;
- prohibits a business entity from filing an exemption certificate for five taxable years under certain circumstances;
- addresses return filing requirements for a producer; and
- makes technical changes.

Amends 59-6-101, 59-6-102, 59-6-103;

Enacts 59-6-102.1

Effective July 1, 2008

Chapter 255, Laws of Utah 2008

SB 138 Utah Substance Abuse and Anti-violence Coordinating Council Amendments (D. Chris Buttars)

This bill amends provisions of Title 63, Chapter 25a, Part 2, Utah Substance Abuse and Anti-Violence Coordinating Council.

This bill:

- defines terms;
- modifies the voting membership of the Utah Substance Abuse and Anti-Violence Coordinating Council;
- provides that members of subcommittees of the council shall annually select a chair or co-chairs from among the members of the subcommittee; and
- makes technical changes.

Amends 63-25a-201, 63-25a-205

Effective May 5, 2008

Chapter 31, Laws of Utah 2008

SB 139 Utah Antitrust Act Amendments (Lyle W. Hillyard)

This bill makes a clarifying amendment to the Utah Antitrust Act.

This bill:

clarifies that the assumption that a violator of the act passed costs down the chain of purchasers is subject to the presumption dividing damages.

Amends 76-10-919

Effective May 5, 2008

Chapter 256, Laws of Utah 2008

SB 143 Insurance Financial Requirements (Kevin T. VanTassell)

This bill modifies the Insurance Code to address financial requirements related to insurers or insurance products.

This bill:

- modifies the requirements for when a domestic ceding insurer is allowed credit for reinsurance;
- modifies the requirements for when a foreign ceding insurer is allowed credit for reinsurance or reduction from liability;
- grants rulemaking authority related to credits and reinsurance;
- provides a transition for the modified requirements on credit or reductions from liability;
- modifies what are permitted investments;
- modifies limitations on investments;
- addresses requirements for assumption agreements and reinsurance contracts; and
- makes technical and conforming amendments.

This bill provides revisor instructions.

Amends 31A-2-309, 31A-15-103, 31A-17-404, 31A-18-101, 31A-18-105, 31A-18-106, 31A-20-107, 31A-20-108, 31A-22-1201, 31A-22-1202;

Enacts 31A-17-404.1, 31A-17-404.2, 31A-17-404.3, 31A-17-404.4

Effective July 1, 2008

Chapter 257, Laws of Utah 2008

SB 146 Amendment to Uniform Anatomical Gift Act (Lyle W. Hillyard)

This bill amends the Revised Uniform Anatomical Gift Act.

This bill:

incorporates an amendment adopted by the National Conference of Commissioners on Uniform State Laws which coordinates directions from a patient under an advance health care directive with directions from a patient under a declaration to make an anatomical gift.

Amends 26-28-121

Effective May 5, 2008

Chapter 32, Laws of Utah 2008

SB 147 Candidate Filing Requirements (Peter C. Knudson)

This bill modifies the Election Code by amending declaration of candidacy provisions for candidates claiming impecuniosity.

This bill:

- prohibits a person from claiming that the person is unable to pay a candidate filing fee when that person is able to pay;
- allows a filing clerk to request a financial statement from an individual who files an affidavit of impecuniosity;
- ▶ adds the language "under penalty of law for false statements" to the affidavit of impecuniosity, which is used by candidates claiming they are unable to pay the candidate filing fee;
- provides that a person may be removed from the ballot if the person is convicted of filing a false statement in relation to an affidavit of impecuniosity or a financial statement;
- requires a filing clerk to provide a notice of the penalties for making a false statement; and
- makes technical changes.

Amends 20A-9-201

Effective February 26, 2008

Chapter 11, Laws of Utah 2008

SB 148 Enforcement of Front License Plate Display Requirement Amendments (Sheldon L. Killpack)

This bill modifies the Motor Vehicles Code by amending provisions relating to license plate display requirements.

This bill:

provides that enforcement of the requirement to display a license plate on the front of a vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of another offense by any person in the vehicle.

Amends 41-1a-404

Effective May 5, 2008

Chapter 106, Laws of Utah 2008

SB 149 Motor Vehicle Liability Policy Minimum Limits (Sheldon L. Killpack)

This bill modifies the Insurance Code by amending provisions relating to motor vehicle liability coverage policy limits.

This bill:

- amends the definition of owner's and operator's security to clarify that certain motor vehicle insurance policies issued or renewed prior to January 1, 2009 satisfy the owner's or operator's security requirement;
- increases the minimum policy limits for motor vehicle liability coverage; and
- makes technical changes.

This bill provides revisor instructions.

Amends 31A-22-304, 41-12a-103, 41-12a-306, 41-12a-405

Effective January 1, 2009

Chapter 371, Laws of Utah 2008

SB 150 Criminal Penalties Revisions (Scott K. Jenkins)

This bill amends provisions of the Utah Criminal Code relating to criminal penalties.

This bill:

- provides that attempt to commit a felony punishable by imprisonment for life without parole is a first degree felony;
- provides that a person who is convicted of aggravated murder, based on an aggravating circumstance that also constitutes a separate offense, may also be convicted of, and punished for, the separate offense;
- provides that a person who is convicted of murder, based on a predicate offense that also constitutes a separate offense, may also be convicted of, and punished for, the separate offense: and
- makes technical changes.

Amends 76-4-102, 76-5-202, 76-5-203, 76-8-316

Effective February 26, 2008

Chapter 12, Laws of Utah 2008

SB 151 Trademark Protection Act Amendments (Dan R. Eastman)

This bill makes changes to Title 70, Chapter 3a, Registration and Protection of Trademarks and Service Marks Act.

This bill:

- eliminates provisions allowing registration and enforcement of an electronic service mark;
- addresses the establishment, maintenance, and funding of a database allowing electronic registration and administration of trademarks and service marks; and
- makes technical changes.

Amends 70-3a-103, 70-3a-203, 70-3a-302, 70-3a-304, 70-3a-305, 70-3a-306, 70-3a-402, 70-3a-501, 70-3a-502

Effective May 5, 2008

Chapter 258, Laws of Utah 2008

SB 152 Presumptive Personal Representative (Gregory S. Bell)

This bill defines presumptive personal representative.

This bill:

provides that presumptive personal representatives may present and resolve claims for wrongful death, liability, and uninsured motorist claims.

Enacts 78B-3-106.5

Effective May 5, 2008

Chapter 259, Laws of Utah 2008

SB 155 Punitive Damages Amendments (Lyle W. Hillyard)

This bill makes clarifying amendments to the punitive damages statute.

This bill:

- requires that a court enter a judgment for punitive damages on behalf of the injured party and the state;
- ▶ changes the initial amount for the injured party from \$20,000 to \$50,000;
- sets priorities for collection of judgments and attorney fees and costs;
- specifies that the state may use all methods at its disposal to collect its judgment; and
- makes technical changes.

Amends 78B-8-201

Effective May 5, 2008

Chapter 260, Laws of Utah 2008

SB 156 Utah Relocation Assistance Act Amendments (Lyle W. Hillyard)

This bill addresses relocation assistance payments to a person displaced by an agency's acquisition of real property.

This bill:

- requires relocation assistance payments to certain persons displaced by an agency's acquisition of real property;
- addresses the amount of relocation assistance required;
- provides for a statutory payment in lieu of any payment authorized by an agency's rules; and
- makes technical changes.

Amends 57-12-4

Effective May 5, 2008

Chapter 261, Laws of Utah 2008

SB 157 Rights of Citizens to Carry Firearms in Declared Emergency (Mark B. Madsen)

This bill enacts provisions related to the lawful possession, transfer, sale, transport, storage, display, or use of firearms during a declared state of emergency or local emergency.

This bill:

- provides that during a declared state of emergency or local emergency neither the governor nor an agency of a governmental entity or political subdivision may impose restrictions on the lawful possession, transfer, sale, transport, storage, display, or use of a firearm or ammunition:
- provides that during a declared state of emergency an individual, while acting or purporting to act on behalf of the state or a political subdivision, may not confiscate a privately owned firearm of another individual;
- provides exceptions to the confiscation prohibition; and
- provides a civil remedy for violation of the confiscation prohibition.

Enacts 63-5a-12

Effective May 5, 2008

Chapter 262, Laws of Utah 2008

SB 158 Governor's Rural Partnership Board and Rural Coordinating Committee Amendments (Dennis E. Stowell)

This bill modifies provisions of the Statewide Rural Boards and Committees chapter of the State Commissions and Councils Code regarding the membership of the Governor's Rural Partnership Board and the Rural Coordinating Committee.

This bill:

- ▶ increases the membership of the Governor's Rural Partnership Board from 11 to 15 members to include a rural representative of agriculture, a rural representative of the travel industry, a representative of rural utilities, and a representative from the oil, gas, or mineral extraction industry;
- provides that the chair, rather than the director, of the Utah Rural Development Council is a member of the Rural Coordinating Committee; and
- makes certain technical changes.

Amends 63C-10-102, 63C-10-201

Effective May 5, 2008

Chapter 33, Laws of Utah 2008

SB 159 Workers' Compensation Amendments (Dan R. Eastman)

This bill modifies provisions related to workers' compensation.

This bill:

- modifies provisions related to workers' compensation and a workers' compensation coverage waiver;
- modifies provisions related to workers' compensation insurance fraud; and
- makes technical and conforming amendments.

Amends 31A-21-104, 31A-22-501.1, 34A-2-103, 34A-2-110;

Enacts 31A-22-1011

Effective May 5, 2008

Chapter 263, Laws of Utah 2008

SB 161 Advance Health Care Directive Amendments (Allen M. Christensen)

This bill amends the Advance Health Care Directive Act.

This bill:

- defines terms:
- describes the standard to be used by a surrogate in making a health care decision on behalf of a person who no longer has capacity to make the person's own health care decisions;
- replaces the physician order for life sustaining treatment form with a life with dignity order and establishes procedures and requirements relating to the order;
- describes who may witness the making or revocation of an advance health care directive;
- modifies provisions related to default surrogates, including:
 - · the order of priority among potential surrogates; and
 - witnessing the disqualification of a default surrogate;
- modifies the optional form for an advance health care directive;
- describes the reciprocal applicability of an advance health care directive made before the effective date of this bill; and
- makes technical changes.

Amends 75-2a-102, 75-2a-103, 75-2a-104, 75-2a-105, 75-2a-107, 75-2a-108, 75-2a-109, 75-2a-110, 75-2a-111, 75-2a-112, 75-2a-113, 75-2a-114, 75-2a-115, 75-2a-117, 75-2a-118, 75-2a-119, 75-2a-121, 75-2a-122, 75-2a-123, 75-2a-124;

Enacts 75-2a-125;

Repeals and Reenacts 75-2a-106

Effective May 5, 2008

Chapter 107, Laws of Utah 2008

SB 162 Federal Education Agreement Requirements (Margaret Dayton)

This bill requires gubernatorial and legislative approval for certain federal education agreements that implement federal programs.

This bill:

- provides definitions;
- requires gubernatorial, Legislative Management Committee, or legislative approval for certain federal education agreements that implement federal programs; and
- authorizes the governor or the Legislature to void federal education agreements lacking proper approval.

Amends 53A-1-902;

Enacts 53A-1-905, 53A-1-906, 53A-1-907, 53A-1-908

Effective May 5, 2008

Chapter 264, Laws of Utah 2008

SB 163 Certified Public Accountant Licensing Act Amendments (Curtis S. Bramble)

This bill modifies provisions of the Certified Public Accountant Licensing Act related to exemptions from licensure to practice public accountancy in this state.

This bill:

- modifies the licensure by endorsement provisions for a certified public accountant by limiting its application to only those persons seeking to obtain a license issued by the state;
- provides a mobility provision for licensed certified public accountants by creating an exemption from licensure for a person licensed as a certified public accountant by any other state, district, or territory of the United States whose principal place of business is not in Utah, and:
 - who is licensed from a state which the National Association of State Boards of Accountancy National Qualification Appraisal Service has verified to be substantially equivalent to the CPA licensure requirements of the Uniform Accountancy Act; or
 - is from a state not verified by the National Qualification Appraisal Service, but the person
 is able to obtain that verification from the service and meet other requirements as a
 condition for receiving the exemption;
- modifies certified public accountancy unlawful conduct and unprofessional conduct provisions;
- eliminates obsolete transition provisions for education and licensure and updates professional and technical definitions; and
- makes certain technical changes.

Amends 58-26a-102, 58-26a-302, 58-26a-304, 58-26a-305, 58-26a-501, 58-26a-502

Effective May 5, 2008

Chapter 265, Laws of Utah 2008

SB 164 Computer Assisted Remote Hunting Prohibited (Michael G. Waddoups)

This bill prohibits the use of a computer or other device to remotely hunt an animal.

This bill:

prohibits the use of a computer or other device to remotely hunt an animal.

Enacts 23-13-18

Effective May 5, 2008

Chapter 34, Laws of Utah 2008

SB 165 Alcoholic Beverage Single Event Permits (Scott D. McCoy)

This bill modifies the Alcoholic Beverage Control Act to address single event permits.

This bill:

- allows for single event permits of differing lengths of time;
- addresses the number of single event permits that may be issued to the same person in a calendar year;
- addresses the application for a single event permit;
- provides for a transition; and
- makes technical changes.

Amends 32A-7-101, 32A-7-102

Effective May 5, 2008

Chapter 108, Laws of Utah 2008

SB 167 Alcoholic Beverages on Election Day (Scott D. McCoy)

This bill modifies provisions related to when alcoholic beverages may be sold, delivered, offered, served, or otherwise furnished.

This bill:

- addresses operational restrictions related to certain package agencies, permits, and licenses imposed on the basis that an action occurs on an election day; and
- makes technical changes.

Amends 32A-3-106, 32A-4-106, 32A-4-307, 32A-4-406, 32A-5-107, 32A-7-106

Effective May 5, 2008

Chapter 266, Laws of Utah 2008

SB 168 Highway Funding Amendments (Dennis E. Stowell)

This bill modifies the Transportation Code by amending provisions relating to highway funding.

This bill:

- provides that \$500,000 of the 30% appropriated from the Transportation Fund to the class B and class C roads account shall be transferred to the Department of Transportation to be used as nonlapsing dedicated credits for the State Park Access Highways Improvement Program;
- amends apportionment provisions for the distribution of class B and class C roads account funds; and
- makes technical changes.

Amends 72-2-107, 72-2-108

Effective July 1, 2008

Chapter 109, Laws of Utah 2008

SB 170 Board of Water Resources Amendments (Dennis E. Stowell)

This bill amends provisions regarding the financing of a water project.

This bill:

- defines terms;
- allows the Board of Water Resources to:
 - accept a bond from private sponsors in lieu of taking title to a project;
 - give preference to a project that benefits the state or a political subdivision; and
 - · consider market conditions and other factors when establishing an interest rate; and
- makes technical changes.

Amends 73-10-26, 73-10-27, 73-10-28

Effective May 5, 2008

Chapter 267, Laws of Utah 2008

SB 171 Repeal of Certain Reporting by Financial Institutions (Kevin T. VanTassell)

This bill modifies the Utah Criminal Code to repeal certain provisions regarding reporting.

This bill:

- repeals reporting requirements imposed on financial institutions;
- addresses interceptions related to certain reporting; and
- makes technical and conforming amendments.

Amends 7-1-1001, 76-10-1906, 77-23a-8

Effective May 5, 2008

Chapter 268, Laws of Utah 2008

SB 174 Dentist and Dental Hygienist Practice Act Amendments (Peter C. Knudson)

This bill eliminates foreign accreditations for dentists and hygienists to obtain a license in Utah.

This bill:

repeals the authorization allowing licensure of dentist and dental hygienists who received degrees outsides the United States.

Amends 58-69-302

Effective May 5, 2008

Chapter 269, Laws of Utah 2008

SB 176 Unemployment Insurance Contribution Rates Amendments (Howard A. Stephenson)

This bill modifies provisions of the Employment Security Act regarding the determination of employer contribution rates in relation to the social contribution rate, adequate reserve, and overall contribution rate.

This bill:

- provides that beginning January 1, 2009, the Unemployment Insurance Division of the Department of Workforce Services shall calculate the social contribution rate to four decimal places, rounded to three decimal places if the fourth decimal place is .0004 or less or rounding up to the next higher number if the fourth decimal place is .0005 or more;
- ▶ defines adequate reserve, beginning January 1, 2009, as between 18 and 24 months of benefits at the average of the five highest benefit cost rates in the last 25 years; and
- makes certain technical changes.

Amends 35A-4-303

Effective May 5, 2008

Chapter 110, Laws of Utah 2008

SB 177 Local Government Disposal of Real Property Acquired by Exaction (Wayne L. Niederhauser)

This bill modifies county and municipal land use, development, and management provisions.

This bill:

extends from five years to 15 years the period of time that a county or municipality must own surplus real property acquired by exaction before the county or municipality is no longer subject to a requirement that the county or municipality offer to reconvey the property to the original owner.

Amends 10-9a-508, 17-27a-507

Effective May 5, 2008

Chapter 35, Laws of Utah 2008

SB 179 Salvage Vehicle Amendments (Carlene M. Walker)

This bill modifies the Motor Vehicle Act by amending provisions relating to salvage vehicles.

This bill:

- requires the Motor Vehicle Division to issue an insurance company a salvage certificate no sooner than 30 days from the date of settlement if the insurance company:
 - declares a vehicle a salvage vehicle:
 - issues settlement payment to the registered owner of the vehicle;
 - has contacted the owner of the vehicle at least two times requesting certificate of title or other evidence of ownership and the owner of the vehicle has not responded; and
 - provides certain evidence to the Motor Vehicle Division;
- requires the Motor Vehicle Division to issue an insurance company a salvage certificate no sooner than 30 days from receipt of an improperly endorsed certificate of title if the insurance company:
 - declares a vehicle a salvage vehicle;
 - has contacted the owner of the vehicle at least two times requesting correction of the improperly endorsed certificate of title and the owner of the vehicle has not responded; and
 - provides certain evidence to the Motor Vehicle Division;
- grants the Motor Vehicle Division rulemaking authority to establish the requirements for an insurance company to receive a salvage certificate in certain circumstances; and
- makes technical changes.

Amends 41-1a-1005

Effective May 5, 2008

Chapter 270, Laws of Utah 2008

SB 180 Regents' Scholarship Program (Lyle W. Hillyard)

This bill establishes the Regents' Scholarship Program to award merit scholarships to students who complete a rigorous core course of study in high school.

This bill:

- modifies New Century Scholarship provisions;
- establishes the Regents' Scholarship Program, including:
 - a base scholarship and supplemental scholarship awards; and
 - · scholarship qualifications, amounts, and procedures;
- establishes a Regents' Diploma Endorsement;
- requires the State Board of Regents to make certain policies; and
- makes certain appropriations nonlapsing.

This bill appropriates:

- ▶ for fiscal year 2008-09 only, \$500,000 from the Education Fund to the State Board of Regents; and
- ▶ as an ongoing appropriation subject to future budget constraints, \$400,000 from the Education Fund for fiscal year 2008-09 to the State Board of Regents.

Amends 53B-8-105;

Enacts 53B-8-108, 53B-8-109, 53B-8-110, 53B-8-111

Effective July 1, 2008

Chapter 271, Laws of Utah 2008

SB 181 Off-highway Vehicle Use on Public Highways (Scott K. Jenkins)

This bill modifies the Insurance Code and the Motor Vehicles Code by amending provisions governing the use of off-highway vehicles on public highways.

This bill:

- provides definitions;
- exempts insurance policies purchased to satisfy the owner's or operator's security requirement for an off-highway vehicle or street-legal all-terrain vehicle from the requirement to include personal injury protection on the policy;
- authorizes a person to operate a street-legal all-terrain vehicle on certain highways;
- defines the registration, equipment, taxation, licensing, and other requirements for an all-terrain vehicle to operate as a street-legal all-terrain vehicle;
- authorizes a municipality or county to designate a highway under its respective jurisdiction as open to street-legal all-terrain vehicle use, general off-highway vehicle use, or limited off-highway vehicle use; and
- makes technical changes.

Amends 31A-22-302, 41-1a-202, 41-1a-205, 41-6a-102, 41-6a-1601, 41-8-1, 41-12a-301, 41-22-2, 41-22-9, 41-22-10.3, 41-22-10.5, 53-8-205;

Enacts 41-6a-1509

Effective October 1, 2008

Chapter 36, Laws of Utah 2008

SB 184 Child Care Licensing Exemptions (Jon J. Greiner)

This bill recodifies the Utah Child Care Licensing Act and provides exemptions from the act.

This bill:

- defines terms;
- recodifies the Utah Child Care Licensing Act;
- amends provisions relating to the reimbursement for expenses of members of the Child Care Licensing Advisory Committee;
- describes persons who are exempt from the requirements of the Utah Child Care Licensing Act;
- requires persons who are expressly exempt from the requirements of the Utah Child Care Licensing Act to conduct criminal background checks on their employees who have access to qualifying children; and
- makes technical changes.

Amends 26-39-102, 63-2-304, 78A-6-209, 78A-6-323;

Enacts 26-39-202;

Renumbers and Amends 26-39-103 to 26-39-201, 26-39-104 to 26-39-301, 26-39-105 to 26-39-401, 26-39-105.5 to 26-39-402, 26-39-106 to 26-39-403, 26-39-107 to 26-39-404, 26-39-108 to 26-39-601, 26-39-109 to 26-39-501, 26-39-110 to 26-39-602

Effective May 5, 2008

Chapter 111, Laws of Utah 2008

SB 185 Economic Incentive Revisions (Lyle W. Hillyard)

This bill modifies procedures, requirements, and economic incentives relating to certain new economic development projects in Utah.

This bill:

- reenacts and modifies statutes governing the Governor's Office of Economic Development's process and criteria for granting economic incentives to business entities for new commercial projects in Utah;
- replaces economic incentives in the form of cash payments with economic incentives in the form of tax credits to business entities that qualify;
- requires certain reports to legislative interim committees and details their contents;
- requires a study by the Utah Tax Review Commission and details its requirements;
- repeals conflicting sections contained in existing law; and
- makes technical corrections.

This bill provides an effective date and provides for retrospective operation.

Enacts 59-7-614.2, 59-10-1107, 63M-1-2401, 63M-1-2402, 63M-1-2403, 63M-1-2404, 63M-1-2405, 63M-1-2406, 63M-1-2407, 63M-1-2408;

Repeals 63-38f-1301, 63-38f-1302, 63-38f-1303, 63-38f-1304, 63-38f-1305, 63-38f-1306, 63-38f-1307, 63-38f-1308, 63-38f-1309, 63-38f-1701, 63-38f-1702, 63-38f-1703, 63-38f-1704, 63-38f-1705, 63-38f-1706

Effective May 5, 2008

Chapter 372, Laws of Utah 2008

SB 186 Custody and Parent-time for Non-parents (Lyle W. Hillyard)

This bill allows persons who are related to a child and have assumed the role of parent to petition the court for custody or visitation.

This bill:

- defines "person other than a parent" as a person who is related to a child;
- provides a procedure for a person other than a parent to gain custody or visitation;
- requires notice to a parent, guardian, or state agency with an interest; and
- provides that it may not be used against a person serving in the military who is outside the state.

Enacts 30-5a-101, 30-5a-102, 30-5a-103

Effective May 5, 2008

Chapter 272, Laws of Utah 2008

SB 187 Bail in Capital Offense Cases (Jon J. Greiner)

This bill modifies the Code of Criminal Procedure regarding bail in aggravated murder cases.

This bill:

provides that a charge of aggravated murder is considered a capital felony and not subject to bail unless the prosecutor files a notice that the death penalty will not be sought, or the time for filing the notice has passed.

Amends 77-20-1

Effective March 18, 2008

Chapter 373, Laws of Utah 2008

SB 189 Independent Contractor Database (Dan R. Eastman)

This bill modifies provisions related to commerce to provide for the creation of a database related to independent contractors.

This bill:

- enacts the Independent Contractor Database Act, including:
 - defining terms;
 - · limiting the scope of the chapter;
 - creating an Independent Contractor Enforcement Council and establishing its duties;
 - discussing study items including coordination with the Uninsured Motorist Identification Database;
 - requiring reporting;
 - · requiring the creation of a database;
 - addressing confidentiality of the information in the database; and
 - limiting liability;
- provides a repeal date for the Independent Contractor Database Act; and
- makes technical amendments.

Amends 63-55-213;

Enacts 13-46-101, 13-46-102, 13-46-103, 13-46-201, 13-46-202, 13-46-301, 13-46-302, 13-46-303

Effective May 5, 2008

Chapter 273, Laws of Utah 2008

SB 191 Judicial Conduct Commission Amendments (Gene Davis)

This bill allows the Judicial Conduct Commission to decline to investigate certain complaints.

This bill:

allows the Judicial Conduct Commission to decline to investigate any complaint that is received more than four years after the act or omission that constitutes the misconduct unless the complaint alleges criminal misconduct.

Amends 78A-11-109

Effective May 5, 2008

Chapter 274, Laws of Utah 2008

SB 192 Sex Offense Amendments (Jon J. Greiner)

This bill modifies the Criminal Code regarding sexual activity between minors and unlawful sexual conduct with minors.

This bill:

amends the offense of unlawful sexual conduct with a 16 or 17 year old to include the taking of indecent liberties.

Amends 76-5-401.2

Effective May 5, 2008

Chapter 275, Laws of Utah 2008

SB 193 Election Law Changes (Peter C. Knudson)

This bill modifies the Election Code by amending certain election offense, penalty, and residency provisions.

This bill:

- amends the penalty for bribing a voter or accepting a bribe as a voter to a third degree felony;
- amends the penalty for fraudulently voting or interfering with an election to a class A misdemeanor;
- amends the penalty for willfully hindering voting to a class C misdemeanor;
- requires that a person who applies for voter registration must reside within the voting district or precinct in which the person applies to register to vote;
- clarifies that a person resides in a voting precinct if the person's principal place of residence is in the voting precinct;
- replaces the term "qualified and entitled" with the term "eligible" when describing a person who may register to vote;
- ▶ amends the penalty for voting in another person's name to a class A misdemeanor; and
- makes technical changes.

Amends 20A-1-601, 20A-1-602, 20A-1-603, 20A-1-604, 20A-1-606, 20A-2-101, 20A-2-105, 20A-2-201, 20A-2-401, 20A-3-101, 20A-3-505

Effective May 5, 2008

Chapter 276, Laws of Utah 2008

SB 196 County and Municipal Land Use Amendments (Wayne L. Niederhauser)

This bill modifies provisions relating to county and municipal land use, development, and management.

This bill:

- prohibits counties and municipalities from imposing a requirement on the holder of an approved subdivision plat that is not expressed in the plat, documents on which the plat is based, or the written record evidencing approval of the plat;
- prohibits counties and municipalities from imposing a requirement on the holder of an issued land use permit that is not expressed in the written record evidencing approval of the land use permit;
- prohibits counties and municipalities from withholding acceptance of subdivision improvements because of a failure to comply with a requirement that is not expressed in the subdivision plat, documents on which the plat is based, or the written record evidencing approval of the plat;
- prohibits counties and municipalities from withholding issuance of a certificate of occupancy because of a failure to comply with a requirement that is not expressed in the written record evidencing approval of the building permit;
- requires county and municipal land use authorities to determine, with reasonable diligence, whether a subdivision improvement or warranty work meets adopted standards;
- provides a process for an applicant to make a written request to a land use authority to accept or reject subdivision improvements or warranty work and a timetable in which the land use authority must respond;
- authorizes counties and municipalities to allow subdivision plat recording or development activity before completing required improvements if an improvement assurance is provided and other conditions met; and
- makes technical changes.

Amends 10-9a-103, 10-9a-509, 10-9a-509.5, 17-27a-103, 17-27a-508, 17-27a-509.5;

Enacts 10-9a-604.5, 17-27a-604.5

Effective May 5, 2008

Chapter 112, Laws of Utah 2008

SB 198 Child Support Technical Amendments (Gregory S. Bell)

This bill makes technical and clarifying amendments to child support orders.

This bill:

- clarifies that certain child support tables shall be used for a modification of final orders made on or before December 31, 2009; and
- provides that other child support tables shall be used to:
 - modify temporary orders established on or before December 31, 2007, if the new order is entered on or after January 1, 2008; or
 - modify a final order entered on or before December 31, 2007, if the modification is made on or after January 1, 2010.

Amends 78B-12-301, 78B-12-302

Effective March 13, 2008

Chapter 37, Laws of Utah 2008

SB 200 Professional Engineers Licensing Amendments (Fred J. Fife)

This bill modifies the Professional Engineers and Land Surveyors Licensing Act by further distinguishing between the practice of professional engineering and the practice of structural engineering.

This bill:

- modifies the definition of the practice of structural engineering;
- restricts professional engineers from practicing in the areas defined for structural engineers;
- exempts applicants for licensure as a professional structural engineer from examination requirements under certain circumstances, until January 1, 2009; and
- provides an expert witness exemption for persons licensed outside the state of Utah.

Amends 58-22-102, 58-22-302, 58-22-305, 58-22-501

Effective May 5, 2008

Chapter 277, Laws of Utah 2008

SB 202 Energy Resource and Carbon Emission Reduction Initiative (Curtis S. Bramble)

This bill provides that an electrical corporation or municipal electric utility maintain a percentage of electricity sold in the form of renewable energy resources and makes other changes concerning the acquisition of energy resources.

This bill:

- addresses independent and qualifying power producers;
- addresses the application of Title 54, Chapter 17, Energy Resource Procurement Act, to certain renewable energy resources;
- defines terms;
- provides that 20% of an electrical corporation's or municipal electric utility's adjusted retail electric sales beginning in the year 2025 come from qualifying electricity, including renewable energy resources, if cost effective;
- provides for the issuance and recognition of a renewable energy certificate for certain electrical generation and actions by an energy user;
- requires plans and reports concerning an electrical corporation's or municipal electric utility's progress in acquiring qualifying electricity;
- addresses cost recovery for certain energy resources;
- requires certain state agencies to make rules concerning carbon capture and geological storage of captured carbon emissions; and
- makes technical changes.

Amends 54-2-1, 54-12-1, 54-12-2, 54-12-3, 54-17-201, 54-17-302, 54-17-303;

Enacts 10-19-101, 10-19-102, 10-19-201, 10-19-202, 10-19-301, 10-19-302, 54-17-502, 54-17-601, 54-17-602, 54-17-603, 54-17-604, 54-17-605, 54-17-606, 54-17-607, 54-17-701

Effective March 18, 2008

Chapter 374, Laws of Utah 2008

SB 205 Uniform Interstate Depositions and Discovery Act (Lyle W. Hillyard)

This bill establishes a process for a party residing in another state that is involved in a civil case in Utah to issue and serve subpoenas in Utah.

This bill:

- establishes definitions and defines the scope of the bill;
- authorizes issuance and service of subpoenas by out-of-state parties under certain circumstances:
- clarifies the application of certain Utah statutes and court rules relating to issuance, service, and enforcement of subpoenas;
- establishes criteria for interpreting and applying this uniform law; and
- establishes May 5, 2008 as the date when this uniform law applies to discovery requests in pending cases.

Enacts 78B-17-101, 78B-17-102, 78B-17-103, 78B-17-201, 78B-17-202, 78B-17-203, 78B-17-204, 78B-17-301, 78B-17-302

Effective May 5, 2008

Chapter 278, Laws of Utah 2008

SB 208 Transportation Corridor Preservation Amendments (Sheldon L. Killpack)

This bill modifies the Municipal Land Use, Development, and Management Act, the County Land Use, Development, and Management Act, and the Transportation Code by amending provisions relating to transportation corridor preservation.

This bill:

- authorizes the Department of Transportation to identify and the Transportation Commission to approve transportation corridors as high priority transportation corridors;
- requires the Department of Transportation to notify a municipality or county if a high priority transportation corridor is located within the boundaries of a municipality or county;
- requires a municipality or county to notify the executive director of the Department of Transportation if the municipality receives a land use application that relates to land located within the boundaries of a high priority transportation corridor;
- provides that a municipality or county may not approve certain land use applications until a certain time after notifications have been received by the Department of Transportation if a land use application relates to land located within the boundaries of a high priority transportation corridor with an exception;
- provides that an applicant for a land use application is not entitled to receive approval of certain land use applications until a certain time after notifications have been received by the executive director of the Department of Transportation with an exception; and
- makes technical changes.

Amends 10-9a-509, 17-27a-508, 72-5-403

Effective May 5, 2008

Chapter 279, Laws of Utah 2008

SB 209 Methamphetamine Decontamination Standards and Funding (D. Chris Buttars)

This bill addresses the decontamination of property exposed to methamphetamine.

This bill:

- defines terms;
- requires the Department of Health to adopt standards for methamphetamine decontamination:
- requires local health departments to follow standards adopted by the Department of Health in administering Title 19, Chapter 6, Part 9, Illegal Drug Operations Site Reporting and Decontamination Act;
- requires the Department of Health to conduct a public education campaign concerning the health risks of methamphetamine contamination; and
- makes technical amendments.

This bill appropriates:

▶ \$178,500 from the General Fund for fiscal year 2008-09 only, to the Department of Health.

Amends 19-6-902;

Enacts 26-49-101, 26-49-201, 26-49-202

Effective May 5, 2008

Chapter 38, Laws of Utah 2008

SB 211 Alcoholic Beverage Control Amendments (Curtis S. Bramble)

This bill modifies the Alcoholic Beverage Control Act.

This bill:

- modifies definition provisions;
- addresses presentation of proof of age;
- enacts the Malted Beverage Act, including:
 - providing for the treatment of a flavored malt beverage as a liquor;
 - addressing approval of the label and packaging of a malt beverage; and
 - providing transition protections;
- enacts provisions related to criminal background checks;
- addresses proximity restrictions;
- addresses markups;
- adjusts quota requirements for licenses;
- addresses the dispensing of spirituous liquor;
- addresses the amount of spirituous liquor that may be before a patron or attendee;
- prohibits conduct related to controlled substances and drug paraphernalia;
- modifies requirements related to price lists and private clubs;
- establishes requirements related to the display of beer;
- expands provisions prohibiting operation without a license or permit; and
- makes technical and conforming amendments.

This bill appropriates:

▶ as an ongoing appropriation subject to future budget constraints, \$1,589,100 from the Liquor Control Fund for fiscal year 2008-09 to the Division of Substance Abuse and Mental Health within the Department of Human Services.

Amends 32A-1-105, 32A-1-116, 32A-1-119, 32A-1-122, 32A-1-302, 32A-1-304, 32A-2-101, 32A-3-101, 32A-3-102, 32A-4-101, 32A-4-102, 32A-4-104, 32A-4-106, 32A-4-206, 32A-4-302, 32A-4-303, 32A-4-305, 32A-4-307, 32A-4-401, 32A-4-402, 32A-4-406, 32A-5-101, 32A-5-102, 32A-5-104, 32A-5-107, 32A-7-101, 32A-7-106, 32A-8-101, 32A-8-401, 32A-8-501, 32A-8-503, 32A-8-505, 32A-10-101, 32A-10-102, 32A-10-201, 32A-10-202, 32A-10-204, 32A-10-206, 32A-10-306, 32A-11-106, 32A-12-212, 32A-12-222, 32A-12-301, 32A-12-307, 32A-12-603, 53-10-102, 76-5-113;

Enacts 32A-1-701, 32A-1-702, 32A-1-703, 32A-1-704, 32A-1-801, 32A-1-802, 32A-1-803, 32A-1-804, 32A-1-805, 32A-1-806, 32A-1-807, 32A-1-808, 32A-1-809

Effective May 5, 2008

Chapter 391, Laws of Utah 2008

SB 220 Cause of Action for Defective Construction (Curtis S. Bramble)

This bill creates limitations on a cause of action for defective construction.

This bill:

- limits a cause of action for defective construction to a breach of contract action, unless there is certain other property damage, personal injury, or an intentional or willful breach of a legal duty; and
- addresses who may bring an action for defective construction.

Enacts 78B-4-512

Effective May 5, 2008

Chapter 280, Laws of Utah 2008

SB 221 Capital Development and Improvement Amendments (Lyle W. Hillyard)

This bill modifies requirements governing capital developments and capital improvements.

This bill:

- requires the State Building Board's report on capital improvements to contain certain information about single and multiple capital improvement projects;
- authorizes the State Building Board to phase fund certain capital improvement projects if it first obtains legislative approval; and
- makes technical corrections.

Amends 63A-5-104

Effective May 5, 2008

Chapter 281, Laws of Utah 2008

SB 224 Coal Mine Safety Act (Mike Dmitrich)

This bill modifies provisions related to mines and mining to enact the Coal Mine Safety Act.

This bill:

- defines terms;
- establishes the scope and administration of the chapter;
- addresses rulemaking;
- creates the Utah Office of Coal Mine Safety;
- provides for the appointment of the director;
- creates the Mine Safety Technical Advisory Council and establishes its duties;
- establishes the commission's and office's duties related to safety conditions;
- addresses the reporting of safety conditions in coal mines;
- requires annual reports on safety by the commission, office, and council;
- provides for the commission by rule to require certification and recertification of other coal mine occupations including the certification of a new coal miner; and
- makes technical and conforming amendments.

Amends 34A-1-202;

Enacts 40-2-101, 40-2-102, 40-2-103, 40-2-201, 40-2-202, 40-2-203, 40-2-301, 40-2-302, 40-2-303;

Renumbers and Amends 40-2-1.1 to 40-2-104, 40-2-14 to 40-2-204, 40-2-15 to 40-2-402, 40-2-16 to 40-2-401

Effective May 5, 2008

Chapter 113, Laws of Utah 2008

SB 225 Gubernatorial and Legislative Space in the Capitol (Curtis S. Bramble)

This bill amends and enacts provisions regarding the governor's and the Legislature's space in the State Capitol.

This bill:

- amends and enacts provisions regarding the governor's space in the State Capitol;
- amends provisions relating to legislative space to make conforming changes;
- amends provisions relating to the shared governor area and legislative area;
- amends and enacts provisions regarding sharing certain governor area with the State Capitol Preservation Board; and
- makes technical amendments.

Amends 36-5-1 (Effective 08/01/08), 36-5-1 (Superseded 08/01/08), 63C-9-301, 63C-9-402, 63C-9-703;

Enacts 67-1-16

Effective February 20, 2008

Chapter 10, Laws of Utah 2008

SB 228 Regulation of Wells (Margaret Dayton)

This bill amends and repeals provisions relating to the regulation of water well drilling.

This bill:

- defines terms;
- authorizes the state engineer to commence an enforcement action against a person that:
 - fails to file a well driller report; or
 - drills a well without a license;
- authorizes the state engineer to make rules to:
 - establish enforcement procedures for failure to meet construction standards;
 - set a fine amount; and
 - establish well driller report requirements;
- authorizes the state engineer to retain the money from a fine for inspection, enforcement, and education;
- combines three sections into one section; and
- makes technical corrections.

Amends 58-55-305, 73-2-25, 73-3-25, 73-3b-208;

Repeals 73-3-22, 73-3-24

Effective May 5, 2008

Chapter 282, Laws of Utah 2008

SB 231 Transportation Governance (Sheldon L. Killpack)

This bill modifies the Public Transit District Act by amending provisions relating to public transit district governance.

This bill:

- for a public transit district that has 200,000 or more people residing within its boundaries:
 - increases the number of members on the board of trustees; and
 - changes the Transportation Commission member on the board of trustees from a nonvoting, ex officio member to a voting member;
- creates an internal auditor public transit district officer that is appointed by the board of trustees;
- provides that the person appointed as the internal auditor shall be a licensed certified internal auditor or certified public accountant and meet certain experience requirements;
- requires the board of trustees of a public transit district to:
 - direct the internal auditor to conduct internal audits that the board of trustees determines are critical to the success of the organization; and
 - hear audit reports of the audits conducted as directed by the board; and
- makes technical changes.

Amends 17B-2a-807, 17B-2a-808, 17B-2a-810, 72-1-303

Effective July 1, 2008

Chapter 39, Laws of Utah 2008

SB 235 Human Remains Related Amendments (Kevin T. VanTassell)

This bill modifies the Native American Grave Protection and Repatriation Act.

This bill:

- defines terms;
- provides for administrative resolution of claims for Native American remains before an action may be filed in court;
- exempts certain actions from the Administrative Procedures Act; and
- makes technical and conforming amendments.

Amends 9-9-402, 9-9-403, 9-9-405, 9-9-406, 63-38f-415

Effective May 5, 2008

Chapter 114, Laws of Utah 2008

SB 236 Judiciary Amendments (Lyle W. Hillyard)

This bill makes technical changes to the judiciary statutes and conforming changes throughout the code.

This bill:

- clarifies requirements for judicial review of an order of restriction in situations which may pose a threat to public health;
- clarifies that the district court has appellate jurisdiction over justice and small claims court decisions;
- clarifies juvenile court jurisdiction;
- eliminates the requirement that the petitioner on a child protective order notify the court of their current address 30 days before the expiration date;
- sets a specific time period for a child protective order; and
- clarifies justice court jurisdiction over minors.

Amends 10-3-1106, 26-6b-3, 26-6b-3.3, 26-6b-3.4, 26-6b-4, 26-6b-5, 26-6b-6, 78A-5-102, 78A-6-103, 78A-7-106, 78B-7-204, 78B-7-205;

Repeals 78A-7-107

Effective May 5, 2008

Chapter 115, Laws of Utah 2008

SB 237 Commercial Airline and Airport Taxation Amendments (Wayne L. Niederhauser)

This bill amends the Revenue and Taxation title relating to commercial airlines and airports.

This bill:

- defines terms;
- addresses the apportionment and interstate allocation of mobile flight equipment for purposes of taxation under Title 59, Chapter 2, Property Tax Act;
- addresses the apportionment of the following for purposes of taxation under Title 59, Chapter 7, Corporate Franchise and Income Taxes:
 - mobile flight equipment;
 - compensation of flight personnel; and
 - transportation revenues;
- provides a sales and use tax exemption for sales of certain construction materials purchased on or after July 1, 2010, by or on behalf of an international airport;
- provides a sales and use tax exemption for sales of certain construction materials purchased on or after July 1, 2008, by or on behalf of a new airport located within a county of the second class; and
- makes technical changes.

This bill provides effective dates as follows:

Except as provided in Subsection (2) or (3), this bill has retrospective operation for taxable years beginning on or after January 1, 2008.

The amendments to Section 59-2-804 take effect on January 1, 2009.

The amendments to Section 59-12-104 take effect on May 5, 2008.

Amends 59-2-102, 59-2-801, 59-7-302, 59-7-312, 59-7-313, 59-7-314, 59-7-315, 59-7-316, 59-7-317, 59-7-318, 59-7-319, 59-12-104;

Enacts 59-2-804

Effective May 5, 2008

Chapter 283, Laws of Utah 2008

SB 238 Aquatic Invasive Species Interdiction Act (Jon J. Greiner)

This bill amends and enacts provisions relating to the interdiction of invasive species.

This bill:

- defines terms;
- prohibits the possession, release, or transportation of a Dreissena mussel;
- prohibits the transporting of a conveyance or equipment that has been in an infested water without decontaminating the conveyance or equipment;
- requires a person who violates the chapter to reimburse the state's costs;
- establishes criminal penalties;
- authorizes the Division of Wildlife Resources to:
 - stop, detain, inspect, impound, or quarantine a vehicle or vessel that may contain a Dreissena mussel;
 - conduct an administrative checkpoint;
 - order a person to decontaminate a vessel or vehicle; and
 - inspect, restrict access to, or close a water body, facility, or water supply system;
- prohibits the Division of Wildlife Resources from closing or quarantining a water supply system if a plan is implemented;
- requires the Division of Wildlife Resources to consult with an operator of a water body, facility, or water supply system;
- requires a water supply system to:
 - cooperate with the Division of Wildlife Resources; and
 - implement a plan if infected with the Dreissena mussel;
- requires a person to report the discovery of a Dreissena mussel to the Division of Wildlife Resources;
- authorizes the Wildlife Board to make rules; and
- authorizes the division, a peace officer, or a port-of-entry agent to stop a driver at a port-of-entry to check for invasive aquatic wildlife species.

Amends 72-9-501;

Enacts 23-27-101, 23-27-102, 23-27-201, 23-27-202, 23-27-301, 23-27-302, 23-27-303, 23-27-401

Effective May 5, 2008

Chapter 284, Laws of Utah 2008

SB 239 Office of the Attorney General - Safety Net Initiative (Curtis S. Bramble)

This bill modifies provisions in the Attorney General chapter and establishes the Safety Net Initiative and task force within the Office of the Attorney General.

This bill:

- authorizes the attorney general to employ investigators, prosecutors, and necessary support staff to administer special duties assigned to the attorney general;
- provides definitions;
- creates the Safety Net Initiative within the Office of the Attorney General to facilitate communication and coordinate efforts to provide services to men, women, and children who may be subject to crimes including domestic violence, sexual abuse, or maltreatment in certain communities;
- establishes the Safety Net Initiative Task Force;
- permits the attorney general to hire support staff to administer the Safety Net Initiative and task force; and
- makes technical changes.

Enacts 67-5-1.5, 67-5-26

Effective May 5, 2008

Chapter 116, Laws of Utah 2008

SB 242 Law Enforcement Tracking of Domestic Violence Statistics (Jon J. Greiner)

This bill modifies the Code of Criminal Procedure by requiring the reporting of domestic violence statistics to the Department of Public Safety.

This bill:

- requires law enforcement officers employed by a city of the first or second class, when responding to a complaint of domestic violence, to gather and report the following information to the Department of Public Safety for a period beginning January 1, 2009 and ending December 31, 2013:
 - marital status of the parties involved;
 - relationship of the suspect to the victim; and
 - whether or not an arrest was made; and
- provides definitions.

Amends 77-36-1, 77-36-2.2

Effective May 5, 2008

Chapter 375, Laws of Utah 2008

SB 244 Division of Parks and Recreation to Support Nonprofit Corporation or Foundation (Brent H. Goodfellow)

This bill enacts a provision relating to the powers of the Division of Parks and Recreation.

This bill:

authorizes the Division of Parks and Recreation to provide administrative support to a nonprofit corporation or foundation.

Enacts 63-11-67

Effective May 5, 2008

Chapter 285, Laws of Utah 2008

SB 245 Funding Relating to Airports, Highways, and Public Transit (Curtis S. Bramble)

This bill amends the Motor Vehicles Code, the Sales and Use Tax Act, and the Transportation Code relating to the local option highway construction and transportation corridor preservation fee, a local sales and use tax to fund tourism, recreation, cultural, convention, and airport facilities, a local sales and use tax to fund certain airport, highway, or public transit projects or services, a state sales and use tax, and financing of certain fixed guideways with certain airport revenue.

This bill:

- addresses an audit relating to the local sales and use tax to fund tourism, recreation, cultural, convention, and airport facilities;
- reallocates a portion of the revenue received from the local option highway construction and transportation corridor preservation fee imposed in a county of the first class from the County of the First Class State Highway Projects Fund to the legislative body of a city of the first class located within a county of the first class that has an international airport with a United States customs office within its boundaries;
- addresses amounts a seller may retain as a seller discount;
- repeals a purpose statement;
- provides part titles;
- defines terms;
- provides that a county legislative body may expend certain local sales and use tax revenues for an airport facility in addition to other purposes allowed by statute;
- addresses provisions relating to ordinances and bonding for purposes of the local sales and use tax to fund tourism, recreation, cultural, convention, and airport facilities;
- authorizes a county of the second class to impose a local option sales and use tax to fund certain airport, highway, or public transit projects or services;
- addresses the procedures and requirements for imposing the local option sales and use tax to fund certain airport, highway, or public transit projects or services, including providing that the sales and use tax is an agreement sales and use tax;
- imposes a state sales and use tax under certain circumstances;
- addresses the procedures and requirements for imposing the state sales and use tax, including providing that:
 - the sales and use tax is an agreement sales and use tax; and
 - the revenues are distributed to certain public transit districts;
- modifies the sources of funding for the Local Transportation Corridor Preservation Fund;
- creates a special revenue fund known as the County of the Second Class State Highway Projects Fund, including:
 - · addressing funding of the fund; and
 - addressing the purposes for which fund monies may be expended;
- provides that an airport operator may not use airport revenue to contribute to constructing, equipping, maintaining, or operating a fixed guideway; and
- makes technical changes.

This bill coordinates with H.B. 206, Tax Amendments, to make substantive and technical amendments, including enacting Sections 59-12-1904, 59-12-1905, 59-12-1906, 59-12-2005, 59-12-2006, and 59-12-2007.

Amends 11-41-102, 17-31-5.5, 41-1a-1222, 59-12-102, 59-12-103, 59-12-104.2, 59-12-108, 59-12-602, 59-12-603, 72-2-117.5, 72-2-121, 72-10-102;

Enacts 59-12-601.1, 59-12-1901, 59-12-1902, 59-12-1903, 59-12-2001, 59-12-2002,

59-12-2003, 59-12-2004, 72-2-121.2, 72-10-215;

Repeals 59-12-601

This bill takes effect on May 5, 2008 except that amendments to Sections 41-1a-1222, 72-2-117.5, and 72-2-121 take effect July 1, 2008.

SB 247 Veterans Procurement Provisions (Fred J. Fife)

This bill appropriates General Fund monies to the Department of Veterans' Affairs to fund certain outreach programs to veterans and their families.

This hill.

appropriates \$30,000 to the Department of Veterans' Affairs to fund increased efforts to provide information and assist veterans and their families to get the benefits and services currently available to them.

This bill appropriates:

\$30,000 from the General Fund for fiscal year 2008-09 only, to the Department of Veterans' Affairs.

Effective May 5, 2008

Chapter 40, Laws of Utah 2008

SB 253 County Law Enforcement Duties (Michael G. Waddoups)

This bill modifies county provisions relating to providing law enforcement service.

This bill:

- requires county sheriffs in counties of the first class to:
 - · provide law enforcement service as provided in an interlocal agreement; and
 - provide law enforcement service to an unincorporated area of the county to the extent that another entity established to provide law enforcement service or extended police protection does not; and
- authorizes first class counties to enter into an interlocal agreement to provide law enforcement service.

Amends 17-22-2;

Enacts 17-50-324

Effective May 5, 2008

Chapter 117, Laws of Utah 2008

SB 261 Political Subdivision Annexation Amendments (Michael G. Waddoups)

This bill amends the Provisions Applicable to All Local Districts Chapter and the Property Tax Act relating to the annexation of local districts.

This bill:

- amends the effective dates of certain local districts;
- provides the conditions of the effective date of an annexation;
- modifies the calculation of the certified tax rate for a local district due to annexation; and
- makes technical changes.

This bill coordinates with S.B. 29, Truth in Taxation Amendments, and H.B. 77, Personal Property Tax Amendments, by substantively modifying language.

Amends 17B-1-414, 17B-1-416, 59-2-924

Effective May 5, 2008

Chapter 118, Laws of Utah 2008

SB 263 Self Authentication of Documents (Scott D. McCoy)

This bill renumbers Section 46-5-101 to 78B-5-705.

This bill:

renumbers Section 46-5-101 to 78B-5-705.

Renumbers and Amends 46-5-101 to 78B-5-705

Effective May 5, 2008

Chapter 119, Laws of Utah 2008

SB 264 Development Around Military Installations (Sheldon L. Killpack)

This bill modifies provisions relating to the Military Installation Development Authority.

This bill:

- authorizes the Military Installation Development Authority to:
 - enter into an agreement with a political subdivision to receive municipal services in a project area;
 - exercise powers and perform functions, as authorized under a contract with the federal government; and
 - amend a project area plan;
- clarifies that the employees that the Military Installation Development Authority is authorized to hire includes contract employees; and
- makes allowable uses of tax increment applicable to other authority funds.

Amends 63H-1-201, 63H-1-502;

Enacts 63H-1-403.5

Effective May 5, 2008

Chapter 120, Laws of Utah 2008

SB 265 Unlawful Detainer Amendments (Michael G. Waddoups)

This bill amends the discretion of a judge to extend the deadline to appear in court on charges of unlawful detainer.

This bill:

requires a defendant to file an objection before a judge may extend the three business day requirement to appear in court on charges of unlawful detainer.

Amends 78B-6-807

Effective May 5, 2008

Chapter 121, Laws of Utah 2008

SB 274 Amendments to Utah Service Members' Civil Relief Act (Peter C. Knudson)

This bill raises the ceiling amount for eviction of service members or their families while the service member is serving on active duty.

This bill:

raises the ceiling amount of rent for eviction to mirror the Federal amount of \$2,400 for service members and their families.

Amends 39-7-113

Effective May 5, 2008

Chapter 122, Laws of Utah 2008

SB 275 Military Justice Code Amendments (Peter C. Knudson)

This bill makes changes to the Utah Code of Military Justice.

This bill:

- makes technical changes to titles used by military attorneys to conform with federal labels;
- eliminates the right to trial by jury for nonjudicial actions and provides instead for a de novo review on appeal; and
- makes technical changes.

Amends 39-1-41, 39-6-2, 39-6-6, 39-6-13, 39-6-20, 39-6-27, 39-6-54, 39-6-58

Effective May 5, 2008

Chapter 287, Laws of Utah 2008

SB 277 Post-conviction Remedies Act Revisions (Gregory S. Bell)

This bill amends the Post-Conviction Remedies Act.

This bill:

 establishes procedures and requirements for post-conviction actions by a person convicted of a criminal offense.

Amends 78B-9-101, 78B-9-102, 78B-9-104, 78B-9-105, 78B-9-106, 78B-9-107, 78B-9-108, 78B-9-109, 78B-9-202

Effective May 5, 2008

Chapter 288, Laws of Utah 2008

SB 278 Technical Amendments to Titles 78a and 78b (Gregory S. Bell)

This bill makes technical and coordinating amendments to Titles 78A and 78B that were missed in the recodification process.

This bill:

- repeals provisions overlooked in the recodification process;
- coordinates with legislation already passed;
- amends a section to correct missing language;
- creates transition and savings clauses; and
- makes technical cross-reference changes.

This bill takes effect March 14, 2008 and provides retrospective operation to February 7, 2008.

This bill coordinates with S.B. 16, Exoneration and Innocence Assistance, providing for technical renumbering.

Amends 78B-2-113, 78B-6-121, 78B-6-122, 78B-6-901;

Enacts 78A-1-106, 78A-1-107;

Renumbers and Amends 78-57-110 to 78A-6-1220;

Repeals 78-3a-115.1, 78-11-20.5, 78-11-21, 78-35-5, 78-45f-902

Chapter 123, Laws of Utah 2008

SB 281 Use of Minimum School Program Nonlapsing Balances (Howard A. Stephenson)

This bill requires the State Board of Education to allocate certain Minimum School Program nonlapsing balances.

This bill:

- requires the State Board of Education to allocate Minimum School Program nonlapsing balances to provide:
 - one-time signing bonuses for new educators; and
 - · one-time performance-based compensation; and
- makes technical corrections.

This bill appropriates:

▶ \$25,000,000 from Minimum School Program nonlapsing balances for fiscal year 2008-09 only.

Amends 53A-17a-148

Effective May 5, 2008

Chapter 289, Laws of Utah 2008

SB 283 Transportation Funding Amendments (Sheldon L. Killpack)

This bill amends provisions relating to the Critical Highway Needs Fund.

This bill:

- increases the amount of bonds authorized to \$1,200,000,000 for highway construction and reconstruction projects prioritized through the Critical Highway Needs Fund;
- requires the Transportation Commission to give priority consideration to projects that meet certain criteria when prioritizing projects for funds available in the Critical Highway Needs Fund;
- increases the expenditure cap for projects prioritized through the Critical Highway Needs Fund;
- clarifies that the expenditure cap for projects prioritized through the Critical Highway Needs Fund applies only to bond proceeds; and
- makes technical changes.

Amends 63B-16-101, 72-2-125

Effective July 1, 2008

Chapter 124, Laws of Utah 2008

SB 286 Transportation and Transit Amendments (Sheldon L. Killpack)

This bill modifies the Municipal Land Use Development and Management Act and the County Land Use Development and Management Act by amending provisions relating to the construction of certain public transit facilities.

This bill:

- provides that a public transit district is not required to conform to any municipal land use ordinances of a municipality that is located within the boundaries of a county of the first class or a county of the first classes' land use ordinances when constructing:
 - a rail fixed guideway public transit facility that extends across two or more counties; or
 - a structure that serves a rail fixed guideway public transit facility that extends across two
 or more counties;
- provides that a municipality located within the boundaries of a county of the first class or a county of the first class may not require through an interlocal agreement a public transit district to obtain approval from the municipality or county prior to constructing a:
 - rail fixed guideway public transit facility that extends across two or more counties; or
 - structure that serves a rail fixed guideway public transit facility that extends across two or more counties;
- ▶ repeals the provisions providing that a public transit district is not required to conform to certain municipal or county land use ordinances when constructing certain public transit facilities on July 1, 2013; and
- makes technical changes.

Amends 10-9a-305, 17-27a-305, 53A-20-104, 63-55b-110;

Enacts 63I-2-217

Effective May 5, 2008

Chapter 290, Laws of Utah 2008

SB 288 Condominium Ownership Act Amendments (Michael G. Waddoups)

This bill addresses the organization of an association of unit owners in a condominium project into a nonprofit corporation or other entity.

This bill:

- defines terms;
- allows an association of unit owners to organize as a nonprofit corporation or other entity;
- addresses the priority of any conflicting governing provisions in Title 57, Chapter 8, Condominium Ownership Act, Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, other law, and other documents, bylaws, and rules;
- addresses the application of provisions concerning organization as a nonprofit corporation to a previously organized entity; and
- makes technical changes.

Amends 57-8-3;

Enacts 57-8-40

Effective May 5, 2008

Chapter 291, Laws of Utah 2008

SB 290 Private Investigators' Access to Driver Licensure Information (Margaret Dayton)

This bill modifies the Uniform Driver License Act regarding access to records by private investigators.

This bill:

removes the provision allowing private investigators holding a registrant license access to personal driver license information, but does not modify the provision allowing private investigators holding an agency license to obtain personal driver license information as allowed by statute.

Amends 53-3-109

Effective May 5, 2008

Chapter 376, Laws of Utah 2008

SB 294 Community Development and Renewal Amendments (Curtis S. Bramble)

This bill modifies community development and renewal agency provisions.

This bill:

- enacts a definition of "inactive airport site" for purposes of a community development and renewal agency project;
- modifies definitions;
- modifies blight study provisions to include a finding relating to an inactive airport site;
- includes an inactive airport site among the sites regarding which the other factors of blight do not need to be found; and
- provides that the mayor of a municipality operating under a council-mayor form of government serves as the executive director of an agency created by that municipality and exercises the executive powers of the agency.

This bill coordinates with S.B. 20, Municipal Government Amendments, by technically merging amendments.

Amends 17C-1-102, 17C-1-203, 17C-2-102, 17C-2-301, 17C-2-303

Effective May 5, 2008

Chapter 125, Laws of Utah 2008

SB 295 Security Alarm Business Licensing Amendments (Margaret Dayton)

This bill modifies the Utah Construction Trades Licensing Act by requiring that a person be licensed in order to work on alarm systems.

This bill:

- ▶ requires that work as a security alarm business or company or as an alarm company agent be performed by a licensed alarm business or company or a licensed alarm company agent, except as otherwise provided in the Utah Construction Trades Licensing Act;
- prohibits employing an unlicensed alarm business or company or an unlicensed individual as an alarm company agent, except under specified exemptions; and
- requires an alarm business or company to be licensed to maintain or commence action for collection of compensation for work performed for which a license is required.

Amends 58-55-305, 58-55-501, 58-55-604

Effective May 5, 2008

Chapter 377, Laws of Utah 2008

SB 296 Financial Institutions Amendments (Curtis S. Bramble)

This bill modifies the Utah Credit Union Act.

This bill:

- modifies restrictions on member-business loans and loans that are not member-business loans; and
- makes technical changes.

Amends 7-9-20, 7-9-58

Effective May 5, 2008

Chapter 126, Laws of Utah 2008

SB 297 Animal Torture and Cruelty Amendments (Allen M. Christensen)

This bill amends provisions of the Utah Criminal Code relating to animal cruelty.

This bill:

- defines terms;
- removes conflicting animal cruelty provisions related to hazing;
- clarifies and describes conduct that is a violation of the cruelty to animal provisions of the Utah Criminal Code;
- provides that a veterinarian is immune from civil liability for reporting, in good faith, an incident of cruelty to an animal;
- makes it a third degree felony to intentionally or knowingly torture a companion animal; and
- makes technical changes.

Amends 76-5-107.5, 76-9-301, 76-9-301.5, 76-9-301.6, 76-9-301.7, 76-10-1602

Effective May 5, 2008

Chapter 292, Laws of Utah 2008

SB 298 State Land Acquisition (John W. Hickman)

This bill authorizes the Board of Business and Economic Development to purchase contracts for the sale of land under certain circumstances and authorizes the issuance of general obligation bonds to fund certain contract purchases.

This bill:

- authorizes the Board of Business and Economic Development and the state treasurer to purchase contracts for the sale of land;
- requires the board and the state treasurer to obtain an evaluation of the purchaser of the land before buying the contract;
- establishes criteria that should be evaluated as part of the evaluation;
- directs the board and state treasurer to consider certain issues and determine whether or not to purchase the contract;
- prohibits the board and the state treasurer from purchasing a contract if the last payment due under the contract is more than seven years from the date that the board buys the contract;
- authorizes the State Bonding Commission to issue up to \$42,500,000 in general obligation bonds with the proceeds given to the Governor's Office of Economic Development to purchase land sale contracts; and
- amends the Master Bond Act to allow issuance of general obligation bonds for the purchase of land sale contracts or interests in land sale contracts.

Amends 63-38f-303, 63B-1a-101;

Enacts 63B-17-102

Effective May 5, 2008

Chapter 378, Laws of Utah 2008

SB 299 Revision to Local Government (Gregory S. Bell)

This bill enacts provisions relating to county and municipal authority.

This bill:

- enacts provisions authorizing counties and municipalities to enact an ordinance making benefits generally available to employees, their dependents, and an unmarried employee's financially dependent or interdependent adult designee;
- authorizes counties and municipalities to create a registry for adult relationships of financial dependence or interdependence;
- prohibits a county or municipal registry from giving legal status or effect to a domestic partnership, civil union, or other domestic cohabitation relationship other than marriage;
- provides other restrictions on an ordinance to make benefits generally available and on a registry created by a county or municipality; and
- declares void any ordinance or other action that is inconsistent with this bill.

Enacts 10-8-1.5, 17-50-324

Effective May 5, 2008

Chapter 127, Laws of Utah 2008

SCR 1 Resolution Supporting Obesity Awareness (D. Chris Buttars)

This concurrent resolution of the Legislature and the Governor designates Obesity Awareness Month in Utah and urges obesity education and prevention.

This resolution:

- designates April 2008 as Obesity Awareness Month in the state; and
- urges healthcare suppliers, communities, businesses, and schools throughout the state to develop awareness campaigns and voluntary programs that focus on obesity and its prevention.

The original bill was recommended by the Health and Human Services Interim Committee

Effective February 29, 2008

Laws of Utah 2008

SCR 2 Resolution Promoting Legislators Back to School Program (Margaret Dayton)

This concurrent resolution of the Legislature and the Governor expresses support for civic education and Utah's Legislators Back to School Program.

This resolution:

- emphasizes the importance of legislators promoting greater understanding of the legislative process and building public trust and confidence in representative democracy through civic education;
- recognizes Utah's high level of participation in the National Conference of State Legislatures' Legislators Back to School Program from students, teachers, and legislators during 2007; and
- urges continued support for and participation in Utah's Legislators Back to School Program during the 2008-09 school year.

Effective March 13, 2008

SCR 3 Resolution Supporting Observance of Peace Officers Memorial Day (Jon J. Greiner)

This concurrent resolution of the Legislature and the Governor urges Utah citizens and government entities to fly the flag of the United States at halfstaff each year on May 15, Peace Officers Memorial Day.

This resolution:

- urges the citizens of the state of Utah and state and local government entities to recognize Peace Officers Memorial Day, this year and every year hereafter, by flying the flag of the United States at halfstaff and by other appropriate observances; and
- urges Utahns to remember the sacrifice of Utah peace officers who have been killed or disabled in the line of duty.

Effective February 26, 2008

Laws of Utah 2008

SCR 4 Concurrent Resolution Recognizing Utah's Nobel Prize Winner Mario Capecchi (John L. Valentine)

This concurrent resolution of the Legislature and the Governor recognizes the achievements of Dr. Mario Capecchi, winner of the 2007 Nobel Prize in Physiology or Medicine.

This resolution:

- recognizes Dr. Mario Capecchi's gene targeting research that won him the 2007 Nobel Prize in Physiology or Medicine; and
- recognizes Dr. Capecchi's many accomplishments that led to his winning the Nobel Prize.

Effective February 4, 2008

Laws of Utah 2008

SCR 5 Concurrent Resolution Calling for Congress to Pass Balanced Immigration Reform (Howard A. Stephenson)

This concurrent resolution of the Legislature and the Governor urges Utah's congressional delegation to work with the United States Congress to pass effective and meaningful immigration reform to enhance the workforce of Utah and continue the economic strength of the state's business environment.

This resolution:

- urges Utah's congressional delegation to work with the United States Congress to pass effective and meaningful immigration reform;
- urges Utah's congressional delegation to work with the United States Congress to ensure that any reform efforts focus primarily on enabling Utah's employers to hire a legal workforce sufficient to meet the needs of Utah industries to enhance the economic growth of the state's private sector;
- urges Congress to reduce the delay for legal immigration, including reforming visa systems;
- opposes granting blanket amnesty to undocumented persons; and
- recognizes that addressing the status of millions of undocumented persons currently present in the U.S. is a complex issue.

Effective March 13, 2008

SCR 6 Concurrent Resolution on the Reconstruction of Interstate 15 (John L. Valentine)

This concurrent resolution of the Legislature and the Governor recognizes the Department of Transportation's finance plan for the reconstruction of Interstate 15 and directs the Department of Transportation to begin on the reconstruction of Interstate 15.

This resolution:

- recognizes that the reconstruction of Interstate 15 is currently the highest priority under the Transportation Commission's written prioritization process for new transportation capacity projects;
- recognizes that the Department of Transportation's finance plan for the reconstruction of Interstate 15 requires a commitment of future issuance of general obligation bonds and a commitment of funds available in the Transportation Investment Fund of 2005 beginning in fiscal year 2007-08; and
- directs the Department of Transportation to:
 - begin on the reconstruction of Interstate 15 from the interchange at US-6 to the American Fork Main Street interchange; and
 - report to the Legislature during the 2009 General Session on the construction options for Interstate 15 from the American Fork Main Street interchange to 12300 South in Salt Lake County.

Effective March 13, 2008

Laws of Utah 2008

SJR 1 Resolution Encouraging the Advertisement of Alternative Routes to Teaching (Margaret Dayton)

This joint resolution of the Legislature encourages the advertisement of alternative routes to teaching.

This resolution:

- encourages the State Board of Education, superintendent of public instruction, school districts, charter schools, and institutions of higher education to advertise alternative routes to teaching, including placing prominent, simple information on appropriate websites;
- requests that the superintendent of public instruction shall, in 2008, 2009, and 2010, annually send a letter to school district superintendents and principals to encourage the training of administrators about the alternative routes to teacher licensing, including the competency-based licensing program; and
- directs that a copy of the resolution be sent to various parties.

The original bill was recommended by the Education Interim Committee

Effective February 7, 2008

Laws of Utah 2008

SJR 2 Resolution Approving the Appointment of Legislative Fiscal Analyst (Curtis S. Bramble)

This joint resolution of the Legislature approves the appointment of Jonathan C. Ball as the Legislative Fiscal Analyst.

This resolution:

 approves the appointment of Jonathan C. Ball as Legislative Fiscal Analyst for a six-year term.

Effective January 30, 2008

SJR 3 Resolution Approving Compensation of In-session Employees (Gregory S. Bell)

This joint resolution of the Legislature fixes the compensation for legislative in-session employees for 2008.

This resolution:

fixes the compensation for legislative in-session employees for 2008.

Effective January 30, 2008

Laws of Utah 2008

SJR 4 Joint Resolution Recognizing 100th Anniversary of Utah League of Cities and Towns (Peter C. Knudson)

This joint resolution of the Legislature recognizes the 100th anniversary of the Utah League of Cities and Towns.

This resolution:

recognizes the 100th anniversary of the founding of the Utah League of Cities and Towns and its efforts to promote civic responsibility and community interest during the past 100 years.

Effective January 23, 2008

Laws of Utah 2008

SJR 5 Joint Resolution Amending Legislative Apportionment (Curtis S. Bramble)

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision on the division of the state into districts.

This resolution proposes to amend the Utah Constitution to:

clarify that the Legislature's division of the state into districts must occur no later than the next annual general session following receipt of the results of the United States enumeration, rather than at the session next following the enumeration.

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2009 for this proposal.

Amends Article IX, Section 1

Effective January 1, 2009

Laws of Utah 2008

SJR 6 Joint Resolution Encouraging the Governor's Board Appointments to Reflect Utah Geographic Balance (Dennis E. Stowell)

This joint resolution of the Legislature encourages the Governor to consider statewide geographic balance when making future gubernatorial appointments.

This resolution:

 encourages the Governor to consider, among other factors, achieving an increased statewide geographic balance when determining membership in making future committee, board, and commission appointments.

Effective February 22, 2008

SJR 11 Master Study Resolution (Curtis S. Bramble)

This joint resolution of the Legislature gives the Legislative Management Committee items of study it may assign to the appropriate interim committee.

This resolution:

- gives the Legislative Management Committee items of study it may assign to the appropriate interim committee during the 2008 legislative interim;
- directs interim committees assigned these studies to study and make recommendations for legislative action to the 58th Legislature prior to the 2009 Annual General Session; and
- suggests in approving studies the Legislative Management Committee give consideration to the available time of legislators and the budget and capacity of staff to respond.

Effective March 5, 2008

Laws of Utah 2008

SJR 12 Joint Resolution Honoring Hill Air Force Base's 388th and 419th Fighter Wings (Sheldon L. Killpack)

This joint resolution of the Legislature honors the 388th Fighter Wing and the 419th Fighter Wing from Hill Air Force Base.

This resolution:

- honors the 388th Fighter Wing and the 419th Fighter Wing for their contributions to our nation's and state's security and defense; and
- recognizes the many accomplishments of the fighter wings' personnel and component units, both in their mission in defense of our nation and in the Utah community.

Effective February 29, 2008

Laws of Utah 2008

SR 1 Senate Resolution Urging the Consideration of the United States Ending its Participation in the Security and Prosperity Partnership of North America (Fred J. Fife)

This resolution of the Senate urges the United States to consider ending its participation in the Security and Prosperity Partnership of North America and reject participation in any other partnership agreement that would bypass Congress or compromise the country's sovereignty.

This resolution:

urges the United States to consider withdrawal from the Security and Prosperity Partnership of North America and reject participation in any other bilateral or multilateral agreement that would bypass Congress or compromise the sovereignty of the United States.

Effective February 27, 2008

Laws of Utah 2008

SR 2 Senate Resolution Honoring James L. Sorenson (Allen M. Christensen)

This resolution of the Senate honors the life and accomplishments of James L. Sorenson.

This resolution:

- honors the extraordinary life of James L. Sorenson, his accomplishments, and their impact for good on Utah, its citizens, and the world; and
- expresses condolences to James L. Sorenson's family at his passing.

Effective January 25, 2008

SR 3 Senate Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Mark B. Madsen)

This resolution of the Senate urges the United States Congress to pass legislation that addresses the current illegal immigration crisis.

This resolution:

- urges the United States Congress to "support and defend the Constitution of the United States" by passing the necessary and appropriate legislation to resolve the illegal immigration crisis;
- urges that the legislation should address U.S. border security, stop illegal immigration, and end birthright citizenship for children of illegal immigrants; and
- urges that the legislation reject amnesty for illegal immigrants and cease any government program or agreement that would lead to the creation of an open borders North American Union.

Effective February 22, 2008

Laws of Utah 2008

SR 4 Senate Resolution Regarding Trade with Taiwan (Curtis S. Bramble)

This resolution of the Senate urges the President and Congress to support a free trade agreement between Taiwan and the United States.

This resolution:

urges the President of the United States and the United States Congress to support a free trade agreement between the Republic of China on Taiwan and the United States.

Effective February 26, 2008

VETOED BILL - 2008 GENERAL SESSION

SB 144 Parameters on Governor's Ability to Enter Agreements Binding the State (Scott K. Jenkins)

This bill requires legislative approval of certain interstate agreements.

This bill

- provides definitions;
- requires legislative approval of certain interstate agreements entered into on or after May 5, 2008; and
- provides certain exceptions.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing technical renumbering.

Enacts 63-8a-101, 63-8a-102, 63-8a-201, 63-8a-202, 63-8a-203

Governor's Veto Message

Dear Speaker Curtis and President Valentine:

February 29, 2008

After careful consideration and study, I have decided to veto S.B. 144, PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, and have transmitted it to the Lieutenant Governor for filing.

By reserving for the Legislature the final authority to approve or reject significant interstate agreements, S.B. 144 violates core principles of government established in the Utah Constitution. The bill's requirement, that I must submit such interstate agreements for approval before I implement them, violates the presentment clause set out in Article VII, section 8. And though S.B. 144 limits this legislative discretion to "significant" interstate agreements, the bill casts a wide net over duties clearly within the purview of the executive branch and in violation of the Constitution's separation of powers clause. Utah Const. art. V, § 1. Agreements of this nature, have been entered into by 15 Utah Governors for more than 100 years for the benefit of Utah's citizens. Further, this bill is just one of at least 16 bills introduced by the Legislature this legislative session to shift power away from the Governor and executive branch to the legislative branch. This trend is very concerning as laws passed that take away the executive branchs ability to function hampers the state's ability to adequately perform vital public services for years and possibly generations to come.

In addition to the constitutional issues raised above, S.B. 144 would impede my authority to form interstate agreements during times of emergency and will unnecessarily paralyze our State's response to unforeseen catastrophe. Though I may now enter significant interstate agreements without legislative approval during a state of emergency, this bill would allow me to do so only after a declaration by the President of the United States or a prior proclamation of local emergency pursuant to Section 63-5a-5 of the Utah Code. In order to put this into practical terms, these emergency provisions would not have allowed me to assist in quickly acquiring and transporting needed mine rescue equipment from another state to Utah during the recent Crandall Canyon mine disaster. I would have had to wait until the local government declared an emergency and cited the pertinent legal criteria showing the emergency met the state and federal disaster criteria. That local government then would have been required to transmit that declaration to my office. My office then would have reviewed the declaration to see that it met the law allowing me to declare it a state emergency. This whole process from the local government through my office would likely have taken at least a day if not more.

My other option in an emergency situation under the language of this bill is to call a special session. The law requires that I give at least a day's notice before the legislature can meet in a special session. Both options would have taken at least a day, and that is a day too long for the miners trapped in Crandall canyon. I will not allow legislation that hampers a Governor's ability to exercise his or her best judgment in response to an emergency situation.

Finally, the bill's vague language will require me to call what are otherwise unnecessary special legislative sessions to approve interstate agreements fundamental to my duty to faithfully execute the laws of the State of Utah. Under S.B. 144, I anticipate having to call special sessions for this purpose several times a year at an approximate cost of \$35,000 per session, an equally unnecessary expense to Utah taxpayers.

For these reasons, I have decided to veto this bill.

Jon M. Huntsman, Jr., Governor

Utah Code Sections Affected for Bills Passed 2008 General Session

Legend: The action taken on each section is as follows:

- A Amended
- E Enacted
- R Repealed
- X Repealed and Reenacted
- N Renumbered and Amended

Duplicate and incorrect section cites are currently being technically renumbered by the Office of Legislative Research and General Counsel and will appear in a separate publication available after May 5, 2008 and on the web site - http://le.utah.gov.

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number
3-1-6	Α	HB 63		24	4-20-2	Α	HB 208		72
3-1-36	Α	HB 63		24	4-22-4.5	Α	HB 63		24
3-1-44	Α	SB 88		151	4-23-5	Α	HB 63		24
3-1-46	Ε	SB 69		145	4-24-3	Α	HB 63		24
4-1-3.5	Α	HB 63		24	4-25-3	Α	HB 63		24
4-1-4	Α	HB 125		53	4-29-1	Α	HB 63		24
4-2-2	Α	HB 63		24	4-30-3	Α	HB 63		24
4-2-8.5	Α	HB 63		24	4-31-16.5	Α	HB 63		24
4-2-8.6	Ε	SB 89		152	4-31-21	Α	HB 63		24
4-2-8.7	Ε	SB 89		152	4-32-7	Α	HB 63		24
4-3-2	Α	HB 63		24	4-33-4	Α	HB 63		24
4-3-14	Α	HB 63		24	4-37-103	Α	HB 148		60
4-4-2	Α	HB 63		24	4-37-109	Α	HB 63		24
4-5-9	Α	HB 63		24	4-37-201	Α	HB 63		24
4-5-9.5	Α	HB 63		24	4-37-204	Α	HB 148		60
4-9-2	Α	HB 63		24	4-37-301	Α	HB 63		24
4-9-15	Α	HB 63		24	4-37-503	Α	HB 148		60
4-10-3	Α	HB 63		24	4-37-602	Α	HB 63		24
4-11-3	Α	HB 63		24	4-38-4	Α	HB 63		24
4-12-3	Α	HB 63		24	4-38-6	Α	HB 63		24
4-14-3	Α	HB 63		24	4-38-14	Α	HB 63		24
4-14-6	Α	HB 63		24	4-39-106	Α	HB 63		24
4-14-13	Α	HB 63		24	4-39-203	Α	HB 63		24
4-15-3	Α	HB 63		24	4-39-502	Α	HB 63		24
4-16-3	Α	HB 63		24	7-1-105	Α	HB 63		24
4-18-3	Α	SB 47		137	7-1-301	Α	HB 63		24
4-18-4	Α	HB 125		53			HB 78		38
4-18-5	Α	HB 63		24	7-1-323	Α	HB 63		24
4 40 0 5		SB 47		137	7-1-324	A	HB 63		24
4-18-6.5	A	HB 63		24	7-1-325	Α	HB 63		24
4-20-1.5	Α	HB 63		24	7.4.404	Α.	SB 83		149
4.00.4.0	^	SB 47		137	7-1-401	A	SB 83		149
4-20-1.6	Α	HB 125		53	7-1-501	Α	SB 83		149
A=Amende	d	E=Enacted	I R=I	Repealed	X=Repealed a	and Reenac	ted N=F	Renumbered and	Amended

		Bill	Former/	<u>Page</u>			Bill	Former/	<u>Page</u>
<u>Section</u>	Action	Number	Renumber	<u>Number</u>	Section	Action	Number	Renumber	<u>Number</u>
7-1-704	Α	HB 63		24	9-6-605	Α	HB 63		24
7-1-810	Α	HB 63		24	9-7-213	Α	HB 63		24
7-1-1001	Α	SB 171		170	9-7-302	Α	HB 63		24
7-2-9	Α	HB 63		24	9-8-203	Α	HB 63		24
7-2-21	Α	HB 63		24	9-8-305	Α	HB 63		24
7-7-44	Α	HB 56		22	9-8-309	Α	HB 63		24
7-9-20	Α	SB 296		194	9-8-405	Α	HB 63		24
7-9-58	Α	SB 296		194	9-8-704	Α	HB 63		24
7-9-59	Α	HB 63		24	9-9-104	Α	HB 63		24
7-15-1	Α	SB 83		149	9-9-402	Α	SB 235		183
7-23-101	Α	SB 83		149	9-9-403	Α	SB 235		183
7-23-102	Α	SB 83		149	9-9-405	Α	SB 235		183
7-23-103	Α	HB 63		24	9-9-406	Α	SB 235		183
	N	SB 83	7-23-201	149	9-10-105	Α	HB 63		24
7-23-104	N	SB 83	7-23-301	149	9-11-102	Α	HB 352		98
7-23-105	N	SB 83	7-23-401	149			HB 63		24
7-23-105.1	N	SB 83	7-23-402	149	9-11-105	Α	HB 352		98
7-23-106	Α	HB 63		24			HB 63		24
	N	SB 83	7-23-501	149	9-11-106	Α	HB 63		24
7-23-107	N	SB 83	7-23-502	149	9-11-107	Α	HB 352		98
7-23-108	Α	HB 63		24			HB 63		24
	N	SB 83	7-23-504	149	9-12-103	Α	HB 63		24
7-23-109	N	SB 83	7-23-104.1	149	9-12-105	Α	HB 63		24
7-23-110	N	SB 83	7-23-103.1	149	10-1-119	Е	SB 45		135
7-23-503	Е	SB 83		149	10-1-203	Α	HB 369		104
7-24-201	Α	HB 63		24	10-1-306	Α	HB 63		24
7-24-203	Α	HB 63		24	10-1-307	Α	HB 206		71
7-24-301	Α	HB 63		24	10-1-308	Α	HB 63		24
7-24-303	Α	HB 63		24	10-1-402	Α	HB 206		71
9-1-203	Α	HB 63		24	10-1-405	Α	HB 206		71
9-1-809	Α	HB 63		24			HB 63		24
9-3-308	Α	HB 63		24	10-1-407	Α	HB 206		71
9-3-410	Α	HB 63		24	10-2-101	Α	SB 47		137
9-4-202	Α	HB 63		24	10-2-109	Α	HB 164		63
9-4-306	Α	HB 63		24	10-2-112	Α	SB 20		128
9-4-307	Α	HB 63		24	10-2-114	Α	SB 20		128
9-4-509	Α	HB 63		24	10-2-125	Α	HB 164		63
9-4-704	Α	HB 63		24			SB 20		128
9-4-708	Α	HB 59		23	10-2-303	Α	SB 20		128
9-4-802	Α	HB 359		100	10-2-401	Α	SB 47		137
9-4-803	Α	HB 359		100	10-2-402	Α	HB 216		73
9-4-906	Α	HB 63		24	10-2-428	Α	SB 47		137
9-4-917	Α	HB 63		24	10-3-101	R	SB 20		128
9-4-1103	Α	HB 63		24	10-3-102	R	SB 20		128
9-4-1301	Α	HB 63		24	10-3-106	R	SB 20		128
9-4-1404	Α	HB 63		24	10-3-206	R	SB 20		128
9-4-1406	Α	HB 63		24	10-3-207	R	SB 20		128
9-4-1409	Е	HB 304		86	10-3-208	Α	HB 29		9
9-6-205	Α	HB 63		24			HB 63		24
9-6-504	Α	HB 63		24	10-3-301	Α	SB 20		128
9-6-603	Α	HB 252		78	10-3-403	R	SB 20		128
A=Amende	d	E=Enacte	d R	=Repealed	X=Repealed	and Reenact	ed N=R	Renumbered and	Amended
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<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
10-3-404	R	SB 20		128	10-3-1224	R	SB 20		128
10-3-501	R	SB 20		128	10-3-1225	R	SB 20		128
10-3-502	Α	SB 20		128	10-3-1226	R	SB 20		128
10-3-503	R	SB 20		128	10-3-1227	R	SB 20		128
10-3-504	Α	SB 20		128	10-3-1228	R	SB 20		128
10-3-507	Α	SB 20		128	10-3-1303	Α	HB 63		24
10-3-802	R	SB 20		128	10-3-1304	Α	HB 63		24
10-3-804	R	SB 20		128	10-3-1305	Α	HB 63		24
10-3-806	R	SB 20		128	10-3b-101	Е	SB 20		128
10-3-807	R	SB 20		128	10-3b-102	Е	SB 20		128
10-3-808	R	SB 20		128	10-3b-103	Е	SB 20		128
10-3-809	R	SB 20		128	10-3b-104	Е	SB 20		128
10-3-810	R	SB 20		128	10-3b-105	Е	SB 20		128
10-3-811	R	SB 20		128	10-3b-201	Е	SB 20		128
10-3-812	R	SB 20		128	10-3b-202	Е	SB 20		128
10-3-813	R	SB 20		128	10-3b-203	Е	SB 20		128
10-3-814	R	SB 20		128	10-3b-204	Е	SB 20		128
10-3-815	R	SB 20		128	10-3b-205	Е	SB 20		128
10-3-816	R	SB 20		128	10-3b-301	Е	SB 20		128
10-3-817	R	SB 20		128	10-3b-302	Е	SB 20		128
10-3-818	Α	SB 111		156	10-3b-303	Е	SB 20		128
10-3-820	Α	SB 20		128	10-3b-401	Е	SB 20		128
10-3-830	R	SB 20		128	10-3b-402	Е	SB 20		128
10-3-901	R	SB 20		128	10-3b-403	Е	SB 20		128
10-3-902	Α	SB 20		128	10-3b-501	Е	SB 20		128
10-3-1106	Α	SB 20		128	10-3b-502	Е	SB 20		128
		SB 236		184	10-3b-503	Ε	SB 20		128
10-3-1110	Α	HB 223		74	10-3b-504	Е	SB 20		128
10-3-1201	R	SB 20		128	10-3b-505	Ε	SB 20		128
10-3-1202	R	SB 20		128	10-3b-506	Ε	SB 20		128
10-3-1203	R	SB 20		128	10-3b-507	Ε	SB 20		128
10-3-1204	R	SB 20		128	10-6-151	Α	SB 20		128
10-3-1205	R	SB 20		128	10-7-86	Α	HB 63		24
10-3-1206	R	SB 20		128	10-7-87	Α	HB 63		24
10-3-1207	R	SB 20		128	10-8-1.5	Е	SB 299		195
10-3-1208	R	SB 20		128	10-8-2	Α	HB 63		24
10-3-1210	R	SB 20		128			HB 78		38
10-3-1211	R	SB 20		128	10-8-4	Α	HB 290		84
10-3-1212	R	SB 20		128	10-8-58.5	Α	HB 63		24
10-3-1213	R	SB 20		128	10-8-85.5	Α	HB 290		84
10-3-1214	R	SB 20		128	10-8-85.9	Ε	SB 47		137
10-3-1215	R	SB 20		128	10-9a-103	Α	HB 177		66
10-3-1216	R	SB 20		128			SB 196		176
10-3-1217	R	SB 20		128			SB 20		128
10-3-1218	R	SB 20		128			SB 47		137
10-3-1219	R	SB 20		128	10-9a-203	Α	HB 63		24
10-3-1219.5		SB 20		128	10-9a-305	Α	SB 286		192
10-3-1220	R	SB 20		128	10-9a-402	Α	HB 63		24
10-3-1221	R	SB 20		128	10-9a-403	Α	HB 221		73
10-3-1222	R	SB 20		128	10-9a-505	Α	HB 177		66
10-3-1223	R	SB 20		128	10-9a-508	Α	SB 177		171
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

Saction	A ation	Bill Number	Former/	<u>Page</u>	Saatian	Action	<u>Bill</u>	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	<u>Number</u>	Renumber	<u>Number</u>	<u>Section</u>	Action	<u>Number</u>	Renumber	<u>Number</u>
10-9a-509	Α	SB 196		176	11-43-102	Α	SB 47		137
		SB 208		179	12-1-10	Α	HB 63		24
10-9a-509.5	Α	SB 196		176	13-1-2	Α	HB 63		24
10-9a-603	Α	HB 177		66	13-1-8.5	A	HB 63		24
10-9a-604.5	E	SB 196		176	13-1a-5	A	HB 63		24
10-9a-703	A	HB 177		66	13-1a-6	Α	HB 63		24
10-15-4	A	SB 47		137	13-1a-7	A	HB 63		24
10-15-6	Α	SB 47		137	13-1a-9	Α	HB 63		24
10-18-302	Α	HB 63		24	13-2-5	Α	HB 63		24
10-19-101	E	SB 202		178	13-2-6	Α	HB 63		24
10-19-102	E	SB 202		178	13-2-8	Α	HB 63		24
10-19-201	E	SB 202		178	13-2-9	A	HB 63		24
10-19-202	E	SB 202		178	13-5-7	R	HB 412		108
10-19-301	E	SB 202		178	13-5-9	Α	HB 412		108
10-19-302	E	SB 202		178	13-11-4	Α	SB 30		132
11-13-103	A	SB 111		156	13-14-102	Α	HB 347		96
11-13-222	Α	HB 63		24			SB 57		141
11-13-302	Α	HB 63		24	13-14-103	Α	SB 57		141
		SB 48		139	13-14-104	Α	HB 63		24
11-13-303	Α	HB 63		24			SB 57		141
11-13-313	Α	HB 78		38	13-14-105	Α	HB 63		24
11-13-314	Α	HB 78		38	13-14-106	Α	HB 63		24
11-14-102	Α	SB 47		137	13-14-107	Α	HB 63		24
11-14-307	Α	SB 32		132	13-14-201	Α	SB 57		141
11-14-318	Е	SB 32		132	13-14-304	Α	SB 57		141
11-17-3	Α	SB 47		137	13-14-306	Α	SB 57		141
11-17-20	Α	HB 63		24	13-14-307	Α	SB 57		141
11-27-2	Α	SB 47		137	13-14-308	Е	SB 57		141
11-32-2	Α	SB 47		137	13-14-309	Е	SB 57		141
11-36-102	Α	HB 153		61	13-15-4	Α	HB 63		24
		SB 47		137	13-15-4.5	Α	HB 63		24
11-36-201	Α	HB 153		61	13-20-2	Α	HB 249		77
		HB 63		24	13-21-2	Α	SB 111		156
		SB 47		137	13-21-3	Α	HB 63		24
11-36-202	Α	HB 153		61	13-22-3	Α	HB 63		24
11-36-402	Α	HB 63		24	13-22-6	Α	HB 252		78
		HB 78		38			HB 63		24
11-37-101	Α	HB 63		24	13-22-8	Α	HB 63		24
11-38-102	Α	HB 63		24	13-22-9	Α	HB 63		24
11-38-303	Α	HB 63		24	13-22-12	Α	HB 63		24
11-39-101	Α	HB 63		24	13-23-5	Α	HB 63		24
		SB 47		137	13-25a-109	Α	HB 63		24
11-39-104	Α	SB 47		137	13-26-3	Α	HB 63		24
11-39-107	Α	HB 63		24	13-32a-102	Α	HB 192		69
11-40-101	Α	SB 47		137	13-32a-102.	5 A	HB 192		69
11-41-102	Α	HB 206		71	13-32a-104	Α	HB 192		69
		SB 245		187	13-32a-106.	5 A	HB 63		24
11-42-102	Α	SB 47		137	13-32a-111	Α	HB 63		24
11-42-205	Α	HB 63		24	13-32a-112	Α	HB 192		69
11-42-411	Α	SB 111		156	13-32a-112.	5 E	HB 192		69
11-42-605	Α	SB 111		156	13-32a-113	Α	HB 192		69
A=Amended	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

<u>Section</u>	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
10 04 104	Δ.	LID CO		24	10.0000	۸	CD 00		454
13-34-104 13-34-107	A A	HB 63 HB 63		24 24	16-6a-202 16-6a-207	A A	SB 88 SB 69		151 145
13-34-107		нв 63 НВ 63		24 24	16-6a-501	R	SB 88		151
13-34-113	A A	нв 63 НВ 63		24 24	16-6a-501	R	SB 88		151
13-35-104	A	HB 63		24	16-6a-503	R	SB 88		151
13-35-105	A	HB 63		24	16-6a-504	R	SB 88		151
13-35-100	A	HB 63		24	16-6a-703	A	SB 88		151
13-39-201	A	HB 63		24	16-6a-710	A	SB 88		151
13-39-203	A	HB 63		24	16-6a-1002	A	SB 88		151
13-41-102	A	HB 63		24	16-6a-1105	A	SB 88		151
13-42-105	A	HB 63		24	16-6a-1407	Α	SB 88		151
13-42-109	Α	HB 63		24	16-6a-1410	Α	SB 88		151
13-42-110	Α	HB 63		24	16-6a-1413	Α	HB 63		24
13-42-111	Α	HB 63		24	16-6a-1415	Α	SB 88		151
13-42-112	Α	HB 63		24	16-6a-1502	Α	HB 63		24
13-42-119	Α	HB 78		38	16-6a-1503	Α	SB 110		156
13-42-132	Α	HB 63		24			SB 88		151
13-42-134	Α	HB 63		24	16-6a-1504	Α	SB 88		151
13-43-203	Α	HB 464		111	16-6a-1508	R	SB 88		151
		HB 63		24	16-6a-1509	R	SB 88		151
		HB 78		38	16-6a-1514	Α	SB 88		151
13-43-204	Α	HB 63		24	16-6a-1515	Α	SB 88		151
		HB 78		38	16-6a-1517	Α	HB 63		24
13-43-206	Α	HB 63		24	16-6a-1604	Α	SB 88		151
		HB 78		38	16-6a-1607	Α	SB 88		151
		SB 111		156	16-6a-1702	Α	SB 111		156
13-44-301	Α	SB 132		161	16-7-11	Α	HB 63		24
13-46-101	E	SB 189		175	16-7-15	Α	SB 88		151
13-46-102	E	SB 189		175	16-10a-102	Α	SB 110		156
13-46-103	E	SB 189		175	16-10a-103	A	SB 88		151
13-46-201	E	SB 189		175	16-10a-120	A	SB 88		151
13-46-202	E	SB 189		175	16-10a-122	A	HB 63		24
13-46-301	E	SB 189		175 175	16-10a-125	A	SB 88		151
13-46-302	E	SB 189		175 175	16-10a-202	A	SB 88		151 151
13-46-303 14-1-18	E	SB 189 HB 63		175 24	16-10a-501 16-10a-502	R	SB 88 SB 88		151 151
14-1-16 15-1-4	A	SB 83		149	16-10a-502 16-10a-503	R R	SB 88		151
15-1- 4 15-4-6.7	A A	HB 78		38	16-10a-503	R	SB 88		151
15-4-0.7	A	HB 63		24	16-10a-304	A	SB 88		151
15-9-105	A	HB 63		24	16-10a-703	A	SB 88		151
15-9-106	A	HB 63		24	16-10a-809	A	SB 88		151
15-9-107	A	HB 63		24	16-10a-1002		SB 88		151
15-9-109	A	HB 63		24	16-10a-1107		SB 88		151
16-4-102	A	SB 110		156	16-10a-1330		SB 88		151
		SB 111		156	16-10a-1407		SB 88		151
16-6a-102	Α	SB 110		156	16-10a-1420		SB 88		151
		SB 88		151	16-10a-1423		HB 63		24
16-6a-105	Α	SB 88		151	16-10a-1431		SB 88		151
16-6a-107	Α	HB 63		24	16-10a-1503		SB 110		156
16-6a-110	Α	SB 88		151			SB 88		151
16-6a-111	Α	HB 63		24	16-10a-1504	Α	SB 88		151
A=Amende	ed	E=Enacted	d R=I	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Sec	tion	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
16 100 1500	В	SB 88		151	16.1	6 200	_	SB 88		151
16-10a-1508 16-10a-1509		SB 88		151		6-209 6-210	E E	SB 88		151
16-10a-1509		SB 88		151		6-301	E	SB 69		145
16-10a-1521 16-10a-1530		SB 88		151	10-1	0-301	_	SB 88		151
16-10a-1550 16-10a-1604		SB 88		151	16.1	6-302	Е	SB 69		145
16-10a-1604 16-10a-1607		SB 88		151	10-1	0-302	_	SB 88		151
16-10a-1607	A A	HB 63		24	16.1	6-303	Е	SB 69		145
16-12-3	A	HB 63		24		6-304	E	SB 69		145
16-15-104	A	SB 88		151		6-401	E	SB 69		145
16-15-105	A	HB 63		24	10 1	0 401	_	SB 88		151
16-15-107	A	HB 63		24	16-1	6-402	Е	SB 69		145
16-15-108	Α	HB 63		24		0 102	_	SB 88		151
16-15-109	Α	SB 88		151	16-1	6-403	Е	SB 69		145
16-16-101	E	SB 69		145			_	SB 88		151
		SB 88		151	16-1	6-404	Е	SB 69		145
16-16-102	Ε	SB 69		145				SB 88		151
		SB 88		151	16-1	6-405	Е	SB 69		145
16-16-103	Е	SB 69		145		6-406	Е	SB 69		145
16-16-104	Е	SB 69		145	16-1	6-407	Е	SB 69		145
16-16-105	Ε	SB 69		145	16-1	6-501	E	SB 69		145
16-16-106	Ε	SB 69		145	16-1	6-502	Ε	SB 69		145
16-16-107	Ε	SB 69		145	16-1	6-503	Е	SB 69		145
16-16-108	Е	SB 69		145	16-1	6-504	Е	SB 69		145
16-16-109	E	SB 69		145	16-1	6-505	Е	SB 69		145
16-16-110	Е	SB 69		145	16-1	6-506	E	SB 69		145
16-16-111	Е	SB 69		145		6-507	Е	SB 69		145
16-16-112	Ε	SB 69		145		6-508	Е	SB 69		145
16-16-113	Е	SB 69		145		6-509	Е	SB 69		145
16-16-114	Е	SB 69		145		6-510	Е	SB 69		145
16-16-115	E	SB 69		145		6-511	E	SB 69		145
16-16-116	E	SB 69		145		6-512	E	SB 69		145
16-16-117	E	SB 69		145		6-513	E	SB 69		145
16-16-118	E	SB 69		145		6-514	E	SB 69		145
16-16-119	E	SB 69		145		6-515	E	SB 69		145
16-16-120	E	SB 69		145		6-516	E	SB 69		145
16-16-201	Е	SB 69		145		6-517	E	SB 69		145
16-16-202	_	SB 88 SB 69		151 145		6-601	E	SB 69 SB 69		145 145
10-10-202	Е	SB 88		151		6-602 6-603	E E	SB 69		145
16-16-203	Е	SB 69		145		6-604	E	SB 69		145
10-10-203	L	SB 88		151		6-605	E	SB 69		145
16-16-204	Е	SB 69		145		6-701	E	SB 69		145
10 10 201	_	SB 88		151		6-702	E	SB 69		145
16-16-205	Е	SB 69		145		6-703	Ē	SB 69		145
	_	SB 88		151		6-704	E	SB 69		145
16-16-206	Е	SB 69		145		6-801	E	SB 69		145
		SB 88		151		6-802	E	SB 69		145
16-16-207	Е	SB 69		145		6-803	Е	SB 69		145
		SB 88		151	16-1	6-804	Ε	SB 69		145
16-16-208	Ε	SB 69		145	16-1	6-805	Е	SB 69		145
		SB 88		151	16-1	6-806	Е	SB 69		145
A=Amende	d	E=Enacted	1 P-	Repealed	Y=Da	halsar	and Reenact	ted NI-	Renumbered and	Amended
Amende	<u> </u>	L-Lilactet	- 1\-	. topouisu	X-IVE	Jouisu (and Reendo		amberea ana	, andraeu

		Bill	Former/	<u>Page</u>			<u>Bill</u>	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	<u>Number</u>	<u>Renumber</u>	<u>Number</u>	<u>Section</u>	Action	<u>Number</u>	<u>Renumber</u>	<u>Number</u>
16-16-807	E	SB 69		145	16-16-1402	Е	SB 69		145
16-16-808	E	SB 69		145	16-16-1403	E	SB 69		145
16-16-809	E	SB 69		145	16-16-1404	E	SB 69		145
16-16-810	E	SB 69		145	16-16-1405	E	SB 69		145
16-16-811	E	SB 69		145	16-16-1406	E	SB 69		145
16-16-812	E	SB 69		145	16-16-1407	E	SB 69		145
16-16-813	Ē	SB 69		145	16-16-1408	E	SB 69		145
16-16-814	E	SB 69		145	16-16-1501	E	SB 69		145
16-16-815	Е	SB 69		145	16-16-1502	Е	SB 69		145
16-16-816	Е	SB 69		145	16-16-1503	Ε	SB 69		145
16-16-817	Е	SB 69		145	16-16-1504	Ε	SB 69		145
16-16-818	Е	SB 69		145	16-16-1601	Е	SB 69		145
16-16-819	Е	SB 69		145	16-16-1602	Е	SB 69		145
16-16-820	Ε	SB 69		145	16-16-1603	Ε	SB 69		145
16-16-821	Е	SB 69		145	16-16-1604	Е	SB 69		145
16-16-822	E	SB 69		145	16-16-1605	Ε	SB 69		145
16-16-823	Ε	SB 69		145	16-16-1606	Е	SB 69		145
16-16-901	Ε	SB 69		145	16-16-1607	Ε	SB 69		145
16-16-1001	Ε	SB 69		145	16-16-1608	Ε	SB 69		145
16-16-1002	Ε	SB 69		145	16-16-1609	E	SB 69		145
16-16-1003	Ε	SB 69		145	16-16-1610	E	SB 69		145
16-16-1004	Ε	SB 69		145	16-16-1611	E	SB 69		145
16-16-1005	Ε	SB 69		145	16-16-1612	Ε	SB 69		145
16-16-1006	Ε	SB 69		145	16-16-1701	Ε	SB 69		145
16-16-1007	Ε	SB 69		145	16-16-1702	Ε	SB 69		145
16-16-1008	Ε	SB 69		145	16-16-1703	Ε	SB 69		145
16-16-1009	E	SB 69		145	17-15-24	Α	HB 63		24
16-16-1101	Ε	SB 69		145	17-16-6.5	Α	HB 29		9
16-16-1102	Е	SB 69		145	17-16-21	Α	HB 63		24
16-16-1103	Ε	SB 69		145	17-16a-4	Α	HB 63		24
16-16-1201	Е	SB 69		145	17-20-1	Α	HB 78		38
16-16-1202	Е	SB 69		145	17-21-1	Α	SB 92		152
16-16-1203	Е	SB 69		145	17-21-12	Α	SB 92		152
16-16-1204	Е	SB 69		145	17-21-17	Α	HB 63		24
16-16-1205	Е	SB 69		145	17-21-19	Α	HB 63		24
16-16-1206	Е	SB 69		145	17-22-1.5	Α	HB 305		87
16-16-1207	E	SB 69		145	17-22-2	Α	SB 253		188
16-16-1208	E	SB 69		145	17-22-9.5	E	SB 81		149
16-16-1209	E	SB 69		145	17-27a-103	Α	HB 177		66
16-16-1210	E	SB 69		145			SB 111		156
16-16-1211	E	SB 69		145			SB 196		176
16-16-1212	E	SB 69		145	47.07.000		SB 47		137
16-16-1213	E	SB 69		145	17-27a-203	A	HB 63		24
16-16-1214	E	SB 69		145	17-27a-301	A	SB 111		156
16-16-1215	E	SB 69		145	17-27a-305	A	SB 286		192
16-16-1301	E	SB 69		145	17-27a-306	A	SB 111		156 450
16-16-1302	E	SB 69		145	17-27a-307	A	SB 111		156
16-16-1303	E	SB 69		145	17-27a-402	A	HB 63		24
16-16-1304	E	SB 69		145	17-27a-403	A	HB 221		73 66
16-16-1305	E	SB 69		145 145	17-27a-505	A	HB 177		66 171
16-16-1401	E	SB 69		145	17-27a-507	Α	SB 177		171
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
17-27a-508	Α	SB 196		176	17A-2-1312	R	SB 47		138
		SB 208		179	17A-2-1313	R	SB 47		138
17-27a-509.	5 A	SB 196		176	17A-2-1314	R	SB 47		138
17-27a-603	Α	HB 177		66	17A-2-1315	R	SB 47		138
		SB 111		156	17A-2-1316	R	SB 47		138
17-27a-604.	5 E	SB 196		176	17A-2-1317	R	SB 47		138
17-27a-703	Α	HB 177		66	17A-2-1318	R	SB 47		138
17-31-5.5	Α	SB 245		187	17A-2-1319	R	SB 47		138
17-33-1	Α	HB 235		75	17A-2-1320	R	SB 47		138
		SB 78		148	17A-2-1321	R	SB 47		138
17-33-5	Α	SB 78		148	17A-2-1322	R	SB 47		138
17-33-8	Α	HB 235		75	17A-2-1323	R	SB 47		138
	_	SB 78		148	17A-2-1324	R -	SB 47		138
17-33-16	E	HB 235		75	17A-2-1325	R -	SB 47		138
17-34-3	Α	HB 77		37	17A-2-1326	R	SB 47		138
		SB 29		131	17A-2-1327	R	SB 47		138
47 44 000	^	SB 48		139	17A-2-1328	R	SB 47		138
17-41-306	A	HB 221		73	17A-2-1329	R	SB 47		138
17-41-402	A	HB 40		14 72	17A-2-1330	R	SB 47		138
17-41-406	A	HB 221		73 89	17A-2-1331	R	SB 47		138 138
17-43-201 17-43-202	A A	HB 316 HB 63		69 24	17A-2-1332 17A-3-401	R R	SB 47 SB 47		138
17-43-202	A	HB 316		89	17A-3-401 17A-3-402	R	SB 47		138
17-43-204	A	HB 63		24	17A-3-402 17A-3-403	R	SB 47		138
17-50-106	E	HB 223		74	17A-3-404	R	SB 47		138
17 00 100	_	SB 45		135	17A-3-405	R	SB 47		138
17-50-302	Α	HB 63		24	17A-3-406	R	SB 47		138
00 002	, ,	HB 78		38	17A-3-407	R	SB 47		138
17-50-319	Α	HB 121		52	17A-3-408	R	SB 47		138
17-50-324	E	SB 253		188	17A-3-409	R	SB 47		138
		SB 299		195	17A-3-410	R	SB 47		138
		SB 47		137	17A-3-411	R	SB 47		138
17-50-401	Α	HB 63		24	17A-3-412	R	SB 47		138
17-52-201	Α	SB 111		156	17A-3-413	R	SB 47		138
17-52-403	Α	SB 47		137	17A-3-414	R	SB 47		138
17-53-216	Α	SB 111		156	17A-3-800	Ν	SB 47	17D-3-102	138
17-53-225	Α	HB 63		24	17A-3-801	R	SB 47		138
17-53-311	Α	HB 63		24	17A-3-802	R	SB 47		138
		SB 47		137	17A-3-803	R	SB 47		138
17-53-313	Α	HB 63		24	17A-3-804	R	SB 47		138
17A-2-1301	R	SB 47		138	17A-3-805	R	SB 47		138
17A-2-1302	R	SB 47		138	17A-3-806	R	SB 47		138
17A-2-1303	R	SB 47		138	17A-3-807	R	SB 47		138
17A-2-1304	R	SB 47		138	17A-3-1201	R	SB 47		138
17A-2-1305	R	SB 47		138	17A-3-1202	R -	SB 47		138
17A-2-1306	R	SB 47		138	17A-3-1203	R	SB 47		138
17A-2-1307	R	SB 47		138	17A-3-1204	R	SB 47		138
17A-2-1308	R	SB 47		138	17A-3-1205	R	SB 47		138
17A-2-1309	R	SB 47		138	17A-3-1206	R	SB 47		138
17A-2-1310	R	SB 47		138	17A-3-1301	R	SB 47		138
17A-2-1311	R	SB 47		138	17A-3-1302	R	SB 47		138
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=	Renumbered and	Amended

Section	A ation	<u>Bill</u>	Former/	<u>Page</u>	Section	Action	<u>Bill</u>	Former/	<u>Page</u>
Section	<u>Action</u>	<u>Number</u>	Renumber	<u>Number</u>	<u>Section</u>	Action	<u>Number</u>	<u>Renumber</u>	<u>Number</u>
17A-3-1303	R	SB 47		138	17D-1-102	Е	SB 47		137
17A-3-1304	R	SB 47		138	17D-1-103	Ē	SB 47		137
17A-3-1305	R	SB 47		138	17D-1-104	Ē	SB 47		137
17A-3-1306	R	SB 47		138	17D-1-105	E	SB 47		137
17B-1-102	Α	SB 47		137	17D-1-106	Ē	SB 47		137
17B-1-103	Α	HB 78		38	17D-1-107	Е	SB 47		137
		SB 47		137	17D-1-108	Е	SB 47		137
17B-1-106	Α	HB 63		24	17D-1-109	Е	SB 47		137
17B-1-108	Α	HB 63		24	17D-1-201	Ε	SB 47		137
17B-1-202	Α	SB 47		137	17D-1-202	Е	SB 47		137
17B-1-203	Α	SB 47		137	17D-1-203	Е	SB 47		137
17B-1-205	Α	SB 47		137	17D-1-204	Ε	SB 47		137
17B-1-215	Α	SB 47		137	17D-1-205	Ε	SB 47		137
17B-1-302	Α	SB 47		137	17D-1-206	Е	SB 47		137
17B-1-303	Α	SB 47		137	17D-1-207	Е	SB 47		137
17B-1-306	Α	HB 261		79	17D-1-208	Е	SB 47		137
		HB 44		15	17D-1-209	Е	SB 47		137
		SB 47		137	17D-1-210	Е	SB 47		137
17B-1-312	Α	SB 47		137	17D-1-211	Е	SB 47		137
17B-1-414	Α	SB 261		188	17D-1-212	Ε	SB 47		137
17B-1-416	Α	SB 261		188	17D-1-301	Е	SB 47		137
17B-1-506	Α	HB 78		38	17D-1-302	Ε	SB 47		137
17B-1-643	Α	SB 47		137	17D-1-303	Ε	SB 47		137
17B-1-1002	Α	SB 47		137	17D-1-304	Ε	SB 47		137
17B-1-1101	Α	SB 47		137	17D-1-305	Ε	SB 47		137
17B-1-1103	Α	SB 47		137	17D-1-306	Ε	SB 47		137
17B-1-1104	Α	SB 47		137	17D-1-401	Е	SB 47		137
17B-2a-404	Α	SB 47		137	17D-1-402	Е	SB 47		137
17B-2a-405	Α	SB 47		137	17D-1-403	Е	SB 47		137
17B-2a-406	Α	SB 47		137	17D-1-501	Е	SB 47		137
17B-2a-804	Α	SB 47		137	17D-1-502	E	SB 47		137
17B-2a-807	Α	SB 231		183	17D-1-503	E	SB 47		137
17B-2a-808	Α	SB 231		183	17D-1-504	E	SB 47		137
17B-2a-810	Α	SB 231		183	17D-1-505	E	SB 47		137
17B-2a-813	A	SB 47		137	17D-1-506	E	SB 47		137
17B-2a-818	A	HB 63		24	17D-1-507	E	SB 47		137
17B-2a-820	A	HB 78	175 1 000 5	38	17D-1-508	E	SB 47		137
17B-2a-906	N	SB 47	17B-1-306.5	138	17D-1-509	E	SB 47		137
17B-2a-1005		SB 47		137	17D-1-601	E	SB 47		137
17B-2a-1007		SB 47		137	17D-1-602	E	SB 47		137
17C-1-102	Α	HB 186		67	17D-1-603	E	SB 47		137
170 1 202	۸	SB 294		193	17D-2-101	E	SB 47		137
17C-1-203 17C-1-408	A	SB 294 HB 77		193 37	17D-2-102 17D-2-103	E E	SB 47 SB 47		137 137
170-1-400	Α	SB 29		131	17D-2-103 17D-2-104	E	SB 47		137
		SB 29 SB 48		139		E			
17C-2-102	Α	SB 46 SB 294		193	17D-2-105 17D-2-106	E	SB 47 SB 47		137 137
17C-2-102 17C-2-301	A	SB 294 SB 294		193	17D-2-106 17D-2-107	E	SB 47 SB 47		137
17C-2-301 17C-2-303	A	SB 294 SB 294		193	17D-2-107 17D-2-108	E	SB 47 SB 47		137
17C-2-303 17C-2-602	A	ЗВ 29 4 НВ 63		24	17D-2-106 17D-2-109	E	SB 47		137
17C-2-002 17D-1-101	E	SB 47		137	17D-2-109 17D-2-110	E	SB 47		137
1101101	_	0D 41		101	110 2-110	_	95 4 1		101
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
17D-2-201	Е	SB 47		137	19-2-109.3	Α	HB 63		24
17D-2-202	Е	SB 47		137	19-2-109.5	Α	HB 63		24
17D-2-203	Е	SB 47		137	19-2-112	Α	HB 63		24
17D-2-301	Е	SB 47		137	19-2-115	Α	HB 63		24
17D-2-302	Е	SB 47		137	19-2-124	Α	SB 135		162
17D-2-401	Е	SB 47		137	19-2-125	Α	SB 135		162
17D-2-402	Е	SB 47		137	19-3-104	Α	HB 63		24
17D-2-403	Е	SB 47		137	19-3-106.4	Α	HB 63		24
17D-2-404	Е	SB 47		137	19-3-109	Α	HB 63		24
17D-2-405	Е	SB 47		137	19-3-111	Α	HB 63		24
17D-2-501	Е	SB 47		137	19-3-301	Α	SB 47		137
17D-2-502	Е	SB 47		137	19-3-303	Α	HB 63		24
17D-2-503	Е	SB 47		137	19-3-308	Α	HB 63		24
17D-2-504	Е	SB 47		137	19-3-315	Α	HB 63		24
17D-2-505	Е	SB 47		137	19-4-102	Α	HB 40		14
17D-2-506	Е	SB 47		137	19-4-103	Α	SB 111		156
17D-2-507	Е	SB 47		137	19-4-104	Α	HB 63		24
17D-2-601	Е	SB 47		137	19-4-109	Α	HB 63		24
17D-2-602	Е	SB 47		137	19-4-113	Е	HB 40		14
17D-2-701	Е	SB 47		137	19-5-103	Α	HB 222		73
17D-2-702	Е	SB 47		137			SB 111		156
17D-3-101	Е	SB 47		137	19-5-104	Α	HB 222		73
17D-3-103	Е	SB 47		137			HB 63		24
17D-3-104	Е	SB 47		137	19-5-113	Α	HB 63		24
17D-3-201	Е	SB 47		137	19-5-120	Α	HB 63		24
17D-3-202	Е	SB 47		137	19-5-121	Α	HB 63		24
17D-3-203	Ε	SB 47		137	19-5-122	Α	HB 63		24
17D-3-204	Е	SB 47		137	19-5-124	Ε	HB 303		86
17D-3-301	Ε	SB 47		137	19-6-102.6	Α	HB 63		24
17D-3-302	Ε	SB 47		137	19-6-105	Α	HB 63		24
17D-3-303	Ε	SB 47		137	19-6-108.3	Α	HB 63		24
17D-3-304	Ε	SB 47		137			SB 111		156
17D-3-305	Е	SB 47		137	19-6-113	Α	HB 78		38
17D-3-306	Е	SB 47		137	19-6-303	Α	HB 63		24
17D-3-307	Е	SB 47		137	19-6-321	Α	HB 63		24
17D-3-308	Е	SB 47		137	19-6-326	Α	HB 63		24
17D-3-309	Е	SB 47		137	19-6-403	Α	HB 50		18
17D-3-310	Ε	SB 47		137			HB 63		24
19-1-201	Α	HB 63		24	19-6-405.3	Α	HB 63		24
19-1-301	Α	HB 63		24	19-6-408	Α	HB 63		24
19-1-305	Α	HB 63		24	19-6-410.5	Α	HB 63		24
19-1-306	Α	HB 63		24	19-6-427	Α	HB 63		24
19-1-403	Α	HB 63		24	19-6-502	Α	SB 46		136
19-1-404	Α	HB 63		24			SB 47		137
19-1-405	Α	HB 63		24	19-6-502.5	Е	SB 46		136
19-2-102	Α	HB 146		59	19-6-503	Α	SB 46		136
19-2-103	Α	SB 111		156	19-6-507	Е	SB 46		136
19-2-104	Α	HB 146		59	19-6-704	Α	HB 63		24
		HB 63		24	19-6-721	Α	HB 63		24
19-2-105.3	Α	HB 63		24	19-6-803	Α	HB 63		24
19-2-109.1	Α	HB 63		24	19-6-806	Α	HB 63		24
A=Amende	d	E=Enacted	i R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
19-6-809	Α	HB 132		56	20A-3-408.5	Α	HB 63		24
19-6-812	Α	HB 132		56	20A-3-505	Α	SB 193		176
19-6-818	Α	HB 63		24	20A-3-603	Α	HB 43		14
19-6-819	Α	HB 63		24	20A-3-605	Е	SB 47		137
19-6-821	Α	HB 63		24	20A-4-101	Α	SB 12		124
19-6-902	Α	SB 209		179	20A-4-301	Α	HB 185		67
19-6-906	Α	HB 63		24	20A-4-304	Α	HB 309		87
19-6-1003	Α	HB 63		24	20A-4-305	Α	SB 23		130
19-7-103	Α	HB 63		24	20A-4-306	Α	SB 12		124
19-7-104	Α	HB 63		24	20A-5-303	Α	HB 182		66
19-8-112	Α	HB 63		24	20A-5-400.5	Α	HB 296		85
19-8-117	Α	HB 63		24	20A-5-403	Α	HB 296		85
19-8-120	Α	HB 63		24	20A-5-409	Α	SB 12		124
19-9-105	Α	HB 63		24	20A-6-106	Ε	HB 126		54
19-9-106	Α	HB 78		38			SB 22		130
19-10-108	Α	HB 63		24	20A-6-107	Е	HB 126		54
20A-1-102	Α	HB 126		54	20A-6-301	Α	HB 126		54
0,11.0		HB 231		74			SB 12		124
		SB 20		128	20A-6-303	Α	HB 126		54
		SB 47		137			SB 12		124
20A-1-203	Α	HB 164		63	20A-6-304	Α	HB 126		54
20A-1-204	A	HB 164		63			SB 12		124
20/(1 20 1	, ,	HB 63		24	20A-6-402	Α	HB 126		54
20A-1-401	Α	SB 12		124	20A-7-103	Α	HB 126		54
20A-1-404	A	HB 238		75			SB 12		124
20A-1-506	A	HB 78		38	20A-7-201	Α	SB 54		140
		SB 20		128	20A-7-202	Α	SB 54		140
20A-1-510	Α	SB 20		128	20A-7-205.5	Α	SB 54		140
20A-1-601	Α	SB 193		176	20A-7-206	Α	SB 54		140
20A-1-602	A	SB 193		176	20A-7-207	Α	SB 54		140
20A-1-603	Α	SB 193		176	20A-7-209	Α	HB 126		54
20A-1-604	A	SB 193		176	004 7 000		SB 12		124
20A-1-606	A	SB 193		176	20A-7-308	A	HB 126		54
20A-2-101	A	SB 193		176	20A-7-401	A	SB 53		140
20A-2-102.5		SB 12		124	20A-7-402	A	HB 231		74
20A-2-104	A	HB 63		24	20A-7-502	A	SB 54		140
20A-2-105	A	SB 193		176	20A-7-503	A	SB 12		124
20A-2-107	A	HB 185		67	20A-7-506	A	SB 54		140
20A-2-107.5		HB 185		67	20A-7-508	A	HB 126		54
20A-2-107.5	Α	SB 12		124	20A-7-606	A	SB 54		140
20/4-2-201	^	SB 193		176	20A-7-608	A	HB 126		54
20A-2-301	Α	SB 125		160	20A-7-609	A	SB 54		140
20A-2-301 20A-2-302	A	SB 125		160	20A-7-701	A	SB 12		124
20A-2-302 20A-2-401	A	SB 123 SB 193		176	20A-7-702	Α	HB 309 HB 78		87 38
20A-2-401 20A-3-101	A	SB 193 SB 193		176			нв 78 SB 105		
20A-3-101 20A-3-104.5		HB 185		67					155 124
20A-3-104.5 20A-3-303	, А А	нв 165 НВ 310		87	204 7 702	٨	SB 12 SB 12		124 124
20A-3-303 20A-3-304.1		нв 310 НВ 63		0 <i>1</i> 24	20A-7-703 20A-7-705	A A	SB 12 SB 12		124 124
20A-3-304.1 20A-3-404	A	SB 12		124	20A-7-705 20A-7-706	A	SB 12 SB 12		124
2UM-3-4U4	A	טט וע		12 4	ZUA-1-100	A	3D 1Z		124
A=Amende	ed	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
20A-9-201	Α	HB 238		75	20A-12-101	N	HB 78	78A-10-102	39
		SB 12		124	20A-12-102	R	HB 78		44
		SB 147		164	20A-12-103	R	HB 78		44
		SB 21		129	20A-12-104	Α	HB 63		24
20A-9-202	Α	SB 12		124		Ν	HB 78	78A-10-103	39
20A-9-203	Α	HB 238		75	20A-12-105	Ν	HB 78	78A-10-104	39
		SB 12		124	20A-12-201	Α	SB 12		124
		SB 20		128			SB 72		146
20A-9-206	Α	HB 63		24	20A-12-304	Α	SB 21		129
20A-9-403	Α	SB 12		124	20A-14-103	Α	SB 13		125
20A-9-601	Α	SB 12		124	20A-14-202	Α	SB 13		125
20A-9-701	Α	SB 12		124	23-13-2	Α	HB 148		60
20A-9-802	Α	SB 12		124	23-13-18	E	SB 164		169
20A-9-803	A	SB 12		124	23-14-2.1	Α	HB 63		24
20A-9-804	A	HB 185		67	23-14-13	A	HB 359		100
20A-9-808	X	HB 185		67 8 7	23-14-14.1	A	HB 359		100
20A-9-809	A	HB 185		67	23-14-18	A	HB 63		24
20A-11-101	Α	HB 29		9	23-14-21	A	HB 63		24
204 11 102	۸	SB 21		129	23-15-9	A	HB 148		60
20A-11-103	Α	HB 29 SB 21		9 129	23-15-10 23-16-3.2	A A	HB 148 HB 63		60 24
20A-11-203	Α	SB 21		129	23-16-3.2 23-16-4	A	нв 63 НВ 63		2 4 24
20A-11-203 20A-11-204	A	SB 21		129	23-16-6	A	SB 59		141
20A-11-204 20A-11-206	A	SB 21		129	23-10-0	A	HB 148		60
20A-11-302	A	SB 12		124	23-19-9	A	HB 63		24
20/11/002	,,	SB 21		129	23-19-11.1	E	HB 427		109
20A-11-303	Α	SB 21		129	23-19-38.2	A	HB 63		24
20A-11-305	Α	SB 21		129	23-21-2.3	Α	HB 63		24
20A-11-401	Α	SB 21		129	23-24-1	Α	HB 63		24
20A-11-506	Α	SB 12		124	23-27-101	Е	SB 238		185
		SB 21		129	23-27-102	Ε	SB 238		185
20A-11-507	Α	SB 21		129	23-27-201	E	SB 238		185
20A-11-508	Α	SB 21		129	23-27-202	E	SB 238		185
20A-11-601	Α	SB 12		124	23-27-301	Ε	SB 238		185
		SB 21		129	23-27-302	Ε	SB 238		185
20A-11-602	Α	HB 29		9	23-27-303	Е	SB 238		185
		SB 21		129	23-27-401	E	SB 238		185
20A-11-603	Α	SB 21		129	24-1-3.5	Α	HB 78		38
20A-11-701	Α	SB 21		129	24-1-19	Α	HB 63		24
20A-11-702	Α	SB 21		129	26-1-4.1	Α	HB 63		24
20A-11-801	Α	SB 12		124	26-1-5	Α	HB 63		24
20A-11-802	Α	HB 29		9	26-1-6	Α	HB 63		24
		SB 21		129	26-1-7.1	Α	HB 63		24
20A-11-803	Α	SB 21		129	26-1-17.5	Α	HB 63		24
20A-11-1202	2 A	SB 12		124	26-1-21	Α	HB 63		24
004 44 4000		SB 47		137	26-1-30	A	HB 312		88
20A-11-1203		SB 12		124	26-1-36	A	HB 119		52
20A-11-1302	2 A	SB 12		124	26-1-37	E	HB 47		16
004 44 4000		SB 21		129	26-2-5	A	HB 78		38
20A-11-1303		SB 21		129	26-2-10	A	HB 78		38
20A-11-1305	5 A	SB 21		129	26-2-15	Α	HB 78		38
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>	<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
26-2-22	Α	HB 46		16	26-18-304	Α	HB 131		56
		HB 63		24			HB 63		24
		HB 78		38	26-18-503	Α	HB 366		103
26-2-28	Α	HB 78		38	26-18-504	Α	HB 366		103
26-3-7	Α	HB 78		38			HB 63		24
26-6-3	Α	HB 15		5	26-18-505	Ε	HB 445		111
26-6-6	Α	HB 78		38	26-18a-3	Α	HB 359		100
26-6-27	Α	HB 78		38	26-18a-4	Α	HB 359		100
26-6b-1	Α	HB 63		24			HB 63		24
26-6b-3	Α	SB 236		184	26-21-3	Α	HB 268		81
26-6b-3.3	Α	SB 236		184	26-21-5	Α	HB 63		24
26-6b-3.4	Α	HB 78		38	26-21-9.5	Α	HB 63		24
		SB 236		184			HB 78		38
26-6b-4	Α	SB 236		184	26-21-23	Α	HB 63		24
26-6b-5	Α	SB 236		184	26-21-24	Ε	HB 366		103
26-6b-6	Α	SB 236		184	26-21a-203	Α	HB 63		24
26-7-4	E	HB 263		80	26-21a-205	Α	HB 63		24
		HB 38		13	26-23-2	Α	HB 63		24
26-8a-104	Α	HB 63		24	26-23b-102	Α	HB 78		38
26-8a-105	Α	HB 63		24	26-23b-110	Α	HB 63		24
26-8a-207	Α	HB 63		24	26-25-1	Α	HB 78		38
26-8a-310	Α	HB 63		24	26-25-2	Α	HB 63		24
26-8a-404	Α	HB 63		24	26-28-121	Α	SB 146		164
26-8a-405.1	Α	SB 47		137	26-33a-104	Α	HB 63		24
26-8a-405.2	Α	SB 47		137	26-35a-106	Α	HB 63		24
26-8a-405.3	Α	HB 63		24	26-38-9	Α	HB 63		24
26-8a-407	Α	HB 63		24	26-39-102	Α	SB 184		173
26-8a-414	Α	HB 63		24	26-39-103	N	SB 184	26-39-201	173
26-8a-503	Α	HB 63		24	26-39-104	N	SB 184	26-39-301	173
26-8a-504	Α	HB 63		24	26-39-105	N	SB 184	26-39-401	173
26-9-4	Α	HB 281		83	26-39-105.5		SB 184	26-39-402	173
26-9f-102	Α	HB 24		8	26-39-106	N	SB 184	26-39-403	173
26-9f-103	Α	HB 24		8	26-39-107	N	SB 184	26-39-404	173
26-9f-104	Α	HB 24		8	26-39-108	Α	HB 63		24
26-15a-102	Α	HB 63		24		N	SB 184	26-39-601	173
26-15a-104	Α	HB 63		24	26-39-109	Α	HB 63		24
26-15a-105	Α	HB 63		24		N	SB 184	26-39-501	173
26-18-2.4	Α	HB 258		79	26-39-110	N	SB 184	26-39-602	173
26-18-3	Α	HB 63		24	26-39-202	Е	SB 184		173
		HB 82		45	26-40-103	Α	HB 63		24
26-18-4	Α	HB 82		45			HB 82		45
26-18-10	Α	HB 82		45	26-40-105	Α	HB 326		91
26-18-12	E	HB 133		57	26-40-108	Α	HB 326		91
		HB 16		5	26-40-110	Α	HB 370		104
		HB 364		102			HB 63		24
		HB 74		35	26-41-102	Α	HB 101		48
26-18-103	A	HB 63		24	26-41-103	A	HB 101		48
26-18-104	A	HB 63		24	26-41-104	Α	HB 101		48
26-18-301	A	HB 131		56		_	HB 63		24
26-18-302	Α	HB 131		56	26-41-105	Α	HB 101		48
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=	Renumbered and	Amended

Section 26-41-106	Action A	Number	Renumber			A . 1			NI
26-41-106	Α			<u>Number</u>	<u>Section</u>	<u>Action</u>	Number	Renumber	<u>Number</u>
		HB 101		48	30-3-38	Α	HB 22		7
26-42-104	Α	HB 63		24			HB 63		24
26-43-103	A	HB 63		24		R	SB 111		156
26-46-102	A	HB 63		24	30-3-39	A	HB 78		38
26-47-103	A	HB 63		24	30-5a-101	E	SB 186		174
26-48-102	A	HB 359		100	30-5a-101	E	SB 186		174
20 10 102	, ,	HB 63		24	30-5a-102	E	SB 186		174
26-49-101	Е	HB 174		65				70D 7 100	
20 10 101	_	SB 209		179	30-6-1 30-6-2	N N	HB 78 HB 78	78B-7-102 78B-7-103	39 39
		SB 66		144	30-6-3				39
26-49-102	Е	HB 174		65		N	HB 78	78B-7-104	
20 40 102	_	SB 66		144	30-6-4	N	HB 78	78B-7-105	39
26-49-103	Е	SB 66		144	30-6-4.1	N	HB 78	78B-7-109	39
26-49-201	E	HB 174		65	30-6-4.2	N	HB 78	78B-7-106	39
20-43-201	_	SB 209		179	30-6-4.3	N	HB 78	78B-7-107	39
		SB 66		144	30-6-4.4	N	HB 78	78B-7-110	39
26-49-202	Е	HB 174		65	30-6-4.5	N	HB 78	78B-7-108	39
20-43-202	_	SB 209		179	30-6-4.6	N	HB 78	78B-7-111	39
		SB 209		144	30-6-8	N	HB 78	78B-7-113	39
26-49-203	Е	SB 66		144	30-6-11	N	HB 78	78B-7-112	39
26-49-204	E	SB 66		144	30-6-12	N	HB 78	78B-7-116	39
26-49-205	E	SB 66		144	30-6-14	N	HB 78	78B-7-114	39
26-49-301	E	SB 66		144	30-6-15	Ν	HB 78	78B-7-115	39
26-49-401	E	SB 66		144	30-6a-101	Ν	HB 78	78B-7-301	39
26-49-501	E	SB 66		144	30-6a-102	Ν	HB 78	78B-7-302	39
26-49-601	E	SB 66		144	30-6a-103	Ν	HB 78	78B-7-303	39
26-49-001 26-49-701	E	SB 66		144	30-6a-104	Ν	HB 78	78B-7-304	39
26A-1-108.7	A	HB 63		24	30-6a-105	Ν	HB 78	78B-7-305	39
26A-1-106.7	A	HB 312		88	30-6a-106	Ν	HB 78	78B-7-306	39
26A-1-114 26A-1-121	A	HB 78		38	30-6a-107	Ν	HB 78	78B-7-307	39
30-1-17.2		HB 78		38	30-6a-108	Ν	HB 78	78B-7-308	39
30-1-17.2	A	пв 76 НВ 78		38	30-6a-109	Ν	HB 78	78B-7-309	39
30-2-3 30-2-11	A	пв 76 НВ 63		36 24	30-6a-110	R	HB 78		44
30-2-11	Α			38	30-6a-111	Ν	HB 78	78B-7-310	39
30-3-3	٨	HB 78 HB 78		38	31A-1-103	Α	HB 63		24
30-3-3 30-3-4	A			38	31A-1-301	Α	HB 342		95
30-3- 4 30-3-5.2	A	HB 78 HB 78		38			HB 63		24
30-3-5.2 30-3-10	A	пв 76 НВ 78		38	31A-2-201	Α	HB 63		24
30-3-10	A	пв 76 НВ 78		38	31A-2-201.1	Α	HB 63		24
	A	пв 76 НВ 63		36 24	31A-2-203	Α	HB 342		95
30-3-11.3 30-3-11.4	A	HB 63		24	0.7.12.200		HB 63		24
	A			2 4 38	31A-2-203.5	Α	HB 63		24
30-3-15.3	A	HB 78 HB 78		38	31A-2-204	A	HB 63		24
30-3-17.1 30-3-32	A	пв 76 НВ 71		33	31A-2-207	A	HB 63		24
30-3-32	Α				31A-2-209	A	HB 63		24
20.2.22	٨	HB 78		38	31A-2-217	A	HB 63		24
30-3-33	A	HB 71		33	31A-2-217 31A-2-218	E	пв 63 НВ 133		24 57
30-3-34	A	HB 71		33					
30-3-35	A	HB 71		33	31A-2-302	A	HB 63		24
30-3-35.5	A	HB 71		33	31A-2-304	A	HB 78		38
30-3-37	Α	HB 71		33	31A-2-306.5	Α	HB 63		24
A=Amended	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended

Section 1	<u>Action</u>	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
31A-2-309	Α	SB 143		163	31A-22-320	Α	HB 63		24
31A-2-403	Α	HB 342		95	31A-22-321	Α	HB 144		59
31A-2-404	Α	HB 63		24			HB 467		112
31A-3-101	Α	HB 63		24			HB 78		38
31A-3-103	Α	HB 63		24	31A-22-403	Α	HB 63		24
31A-3-304	Α	HB 63		24	31A-22-404	Α	HB 342		95
31A-4-102	Α	HB 342		95	31A-22-409	Α	HB 342		95
31A-4-103	Α	HB 63		24			HB 63		24
31A-4-106	Α	HB 342		95	31A-22-425	Α	HB 63		24
		HB 78		38	31A-22-428	E	HB 342		95
31A-5-203	Α	SB 88		151	31A-22-501.		SB 159		167
31A-5-204	Α	HB 63		24	31A-22-605.5	5 A	SB 111		156
31A-5-401	Α	SB 88		151			SB 62		142
31A-6a-103	Α	HB 342		95	31A-22-610.5		HB 78		38
31A-6a-104	Α	HB 342		95	31A-22-610.6	6 E	HB 133		57
31A-6a-105	Α	HB 342		95			HB 342		95
31A-6a-110	Α	HB 63		24			HB 364		102
31A-8-202	Α	SB 88		151	31A-22-613.5	5 A	HB 342		95
31A-8-204	Α	SB 88		151			SB 62		142
31A-8a-102	Α	HB 78		38	31A-22-614.5	5 A	HB 47		16
31A-8a-203	Α	HB 63		24			HB 63		24
31A-8a-210	Α	HB 63		24	31A-22-617	Α	HB 78		38
31A-12-107	Α	HB 63		24	31A-22-625	Α	HB 342		95
31A-14-204	Α	SB 88		151			HB 63		24
31A-14-217	Α	HB 63		24	31A-22-635	Е	HB 133		57
31A-15-103	Α	SB 143		163	31A-22-723	Α	SB 111		156
31A-17-404	Α	SB 143		163			SB 62		142
31A-17-404.1	Е	SB 143		163	31A-22-807	Α	HB 342		95
31A-17-404.2	E	SB 143		163	31A-22-1011	E	HB 380		106
31A-17-404.3	E	SB 143		163			SB 159		167
31A-17-404.4	E	SB 143		163	31A-22-1012		HB 380		106
31A-17-503	Α	HB 63		24	31A-22-1201		SB 143		163
31A-18-101	Α	SB 143		163	31A-22-1202		SB 143		163
31A-18-105	Α	SB 143		163	31A-22-1301		SB 98		153
31A-18-106	Α	SB 143		163	31A-22-1308		HB 63		24
31A-19a-211	Α	HB 63		24	31A-23a-104		HB 63		24
31A-19a-211	Α	HB 63		24	31A-23a-105		HB 342		95
31A-19a-304	Α	HB 63		24	31A-23a-109		HB 78		38
31A-20-107	Α	SB 143		163	31A-23a-110		HB 342		95
31A-20-108	Α	SB 143		163	31A-23a-111	Α	HB 342		95
31A-21-104	Α	SB 159		167			HB 63		24
31A-21-109	Α	HB 63		24	31A-23a-112		HB 63		24
31A-21-313	Α	HB 78		38	31A-23a-115		HB 63		24
31A-22-302	Α	SB 181		173	31A-23a-116		HB 342		95
31A-22-303	Α	HB 122		53	31A-23a-202		HB 63		24
		HB 78		38	31A-23a-204		HB 466		112
31A-22-304	Α	SB 149		165	31A-23a-302		HB 63		24
31A-22-305	Α	HB 78		38	31A-23a-402		HB 63		24
31A-22-305.3	Α	HB 78		38	31A-23a-417		HB 63		24
31A-22-309	Α	HB 144		59	31A-23a-809		HB 63		24
31A-22-315	Α	HB 63		24	31A-25-202	Α	HB 63		24
A=Amended		E=Enacted	i R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	<u>Section</u>	Action	<u>Bill</u> Number	<u>Former/</u> Renumber	<u>Page</u> Number
<u> </u>	<u> </u>		<u> </u>	1101111001	<u> </u>	<u> </u>	110111001	110110111001	110111001
31A-25-203	Α	HB 342		95	31A-35-401	Α	HB 63		24
31A-25-208	A	HB 63		24	31A-35-405	Α	HB 63		24
31A-25-209	Α	HB 63		24	31A-35-406	Α	HB 63		24
31A-26-202	Α	HB 63		24	31A-35-502	Α	HB 63		24
31A-26-203	Α	HB 342		95	31A-36-104	Α	HB 63		24
31A-26-206	Α	HB 63		24	31A-36-115	Α	HB 63		24
31A-26-208	Α	HB 78		38	31A-36-117	Α	HB 63		24
31A-26-213	Α	HB 63		24	31A-36-119	Α	HB 63		24
31A-26-214	Α	HB 63		24	31A-37-106	Α	HB 63		24
31A-27a-102	2 A	HB 63		24	31A-37-202	Α	HB 63		24
31A-27a-116	6 A	HB 63		24	31A-37-503	Α	HB 63		24
31A-27a-117	' A	HB 63		24	31A-37-602	Α	HB 63		24
31A-27a-513		HB 342		95	31A-37a-101		HB 55		21
31A-27a-514		HB 63		24	31A-37a-102		HB 55		21
31A-27a-515	5 A	HB 342		95	31A-37a-103		HB 55		21
		HB 63		24	31A-37a-104		HB 55		21
31A-27a-516		HB 342		95	31A-37a-105		HB 55		21
31A-27a-804		HB 63		24	31A-37a-201		HB 55		21
31A-28-114	A	SB 111		156	31A-37a-202		HB 55		21
31A-28-222	A	SB 111		156	31A-37a-203		HB 55		21
31A-29-102	A	HB 301		86	31A-37a-204		HB 55		21
31A-29-103	Α	HB 301		86	31A-37a-205		HB 55		21
31A-29-106	۸	HB 78 HB 63		38 24	31A-37a-301 31A-37a-302		HB 55 HB 55		21 21
31A-29-100 31A-29-110	A A	нв 63 НВ 63		24 24	31A-37a-302 31A-37a-303		нв 55 НВ 55		21
31A-29-110	A	HB 301		86	31A-37a-303		HB 55		21
31A-23-111	^	HB 63		24	31A-37a-304		HB 55		21
31A-29-116	Α	HB 63		24	31A-37a-402		HB 55		21
31A-29-119	A	HB 301		86	31A-37a-501		HB 55		21
31A-30-102	A	HB 342		95	31A-37a-502		HB 55		21
31A-30-106	Α	HB 133		57	31A-40-101	E E	HB 159		62
		HB 301		86			HB 466		112
		HB 63		24	31A-40-102	Ε	HB 159		62
31A-30-106.	7 A	HB 63		24			HB 466		112
31A-30-108	Α	HB 133		57	31A-40-103	Ε	HB 159		62
31A-30-112	Α	HB 342		95			HB 466		112
31A-31-104	Α	HB 63		24	31A-40-104	Ε	HB 159		62
31A-31-105	Α	HB 93		47	31A-40-201	Ε	HB 159		62
31A-31-106	Α	HB 63		24			HB 466		112
31A-31-108	Α	HB 63		24	31A-40-202	Е	HB 159		62
31A-31-110	Α	HB 93		47			HB 466		112
31A-32a-101		HB 359		100	31A-40-203	Ε	HB 159		62
31A-32a-103		HB 359		100		_	HB 466		112
31A-32a-104		HB 359		100	31A-40-204	E	HB 159		62
31A-32a-105		HB 359		100	31A-40-205	E	HB 159		62
31A-32a-106		HB 359		100	31A-40-206	E	HB 159		62
31A-32a-107		HB 359		100	31A-40-207	E	HB 159		62
31A-33-104	A	HB 63		24	31A-40-208	E	HB 159		62
31A-33-107	A	HB 63		24	31A-40-209	E	HB 159		62
31A-34-104	A	HB 63		24	31A-40-210	E E	HB 159		62 62
31A-35-301	Α	HB 63		24	31A-40-211	E	HB 159		62
A=Amende	d	E=Enacted	i R=	Repealed	X=Repealed a	nd Reenac	ted N=F	Renumbered and	Amended

Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
31A-40-301	Е	HB 159 HB 466		62 112	32A-4-103	Α	HB 63 SB 81		24 149
31A-40-302	E	HB 159		62	32A-4-104	A	SB 211		180
31A-40-303	Е	HB 466 HB 159		112 62	32A-4-106	Α	SB 167 SB 211		170 180
		HB 466		112	32A-4-203	Α	HB 63		24
31A-40-304	Ε	HB 159		62	32A-4-206	Α	SB 211		180
		HB 466		112	32A-4-302	Α	SB 211		180
31A-40-305	E	HB 159		62	32A-4-303	Α	SB 211		180
	_	HB 466		112	32A-4-304	Α	HB 63		24
31A-40-306	E	HB 159		62	32A-4-305	A	SB 211		180
044 40 404	_	HB 466		112	32A-4-307	Α	SB 167		170
31A-40-401	E	HB 159		62	224 4 404	۸	SB 211		180
31A-40-402	E	HB 159 HB 157		62 61	32A-4-401	A	SB 211		180
32A-1-105	Α	пв 137 НВ 171		64	32A-4-402 32A-4-403	A A	SB 211 HB 63		180 24
		SB 211		180	32A-4-403	A	HB 63		24
32A-1-115	Α	HB 63		24	32A-4-400	Α	SB 167		170
32A-1-116	A	SB 211		180			SB 211		180
32A-1-118	A	HB 63		24	32A-5-101	Α	SB 211		180
32A-1-119	Α	HB 157		61	32A-5-102	Α	SB 211		180
		HB 63		24	32A-5-103	Α	HB 63		24
		SB 211		180			SB 81		149
32A-1-119.5	Е	HB 157		61	32A-5-104	Α	SB 211		180
32A-1-120	Α	HB 157		61	32A-5-107	Α	SB 167		170
		HB 63		24	SB 211		180		
32A-1-122	Α	SB 211		180	32A-6-103	Α	HB 63		24
		SB 95		153	32A-7-101	Α	SB 165		169
32A-1-302	Α	SB 211		180	SB 211		180		
32A-1-304	Α	HB 171		64	32A-7-102	Α	SB 165		169
	_	SB 211		180	32A-7-103	Α	HB 63		24
32A-1-603	A	HB 63		24	32A-7-106	Α	SB 167		170
32A-1-701	E	SB 211		180	204 0 404	^	SB 211		180
32A-1-702	E	SB 211		180	32A-8-101	A	SB 211		180
32A-1-703 32A-1-704	E	SB 211		180 180	32A-8-103	A	HB 63		24 180
32A-1-704 32A-1-801	E E	SB 211 SB 211		180	32A-8-401 32A-8-501	A A	SB 211 SB 211		180
32A-1-802	E	SB 211		180	32A-8-503	A	HB 63		24
32A-1-803	E	SB 211		180	02/10 000	, ,	SB 211		180
32A-1-804	E	SB 211		180	32A-8-505	Α	SB 211		180
32A-1-805	E	SB 211		180	32A-9-103	Α	HB 63		24
32A-1-806	Е	SB 211		180	32A-10-101	Α	SB 211		180
32A-1-807	Е	SB 211		180	32A-10-102	Α	SB 211		180
32A-1-808	E	SB 211		180	32A-10-201	Α	SB 211		180
32A-1-809	Е	SB 211		180	32A-10-202	Α	SB 211		180
32A-2-101	Α	SB 211		180	32A-10-203	Α	HB 63		24
32A-3-101	Α	SB 211		180	32A-10-204	Α	SB 211		180
32A-3-102	Α	SB 211		180	32A-10-206	Α	SB 211		180
32A-3-106	Α	SB 167		170	32A-10-303	Α	HB 63		24
32A-4-101	A	SB 211		180	32A-10-306	A	SB 211		180
32A-4-102	Α	SB 211		180	32A-11-103	Α	HB 63		24
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	ınd Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
						· <u></u>			
32A-11-106	Α	SB 211		180	34A-2-413	Α	HB 384		106
32A-11a-108	3 A	HB 78		38			SB 108		155
32A-12-209	Α	HB 78		38	34A-2-414	Α	SB 58		141
32A-12-209.	5 A	HB 78		38	34A-2-415	Α	SB 58		141
32A-12-212	Α	SB 211		180	34A-2-416	Α	SB 58		141
32A-12-222	Α	SB 211		180	34A-2-702	Α	SB 108		155
32A-12-301	Α	SB 211		180			SB 58		141
32A-12-307	Α	SB 211		180	34A-2-704	Α	HB 63		24
32A-12-603	Α	SB 211		180	34A-2-801	Α	HB 63		24
32A-13-106	Α	HB 80		45			SB 58		141
32A-14a-102	2 A	HB 78		38	34A-2-901	Α	HB 78		38
32A-15a-103	3 A	HB 63		24	34A-2-902	Α	HB 78		38
32A-15a-201	I A	HB 63		24	34A-5-102	Α	HB 63		24
34-20-10	Α	HB 63		24	34A-5-107	Α	HB 63		24
34-23-104	Α	HB 63		24	34A-5-108	Α	HB 63		24
34-23-401	Α	HB 63		24	34A-6-103	Α	HB 63		24
34-28-3	Α	SB 131		161	34A-6-105	Α	HB 63		24
34-28-19	Α	HB 63		24	34A-6-202	Α	HB 63		24
34-29-10	A	SB 60		142	34A-6-301	Α	HB 63		24
34-29-21	R	SB 60		142			HB 78		38
34-40-104	Α	HB 63		24	34A-6-304	Α	HB 63		24
34-40-105	Α	HB 63		24	34A-6-307	Α	HB 63		24
34-40-202	A	HB 63		24	34A-7-104	Α	HB 63		24
34-41-103	A	HB 63		24	34A-7-202	Α	HB 78		38
34A-1-104	A	HB 63		24	34A-7-203	Α	HB 63		24
34A-1-106	A	HB 63		24	34A-8-111	Α	HB 63		24
34A-1-202	A	SB 224		181	34A-8-112	Α	HB 63		24
34A-1-302	Α	HB 63		24	35A-1-104	Α	HB 63		24
244 4 202	۸	HB 78		38	35A-1-104.5	Е	HB 133		57
34A-1-303 34A-1-304	A A	HB 63 HB 63		24 24	35A-1-106	Α	HB 63		24
34A-1-304 34A-1-307	A	HB 63		2 4 24	35A-1-301	Α	HB 63		24
34A-1-307	A	HB 63		2 4 24			HB 78		38
34A-1-402	A	HB 63		2 4 24	35A-1-303	Α	HB 63		24
34A-2-102	A	SB 58		141	35A-3-105	Α	HB 63		24
34A-2-102	A	HB 159		62	35A-3-111	Α	HB 63		24
01772 100	,,	SB 111		156	35A-3-116	Ε	HB 336		93
		SB 159		167	35A-3-207	Α	HB 63		24
34A-2-105	Α	HB 159		62	35A-3-302	Α	HB 63		24
34A-2-106	Α	HB 78		38	35A-3-307	Α	HB 78		38
34A-2-110	Α	SB 159		167	35A-3-308	Α	HB 78		38
34A-2-111	Α	HB 63		24	35A-3-310	Α	HB 63		24
34A-2-201.3		SB 58		141	35A-3-310.5	Е	HB 73		35
34A-2-203	Α	HB 63		24	35A-3-602	Α	HB 63		24
34A-2-205	Α	HB 63		24	35A-3-604	Α	HB 63		24
34A-2-211	Α	HB 63		24	35A-4-103	Α	HB 80		45
34A-2-403	Α	SB 108		155	35A-4-202	Α	HB 159		62
		SB 58		141			HB 63		24
34A-2-407	Α	HB 63		24	35A-4-303	Α	SB 176		171
34A-2-410	Α	HB 384		106	35A-4-304	Α	HB 63		24
34A-2-410.5	E	HB 384		106	35A-4-305	Α	HB 78		38
A=Amende	d	E=Enacted	j R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
35A-4-312	Α	HB 63		24	39-1-51	Α	HB 476		113
		HB 64		31	39-5-2	Α	HB 63		24
35A-4-401	Α	HB 63		24	39-6-2	Α	SB 275		190
35A-4-403	Α	HB 21		7	39-6-6	Α	SB 275		190
35A-4-502	Α	HB 63		24	39-6-13	Α	SB 275		190
35A-4-503	Α	HB 63		24	39-6-20	Α	SB 275		190
35A-5-102	A	HB 63		24	39-6-27	A	SB 275		190
35A-5-202	A	HB 63		24	39-6-54	A	SB 275		190
35A-7-106	A	HB 63		24	39-6-58	A	SB 275		190
35A-7-107	A	HB 63		24	39-7-113	A	SB 274		189
36-5-1	A	SB 112		156	39-7-119	A	HB 63		24
0001	,,	SB 225		182	40-2-1.1	A	HB 63		24
36-5-1	Α	SB 112		156	40 Z 1.1	N	SB 224	40-2-104	181
30-3-1	Α	SB 225		182	40-2-14	N	SB 224	40-2-104	181
36-11-102	Α	HB 63		24	40-2-15	A	HB 63	40-2-204	24
36-11-102	A	HB 63		24	40-2-13	N	SB 224	40-2-402	181
36-11-404	A	HB 63		24	40-2-16	A	HB 63	40-2-402	24
36-11 -4 04 36-12-5		HB 60		23	40-2-10	N	SB 224	40-2-401	181
36-12-3 36-12-13	A	HB 63		23 24	40-2-101	E	SB 224 SB 224	40-2-401	181
36-12-13 36-12-15	A	HB 60		23	40-2-101	E	SB 224 SB 224		181
30-12-13	Α			23 24		E			181
26 14 E	۸	HB 63		2 4 38	40-2-103	E	SB 224		
36-14-5	A	HB 78			40-2-201		SB 224		181
36-20-1	A	HB 78		38	40-2-202	E	SB 224		181
36-23-102	A	HB 443		110	40-2-203	E	SB 224		181
36-23-103	A	HB 443		110	40-2-301	E	SB 224		181
36-23-104	A	HB 443		110	40-2-302	E	SB 224		181
36-23-106	Α	HB 443		110	40-2-303	E	SB 224		181
00.4.44	•	HB 63		24	40-6-10	A	HB 63		24
38-1-11	Α	HB 63		24	40-6-14.5	A	HB 63		24
00.4.07		HB 78		38	40-8-4	A	HB 63		24
38-1-27	Α	HB 63		24	40-8-6	A	HB 63		24
38-1-28	Α	HB 63		24	40-8-7	Α	HB 63		24
38-1-30	Α	HB 63		24	40-10-6	Α	HB 63		24
38-1-31	A	HB 63		24	40-10-6.5	Α	HB 63		24
38-1-39	Α	HB 63		24	40-10-6.7	Α	HB 63		24
38-9-1	Α	HB 486		113	40-10-13	Α	HB 63		24
38-9-2	Α	HB 486		113	40-10-14	Α	HB 63		24
		HB 78		38	40-10-16	Α	HB 63		24
38-9-4	Α	HB 486		113	40-10-21	Α	HB 63		24
38-9a-201	Α	HB 486		113	40-10-22	Α	HB 78		38
38-11-105	Α	HB 63		24	40-10-30	Α	HB 63		24
38-11-108	Α	HB 63		24			HB 78		38
38-11-110	Α	HB 63		24	41-1a-110	Α	HB 171		64
38-11-201	Α	HB 63		24	41-1a-115	Α	HB 63		24
38-11-202	Α	HB 63		24	41-1a-116	Α	HB 63		24
38-11-204	Α	HB 63		24	41-1a-117	Α	HB 63		24
38-11-206	Α	HB 63		24	41-1a-119	Α	HB 63		24
38-11-207	Α	HB 63		24	41-1a-202	Α	SB 181		173
38-11-301	Α	HB 63		24	41-1a-205	Α	HB 373		104
38-11-302	Α	HB 63		24			SB 181		173
39-1-41	Α	SB 275		190	41-1a-215	Α	HB 373		104
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed	and Reenac	ted N=I	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Se	ection	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
41-1a-226	Α	HB 373		104	41	-3-604	Α	HB 63		24
41-1a-231	Α	HB 63		24	41	-3-701	Α	HB 347		96
41-1a-301	Α	HB 63		24	41	-6a-102	Α	SB 181		173
41-1a-402	Α	HB 373		104	41	-6a-212	Α	HB 63		24
41-1a-404	Α	SB 148		164	41	-6a-301	Α	HB 63		24
41-1a-407	Α	HB 63		24	41	-6a-303	Α	HB 63		24
41-1a-416	Α	HB 63		24	41	-6a-403	Α	HB 63		24
41-1a-418	Α	HB 106		49	41	-6a-403	Α	HB 63		24
		HB 259		79	41	-6a-404	Α	HB 63		24
		HB 28		9	41	-6a-501	Α	SB 15		125
		HB 348		97	41	-6a-502.5	Е	SB 15		125
		HB 62		24	41	-6a-510	Α	SB 15		125
		HB 63		24		-6a-512	Α	SB 15		125
41-1a-419	Α	HB 63		24		-6a-514	Α	HB 63		24
41-1a-420	Α	HB 63		24		-6a-518	Α	HB 63		24
41-1a-421	Α	HB 259		79		-6a-518.2	Α	SB 15		125
41-1a-422	Α	HB 28		9		-6a-521	Α	HB 72		34
		HB 348		97				HB 78		38
		HB 63		24	41	-6a-529	Α	SB 15		125
41-1a-522	Α	HB 63		24		-6a-602	Α	HB 406		108
41-1a-712	Α	HB 63		24		-6a-702	Α	HB 63		24
		HB 80		45		-6a-704	A	HB 406		108
41-1a-1005	Α	SB 179		172		-6a-1304	A	HB 63		24
41-1a-1007	Α	HB 63		24		-6a-1307	A	HB 63		24
41-1a-1010	Α	HB 63		24		-6a-1308	E	HB 146		59
41-1a-1101	Α	HB 151		60		-6a-1406	A	HB 63		24
		HB 63		24	-	00 1400	,,	SB 15		125
41-1a-1201	Α	HB 62		24	41	-6a-1508	Α	HB 106		49
41-1a-1206	Α	HB 373		104		-6a-1509	E	SB 181		173
41-1a-1209	Α	HB 373		104		-6a-1601	A	HB 63		24
41-1a-1211	Α	HB 62		24	-	00 1001	,,	SB 181		173
		HB 63		24	/11	-6a-1617	Α	HB 63		24
41-1a-1212	Α	HB 63		24		-6a-1636	A	HB 63		24
41-1a-1220	Α	HB 171		64		-6a-1639	A	HB 63		24
41-1a-1221	Α	HB 63		24		-6a-1642	A	HB 373		104
41-1a-1222	Α	SB 245		187		-6a-1712	A	SB 44		135
41-3-102	Α	HB 347		96		-6a-1713		SB 44		135
41-3-105	Α	HB 63		24		-6a-1803	A A	ЗБ 44 НВ 140		58
41-3-109	Α	HB 63		24		-8-1	A	SB 111		156
41-3-201	Α	HB 347		96	41	-0-1	A	SB 111		173
41-3-202	A	HB 63		24	11	10 1	۸	SB 111		173
41-3-204	Α	HB 347		96		-10-1 -12a-103	A			
41-3-206	A	HB 347		96			A	SB 149		165
41-3-207.5	E	HB 347		96		-12a-201 -12a-202	A	HB 63 HB 63		24
41-3-209	A	HB 63		24			A			24
41-3-301	A	HB 63		24		-12a-301	A	SB 181		173
41-3-302	A	HB 63		24		-12a-306	A	SB 149		165
41-3-304	A	HB 63		24		-12a-405	A	SB 149		165
41-3-306	A	HB 63		24		-12a-407	A	HB 63		24
41-3-401.5	A	SB 100		154	41	-12a-803	Α	HB 210		72
41-3-601	Α	HB 63		24				HB 63		24
A=Amende	d	E=Enacte	d R=	Repealed	X=F	Repealed a	nd Reenact	ed N=R	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
41-12a-805	Α	HB 210		72	48-2c-115	Α	SB 88		151
		HB 63		24	48-2c-117	Α	HB 359		100
41-12a-806	Α	HB 171		64	48-2c-203	Α	SB 88		151
41-22-2	Α	SB 181		173	48-2c-204	Α	SB 88		151
		SB 76		147	48-2c-211	Α	SB 88		151
41-22-5.1	Α	HB 63		24	48-2c-214	Α	HB 63		24
41-22-9	Α	SB 181		173	48-2c-301	R	SB 88		151
41-22-10.3	Α	SB 181		173	48-2c-302	R	SB 88		151
41-22-10.5	Α	SB 181		173	48-2c-303	R	SB 88		151
41-22-10.7	Α	HB 63		24	48-2c-304	R	SB 88		151
41-22-19.5	Α	HB 410		108	48-2c-306	R	SB 88		151
		HB 63		24	48-2c-307	R	SB 88		151
41-22-29	Α	HB 63		24	48-2c-308	R	SB 88		151
41-22-30	A	HB 291		85	48-2c-309	A	SB 88		151
41-22-31	A	HB 63		24	48-2c-310	R	SB 88		151
41-22-33	A	SB 76		147	48-2c-403	A	SB 88		151
41-22-35	A	HB 63		24	48-2c-406	A	SB 88		151
41-22-36	A	HB 63		24	48-2c-411	A	SB 88		151
42-2-5	A	HB 99		47 24	48-2c-704	A	SB 88		151 151
42-2-10 42-2-11	A	HB 63 SB 88		151	48-2c-809	A	SB 88 SB 88		151
42-2-11 42-3-2	R A	SB 66 НВ 63		24	48-2c-1204 48-2c-1206	A A	SB 88		151
42-3-2 42-3-4	A	HB 63		24	48-2c-1200	A	SB 88		151
42-3- 4 46-1-2	A	HB 26		8	48-2c-1207	A	SB 88		151
46-1-3	A	HB 63		24	48-2c-1209	A	HB 63		24
46-1-7	A	SB 114		157	48-2c-1211	A	SB 88		151
46-1-16	A	HB 26		8	48-2c-1306	A	SB 88		151
46-1-20	A	HB 26		8	48-2c-1511	A	SB 88		151
46-4-501	A	HB 63		24	48-2c-1603	A	SB 88		151
46-4-503	Α	HB 63		24	48-2c-1604	Α	SB 110		156
46-5-101	N	SB 263	78B-5-705	189			SB 88		151
48-1-1	Α	SB 110		156	48-2c-1611	Α	SB 88		151
48-1-42	Α	HB 63		24	48-2c-1612	Α	SB 88		151
		SB 88		151	48-2c-1614	Α	SB 88		151
48-1-44	Α	SB 110		156	49-11-102	Α	HB 202		70
48-2a-101	Α	SB 110		156	49-11-204	Α	SB 116		158
48-2a-104	R	SB 88		151	49-11-404	Α	SB 116		158
48-2a-104.5	R	SB 88		151	49-11-406	E	HB 202		70
48-2a-201	Α	SB 88		151	49-11-603	Α	SB 116		158
48-2a-202.5	Α	SB 88		151	49-11-612	Α	SB 24		130
48-2a-203.5		HB 63		24	49-11-613	Α	HB 63		24
48-2a-206	Α	HB 63		24			SB 116		158
48-2a-210	Α	SB 88		151	49-11-619	Α	SB 116		158
48-2a-902	Α	SB 110		156	49-11-701	Α	SB 111		156
	_	SB 88		151	49-11-801	A	HB 202		70
48-2a-1107	A	HB 63		24	49-11-901	R	SB 19		127
48-2c-102	Α	SB 110		156	49-11-902	A	SB 19		127
40.0-444	-	SB 88		151	49-12-102	A	HB 159		62
48-2c-111	R	SB 88		151	49-12-203	A	HB 202		70 60
48-2c-112	R	SB 88		151 151	49-13-102	A	HB 159		62 70
48-2c-113	Α	SB 88		151	49-13-203	А	HB 202		70
A=Amende	d	E=Enacte	d R	=Repealed	X=Repealed a	and Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
49-14-201	Α	HB 63		24	53-2-502	Α	SB 47		137
49-14-301	Α	SB 19		127	53-2-509	Α	HB 63		24
49-14-403	Α	SB 19		127	53-3-102	Α	HB 171		64
49-15-201	Α	HB 63		24	53-3-104	Α	HB 63		24
49-15-301	Α	SB 19		127	53-3-105	Α	HB 72		34
49-15-403	Α	SB 19		127	53-3-106	Α	HB 63		24
49-17-102	Α	HB 78		38			HB 72		34
49-17-301	Α	HB 78		38	53-3-109	Α	HB 63		24
49-18-102	Α	HB 78		38			SB 290		193
49-18-301	Α	HB 78		38	53-3-202	Α	HB 72		34
49-20-401	Α	HB 250		77			SB 111		156
49-20-404	Α	SB 116		158	53-3-204	Α	HB 72		34
49-21-201	Α	SB 116		158			HB 78		38
49-21-401	Α	SB 116		158			SB 111		156
49-21-403	Α	SB 116		158	53-3-205	Α	HB 63		24
51-2a-301	Α	HB 63		24			HB 72		34
51-5-4	Α	HB 378		106	53-3-207	Α	HB 171		64
51-5-7	Α	HB 63		24			HB 72		34
51-7-3	Α	SB 47		137	53-3-210.6	E	HB 72		34
51-7-11	Α	HB 173		65	53-3-211	Α	HB 122		53
51-9-101	Ε	HB 63		27	53-3-214	Α	HB 72		34
52-4-202	Α	SB 38		134	53-3-216	Α	HB 492		114
		SB 47		137			HB 72		34
52-4-203	Α	HB 63		24	53-3-219	Α	HB 78		38
		SB 47		137	53-3-220	Α	HB 14		5
52-4-206	Α	HB 63		24			HB 78		38
52-4-302	Α	SB 38		134			SB 15		125
52-4-304	Α	HB 63		24	53-3-221	Α	HB 171		64
52-6-101	Ε	HB 63		27			HB 63		24
52-7-101	Ε	HB 63		27	53-3-221	Α	HB 63		24
53-1-105	Α	HB 63		24	53-3-221.5	Α	HB 63		24
53-1-106	Α	HB 312		88	53-3-223	Α	HB 72		34
		HB 63		24			HB 78		38
53-1-108	Α	HB 63		24			SB 15		125
53-1-110	Α	HB 63		24	53-3-227	Α	SB 111		156
53-1-117	Α	HB 63		24	53-3-231	Α	HB 72		34
53-1-118	Е	HB 28		9	53-3-303.5	Α	HB 63		24
53-2-102	Α	HB 63		24	53-3-304	Α	HB 63		24
53-2-102.5	Α	HB 63		24	53-3-305	Е	SB 34		132
	R	SB 111		156	53-3-407	Α	HB 72		34
53-2-104	Α	HB 63		24	53-3-505	Α	HB 63		24
53-2-105	Α	HB 63		24	53-3-506	Α	HB 63		24
53-2-106	Α	HB 63		24	53-3-510	Α	HB 63		24
53-2-107	Α	HB 63		24	53-3-805	Α	HB 63		24
53-2-110	Α	HB 63		24	53-3-807	Α	HB 492		114
53-2-402	Α	HB 63		24	53-3-903	Α	HB 63		24
		SB 111		156	53-3-905	Α	HB 72		34
53-2-403	Α	HB 410		108	53-5-704	Α	HB 63		24
		HB 63		24			HB 78		38
		SB 111		156	53-5-705	Α	HB 63		24
53-2-404	Α	HB 63		24	53-5-708	Α	HB 63		24
A=Amended	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

• 41		<u>Bill</u>	Former/	<u>Page</u>			<u>Bill</u>	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	Number	Renumber	<u>Number</u>	<u>Section</u>	<u>Action</u>	Number	Renumber	Number
53-5-711	Α	SB 111		156			HB 189		68
53-6-105	Α	HB 63		24			HB 254		78
53-6-213	Α	HB 312		88	53A-1a-501.7	7 A	HB 160		62
00 0 210	, ,	HB 63		24	53A-1a-502.5		SB 2		121
53-7-204	Α	HB 63		24	53A-1a-503	A	HB 160		62
53-7-204.2	A	HB 63		24	53A-1a-503.5		HB 160		62
53-7-216	A	HB 63		24	53A-1a-506.5		HB 472		112
53-7-210	A	HB 63		24	53A-1a-508	A	HB 63		24
53-7-225.6	A	HB 63		24	53A-1a-509	A	HB 63		24
53-7-223.0	A	HB 63		24	53A-1a-510	A	HB 63		2 4 24
53-7-404		HB 410		108	53A-1a-511		HB 63		2 4 24
53-7-404	A	HB 63		24		A	нв 63 НВ 63		2 4 24
53-7-407	A	SB 115		2 4 157	53A-1a-513	Α	SB 2		
	A			24	F2A 1- F10	_	36 2 HB 160		121 62
53-8-204	A	HB 63			53A-1a-519	E			
53-8-205	Α	HB 373		104	F2A 1= C01	۸	SB 36		133
50.0.044	Δ.	SB 181		173	53A-1a-601	A	HB 63		24
53-8-211	A	HB 63		24	53A-1a-602	A	HB 63		24
53-9-103	A	HB 63		24	53A-1a-707	A	HB 63		24
53-9-108	A	HB 63		24	53A-1a-808	A	HB 63		24
53-9-113	Α	HB 63		24	53A-1a-902	A	HB 63		24
53-9-115	Α	HB 63		24	53A-1a-1001		SB 2		121
53-9-118	Α	HB 63		24	53A-1a-1002		SB 2		121
53-10-102	Α	SB 211		180	53A-1a-1003		SB 2		121
53-10-108	Α	HB 63		24	53A-1a-1004		SB 2		121
		HB 78		38	53A-1a-1005		SB 2		121
53-10-208	Α	HB 78		38	53A-1a-1006		SB 2		121
53-10-208.1	Α	HB 78		38	53A-1a-1007		SB 2		121
53-10-404	Α	HB 78		38	53A-2-103	Α	SB 48		139
53-10-406	Α	HB 63		24	53A-2-114	Α	SB 48		139
53-10-407	Α	HB 78		38	53A-2-115	Α	SB 48		139
53-10-601	Α	HB 288		84	53A-2-117	Α	SB 48		139
53-10-602	Α	HB 63		24			SB 71		146
53-10-605	Α	HB 206		71	53A-2-118	Α	SB 71		146
53-11-103	Α	HB 63		24	53A-2-118.1	Α	SB 71		146
53-11-118	Α	HB 63		24	53A-2-118.3	Е	SB 48		139
53-11-119	Α	HB 63		24	53A-2-121	Α	SB 71		146
53-13-106	Α	HB 63		24	53A-2-123	Α	HB 63		24
53A-1-402.5	Α	HB 63		24			SB 47		137
53A-1-408	Α	HB 63		24	53A-2-206	Α	HB 63		24
		SB 111		156	53A-2-206.5	Е	HB 349		97
53A-1-611	Α	HB 63		24	53A-2-207	Α	HB 349		97
53A-1-612	Α	HB 63		24	53A-2-208	Α	HB 349		97
53A-1-706	Α	HB 63		24	53A-2-210	Α	HB 349		97
53A-1-902	Α	SB 162		168	53A-2-213	Α	HB 349		97
53A-1-905	Ε	SB 162		168	53A-2-214	Е	SB 36		133
53A-1-906	Е	SB 162		168	53A-3-303	Α	HB 63		24
53A-1-907	Е	SB 162		168	53A-3-402.9	Α	HB 234		74
53A-1-908	E	SB 162		168	53A-3-402.11		HB 63		24
53A-1a-105.		HB 78		38	53A-3-413	Α	HB 332		92
53A-1a-108	Α	HB 127		54	53A-3-414	Α	HB 332		92
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	Actio	on Ni	<u>Bill</u> umber	Former/ Renumber	<u>Page</u> <u>Number</u>
53A-3-424	Α	HB 63		24	53A-17a-104	Α	HI	3 1		1
53A-3-427	Ε	HB 118		51				3 2		121
53A-3-702	Α	HB 63		24	53A-17a-105	Α		3 63		24
53A-4-205	Α	HB 112		51	53A-17a-107			3 63		24
53A-6-103	Α	HB 63		24	53A-17a-108			3 1		1
53A-6-104.1	Ε	HB 68		32	00/11/41/00	, ,		3 2		121
53A-6-105	A	HB 63		24	53A-17a-111	Α		3 63		24
53A-6-112	Α	HB 63		24	53A-17a-120			3 63		24
53A-6-501	Α	HB 286		83	00/1 // 4 /20	, ,		3 2		121
		HB 287		84	53A-17a-121	Α		3 63		24
53A-6-503	Α	HB 63		24	53A-17a-121			3 2		121
53A-6-801	Е	HB 66		32	53A-17a-120			3 2		121
53A-6-802	Е	HB 66		32	53A-17a-127			3 63		24
53A-11-102.		HB 63		24	53A-17a-131			3 63		24
53A-11-103	Α	HB 78		38	53A-17a-131			3 03 3 111		156
53A-11-105	Α	HB 78		38	53A-17a-131 53A-17a-131			3 63		24
53A-11-601	Α	HB 245		76	53A-17a-131 53A-17a-133			3 03 3 77		24 37
53A-11-806	Α	HB 78		38	33A-17a-133	A		3 29		131
53A-11-910	Α	SB 111		156				3 48		
53A-11-1001		HB 78		38	E2A 17a 124	۸				139
53A-11-1004		HB 78		38	53A-17a-134			3 29		131
53A-11a-101		HB 325		91	53A-17a-135			3 1		1
53A-11a-102		HB 325		91	53A-17a-148			3 281		191
53A-11a-201		HB 325		91	53A-17a-153	Α		3 63		24
53A-11a-202		HB 325		91	504 47 454	_		3 2		121
53A-11a-301		HB 325		91	53A-17a-154			3 1		1
53A-11a-302		HB 325		91	53A-17a-155			3 1		1
53A-11a-401	E	HB 325		91	53A-17a-156			3 2		121
53A-11a-402	2 E	HB 325		91	53A-17a-157			3 2		121
53A-12-103	Α	HB 63		24	53A-17a-158			3 2		121
53A-13-101.6	6 A	HB 63		24	53A-17a-159			3 2		121
53A-13-106	Α	HB 63		24	53A-17a-160			3 2		121
53A-13-110	Ε	SB 2		121	53A-17a-161			3 2		121
53A-13-201	Α	HB 63		24	53A-17a-162			3 2		121
53A-13-208	Α	HB 63		24	53A-19-102	Α		3 77		37
53A-13-209	Α	HB 63		24				3 29		131
53A-14-107	Α	SB 2		121				3 48		139
53A-15-101.	5 A	HB 63		24	53A-19-105	Α		3 63		24
53A-15-104	Α	HB 63		24				3 77		37
		SB 41		134				3 29		131
53A-15-105	Ε	SB 41		134				3 48		139
53A-16-101.	5 A	HB 189		68	53A-20-101	Α		3 63		24
		HB 63		24	53A-20-104	Α		3 286		192
53A-16-106	Α	HB 77		37	53A-20c-102			3 63		24
		SB 29		131	53A-21-101.5			3 48		139
		SB 48		139	53A-21-102	Α		3 48		139
53A-16-107	Α	SB 48		139	53A-21-103	Α		3 63		24
53A-16-107.	1 E	SB 48		139		R		3 48		139
53A-16-110	Α	SB 48		139	53A-21-103.5			3 63		24
53A-17a-103	8 A	HB 77		37		R		3 48		139
		SB 2		121	53A-21-104	N	SI	3 48	53A-21-401	139
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed as	nd Ree	nacted	N=	Renumbered and	l Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	<u>Action</u>	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number
53A-21-105	Α	HB 1		1	54-7-15	Α	HB 63		24
	N	SB 48	53A-21-501	139	54-7-26	Α	HB 80		45
53A-21-201	E	SB 48		139	54-7-28	Α	HB 80		45
53A-21-202	Е	SB 48		139	54-8-3	Α	SB 130		160
53A-21-301	Е	SB 48		139	54-8-25	Α	SB 130		160
53A-21-302	Е	SB 48		139	54-8-26	Α	SB 130		160
53A-24-114	Α	HB 63		24	54-8a-2	Α	HB 341		94
53A-26a-302	2 A	HB 63		24	54-8a-3	Α	HB 341		94
53A-29-103	Α	SB 111		156	54-8a-3.5	Ε	HB 341		94
53B-2-107	Α	HB 63		24	54-8a-4	Α	HB 341		94
		SB 111		156	54-8a-5	Α	HB 341		94
53B-2-108	Α	HB 63		24	54-8a-5.5	Α	HB 341		94
53B-6-105	Α	HB 63		24	54-8a-6	Α	HB 341		94
53B-6-105.7	Α	HB 63		24	54-8a-7	Α	HB 341		94
53B-6-105.9		HB 63		24	54-8a-8	Х	HB 341		94
53B-6-106	Α	HB 63		24	54-8a-8.5	Α	HB 78		38
53B-7-502	Α	HB 63		24		R	HB 341		94
53B-8-105	Α	SB 180		172	54-8a-9	Α	HB 341		94
53B-8-107	A	HB 269		81	54-8a-10	A	HB 341		94
53B-8-108	E	SB 180		172	54-8a-12	E	HB 341		94
53B-8-109	E	SB 180		172	54-8a-13	E	HB 341		94
53B-8-110	E	SB 180		172	54-8b-2.1	A	HB 63		24
53B-8-111	E	SB 180		172	54-8b-10	A	HB 63		24
53B-8a-101 53B-8a-102	A	HB 321 HB 321		90 90	54-12-1	A	SB 202 SB 202		178 178
53B-8a-102	A A	пв 321 НВ 321		90	54-12-2 54-12-3	A A	SB 202 SB 202		178
33B-0a-100	A	HB 359		100	54-12-5 54-13-6	R	ЗВ 202 НВ 341		94
53B-8a-107	Α	HB 321		90	54-14-103	A	SB 47		137
53B-8a-108	A	HB 321		90	54-14-103	A	HB 63		24
53B-8a-109	A	HB 321		90	54-14-307	A	HB 63		24
53B-8a-111	Α	HB 321		90	54-15-102	Α	SB 84		150
53B-8d-102	Α	HB 78		38	54-15-103	Α	SB 84		150
53B-8e-103	Α	HB 271		82	54-15-104	Α	SB 84		150
53B-12-101	Α	HB 63		24	54-15-105	Α	SB 84		150
53B-16-302	Α	HB 63		24	54-15-106	Α	SB 84		150
53B-16-303	Α	HB 63		24	54-15-107	Е	SB 84		150
53B-16-304	Α	HB 63		24	54-17-102	Α	HB 63		24
53B-16-305	Α	HB 63		24	54-17-103	Α	HB 63		24
53B-17-603	Α	HB 63		24	54-17-201	Α	HB 63		24
53C-1-201	Α	HB 53		19			SB 202		178
		HB 63		24	54-17-202	Α	HB 63		24
53C-1-202	Α	HB 63		24	54-17-203	Α	HB 63		24
53C-1-304	Α	HB 63		24	54-17-301	Α	HB 63		24
53C-2-201	Α	HB 63		24	54-17-302	Α	HB 63		24
53C-3-203	A	HB 410		108			SB 202		178
53C-4-103	E	HB 354		98	54-17-303	A	SB 202		178
54-1-2.5	A	HB 63		24	54-17-304	A	HB 63		24
54-2-1	A	SB 202		178	54-17-401	A	HB 63		24
54-3-28	A	HB 63		24	54-17-402	A	HB 63		24
54-5-1.5 54-7-12.0	A	HB 63		24 156	54-17-404 54 17 501	A	HB 63		24
54-7-12.9	Α	SB 111		156	54-17-501	Α	HB 63		24
A=Amende	d	E=Enacte	d R=	Repealed	X=Repealed a	and Reenact	ed N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	Bill Number	Former/ Renumber	<u>Page</u> Number
54-17-502	Е	SB 202		178	57-21-10	Α	HB 63		24
54-17-601	Е	SB 202		178	57-22-4	Α	HB 78		38
54-17-602	Е	SB 202		178	57-22-5.1	Α	HB 78		38
54-17-603	Е	SB 202		178	57-22-6	Α	HB 78		38
54-17-604	Е	SB 202		178	57-23-8	Α	HB 63		24
54-17-605	Е	SB 202		178	57-24-101	Α	HB 63		24
54-17-606	Е	SB 202		178	57-25-109	Α	HB 63		24
54-17-607	Е	SB 202		178	58-1-106	Α	HB 63		24
54-17-701	Е	SB 202		178	58-1-108	Α	HB 63		24
56-1-22.5	Α	HB 63		24	58-1-109	Α	HB 63		24
56-2-8	Α	HB 63		24	58-1-301	Α	HB 63		24
57-1-5	Α	SB 111		156	58-1-301.5	A	HB 375		105
		SB 92		152	58-1-307	Α	SB 66		144
57-1-5.1	Α	SB 92		152	58-1-308	Α	HB 63		24
57-1-21	Α	SB 111		156	58-1-402	Α	HB 63		24
57-1-21.5	Α	SB 111		156	58-1-404	Α	HB 63		24
57-1-29	Α	SB 27		131	58-1-405	Ε	SB 66		144
57-3-105	Α	SB 92		152	58-1-501.5	A	SB 111		156
57-3-106	Α	HB 78		38	58-3a-103	Α	HB 63		24
		SB 92		152	58-3a-302	Α	HB 63		24
57-8-3	Α	SB 288		192	58-3a-502	Α	HB 63		24
57-8-38	Α	HB 78		38	58-5a-302	Α	HB 63		24
57-8-40	E	SB 288		192	58-9-102	Α	HB 437		110
57-11-3.5	A	HB 63		24	58-9-302	Α	HB 63		24
57-11-10	Α	HB 63		24	58-9-504	Α	HB 63		24
57-11-13	Α	HB 63		24	58-9-607	Ε	HB 437		110
57-11-14	Α	HB 63		24	58-9-608	E	HB 437		110
57-12-4	Α	SB 156		166	58-9-609	Ε	HB 437		110
57-12-9	Α	HB 63		24	58-9-610	Е	HB 437		110
57-15-1	R	HB 56		22	58-9-611	Ε	HB 437		110
57-15-2	R	HB 56		22	58-9-612	Е	HB 437		110
57-15-3	R	HB 56		22	58-9-701	Α	HB 63		24
57-15-4	R	HB 56		22	58-9-705	Α	HB 437		110
57-15-5	R	HB 56		22	58-11a-102	Α	HB 63		24
57-15-6	R	HB 56		22	58-11a-302	Α	HB 63		24
57-15-7	R	HB 56		22	58-11a-503	Α	HB 63		24
57-15-8	R	HB 56		22	58-13-2	Α	SB 66		144
57-15-8.5	R	HB 56		22	58-13-2.6	Α	HB 277		83
57-15-9	R	HB 56		22	58-13-4	Α	HB 78		38
57-15-10	R	HB 56		22	58-13-5	Α	HB 63		24
57-15-11	R	HB 56		22			HB 78		38
57-16-6	Α	HB 48		17	58-15-4	Α	HB 63		24
		HB 78		38	58-16a-302	Α	HB 63		24
57-16-15.1	Α	HB 78		38	58-17b-303	Α	HB 63		24
57-16-18	Ε	HB 48		17	58-17b-304	Α	HB 63		24
57-18-7	Α	HB 78		38	58-17b-305	Α	HB 63		24
57-19-19	Α	HB 78		38	58-17b-306	Α	HB 63		24
57-19-20	Α	HB 63		24	58-17b-307	Α	HB 63		24
57-21-2	Α	HB 63		24	58-17b-504	Α	HB 63		24
57-21-8	Α	HB 63		24	58-17b-605	Α	HB 361		101
57-21-9	Α	HB 63		24	58-17b-701	Α	HB 63		24
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
58-20a-302	Α	HB 63		24	58-37d-4	Α	HB 80		45
58-22-102	Α	SB 200		177	58-39a-5	Α	HB 63		24
58-22-103	Α	HB 63		24	58-40-5	Α	HB 63		24
58-22-302	Α	HB 63		24	58-40a-302	Α	HB 63		24
00 22 002	,,	SB 200		177	58-40a-304	A	HB 63		24
58-22-305	Α	SB 200		177	58-41-5	Α	HB 63		24
58-22-501	A	SB 200		177	58-41-13	A	HB 63		24
58-22-503	A	HB 63		24	58-42a-302	A	HB 63		24
58-26a-102	A	HB 63		24	58-44a-102	A	HB 63		24
00 200 102	,,	SB 163		169	58-44a-302	A	HB 63		24
58-26a-302	Α	HB 63		24	58-44a-402	A	HB 63		24
00 200 002	,,	SB 163		169	58-46a-302	A	HB 63		24
58-26a-304	Α	SB 163		169	58-47b-302	A	HB 63		24
58-26a-305	A	SB 163		169	58-53-103	A	HB 63		24
58-26a-306	A	HB 63		24	58-53-302	A	HB 63		24
58-26a-307	A	HB 63		24	58-53-502	A	HB 63		24
58-26a-501	A	SB 163		169	58-54-2	A	HB 63		24
58-26a-502	A	SB 163		169	58-54-5	A	HB 63		24
58-28-302	A	HB 63		24	58-55-102	Α	HB 401		107
58-28-503	A	HB 63		24	58-55-103	A	HB 63		24
58-31b-102	A	HB 399		107	58-55-201	Α	HB 401		107
00 010 102	, , , , , , , , , , , , , , , , , , ,	HB 63		24	58-55-301	A	HB 401		107
58-31b-103	Α	HB 399		107	58-55-302	A	HB 401		107
58-31b-301.		HB 63		24	30-33-302	^	HB 63		24
00 010 001.	R	HB 399		107	58-55-305	Α	HB 459		111
58-31b-302	A	HB 63		24	SB 228	^	182		
58-31b-304	A	HB 63		24	SB 295		193		
58-31b-305	A	HB 63		24	58-55-307	Α	HB 63		24
58-31b-401	A	HB 399		107	58-55-308	A	HB 63		24
00 010 401	, , , , , , , , , , , , , , , , , , ,	HB 63		24	58-55-501	A	SB 295		193
58-31b-402	Α	HB 63		24	58-55-503	A	HB 63		24
00 010 402	R	HB 399		107	58-55-604	A	SB 295		193
58-31b-503	A	HB 399		107	58-56-4	A	HB 63		24
58-31b-601	A	HB 399		107	58-56-7	A	HB 63		24
00 010 001	, , , , , , , , , , , , , , , , , , ,	HB 63		24	58-56-9.3	A	HB 63		24
58-31b-701	Α	HB 78		38	58-56-9.5	A	HB 63		24
58-37-2	A	HB 63		24	58-56-16	A	HB 63		24
58-37-5.5	A	SB 111		156	58-56-20	A	HB 184		67
58-37-6	A	HB 63		24	58-57-4	A	HB 63		24
00 07 0	, , , , , , , , , , , , , , , , , , ,	HB 78		38	58-57-14	A	HB 63		24
58-37-7.5	Α	HB 119		52	58-59-101	R	HB 159		62
58-37-7.8	E	HB 119		52	58-59-102	R	HB 159		62
58-37-8	A	HB 12		4	58-59-301	R	HB 159		62
58-37-21	A	HB 63		24	58-59-302	A	HB 63		24
58-37a-3	A	HB 12		4	00 00 002	R	HB 159		62
58-37a-5	A	HB 12		4	58-59-302.5	A	HB 63		24
58-37c-3	A	HB 63		24	00 00-002.0	R	HB 159		62
58-37c-6	A	HB 63		24	58-59-303	A	HB 63		24
58-37c-8	A	HB 63		24	30 00-000	R	HB 159		62
58-37c-0	A	HB 171		64	58-59-303.5	R	HB 159		62
58-37c-10	A	нв 171 НВ 63		24	58-59-306	R	HB 159		62
JU-J7 U- 14	^	110 00		4 1	30-33-300	IX.	110 103		02
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
58-59-306.5	R	HB 159		62	58-72-302	Α	HB 63		24
58-59-308	Α	HB 63		24	58-72-501	Α	SB 111		156
	R	HB 159		62	58-73-302	Α	HB 63		24
58-59-501	R	HB 159		62	58-73-701	Α	HB 63		24
58-59-503	R	HB 159		62	58-74-302	Α	HB 63		24
58-60-114	Α	HB 78		38	58-74-401	Α	HB 78		38
58-60-115	Α	HB 63		24	58-74-502	Α	HB 78		38
58-60-117	Α	HB 63		24	58-75-102	Α	HB 63		24
58-60-205	Α	HB 63		24	58-75-302	Α	HB 63		24
58-60-305	Α	HB 63		24	58-76-103	Α	HB 63		24
58-60-405	Α	HB 63		24	58-76-302	Α	HB 63		24
58-60-506	Α	HB 63		24	58-76-502	Α	HB 63		24
58-60-509	Α	HB 78		38	58-77-102	Α	SB 93		152
58-61-304	Α	HB 63		24	58-77-201	Α	SB 93		152
58-61-602	Α	HB 78		38	58-77-204	Е	SB 93		152
58-63-102	Α	SB 98		153	58-77-302	Α	HB 63		24
58-63-201	Α	SB 98		153	58-77-601	Α	SB 93		152
58-63-301	Α	SB 98		153	59-1-210	Α	HB 281		83
58-63-302	Α	HB 63		24			HB 63		24
		SB 98		153	59-1-302	Α	HB 63		24
58-63-304	Α	HB 63		24	59-1-304	Α	HB 63		24
58-63-306	Α	SB 98		153	59-1-305	Α	HB 63		24
58-63-307	Α	SB 98		153	59-1-401	Α	HB 63		24
58-63-308	Α	SB 98		153	59-1-403	Α	HB 206		71
58-63-310	Α	SB 98		153			HB 63		24
58-63-501	Α	SB 98		153			HB 78		38
58-63-502	Α	SB 98		153	59-1-404	Α	HB 63		24
58-63-503	Α	HB 63		24	59-1-502.5	Α	HB 63		24
		SB 98		153	59-1-601	Α	HB 63		24
58-64-102	Α	HB 375		105	59-1-602	Α	HB 63		24
58-64-302	Α	HB 375		105	59-1-610	Α	HB 63		24
		HB 63		24	59-1-1302	Α	HB 63		24
58-67-102	Α	HB 63		24	59-1-1303	Α	HB 63		24
58-67-302	Α	HB 63		24	59-1-1306	Α	HB 63		24
58-67-302.5	Α	SB 111		156	59-1-1307	Α	HB 63		24
58-67-402	Α	HB 63		24	59-2-102	Α	HB 54		20
58-67-601	Α	HB 63		24			HB 63		24
58-68-102	Α	HB 63		24			HB 77		37
58-68-302	Α	HB 63		24			SB 237		184
58-68-402	Α	HB 63		24			SB 29		131
58-68-601	Α	HB 63		24			SB 47		137
58-69-302	Α	HB 63		24	59-2-103.5	Α	HB 63		24
		SB 174		171	59-2-107	Α	HB 63		24
58-69-601	Α	HB 63		24	59-2-108	Ε	HB 77		37
58-70a-302	Α	HB 63		24	59-2-202	Α	HB 63		24
58-71-102	Α	HB 63		24	59-2-207	Α	HB 63		24
58-71-302	Α	HB 63		24	59-2-303.1	Α	HB 54		20
		SB 56		140	59-2-306	Α	HB 77		37
58-71-402	Α	HB 63		24	59-2-307	Α	HB 63		24
58-71-601	Α	HB 63		24			HB 77		37
58-72-301	Α	SB 111		156	59-2-309	Α	HB 63		24
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Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
59-2-404	Α	HB 365		103	59-2-924.4	Е	SB 48		139
59-2-405	Α	HB 373		104	59-2-926	Α	HB 186		67
59-2-405.1	Α	HB 373		104	59-2-1004	Α	HB 54		20
59-2-405.2	Α	HB 63		24			HB 63		24
		SB 111		156			SB 29		131
59-2-406	Α	HB 63		24	59-2-1004.5	Α	HB 63		24
59-2-503	Α	HB 63		24	59-2-1004.6	Α	HB 63		24
59-2-505	Α	HB 54		20	59-2-1007	Α	HB 63		24
		SB 29		131	59-2-1102	Α	HB 63		24
59-2-703	Α	HB 63		24	59-2-1105	Α	HB 63		24
59-2-704.5	Α	HB 63		24			SB 128		160
59-2-801	Α	HB 63		24	59-2-1115	Α	HB 63		24
		SB 237		184			HB 77		37
59-2-804	E	SB 237		184	59-2-1202	Α	HB 63		24
59-2-906.1	N	HB 186	59-2-1602	67	59-2-1302	Α	HB 77		37
59-2-906.2	A	HB 54		20	59-2-1330	Α	HB 54		20
50.0.000.0	N	HB 186	59-2-1603	67			HB 77		37
59-2-906.3	N	HB 186	59-2-1604	67			SB 29		131
59-2-906.4	N	HB 186 HB 77	59-2-1605	67 37	59-2-1601	_	SB 48		139 67
59-2-908	Α	SB 29		3 <i>1</i> 131	59-2-1601	E A	HB 186 HB 63		24
		SB 29 SB 48		139	59-5-101	A	HB 63		2 4 24
59-2-911	Α	HB 186		67	59-5-115	A	HB 58		22
59-2-913	A	HB 77		37	59-5-203	A	HB 63		24
00 2 010	/ \	SB 29		131	59-5-204	A	HB 63		24
		SB 48		139	59-5-210	A	HB 63		24
59-2-914	Α	HB 77		37	59-5-215	A	HB 58		22
		SB 29		131	59-6-101	Α	SB 137		162
		SB 48		139	59-6-102	Α	SB 137		162
59-2-918	Α	HB 77		37	59-6-102.1	Е	SB 137		162
		SB 29		131	59-6-103	Α	SB 137		162
		SB 48		139	59-6-104	Α	HB 63		24
59-2-918.5	Α	HB 54		20	59-7-101	Α	HB 359		100
		SB 29		131			HB 63		24
59-2-918.6	Α	HB 54		20	59-7-105	Α	HB 359		100
		SB 29		131	59-7-106	Α	HB 359		100
59-2-919	Α	HB 54		20	59-7-110	Α	SB 136		162
	_	SB 29		131	59-7-116	Α	SB 111		156
59-2-919.1	E	HB 54		20	59-7-116.5	A	HB 359		100
50.0.004	^	SB 29		131	59-7-302	A	SB 237		184
59-2-924	Α	HB 186		67 24	59-7-311	A	HB 63 SB 237		24 194
		HB 63 HB 77		24 37	59-7-312 59-7-313	A	SB 237 SB 237		184 184
		SB 261		188	59-7-314	A A	SB 237		184
		SB 201		131	59-7-315	A	SB 237		184
		SB 47		137	59-7-316	A	SB 237		184
		SB 48		139	59-7-317	A	SB 237		184
59-2-924.2	E	HB 77		37	59-7-318	A	SB 237		184
55 2 52 1.2	_	SB 29		131	59-7-319	A	SB 136		162
		SB 48		139			SB 237		184
59-2-924.3	E	SB 48		139	59-7-402	Α	HB 359		100
A=Amende	d	E=Enacte	d R	=Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
59-7-605	Α	HB 106		49	59-10-507	Α	HB 359		100
59-7-610	Α	HB 63		24	59-10-514	Α	HB 63		24
59-7-612	Α	HB 52		19	59-10-514.1	Α	HB 63		24
		HB 63		24	59-10-530	N	HB 359	59-10-1305	101
59-7-613	Α	HB 52		19	59-10-530.5	N	HB 359	59-10-1306	101
		HB 63		24	59-10-547	N	HB 359	59-10-1311	101
59-7-614	Α	HB 359		100	59-10-548	N	HB 359	59-10-1312	101
59-7-614.1	Α	HB 63		24	59-10-549	A	HB 63	33-10-1312	24
59-7-614.2	E	HB 359		101	33-10-343	N	HB 359	59-10-1307	101
		SB 185		174	59-10-550	N	HB 359	59-10-1308	101
59-7-703	Α	HB 63		24	59-10-550.1	N	HB 359	59-10-1309	101
59-8-106	Α	HB 63		24					
59-10-103	Α	HB 359		100	59-10-550.2	N	HB 359	59-10-1310	101
		HB 63		24	59-10-551	N	HB 359	59-10-1304	101
59-10-104	Α	HB 359		100	59-10-801	R	HB 359		101
59-10-104.1	Α	HB 359		100	59-10-1007	A	HB 63		24
59-10-110	Α	HB 359		100	59-10-1009	A	HB 106		49
59-10-114	Α	HB 359		100	59-10-1012	Α	HB 52		19
		HB 63		24	50.40.4040	•	HB 63		24
59-10-115	Α	HB 359		100	59-10-1013	Α	HB 52		19
		HB 63		24			HB 63		24
59-10-116	Α	HB 359		100	59-10-1014	Α	HB 359		100
		HB 63		24	59-10-1015	Α	HB 63		24
59-10-117	Α	HB 359		100	59-10-1016	N	HB 359	59-10-1002.1	101
		HB 63		24	59-10-1020	Е	HB 359		101
59-10-118	Α	HB 359		100	59-10-1021	Е	HB 359		101
		SB 136		162	59-10-1022	Е	HB 359		101
59-10-119	Α	HB 359		100	59-10-1023	Е	HB 359		101
59-10-120	Α	HB 359		100	59-10-1024	Е	HB 359		101
59-10-121	A	HB 359		100	59-10-1105	Α	HB 63		24
59-10-122	A	HB 359		100	59-10-1106	Α	HB 359		100
59-10-123	A	HB 359		100	59-10-1107	Е	SB 185		174
59-10-124	A	HB 359		100	59-10-1201	R	HB 359		101
59-10-125	A	HB 359		100	59-10-1202	R	HB 359		101
59-10-126	A	HB 359		100	59-10-1203	R	HB 359		101
59-10-201	A	HB 359		100	59-10-1204	R	HB 359		101
59-10-201.1 59-10-202	A A	HB 359		100 100	59-10-1205	Α	HB 63		24
39-10-202	A	HB 359 HB 63		24		R	HB 359		101
59-10-204	Α	HB 359		100	59-10-1206	R	HB 359		101
59-10-20 4 59-10-205	A	HB 359		100	59-10-1206.1	l N	HB 359	59-10-1017	101
59-10-206	R	HB 359		101	59-10-1206.2	2 N	HB 359	59-10-1018	101
59-10-207	A	HB 359		100	59-10-1206.3	8 N	HB 359	59-10-1019	101
59-10-209.1	A	HB 359		100	59-10-1206.9) N	HB 359	59-10-1002.2	101
00 10 200.1	, ,	HB 63		24	59-10-1207	R	HB 359		101
59-10-210	Α	HB 359		100	59-10-1301	Е	HB 359		101
00 10 210	, ,	HB 63		24	59-10-1302	Е	HB 359		101
59-10-301	N	HB 359	59-10-1403	101	59-10-1303	Е	HB 359		101
59-10-302	N	HB 359	59-10-1404	101	59-10-1401	Е	HB 359		101
59-10-303	N	HB 359	59-10-1405	101	59-10-1402	E	HB 359		101
59-10-405.5	A	HB 63		24	59-11-113	A	HB 63		24
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Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	<u>Former/</u> Renumber	<u>Page</u> Number
59-12-102	Α	HB 172		65	59-12-209	Α	HB 63		24
		HB 206		71	59-12-210	Α	HB 206		71
		HB 63		24			HB 63		24
		HB 78		38	59-12-211	Ε	HB 206		71
		SB 124		159	59-12-212	Ε	HB 206		71
		SB 245		187	59-12-213	Ε	HB 206		71
59-12-102.2	R	HB 206		72	59-12-214	E	HB 206		71
59-12-102.3	Ε	HB 206		71	59-12-216	Ε	HB 206		71
59-12-103	Α	HB 206		71	59-12-217	E	HB 206		71
		HB 251		77	59-12-218	E	HB 206		71
		HB 359		100	59-12-301	Α	HB 63		24
		SB 245		187	59-12-302	Α	HB 206		71
59-12-104	Α	HB 165		63	59-12-304	Ε	HB 206		71
		HB 206		71	59-12-305	E	HB 206		71
		HB 248		76	59-12-306	Ε	HB 206		71
		HB 251		77	59-12-354	Α	HB 206		71
		HB 359		100	59-12-357	Ε	HB 206		71
		HB 63		24	59-12-358	E	HB 206		71
		SB 237		184	59-12-359	Ε	HB 206		71
		SB 99		154	59-12-401	Α	HB 206		71
59-12-104.1	Α	HB 63		24	59-12-402	Α	HB 206		71
59-12-104.2	Α	SB 245		187	59-12-403	Α	HB 206		71
59-12-104.5	Α	HB 206		71			HB 63		24
59-12-105	Α	HB 206		71	59-12-406	Ε	HB 206		71
59-12-106	Α	HB 206		71	59-12-407	Ε	HB 206		71
		HB 63		24	59-12-408	Е	HB 206		71
59-12-107	Α	HB 206		71	59-12-501	Α	HB 206		71
		HB 251		77			HB 251		77
		HB 63		24	59-12-502	Α	HB 206		71
59-12-107.1	Α	HB 206		71	59-12-504	Α	HB 206		71
		HB 63		24			HB 63		24
59-12-108	Α	HB 206		71	59-12-506	Ε	HB 206		71
		HB 63		24	59-12-507	Ε	HB 206		71
		SB 245		187	59-12-508	E	HB 206		71
59-12-110	Α	HB 206		71	59-12-601	R	SB 245		188
		HB 63		24	59-12-601.1	E	SB 245		188
59-12-110.1	Α	HB 206		71	59-12-602	Α	SB 245		187
59-12-114	Α	HB 63		24	59-12-603	Α	HB 206		71
59-12-123	E	HB 206		71			SB 245		187
59-12-124	Е	HB 206		71	59-12-605	Е	HB 206		71
59-12-125	Е	HB 206		71	59-12-606	Е	HB 206		71
59-12-126	Е	HB 206		71	59-12-607	Е	HB 206		71
59-12-127	Е	HB 206		71	59-12-703	Α	HB 206		71
59-12-128	Е	HB 206		71			HB 63		24
59-12-129	Е	HB 206		71	59-12-707	Е	HB 206		71
59-12-205	Α	HB 206		71	59-12-708	E	HB 206		71
59-12-207	Α	HB 63		24	59-12-709	Е	HB 206		71
	R	HB 206		72	59-12-802	Α	HB 206		71
59-12-207.4	N	HB 206	59-12-215	72	59-12-804	Α	HB 206		71
59-12-208.1	Α	HB 206		71	59-12-806	Α	HB 206		71
		HB 63		24			HB 63		24
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Section Nation	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
59-12-209	Section	Action	<u>Number</u>	Kenumber	<u>Number</u>	Section	Action	Number	Renumber	<u>Nulliber</u>
59-12-209	59-12-808	F	HB 206		71	59-12-1902	F	HR 172		65
59-12-2010						03 12 1302	_			
S9-12-201						59-12-1903	F			
59-12-902 A H B 63 24 59-12-2001 E SB 245 188 59-12-1001 A HB 304 86 59-12-2002 E SB 245 188 59-12-1002 A HB 206 71 59-12-2004 E SB 245 188 59-12-1004 E HB 206 71 59-13-2013 A HB 106 49 59-12-1005 E HB 206 71 59-13-201.5 A HB 63 24 59-12-1006 E HB 206 71 59-13-201.5 A HB 63 24 59-12-1102 A HB 206 71 59-13-202.5 A HB 63 24 59-12-1106 E HB 206 71 59-13-202.5 A HB 63 24 59-12-1105 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1106 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1107<						00 12 1000	_			
R HB 304 86 59-12-2002 E S8 245 188 S9-12-1001 A HB 206 71 59-12-2003 E S8 245 188 S9-12-1002 A HB 206 71 59-13-2001 E S8 245 188 S9-12-1004 E HB 206 71 59-13-201 A HB 106 49 S9-12-1005 E HB 206 71 59-13-201 A HB 63 24 S9-12-1005 E HB 206 71 59-13-201 A HB 63 24 S9-12-1102 A HB 206 71 59-13-201 A HB 63 24 S9-12-1102 A HB 206 71 59-13-201 A HB 63 24 S9-12-1104 E HB 206 71 59-13-201 A HB 63 24 S9-12-1105 E HB 206 71 59-13-201 A HB 63 24 S9-12-1106 E HB 206 71 59-13-201 A HB 63 24 S9-12-1106 E HB 206 71 59-13-301 A HB 106 49 S9-12-1106 E HB 206 71 59-13-301 A HB 106 49 S9-12-1202 E HB 206 71 59-13-302 A HB 63 24 S9-12-1202 E HB 206 71 59-13-302 A HB 106 49 S9-12-1203 E HB 206 71 59-13-304 A HB 106 49 S9-12-1203 E HB 206 71 59-13-304 A HB 106 49 S9-12-1304 E HB 206 71 59-13-304 A HB 106 49 S9-12-1302 A HB 206 71 59-13-304 A HB 106 49 S9-12-1302 E HB 206 71 59-13-304 A HB 106 49 S9-12-1403 E HB 206 71 59-13-304 A HB 106 49 S9-12-1403 E HB 206 71 59-13-304 A HB 106 49 S9-12-1406 E HB 206 71 59-13-304 A HB 106 49 S9-12-1406 E HB 206 71 59-13-304 A HB 63 24 S9-12-1304 E HB 206 71 59-13-304 A HB 63 24 S9-12-1304 E HB 206 71 59-13-304 A HB 63 24 S9-12-1304 E HB 206 71 59-13-404 A HB 63 24 S9-12-1304 E HB 206 71 59-13-404 A HB 63 24 S9-12-1304 E HB 206 71 59-14-407 A HB 63 24 S9-12-1406 E HB 206 71 59-14-407 A HB 63 24 S9-12-1407 E HB 206 71 59-14-407 A HB 63 24 S9-12-1406 E HB 206 71 59-14-407 A HB 63 24 S9-12-1407 E HB 206 71 59-14-407 A HB 63 24 S9-12-1505 E HB 206 71 59-14-407 A HB 63 24 S9-12-1505 E HB 206 71 59-14-407 A HB 63 24 S9-12-1505 E HB 206 71 59-14-407 A HB 63 24 S9-12-1505 E HB 206 71 59-14-407 A HB 63 24 S9-12-1505 E HB 206 71 59-14-407 A HB 63 24 S9-12-1506 E HB 206 71 59-14-408 A HB 63 24 S9-12-1507 E HB 206 71 59-14-408 A HB 63 24 S9-12-1508 E HB 206 71 59-14-408 A HB 63 24 S9-12-1508 E HB 206 71 59-14-408 A HB 63 24 S9-12-1508 E HB 206 71 59-14-408 A HB 63 24 S9-12-1508 E HB 206 71 59-14-408 A HB 63 24 S9-12-1508 E HB 206 71 61-11-11 A HB 63 24 S9-12-1508 E						59-12-2001	F			
S9-12-1001										
HB 63	59-12-1001									
59-12-1002										
59-12-1004 E HB 206	59-12-1002	Α								
59-12-1006 E HB 206 71 59-13-201.5 A HB 83 24 59-12-1002 A HB 206 71 59-13-202.5 A HB 63 24 59-12-102 A HB 206 71 59-13-203.1 A HB 63 24 59-12-1104 E HB 206 71 59-13-301 A HB 63 24 59-12-1105 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1210 E HB 206 71 59-13-302.0 A HB 63 24 59-12-12101 A HB 206 71 59-13-302.0 A HB 63 24 59-12-1202 E HB 206 71 59-13-304.4 A HB 106 49 59-12-1302 E HB 206 71 59-13-302.2 A HB 63 24 59-12-1302 A HB 206 71 59-13-302.2 A HB 63 24 59-12-1302 <td></td>										
59-12-1006 E HB 206 71 59-13-202.5 A HB 35 12 59-12-1102 A HB 206 71 59-13-203.1 A HB 63 24 59-12-1104 E HB 206 71 59-13-301 A HB 63 24 59-12-1106 E HB 206 71 59-13-301.5 A HB 63 24 59-12-12101 A HB 206 71 59-13-301.5 A HB 63 24 59-12-1202 E HB 206 71 59-13-302 A HB 63 24 59-12-1203 E HB 206 71 59-13-304 A HB 106 49 59-12-1302 E HB 206 71 59-13-322 A HB 63 24 59-12-1302 B HB 206 71 59-13-404 A HB 63 24 59-12-1302 A HB 206 71 59-14-102 A HB 63 24 59-12-1302							Α			
59-12-1102 A HB 63 24 59-13-203.1 A HB 63 24 59-12-1104 E HB 206 71 HB 63 24 59-12-1105 E HB 206 71 59-13-301 A HB 106 49 59-12-1106 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1210 A HB 206 71 59-13-304 A HB 106 49 59-12-1202 E HB 206 71 59-13-304 A HB 106 49 59-12-1203 E HB 206 71 59-13-314 A HB 106 49 59-12-1204 E HB 206 71 59-13-322 A HB 63 24 59-12-1204 E HB 206 71 59-13-404 A HB 63 24 59-12-1204 E HB 206 71 59-14-102 A HB 63 24 59-12-1204 E HB 206 7										
SB 54 140 59-13-301 A HB 106 49 59-13-105 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1106 E HB 206 71 59-13-302 A HB 63 24 59-12-1202 E HB 206 71 59-13-304 A HB 106 49 59-12-1202 E HB 206 71 59-13-304 A HB 106 49 59-12-1203 E HB 206 71 59-13-314 A HB 106 49 59-12-1203 E HB 206 71 59-13-322 A HB 35 12 59-12-1302 A HB 206 71 59-13-322 A HB 63 24 59-12-1302 A HB 206 71 59-13-302 A HB 63 24 59-12-1302 A HB 206 71 59-13-302 A HB 63 24 59-12-1302 A HB 206 71 59-13-404 A HB 63 24 59-12-1302 A HB 206 71 59-13-404 A HB 63 24 59-12-1305 E HB 206 71 59-14-202 A HB 356 99 59-12-1306 E HB 206 71 59-14-202 A HB 63 24 59-12-1306 E HB 206 71 59-14-202 A HB 63 24 59-12-1306 E HB 206 71 59-14-202 A HB 83 24 59-12-1402 A HB 83 24 59-12-1407 A HB 83 24 59-12-1406 E HB 206 71 59-14-208 A HB 83 24 59-12-1406 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-14-00 A HB 63 24 59-12-1407 E HB 206 71 59-24-108 A HB 63 24 59-12-1707 E HB 206 71 59-24-108 A HB 63 24 59-12-1707 E HB 206 71 59-24-108 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1708 E HB 206 71 61-1-14 A HB 63 24 59-12-1804 E HB 206 71 61-1-14 A HB 63										
59-12-1104 E HB 206 71 59-13-301.5 A HB 63 24 59-12-1106 E HB 206 71 59-13-302 A HB 63 24 59-12-1201 A HB 206 71 59-13-304 A HB 106 49 59-12-1202 E HB 206 71 59-13-314 A HB 106 49 59-12-1203 E HB 206 71 59-13-314 A HB 106 49 59-12-1302 E HB 206 71 59-13-314 A HB 63 24 59-12-1302 A HB 206 71 59-13-404 A HB 63 24 59-12-1302 A HB 206 71 59-13-404 A HB 63 24 59-12-1302 E HB 206 71 59-13-402 A HB 63 24 59-12-1304 E HB 206 71 59-14-202 A HB 63 24 59-12-1306			HB 63		24	59-13-203.1	Α	HB 63		24
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59-12-1406 E HB 206 71 59-14-603 A HB 63 24 59-12-1407 E HB 206 71 59-19-105 A HB 63 24 59-12-1503 A HB 206 71 59-21-1 A SB 47 137 59-12-1505 E HB 206 71 SB 47 137 59-12-1506 E HB 206 71 SP-24-108 A HB 63 24 59-12-1507 E HB 206 71 59-24-108 A HB 63 24 59-12-1507 E HB 206 71 59-25-108 A HB 63 24 59-12-1703 A HB 206 71 59-26-106 A HB 63 24 59-12-1706 E HB 206 71 59-27-104 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1802 A HB 206 71			HB 63		24	59-14-407	Α	HB 63		24
59-12-1407 E HB 206 71 59-19-105 A HB 63 24 59-12-1503 A HB 206 71 59-21-1 A SB 47 137 59-12-1505 E HB 206 71 SB 47 137 59-12-1506 E HB 206 71 S9-24-108 A HB 63 24 59-12-1507 E HB 206 71 59-25-108 A HB 63 24 59-12-1703 A HB 206 71 59-26-108 A HB 63 24 59-12-1708 E HB 206 71 59-26-108 A HB 63 24 59-12-1707 E HB 206 71 59-27-104 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1802 A HB 206 71 61-1-6 A HB 63 24 59-12-1803 A HB 206 71	59-12-1405	Ε	HB 206		71	59-14-409	Α	HB 63		24
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59-12-1505 E HB 206 71 SB 47 137 59-12-1506 E HB 206 71 59-24-108 A HB 63 24 59-12-1507 E HB 206 71 59-25-108 A HB 63 24 59-12-1703 A HB 206 71 59-26-106 A HB 63 24 59-12-1706 E HB 206 71 59-27-104 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1708 E HB 206 71 61-1-6 A HB 63 24 59-12-1802 A HB 206 71 61-1-11 A HB 63 24 59-12-1803 A HB 206 71 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-13 A HB 63 24 59-12-1805 E HB 206 71 <td< td=""><td>59-12-1503</td><td>Α</td><td>HB 206</td><td></td><td>71</td><td>59-21-1</td><td>Α</td><td>SB 47</td><td></td><td>137</td></td<>	59-12-1503	Α	HB 206		71	59-21-1	Α	SB 47		137
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59-12-1703 A HB 206 71 59-26-106 A HB 63 24 59-12-1706 E HB 206 71 59-26-108 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1708 E HB 206 71 61-1-6 A HB 63 24 59-12-1802 A HB 206 71 61-1-11 A HB 63 24 59-12-1803 A HB 206 71 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-13 A HB 63 24 59-12-1805 E HB 206 71 61-1-14 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.7 A HB 63 24 59-12-1901	59-12-1506		HB 206			59-24-108	Α	HB 63		
HB 63 24 59-26-108 A HB 63 24 59-12-1706 E HB 206 71 59-27-104 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1708 E HB 206 71 61-1-6 A HB 63 24 59-12-1802 A HB 206 71 61-1-11.1 A HB 63 24 59-12-1803 A HB 206 71 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-13 A HB 63 24 59-12-1805 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.7 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.7 A HB 63 24 59-12-1901 E HB 172 61 51-12-1901										
59-12-1706 E HB 206 71 59-27-104 A HB 63 24 59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1708 E HB 206 71 61-1-6 A HB 63 24 59-12-1802 A HB 206 71 61-1-11.1 A HB 63 24 59-12-1803 A HB 63 24 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-13 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.7 A HB 63 24	59-12-1703	Α								
59-12-1707 E HB 206 71 61-1-4 A HB 63 24 59-12-1708 E HB 206 71 61-1-6 A HB 63 24 59-12-1802 A HB 206 71 61-1-11.1 A HB 63 24 59-12-1803 A HB 206 71 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.7 A HB 63 24										
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59-12-1802 A HB 206 71 61-1-11.1 A HB 63 24 59-12-1803 A HB 63 24 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
59-12-1803 A HB 206 71 61-1-12 A HB 63 24 59-12-1804 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
HB 63 24 61-1-13 A HB 63 24 59-12-1804 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
59-12-1804 E HB 206 71 61-1-14 A HB 63 24 59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24	59-12-1803	Α								
59-12-1805 E HB 206 71 61-1-15.5 A HB 63 24 59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
59-12-1806 E HB 206 71 61-1-18.4 A HB 63 24 59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
59-12-1901 E HB 172 65 61-1-18.6 A HB 63 24 SB 245 188 61-1-18.7 A HB 63 24										
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	59-12-1901	E								
A=Amended E=Enacted R=Repealed X=Repealed and Reenacted N=Renumbered and Amended			SB 245		188	61-1-18.7	Α	HB 63		24
	A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
	61-1-21.1	Α	HB 78				HB 63		24
38					61-2c-104	Α	HB 63		24
61-1-23	Α	HB 63		24	61-2c-105	Α	HB 63		24
61-1-30	Α	SB 111		156	61-2c-201	Α	HB 63		24
61-2-3	Α	HB 223		74	61-2c-202	Α	HB 346		96
61-2-5.1	Α	HB 63		24			HB 63		24
61-2-5.5	Α	HB 346		96	61-2c-205	Α	HB 63		24
61-2-6	Α	HB 63		24	61-2c-206	Α	HB 346		96
61-2-7.1	Α	HB 63		24			HB 63		24
61-2-9	Α	HB 63		24	61-2c-207	Α	HB 63		24
61-2-10	Α	HB 63		24	61-2c-208	Α	HB 63		24
61-2-12	Α	HB 63		24	61-2c-402.1	Α	HB 63		24
		HB 78		38			HB 78		38
61-2-13	Α	HB 346		96	61-2c-403	Α	HB 346		96
61-2-20	Α	HB 346		96			HB 63		24
61-2-21	Α	HB 346		96	61-2c-405	E	HB 346		96
		HB 63		24			SB 134		161
		SB 134		161	61-2c-502	Α	HB 346		96
61-2-26	Α	HB 63		24	61-2d-106	Α	HB 78		38
61-2-28	Α	HB 410		108	62A-1-106	Α	HB 63		24
		HB 63		24	62A-1-108.5	A	HB 63		24
61-2b-2	Α	HB 346		96	62A-1-111	Α	HB 63		24
		HB 63		24			HB 78		38
61-2b-6	Α	HB 346		96	62A-1-112	Α	HB 63		24
		HB 63		24	62A-1-118	Α	HB 63		24
61-2b-8	Α	HB 346		96	62A-2-105	Α	HB 63		24
		HB 63		24	62A-2-106	Α	HB 63		24
61-2b-18	Α	HB 346		96	62A-2-108.2		HB 63		24
		HB 63		24	62A-2-108.3		HB 63		24
61-2b-21	Α	HB 346		96	62A-2-108.5		HB 122		53
		HB 63		24	62A-2-109	Α	HB 63		24
61-2b-22	Α	HB 346		96	62A-2-111	Α	HB 63		24
		HB 63		24	62A-2-117.5		HB 78		38
61-2b-24	Α	HB 346		96	62A-2-120	Α	HB 36		12
61-2b-25	Α	HB 346		96			HB 63		24
61-2b-26	Α	HB 346		96			HB 78		38
61-2b-27	Α	HB 346		96	62A-2-121	Α	HB 63		24
04.01.00		HB 63		24	204 0 400		HB 78		38
61-2b-28	Α	HB 346		96	62A-2-122	Α	HB 63		24
04.01.00		HB 63		24	004 0 404		SB 63		143
61-2b-29	A	HB 346		96	62A-3-104	A	HB 63		24
61-2b-30	A	HB 63		24	62A-3-104.1		HB 63		24
61-2b-30.5	A	HB 346		96	62A-3-106.5		HB 63		24
61-2b-31	Α	HB 346		96	62A-3-109	Α	HB 63		24
61 Ob 33	٨	HB 78		38	COA 2 20E	۸	SB 63		143
61-2b-33	Α	HB 346		96 161	62A-3-205	A	HB 63		24
C4 Ob 07	۸	SB 134		161	62A-3-301	A	SB 63		143
61-2b-37	A	HB 63		24 55	62A-3-302	A	SB 63		143
61-2c-102	Α	HB 128		55 24	62A-3-303	A	SB 63		143
61 20 102	Λ	HB 63		24 55	62A-3-304	A	SB 63		143
61-2c-103	Α	HB 128		55	62A-3-305	Α	SB 63		143
A=Amende	ed	E=Enacte	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
62A-3-306	R	SB 63		143	62A-4a-207	Α	HB 63		24
62A-3-307	Χ	SB 63		143			HB 78		38
62A-3-308	A	SB 63		143			SB 111		156
62A-3-309	Α	SB 63		143	62A-4a-208	Α	HB 63		24
62A-3-311	A	HB 63		24	02A-4a-200	Α			
02/10/01/1	,,	SB 63		143	004 4 000		HB 78		38
62A-3-311.1	Α	HB 63		24	62A-4a-209	Α	HB 36		12
02A-3-311.1	^	SB 63		143			HB 78		38
62A-3-311.5	Е	SB 63		143	62A-4a-250	Α	HB 78		38
62A-3-311.3	A	HB 63		24	62A-4a-301	Α	HB 31		10
02A-3-312	^	SB 63		143	62A-4a-302	Α	HB 31		10
62A-3-313	R	SB 63		143	62A-4a-303		HB 31		10
62A-3-318	A	SB 63		143			HB 63		24
62A-3-310		SB 63		143	62A-4a-304	Α	HB 31		10
	A						HB 63		24
62A-4a-101	Α	HB 31		10	62A-4a-305	Α	HB 31		10
624 46 102	۸	HB 78		38	62A-4a-306	Α	HB 31		10
62A-4a-102	Α	HB 63		24 38			HB 374		105
62A-4a-103	^	HB 78		38	62A-4a-309	Α	HB 31		10
62A-4a-105	A	HB 78 HB 78		38			HB 374		105
62A-4a-105	Α .			10	62A-4a-311	Α	HB 31		10
62A-4a-107.5	5 A A	HB 31 HB 63		24	02/1 10 011	, ,	HB 374		105
		пв 63 НВ 31		10	62A-4a-401	Α	HB 31		10
62A-4a-113	Α	HB 78		38	62A-4a-402	A	HB 31		10
62A-4a-114	Α	HB 78		38	62A-4a-403	A	HB 31		10
62A-4a-114	A	HB 63		24	62A-4a-405	A	HB 31		10
62A-4a-118	A	HB 78		38	62A-4a-406	A	HB 31		10
62A-4a-119	A	HB 63		24		A			
62A-4a-113	A	HB 63		24	62A-4a-409	А	HB 31		10
62A-4a-121	E	HB 122		53	624 46 440	٨	HB 78		38
62A-4a-201	A	HB 31		10	62A-4a-410	Α	HB 33		11
0271 10 201	, ,	HB 78		38	000 4- 444	Δ.	HB 63		24
62A-4a-202.1	Α	HB 36		12	62A-4a-411	A	HB 31		10
0271 10 202.1	, ,	HB 78		38	62A-4a-412	Α	HB 31		10
62A-4a-202.2	2 A	HB 78		38			HB 63		24
62A-4a-202.3		HB 78		38			HB 78		38
62A-4a-202.4		HB 31		10			SB 17		126
		HB 78		38	62A-4a-414	Α	HB 31		10
62A-4a-202.6	6 A	HB 31		10	62A-4a-602	Α	HB 78		38
		HB 78		38	62A-4a-607	Α	HB 78		38
62A-4a-202.8	В А	HB 78		38	62A-4a-702	Α	HB 78		38
62A-4a-203	Α	HB 31		10	62A-4a-708	Α	HB 78		38
		HB 78		38	62A-4a-802	Α	HB 31		10
62A-4a-203.5	5 A	HB 78		38			HB 78		38
62A-4a-205	Α	HB 78		38	62A-4a-906	Α	HB 63		24
62A-4a-205.5		HB 78		38	62A-4a-1002	2 A	HB 23		7
62A-4a-205.6		HB 78		38			HB 31		10
62A-4a-206	Α	HB 36		12	62A-4a-1003	8 A	HB 31		10
		HB 63		24			HB 63		24
	HB 78		38				HB 78		38
A=Amended	I	E=Enacted	i R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

<u>Section</u>	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
62A-4a-1005	Α	HB 31		10	62A-11-701	Е	HB 265		81
02/1/04/1000		HB 73		35	62A-11-702	E	HB 265		81
		HB 78		38	62A-11-704	E	HB 265		81
62A-4a-1006	Α	HB 31		10	62A-13-105	A	HB 63		24
02/1 10 1000	,,	HB 63		24	62A-14-105	A	HB 63		24
		HB 73		35	62A-14-106	A	HB 63		24
		HB 78		38	62A-14-108	A	HB 63		24
62A-4a-1007	Α	HB 31		10	62A-14-109	A	HB 63		24
62A-4a-1009	A	HB 31		10	62A-15-103	A	HB 316		89
0271 10 1000	, ,	HB 63		24	02/110 100	, ,	HB 63		24
		SB 17		126	62A-15-105	Α	HB 63		24
62A-4a-1010	Α	HB 31		10	62A-15-202	A	HB 78		38
02/1 10 1010	,,	HB 78		38	62A-15-204	A	HB 78		38
62A-5-103	Α	HB 63		24	62A-15-401	A	HB 63		24
62A-5-103.1	A	HB 45		15	62A-15-607	A	HB 78		38
02/10 100:1	,,	HB 63		24	62A-15-626	A	HB 78		38
62A-5-103.2	Α	HB 63		24	62A-15-630	A	HB 78		38
62A-5-103.5	A	HB 36		12	62A-15-703	A	HB 78		38
02/10 100.0	, ,	HB 78		38	62A-15-704	Α	HB 63		24
62A-5-105	Α	HB 63		24	62A-15-707	A	HB 63		24
62A-5-109	A	HB 78		38	62A-15-902	A	HB 63		24
62A-5-313	A	HB 63		24	63-2-101	N	HB 63	63G-2-101	27
62A-5a-104	A	HB 63		24	63-2-102	N	HB 63	63G-2-102	27
62A-7-101	A	HB 78		38	63-2-103	A	HB 121	000-2-102	52
62A-7-102	A	HB 78		38	00 2 100	N	HB 63	63G-2-103	27
62A-7-104	A	HB 492		114	63-2-104	N	HB 63	63G-2-104	27
02A-7-10 4	^	HB 78		38	63-2-105	N	HB 63	63G-2-105	27
62A-7-201	Α	HB 78		38	63-2-106	N	HB 63	63G-2-106	27
62A-7-201	A	HB 63		24	63-2-107	N	HB 63	63G-2-107	27
62A-11-104	A	HB 78		38	63-2-201	N	HB 63	63G-2-201	27
62A-11-104.1		HB 63		24	63-2-202	A	SB 17	000-2-201	126
62A-11-105	A	HB 63		24	00 2 202	, ,	SB 63		143
62A-11-107	A	HB 78		38		N	HB 63	63G-2-202	27
62A-11-303	A	HB 63		24	63-2-203	N	HB 63	63G-2-203	27
02/(11/000	,,	HB 78		38	63-2-204	N	HB 63	63G-2-204	27
62A-11-304.1	Α	HB 63		24	63-2-205	N	HB 63	63G-2-205	27
62A-11-304.2		HB 63		24	63-2-206	A	SB 77	000 2 200	147
02/(11/004.2	. /\	HB 78		38	00 2 200	N	HB 63	63G-2-206	27
62A-11-304.4	. A	HB 63		24	63-2-207	N	HB 63	63G-2-207	27
02/(11/004.4	, , ,	HB 78		38	63-2-301	N	HB 63	63G-2-301	27
62A-11-305	Α	HB 78		38	63-2-302	A	SB 63	000 2 001	143
62A-11-312.5		HB 78		38	00 2 002	N	HB 63	63G-2-302	27
62A-11-326.3		HB 63		24	63-2-302.5	N	HB 63	63G-2-303	27
62A-11-333	A	HB 63		24	63-2-303	N	HB 63	63G-2-304	27
02/(11 000	,,	HB 78		38	63-2-304	A	HB 141	000 2 00 1	58
62A-11-401	Α	HB 265		81	00 2 004	, ,	HB 321		90
02/(11 401	/ \	HB 78		38			HB 426		109
62A-11-403.1	R	HB 265		81			HB 78		38
62A-11-403.1	A	нв 203 НВ 63		24			SB 105		155
62A-11-407		нь 63 НВ 265	62A-11-703	81			SB 103 SB 113		155
62A-11-603	A	нв 203 НВ 63	02A-11-103	24			SB 113		126
02/11-003	^	110 03		∠ 1			וו טט		120
A=Amended		E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	l Amended

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
63-2-304 (continued)	SB 184		173	63-5b-101	N	HB 63	63K-1-101	27
,	,	SB 77		147	63-5b-102	N	HB 63	63K-1-102	27
	N	HB 63	63G-2-305	27	63-5b-201	N	HB 63	63K-1-201	27
63-2-305	N	HB 63	63G-2-306	27	63-5b-202	N	HB 63	63K-1-202	27
63-2-306	N	HB 63	63G-2-307	27	63-5b-301	N	HB 63	63K-1-301	27
63-2-307	N	HB 63	63G-2-308	27	63-5b-302	N	HB 63	63K-1-302	27
63-2-308	Ν	HB 63	63G-2-309	27	63-5b-401	N	HB 63	63K-1-401	27
63-2-401	N	HB 63	63G-2-401	27	63-5b-501	N	HB 63	63K-1-501	27
63-2-402	N	HB 63	63G-2-402	27	63-5b-502	N	HB 63	63K-1-502	27
63-2-403	N	HB 63	63G-2-403	27	63-5b-503	N	HB 63	63K-1-503	27
63-2-404	N	HB 63	63G-2-404	27	63-5b-504	N	HB 63	63K-1-504	27
63-2-405	N	HB 63	63G-2-405	27	63-5b-601	N	HB 63	63K-1-601	27
63-2-501	N	HB 63	63G-2-501	27	63-5b-602	N	HB 63	63K-1-602	27
63-2-502	N	HB 63	63G-2-502	27	63-6-1	N	HB 63	63G-9-201	27
63-2-601	N	HB 63	63G-2-601	27	63-6-1.5	N	HB 63	63G-9-202	27
63-2-602	N	HB 63	63G-2-602	27	63-6-2	N	HB 63	63G-9-203	27
63-2-603	N	HB 63	63G-2-603	27	63-6-3	N	HB 63	63G-9-204	27
63-2-604	N	HB 63	63G-2-604	27	63-6-4	N	HB 63	63G-9-205	27
63-2-701	N	HB 63	63G-2-701	27	63-6-5	N	HB 63	63G-9-206	27
63-2-702	N	HB 63	63G-2-702	27	63-6-6	N	HB 63	63G-9-207	27
63-2-703	N	HB 63	63G-2-703	27	63-6-10	N	HB 63	63G-9-301	27
63-2-801 63-2-802	N N	HB 63 HB 63	63G-2-801 63G-2-802	27 27	63-6-11	N	HB 63	63G-9-302	27
63-2-803	N	пв 63 НВ 63	63G-2-803	27 27	63-6-12	N	HB 63	63G-9-303	27
63-2-804	N	HB 63	63G-2-804	27	63-6-13	N	HB 63	63G-9-304	27
63-2-901	N	HB 63	63A-12-101	27	63-6-14	N	HB 63	63G-9-305	27
63-2-902	N	HB 63	63A-12-101	27	63-6-16	N	HB 63	63G-9-306	27
63-2-903	N	HB 63	63A-12-103	27	63-6-17	N	HB 63	63G-9-401	27
63-2-904	N	HB 63	63A-12-104	27	63-8-1	N	HB 63	63L-1-201	27
63-2-905	N	HB 63	63A-12-105	27	63-8-2	N	HB 63	63L-1-202	27
63-2-906	N	HB 63	63A-12-106	27	63-8-3	N	HB 63	63L-1-203	27
63-2-907	N	HB 63	63A-12-107	27	63-8-4	N	HB 63	63L-1-204	27
63-2-908	N	HB 63	63A-12-108	27	63-8-5	N	HB 63	63L-1-205	27
63-2-909	N	HB 63	63A-12-109	27	63-8-6	N	HB 63	63L-1-206	27
63-2-1001	N	HB 63	63G-2-901	27	63-8-7	N	HB 63	63L-1-207	27
63-5-2	N	HB 63	63K-3-102	27	63-8a-101	Е	SB 144		201
63-5-4	Α	HB 107		50	63-8a-102	Е	SB 144		201
	N	HB 63	63K-3-201	27	63-8a-201	Е	SB 144		201
63-5-5	N	HB 63	63K-3-301	27	63-8a-202	E	SB 144		201
63-5a-1	Ν	HB 63	63K-4-102	27	63-8a-203	Е	SB 144		201
63-5a-2	N	HB 63	63K-4-103	27	63-9-21	N	HB 63	63A-5-501	27
63-5a-3	N	HB 63	63K-4-201	27	63-9-22	N	HB 63	63A-5-502	27
63-5a-4	N	HB 63	63K-4-202	27	63-9-63	N	HB 198	63A-5-601	69
63-5a-5	N	HB 63	63K-4-203	27			HB 63	63A-5-601	27
63-5a-6	N	HB 63	63K-4-301	27	63-9-67	N	HB 63	63A-5-701	27
63-5a-7	N	HB 63	63K-4-401	27	63-9-68	A	SB 47		137
63-5a-8	Α	HB 78		38	00.44.15	N	HB 63	63A-5-801	27
	N	HB 63	63K-4-402	27	63-11-12	A	HB 63		24
63-5a-9	N	HB 63	63K-4-403	27	63-11-17	Α	HB 348		97
63-5a-11	N	HB 63	63K-4-404	27			HB 63		24
63-5a-12	E	SB 157		167			HB 78		38
A=Amend	led	E=Enacte	d R=	Repealed	X=Repealed a	and Reenact	ted N=I	Renumbered and	Amended

		<u>Bill</u>	Former/	<u>Page</u>			Bill	Former/	<u>Page</u>
Section	Action	Number	Renumber	Number	Section	<u>Action</u>	Number	Renumber	Number
63-11-67	E	HB 348		97	63-25a-410	Α	HB 312		88
		SB 244		186		N	HB 63	63M-7-510	27
63-11a-103	Α	HB 104		49	63-25a-411	Α	HB 312		88
63-11a-503	Α	HB 63		24		Ν	HB 63	63M-7-511	27
63-12-1	N	HB 63	51-9-601	27	63-25a-412	Α	HB 312		88
63-12-2	N	HB 63	51-9-602	27		Ν	HB 63	63M-7-512	27
63-12-4	N	HB 63	51-9-603	27	63-25a-413	Ν	HB 63	63M-7-513	27
63-13-1	N	HB 63	51-7-3.5	27	63-25a-414	Α	HB 312		88
63-13-1.5	N	HB 63	63G-1-201	27		Ν	HB 63	63M-7-514	27
63-13-2	Ν	HB 63	63G-1-301	27	63-25a-415	Α	HB 312		88
63-13-5	N	HB 63	63G-1-501	27		Ν	HB 63	63M-7-515	27
63-13-5.5	Ν	HB 63	63G-1-601	27	63-25a-416	Ν	HB 63	63M-7-516	27
63-13-5.6	N	HB 63	63G-1-401	27	63-25a-417	Ν	HB 63	63M-7-517	27
63-25a-101	Ν	HB 63	63M-7-201	27	63-25a-418	Ν	HB 63	63M-7-518	27
63-25a-102	Ν	HB 63	63M-7-202	27	63-25a-419	Α	HB 312		88
63-25a-103	N	HB 63	63M-7-203	27		Ν	HB 63	63M-7-519	27
63-25a-104	Ν	HB 63	63M-7-204	27	63-25a-420	Ν	HB 63	63M-7-520	27
63-25a-104.5	5 N	HB 63	63M-7-205	27		R	HB 312		88
63-25a-105	N	HB 63	63M-7-206	27	63-25a-421	Α	HB 312		88
63-25a-106	N	HB 63	63M-7-207	27		N	HB 63	63M-7-521	27
63-25a-201	Α	SB 138		163	63-25a-422	Ν	HB 63	63M-7-522	27
	N	HB 63	63M-7-301	27	63-25a-423	Ν	HB 63	63M-7-523	27
63-25a-202	N	HB 63	63M-7-302	27	63-25a-424	N	HB 63	63M-7-524	27
63-25a-203	N	HB 63	63M-7-303	27	63-25a-428	Α	HB 312		88
63-25a-205	Α	SB 138		163		N	HB 63	63M-7-525	27
	N	HB 63	63M-7-304	27	63-25a-601	N	HB 63	63M-7-601	27
63-25a-205.5	5 N	HB 63	63M-7-305	27	63-25a-602	N	HB 63	63M-7-602	27
63-25a-207	N	HB 63	63M-7-306	27	63-25a-603	N	HB 63	63M-7-603	27
63-25a-301	N	HB 63	63M-7-401	27	63-25a-604	N	HB 63	63M-7-604	27
63-25a-302	N	HB 63	63M-7-402	27	63-25a-605	N	HB 63	63M-7-605	27
63-25a-303	N	HB 63	63M-7-403	27	63-30a-1	N	HB 63	52-6-102	27
63-25a-304	N	HB 63	63M-7-404	27	63-30a-2	Ν	HB 63	52-6-201	27
63-25a-305	N	HB 63	63M-7-405	27	63-30a-3	Ν	HB 63	52-6-202	27
63-25a-306	N	HB 63	63M-7-406	27	63-30b-1	N	HB 63	63G-8-102	27
63-25a-401	Α	HB 312		88	63-30b-2	N	HB 63	63G-8-201	27
	N	HB 63	63M-7-501	27	63-30b-3	N	HB 63	63G-8-202	27
63-25a-402	Α	HB 312		88	63-30b-4	N	HB 63	63G-8-301	27
	N	HB 63	63M-7-502	27	63-30c-1	N	HB 63	52-7-102	27
63-25a-403	Α	HB 312		88	63-30c-2	N	HB 63	52-7-201	27
	N	HB 63	63M-7-503	27	63-30c-3	N	HB 63	52-7-202	27
63-25a-404	Α	HB 312		88	63-30c-4	N	HB 63	52-7-203	27
	N	HB 63	63M-7-504	27	63-30c-5	N	HB 63	52-7-204	27
63-25a-405	Α	HB 312		88	63-30c-6	Ν	HB 63	52-7-301	27
	N	HB 63	63M-7-505	27	63-30d-101	N	HB 63	63G-7-101	27
63-25a-406	N	HB 63	63M-7-506	27	63-30d-102	N	HB 63	63G-7-102	27
63-25a-407	A	HB 312	,	88	63-30d-201	N	HB 63	63G-7-201	27
101	N	HB 63	63M-7-507	27	63-30d-202	A	HB 33	200 . 201	11
63-25a-408	A	HB 312	30 1 001	88	33 333 202	N	HB 63	63G-7-202	27
JU 200 400	N	HB 63	63M-7-508	27	63-30d-203	N	HB 63	63G-7-203	27
63-25a-409	A	HB 312	30 7 000	88	63-30d-203	N	HB 63	63G-7-301	27
00-20a-400	N	HB 63	63M-7-509	27	63-30d-302	A	HB 78	030-7-301	38
A=Amended	i	E=Enacte	d R	=Repealed	X=Repealed a	nd Reenact	ted N=I	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumbe	<u>Page</u> <u>r Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
	N	HB 63	63G-7-302	27	63-38-8.1	N	HB 63	63J-1-402	27
63-30d-401	N	HB 63	63G-7-401	27	63-38-8.2	N	HB 63	63J-1-403	27
63-30d-402	N	HB 63	63G-7-402	27	63-38-9	N	HB 63	63J-1-404	27
63-30d-403	N	HB 63	63G-7-403	27	63-38-9.5	Ν	HB 63	63J-1-103	27
63-30d-501	N	HB 63	63G-7-501	27	63-38-10	N	HB 63	63J-1-405	27
63-30d-502	N	HB 63	63G-7-502	27	63-38-11	N	HB 63	63J-1-406	27
63-30d-601	N	HB 63	63G-7-601	27	63-38-11.5	N	HB 63	63J-1-407	27
63-30d-602	N	HB 63	63G-7-602	27	63-38-12	N	HB 63	63J-1-408	27
63-30d-603	N	HB 63	63G-7-603	27	63-38-13	N	HB 63	63J-1-409	27
63-30d-604	N	HB 63	63G-7-604	27	63-38-14	N	HB 63	63J-1-501	27
63-30d-701	N	HB 63	63G-7-701	27	63-38-15	N	HB 63	63J-1-502	27
63-30d-702	N	HB 63	63G-7-702	27	63-38-16	Ν	HB 63	63J-1-503	27
63-30d-703	N	HB 63	63G-7-703	27	63-38a-101	Ν	HB 63	63J-2-101	27
63-30d-704	N	HB 63	63G-7-704	27	63-38a-102	Ν	HB 63	63J-2-102	27
63-30d-801	N	HB 63	63G-7-801	27	63-38a-103	Ν	HB 63	63J-2-201	27
63-30d-802	N	HB 63	63G-7-802	27	63-38a-104	N	HB 63	63J-2-202	27
63-30d-803	N	HB 63	63G-7-803	27	63-38b-101	N	HB 63	63G-10-102	27
63-30d-804	N	HB 63 HB 63	63G-7-804	27 27	63-38b-102	N	HB 63	63G-10-103	27
63-30d-805 63-30d-901	N N	пв 63 НВ 63	63G-7-805 63G-7-901	27 27	63-38b-201	N	HB 63	63G-10-201	27
63-30d-901	N	HB 63	63G-7-901	27	63-38b-202	N	HB 63	63G-10-202	27
63-30d-902	N	HB 63	63G-7-902	27	63-38b-301	N	HB 63	63G-10-301	27
63-30d-904	N	HB 63	63G-7-904	27	63-38b-302	N	HB 63	63G-10-302	27
63-34-3.1	A	HB 63	030-7-304	24	63-38b-303	N	HB 63	63G-10-303	27
63-34-5	A	HB 63		24	63-38b-401	N	HB 63	63G-10-401	27
63-34-6	A	SB 111		156	63-38c-101	N	HB 63	63J-3-101	27
63-34-15	A	HB 63		24	63-38c-102	N	HB 63	63J-3-102	27
63-34-17	Α	HB 63		24	63-38c-103	Α	HB 294		85
63-34-21	E	HB 354		98			SB 111		156
63-34b-101	N	HB 63	63L-2-201	27		N	HB 63	63J-3-103	27
63-38-1	N	HB 63	63J-1-101	27	63-38c-201	N	HB 63	63J-3-201	27
63-38-2	Α	HB 378		106	63-38c-202	N	HB 63	63J-3-202	27
	N	HB 63	63J-1-201	27	63-38c-203	N	HB 63	63J-3-203	27
63-38-2.5	Α	HB 49		17	63-38c-204	N	HB 63	63J-3-204	27
	N	HB 63	63J-1-202	27	63-38c-205	N	HB 63	63J-3-205	27
63-38-2.6	Α	HB 49		17	63-38c-301	N	HB 63	63J-3-301	27
	N	HB 63	63J-1-203	27	63-38c-401	N	HB 63	63J-3-401	27
63-38-2.7	Α	HB 49		17	63-38c-402	N	HB 63	63J-3-402	27
	N	HB 63	63J-1-204	27	63-38d-101	N	HB 63	63J-4-101	27
63-38-3	N	HB 63	63J-1-301	27	63-38d-102	N	HB 63	63J-4-102	27
63-38-3.1	N	HB 63	63J-1-302	27	63-38d-201	N	HB 63	63J-4-201	27
63-38-3.2	N	HB 63	63J-1-303	27	63-38d-202	N	HB 63	63J-4-202	27
63-38-3.3	N	HB 63	63J-1-304	27	63-38d-301	N	HB 63	63J-4-301	27
63-38-3.4	N	HB 63	63J-1-305	27	63-38d-401	N	HB 63	63J-4-401	27
63-38-3.5	N	HB 63	63J-1-306	27	63-38d-501	N	HB 63	63J-4-501	27
63-38-3.6	N	HB 63	63J-1-307	27	63-38d-502	N	HB 63	63J-4-502	27
63-38-4	N	HB 63	63J-1-308	27	63-38d-503	N	HB 63	63J-4-503	27
63-38-5	N	HB 63	63J-1-309	27	63-38d-504	N	HB 63	63J-4-504	27
63-38-6	N	HB 63	63J-1-310	27	63-38d-505	N	HB 63	63J-4-505	27
63-38-7 63-38-8	N N	HB 63 HB 63	63J-1-311 63J-1-401	27 27	63-38d-601 63-38d-602	N N	HB 63 HB 63	63J-4-601 63J-4-602	27 27
A=Amende		E=Enacte		R=Repealed	X=Repealed a			Renumbered and	
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<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
00 00 1 000	•	LID 50		00	00 001 000		LID 00	0014 4 000	07
63-38d-603	A	HB 59	6014600	23	63-38f-608	N	HB 63	63M-1-608	27
CO 204 CO4	N	HB 63	63J-4-603	27	63-38f-701	N	HB 63	63M-1-701	27
63-38d-604	N	HB 63	63J-4-604	27	63-38f-702	N	HB 63	63M-1-702	27
63-38d-605	N	HB 63	63J-4-605	27	63-38f-703	N	HB 63	63M-1-703	27
63-38e-101	N	HB 63	63J-5-102	27	63-38f-704	N	HB 63	63M-1-704	27
63-38e-102	N	HB 63	63J-5-103	27 27	63-38f-705	N	HB 63	63M-1-705	27
63-38e-201 63-38e-202	N	HB 63	63J-5-201	27 27	63-38f-801	N	HB 63	63M-1-801	27
63-38e-202	N N	HB 63 HB 63	63J-5-202 63J-5-203	27 27	63-38f-802	N	HB 63	63M-1-802	27
63-38e-204	N	HB 63	63J-5-204	27 27	63-38f-901	N	HB 63	63M-1-901	27
63-38f-101	N	HB 63	63M-1-101	27 27	63-38f-902	N	HB 63	63M-1-902	27
63-38f-101	N	HB 63	63M-1-101	27 27	63-38f-903	N	HB 63	63M-1-903	27
63-38f-201	N	HB 63	63M-1-102	27 27	63-38f-903.5	N	HB 63	63M-1-904	27
63-38f-202	N	HB 63	63M-1-201	27 27	63-38f-904	N	HB 63	63M-1-905	27
63-38f-203	A	HB 426	03IVI-1-202	109	63-38f-905	N	HB 63	63M-1-906	27
03-301-203	N	HB 63	63M-1-203	27	63-38f-906	N	HB 63	63M-1-907	27
63-38f-204	N	HB 63	63M-1-204	27	63-38f-907	N	HB 63	63M-1-908	27
63-38f-205	N	HB 63	63M-1-205	27 27	63-38f-908	N	HB 63	63M-1-909	27
63-38f-301	N	HB 63	63M-1-301	27	63-38f-909	N	HB 63	63M-1-910	27
63-38f-302	N	HB 63	63M-1-302	27 27	63-38f-1001	N	HB 63	63M-1-1001	27
63-38f-303	A	SB 298	03W-1-30Z	194	63-38f-1002	N	HB 63	63M-1-1002	27
00-001-000	N	HB 63	63M-1-303	27	63-38f-1003	N	HB 63	63M-1-1003	27
63-38f-304	N	HB 63	63M-1-304	27	63-38f-1101	N	HB 63	63M-1-1101	27
63-38f-401	N	HB 63	63M-1-401	27	63-38f-1102	N	HB 63	63M-1-1102	27
63-38f-402	N	HB 63	63M-1-402	27	63-38f-1103	Α	HB 59		23
63-38f-403	N	HB 63	63M-1-403	27		N	HB 63	63M-1-1103	27
63-38f-404	N	HB 63	63M-1-404	27	63-38f-1104	N	HB 63	63M-1-1104	27
63-38f-405	N	HB 63	63M-1-405	27	63-38f-1105	N	HB 63	63M-1-1105	27
63-38f-406	N	HB 63	63M-1-406	27	63-38f-1106	N	HB 63	63M-1-1106	27
63-38f-407	N	HB 63	63M-1-407	27	63-38f-1107	N	HB 63	63M-1-1107	27
63-38f-408	N	HB 63	63M-1-408	27	63-38f-1108	N	HB 63	63M-1-1108	27
63-38f-409	N	HB 63	63M-1-409	27	63-38f-1109	N	HB 63	63M-1-1109	27
63-38f-410	N	HB 63	63M-1-410	27	63-38f-1110	N	HB 63	63M-1-1110	27
63-38f-411	N	HB 63	63M-1-411	27	63-38f-1111	N	HB 63	63M-1-1111	27
63-38f-412	N	HB 63	63M-1-412	27	63-38f-1112	N	HB 63	63M-1-1112	27
63-38f-413	N	HB 63	63M-1-413	27	63-38f-1201	N	HB 63	63M-1-1201	27
63-38f-414	N	HB 63	63M-1-414	27	63-38f-1202	N	HB 63	63M-1-1202	27
63-38f-415	Α	SB 235		183	63-38f-1203	Α	SB 11		124
	N	HB 63	63M-1-415	27		N	HB 63	63M-1-1203	27
63-38f-416	N	HB 63	63M-1-416	27	63-38f-1204	N	HB 63	63M-1-1204	27
63-38f-501	N	HB 63	63M-1-501	27	63-38f-1205	Α	SB 11		124
63-38f-501.5	5 N	HB 63	63M-1-502	27		N	HB 63	63M-1-1205	27
63-38f-502	N	HB 63	63M-1-503	27	63-38f-1206	Α	SB 11		124
63-38f-503	N	HB 63	63M-1-504	27		N	HB 63	63M-1-1206	27
63-38f-601	N	HB 63	63M-1-601	27	63-38f-1207	Α	SB 11		124
63-38f-602	N	HB 63	63M-1-602	27		N	HB 63	63M-1-1207	27
63-38f-603	N	HB 63	63M-1-603	27	63-38f-1208	Ν	HB 63	63M-1-1208	27
63-38f-604	N	HB 63	63M-1-604	27	63-38f-1209	Ν	HB 63	63M-1-1209	27
63-38f-605	N	HB 63	63M-1-605	27	63-38f-1210	N	HB 63	63M-1-1210	27
63-38f-606	N	HB 63	63M-1-606	27	63-38f-1211	N	HB 63	63M-1-1211	27
63-38f-607	N	HB 63	63M-1-607	27	63-38f-1212	N	HB 63	63M-1-1212	27
A=Amende	d	E=Enacte	d R	R=Repealed	X=Repealed ar	nd Reenact	ed N=I	Renumbered and	Amended
					ui				

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
63-38f-1213	Α	SB 11		124	63-38f-1604	Α	HB 59		23
	N	HB 63	63M-1-1213	27		Ν	HB 63	63M-1-1604	27
63-38f-1214	Α	SB 11		124	63-38f-1605	Α	HB 59		23
	N	HB 63	63M-1-1214	27		Ν	HB 63	63M-1-1605	27
63-38f-1215	N	HB 63	63M-1-1215	27	63-38f-1606	N	HB 63	63M-1-1606	27
63-38f-1216	Α	SB 11		124	63-38f-1701	N	HB 63	63M-1-1701	27
	N	HB 63	63M-1-1216	27		R	SB 185		174
63-38f-1217	N	HB 63	63M-1-1217	27	63-38f-1702	N	HB 63	63M-1-1702	27
63-38f-1218	Α	SB 11		124		R	SB 185		174
	N	HB 63	63M-1-1218	27	63-38f-1703	Α	HB 20		6
63-38f-1219	N	HB 63	63M-1-1219	27		N	HB 63	63M-1-1703	27
63-38f-1220	N	HB 63	63M-1-1220	27		R	SB 185		174
63-38f-1221	N	HB 63	63M-1-1221	27	63-38f-1704	N	HB 63	63M-1-1704	27
63-38f-1222	N	HB 63	63M-1-1222	27		R	SB 185		174
63-38f-1223	N	HB 63	63M-1-1223	27	63-38f-1705	N	HB 63	63M-1-1705	27
63-38f-1224	Α	SB 11		124		R	SB 185		174
	N	HB 63	63M-1-1224	27	63-38f-1706	Α	HB 59		23
63-38f-1301	N	HB 63	63M-1-1301	27		Ν	HB 63	63M-1-1706	27
	R	SB 185		174		R	SB 185		174
63-38f-1302	N	HB 63	63M-1-1302	27	63-38f-1801	Ν	HB 63	63M-1-1801	27
	R	SB 185		174	63-38f-1802	Ν	HB 63	63M-1-1802	27
63-38f-1303	N	HB 63	63M-1-1303	27	63-38f-1803	Ν	HB 63	63M-1-1803	27
	R	SB 185		174	63-38f-1804	Ν	HB 63	63M-1-1804	27
63-38f-1304	N	HB 63	63M-1-1304	27	63-38f-1805	Ν	HB 63	63M-1-1805	27
	R	SB 185		174	63-38f-1901	Ν	HB 63	63M-1-1901	27
63-38f-1305	N	HB 63	63M-1-1305	27	63-38f-2001	N	HB 63	63M-1-2001	27
	R	SB 185		174	63-38f-2002	Ν	HB 63	63M-1-2002	27
63-38f-1306	N	HB 63	63M-1-1306	27	63-38f-2003	Ν	HB 63	63M-1-2003	27
	R	SB 185		174	63-38f-2004	Ν	HB 63	63M-1-2004	27
63-38f-1307	N	HB 63	63M-1-1307	27	63-38f-2005	Ν	HB 63	63M-1-2005	27
	R	SB 185		174	63-38f-2006	Ν	HB 63	63M-1-2006	27
63-38f-1308	N	HB 63	63M-1-1308	27	63-38f-2101	Ν	HB 63	63M-1-2101	27
	R	SB 185		174	63-38f-2201	Ν	HB 63	63M-1-2201	27
63-38f-1309	N	HB 63	63M-1-1309	27	63-38f-2202	Ν	HB 63	63M-1-2202	27
	R	SB 185		174	63-38f-2203	Ν	HB 63	63M-1-2203	27
63-38f-1406	N	HB 63	63M-1-1401	27	63-38f-2301	Ν	HB 63	63M-1-2301	27
63-38f-1407	N	HB 63	63M-1-1402	27	63-38f-2302	Ν	HB 63	63M-1-2302	27
63-38f-1408	N	HB 63	63M-1-1403	27	63-38f-2303	Α	HB 410		108
63-38f-1409	N	HB 63	63M-1-1404	27		Ν	HB 63	63M-1-2303	27
63-38f-1410	N	HB 63	63M-1-1405	27	63-38f-2304	N	HB 63	63M-1-2304	27
63-38f-1411	N	HB 63	63M-1-1406	27	63-38f-2305	Ν	HB 63	63M-1-2305	27
63-38f-1501	N	HB 63	63M-1-1501	27	63-38f-2306	N	HB 63	63M-1-2306	27
63-38f-1502	N	HB 63	63M-1-1502	27	63-38f-2401	Ε	HB 37		13
63-38f-1503	N	HB 63	63M-1-1503	27	63-38f-2402	Ε	HB 37		13
63-38f-1504	N	HB 63	63M-1-1504	27	63-38f-2403	Ε	HB 37		13
63-38f-1505	N	HB 63	63M-1-1505	27	63-38f-2404	Е	HB 37		13
63-38f-1601	N	HB 63	63M-1-1601	27	63-38f-2405	Ε	HB 37		13
63-38f-1602	Α	HB 59		23	63-38f-2406	Е	HB 37		13
	N	HB 63	63M-1-1602	27	63-38f-2407	Е	HB 37		13
63-38f-1603	Α	HB 59		23	63-38g-101	N	HB 63	63M-2-101	27
	N	HB 63	63M-1-1603	27	63-38g-102	N	HB 63	63M-2-102	27
A=Amende	d	E=Enacte	d R=	Repealed	X=Repealed a	nd Reenact	ted N=I	Renumbered and	Amended
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<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumbe	•	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
63-38g-201	N	HB 63	63M-2-201	27	63-46b-10	N	HB 63	63G-4-208	27
63-38g-202	N	HB 63	63M-2-202	27	63-46b-11	N	HB 63	63G-4-209	27
63-38g-203	N	HB 63	63M-2-203	27	63-46b-12	N	HB 63	63G-4-301	27
63-38g-204	N	HB 63	63M-2-204	27	63-46b-13	N	HB 63	63G-4-302	27
63-38g-301	N	HB 63	63M-2-301	27	63-46b-14	N	HB 63	63G-4-401	27
63-38g-302	N	HB 63	63M-2-302	27	63-46b-15	A	HB 78	000 4 401	38
63-38g-303	N	HB 63	63M-2-303	27	00-400-10	N	HB 63	63G-4-402	27
63-41-1	N	HB 63	19-11-101	27	63-46b-16	N	HB 63	63G-4-403	27
63-41-2	N	HB 63	19-11-101	27 27	63-46b-17	N	HB 63	63G-4-404	27
63-41-3	N	HB 63	19-11-102	27 27	63-46b-18	N	нв 63 НВ 63	63G-4-405	27 27
63-41-4	N	HB 63	19-11-301	27	63-46b-19	N	HB 63	63G-4-501	27
63-41-5	N	HB 63	19-11-302	27	63-46b-20	N	HB 63	63G-4-502	27
63-41-6	N	HB 63	19-11-401	27	63-46b-21	N	HB 63	63G-4-503	27
63-45a-1	N	HB 63	63M-3-102	27	63-46b-22	N	HB 63	63G-4-105	27
63-45a-2	N	HB 63	63M-3-103	27	63-46b-23	N	HB 63	63G-4-601	27
63-45a-3	N	HB 63	63M-3-201	27	63-46c-101	N	HB 63	63G-5-101	27
63-45a-4	N	HB 63	63M-3-202	27	63-46c-102	A	HB 78	000 F 400	38
63-46a-1	N	HB 63	63G-3-101	27	00 40 - 400	N	HB 63	63G-5-102	27
63-46a-2	N	HB 63	63G-3-102	27	63-46c-103	A	HB 78	000 F 004	38
63-46a-3	N	HB 63	63G-3-201	27	00.40.404	N	HB 63	63G-5-201	27
63-46a-3.5	N	HB 63	63G-3-202	27	63-46c-104	N	HB 63	63G-5-301	27
63-46a-4	A	HB 53	0000001	19	63-47-1	N	HB 63	63M-8-201	27
00.40 5	N	HB 63	63G-3-301	27	63-47-2	N	HB 63	63M-8-202	27
63-46a-5	N	HB 63	63G-3-302	27	63-47-3	N	HB 63	63M-8-203	27
63-46a-6	N	HB 63	63G-3-303	27	63-47-4	N	HB 63	63M-8-204	27
63-46a-7	Α	HB 53		19	63-47-5	N	HB 63	63M-8-301	27
	N	HB 63	63G-3-304	27	63-47-7	N	HB 63	63M-8-302	27
63-46a-9	N	HB 63	63G-3-305	27	63-47-8	N	HB 63	63M-8-303	27
63-46a-9.5	N	HB 63	63G-3-401	27	63-49a-1	N	HB 63	63M-6-201	27
63-46a-9.6	N	HB 63	63G-3-702	27	63-49a-2	N	HB 63	63M-6-202	27
63-46a-10	N	HB 63	63G-3-402	27	63-49a-3	N	HB 63	63M-6-203	27
63-46a-10.5	Α	HB 53		19	63-51-1	N	HB 63	63M-5-102	27
	N	HB 63	63G-3-403	27	63-51-2	N	HB 63	63M-5-103	27
63-46a-11	N	HB 63	63G-3-501	27	63-51-3	N	HB 63	63M-5-201	27
63-46a-11.5	N	HB 63	63G-3-502	27	63-51-4	N	HB 63	63M-5-202	27
63-46a-12	N	HB 63	63G-3-601	27	63-51-5	N	HB 63	63M-5-301	27
63-46a-12.1	N	HB 63	63G-3-602	27	63-51-6	N	HB 63	63M-5-302	27
63-46a-14	N	HB 63	63G-3-603	27	63-51-7	N	HB 63	63M-5-303	27
63-46a-16	N	HB 63	63G-3-701	27	63-51-8	N	HB 63	63M-5-304	27
63-46a-17	R	HB 63		31	63-51-9	N	HB 63	63M-5-305	27
63-46b-0.5	N	HB 63	63G-4-101	27	63-51-10	N	HB 63	63M-5-306	27
63-46b-1	N	HB 63	63G-4-102	27	63-53a-1	N	HB 63	63K-2-103	27
63-46b-2	N	HB 63	63G-4-103	27	63-53a-2	N	HB 63	63K-2-102	27
63-46b-2.1	N	HB 63	63G-4-104	27	63-53a-3	N	HB 63	63K-2-201	27
63-46b-3	N	HB 63	63G-4-201	27	63-53a-4	N	HB 63	63K-2-202	27
63-46b-4	N	HB 63	63G-4-202	27	63-53a-5	N	HB 63	63K-2-203	27
63-46b-5	N	HB 63	63G-4-203	27	63-53a-6	N	HB 63	63K-2-204	27
63-46b-6	N	HB 63	63G-4-204	27	63-53a-7	N	HB 63	63K-2-205	27
63-46b-7	N	HB 63	63G-4-205	27	63-53a-8	N	HB 63	63K-2-301	27
63-46b-8	N	HB 63	63G-4-206	27	63-53a-9	Ν	HB 63	63K-2-302	27
63-46b-9	N	HB 63	63G-4-207	27	63-53a-10	N	HB 63	63K-2-206	27
A=Amende	d	E=Enacte	d	R=Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumbe	<u>Page</u> r Number	Section	<u>Action</u>	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
63-53a-11	N	HB 63	63K-2-303	27	63-55-262	Α	HB 45		15
63-53b-101	N	HB 63	63M-4-101	27		N	HB 63	63I-1-262	27
63-53b-102	N	HB 63	63M-4-102	27	63-55-263	Α	HB 198		69
63-53b-201	N	HB 63	63M-4-201	27			HB 312		88
63-53b-202	N	HB 63	63M-4-202	27			HB 79		45
63-53b-203	N	HB 63	63M-4-203	27		N	HB 63	63I-1-263	27
63-53b-301	N	HB 63	63M-4-301	27	63-55-267	N	HB 63	63I-1-267	27
63-53b-302	N	HB 63	63M-4-302	27	63-55-269	Α	HB 206		71
63-54-101	N	HB 63	63I-3-101	27		N	HB 63	63I-1-269	27
63-54-102	N	HB 63	63I-3-102	27	63-55-272	N	HB 63	63I-1-272	27
63-54-103	N	HB 63	63I-3-201	27	63-55-273	Α	HB 117		51
63-54-104	N	HB 63	631-3-202	27	00 00 2.0		HB 79		45
63-54-105	N	HB 63	631-3-203	27		N	HB 63	63I-1-273	27
63-54-106	N	HB 63	631-3-204	27	63-55-277	N	HB 63	63I-1-277	27
63-54-107	N	HB 63	631-3-205	27	63-55-278	Α	HB 78		38
63-54-108	N	HB 63	63I-3-206	27	00 00 2.0	, ,	HB 79		45
63-54-109	N	HB 63	63I-3-207	27		N	HB 63	63I-1-278	27
63-55-101	N	HB 63	63I-1-101	27	63-55a-1	N	HB 63	63I-4-102	27
63-55-102	N	HB 63	63I-1-102	27	00 000 1		HB 75	63-55d-102	36
63-55-103	N	HB 63	63I-1-103	27	63-55a-2	N	HB 63	631-4-201	27
63-55-104	N	HB 63	63I-1-104	27	00 000 2		HB 75	63-55d-201	36
63-55-105	N	HB 63	63I-1-105	27	63-55a-3	N	HB 63	631-4-202	27
63-55-106	N	HB 63	63I-1-106	27	00 000 0	14	HB 75	63-55d-202	36
63-55-209	N	HB 63	63I-1-209	27	63-55b-110	Α	SB 286	00-00u-202	192
63-55-210	N	HB 63	63I-1-210	27	03-335-110	N	HB 63	631-2-210	27
63-55-213	Α	SB 189		175	63-55b-120	A	HB 79	031-2-210	45
	N	HB 63	63I-1-213	27	00-000-120	N	HB 63	631-2-220	27
63-55-219	Α	HB 79		45	63-55b-123	N	HB 63	631-2-223	27
	N	HB 63	63I-1-219	27	63-55b-126	N	HB 63	63I-2-226	27
63-55-220	N	HB 63	63I-1-220	27	63-55b-131	N	HB 63	63I-2-231	27
63-55-223	N	HB 63	63I-1-223	27	63-55b-132	N	HB 63	63I-2-232	27
63-55-226	Α	HB 74		35	63-55b-134	N	HB 63	63I-2-234	27
		HB 79		45	63-55b-153	A	SB 111	031-2-234	156
	N	HB 63	63I-1-226	27	00-000-100	Α	SB 2		121
63-55-230	N	HB 63	63I-1-230	27		N	HB 63	631-2-253	27
63-55-231	N	HB 63	63I-1-231	27	63-55b-154	N	HB 63	63I-2-254	27
63-55-232	N	HB 63	63I-1-232	27	63-55b-158	A	HB 399	031-2-234	107
63-55-234	N	HB 63	63I-1-234	27	03-330-130	^	SB 93		152
63-55-235	N	HB 63	63I-1-235	27		N	HB 63	631-2-258	27
63-55-236	N	HB 63	63I-1-236	27	63-55b-159	N	HB 63	631-2-259	27
63-55-238	A	HB 79	001.4.000	45	63-55b-163	A	HB 129	031-2-239	55
00 55 044	N	HB 63	631-1-238	27	03-330-103	A	HB 79		45
63-55-241	N	HB 63	63I-1-241	27			SB 111		45 156
63-55-253	A	SB 111	001.4.050	156		N	HB 63	631-2-263	27
60 FF 054	N	HB 63	631-1-253	27	63-55b-164	N N	пв 63 НВ 63	63I-2-264	27 27
63-55-254	N	HB 63	63I-1-254	27			нв 63 НВ 63		27 27
63-55-258	A	HB 79	601 4 050	45 27	63-55b-167	N N		631-2-267	
62 EE 050	N	HB 63	631-1-258	27	63-55b-172	N N	HB 63 HB 63	631-2-272	27 27
63-55-259 63-55-261	N N	HB 63 HB 63	63I-1-259 63I-1-261	27 27	63-55b-176 63-55b-177	N N	нв 63 НВ 63	63I-2-276 63I-2-277	27 27
A=Amende	u	E=Enacte	u	R=Repealed	X=Repealed a	ina Reenact	led N=I	Renumbered and	Amended

<u>Section</u>	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> r <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
63-55b-178	Α	HB 78		38	63-56-423	N	HB 63	63G-6-423	27
	N	HB 63	631-2-278	27	63-56-424	N	HB 63	63G-6-424	27
63-55d-101	Е	HB 75		36	63-56-425	Ν	HB 63	63G-6-425	27
63-55d-203	Е	HB 75		36	63-56-426	N	HB 63	63G-6-426	27
63-55d-301	E	HB 75		36	63-56-501	N	HB 63	63G-6-501	27
63-55d-302	E	HB 75		36	63-56-502	N	HB 63	63G-6-502	27
63-55d-303	Ē	HB 75		36	63-56-502.5	N	HB 63	63G-6-503	27
63-55d-304	E	HB 75		36	63-56-503	N	HB 63	63G-6-504	27
63-56-101	N	HB 63	63G-6-102	27	63-56-504	N	HB 63	63G-6-505	27
63-56-102	N	HB 63	63G-6-104	27	63-56-505	N	HB 63	63G-6-506	27
63-56-103	N	HB 63	63G-6-105	27	63-56-506	N	HB 63	63G-6-507	27
63-56-104	N	HB 63	63G-6-106	27	63-56-601	N	HB 63	63G-6-601	27
63-56-105	N	HB 63	63G-6-103	27	63-56-602	N	HB 63	63G-6-602	27
63-56-201	N	HB 63	63G-6-201	27	63-56-701	N	HB 63	63G-6-701	27
63-56-202	N	HB 63	63G-6-202	27	63-56-702	N	HB 63	63G-6-702	27
63-56-203	N	HB 63	63G-6-203	27	63-56-703	N	HB 63	63G-6-703	27
63-56-204	Α	HB 426		109	63-56-704	N	HB 63	63G-6-704	27
	N	HB 63	63G-6-204	27	63-56-705	N	HB 63	63G-6-705	27
63-56-205	Α	HB 426		109	63-56-801	N	HB 63	63G-6-801	27
	N	HB 63	63G-6-205	27	63-56-802	N	HB 63	63G-6-802	27
63-56-206	N	HB 63	63G-6-206	27	63-56-803	N	HB 63	63G-6-803	27
63-56-207	Α	HB 78		38	63-56-804	N	HB 63	63G-6-804	27
	N	HB 63	63G-6-207	27	63-56-805	N	HB 63	63G-6-805	27
63-56-208	N	HB 63	63G-6-208	27	63-56-806	N	HB 63	63G-6-806	27
63-56-209	N	HB 63	63G-6-209	27	63-56-807	N	HB 63	63G-6-807	27
63-56-301	N	HB 63	63G-6-301	27	63-56-808	N	HB 63	63G-6-808	27
63-56-302	A	HB 426	000000	109	63-56-809	N	HB 63	63G-6-809	27
	N	HB 63	63G-6-302	27	63-56-810	N	HB 63	63G-6-810	27
63-56-303	N	HB 63	63G-6-303	27	63-56-811	N	HB 63	63G-6-811	27
63-56-401	N	HB 63	63G-6-401	27	63-56-812	N	HB 63	63G-6-812	27
63-56-402	N	HB 63	63G-6-402	27	63-56-813	N	HB 63	63G-6-813	27
63-56-403	N	HB 63	63G-6-403	27	63-56-814	N	HB 63	63G-6-814	27
63-56-404	N	HB 63	63G-6-404	27	63-56-815	N	HB 63	63G-6-815	27
63-56-405	N	HB 63	63G-6-405	27	63-56-816	N	HB 63	63G-6-816	27
63-56-406	N	HB 63	63G-6-406	27	63-56-817	N	HB 63	63G-6-817	27
63-56-407	N	HB 63	63G-6-407	27	63-56-818	N	HB 63	63G-6-818	27
63-56-408	N	HB 63	63G-6-408	27	63-56-819	N	HB 63	63G-6-819	27
63-56-409	N	HB 63	63G-6-409	27	63-56-820	N	HB 63	63G-6-820	27
63-56-410	N	HB 63	63G-6-410	27	63-56-901	N	HB 63	63G-6-901	27
63-56-411	N	HB 63	63G-6-411	27	63-56-902	N	HB 63	63G-6-902	27
63-56-412	N	HB 63	63G-6-412	27	63-56-903	N	HB 63	63G-6-903	27
63-56-413	N	HB 63	63G-6-413	27	63-56-904	N	HB 63	63G-6-904	27
63-56-414	N	HB 63	63G-6-414	27	63-56-905	N	HB 63	63G-6-905	27
63-56-415	N	HB 63	63G-6-415	27	63-56-906	N	HB 63	63G-6-906	27
63-56-416	N	HB 63	63G-6-416	27	63-56-907	N	HB 63	63G-6-907	27
63-56-417	N	HB 63	63G-6-417	27	63-56-1001	N	HB 63	63G-6-1001	27
63-56-418	N	HB 63	63G-6-418	27	63-56-1002	N	HB 63	63G-6-1002	27
63-56-419	N	HB 63	63G-6-419	27	63-61-1	N	HB 63	63J-6-201	27
63-56-420	N	HB 63	63G-6-420	27	63-61-2	N	HB 63	63J-6-202	27
63-56-421	N	HB 63	63G-6-421	27	63-61-3	N	HB 63	63J-6-203	27
63-56-422	N	HB 63	63G-6-422	27	63-61-4	N	HB 63	63J-6-204	27
A=Amende	d	E=Enacte	d F	R=Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
63-63a-1	Α	HB 78		38	63-88-104	N	HB 63	51-9-504	27
	N	HB 63	51-9-401	27	63-88-105	N	HB 63	51-9-505	27
63-63a-2	Α	HB 78		38	63-88-106	N	HB 63	51-9-506	27
	N	HB 63	51-9-402	27	63-88-107	N	HB 63	51-9-507	27
63-63a-3	N	HB 63	51-9-403	27	63-88a-101		HB 352		98
63-63a-4	Α	HB 312		88	63-88a-102		HB 352		98
	N	HB 63	51-9-404	27	63-88a-103		HB 352		98
63-63a-5	Α	HB 78		38	63-88a-104		HB 352		98
	N	HB 63	51-9-405	27	63-90-1	N	HB 63	63L-3-101	27
63-63a-6	N	HB 63	51-9-406	27	63-90-2	N	HB 63	63L-3-102	27
63-63a-7	N	HB 63	51-9-407	27	63-90-3	N	HB 63	63L-3-201	27
63-63a-8	Α	HB 22		7	63-90-4	N	HB 63	63L-3-202	27
		HB 78		38	63-90a-1	N	HB 63	63L-4-102	27
		SB 111		156	63-90a-2	N	HB 63	63L-4-103	27
	N	HB 63	51-9-408	27	63-90a-3	N	HB 63	63L-4-201	27
63-63a-8.5	Α	HB 78		38	63-90a-4	N	HB 63	63L-4-301	27
	N	HB 63	51-9-409	27	63-90b-101	N	HB 63	63L-5-101	27
63-63a-9	N	HB 63	51-9-410	27	63-90b-102	N	HB 63	63L-5-102	27
63-63a-10	Α	HB 410		108	63-90b-201	N	HB 63	63L-5-201	27
	N	HB 63	51-9-411	27	63-90b-301	N	HB 63	63L-5-301	27
63-63c-101	Α	HB 63		24	63-90b-302	N	HB 63	63L-5-302	27
	N	HB 78	78A-2-601	39	63-90b-401	N	HB 63	63L-5-401	27
63-63c-102	N	HB 78	78A-2-602	39	63-90b-402	N	HB 63	63L-5-402	27
63-65-1	N	HB 63	63B-1b-101	27	63-90b-403	N	HB 63	63L-5-403	27
63-65-2	N	HB 63	63B-1b-102	27	63-91-101	N	HB 63	63I-5-101	27
63-65-3	N	HB 63	63B-1b-201	27	63-91-102	N	HB 63	63I-5-102	27
63-65-4	N	HB 63	63B-1b-202	27	63-91-201	N	HB 63	63I-5-201	27
63-65-5	N	HB 63	63B-1b-301	27	63-91-301	N	HB 63	63I-5-301	27
63-65-6	N	HB 63	63B-1b-302	27	63-91-302	N	HB 63	63I-5-302	27
63-65-7	N	HB 63	63B-1b-401	27	63-91-401	N	HB 63	63I-5-401	27
63-65-8	N	HB 63	63B-1b-402	27	63-92-1	N	HB 63	63M-10-101	27
63-65-8.1	N	HB 63	63B-1b-501	27	63-92-2	N	HB 63	63M-10-201	27
63-65-8.2	N	HB 63	63B-1b-601	27	63-92-3	N	HB 63	63M-10-202	27
63-65-9	N	HB 63	63B-1b-701	27	63-93-101	N	HB 63	52-8-101	27
63-73-4	Α	HB 63		24	63-93-102	N	HB 63	52-8-102	27
63-73-6	Α	HB 63		24	63-93-201	N	HB 63	52-8-201	27
63-75-1	N	HB 63	63M-9-101	27	63-93-202	N	HB 63	52-8-202	27
63-75-2	N	HB 63	63M-9-102	27	63-94-101	N	HB 63	53-15-101	27
63-75-3	N	HB 63	63M-9-103	27	63-94-102	N	HB 63	53-15-102	27
63-75-4	N	HB 63	63M-9-201	27	63-94-103	N	HB 63	53-15-201	27
63-75-5	N	HB 63	63M-9-202	27	63-94-104	N	HB 63	53-15-202	27
63-75-5.5	N	HB 63	63M-9-203	27	63-96-101	N	HB 63	52-9-101	27
63-75-5.7	N	HB 63	63M-9-301	27	63-96-102	N	HB 63	52-9-102	27
63-75-6	Α	HB 78		38	63-96-103	N	HB 63	52-9-201	27
	N	HB 63	63M-9-401	27	63-97-101	R	HB 63		31
63-75-6.5	N	HB 63	63M-9-402	27	63-97-201	Α	SB 111		156
63-75-7	N	HB 63	63M-9-501	27		N	HB 63	51-9-201	27
63-75-8	N	HB 63	63M-9-104	27	63-97-301	N	HB 63	51-9-202	27
63-88-101	N	HB 63	51-9-501	27	63-97-401	N	HB 63	51-9-203	27
63-88-102	N	HB 63	51-9-502	27	63-97a-101		HB 63	51-9-301	27
63-88-103	N	HB 63	51-9-503	27	63-97a-102	N	HB 63	51-9-302	27
A=Amende	d	E=Enacte	d R=	Repealed	X=Repealed	and Reenac	ted N=	Renumbered and	Amended

		Bill	Former/	<u>Page</u>			Bill	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	Number	Renumber	<u>Number</u>	<u>Section</u>	<u>Action</u>	Number	Renumber	Number
63-97a-201	Α	HB 410		108	63A-8-204	Α	HB 63		24
		HB 58		22	63A-9-101	Α	HB 103		48
	N	HB 63	51-9-303	27	63A-9-401	Α	HB 63		24
63-97a-202	Α	HB 410		108	63A-9-702	E	HB 103		48
		HB 58		22	63A-9-801	A	HB 63		24
	N	HB 63	51-9-304	27			HB 78		38
63-97a-301	Е	HB 58		22	63A-9-808	Α	HB 63		24
63-98-101	N	HB 63	53-5a-101	27	63A-11-102	Α	HB 78		38
63-98-102	N	HB 63	53-5a-102	27	63A-11-107	Α	HB 63		24
63-99-101	N	HB 63	63M-11-101	27	63A-11-201	Α	HB 78		38
63-99-102	N	HB 63	63M-11-103	27	63A-11-202	Α	HB 63		24
63-99-103	N	HB 63	63M-11-102	27	63A-11-204	Α	HB 63		24
63-99-104	N	HB 63	63M-11-201	27	63B-1a-101	Α	SB 298		194
63-99-105	N	HB 63	63M-11-202	27	63B-1a-401	Α	HB 63		24
63-99-106	N	HB 63	63M-11-203	27	63B-2-102	Α	HB 63		24
63-99-107	N	HB 63	63M-11-204	27	63B-2-105	Α	HB 63		24
63-99-108	N	HB 63	63M-11-205	27	63B-2-205	Α	HB 63		24
63-99-109	N	HB 63	63M-11-206	27	63B-2-301	Α	HB 63		24
63-99-110	N	HB 63	63M-11-207	27	63B-3-102	Α	HB 63		24
63-99a-101	Ε	SB 81		149	63B-3-105	Α	HB 63		24
63-99a-102	Ε	SB 81		149	63B-3-205	Α	HB 63		24
63-99a-103	Ε	SB 81		149	63B-3-301	Α	HB 63		24
63-99a-104	Ε	SB 81		149	63B-4-102	Α	HB 63		24
63A-1-105.5	Α	HB 63		24	63B-4-105	Α	HB 63		24
63A-1-112	Α	HB 63		24	63B-4-201	Α	HB 63		24
63A-1-114	Α	HB 63		24	63B-4-301	Α	HB 63		24
63A-2-103	Α	HB 63		24	63B-5-102	Α	HB 63		24
63A-3-306	Α	HB 63		24	63B-5-105	Α	HB 63		24
63A-3-401	E	SB 38		134	63B-6-102	Α	HB 63		24
63A-3-402	E	SB 38		134	63B-6-105	Α	HB 63		24
63A-3-403	Е	SB 38		134	63B-6-205	Α	HB 63		24
63A-3-404	E	SB 38		134	63B-6-402	Α	HB 63		24
63A-4-102	Α	HB 63		24	63B-6-405	Α	HB 63		24
63A-4-204	Α	HB 63		24	63B-6-501	Α	HB 63		24
63A-4-204.5	Α	HB 63		24	63B-6-502	Α	SB 111		156
63A-4-207	Α	HB 63		24	63B-7-102	Α	HB 63		24
63A-5-103	Α	HB 63		24	63B-7-105	Α	HB 63		24
63A-5-104	Α	HB 352		98	63B-7-205	Α	HB 63		24
		HB 63		24	63B-7-402	Α	HB 63		24
		SB 221		181	63B-7-405	Α	HB 63		24
63A-5-204	Α	HB 63		24	63B-7-501	Α	HB 63		24
63A-5-205	Α	HB 63		24	63B-7-503	Α	HB 63		24
63A-5-206	Α	HB 63		24	63B-8-102	Α	HB 63		24
63A-5-208	Α	HB 63		24	63B-8-105	Α	HB 63		24
63A-5-222	Α	SB 111		156	63B-8-205	Α	HB 63		24
63A-5-302	Α	HB 63		24	63B-8-402	Α	HB 63		24
63A-5-501	E	HB 354		98	63B-8-405	Α	HB 63		24
63A-5-602	E	HB 198		69	63B-8-501	Α	HB 63		24
63A-5-603	E	HB 198		69	63B-9-102	Α	HB 63		24
63A-8-201	Α	HB 63		24	63B-9-103	Α	HB 63		24
		HB 78		38	63B-9-201	R	SB 4		122
A=Amende	d	E=Enacte	d R=	Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended
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63B-9-202 R SB 4 122 63C-11-302 A HB 63 24 63B-9-203 R SB 4 122 63C-11-303 A HB 63 24 63B-9-204 R SB 4 122 63C-11-304 A HB 63 24 63B-9-207 R SB 4 122 63C-11-310 A HB 63 24 63B-9-207 R SB 4 122 63C-11-311 A HB 63 24 63B-9-207 R SB 4 122 63C-11-315 A HB 63 24 63B-9-207 R SB 4 122 63C-11-315 A HB 63 24 63B-9-207 R SB 4 122 63C-11-315 A HB 63 24 63B-9-208 R SB 4 122 63C-11-315 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-210 R SB 4 122 63C-11-316 A HB 63 24 63B-9-211 R SB 4 122 63C-11-316 A HB 63 24 63B-9-211 R SB 4 122 63C-11-316 A HB 63 24 63B-9-211 R SB 4 122 63C-11-316 A HB 63 24 63B-9-211 R SB 4 122 63C-11-317 A HB 63 24 63B-9-213 R SB 4 122 63C-11-317 A HB 63 24 63B-9-213 R SB 4 122 63C-11-317 A HB 63 24 63B-9-213 R SB 4 122 63C-11-317 A HB 63 24 63B-9-213 R SB 4 122 63C-11-317 A HB 63 24 63B-9-213 R SB 4 122 63C-102 A HB 63 24 63B-9-213 R SB 4 122 63C-102 A HB 63 24 63B-9-213 R SB 4 122 63C-103 A HB 63 24 63B-9-105 A HB 63 24 63B-10-301 A HB 63 24 63B-11-305 A	Section	Action	Bill Number	<u>Former/</u> Renumber	<u>Page</u> Number	Section	Action	Bill Number	<u>Former/</u> Renumber	<u>Page</u> Number
83B-9-203 R SB4 122 63C-11-302 A HB 63 24 63B-9-205 A HB 63 24 63C-11-304 A HB 63 24 63B-9-205 A HB 63 24 63C-11-304 A HB 63 24 63B-9-206 R SB4 122 63C-11-311 A HB 63 24 63B-9-207 R SB4 122 63C-11-311 A HB 63 24 63B-9-207 R SB4 122 63C-11-315 A HB 63 24 63B-9-208 R SB4 122 63C-11-316 A HB 63 24 63B-9-209 R SB4 122 63C-11-316 A HB 63 24 63B-9-209 R SB4 122 63C-11-316 A HB 63 24 63B-9-210 R SB4 122 63C-11-316 A HB 63 24 63B-9-210 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-10-301 A HB 63 24 63E-1-202 A HB 63 24 63E-1-202 A HB 63 24 63E-1-204 A HB 63 24 63E-1-204 A HB 63 24 63B-10-301 A HB 63 24 63E-1-204 A HB 63 24 63E-1-204 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63	<u>occion</u>	Action	<u>itanibei</u>	<u>rtenumber</u>	Itallibei	<u>occion</u>	Action	<u>ITUIIIDCI</u>	<u>rtenumber</u>	ITAIIIDEI
83B-9-203 R SB4 122 63C-11-302 A HB 63 24 63B-9-205 A HB 63 24 63C-11-304 A HB 63 24 63B-9-205 A HB 63 24 63C-11-304 A HB 63 24 63B-9-206 R SB4 122 63C-11-311 A HB 63 24 63B-9-207 R SB4 122 63C-11-311 A HB 63 24 63B-9-207 R SB4 122 63C-11-315 A HB 63 24 63B-9-208 R SB4 122 63C-11-316 A HB 63 24 63B-9-209 R SB4 122 63C-11-316 A HB 63 24 63B-9-209 R SB4 122 63C-11-316 A HB 63 24 63B-9-210 R SB4 122 63C-11-316 A HB 63 24 63B-9-210 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-217 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-316 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-317 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-9-218 R SB4 122 63C-11-318 A HB 63 24 63B-10-301 A HB 63 24 63E-1-202 A HB 63 24 63E-1-202 A HB 63 24 63E-1-204 A HB 63 24 63E-1-204 A HB 63 24 63B-10-301 A HB 63 24 63E-1-204 A HB 63 24 63E-1-204 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63 24 63E-1-207 A HB 63 24 63B-11-305 A HB 63 24 63E-1-207 A HB 63	63B-9-202	R	SB 4		122	63C-11-202	Δ	HB 63		24
83B-9:204 R SB4 122 63C-11-304 A HB 63 24 63B-9:205 A HB 63 24 63C-11-308 A HB 63 24 63B-9:206 R SB4 122 63C-11-310 A HB 63 24 63B-9:207 R SB4 122 63C-11-315 A HB 63 24 63B-9:208 R SB4 122 63C-11-315 A HB 63 24 63B-9:208 R SB4 122 63C-11-316 A HB 63 24 63B-9:208 R SB4 122 63C-11-317 A HB 63 24 63B-9:208 R SB4 122 63C-11-317 A HB 63 24 63B-9:210 R SB4 122 63C-11-317 A HB 63 24 63B-9:210 R SB4 122 63C-11-317 A HB 63 24 63B-9:210 R SB4 122 63C-11-316 A HB 63 24 63B-9:210 R SB4 122 63C-11-316 A HB 63 24 63B-9:212 R SB4 122 63C-11-316 A HB 63 24 63B-9:212 R SB4 122 63C-11-316 A HB 63 24 63B-9:216 R SB4 122 63C-11-316 A HB 63 24 63B-9:216 R SB4 122 63C-11-316 A HB 63 24 63B-9:216 R SB4 122 63C-102 A HB 63 24 63B-9:216 R SB4 122 63C-102 A HB 63 24 63B-9:216 R SB4 122 63C-100 A HB 63 24 63B-9:216 R SB4 122 63C-100 A HB 63 24 63B-9:217 R SB4 122 63C-11-30 A HB 63 24 63B-9:217 R SB4 122 63C-100 A HB 63 24 63B-10-105 A HB 63 24 63F-1:205 A HB 63 24 63F-1:207 A HB 63 24 63										
63B-9-205 A HB 63 24 63C-11-308 A HB 63 24 63B-9-206 R SB 4 122 63C-11-311 A HB 63 24 63B-9-207 R SB 4 122 63C-11-311 A HB 63 24 63B-9-207 R SB 4 122 63C-11-316 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-209 R SB 4 122 63C-11-316 A HB 63 24 63B-9-211 R SB 4 122 63C-11-317 A HB 63 24 63B-9-211 R SB 4 122 63C-11-318 A HB 63 24 63B-9-211 R SB 4 122 63C-11-318 A HB 63 24 63B-9-211 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-9-218 R SB 4 122 63C-11-318 A HB 63 24 63B-1-102 A HB 63 24 63F-1-205 A HB 63 24 63F-1-301 A HB 63 27 63F-1-30										
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63B-17-101 E HB 5	63B-16-101	Α	SB 283			63G-9-101	Ε			27
63B-17-101 E HB 5 SB 4 122 63H-1-201 A SB 264 189 63B-17-102 E HB 5 S 3 63H-1-502 A SB 264 189 63B-17-201 E HB 5 S 3 63H-1-502 A SB 264 189 63B-17-201 E HB 5 S 3 63H-2-217 E SB 286 192 63B-17-202 E HB 5 S 3 63I-2-217 E SB 286 192 63B-17-301 E HB 5 S 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 S 3 63J-1-205 E HB 49 17 63C-4-101 A HB 63 24 63J-5-101 E HB 63 27 63C-4-102 A HB 63 24 63J-5-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-8-105 A HB 63 24 63J-7-202 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-202 E HB 319 89 63C-9-703 A SB 225 182 63K-2-101 E HB 63 27 63C-9-703 A SB 225 182 63K-2-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-1-101 E HB 63 27	63B-16-102	Α	HB 242		76	63G-10-101	Ε	HB 63		27
SB 4 122 63H-1-403.5 E SB 264 189 63B-17-102 E HB 5 3 63H-1-502 A SB 264 189 SB 298 194 63I-2-101 E HB 63 27 63B-17-201 E HB 5 3 63I-2-217 E SB 286 192 63B-17-202 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 63 24 63J-5-101 E HB 63 27 63C-4-101 A HB 63 24 63J-6-101 E HB 63 27 63C-4-102 A HB 63 24 63J-7-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-202 E HB 319 89 63C-9-402 A SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-3-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63B-17-101		HB 5		3	63H-1-201	Α	SB 264		189
63B-17-102 E HB 5 3 63H-1-502 A SB 264 189 63B-17-201 E HB 5 3 63I-2-101 E HB 63 27 63B-17-202 E HB 5 3 63I-2-217 E SB 286 192 63B-17-202 E HB 5 3 63I-2-217 E SB 286 192 63B-17-202 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 3 63J-1-205 E HB 49 17 63C-4-101 A HB 63 24 63J-5-101 E HB 63 27 63C-4-102 A HB 63 24 63J-6-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63			SB 4			63H-1-403.5	Ε	SB 264		
SB 298 194 63I-2-101 E HB 63 27 63B-17-201 E HB 5 3 63I-2-217 E SB 286 192 63B-17-202 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 3 63I-1-205 E HB 49 17 63C-4-101 A HB 63 24 63I-5-101 E HB 63 27 63C-4-102 A HB 63 24 63I-7-101 E HB 63 27 63C-4-103 A HB 63 24 63I-7-101 E HB 319 89 63C-7-210 A HB 63 24 63I-7-102 E HB 319 89 63C-8-105 A HB 63 24 63I-7-201 E HB 319 89 63C-8-106 A HB 63 24 63I-7-202 E HB 319 89 63C-9-301 A HB 63 24 63I-7-202 E HB 319 89 63C-9-301 A BB 225 182 63K-3-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-3-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-1-101 E HB 63 27	63B-17-102	Е	HB 5							
63B-17-202 E HB 5 3 63I-4-101 E HB 63 27 63B-17-301 E HB 5 3 63J-1-205 E HB 49 17 63C-4-101 A HB 63 24 63J-5-101 E HB 63 27 63C-4-102 A HB 63 24 63J-6-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 63 27 63C-9-402 A SB 225 182 63K-2-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102			SB 298		194			HB 63		
63B-17-301 E HB 5 3 63J-1-205 E HB 49 17 63C-4-101 A HB 63 24 63J-5-101 E HB 63 27 63C-4-102 A HB 63 24 63J-6-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 63C-9-402 A SB 225 182 63K-2-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 <td>63B-17-201</td> <td>Ε</td> <td>HB 5</td> <td></td> <td>3</td> <td>631-2-217</td> <td>Ε</td> <td>SB 286</td> <td></td> <td>192</td>	63B-17-201	Ε	HB 5		3	631-2-217	Ε	SB 286		192
63B-17-301 E HB 5 3 63J-1-205 E HB 49 17 63C-4-101 A HB 63 24 63J-5-101 E HB 63 27 63C-4-102 A HB 63 24 63J-6-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 63C-9-402 A SB 225 182 63K-2-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 <td>63B-17-202</td> <td></td> <td>HB 5</td> <td></td> <td></td> <td>63I-4-101</td> <td>Ε</td> <td>HB 63</td> <td></td> <td>27</td>	63B-17-202		HB 5			63I-4-101	Ε	HB 63		27
63C-4-102 A HB 63 24 63J-6-101 E HB 63 27 63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 63C-9-402 A SB 225 182 63K-2-101 E HB 63 27 63C-9-703 A SB 225 182 63K-3-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63B-17-301	Ε	HB 5			63J-1-205	Ε	HB 49		17
63C-4-103 A HB 63 24 63J-7-101 E HB 319 89 63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-4-101	Α	HB 63		24	63J-5-101	Ε	HB 63		27
63C-7-210 A HB 63 24 63J-7-102 E HB 319 89 63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-4-102	Α	HB 63		24	63J-6-101	Ε	HB 63		27
63C-8-105 A HB 63 24 63J-7-201 E HB 319 89 63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-4-103	Α	HB 63		24	63J-7-101	Е	HB 319		89
63C-8-106 A HB 63 24 63J-7-202 E HB 319 89 63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-7-210	Α	HB 63		24	63J-7-102	Ε	HB 319		89
63C-9-301 A HB 63 24 63J-7-203 E HB 319 89 SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-8-105	Α	HB 63		24	63J-7-201	Е	HB 319		89
SB 225 182 63K-2-101 E HB 63 27 63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-8-106	Α	HB 63		24	63J-7-202	Е	HB 319		89
63C-9-402 A SB 225 182 63K-3-101 E HB 63 27 63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-9-301	Α	HB 63		24	63J-7-203	Е	HB 319		89
63C-9-703 A SB 225 182 63K-4-101 E HB 63 27 63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27			SB 225		182	63K-2-101	Е	HB 63		27
63C-10-102 A SB 158 167 63L-1-101 E HB 63 27 63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-9-402	Α	SB 225		182	63K-3-101	Е	HB 63		27
63C-10-201 A SB 158 167 63L-2-101 E HB 63 27	63C-9-703	Α	SB 225		182	63K-4-101	E	HB 63		27
	63C-10-102	Α	SB 158		167	63L-1-101	Е	HB 63		27
A=Amended E=Enacted R=Repealed X=Repealed and Reenacted N=Renumbered and Amended	63C-10-201	Α	SB 158		167	63L-2-101	E	HB 63		27
	A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenact	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	<u>Section</u>	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number
63L-4-101	E	HB 63		27	65A-1-4	Α	HB 63		24
63M-1-2401	E	HB 133		57	65A-8-101	A	SB 26		131
03IVI-1-2 4 01	L	HB 426		109	65A-8-105	A	HB 63		24
		SB 185		174	65A-8-207	A	HB 63		24
63M-1-2402	Е	HB 133		57	65A-8a-103	A	HB 63		24
03IVI-1-2402	L	HB 426		109	67-1-2	A	HB 63		24
		SB 185		174	67-1-2	Ē	SB 225		182
63M-1-2403	Е	HB 133		57	67-1-10 67-1a-2.5	A	HB 63		24
03IVI-1-2 4 03	L	HB 426		109	67-1a-2.5	A	SB 47		137
		SB 185		174	67-1a-12	E	HB 27		8
63M-1-2404	Е	HB 133		57	67-3-1	A	HB 63		24
00111 1 2 10 1	-	HB 426		109	07 0 1	, ,	SB 47		137
		SB 185		174	67-4a-405	Α	HB 312		88
63M-1-2405	Е	HB 133		57	67-4a-703	A	HB 63		24
00111 1 2 100	-	HB 426		109	67-5-1.5	E	SB 239		186
		SB 185		174	67-5-15	A	HB 63		24
63M-1-2406	Е	HB 426		109	67-5-18	A	HB 63		24
00111 1 2 100	-	SB 185		174	67-5-22	A	HB 141		58
63M-1-2407	Е	HB 426		109	67-5-22.5	E	SB 81		149
00111 1 2 101	_	SB 185		174	67-5-25	A	HB 410		108
63M-1-2408	E	HB 426		109	67-5-26	E	SB 134		161
00111 1 2 100	_	SB 185		174	0. 0 20	_	SB 239		186
63M-1-2409	E	HB 426		109			SB 81		149
63M-1-2410	E	HB 426		109	67-5a-8	Α	HB 63		24
63M-1-2411	E	HB 426		109	67-5b-107	Α	HB 63		24
63M-1-2412	Ε	HB 426		109	67-16-3	Α	HB 63		24
63M-3-101	E	HB 63		27	67-16-4	Α	HB 63		24
63M-5-101	Е	HB 63		27	67-16-5	Α	HB 63		24
63M-6-101	Е	HB 63		27	67-16-5.3	Α	HB 63		24
63M-7-101	Е	HB 63		27	67-16-6	Α	HB 63		24
63M-7-511.5		HB 312		88	67-18-5	Α	HB 63		24
63M-7-521.5		HB 312		88	67-19-5	Α	HB 63		24
63M-8-101	Е	HB 63		27	67-19-6	Α	HB 63		24
64-9b-6	Α	HB 63		24	67-19-6.7	Α	HB 63		24
64-13-10	Α	HB 63		24	67-19-11	Α	HB 63		24
64-13-14.7	Α	HB 63		24	67-19-12.5	Α	HB 63		24
64-13-17	Α	HB 63		24	67-19-14	Α	HB 63		24
64-13-20	Α	HB 63		24	67-19-15	Α	HB 78		38
64-13-21	Α	HB 63		24	67-19-30	Α	HB 63		24
64-13-25	Α	HB 63		24	67-19-31	Α	HB 63		24
64-13-28	R	SB 119		158	67-19-34	Α	HB 63		24
64-13-38	Α	HB 63		24	67-19a-202	Α	HB 63		24
64-13-39.5	Α	HB 63		24	67-19a-203	Α	HB 63		24
64-13-41	Α	HB 63		24	67-22-1	Α	SB 5		123
64-13-43	Е	SB 120		159	67-22-2	Α	SB 5		123
64-13a-13	Α	HB 63		24	69-2-4	Α	SB 47		137
64-13e-102	Α	HB 282		83	69-2-5	Α	HB 206		71
64-13e-103	Α	HB 282		83			SB 47		137
64-13e-104	Α	HB 282		83	69-2-5.5	Α	HB 206		71
64-13e-105	Α	HB 282		83	69-2-5.6	Α	HB 206		71
64-13e-106	Α	HB 282		83			HB 63		24
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	nd Reenac	ted N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
70-3a-103	Α	SB 151		165	72-4-102.5	Α	HB 63		24
70-3a-201	A	HB 63		24	72-4-107	A	HB 61		23
70-3a-203	A	HB 63		24	72-4-114	A	HB 61		23
70 00 200	,,	SB 151		165	72-4-124	A	HB 61		23
70-3a-302	Α	SB 151		165	72-4-129	A	HB 61		23
70-3a-303	A	HB 63		24	72-4-131	A	HB 61		23
70-3a-304	A	SB 151		165	72-4-132	A	HB 61		23
70-3a-305	Α	SB 151		165	72-4-134	A	HB 61		23
70-3a-306	A	SB 151		165	72-4-303	A	HB 63		24
70-3a-402	Α	SB 151		165	72-5-111	Α	HB 78		38
70-3a-501	Α	SB 151		165	72-5-116	Α	HB 223		74
70-3a-502	Α	SB 151		165	72-5-117	E	HB 354		98
70A-9a-526	Α	HB 63		24	72-5-203	A	HB 63		24
70C-8-104	Α	HB 63		24	72-5-306	A	HB 63		24
70D-1-14	Α	HB 63		24	72-5-309	Α	HB 63		24
70D-1-16	Α	HB 63		24	. = 0 000	, ,	SB 92		152
70D-1-17	Α	HB 63		24	72-5-403	Α	SB 208		179
71-7-3	Α	HB 63		24	72-5-404	Α	HB 78		38
71-8-2	Α	HB 63		24	72-5-405	Α	HB 63		24
71-11-5	Α	HB 63		24	72-5-406	Α	HB 63		24
72-1-201	Α	HB 63		24	72-6-107	Α	HB 63		24
72-1-208.5	Α	HB 64		31	72-6-108	Α	HB 63		24
72-1-211	Α	HB 63		24	72-6-111	Α	HB 63		24
72-1-303	Α	HB 63		24	72-6-116	Α	HB 63		24
		SB 231		183	72-6-118	Α	HB 63		24
72-1-304	Α	HB 63		24	72-6-119	Α	HB 63		24
72-2-107	Α	HB 359		100	72-6-120	Α	HB 63		24
		SB 168		170	72-6-204	Α	HB 63		24
72-2-108	Α	SB 168		170	72-6-205	Α	HB 63		24
72-2-109	Α	HB 63		24	72-7-102	Α	HB 63		24
72-2-111	Α	HB 63		24	72-7-104	Α	HB 63		24
72-2-113	Α	HB 63		24	72-7-107	Α	HB 63		24
72-2-117	Α	HB 63		24	72-7-108	Α	HB 63		24
72-2-117.5	Α	SB 245		187	72-7-203	Α	HB 63		24
72-2-121	Α	HB 242		76	72-7-205	Α	HB 63		24
		SB 245		187	72-7-206	Α	HB 63		24
72-2-121.2	Ε	SB 245		188	72-7-207	Α	HB 63		24
72-2-122	Α	HB 63		24	72-7-208	Α	HB 57		22
72-2-123	Α	HB 63		24	72-7-209	Α	HB 63		24
72-2-124	Α	HB 106		49	72-7-211	R	HB 57		22
		HB 359		100	72-7-302	Α	HB 57		22
72-2-125	Α	HB 206		71	72-7-402	Α	HB 57		22
		HB 359		100			HB 63		24
		SB 283		191	72-7-406	Α	HB 63		24
72-2-201	Α	HB 105		49			HB 80		45
72-2-202	Α	HB 63		24	72-7-407	Α	HB 57		22
72-2-203	Α	HB 63		24			HB 63		24
72-2-204	Α	HB 63		24	72-7-409	Α	HB 57		22
72-3-109	Α	HB 63		24			SB 44		135
72-3-207	Α	HB 63		24	72-7-504	Α	HB 63		24
72-4-102	Α	HB 63		24	72-7-506	Α	HB 63		24
A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ed N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
72-7-507	Α	HB 63		24	73-3a-105	Α	HB 63		24
72-7-508	Α	HB 63		24	73-3b-104	Α	HB 63		24
72-7-510	Α	HB 78		38	73-3b-105	Α	HB 63		24
72-9-103	Α	HB 63		24	73-3b-201	Α	HB 63		24
72-9-501	Α	SB 238		185	73-3b-204	Α	HB 63		24
72-9-502	Α	HB 63		24	73-3b-208	Α	SB 228		182
72-9-602	Α	HB 63		24	73-3b-302	Α	HB 63		24
72-9-603	Α	HB 275		82	73-3c-301	Α	HB 63		24
		HB 63		24	73-3c-302	A	HB 63		24
72-9-701	Α	HB 57		22	73-5-4	A	HB 117		51
72-10-102	Α	HB 365		103	73-5-15	A	HB 63		24
		SB 245		187	70010	, , , , , , , , , , , , , , , , , , ,	SB 47		137
72-10-103	Α	HB 63		24	73-10-21	Α	SB 47		137
72-10-107	Α	HB 63		24	73-10-26	A	SB 170		170
72-10-110	Α	HB 365		103	73-10-20	A	HB 63		24
72-10-111	R	HB 365		103	73-10-27	^	SB 170		170
72-10-116	Α	HB 365		103	73-10-28	Α	SB 170		170
		HB 63		24	73-10-26 73-10c-4.1	A	HB 63		24
72-10-117	Α	HB 63		24	73-10c-4.1 73-10c-4.2	A	HB 63		2 4 24
72-10-120	Α	HB 57		22	73-100-4.2 73-10c-4.5	A	нв 63 НВ 63		2 4 24
72-10-215	E	SB 245		188	73-10c-4.5 73-10c-8		HB 63		24
72-11-203	Α	HB 63		24		A			2 4 24
72-11-208	Α	HB 63		24	73-10c-10	A	HB 63		
72-11-210	Α	HB 63		24	73-10f-1	A	SB 111		156 450
73-1-4	Α	HB 51		18	73-12a-1	A	SB 111		156
		HB 63		24	73-18-2	A	SB 76		147
73-2-1	Α	HB 63		24	73-18-4	Α	HB 63		24
		SB 47		137	70.40.7		SB 76		147
73-2-1.5	Α	HB 63		24	73-18-7	A	HB 63		24
73-2-14	Α	HB 208		72	73-18-9	A	SB 76		147
		HB 51		18	73-18-13.5	A	HB 63		24
		HB 63		24	73-18-15.1	A	SB 76		147
73-2-25	Α	HB 63		24	73-18-15.2	Α	SB 76		147
		SB 228		182	73-18-19	A	HB 63		24
73-2-29	Ε	HB 143		58	73-18-25	A	HB 63		24
73-3-3	Α	HB 117		51	73-18a-4	Α	HB 63		24
73-3-3.5	Α	HB 78		38	73-18a-5	Α	HB 63		24
73-3-12	Α	HB 117		51	73-18a-12	Α	HB 63		24
		HB 42		14	73-18c-201	Α	HB 63		24
73-3-14	Α	HB 203		70	73-18c-306	Α	HB 63		24
HB 63		24			73-22-5	Α	HB 63		24
73-3-16	Α	HB 117		51	73-23-3	Α	HB 63		24
73-3-17	Α	HB 117		51	73-26-402	Α	HB 63		24
73-3-22	R	SB 228		182	73-26-403	Α	HB 63		24
73-3-24	R	SB 228		182	73-26-404	Α	HB 78		38
73-3-25	Α	HB 63		24	73-28-104	Α	HB 63		24
		SB 228		182			HB 78		38
73-3-29	Α	HB 63		24	73-28-404	Α	HB 63		24
73-3-30	Е	HB 117		51	75-2-114	Α	HB 78		38
		HB 208		72	75-2-206	Α	SB 68		144
73-3a-104	Α	HB 63		24	75-2a-102	Α	SB 161		168
A=Amende	d_	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ted N=F	Renumbered and	Amended

Section			<u>Bill</u>	Former/	<u>Page</u>			<u>Bill</u>	Former/	<u>Page</u>
SB 161	<u>Section</u>	<u>Action</u>	<u>Number</u>	Renumber	<u>Number</u>	<u>Section</u>	<u>Action</u>	Number	Renumber	<u>Number</u>
SB 161	75-2a-103	Α	HB 78		38	76-3-203.5	Α	HB 493		115
75-22-104 A SB 161 168 76-4-102 A HB 256 78 775-22-106 A SB 161 168 SB 161 168 775-22-106 A HB 63 24 76-4-204 A HB 256 78 775-22-107 A SB 161 168 76-4-01 A HB 327 91 775-22-108 A SB 161 168 76-5-102.4 A HB 19 6 775-22-108 A SB 161 168 76-5-102.4 A HB 19 6 775-22-109 A SB 161 168 76-5-102.7 A HB 78 38 775-22-110 A SB 161 168 76-5-102.7 A HB 78 38 775-22-110 A SB 161 168 76-5-102.7 A HB 78 38 775-22-110 A SB 161 168 76-5-102.7 A HB 78 38 775-22-112 A SB 161 168 76-5-102.7 A HB 78 38 775-22-112 A SB 161 168 76-5-109.1 A HB 78 38 775-22-113 A SB 161 168 76-5-109.1 A HB 78 38 775-22-114 A SB 161 168 76-5-109.1 A HB 78 38 775-22-115 A SB 161 168 76-5-101 A HB 78 38 775-22-117 A SB 161 168 76-5-103 A HB 157 61 775-22-117 A SB 161 168 76-5-202 A SB 150 165 775-22-114 A SB 161 168 76-5-203 A HB 144 55 775-22-114 A SB 161 168 76-5-203 A HB 144 55 775-22-124 A SB 161 168 76-5-203 A HB 144 55 775-22-124 A SB 161 168 76-5-203 A HB 144 55 775-22-124 A SB 161 168 76-5-203 A HB 144 55 775-22-124 A SB 161 168 76-5-203 A HB 144 55 775-22-125 A SB 161 168 76-5-207 A SB 150 166 775-22-125 A SB 161 168 76-5-207 A SB 150 166 775-22-125 B SB 161 168 76-5-207 A SB 150 166 775-22-125 B SB 161 168 76-5-207 A SB 150 166 775-22-125 B SB 161 168 76-5-207 A SB 150 166 775-22-125 B SB 161 168 76-5-207 A SB 150 166 775-20-125 B SB 122 159 76-5-401.2 A SB 192 175 775-50-103 B SB 122 159 76-5-401.2 A SB 192 175 775-50-104 B SB 122 159 76-5-401.2 A SB 192 175 775-50-105 B SB 122 159 76-5-401.2 A SB 192 175 775-50-106 B SB 122 159 76-6-401.2 A SB 194 153 775-50-106 B SB 122 159 76-6-401.2 A SB 194 153 775-50-207 B SB 122 159 76-6-401.2 A SB 194 153 775-50-106 B SB 122 159 76-6-401.2 A SB 194 153 775-50-106 B SB 122 159 76-6-401.2 A SB 194 153 775-50-106 B SB 122 159 76-6-401.2 A SB 194 153 775-50-007 B SB 122 159 76-6-401.3 A HB 63 24 775-50-007 B SB 122 159 76-6-401.3 A HB 63 24 775-50-007 B SB 122 159 76-6-401.3 A HB 63 24 775-50-007 B SB 122 159 76-6-401.3 A HB 63 24 775-50-007 B SB 122 159 76-6-401.4 A HB 63 24 775-50-007 B SB 122 159 76-6-40		, ,								
75-22-105 A SB 161 168	75-2a-104	Α								
75-2a-106 A HB 63 24 76-4-204 A HB 256 78 X 58 161 168 76-4-01 A HB 327 91 75-2a-107 A 58 161 168 76-5-102.4 A HB 19 6 75-2a-108 A 58 161 168 76-5-102.7 A HB 78 38 75-2a-110 A 58 161 168 76-5-102.5 A HB 78 38 167 75-2a-110 A 58 161 168 76-5-106.5 A HB 78 38 75-2a-111 A 58 161 168 76-5-106.5 A HB 78 38 75-2a-112 A 58 161 168 76-5-108 A HB 78 38 75-2a-112 A 58 161 168 76-5-109 A HB 78 38 75-2a-112 A 58 161 168 76-5-109 A HB 23 7 7 75-2a-112 A 58 161 168 76-5-109 A HB 23 7 7 75-2a-114 A 58 161 168 76-5-109 A HB 78 38 75-2a-114 A 58 161 168 76-5-109 A HB 78 38 38 75-2a-114 A 58 161 168 76-5-109 A HB 78 38 38 75-2a-114 A 58 161 168 76-5-109 A HB 78 38 38 75-2a-117 A 58 161 168 76-5-101 A HB 78 38 38 75-2a-117 A 58 161 168 76-5-101 A HB 78 38 18 18 75-2a-117 A 58 161 168 76-5-103 A HB 157 61 75-2a-118 A 58 161 168 76-5-202 A 58 150 165 75-2a-124 A 58 161 168 76-5-203 A HB 14 5 5 75-2a-124 A 58 161 168 76-5-207 A 58 150 165 75-2a-123 A 58 161 168 76-5-207 A 58 150 165 75-2a-123 A 58 161 168 76-5-207 A 58 150 165 75-2a-125 E 58 161 168 76-5-208 A HB 102 48 75-5-209 A HB 78 38 76-5-309 E HB 339 93 75-5-5-101 E 58 122 159 76-5-4012 A HB 314 68 76-5-509 E HB 339 93 75-5-5-101 E 58 122 159 76-5-4012 A HB 314 68 76-5-500 E HB 339 93 75-5-50-101 E 58 122 159 76-5-4012 A HB 266 78 78 75-5-50-101 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 175 75-5-104 E 58 122 159 76-5-4012 A 58 162 139 75-5-5-004 E 58 122 159 76-5-4012 A 58 164 161 161 161 161 161 161 161 161 161						70 1 102	, ,			
X						76-4-204	Α			
75-22-107 A SB 161 168 76-5-102.7 A HB 19 6 775-22-109 A SB 161 168 76-5-102.7 A HB 493 115 775-22-1109 A SB 161 168 76-5-102.7 A HB 493 115 75-22-110 A SB 161 168 76-5-106.5 A HB 493 115 75-22-111 A SB 161 168 76-5-108 A HB 78 38 75-22-112 A SB 161 168 76-5-108 A HB 78 38 75-22-113 A SB 161 168 76-5-109 A HB 23 7 75-22-114 A SB 161 168 76-5-109 A HB 78 38 75-22-114 A SB 161 168 76-5-109 A HB 78 38 75-22-114 A SB 161 168 76-5-109 A HB 78 38 75-22-114 A SB 161 168 76-5-109 A HB 78 38 75-22-114 A SB 161 168 76-5-109 A HB 78 38 75-22-114 A SB 161 168 76-5-110 A HB 78 38 75-22-117 A SB 161 168 76-5-202 A SB 150 165 75-22-118 A SB 161 168 76-5-202 A SB 150 165 75-22-121 A SB 161 168 76-5-203 A HB 14 5 75-22-121 A SB 161 168 76-5-203 A HB 14 5 75-22-122 A SB 161 168 76-5-203 A HB 14 5 75-22-123 A SB 161 168 76-5-208 A HB 102 48 75-22-123 A SB 161 168 76-5-308 E HB 339 93 75-22-125 E SB 161 168 76-5-308 E HB 339 93 75-52-126 E SB 161 168 76-5-308 E HB 339 93 75-5-5-102 E SB 122 159 76-5-301 E HB 339 93 75-5-5-102 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-104 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-105 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-107 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-108 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-109 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-100 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-101 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-102 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-104 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-105 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-107 E SB 122 159 76-5-402.1 A HB 26 78 75-5-5-108 E SB 122 159 76-6-104 E SB 134 161 75-5-5-109 E SB 122 159 76-6-104 E SB 134 161 75-5-5-000 E SB 122 159 76-6-104 B SB 134 161 75-5-5-000 E SB 122 159 76-6-104 B SB 134 161 75-5-5-000 E SB 122 159										
75-2a-108	75-2a-107									
75-2a-109 A SB 161 168 76-5-107.5 A SB 297 194 75-2a-111 A SB 161 168 76-5-107.5 A SB 297 194 75-2a-111 A SB 161 168 76-5-107.5 A SB 297 194 75-2a-111 A SB 161 168 76-5-108 A HB 78 38 75-2a-112 A SB 161 168 76-5-109 A HB 23 7 75-2a-113 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-114 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-114 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-117 A SB 161 168 76-5-113 A HB 157 61 75-2a-117 A SB 161 168 76-5-113 A HB 157 61 75-2a-118 A SB 161 168 76-5-202 A SB 150 165 75-2a-119 A SB 161 168 76-5-203 A HB 14 5 75-2a-121 A SB 161 168 76-5-203 A HB 14 5 75-2a-122 A SB 161 168 76-5-208 A HB 102 48 75-2a-123 A SB 161 168 76-5-208 A HB 102 48 75-2a-124 A SB 161 168 76-5-208 A HB 102 48 75-2a-125 E SB 161 168 76-5-307 E HB 339 93 75-2a-125 E SB 161 168 76-5-309 E HB 339 93 75-5-009 A HB 78 38 76-5-309 E HB 339 93 75-5-5-101 E SB 122 159 76-5-402.1 A SB 192 175 75-5-5-101 E SB 122 159 76-5-402.1 A HB 266 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 266 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 266 78 75-5-5-106 E SB 122 159 76-5-402.1 A HB 266 78 75-5-5-010 E SB 122 159 76-5-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-5-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-5-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-5-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-5-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 266 78 75-5-5-010 E SB 122 159 76-6-403.1 A HB 374 161 75-5-5-00 E SB 122 159 76-6-403.1 A HB 363 24 75-5-5-00 E SB 122 159 76-6-403.1 A HB 363 24 75-5-5-00 E SB 122 159 76-6-403.1 A HB 363 24 75-5-5-00 E SB 122 159 76-6-100 E SB 124 161 75-5-5-00 E SB 122 159 76-6-100 E SB 124 161 75-5-5-00 E SB 122 159 76-6-100 E SB 124 161 75-5-5-00 E SB 122 159 76-6-100 E SB 134 161 75-5-5-00 E SB 122 159 76-6-100 E SB 134 161 75-5-5-00 E SB 122 159 76-6-100 E SB 134 161 75-5-5-00 E SB 122 159 76-6-100 E SB 134 161										
75-2a-110 A SB 161 168 76-5-107.5 A SB 297 194 75-2a-1111 A SB 161 168 76-5-108 A HB 78 38 75-2a-112 A SB 161 168 76-5-109 A HB 23 7 75-2a-113 A SB 161 168 76-5-109 A HB 23 7 75-2a-113 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-115 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-115 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-115 A SB 161 168 76-5-109.1 A HB 78 38 75-2a-115 A SB 161 168 76-5-109.1 A HB 157 61 75-2a-118 A SB 161 168 76-5-101 A HB 157 61 75-2a-118 A SB 161 168 76-5-202 A SB 150 165 75-2a-121 A SB 161 168 76-5-202 A SB 150 165 75-2a-122 A SB 161 168 76-5-207 A SB 150 165 75-2a-122 A SB 161 168 76-5-207 A SB 15 125 75-2a-124 A SB 161 168 76-5-207 A SB 15 125 75-2a-124 A SB 161 168 76-5-207 B HB 339 93 75-2a-126 E SB 161 168 76-5-307 E HB 339 93 75-5b-101 E SB 122 159 76-5-401.2 A SB 192 175 75-5b-104 E SB 122 159 76-5-401.2 A SB 192 175 75-5b-105 E SB 122 159 76-5-401.2 A SB 192 175 75-5b-104 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-105 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-106 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-107 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-108 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-109 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-104 E SB 122 159 76-5-402.1 A HB 256 78 75-5b-105 E SB 122 159 76-6-610.1 A SB 94 153 75-5b-207 E SB 122 159 76-6-610.1 A SB 94 153 75-5b-208 E SB 122 159 76-6-610.4 B SB 94 153 75-5b-209 E SB 122 159 76-6-610.4 E SB 134 161 75-5b-201 E SB 122 159 76-6-610.4 E SB 134 161 75-5b-202 E SB 122 159 76-6-1204 E SB 134 161 75-5b-203 E SB 122 159 76-6-1204 E SB 134 161 75-5b-204 E SB 122 159 76-6-1204 E SB 134 161 75-5b-205 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-1204 E SB 134 161 75-5b-207 E SB 122 159 76-6-201 A HB 97 76-8-301 A HB 63 24 76-1-300 A HB 13 4 76-8-317 A HB 63 24 76-1-300 A HB 13 4 76-8-317 A HB 63										
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75-5b-205 E SB 122 159 76-6-1102 A SB 52 139 75-5b-206 E SB 122 159 76-6-1201 E SB 134 161 75-5b-207 E SB 122 159 76-6-1202 E SB 134 161 75-5b-208 E SB 122 159 76-6-1203 E SB 134 161 75-5b-301 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-7-203 A HB 46 16 75-5b-401 E SB 122 159 76-7-304 A HB 78 38 75-5b-402 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-502	75-5b-203	Ε	SB 122		159	76-6-204.5	Ε	SB 94		153
75-5b-206 E SB 122 159 76-6-1201 E SB 134 161 75-5b-207 E SB 122 159 76-6-1202 E SB 134 161 75-5b-208 E SB 122 159 76-6-1203 E SB 134 161 75-5b-301 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-7-203 A HB 46 16 75-5b-401 E SB 122 159 76-7-304 A HB 78 38 75-5b-402 E SB 122 159 76-7-305 A HB 63 24 75-5b-50-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503	75-5b-204	Е	SB 122		159	76-6-513	Α	HB 63		24
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75-5b-208 E SB 122 159 76-6-1203 E SB 134 161 75-5b-301 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-7-203 A HB 46 16 75-5b-401 E SB 122 159 76-7-304 A HB 31 10 75-5b-402 E SB 122 159 76-7-305 A HB 78 38 75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-3-202 A <td>75-5b-206</td> <td>Е</td> <td>SB 122</td> <td></td> <td>159</td> <td>76-6-1201</td> <td>Е</td> <td>SB 134</td> <td></td> <td>161</td>	75-5b-206	Е	SB 122		159	76-6-1201	Е	SB 134		161
75-5b-301 E SB 122 159 76-6-1204 E SB 134 161 75-5b-302 E SB 122 159 76-7-203 A HB 46 16 75-5b-401 E SB 122 159 76-7-304 A HB 31 10 75-5b-402 E SB 122 159 76-7-305 A HB 78 38 75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-514 R HB 272 82 76-3-201 A	75-5b-207	Е	SB 122		159	76-6-1202	Е	SB 134		161
75-5b-302 E SB 122 159 76-7-203 A HB 46 16 75-5b-401 E SB 122 159 76-7-304 A HB 31 10 75-5b-402 E SB 122 159 76-7-305 A HB 78 38 75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A <t< td=""><td>75-5b-208</td><td>Е</td><td>SB 122</td><td></td><td>159</td><td>76-6-1203</td><td>Е</td><td>SB 134</td><td></td><td>161</td></t<>	75-5b-208	Е	SB 122		159	76-6-1203	Е	SB 134		161
75-5b-401 E SB 122 159 76-7-304 A HB 31 10 75-5b-402 E SB 122 159 76-7-305 A HB 78 38 75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-301		SB 122		159	76-6-1204	Е	SB 134		161
75-5b-402 E SB 122 159 76-7-305 A HB 78 38 75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-3-201 A HB 97 47 76-8-514 R HB 272 82 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-302		SB 122		159	76-7-203	Α	HB 46		16
75-5b-403 E SB 122 159 76-7-317.1 A HB 63 24 75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-401		SB 122		159	76-7-304	Α	HB 31		10
75-5b-501 E SB 122 159 76-7-317.2 A SB 111 156 75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-402	E	SB 122		159	76-7-305	Α	HB 78		38
75-5b-502 E SB 122 159 76-8-301.5 E HB 10 3 75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-403						Α			
75-5b-503 E SB 122 159 76-8-311.3 A HB 63 24 76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-501									
76-1-301 A HB 13 4 76-8-316 A SB 150 165 76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24	75-5b-502						Е			
76-1-302 A HB 13 4 76-8-317 A HB 63 24 76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24										
76-1-303.5 R HB 13 4 76-8-514 R HB 272 82 76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24					4					
76-3-201 A HB 97 47 76-8-601 A HB 78 38 76-3-202 A HB 492 114 76-8-1101 A HB 63 24										
76-3-202 A HB 492 114 76-8-1101 A HB 63 24										
A=Amended E=Enacted R=Repealed X=Repealed and Reenacted N=Renumbered and Amended	76-3-202	Α	HB 492		114	76-8-1101	Α	HB 63		24
	_A=Amende	d	E=Enacted	d R=	Repealed	X=Repealed a	and Reenac	ted N=F	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
76-8-1301	Α	HB 80		45	77-10a-5	Α	HB 63		24
76-9-301	Α	SB 297		194			HB 78		38
76-9-301.5	Α	SB 297		194	77-13-6	Α	HB 78		38
76-9-301.6	Α	SB 297		194	77-15-5	Α	HB 377		105
76-9-301.7	Α	SB 297		194	77-15-6	Α	HB 377		105
76-9-701	Α	HB 78		38	77-15-6.5	Α	HB 377		105
76-9-706	Α	HB 272		82	77-18-1	Α	HB 63		24
76-9-801	Е	SB 65		143			HB 78		38
76-9-802	Ε	SB 65		143	77-18-3	Α	HB 78		38
76-9-803	Е	SB 65		143	77-18-6	Α	HB 78		38
76-10-306	Α	HB 78		38	77-18-10	Α	HB 78		38
76-10-508	Α	HB 14		5	77-18-11	Α	HB 63		24
76-10-508.1	Ε	HB 14		5			HB 70		33
76-10-523.5	Α	HB 78		38	77-18-12	Α	HB 492		114
76-10-526	Α	HB 171		64			HB 70		33
		HB 63		24			HB 90		46
76-10-528	Α	SB 15		125	77-18-15	Α	HB 63		24
76-10-803	Α	HB 78		38	77-19-6	Α	HB 63		24
76-10-919	Α	SB 139		163	77-19-8	Α	HB 78		38
76-10-922	Α	SB 132		161	77-19-9	Α	HB 63		24
76-10-1201	Α	HB 18		6	77-19-202	Α	HB 63		24
76-10-1206	A	HB 18		6	77-20-1	A	SB 187		174
76-10-1209	A	HB 63		24	77-20-9	A	HB 78		38
76-10-1230	A	HB 18		6	77-22-2	A	HB 63		24
76-10-1231	A	HB 18		6	77-23-301	E	SB 10		123
70-10-1251	Α	HB 63		24	77-23a-8	A	SB 171		170
76-10-1233	Α	HB 18		6	77-23a-0	A	HB 63		24
76-10-1233	A	HB 63		24	77-27-9	A	HB 63		24
76-10-123 4 76-10-1311	A	HB 63		24	77-27-3	A	HB 11		4
76-10-1311	A	HB 30		10	17-27-10	^	HB 63		24
70-10-1002	^	HB 63		24	77-27-21.5	Α	HB 327		91
				2 4 161	11-21-21.5	А			91 11
		SB 134 SB 297					HB 34		
70 40 4005	۸			194			HB 492		114
76-10-1605	A	HB 78		38	77 07 04 0	_	HB 63		24
76-10-1906	A	SB 171		170	77-27-21.9	E	HB 109		50
76-10-2701	E	HB 30		10	77-28c-104	A	HB 63		24
		SB 44		135	77-32-303	A	HB 78		38
70 40 0700	_	SB 81		149	77-36-1	Α	HB 78		38
76-10-2702	E	SB 44		135			SB 242		186
77-1-3	Α	HB 78		38	77-36-2.1	Α	HB 78		38
77-2-4.2	Α	HB 312		88	77-36-2.2	Α	SB 242		186
		HB 63		24	77-36-2.4	A	HB 78		38
		HB 78		38	77-36-2.5	Α	HB 78		38
77-2a-3	Α	HB 312		88	77-36-2.7	Α	HB 78		38
		HB 63		24	77-36-6	Α	HB 78		38
		HB 78		38	77-37-3	Α	HB 312		88
77-3a-101	Α	HB 78		38			HB 63		24
77-7-2	Α	HB 10		3	77-37-5	Α	HB 63		24
77-7-6	Α	HB 78		38	77-38-3	Α	HB 312		88
77-7-18	Α	SB 47		137			HB 63		24
A=Amended	<u> </u>	E=Enacted	d R=	Repealed	X=Repealed a	and Reenact	ed N=F	Renumbered and	Amended

		Bill	Former/	<u>Page</u>			<u>Bill</u>	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	Number	Renumbe	r <u>Number</u>	Section	<u>Action</u>	Number	Renumber	<u>Number</u>
77-38-4	Α	HB 167		64	78-3-30	N	HB 78	78A-5-108	39
77-38-5	Α	HB 78		38	78-3-31	N	HB 78	78A-5-107	39
77-38-301	E	HB 78		39	78-3-32	N	HB 78	78A-5-201	39
77-38-302	A	HB 312		88	78-3-33	N	HB 78	78A-5-202	39
77-38a-401	A	HB 63		24	78-3a-101	N	HB 78	78A-6-101	39
77-38a-404	Α	HB 78		38	78-3a-102	N	HB 78	78A-6-102	39
78-1-1	N	HB 78	78A-1-101	39	78-3a-103	A	HB 31	70,10 102	10
78-1-2	N	HB 78	78A-1-105	39		N	HB 78	78A-6-105	39
78-1-2.1	N	HB 78	78A-1-102	39	78-3a-104	A	HB 63		24
78-1-2.2	N	HB 78	78A-1-103	39		N	HB 78	78A-6-103	39
78-1-2.3	N	HB 78	78A-1-104	39	78-3a-105	N	HB 78	78A-6-104	39
78-2-1	N	HB 78	78A-3-101	39	78-3a-106	N	HB 78	78A-6-106	39
78-2-2	Α	HB 63	. 0, 1 0 . 0 .	24	78-3a-106.5	N	HB 78	78A-6-107	39
. •	N	HB 78	78A-3-102	39	78-3a-107	N	HB 78	78A-6-201	39
78-2-4	N	HB 78	78A-3-103	39	78-3a-108	N	HB 78	78A-6-202	39
78-2-4.5	N	HB 78	78A-9-101	39	78-3a-109	N	HB 78	78A-6-108	39
78-2-6	N	HB 78	78A-3-104	39	78-3a-110	N	HB 78	78A-6-109	39
78-2-7.5	N	HB 78	78A-3-105	39	78-3a-111	N	HB 78	78A-6-110	39
78-2a-1	N	HB 78	78A-4-101	39	78-3a-112	N	HB 78	78A-6-111	39
78-2a-2	N	HB 78	78A-4-102	39	78-3a-113	A	HB 63		24
78-2a-3	Α	HB 63		24		N	HB 78	78A-6-112	39
. 5 _ 5	N	HB 78	78A-4-103	39	78-3a-114	A	HB 63		24
78-2a-4	N	HB 78	78A-4-105	39		N	HB 78	78A-6-113	39
78-2a-5	N	HB 78	78A-4-104	39	78-3a-115	N	HB 78	78A-6-114	39
78-2a-6	Α	HB 63		24	78-3a-115.1	R	SB 278		190
	N	HB 78	78A-4-106	39	78-3a-116	Α	HB 63		24
78-3-3	N	HB 78	78A-5-105	39		N	HB 78	78A-6-115	39
78-3-4	Α	HB 63		24	78-3a-117	N	HB 78	78A-6-116	39
	N	HB 78	78A-5-102	39	78-3a-118	Α	HB 63		24
78-3-6	N	HB 78	78A-5-104	39		Ν	HB 78	78A-6-117	39
78-3-11.5	N	HB 78	78A-5-101	39	78-3a-119	Ν	HB 78	78A-6-118	39
78-3-12.5	N	HB 78	78A-5-109	39	78-3a-120	Ν	HB 78	78A-6-119	39
78-3-13.4	N	HB 78	78A-5-111	39	78-3a-121	Ν	HB 78	78A-6-120	39
78-3-14.2	N	HB 78	78A-5-103	39	78-3a-122	N	HB 78	78A-6-121	39
78-3-14.5	N	HB 78	78A-5-110	39	78-3a-201	N	HB 78	78A-6-203	39
78-3-17.5	R	HB 78		44	78-3a-202	N	HB 78	78A-6-204	39
78-3-18	N	HB 78	78A-2-101	39	78-3a-203	N	HB 78	78A-6-205	39
78-3-19	N	HB 78	78A-2-102	39	78-3a-204	N	HB 78	78A-6-206	39
78-3-20	N	HB 78	78A-2-103	39	78-3a-205	N	HB 78	78A-6-207	39
78-3-21	Α	SB 111		156	78-3a-206	N	HB 78	78A-6-209	39
	N	HB 78	78A-2-104	39	78-3a-207	N	HB 78	78A-6-210	39
78-3-21.5	N	HB 78	78A-2-110	39	78-3a-208	N	HB 78	78A-6-211	39
78-3-22	N	HB 78	78A-2-106	39	78-3a-209	N	HB 78	78A-6-208	39
78-3-23	N	HB 78	78A-2-105	39	78-3a-301	Α	HB 31		10
78-3-24	N	HB 78	78A-2-107	39		N	HB 78	78A-6-302	39
78-3-24.1	Α	HB 63		24	78-3a-304.5	N	HB 78	78A-6-303	39
	N	HB 78	78A-2-112	39	78-3a-305	N	HB 78	78A-6-304	39
78-3-25	N	HB 78	78A-2-108	39	78-3a-305.5	N	HB 78	78A-6-305	39
78-3-26	N	HB 78	78A-2-109	39	78-3a-306	Α	HB 31		10
78-3-27	N	HB 78	78A-2-111	39		N	HB 78	78A-6-306	39
78-3-29	N	HB 78	78A-5-106	39	78-3a-307	N	HB 78	78A-6-307	39
A=Amende	d	E=Enacte	d I	R=Repealed	X=Repealed a	nd Reenact	ed N=F	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> r <u>Number</u>	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
78-3a-307.1	Α	HB 31		10	78-3a-604	N	HB 78	78A-6-704	39
70 00 007.1	N	HB 78	78A-6-308	39	78-3a-801	A	HB 31	70,70701	10
78-3a-308	N	HB 78	78A-6-309	39	70000	N	HB 78	78A-6-1001	39
78-3a-309	N	HB 78	78A-6-310	39	78-3a-802	N	HB 78	78A-6-1002	39
78-3a-310	N	HB 78	78A-6-311	39	78-3a-804	N	HB 78	78A-6-1003	39
78-3a-311	Α	HB 31		10	78-3a-901	N	HB 78	78A-6-1101	39
	N	HB 78	78A-6-312	39	78-3a-902	N	HB 78	78A-6-1102	39
78-3a-311.5	N	HB 78	78A-6-313	39	78-3a-903	N	HB 78	78A-6-1103	39
78-3a-312	N	HB 78	78A-6-314	39	78-3a-904	A	HB 63		24
78-3a-313	N	HB 78	78A-6-315	39		N	HB 78	78A-6-1104	39
78-3a-313.5	N	HB 78	78A-6-316	39	78-3a-905	N	HB 78	78A-6-1105	39
78-3a-314	Α	HB 31		10	78-3a-906	Ν	HB 78	78A-6-1106	39
	Ν	HB 78	78A-6-317	39	78-3a-907	Ν	HB 78	78A-6-1107	39
78-3a-315	N	HB 78	78A-6-318	39	78-3a-908	N	HB 78	78A-6-1108	39
78-3a-316	N	HB 78	78A-6-319	39	78-3a-909	N	HB 78	78A-6-1109	39
78-3a-316.1	N	HB 78	78A-6-320	39	78-3a-910	N	HB 78	78A-6-1110	39
78-3a-318	Α	HB 31		10	78-3a-911	N	HB 78	78A-6-901	39
	N	HB 78	78A-6-321	39	78-3a-912	Α	HB 63		24
78-3a-319	N	HB 78	78A-6-322	39		N	HB 78	78A-6-902	39
78-3a-320	N	HB 78	78A-6-323	39	78-3a-913	Ν	HB 78	78A-6-1111	39
78-3a-321	N	HB 78	78A-6-324	39	78-3a-914	N	HB 78	78A-6-1112	39
78-3a-350	N	HB 78	78A-6-401	39	78-3a-1001	Ν	HB 78	78A-6-801	39
78-3a-401	N	HB 78	78A-6-501	39	78-3a-1002	Ν	HB 78	78A-6-802	39
78-3a-402	N	HB 78	78A-6-503	39	78-3a-1003	Ν	HB 78	78A-6-803	39
78-3a-403	Α	HB 31		10	78-3a-1004	Ν	HB 78	78A-6-804	39
	N	HB 78	78A-6-502	39	78-3a-1005	Ν	HB 78	78A-6-805	39
78-3a-404	N	HB 78	78A-6-504	39	78-3c-1	N	HB 78	77-38-201	39
78-3a-405	N	HB 78	78A-6-505	39	78-3c-2	N	HB 78	77-38-202	39
78-3a-406	N	HB 78	78A-6-506	39	78-3c-3	Ν	HB 78	77-38-203	39
78-3a-407	Α	HB 31		10	78-3c-4	Ν	HB 78	77-38-204	39
	N	HB 78	78A-6-507	39	78-3e-1	N	HB 78	53A-11-1301	39
78-3a-408	Α	HB 31		10	78-3e-2	N	HB 78	53A-11-1302	39
	N	HB 78	78A-6-508	39	78-3e-3	N	HB 78	53A-11-1303	39
78-3a-409	N	HB 78	78A-6-509	39	78-3e-4	N	HB 78	53A-11-1304	39
78-3a-410	N	HB 78	78A-6-510	39	78-3e-5	N	HB 78	53A-11-1305	39
78-3a-411	N	HB 78	78A-6-511	39	78-3g-101	N	HB 78	78B-8-102	39
78-3a-412	N	HB 78	78A-6-512	39	78-3g-102	Α	HB 63		24
78-3a-413	N	HB 78	78A-6-513	39		N	HB 78	78B-8-103	39
78-3a-414	N	HB 78	78A-6-514	39	78-3g-103	R	HB 78		44
78-3a-415	N	HB 78	78A-6-515	39	78-3h-101	N	HB 78	78B-7-201	39
78-3a-501	N	HB 78	78A-6-601	39	78-3h-102	N	HB 78	78B-7-202	39
78-3a-502	N	HB 78	78A-6-602	39	78-3h-103	N	HB 78	78B-7-203	39
78-3a-503	N	HB 78	78A-6-603	39	78-3h-104	N	HB 78	78B-7-204	39
78-3a-504	A	HB 63		24	78-3h-105	N	HB 78	78B-7-205	39
	N	HB 78	78A-6-604	39	78-3h-106	N	HB 78	78B-7-206	39
78-3a-505	A	HB 63		24	78-3h-107	N	HB 78	78B-7-207	39
	N	HB 78	78A-6-605	39	78-5-101	N	HB 78	78A-7-101	39
78-3a-506	N	HB 78	78A-6-606	39	78-5-101.5	N	HB 78	78A-7-102	39
78-3a-601	N	HB 78	78A-6-701	39	78-5-102	N	HB 78	78A-7-204	39
78-3a-602	N	HB 78	78A-6-702	39	78-5-103	N	HB 78	78A-7-105	39
78-3a-603	N	HB 78	78A-6-703	39	78-5-104	N	HB 78	78A-7-106	39
A=Amende	d	E=Enacte	d F	R=Repealed	X=Repealed a	ınd Reenact	ed N=I	Renumbered and	Amended

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumbe	<u>Page</u> r <u>Number</u>	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
78-5-105	N	HB 78	78A-7-107	39	78-7-8	N	HB 78	78A-2-212	39
78-5-106	N	HB 78	78A-7-104	39	78-7-9	N	HB 78	78A-2-227	39
78-5-106.5	N	HB 78	78A-7-210	39	78-7-9.5	N	HB 78	78A-2-225	39
78-5-107	N	HB 78	78A-7-212	39	78-7-12	N	HB 78	78A-2-210	39
78-5-108	N	HB 78	78A-7-213	39	78-7-13	N	HB 78	78A-2-209	39
78-5-109	N	HB 78	78A-7-214	39	78-7-14	N	HB 78	78A-2-204	39
78-5-110	N	HB 78	78A-7-211	39	78-7-15	N	HB 78	78A-2-205	39
78-5-111	N	HB 78	78A-7-209	39	78-7-16	N	HB 78	78A-2-219	39
78-5-113	N	HB 78	78A-7-109	39	78-7-17	N	HB 78	78A-2-218	39
78-5-116	Α	HB 63		24	78-7-17.5	N	HB 78	78A-2-220	39
	N	HB 78	78A-7-120	39	78-7-18	R	HB 78		44
78-5-116.5	Α	HB 63		24	78-7-19	N	HB 78	78A-2-226	39
	N	HB 78	78A-7-122	39	78-7-20	R	HB 78		44
78-5-116.7	N	HB 78	78A-7-301	39	78-7-21	N	HB 78	78A-2-213	39
78-5-117	N	HB 78	78A-7-114	39	78-7-22	N	HB 78	78A-2-206	39
78-5-118	N	HB 78	78A-7-116	39	78-7-23	N	HB 78	78A-2-215	39
78-5-119	N	HB 78	78A-7-117	39	78-7-24	N	HB 78	78A-2-202	39
78-5-120	N	HB 78	78A-7-118	39	78-7-25	N	HB 78	78A-2-223	39
78-5-121	N	HB 78	78A-7-110	39	78-7-32	N	HB 78	78A-2-207	39
78-5-122	N	HB 78	78A-7-111	39	78-7-33	N	HB 78	78A-2-214	39
78-5-123	N	HB 78	78A-7-112	39	78-7-34	N	HB 78	78A-2-217	39
78-5-124	N	HB 78	78A-7-113	39	78-7-35	Α	HB 63		24
78-5-125	N	HB 78	78A-7-115	39		N	HB 78	78A-2-301	39
78-5-126	N	HB 78	78A-7-119	39	78-7-35.1	N	HB 78	78A-9-102	39
78-5-127	N	HB 78	78A-7-205	39	78-7-36	N	HB 78	78A-2-302	39
78-5-128	N	HB 78	78A-7-206	39	78-7-37	N	HB 78	78A-2-304	39
78-5-129	N	HB 78	78A-7-207	39	78-7-38	N	HB 78	78A-2-305	39
78-5-130	N	HB 78	78A-7-215	39	78-7-39	N	HB 78	78A-2-306	39
78-5-132	N	HB 78	78A-7-203	39	78-7-40	N	HB 78	78A-2-307	39
78-5-134	N	HB 78	78A-7-202	39	78-7-41	N	HB 78	78A-2-308	39
78-5-135	N	HB 78	78A-7-121	39	78-7-42	N	HB 78	78A-2-309	39
78-5-135.5	N	HB 78	78A-7-108	39	78-7-43	N	HB 78	78A-2-303	39
78-5-137	N	HB 78	78A-7-201	39	78-7-44	N	HB 78	78A-2-216	39
78-5-138	N	HB 78	78A-7-208	39	78-7-45	N	HB 78	78A-2-228	39
78-5-139	N	HB 78	78A-7-103	39	78-7-46	N	HB 78	78A-2-224	39
78-5-140	N	HB 78	78A-7-123	39	78-8-101	N	HB 78	78A-11-102	39
78-6-1	N	HB 78	78A-8-102	39	78-8-102	N	HB 78	78A-11-103	39
78-6-1.5	N	HB 78	78A-8-108	39	78-8-103	N	HB 78	78A-11-105	39
78-6-6	N	HB 78	78A-8-103	39	78-8-104	N	HB 78	78A-11-106	39
78-6-8	N	HB 78	78A-8-104	39	78-8-105	N	HB 78	78A-11-107	39
78-6-10	N	HB 78	78A-8-106	39	78-8-106	N	HB 78	78A-11-108	39
78-6-14	Α	HB 63		24	78-8-107	Α	HB 63		24
	N	HB 78	78A-8-105	39		R	HB 78		44
78-6-15	N	HB 78	78A-8-107	39	78-8-108	N	HB 78	78A-11-113	39
78-7-1	N	HB 78	78A-2-222	39	78-9-101	N	HB 78	78A-9-103	39
78-7-2	N	HB 78	78A-2-221	39	78-11-1	R	HB 78		44
78-7-3	N	HB 78	78A-2-208	39	78-11-2	R	HB 78		44
78-7-4	R	HB 78		44	78-11-3	R	HB 78		44
78-7-5	N	HB 78	78A-2-201	39	78-11-4	R	HB 78		44
78-7-6	N	HB 78	78A-2-203	39	78-11-5	R	HB 78		44
78-7-7	N	HB 78	78A-2-211	39	78-11-6	N	HB 78	78B-3-102	39
A=Amended E=Enacted R=I				R=Repealed	X=Repealed	and Reenact	ed N=I	Renumbered and	Amended

Section Action Number Renumber Number Section Action Number Renumber Number 78-11-6 N HB 78 788-3-105 39 78-12-21 N HB 78 788-2-226 39 78-11-10 R HB 78 788-3-103 39 78-12-21 N HB 78 788-2-226 39 78-11-10 R HB 78 788-3-103 39 78-12-21 N HB 78 788-2-311 39 78-11-12 N HB 78 788-3-107 39 78-12-25 N HB 78 788-2-310 39 78-11-14 R HB 78 44 78-12-25 N HB 78 788-2-300 39 78-11-14 R HB 78 44 78-12-26 N HB 78 788-2-300 39 78-11-12 R HB 78 44 78-12-26 N HB 78 788-2-302 39 78-11-120 N HB 78 78-8-8-411	Bill Former/ Page			Bill	Former/	<u>Page</u>				
F8-11-7	<u>Section</u>	Action	Number	Renumber	<u>Number</u>	<u>Section</u>	Action	Number	Renumber	<u>Number</u>
78-11-18 N HB 78 78B-3-103 39 78-12-21.7 N HB 78 78B-2-211 39 78-11-11 R HB 78 44 78-12-22 N HB 78 78B-2-311 39 78-11-12 N HB 78 78B-3-107 39 78-12-24 N HB 78 78B-2-309 39 78-11-13 R HB 78 78B-3-107 39 78-12-24 N HB 78 78B-2-309 39 78-11-14 R HB 78 44 78-12-25 N HB 78 78B-2-307 39 78-11-16 R HB 78 44 78-12-26 N HB 78 78B-2-305 39 78-11-16 R HB 78 44 78-12-27 N HB 78 78B-2-304 39 78-11-18 R HB 78 78B-2-301 39 78-12-27 N HB 78 78B-2-303 39 78-11-19 N HB 78 78B-2-301 39 78-12-30	78-11-6.5	N	HB 78	78B-3-105	39	78-12-21	N	HB 78	78B-2-224	39
78-11-10 R	78-11-7	N	HB 78	78B-3-106	39	78-12-21.5	N	HB 78	78B-2-225	39
78-11-10 R HB 78 44 78-12-22 N HB 78 78B-2-309 39 78-11-12 N HB 78 78B-3-107 39 78-12-24 N HB 78 78B-2-309 39 78-11-13 R HB 78 44 78-12-25 N HB 78 78B-2-307 39 78-11-14 R HB 78 44 78-12-25 N HB 78 78B-2-306 39 78-11-15 R HB 78 44 78-12-25 N HB 78 78B-2-306 39 78-11-16 R HB 78 44 78-12-26 N HB 78 78B-2-306 39 78-11-19 R HB 78 44 78-12-28 N HB 78 78B-2-302 39 78-11-20 N HB 78 78A-6-1113 39 78-12-20 N HB 78 78B-2-302 39 78-11-20,7 N HB 78 78B-2-601 39 78-12-31 N HB 78 78B-2-3	78-11-8	N	HB 78	78B-3-103	39	78-12-21.7	N	HB 78	78B-2-226	39
78-11-11 R HB 78 78B-3-107 39 78-12-23 N HB 78 78B-2-300 39 78-11-12 N HB 78 78B-3-107 39 78-12-25 N HB 78 78B-2-307 39 78-11-13 R HB 78 44 78-12-25 N HB 78 78B-2-306 39 78-11-16 R HB 78 44 78-12-26 N HB 78 78B-2-306 39 78-11-16 R HB 78 44 78-12-27 N HB 78 78B-2-306 39 78-11-18 R HB 78 44 78-12-29 A HB 63 78B-2-302 39 78-11-19 R HB 78 78A-6-1113 39 78-12-30 N HB 78 78B-2-302 39 78-11-20.5 R SB 278 190 78-12-31 N HB 78 78B-2-301 39 78-11-21 R BB 78 78B-4-501 39 78-12-33 N H										
78-11-12 N HB 78 76B-3-107 39 78-12-24 N HB 78 78B-2-307 39 78-11-14 R HB 78 44 78-12-25 N HB 78 78B-2-308 39 78-11-15 R HB 78 44 78-12-26 N HB 78 78B-2-306 39 78-11-16 R HB 78 44 78-12-27 N HB 78 78B-2-306 39 78-11-17 R HB 78 44 78-12-28 N HB 78 78B-2-302 39 78-11-19 R HB 78 44 78-12-29 N HB 78 78B-2-302 39 78-11-20 N HB 78 78A-6-1113 39 78-12-30 N HB 78 78B-2-302 39 78-11-20 N HB 78 78B-4-6-111 39 78-12-30 N HB 78 78B-2-303 39 78-11-20 N HB 78 78B-4-6-113 39 78-12-32 N H										
78-11-13 R HB 78 44 78-12-25 N HB 78 78B-2-307 39 78-11-16 R HB 78 44 78-12-25 N HB 78 78B-2-308 39 78-11-16 R HB 78 44 78-12-27 N HB 78 78B-2-306 39 78-11-17 R HB 78 44 78-12-27 N HB 78 78B-2-306 39 78-11-18 R HB 78 44 78-12-29 A HB 63 78B-2-302 39 78-11-20 N HB 78 78B-2-311 N HB 78 78B-2-302 39 78-11-20.7 N HB 78 78-6-107.1 39 78-12-31 N HB 78 78B-2-302 39 78-11-20.7 N HB 78 78B-4-501 39 78-12-33 N HB 78 78B-2-302 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-355 N HB 78 78B-2-105				78B-3-107	39	78-12-24	N	HB 78		
78-11-14 R HB 78 HB 78 44 78-12-25.1 N HB 78 78B-2-305 39 78-11-16 R HB 78 44 78-12-26 N HB 78 78B-2-305 39 78-11-17 R HB 78 44 78-12-28 N HB 78 78B-2-304 39 78-11-19 R HB 78 44 78-12-28 N HB 78 78B-2-302 39 78-11-19 R HB 78 44 78-12-20 N HB 78 78B-2-302 39 78-11-20.5 R SB 278 190 78-12-31 N HB 78 78B-2-301 39 78-11-20.7 N HB 78 78-4-501 39 78-12-32 N HB 78 78B-2-312 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-33 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-35 N <td< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>78B-2-307</td><td></td></td<>									78B-2-307	
78-11-15 R					44		N	HB 78		
78-11-16 R HB 78 HB 78 44 78-12-27 N HB 78 78B-2-306 39 78-11-17 R HB 78 44 78-12-28 N HB 78 78B-2-304 39 78-11-19 R HB 78 44 78-12-28 N HB 78 78B-2-302 39 78-11-20.5 R HB 78 78A-6-1113 39 78-12-20 N HB 78 78B-2-301 39 78-11-20.5 R SB 278 190 78-12-31 N HB 78 78B-2-301 39 78-11-20.7 N HB 78 786-6-107.1 39 78-12-31 N HB 78 78B-2-301 39 78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-116 39 78-11-22 N HB 78 78B-4-501 39 78-12-36 N HB 78 78B-2-116 39 78-11-23 N HB 78 78B-2-106 39 78-12-36	78-11-15				44	78-12-26	N	HB 78		
78-11-17 R HB 78 44 78-12-28 N HB 78 78-2-304 39 78-11-19 R HB 78 44 78-12-29 A HB 63 78-2-302 39 78-11-19 R HB 78 78A-6-1113 39 78-12-30 N HB 78 78B-2-302 39 78-11-20.7 N HB 78 786-6-107.1 39 78-12-32 N HB 78 78B-2-301 39 78-11-20.7 N HB 78 76-6-107.1 39 78-12-33 N HB 78 78B-2-3112 39 78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-116 39 78-11-21 N HB 78 78B-4-501 39 78-12-35 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-504 39 78-12-35 N HB 78 78B-2-106 39 78-11-24 R HB 78 78B-4-504 39 <td>78-11-16</td> <td>R</td> <td>HB 78</td> <td></td> <td>44</td> <td>78-12-27</td> <td>N</td> <td>HB 78</td> <td>78B-2-306</td> <td>39</td>	78-11-16	R	HB 78		44	78-12-27	N	HB 78	78B-2-306	39
78-11-18 R HB 78 44 78-12-29 A HB 63 24 78-11-19 R HB 78 44 N N HB 78 78B-2-302 39 78-11-20.5 R SB 278 190 78-12-31 N HB 78 78B-2-301 39 78-11-20.7 N HB 78 76-6-107.1 39 78-12-31 N HB 78 78B-2-301 39 78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-312 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-33 N HB 78 78B-2-115 39 78-11-22.1 N HB 78 78B-4-504 39 78-12-36 N HB 78 78B-2-104 39 78-11-23.2 N HB 78 78B-4-504 39 78-12-37 N HB 78 78B-2-104 39 78-11-25.2 N HB 78 78B-2-104 39 78-12-37 N	78-11-17		HB 78		44	78-12-28	N	HB 78		
78-11-19 R HB 78 78A-6-1113 39 78-12-30 N HB 78 78B-2-302 39 78-11-20.5 R SB 278 190 78-12-31 N HB 78 78B-2-301 39 78-11-20.7 N HB 78 76-6-107.1 39 78-12-32 N HB 78 78B-2-312 39 78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-312 39 78-11-22 N HB 78 78B-4-501 39 78-12-33.5 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-502 39 78-12-35 N HB 78 78B-2-104 39 78-11-23 R HB 78 78B-4-504 39 78-12-35 N HB 78 78B-2-103 39 78-11-24 R HB 78 78B-4-504 39 78-12-33 N HB 78 78B-2-103 39 78-11-24 N HB 78 78B					44	78-12-29				
78-11-20. N HB 78 78A-6-1113 39 78-12-30 N HB 78 78B-2-303 39 78-11-20.7 N HB 78 76-6-107.1 39 78-12-32 N HB 78 78B-2-312 39 78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-115 39 78-11-22 N HB 78 78B-4-501 39 78-12-35 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-35 N HB 78 78B-2-104 39 78-11-22.1 N HB 78 78B-4-504 39 78-12-36 N HB 78 78B-2-108 39 78-11-22 N HB 78 78B-4-504 39 78-12-38 N HB 78 78B-2-106 39 78-11-24 R HB 78 78B-3-100 39 78-12-38 N HB 78 78B-2-105 39 78-11-27 N HB	78-11-19		HB 78		44		N		78B-2-302	39
78-11-20.7 N HB 78 76-6-107.1 39 78-12-32 N HB 78 78B-2-115 39 78-11-22 N HB 78 78B-4-501 39 78-12-33.5 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-502 39 78-12-35 N HB 78 78B-2-104 39 78-11-22.2 N HB 78 78B-4-502 39 78-12-35 N HB 78 78B-2-104 39 78-11-22.2 N HB 78 78B-4-504 39 78-12-37 N HB 78 78B-2-105 39 78-11-24 R HB 78 44 78-12-37 N HB 78 78B-2-106 39 78-11-25 R HB 78 78B-1-132 39 78-12-30 N HB 78 78B-2-106 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-111 39 78-12-12 N HB	78-11-20	N	HB 78	78A-6-1113	39	78-12-30	Ν	HB 78		39
78-11-21 R SB 278 190 78-12-33 N HB 78 78B-2-115 39 78-11-22.1 N HB 78 78B-4-501 39 78-12-35 N HB 78 78B-2-104 39 78-11-22.2 N HB 78 78B-4-504 39 78-12-36 N HB 78 78B-2-108 39 78-11-23 R HB 78 44 78-12-36 N HB 78 78B-2-105 39 78-11-24 R HB 78 44 78-12-37 N HB 78 78B-2-105 39 78-11-25 R HB 78 44 78-12-39 N HB 78 78B-2-107 39 78-11-27 N HB 78 78B-1-132 39 78-12-41 N HB 78 78B-2-107 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-102 39 78-12-42 N HB 78 78B-2-103 39 78-12-1	78-11-20.5	R	SB 278		190	78-12-31	N	HB 78	78B-2-301	39
78-11-22 N HB 78 78B-4-501 39 78-12-33.5 N HB 78 78B-2-116 39 78-11-22.1 N HB 78 78B-4-502 39 78-12-35 N HB 78 78B-2-108 39 78-11-22.2 N HB 78 78B-4-504 39 78-12-37 N HB 78 78B-2-105 39 78-11-23 R HB 78 44 78-12-37 N HB 78 78B-2-105 39 78-11-25 R HB 78 44 78-12-38 N HB 78 78B-2-107 39 78-11-26 N HB 78 78B-3-110 39 78-12-40 N HB 78 78B-2-107 39 78-11-27 N HB 78 78B-3-110 39 78-12-40 N HB 78 78B-2-112 39 78-12-12 N HB 78 78B-2-201 39 78-12-42 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-201 <td>78-11-20.7</td> <td>N</td> <td>HB 78</td> <td>76-6-107.1</td> <td>39</td> <td>78-12-32</td> <td>N</td> <td>HB 78</td> <td>78B-2-312</td> <td>39</td>	78-11-20.7	N	HB 78	76-6-107.1	39	78-12-32	N	HB 78	78B-2-312	39
78-11-22.1 N HB 78 78B-4-502 39 78-12-35 N HB 78 78B-2-104 39 78-11-22.2 N HB 78 78B-4-504 39 78-12-36 N HB 78 78B-2-105 39 78-11-23 R HB 78 44 78-12-38 N HB 78 78B-2-106 39 78-11-26 R HB 78 44 78-12-38 N HB 78 78B-2-106 39 78-11-27 N HB 78 78B-1-132 39 78-12-40 N HB 78 78B-2-111 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-101 39 78-12-12 N HB 78 78B-2-505 39 78-12-41 N HB 78 78B-2-103 39 78-12-12 N HB 78 78B-2-201 39 78-12-43 N HB 78 78B-2-103 39 78-12-2 N HB 78 78B-2-201	78-11-21	R	SB 278		190	78-12-33	N	HB 78	78B-2-115	39
78-11-22.2 N HB 78 78B-4-504 39 78-12-36 N HB 78 78B-2-108 39 78-11-23 R HB 78 44 78-12-37 N HB 78 78B-2-105 39 78-11-24 R HB 78 44 78-12-39 N HB 78 78B-2-107 39 78-11-25 R HB 78 78B-1-132 39 78-12-39 N HB 78 78B-2-107 39 78-11-26 N HB 78 78B-3-110 39 78-12-40 N HB 78 78B-2-102 39 78-11-28 N HB 78 78B-3-100 39 78-12-41 N HB 78 78B-2-109 39 78-12-1 N HB 78 78B-2-102 39 78-12-42 N HB 78 78B-2-110 39 78-12-1 N HB 78 78B-2-201 39 78-12-44 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-201	78-11-22	N	HB 78	78B-4-501	39	78-12-33.5	N	HB 78	78B-2-116	39
78-11-23 R HB 78 44 78-12-37 N HB 78 78-2-105 39 78-11-24 R HB 78 44 78-12-38 N HB 78 78-2-106 39 78-11-26 N HB 78 78-1-132 39 78-12-39 N HB 78 78B-2-107 39 78-11-26 N HB 78 78B-3-110 39 78-12-40 N HB 78 78B-2-111 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-112 39 78-11-28 N HB 78 78B-2-102 39 78-12-41 N HB 78 78B-2-110 39 78-12-1 N HB 78 78B-2-201 39 78-12-44 N HB 78 78B-2-110 39 78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-5 N HB 78 78B-2-204	78-11-22.1	N	HB 78	78B-4-502	39	78-12-35	Ν	HB 78	78B-2-104	39
78-11-24 R HB 78 44 78-12-38 N HB 78 78B-2-106 39 78-11-26 N HB 78 78B-1-132 39 78-12-39 N HB 78 78B-2-107 39 78-11-26 N HB 78 78B-3-110 39 78-12-40 N HB 78 78B-2-111 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-112 39 78-12-1 N HB 78 78B-2-102 39 78-12-43 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-101 39 78-12-43 N HB 78 78B-2-103 39 78-12-2 N HB 78 78B-2-201 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-201 39 78-12-45 N HB 78 78B-2-113 39 78-12-5.1 N HB 78	78-11-22.2	N	HB 78	78B-4-504	39	78-12-36	N	HB 78	78B-2-108	39
78-11-25 R HB 78 78-11-32 39 78-12-40 N HB 78 78B-2-107 39 78-11-26 N HB 78 78B-1-132 39 78-12-40 N HB 78 78B-2-111 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-112 39 78-11-28 N HB 78 78B-2-102 39 78-12-43 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-202 39 78-12-44 N HB 78 78B-2-113 39 78-12-3 N HB 78 78B-2-202 39 78-12-44 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-45 N HB 78 78B-2-103 39 78-12-5 N HB 78 78B-2-203 39 78-12-47 N HB 78 78B-2-114 39 78-12-5 N	78-11-23	R	HB 78		44	78-12-37	N	HB 78	78B-2-105	39
78-11-26 N HB 78 78B-1-132 39 78-12-40 N HB 78 78B-2-111 39 78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-112 39 78-11-28 N HB 78 78B-2-102 39 78-12-42 N HB 78 78B-2-109 39 78-12-1 N HB 78 78B-2-102 39 78-12-43 N HB 78 78B-2-110 39 78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-5 N HB 78 78B-2-204 39 78-12-46 R HB 78 78B-2-117 39 78-12-5 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.1 N	78-11-24	R	HB 78		44	78-12-38	N	HB 78	78B-2-106	39
78-11-27 N HB 78 78B-3-110 39 78-12-41 N HB 78 78B-2-112 39 78-11-28 N HB 78 78B-4-505 39 78-12-42 N HB 78 78B-2-109 39 78-12-1 N HB 78 78B-2-201 39 78-12-43 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-201 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-103 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-47 N HB 78 78B-2-111 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-41 N HB 78 78B-2-111 39 78-12-5.1 N	78-11-25	R	HB 78		44	78-12-39	N	HB 78	78B-2-107	39
78-11-28 N HB 78 78B-4-505 39 78-12-42 N HB 78 78B-2-109 39 78-12-1 N HB 78 78B-2-102 39 78-12-43 N HB 78 78B-2-113 39 78-12-2 N HB 78 78B-2-201 39 78-12-45 N HB 78 78B-2-103 39 78-12-3 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-103 39 78-12-5 N HB 78 78B-2-204 39 78-12-47 N HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.3 N HB 78 78B-2-201 39 78-12-2 N HB 78 78B-8-301 39 78-12-7 N	78-11-26	N	HB 78	78B-1-132	39	78-12-40	N	HB 78	78B-2-111	39
78-12-1 N HB 78 78B-2-102 39 78-12-43 N HB 78 78B-2-110 39 78-12-2 N HB 78 78B-2-201 39 78-12-44 N HB 78 78B-2-113 39 78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-114 39 78-12-5 N HB 78 78B-2-205 39 78-12-47 N HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12-48 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-207 39 78-12-2 N HB 78 78B-8-301 39 78-12-12. N	78-11-27	N	HB 78	78B-3-110	39	78-12-41	N	HB 78	78B-2-112	39
78-12-2 N HB 78 78B-2-201 39 78-12-44 N HB 78 78B-2-113 39 78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 44 78-12-5 N HB 78 78B-2-204 39 78-12-47 N HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12a-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-206 39 78-12a-2 N HB 78 78B-8-302 39 78-12-5.3 N HB 78 78B-2-207 39 78-12a-2 N HB 78 78B-8-302 39 78-12-7 N HB 78	78-11-28	N	HB 78	78B-4-505	39	78-12-42	N	HB 78	78B-2-109	39
78-12-3 N HB 78 78B-2-202 39 78-12-45 N HB 78 78B-2-103 39 78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-206 39 78-12-2 N HB 78 78B-8-301 39 78-12-6 N HB 78 78B-2-207 39 78-12-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12-4 N HB 78 78B-8-301 39 78-12-71 N	78-12-1	N	HB 78	78B-2-102	39	78-12-43	N	HB 78	78B-2-110	39
78-12-4 N HB 78 78B-2-203 39 78-12-46 R HB 78 78B-2-114 39 78-12-5 N HB 78 78B-2-204 39 78-12-47 N HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-206 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12a-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-201 39 78-12a-2 N HB 78 78B-8-302 39 78-12-6 N HB 78 78B-2-207 39 78-12a-3 N HB 78 78B-8-302 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-303 39 78-12-7.1 N HB 78 78B-2-210 39 78-13-1 N HB 78 78B-3-301 39 78-12-10.1 N <td>78-12-2</td> <td>N</td> <td>HB 78</td> <td>78B-2-201</td> <td>39</td> <td>78-12-44</td> <td>N</td> <td>HB 78</td> <td>78B-2-113</td> <td>39</td>	78-12-2	N	HB 78	78B-2-201	39	78-12-44	N	HB 78	78B-2-113	39
78-12-5 N HB 78 78B-2-204 39 78-12-47 N HB 78 78B-2-114 39 78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-101 39 78-12a-2 N HB 78 78B-8-302 39 78-12-6 N HB 78 78B-2-207 39 78-12a-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-303 39 78-12-71 N HB 78 78B-2-208 39 78-13a-1 N HB 78 78B-8-301 39 78-12-71 N HB 78 78B-2-201 39 78-13a-1 N HB 78 78B-3-301 39 78-12-9 N	78-12-3	N	HB 78	78B-2-202	39	78-12-45	N	HB 78	78B-2-103	39
78-12-5.1 N HB 78 78B-2-205 39 78-12-48 N HB 78 78B-2-117 39 78-12-5.2 N HB 78 78B-2-206 39 78-12a-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-207 39 78-12a-2 N HB 78 78B-8-302 39 78-12-6 N HB 78 78B-2-208 39 78-12a-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-304 39 78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-10 N HB 78 78B-2-211 39 78-13-4 N HB 78 78B-3-303 39 78-12-11 N	78-12-4	N	HB 78	78B-2-203	39	78-12-46	R	HB 78		44
78-12-5.2 N HB 78 78B-2-206 39 78-12a-1 N HB 78 78B-8-301 39 78-12-5.3 N HB 78 78B-2-101 39 78-12a-2 N HB 78 78B-8-302 39 78-12-6 N HB 78 78B-2-207 39 78-12a-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-304 39 78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-1 N HB 78 78B-3-301 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-302 39 78-12-10 N HB 78 78B-2-213 39 78-13-4 N HB 78 78B-3-303 39 78-12-11 N	78-12-5	N	HB 78	78B-2-204	39	78-12-47	N	HB 78	78B-2-114	39
78-12-5.3 N HB 78 78B-2-101 39 78-12a-2 N HB 78 78B-8-302 39 78-12-6 N HB 78 78B-2-207 39 78-12a-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-304 39 78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-302 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N	78-12-5.1	N	HB 78	78B-2-205	39	78-12-48	N	HB 78	78B-2-117	39
78-12-6 N HB 78 78B-2-207 39 78-12a-3 N HB 78 78B-8-303 39 78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-304 39 78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-303 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-307 39 78-12-13 N	78-12-5.2	N	HB 78	78B-2-206	39	78-12a-1	N	HB 78	78B-8-301	39
78-12-7 N HB 78 78B-2-208 39 78-12a-4 N HB 78 78B-8-304 39 78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-303 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N	78-12-5.3	N	HB 78	78B-2-101	39	78-12a-2	N	HB 78	78B-8-302	39
78-12-7.1 N HB 78 78B-2-209 39 78-13-1 N HB 78 78B-3-301 39 78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-303 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-215 39 78-13-6 N HB 78 78B-3-306 39 78-12-13 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-14 N	78-12-6	N	HB 78	78B-2-207	39	78-12a-3	N	HB 78	78B-8-303	39
78-12-8 N HB 78 78B-2-210 39 78-13-2 N HB 78 78B-3-302 39 78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-303 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-307 39 78-12-14 N HB 78 78B-2-217 39 78-13-8 N HB 78 78B-3-309 39 78-12-15 N	78-12-7	N	HB 78	78B-2-208	39	78-12a-4	N	HB 78	78B-8-304	39
78-12-9 N HB 78 78B-2-211 39 78-13-3 N HB 78 78B-3-303 39 78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-8 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-311 39 78-12-16 N	78-12-7.1	N	HB 78	78B-2-209	39	78-13-1	N	HB 78	78B-3-301	39
78-12-10 N HB 78 78B-2-212 39 78-13-4 N HB 78 78B-3-304 39 78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-8 N HB 78 78B-3-308 39 78-12-15 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-311 39 78-12-16 N	78-12-8	N	HB 78	78B-2-210	39	78-13-2	N	HB 78	78B-3-302	39
78-12-11 N HB 78 78B-2-213 39 78-13-5 N HB 78 78B-3-305 39 78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N	78-12-9	N	HB 78	78B-2-211	39	78-13-3	N	HB 78	78B-3-303	39
78-12-12 N HB 78 78B-2-214 39 78-13-6 N HB 78 78B-3-306 39 78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N	78-12-10	N	HB 78	78B-2-212	39	78-13-4	N	HB 78	78B-3-304	39
78-12-12.1 N HB 78 78B-2-215 39 78-13-7 N HB 78 78B-3-307 39 78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-11	N	HB 78	78B-2-213	39	78-13-5	N	HB 78	78B-3-305	39
78-12-13 N HB 78 78B-2-216 39 78-13-8 N HB 78 78B-3-308 39 78-12-14 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-12	N	HB 78	78B-2-214	39	78-13-6	N	HB 78	78B-3-306	39
78-12-14 N HB 78 78B-2-217 39 78-13-9 N HB 78 78B-3-309 39 78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-12.1	N	HB 78	78B-2-215		78-13-7	N	HB 78	78B-3-307	39
78-12-15 N HB 78 78B-2-218 39 78-13-10 N HB 78 78B-3-310 39 78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-13	N	HB 78	78B-2-216	39	78-13-8	N	HB 78	78B-3-308	39
78-12-16 N HB 78 78B-2-219 39 78-13-11 N HB 78 78B-3-311 39 78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-14	N	HB 78	78B-2-217		78-13-9	N	HB 78	78B-3-309	39
78-12-17 N HB 78 78B-2-220 39 78-14-1 N HB 78 78B-3-401 39 78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39		N	HB 78							
78-12-18 N HB 78 78B-2-221 39 78-14-2 N HB 78 78B-3-402 39 78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-16	N	HB 78	78B-2-219	39	78-13-11	N	HB 78	78B-3-311	39
78-12-19 N HB 78 78B-2-222 39 78-14-3 N HB 78 78B-3-403 39	78-12-17			78B-2-220			N		78B-3-401	
				78B-2-221			N			
78-12-20 N HB 78 78B-2-223 39 78-14-4 N HB 78 78B-3-404 39	78-12-19			78B-2-222		78-14-3	N			
	78-12-20	N	HB 78	78B-2-223	39	78-14-4	N	HB 78	78B-3-404	39
A=Amended E=Enacted R=Repealed X=Repealed and Reenacted N=Renumbered and Amended	A=Amended E=Enacted R=Repealed			R=Repealed	X=Repealed a	and Reenact	ted N=I	Renumbered and	Amended	

<u>Section</u>	Action	<u>Bill</u> Number	Former/ Renumbe	_	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>
78-14-4.5	N	HB 78	78B-3-405	39	78-22-4	N	HB 78	78B-5-206	39
78-14-5	N	HB 78	78B-3-406	39	78-22a-1	Ν	HB 78	78B-5-301	39
78-14-5.5	N	HB 78	78B-3-407	39	78-22a-2	Ν	HB 78	78B-5-302	39
78-14-6	N	HB 78	78B-3-408	39	78-22a-3	N	HB 78	78B-5-303	39
78-14-7	N	HB 78	78B-3-409	39	78-22a-4	Ν	HB 78	78B-5-304	39
78-14-7.1	N	HB 78	78B-3-410	39	78-22a-5	Ν	HB 78	78B-5-305	39
78-14-7.5	N	HB 78	78B-3-411	39	78-22a-6	Ν	HB 78	78B-5-306	39
78-14-8	N	HB 78	78B-3-412	39	78-22a-8	Ν	HB 78	78B-5-307	39
78-14-9	N	HB 78	78B-3-413	39	78-22b-101	Ν	HB 78	78B-5-401	39
78-14-9.5	N	HB 78	78B-3-414	39	78-22b-102	Ν	HB 78	78B-5-402	39
78-14-10	N	HB 78	78B-3-415	39	78-22b-103	Ν	HB 78	78B-5-403	39
78-14-11	R	HB 78		44	78-22b-104	Ν	HB 78	78B-5-404	39
78-14-12	Α	HB 63		24	78-22b-105	Ν	HB 78	78B-5-405	39
	N	HB 78	78B-3-416	39	78-22b-106	Ν	HB 78	78B-5-406	39
78-14-13	N	HB 78	78B-3-417	39	78-22b-107	Ν	HB 78	78B-5-407	39
78-14-14	N	HB 78	78B-3-418	39	78-22b-108	Ν	HB 78	78B-5-408	39
78-14-15	N	HB 78	78B-3-419	39	78-22b-109	Ν	HB 78	78B-5-409	39
78-14-16	N	HB 78	78B-3-420	39	78-22b-110	Ν	HB 78	78B-5-410	39
78-14-17	N	HB 78	78B-3-421	39	78-22b-111	Ν	HB 78	78B-5-411	39
78-14-18	N	HB 78	78B-3-422	39	78-22b-112	Ν	HB 78	78B-5-412	39
78-14a-101	N	HB 78	78B-3-501	39	78-22b-113	Ν	HB 78	78B-5-413	39
78-14a-102	N	HB 78	78B-3-502	39	78-22b-114	Ν	HB 78	78B-5-414	39
78-15-1	N	HB 78	78B-6-701	39	78-22b-115	Ν	HB 78	78B-5-415	39
78-15-3	N	HB 78	78B-6-706	39	78-22b-116	Ν	HB 78	78B-5-416	39
78-15-4	N	HB 78	78B-6-704	39	78-23-1	Ν	HB 78	78B-5-501	39
78-15-5	N	HB 78	78B-6-705	39	78-23-2	Ν	HB 78	78B-5-502	39
78-15-6	N	HB 78	78B-6-703	39	78-23-3	Ν	HB 78	78B-5-503	39
78-15-7	N	HB 78	78B-6-707	39	78-23-4	Α	SB 111		156
78-17-1	N	HB 78	78B-3-601	39		Ν	HB 78	78B-5-504	39
78-17-2	N	HB 78	78B-3-602	39	78-23-5	Ν	HB 78	78B-5-505	39
78-17-3	Α	HB 63		24	78-23-8	Ν	HB 78	78B-5-506	39
	N	HB 78	78B-3-603	39	78-23-9	Ν	HB 78	78B-5-507	39
78-17-4	N	HB 78	78B-3-604	39	78-23-10	Ν	HB 78	78B-5-508	39
78-18-1	N	HB 78	78B-8-201	39	78-23-11	Ν	HB 78	78B-5-509	39
78-18-1.5	N	HB 78	78B-8-202	39	78-23-12	Ν	HB 78	78B-5-510	39
78-18-2	N	HB 78	78B-8-203	39	78-23-13	Ν	HB 78	78B-5-511	39
78-19-1	Α	HB 63		24	78-23-14	Ν	HB 78	78B-5-512	39
	N	HB 78	78B-4-101	39	78-23-15	Ν	HB 78	78B-5-513	39
78-19-2	N	HB 78	78B-4-102	39	78-24-1	Ν	HB 78	78B-1-128	39
78-19-3	N	HB 78	78B-4-103	39	78-24-2	N	HB 78	78B-1-127	39
78-20-101	N	HB 78	78B-3-701	39	78-24-3	Ν	HB 78	78B-1-133	39
78-20-102	N	HB 78	78B-3-702	39	78-24-4	Ν	HB 78	78B-1-146	39
78-20-103	N	HB 78	78B-3-703	39	78-24-5	Ν	HB 78	78B-1-129	39
78-21-1	N	HB 78	78B-5-101	39	78-24-6	N	HB 78	78B-1-130	39
78-21-2	N	HB 78	78B-5-102	39	78-24-7	Ν	HB 78	78B-1-131	39
78-21-3	N	HB 78	78B-5-103	39	78-24-8	Ν	HB 78	78B-1-137	39
78-22-1	N	HB 78	78B-5-202	39	78-24-9	N	HB 78	78B-1-134	39
78-22-1.1	N	HB 78	78B-5-203	39	78-24-10	N	HB 78	78B-1-135	39
78-22-1.5	N	HB 78	78B-5-201	39	78-24-11	N	HB 78	78B-1-136	39
78-22-2	N	HB 78	78B-5-204	39	78-24-12	N	HB 78	78B-1-138	39
78-22-3	N	HB 78	78B-5-205	39	78-24-13	N	HB 78	78B-1-139	39
A=Amende	d	E=Enacte	d	R=Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	Page Number	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
78-24-14	N	HB 78	78B-1-140	39	78-27-17	N	HB 78	78B-5-810	39
78-24-14 78-24-15	N	HB 78	78B-1-141	39	78-27-17	N	HB 78	78B-5-811	39
78-24-16	N	HB 78	78B-1-142	39	78-27-10	N	HB 78	78B-3-203	39
78-24-10 78-24-17	N	HB 78	78B-1-143	39	78-27-20	N	HB 78	78B-3-204	39 39
78-24-17 78-24-18	N	HB 78	78B-1-144	39	78-27-21	N	HB 78	78B-3-201	39
78-24-10 78-24-19	N	HB 78	78B-1-145	39	78-27-23	N	HB 78	78B-3-202	39
78-24-19 78-24-20	N	HB 78	78B-1-152	39	78-27-24	N	HB 78	78B-3-205	39
78-24a-1	N	HB 78	78B-1-201	39	78-27-25	N	HB 78	78B-3-206	39
78-24a-2	N	HB 78	78B-1-202	39	78-27-26	N	HB 78	78B-3-207	39
78-24a-3	N	HB 78	78B-1-203	39	78-27-27	N	HB 78	78B-3-208	39
78-24a-4	N	HB 78	78B-1-204	39	78-27-28	N	HB 78	78B-3-209	39
78-24a-5	N	HB 78	78B-1-205	39	78-27-32	N	HB 78	78B-5-812	39
78-24a-6	N	HB 78	78B-1-206	39	78-27-33	N	HB 78	78B-5-813	39
78-24a-7	N	HB 78	78B-1-207	39	78-27-34	N	HB 78	78B-5-814	39
78-24a-8	N	HB 78	78B-1-208	39	78-27-35	N	HB 78	78B-5-815	39
78-24a-9	N	HB 78	78B-1-209	39	78-27-36	N	HB 78	78B-5-816	39
78-24a-10	N	HB 78	78B-1-210	39	78-27-37	Α	HB 63		24
78-24a-11	N	HB 78	78B-1-211	39	102101	N	HB 78	78B-5-817	39
78-25-2	N	HB 78	78B-5-601	39	78-27-38	N	HB 78	78B-5-818	39
78-25-3	N	HB 78	78B-5-602	39	78-27-39	N	HB 78	78B-5-819	39
78-25-4	N	HB 78	78B-5-603	39	78-27-40	N	HB 78	78B-5-820	39
78-25-5	N	HB 78	78B-5-604	39	78-27-41	N	HB 78	78B-5-821	39
78-25-6	N	HB 78	78B-5-605	39	78-27-42	N	HB 78	78B-5-822	39
78-25-7	N	HB 78	78B-5-606	39	78-27-43	A	HB 63		24
78-25-8	N	HB 78	78B-5-607	39		N	HB 78	78B-5-823	39
78-25-9	N	HB 78	78B-5-608	39	78-27-44	N	HB 78	78B-5-824	39
78-25-10	N	HB 78	78B-5-609	39	78-27-45	N	HB 78	7-1-1001	39
78-25-11	N	HB 78	78B-5-610	39	78-27-46	N	HB 78	7-1-1002	39
78-25-12	N	HB 78	78B-5-611	39	78-27-47	N	HB 78	7-1-1003	39
78-25-13	N	HB 78	78B-5-612	39	78-27-48	N	HB 78	7-1-1004	39
78-25-14	R	HB 78		44	78-27-49	N	HB 78	7-1-1005	39
78-25-15	N	HB 78	78B-5-614	39	78-27-50	N	HB 78	7-1-1006	39
78-25-16	N	HB 78	78B-5-615	39	78-27-50.5	N	HB 78	7-1-1007	39
78-25-16.5	N	HB 78	78B-5-616	39	78-27-51	N	HB 78	78B-4-401	39
78-25-17	N	HB 78	78B-5-617	39	78-27-52	N	HB 78	78B-4-402	39
78-25-25	N	HB 78	78B-5-618	39	78-27-53	N	HB 78	78B-4-403	39
78-25-26	N	HB 78	78B-5-619	39	78-27-54	N	HB 78	78B-4-404	39
78-26-4	N	HB 78	78B-5-801	39	78-27-56	N	HB 78	78B-5-825	39
78-26-5	N	HB 78	78B-5-701	39	78-27-56.5	N	HB 78	78B-5-826	39
78-26-6	N	HB 78	78B-5-702	39	78-27-57	N	HB 78	78B-5-827	39
78-26-7	N	HB 78	78B-5-703	39	78-27-59	N	HB 78	78B-4-503	39
78-26-8	N	HB 78	78B-5-704	39	78-27-60	N	HB 78	78B-4-506	39
78-27-1	N	HB 78	78B-5-802	39	78-27-61	N	HB 78	78B-4-507	39
78-27-2	N	HB 78	78B-5-803	39	78-27-62	N	HB 78	78B-4-508	39
78-27-3	R	HB 78		44	78-27-63	N	HB 78	78B-4-509	39
78-27-4	N	HB 78	78B-5-804	39	78-27-64	N	HB 78	78B-4-511	39
78-27-12	N	HB 78	78B-5-805	39	78-27-65	N	HB 78	78B-4-510	39
78-27-13	N	HB 78	78B-5-806	39	78-27a-1	N	HB 78	78B-8-501	39
78-27-14	N	HB 78	78B-5-807	39	78-27a-2	N	HB 78	78B-8-502	39
78-27-15	N	HB 78	78B-5-808	39	78-27a-3	N	HB 78	78B-8-503	39
78-27-16	N	HB 78	78B-5-809	39	78-27a-4	N	HB 78	78B-8-504	39
A=Amende	d	E=Enacte	d F	R=Repealed	X=Repealed a	and Reenact	ed N=	Renumbered and	Amended

Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> r <u>Number</u>	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
78-27a-5	N	HB 78	78B-8-505	39	78-30-11	N	HB 78	78B-6-138	39
78-27a-6	Α	HB 63		24	78-30-14	N	HB 78	78B-6-135	39
	N	HB 78	78B-8-506	39	78-30-14.5	R	HB 78	. 02 0 .00	44
78-27b-101	N	HB 78	78B-4-201	39	78-30-15	N	HB 78	78B-6-141	39
78-27b-102	N	HB 78	78B-4-202	39	78-30-15.1	N	HB 78	78B-6-107	39
78-27b-103	N	HB 78	78B-4-203	39	78-30-15.5	N	HB 78	78B-6-140	39
78-27d-101	N	HB 78	78B-4-301	39	78-30-16	R	HB 78		44
78-27d-102	N	HB 78	78B-4-302	39	78-30-17	N	HB 78	78B-6-143	39
78-27d-103	N	HB 78	78B-4-303	39	78-30-18	N	HB 78	78B-6-144	39
78-27d-104	N	HB 78	78B-4-304	39	78-30-19	Ν	HB 78	78B-6-145	39
78-27d-105	N	HB 78	78B-4-305	39	78-31a-101	Ν	HB 78	78B-11-101	39
78-27d-106	N	HB 78	78B-4-306	39	78-31a-102	Ν	HB 78	78B-11-102	39
78-28-1	N	HB 78	78A-2-501	39	78-31a-103	Ν	HB 78	78B-11-103	39
78-28-2	N	HB 78	78A-2-502	39	78-31a-104	Ν	HB 78	78B-11-104	39
78-29-101	N	HB 78	78B-8-401	39	78-31a-105	Ν	HB 78	78B-11-105	39
78-29-102	N	HB 78	78B-8-402	39	78-31a-106	Ν	HB 78	78B-11-106	39
78-29-103	N	HB 78	78B-8-403	39	78-31a-107	Ν	HB 78	78B-11-107	39
78-29-104	N	HB 78	78B-8-404	39	78-31a-108	Ν	HB 78	78B-11-108	39
78-29-105	N	HB 78	78B-8-405	39	78-31a-109	Ν	HB 78	78B-11-109	39
78-30-1	N	HB 78	78B-6-115	39	78-31a-110	Ν	HB 78	78B-11-110	39
78-30-1.1	R	HB 78		44	78-31a-111	Ν	HB 78	78B-11-111	39
78-30-1.2	N	HB 78	78B-6-116	39	78-31a-112	Ν	HB 78	78B-11-112	39
78-30-1.5	N	HB 78	78B-6-102	39	78-31a-113	Ν	HB 78	78B-11-113	39
78-30-1.6	N	HB 78	78B-6-132	39	78-31a-114	Ν	HB 78	78B-11-114	39
78-30-2	N	HB 78	78B-6-118	39	78-31a-115	Ν	HB 78	78B-11-115	39
78-30-3	N	HB 78	78B-6-114	39	78-31a-116	Ν	HB 78	78B-11-116	39
78-30-3.3	N	HB 78	78B-6-119	39	78-31a-117	Ν	HB 78	78B-11-117	39
78-30-3.5	R	HB 78		44	78-31a-118	Ν	HB 78	78B-11-118	39
78-30-3.6	N	HB 78	78B-6-113	39	78-31a-119	Ν	HB 78	78B-11-119	39
78-30-4.12	R	HB 78		44	78-31a-120	Ν	HB 78	78B-11-120	39
78-30-4.13	N	HB 78	78B-6-110	39	78-31a-121	Ν	HB 78	78B-11-121	39
78-30-4.14	R	HB 78		44	78-31a-122	Ν	HB 78	78B-11-122	39
78-30-4.15	N	HB 78	78B-6-106	39	78-31a-123	Ν	HB 78	78B-11-123	39
78-30-4.16	N	HB 78	78B-6-133	39	78-31a-124	Ν	HB 78	78B-11-124	39
78-30-4.17	N	HB 78	78B-6-127	39	78-31a-125	Ν	HB 78	78B-11-125	39
78-30-4.18	N	HB 78	78B-6-124	39	78-31a-126	Ν	HB 78	78B-11-126	39
78-30-4.19	N	HB 78	78B-6-125	39	78-31a-127	Ν	HB 78	78B-11-127	39
78-30-4.20	N	HB 78	78B-6-126	39	78-31a-128	Ν	HB 78	78B-11-128	39
78-30-4.21	N	HB 78	78B-6-123	39	78-31a-129	Ν	HB 78	78B-11-129	39
78-30-4.22	N	HB 78	78B-6-134	39	78-31a-130	Ν	HB 78	78B-11-130	39
78-30-4.23	N	HB 78	78B-6-111	39	78-31a-131	Ν	HB 78	78B-11-131	39
78-30-4.24	N	HB 78	78B-6-109	39	78-31b-1	N	HB 78	78B-6-201	39
78-30-6	R	HB 78		44	78-31b-2	N	HB 78	78B-6-202	39
78-30-7	N	HB 78	78B-6-105	39	78-31b-3	N	HB 78	78B-6-203	39
78-30-7.1	N	HB 78	78B-6-112	39	78-31b-4	N	HB 78	78B-6-204	39
78-30-8	Α	SB 111		156	78-31b-5	N	HB 78	78B-6-205	39
	N	HB 78	78B-6-136	39	78-31b-6	N	HB 78	78B-6-206	39
78-30-8.5	N	HB 78	78B-6-108	39	78-31b-7	N	HB 78	78B-6-207	39
78-30-8.6	N	HB 78	78B-6-142	39	78-31b-8	Α	HB 63		24
78-30-9	N	HB 78	78B-6-137	39		N	HB 78	78B-6-208	39
78-30-10	N	HB 78	78B-6-139	39	78-31b-9	N	HB 78	78B-6-209	39
A=Amende	d	E=Enacte	d F	R=Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended

Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> <u>Number</u>
78-31c-101	N	HB 78	78B-10-101	39	78-34-4	N	HB 78	78B-6-504	39
78-31c-102	N	HB 78	78B-10-102	39	78-34-4.5	N	HB 78	78B-6-505	39
78-31c-103	N	HB 78	78B-10-103	39	78-34-5	N	HB 78	78B-6-506	39
78-31c-104	N	HB 78	78B-10-104	39	78-34-6	N	HB 78	78B-6-507	39
78-31c-105	N	HB 78	78B-10-105	39	78-34-7	N	HB 78	78B-6-508	39
78-31c-106	A	HB 63	102 10 100	24	78-34-8	N	HB 78	78B-6-509	39
70 010 100	N	HB 78	78B-10-106	39	78-34-9	N	HB 78	78B-6-510	39
78-31c-107	N	HB 78	78B-10-107	39	78-34-10	N	HB 78	78B-6-511	39
78-31c-108	A	HB 63	102 10 101	24	78-34-11	N	HB 78	78B-6-512	39
70 010 100	N	HB 78	78B-10-108	39	78-34-12	N	HB 78	78B-6-513	39
78-31c-109	N	HB 78	78B-10-109	39	78-34-13	N	HB 78	78B-6-514	39
78-31c-110	N	HB 78	78B-10-110	39	78-34-14	N	HB 78	78B-6-515	39
78-31c-111	N	HB 78	78B-10-111	39	78-34-15	N	HB 78	78B-6-516	39
78-31c-112	N	HB 78	78B-10-112	39	78-34-16	N	HB 78	78B-6-517	39
78-31c-113	N	HB 78	78B-10-113	39	78-34-17	N	HB 78	78B-6-518	39
78-31c-114	N	HB 78	78B-10-114	39	78-34-18	N	HB 78	78B-6-519	39
78-32-1	N	HB 78	78B-6-301	39	78-34-19	N	HB 78	78B-6-520	39
78-32-2	N	HB 78	78B-6-314	39	78-34-20	N	HB 78	78B-6-521	39
78-32-3	N	HB 78	78B-6-302	39	78-34-21	N	HB 78	78B-6-522	39
78-32-4	N	HB 78	78B-6-303	39	78-35-1	N	HB 78	78B-6-601	39
78-32-5	N	HB 78	78B-6-304	39	78-35-2	N	HB 78	78B-6-602	39
78-32-6	N	HB 78	78B-6-305	39	78-35-3	N	HB 78	78B-6-603	39
78-32-7	N	HB 78	78B-6-306	39	78-35-4	N	HB 78	78B-6-604	39
78-32-8	N	HB 78	78B-6-307	39	78-35-5	R	SB 278	702 0 00 1	190
78-32-9	N	HB 78	78B-6-309	39	78-35-6	N	HB 78	78B-6-606	39
78-32-10	N	HB 78	78B-6-310	39	78-35-7	N	HB 78	78B-6-607	39
78-32-11	N	HB 78	78B-6-311	39	78-35-8	N	HB 78	78B-6-608	39
78-32-12	N	HB 78	78B-6-312	39	78-35-9	N	HB 78	78B-6-609	39
78-32-12.1	N	HB 78	78B-6-316	39	78-35-10	N	HB 78	78B-6-610	39
78-32-13	N	HB 78	78B-6-308	39	78-35a-101	N	HB 78	78B-9-101	39
78-32-14	R	HB 78		44	78-35a-102	N	HB 78	78B-9-102	39
78-32-15	R	HB 78		44	78-35a-103	N	HB 78	78B-9-103	39
78-32-16	R	HB 78		44	78-35a-104	N	HB 78	78B-9-104	39
78-32-17	Α	HB 63		24	78-35a-105	N	HB 78	78B-9-105	39
	N	HB 78	78B-6-315	39	78-35a-106	N	HB 78	78B-9-106	39
78-33-1	N	HB 78	78B-6-401	39	78-35a-107	A	SB 16		126
78-33-2	N	HB 78	78B-6-408	39		N	HB 78	78B-9-107	39
78-33-3	N	HB 78	78B-6-409	39	78-35a-108	N	HB 78	78B-9-108	39
78-33-4	N	HB 78	78B-6-410	39	78-35a-109	N	HB 78	78B-9-109	39
78-33-5	N	HB 78	78B-6-402	39	78-35a-110	N	HB 78	78B-9-110	39
78-33-6	N	HB 78	78B-6-404	39	78-35a-201	N	HB 78	78B-9-201	39
78-33-7	N	HB 78	78B-6-405	39	78-35a-202	Α	HB 63		24
78-33-8	N	HB 78	78B-6-406	39		N	HB 78	78B-9-202	39
78-33-9	N	HB 78	78B-6-407	39	78-35a-300.5		SB 16		126
78-33-10	N	HB 78	78B-6-411	39	78-35a-301	Α	SB 16		126
78-33-11	N	HB 78	78B-6-403	39		N	HB 78	78B-9-301	39
78-33-12	N	HB 78	78B-6-412	39	78-35a-302	N	HB 78	78B-9-302	39
78-33-13	R	HB 78		44	78-35a-303	Α	SB 16		126
78-34-1	N	HB 78	78B-6-501	39		N	HB 78	78B-9-303	39
78-34-2	N	HB 78	78B-6-502	39	78-35a-304	N	HB 78	78B-9-304	39
78-34-3	N	HB 78	78B-6-503	39	78-35a-401	E	SB 16		126
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78-35a-402 E SB 16 126 78-39-1 R HB 78 78B-61202 39 78-35a-404 E SB 16 126 78-39-1 R HB 78 78B-61203 39 78-36-1 R HB 78 44 78-39-4 N HB 78 78B-61203 39 78-36-1 R HB 78 44 78-39-4 N HB 78 78B-61203 39 78-36-1 R HB 78 44 78-39-4 N HB 78 78B-61204 39 78-36-1 R HB 78 78B-6-802 39 78-39-6 N HB 78 78B-61205 39 78-36-3 N HB 78 78B-6-803 39 78-39-6 N HB 78 78B-61205 39 78-36-5 N HB 78 78B-6-803 39 78-39-6 N HB 78 78B-61206 39 78-36-5 N HB 78 78B-6-805 39 78-39-6 N HB 78 78B-61206 39 78-36-5 N HB 78 78B-6-805 39 78-39-8 N HB 78 78B-61206 39 78-36-5 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-805 39 78-39-1 N HB 78 78B-61206 39 78-36-6 N HB 78 78B-8-806 39 78-39-1 N HB 78 78B-61206 39 78-36-1 N HB 78 78B-8-807 39 78-39-1 N HB 78 78B-61206 39 78-36-1 N HB 78 78B-8-807 39 78-39-1 N HB 78 78B-6120 39 78-36-1 N HB 78 78B-8-810 39 78-39-1 N HB 78 78B-6121 39 78-36-1 N HB 78 78B-6-811 39 78-39-15 N HB 78 78B-6121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-813 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-901 39 78-39-15 N HB 78 78B-6-121 39 78-36-1 N HB 78 78B-6-901 39 78-39-15 N HB 78 78B-6-122 39 78-37-1 N HB 78 78B-6-901 39 78-39-15 N HB 78 78B-6-122 39 78-37-1 N HB 78 78B-6-901 39 78-39-2 N HB 78 78B-6-122 39 78-38-1 N HB 78 78B-6-900 39 78-39-2 N HB 78 78B			<u>Bill</u>	Former/	<u>Page</u>			<u>Bill</u>	Former/	<u>Page</u>
78-35a-403 E SB 16 126 78-39-1 R HB 78 78B-6-1202 39 78-35a-405 E SB 16 126 78-39-2 N HB 78 78B-6-1203 39 78-36-2 R HB 78 78B-6-802 39 78-39-5 N HB 78 78B-6-1204 39 78-36-2 R HB 78 78B-6-802 39 78-39-7 N HB 78 78B-6-1204 39 78-36-3 N HB 78 78B-6-803 39 78-39-7 N HB 78 78B-6-1205 39 78-36-5 N HB 78 78B-6-805 39 78-39-8 N HB 78 78B-6-1207 39 78-36-6 N HB 78 78B-6-805 39 78-39-9 N HB 78 78B-6-1209 39 78-39-8 N HB 78 78B-6-806 39 78-39-1 N HB 78 78B-6-1209 39 78-39-1 N HB 78 78B-6-806 39 78-39-1 N HB 78 78B-6-1209 39 78-39-1 N HB 78 78B-6-809 39 78-39-1 N HB 78 78B-6-1209 39 78-39-1 N HB 78 78B-6-809 39 78-39-1 N HB 78 78B-6-1209 39 78-39-1 N HB 78 78B-6-810 39 78-39-1 N HB 78 78B-6-811 39 78-39-1 N HB 78 78B-6-812 39 78-39-1 N HB 78 78B-6-813 39 78-39-2 N HB 78 78B-6-123 39 78-39-2 N HB 78 78B-6-905 39 78-39-2 N HB 78 78B-6-906 39 78-39-2 N HB 78 78B-6-122 39 78-39-2 N HB 78 78B-6-906 39 78-39-2 N HB 78 78B-6-122 39 78-39-2 N HB 78 78B-6-100 39 78-39-2 N HB 78 78B-6-100 39 78-39-2 N HB 78 78B-6-122 39 78-39-3 N HB 78 78B-6-100 39 78-39-2 N HB 78 78B-6-123 39 78-39-2 N HB 78 7	<u>Section</u>	<u>Action</u>	Number	Renumber	_	Section	<u>Action</u>	Number	Renumber	Number
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78-37-9 N HB 78 78B-6-908 39 78-39-29 N HB 78 78B-6-1229 39 78-38-1 N HB 78 78B-6-1101 39 78-39-30 N HB 78 78B-6-1230 39 78-38-2 N HB 78 78B-6-1002 39 78-39-31 N HB 78 78B-6-1231 39 78-38-3 N HB 78 78B-6-1002 39 78-39-32 N HB 78 78B-6-1232 39 78-38-4 N HB 78 78B-6-1003 39 78-39-33 N HB 78 78B-6-1233 39 78-38-4.5 R HB 78 78B-8-604 39 78-39-34 N HB 78 78B-6-1234 39 78-38-4.6 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1235 39 78-38-4.9 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-6		N		78B-6-907		78-39-28	N		78B-6-1228	
78-38-1 N HB 78 78B-6-1101 39 78-39-30 N HB 78 78B-6-1230 39 78-38-2 N HB 78 78B-6-1001 39 78-39-31 N HB 78 78B-6-1231 39 78-38-3 N HB 78 78B-6-1003 39 78-39-32 N HB 78 78B-6-1232 39 78-38-4.5 R HB 78 78B-6-1003 39 78-39-33 N HB 78 78B-6-1234 39 78-38-4.6 N HB 78 78B-8-604 39 78-39-35 N HB 78 78B-6-1235 39 78-38-4.7 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-6066 39 78-39-38 N HB 78 78B-6-1237 39 78-38-5	78-37-9			78B-6-908	39			HB 78		
78-38-2 N HB 78 78B-6-1001 39 78-39-31 N HB 78 78B-6-1231 39 78-38-3 N HB 78 78B-6-1002 39 78-39-32 N HB 78 78B-6-1232 39 78-38-4 N HB 78 78B-6-1003 39 78-39-33 N HB 78 78B-6-1234 39 78-38-4.5 R HB 78 44 78-39-34 N HB 78 78B-6-1234 39 78-38-4.6 N HB 78 78B-8-604 39 78-39-35 N HB 78 78B-6-1234 39 78-38-4.7 N HB 78 78B-8-603 39 78-39-35 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-6103 39 78-39-38 N HB 78 78B-6-1233 39 78-38-6 R				78B-6-1101				HB 78		
78-38-3 N HB 78 78B-6-1002 39 78-39-32 N HB 78 78B-6-1232 39 78-38-4 N HB 78 78B-6-1003 39 78-39-33 N HB 78 78B-6-1233 39 78-38-4.5 R HB 78 78B-6-1234 39 78-39-35 N HB 78 78B-6-1235 39 78-38-4.6 N HB 78 78B-8-603 39 78-39-35 N HB 78 78B-6-1236 39 78-38-4.7 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1237 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-7										
78-38-4 N HB 78 78B-6-1003 39 78-39-33 N HB 78 78B-6-1233 39 78-38-4.5 R HB 78 44 78-39-34 N HB 78 78B-6-1234 39 78-38-4.6 N HB 78 78B-8-604 39 78-39-35 N HB 78 78B-6-1235 39 78-38-4.7 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1236 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1238 39 78-38-6 R HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 78B-6-1104 39 78-39-40 N HB 78 78B-6-1240 39 78-38-8 R HB										
78-38-4.5 R HB 78 44 78-39-34 N HB 78 78B-6-1234 39 78-38-4.6 N HB 78 78B-8-604 39 78-39-35 N HB 78 78B-6-1235 39 78-38-4.7 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-40 N HB 78 78B-6-1240 39 78-38-7 N HB 78 78B-6-1104 39 78-39-40 N HB 78 78B-6-1240 39 78-38-8 R HB 78 78B-6-										
78-38-4.6 N HB 78 78B-8-604 39 78-39-35 N HB 78 78B-6-1235 39 78-38-4.7 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-39 N HB 78 78B-6-1239 39 78-38-7 N HB 78 78B-6-1104 39 78-39-40 N HB 78 78B-6-1240 39 78-38-8 R HB 78 78B-6-1107 39 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB										
78-38-4.7 N HB 78 78B-8-603 39 78-39-36 N HB 78 78B-6-1236 39 78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-39 N HB 78 78B-6-1239 39 78-38-7 N HB 78 78B-6-1104 39 78-39-40 N HB 78 78B-6-1240 39 78-38-8 R HB 78 78B-6-1104 39 78-39-42 N HB 78 78B-6-1242 39 78-38-10 N HB 78 78B-6-1108 39 78-39-45 N HB 78 78B-6-1243 39 78-38-11 N HB				78B-8-604						
78-38-4.8 N HB 78 78B-8-605 39 78-39-37 N HB 78 78B-6-1237 39 78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-40 N HB 78 78B-6-1240 39 78-38-7 N HB 78 78B-6-1104 39 78-39-41 N HB 78 78B-6-1241 39 78-38-8 R HB 78 78B-6-1107 39 78-39-42 N HB 78 78B-6-1242 39 78-38-10 N HB 78 78B-6-1108 39 78-39-45 N HB 78 78B-6-1243 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-13 N HB										
78-38-4.9 N HB 78 78B-8-606 39 78-39-38 N HB 78 78B-6-1238 39 78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-40 N HB 78 78B-6-1240 39 78-38-7 N HB 78 78B-6-1104 39 78-39-41 N HB 78 78B-6-1241 39 78-38-8 R HB 78 44 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1110 39 78-39-47 N HB 78 78B-6-1245 39 78-38-13 N HB 78 78B-6-11										
78-38-5 N HB 78 78B-6-1103 39 78-39-39 N HB 78 78B-6-1239 39 78-38-6 R HB 78 44 78-39-40 N HB 78 78B-6-1240 39 78-38-7 N HB 78 78B-6-1104 39 78-39-41 N HB 78 78B-6-1241 39 78-38-8 R HB 78 44 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1111 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-11										
78-38-6 R HB 78 44 78-39-40 N HB 78 78B-6-1240 39 78-38-7 N HB 78 78B-6-1104 39 78-39-41 N HB 78 78B-6-1241 39 78-38-8 R HB 78 44 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-15 N HB 78 78B-6-1										
78-38-7 N HB 78 78B-6-1104 39 78-39-41 N HB 78 78B-6-1241 39 78-38-8 R HB 78 44 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1				700-0-1103						
78-38-8 R HB 78 44 78-39-42 N HB 78 78B-6-1242 39 78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1114 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39				78R-6-1104						
78-38-9 N HB 78 78B-6-1107 39 78-39-45 N HB 78 78B-6-1243 39 78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44				700-0-1104						
78-38-10 N HB 78 78B-6-1108 39 78-39-46 N HB 78 78B-6-1244 39 78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44				70D 6 1107						
78-38-11 N HB 78 78B-6-1109 39 78-39-47 N HB 78 78B-6-1245 39 78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44										
78-38-12 N HB 78 78B-6-1110 39 78-39-48 N HB 78 78B-6-1246 39 78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44										
78-38-13 N HB 78 78B-6-1111 39 78-39-49 N HB 78 78B-6-1247 39 78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44										
78-38-14 N HB 78 78B-6-1112 39 78-40-1 R HB 78 44 78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44										
78-38-15 N HB 78 78B-6-1113 39 78-40-2 R HB 78 44 78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44									/ 8B-6-124/	
78-38-16 N HB 78 78B-6-1114 39 78-40-2.5 R HB 78 44										
A=Amended E=Enected D=D=nected V=D=nected N=D=nected N=	78-38-16	N	HB /8	/8B-6-1114	39	/8-40-2.5	К	HR /8		44
A-Americaeu E=Enacteu K=Kepealed	A=Amended E=Enacted R=Repealed			Repealed	X=Repealed and Reenacted N=Renumbered and Amen				Amended	

Continu	<u>Bill Former/ Page</u> Section Action Number Renumber Number			Santian	A a4: a.a	<u>Bill</u>	Former/	<u>Page</u>	
Section	Action	<u>Number</u>	<u>Renumber</u>	<u>Number</u>	<u>Section</u>	<u>Action</u>	<u>Number</u>	Renumber	<u>Number</u>
78-40-3	N	HB 78	78B-6-1305	39	78-45-9.3	N	HB 78	78B-12-112	39
78-40-4	N	HB 78	78B-6-1306	39	78-45-10	N	HB 78	78B-12-110	39
78-40-5	N	HB 78	78B-6-1307	39	78-45-11	N	HB 78	78B-12-115	39
78-40-6	N	HB 78	78B-6-1308	39	78-45-12	N	HB 78	78B-12-117	39
78-40-7	N	HB 78	78B-6-1309	39	78-45-13	R	HB 78	705 12 117	44
78-40-8	N	HB 78	78B-6-1310	39	78-45c-101	N	HB 78	78B-13-101	39
78-40-9	N	HB 78	78B-6-1311	39	78-45c-102	N	HB 78	78B-13-102	39
78-40-10	N	HB 78	78B-6-1312	39	78-45c-103	N	HB 78	78B-13-103	39
78-40-11	R	HB 78	700 0 1012	44	78-45c-104	N	HB 78	78B-13-104	39
78-40-12	N	HB 78	78B-6-1314	39	78-45c-105	N	HB 78	78B-13-105	39
78-40-13	N	HB 78	78B-6-1315	39	78-45c-106	N	HB 78	78B-13-106	39
78-43-7	R	HB 78	700 0 1010	44	78-45c-107	N	HB 78	78B-13-107	39
78-43-8	A	SB 111		156	78-45c-107	N	HB 78	78B-13-107	39
70-43-0	R	HB 78		44	78-45c-109	N	HB 78	78B-13-109	39
78-45-1	N	HB 78	78B-12-101	39	78-45c-110	N	HB 78	78B-13-103	39
78-45-2	N	HB 78	78B-12-101	39	78-45c-111	N	HB 78	78B-13-110	39
78-45-3	N	HB 78	78B-12-105	39	78-45c-112	N	HB 78	78B-13-111	39
78-45-4	R	HB 78	700-12-103	44	78-45c-201	N	HB 78	78B-13-112	39
78-45-4.2	R	HB 78		44	78-45c-202	N	HB 78	78B-13-202	39
78-45-4.2 78-45-4.3	N	HB 78	78B-12-106	39	78-45c-202 78-45c-203	N	HB 78	78B-13-202	39
78-45-4.4	N	HB 78	78B-12-108	39	78-45c-204	N	HB 78	78B-13-204	39
78-45-4.5	N	HB 78	78B-12-109	39	78-45c-204 78-45c-205	N	HB 78	78B-13-204	39 39
78-45-5	N	HB 78	78B-12-109	39	78-45c-206	N	HB 78	78B-13-206	39
78-45-6	N	пв 76 НВ 78	78B-12-107	39 39	78-45c-207	N	нв 78 НВ 78	78B-13-207	39 39
78-45-7	N	HB 78	78B-12-103	39	78-45c-208	N	HB 78	78B-13-207	39
78-45-7.1	N	HB 78	78B-12-111	39	78-45c-209	N	HB 78	78B-13-209	39
78-45-7.1 78-45-7.2	N	пв 76 НВ 78	78B-12-111	39 39	78-45c-210	N	нв 78 НВ 78	78B-13-210	39 39
78-45-7.2 78-45-7.3	A	HB 63	700-12-210	24	78-45c-301	N	HB 78	78B-13-301	39
10-45-1.5	N	HB 78	78B-12-201	39	78-45c-301	N	HB 78	78B-13-301	39 39
78-45-7.4	N	HB 78	78B-12-207	39	78-45c-303	N	HB 78	78B-13-302	39
78-45-7.4 78-45-7.5	N	пв 76 НВ 78	78B-12-207	39 39	78-45c-304	N	нв 78 НВ 78	78B-13-304	39 39
78-45-7.5 78-45-7.6	N	HB 78	78B-12-203	39	78-45c-305	N	HB 78	78B-13-305	39
78-45-7.0 78-45-7.7	N	HB 78	78B-12-205	39	78-45c-306	N	HB 78	78B-13-306	39
78-45-7.7 78-45-7.8	N	пв 76 НВ 78	78B-12-209	39 39	78-45c-307	N	нв 78 НВ 78	78B-13-307	39 39
		HB 78		39			HB 78		39 39
78-45-7.9 78-45-7.10	N N	пв 76 НВ 78	78B-12-208 78B-12-219	39 39	78-45c-308 78-45c-309	N N	нв 78 НВ 78	78B-13-308 78B-13-309	39 39
78-45-7.10 78-45-7.11		пв 76 НВ 78					нв 78 НВ 78		39 39
78-45-7.11 78-45-7.12	N N	пв 76 НВ 78	78B-12-216 78B-12-206	39 39	78-45c-310 78-45c-311	N N	нв 78 НВ 78	78B-13-310 78B-13-311	39 39
78-45-7.12 78-45-7.13		HB 78		39		N	HB 78	78B-13-311	39 39
78-45-7.13 78-45-7.14	N N	пв 76 НВ 78	78B-12-401 78B-12-301	39 39	78-45c-312	N	нв 78 НВ 78		39 39
78-45-7.14 78-45-7.15	N	пв 76 НВ 78		39 39	78-45c-313	N	нв 78 НВ 78	78B-13-313 78B-13-314	39 39
78-45-7.15 78-45-7.16	N	пв 76 НВ 78	78B-12-212 78B-12-214	39 39	78-45c-314 78-45c-315	N	нв 78 НВ 78	78B-13-315	39 39
78-45-7.10 78-45-7.17		HB 78		39	78-45c-316		HB 78	78B-13-316	39 39
78-45-7.17 78-45-7.18	N N	пв 76 НВ 78	78B-12-215 78B-12-211	39 39	78-45c-317	N N	нв 78 НВ 78	78B-13-317	39 39
78-45-7.18 78-45-7.19		HB 78		39			HB 78		39 39
	N N	пв 76 НВ 78	78B-12-213	39 39	78-45c-318	N N		78B-13-318	
78-45-7.20 78-45-7.21	N N	пв 76 НВ 78	78B-12-218 78B-12-217	39 39	78-45f-100 78-45f-101	N N	HB 78 HB 78	78B-14-101 78B-14-102	39 39
78-45-7.22	N	HB 78	78B-12-116	39	78-45f-102	N	HB 78	78B-14-103	39
78-45-8	N	HB 78	78B-12-104	39	78-45f-103	N N	HB 78	78B-14-104	39 30
78-45-9	N	HB 78	78B-12-113	39	78-45f-201	N	HB 78	78B-14-201	39
78-45-9.2	N	HB 78	78B-12-114	39	78-45f-202	N	HB 78	78B-14-202	39
A=Amended E=Enacted R=Repealed			X=Repealed and Reenacted N=Renumbered and Amended				Amended		

		Bill	Former/	<u>Page</u>			Bill	Former/	<u>Page</u>
<u>Section</u>	<u>Action</u>	Number	Renumber	<u>Number</u>	Section	<u>Action</u>	Number	Renumber	<u>Number</u>
78-45f-203	N	HB 78	78B-14-203	39	78-45f-701	N	HB 78	78B-14-701	39
78-45f-204	N	HB 78	78B-14-204	39	78-45f-801	N	HB 78	78B-14-801	39
78-45f-205	N	HB 78	78B-14-205	39	78-45f-802	N	HB 78	78B-14-802	39
78-45f-206	N	HB 78	78B-14-206	39	78-45f-901	N	HB 78	78B-14-901	39
78-45f-207	N	HB 78	78B-14-207	39	78-45f-902	R	SB 278	102 11001	190
78-45f-208	N	HB 78	78B-14-208	39	78-45g-101	N	HB 78	78B-15-101	39
78-45f-209	N	HB 78	78B-14-209	39	78-45g-102	N	HB 78	78B-15-102	39
78-45f-210	N	HB 78	78B-14-210	39	78-45g-103	N	HB 78	78B-15-103	39
78-45f-211	N	HB 78	78B-14-211	39	78-45g-104	Α	HB 63		24
78-45f-301	N	HB 78	78B-14-301	39	10 109 101	N	HB 78	78B-15-104	39
78-45f-302	N	HB 78	78B-14-302	39	78-45g-105	N	HB 78	78B-15-105	39
78-45f-303	N	HB 78	78B-14-303	39	78-45g-106	N	HB 78	78B-15-106	39
78-45f-304	N	HB 78	78B-14-304	39	78-45g-107	N	HB 78	78B-15-107	39
78-45f-305	N	HB 78	78B-14-305	39	78-45g-108	N	HB 78	78B-15-108	39
78-45f-306	N	HB 78	78B-14-306	39	78-45g-109	N	HB 78	78B-15-109	39
78-45f-307	N	HB 78	78B-14-307	39	78-45g-110	N	HB 78	78B-15-110	39
78-45f-308	N	HB 78	78B-14-308	39	78-45g-111	N	HB 78	78B-15-111	39
78-45f-309	N	HB 78	78B-14-309	39	78-45g-112	N	HB 78	78B-15-112	39
78-45f-310	N	HB 78	78B-14-310	39	78-45g-113	N	HB 78	78B-15-113	39
78-45f-311	N	HB 78	78B-14-311	39	78-45g-114	N	HB 78	78B-15-114	39
78-45f-312	N	HB 78	78B-14-312	39	78-45g-115	N	HB 78	78B-15-115	39
78-45f-313	N	HB 78	78B-14-313	39	78-45g-201	N	HB 78	78B-15-201	39
78-45f-314	N	HB 78	78B-14-314	39	78-45g-202	N	HB 78	78B-15-202	39
78-45f-315	N	HB 78	78B-14-315	39	78-45g-203	N	HB 78	78B-15-203	39
78-45f-316	N	HB 78	78B-14-316	39	78-45g-204	N	HB 78	78B-15-204	39
78-45f-317	N	HB 78	78B-14-317	39	78-45g-301	N	HB 78	78B-15-301	39
78-45f-318	N	HB 78	78B-14-318	39	78-45g-302	N	HB 78	78B-15-302	39
78-45f-319	N	HB 78	78B-14-319	39	78-45g-303	N	HB 78	78B-15-303	39
78-45f-401	N	HB 78	78B-14-401	39	78-45g-304	N	HB 78	78B-15-304	39
78-45f-501	N	HB 78	78B-14-501	39	78-45g-305	N	HB 78	78B-15-305	39
78-45f-502	N	HB 78	78B-14-502	39	78-45g-306	N	HB 78	78B-15-306	39
78-45f-503	N	HB 78	78B-14-503	39	78-45g-307	N	HB 78	78B-15-307	39
78-45f-504	N	HB 78	78B-14-504	39	78-45g-308	Ν	HB 78	78B-15-308	39
78-45f-505	N	HB 78	78B-14-505	39	78-45g-309	N	HB 78	78B-15-309	39
78-45f-506	N	HB 78	78B-14-506	39	78-45g-310	N	HB 78	78B-15-310	39
78-45f-507	N	HB 78	78B-14-507	39	78-45g-311	N	HB 78	78B-15-311	39
78-45f-601	N	HB 78	78B-14-601	39	78-45g-312	N	HB 78	78B-15-312	39
78-45f-602	N	HB 78	78B-14-602	39	78-45g-313	Α	HB 63		24
78-45f-603	N	HB 78	78B-14-603	39		Ν	HB 78	78B-15-313	39
78-45f-604	N	HB 78	78B-14-604	39	78-45g-401	Ν	HB 78	78B-15-401	39
78-45f-605	N	HB 78	78B-14-605	39	78-45g-402	Ν	HB 78	78B-15-402	39
78-45f-606	N	HB 78	78B-14-606	39	78-45g-403	Ν	HB 78	78B-15-403	39
78-45f-607	N	HB 78	78B-14-607	39	78-45g-404	Ν	HB 78	78B-15-404	39
78-45f-608	N	HB 78	78B-14-608	39	78-45g-405	Ν	HB 78	78B-15-405	39
78-45f-609	N	HB 78	78B-14-609	39	78-45g-406	Ν	HB 78	78B-15-406	39
78-45f-610	N	HB 78	78B-14-610	39	78-45g-407	Α	HB 63		24
78-45f-611	N	HB 78	78B-14-611	39		N	HB 78	78B-15-407	39
78-45f-612	N	HB 78	78B-14-612	39	78-45g-408	N	HB 78	78B-15-408	39
78-45f-613	N	HB 78	78B-14-613	39	78-45g-409	N	HB 78	78B-15-409	39
78-45f-614	N	HB 78	78B-14-614	39	78-45g-410	N	HB 78	78B-15-410	39
78-45f-615	N	HB 78	78B-14-615	39	78-45g-501	N	HB 78	78B-15-501	39
A=Amende	d	E=Enacte	d R=	Repealed	X=Repealed a	nd Reenact	ed N=I	Renumbered and	Amended
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78-45g-502 N HB 78 78B-15-502 39 78-45g-901 N HB 78 78B-15-601 39 78-45g-504 N HB 78 78B-15-503 39 78-45g-905 N HB 78 78B-15-503 39 78-45g-905 N HB 78 78B-15-503 39 78-45g-905 N HB 78 78B-15-505 39 78-45g-100 N HB 78 78B-15-507 39 78-45g-507 N HB 78 78B-15-507 39 78-45g-507 N HB 78 78B-15-507 39 78-45g-509 N HB 78 78B-15-507 39 78-45g-509 N HB 78 78B-15-507 39 78-45g-509 N HB 78 78B-15-509 39 78-45g-501 N HB 78 78B-15-601 39 78-45g-501 N HB 78 78B-15-601 39 78-45g-501 N HB 78 78B-15-601 39 78-45g-601 N HB 78 78B-15-601 39 78-45g-601 N HB 78 78B-15-601 39 78-45g-601 N HB 78 78B-15-601 39 78-45g-600 N HB 78 78B-15-603 39 78-45g-10 N HB 78 78B-1-110 39 78-45g-600 N HB 78 78B-15-603 39 78-45g-600 N HB 78 78B-15-601 39 78-45g-601 N HB 78 78B-15-601 39 78	Section	Action	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number	Section	<u>Action</u>	<u>Bill</u> Number	Former/ Renumber	<u>Page</u> Number
78-45g-503 N HB 78 78B-15-504 39 78-45g-902 N HB 78 78B-15-901 39 78-45g-505 N HB 78 78B-15-504 39 78-46-1 N HB 78 78B-1-101 39 78-45g-505 N HB 78 78B-15-506 39 78-46-2 N HB 78 78B-1-103 39 78-46g-507 N HB 78 78B-15-508 39 78-46-3 R HB 78 78B-1-102 39 78-46-508 N HB 78 78B-15-508 39 78-46-3 R HB 78 78B-1-102 39 78-46-508 N HB 78 78B-15-508 39 78-46-7 N HB 78 78B-1-102 39 78-46-508 N HB 78 78B-15-508 39 78-46-7 N HB 78 78B-1-102 39 78-46-509 N HB 78 78B-15-509 39 78-46-7 N HB 78 78B-1-105 39 78-45-501 N HB 78 78B-15-509 39 78-46-7 N HB 78 78B-1-105 39 78-45-60 N HB 78 78B-15-510 39 78-46-8 R HB 78 78B-1-106 39 78-46-6 N HB 78 78B-1-106 39 78-46-6 N HB 78 78B-1-15-602 39 78-46-14 N HB 78 78B-1-106 39 78-45-603 N HB 78 78B-15-602 39 78-46-14 N HB 78 78B-1-106 39 78-45-603 N HB 78 78B-15-602 39 78-46-15 N HB 78 78B-1-109 39 78-45-603 N HB 78 78B-15-602 39 78-46-17 N HB 78 78B-1-109 39 78-45-603 N HB 78 78B-15-602 39 78-46-17 N HB 78 78B-1-109 39 78-45-603 N HB 78 78B-15-602 39 78-46-17 N HB 78 78B-1-109 39 78-45-603 N HB 78 78B-15-602 39 78-46-17 N HB 78 78B-1-109 39 78-45-600 N HB 78 78B-15-600 39 78-46-17 N HB 78 78B-1-109 39 78-45-600 N HB 78 78B-15-600 39 78-46-17 N HB 78 78B-1-109 39 78-45-600 N HB 78 78B-15-600 39 78-46-20 N HB 78 78B-15-601 39 78-4	78-45a-502	N	HB 78	78B-15-502	39	78-45a-901	N	HB 78	78B-15-901	39
78-45p-504 N HB 78 78B-15-504 39 78-46-1 N HB 78 78B-1-101 39 78-45p-506 N HB 78 78B-15-505 39 78-46-2 N HB 78 78B-1-103 39 78-45p-506 N HB 78 78B-15-506 39 78-46-3 R HB 78 78B-1-102 39 78-45p-507 N HB 78 78B-15-509 39 78-46-5 N HB 78 78B-1-104 39 78-45p-509 N HB 78 78B-15-509 39 78-46-5 N HB 78 78B-1-104 39 78-45p-509 N HB 78 78B-15-509 39 78-46-5 N HB 78 78B-1-105 39 78-46-5 N HB 78 78B-1-107 39 78-45p-501 A HB 63 78B-15-511 39 78-46-1 N HB 78 78B-1-107 39 78-45p-601 A HB 63 24 78-46-1 N HB 78 78B-1-107 39 78-45p-601 A HB 63 78B-15-601 39 78-46-1 N HB 78 78B-1-107 39 78-45p-602 N HB 78 78B-15-603 39 78-46-15 N HB 78 78B-1-109 39 78-45p-602 N HB 78 78B-15-603 39 78-46-15 N HB 78 78B-1-109 39 78-45p-602 N HB 78 78B-15-603 39 78-46-17 N HB 78 78B-1-109 39 78-45p-605 N HB 78 78B-15-603 39 78-46-17 N HB 78 78B-1-109 39 78-45p-605 N HB 78 78B-15-603 39 78-46-17 N HB 78 78B-1-110 39 78-45p-605 N HB 78 78B-15-603 39 78-46-17 N HB 78 78B-1-110 39 78-45p-605 N HB 78 78B-15-603 39 78-46-1 N HB 78 78B-1-16 39 78-45p-605 N HB 78 78B-15-600 39 78-46-2 N HB 78 78B-1-16 39 78-45p-607 N HB 78 78B-15-600 39 78-46-2 N HB 78 78B-1-16 39 78-45p-607 N HB 78 78B-15-600 39 78-46-2 N HB 78 78B-1-10 39 78-45p-607 N HB 78 78B-15-600 39 78-46-2 N HB 78 78B-1-110 39 78-45p-607 N HB 78 78B-15-600 39 78-46-2 N HB 78 78B-1-16 39 78-45p-607 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-45p-601 N HB 78 78B-15-601 39 78-46-2 N HB 78 78B-1-16 39 78-46-2 N HB 78 78B-1-16 39 78B-15-601 39 78-46-2 N HB 78 7	_									
78-45g-505 N HB 78 78B-15-506 39 78-46-2 N HB 78 78B-1-103 39 78-45g-507 N HB 78 78B-15-506 39 78-46-3 R HB 78 44 78-45g-507 N HB 78 78B-15-508 39 78-46-5 N HB 78 78B-1-104 39 78-45g-509 N HB 78 78B-15-508 39 78-46-5 N HB 78 78B-1-105 39 78-45g-510 N HB 78 78B-15-508 39 78-46-5 N HB 78 78B-1-105 39 78-45g-510 N HB 78 78B-15-508 39 78-46-8 R HB 78 78B-1-105 39 78-45g-510 N HB 78 78B-15-510 39 78-46-8 R HB 78 78B-1-105 39 78-45g-510 N HB 78 78B-15-511 39 78-46-10 N HB 78 78B-1-106 39 78-46-10 N HB 78 78B-1-106 39 78-46-10 N HB 78 78B-1-108 39 78-46-14 N HB 78 78B-1-108 39 78-46-14 N HB 78 78B-1-108 39 78-46-14 N HB 78 78B-1-108 39 78-45g-603 N HB 78 78B-15-602 39 78-46-16 N HB 78 78B-1-109 39 78-45g-603 N HB 78 78B-15-604 39 78-46-17 N HB 78 78B-1-113 39 78-45g-605 N HB 78 78B-15-604 39 78-46-17 N HB 78 78B-1-113 39 78-45g-605 N HB 78 78B-15-604 39 78-46-17 N HB 78 78B-1-113 39 78-45g-605 N HB 78 78B-15-606 39 78-46-20 N HB 78 78B-1-109 39 78-46-20 N HB 78 78B-1-15-00 39 78-46-20 N HB 78 78B-1-100 39 78-45g-605 N HB 78 78B-15-606 39 78-46-21 N HB 78 78B-1-113 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-113 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-113 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-113 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-113 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-113 39 78-45g-610 N HB 78 78B-15-608 39 78-46-26 N HB 78 78B-1-113 39 78-45g-610 N HB 78 78B-15-613 39 78-46-26 N HB 78 78B-1-113 39 78-45g-610 N HB 78 78B-15-611 39 78-46-26 N HB 78 78B-1-15-613 39 78-46-26 N HB 78 78B-1-15-613 39 78-46-27 N HB 78 78B-1-15-613 39 78-46-27 N HB 78 78B-1-15-613 39 78-46-28 N HB 78 78B-1-15-613 39 78-46-29 N HB 78 78B-1-15-613 39 78-46-29 N HB 78 78B-1-15-613 39 78-46-20 N HB 78 78B-1-5-613 39 78-46-30 N HB 78 78B-1-5-613 39 78-46-30 N HB 78 78B-1-5-613 39 78-46-30						_				
78-46g-506 N HB 78 78B-15-506 39 78-46-3 R HB 78 44 44 78-45g-507 N HB 78 78B-15-507 39 78-46-4 N HB 78 78B-1-102 39 78-45g-509 N HB 78 78B-15-508 39 78-46-5 N HB 78 78B-1-104 39 78-45g-510 N HB 78 78B-15-510 39 78-46-8 R HB 78 78B-1-105 39 78-46g-511 N HB 78 78B-15-510 39 78-46-8 R HB 78 78B-1-105 39 78-46g-511 N HB 78 78B-15-511 39 78-46-8 R HB 78 78B-1-107 39 78-45g-601 A HB 63 78B-15-601 39 78-46-12 N HB 78 78B-1-107 39 78-45g-601 N HB 78 78B-15-601 39 78-46-14 N HB 78 78B-1-109 39 78-46-15 N HB 78 78B-1-109 39 78-46-15 N HB 78 78B-1-109 39 78-45g-602 N HB 78 78B-15-601 39 78-46-16 N HB 78 78B-1-109 39 78-45g-600 N HB 78 78B-15-604 39 78-46-19 N HB 78 78B-1-109 39 78-45g-600 N HB 78 78B-15-604 39 78-46-19 N HB 78 78B-1-109 39 78-45g-600 N HB 78 78B-15-604 39 78-46-19 N HB 78 78B-1-110 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-15 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-110 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-110 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-110 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-110 39 78-45g-607 N HB 78 78B-15-608 39 78-46-20 N HB 78 78B-1-110 39 78-46-20 N HB 78 78B-1-16-00 39 78-46-20 N HB 78 78B-1-110 39 78-46-20 N HB 78 78B-1-100 39 78-46-20 N HB 78 78B-1-1										
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<u>Bill</u> <u>Former/</u> <u>Page</u> <u>Section</u> <u>Action</u> <u>Number</u> <u>Renumber</u> <u>Number</u>		Section	Action	Bill Number	<u>Former/</u> Renumber	<u>Page</u> Number			
Section	ACTION	Number	Kenumber	Nulliber	Section	ACTION	Nullibei	Renumber	Number
78-57-105	N	HB 78	78A-6-1205	39	78A-6-209	Α	SB 184		173
78-57-106	N	HB 78	78A-6-1206	39	78A-6-301	E	HB 78		39
78-57-107	N	HB 78	78A-6-1207	39	78A-6-306	A	HB 36		12
78-57-108	A	HB 63	70/10 1207	24	78A-6-307	A	HB 36		12
70 07 100	N	HB 78	78A-6-1208	39	78A-6-307.5	E	HB 36		12
78-57-109	N	HB 78	78A-6-1209	39	78A-6-308	A	HB 36		12
78-57-110	N	SB 278	78A-6-1220	190	78A-6-317	A	SB 17		126
78-58-101	N	HB 78	78B-6-1401	39	78A-6-318	A	HB 36		12
78-58-102	N	HB 78	78B-6-1402	39	78A-6-323	A	SB 184		173
78-58-103	N	HB 78	78B-6-1403	39	78A-6-508	A	HB 46		16
78-58-104	N	HB 78	78B-6-1404	39	78A-7-106	A	HB 178		66
78-58-105	N	HB 78	78B-6-1405	39	76/17 100	, , , , , , , , , , , , , , , , , , ,	SB 236		184
78-59-101	N	HB 78	78B-6-1501	39	78A-7-107	R	SB 236		184
78-59-102	N	HB 78	78B-6-1502	39	78A-7-120	A	SB 44		135
78-59-103	N	HB 78	78B-6-1503	39	78A-7-201	Α	SB 72		146
78-59-104	N	HB 78	78B-6-1504	39	78A-7-202	A	SB 20		128
78-59-105	N	HB 78	78B-6-1505	39		X	SB 72		146
78-59-106	N	HB 78	78B-6-1506	39	78A-7-203	A	SB 72		146
78-59-107	N	HB 78	78B-6-1507	39	78A-7-206	Α	SB 72		146
78-59-108	N	HB 78	78B-6-1508	39	78A-7-213	A	SB 72		146
78-61-101	A	HB 63	702 0 1000	24	78A-8-101	E	HB 78		39
7001101	N	HB 78	77-38-302	39	78A-8-109	Ē	HB 78		39
78-61-102	N	HB 78	77-38-303	39	78A-10-101	E	HB 78		39
78-62-101	N	HB 78	78B-16-101	39	78A-10-201	Ē	HB 78		39
78-62-102	N	HB 78	78B-16-102	39	78A-10-202	E	HB 78		39
78-62-103	N	HB 78	78B-16-103	39	78A-10-203	E	HB 78		39
78-62-104	N	HB 78	78B-16-104	39	78A-10-204	Ē	HB 78		39
78-62-105	N	HB 78	78B-16-105	39	78A-10-205	E	HB 78		39
78-62-106	N	HB 78	78B-16-106	39	78A-10-301	Ē	HB 78		39
78-62-107	N	HB 78	78B-16-107	39	78A-10-302	Ē	HB 78		39
78-62-108	N	HB 78	78B-16-108	39	78A-10-303	Ē	HB 78		39
78-62-109	N	HB 78	78B-16-109	39	78A-10-304	Ē	HB 78		39
78-62-110	N	HB 78	78B-16-110	39	78A-10-305	E	HB 78		39
78-62-111	N	HB 78	78B-16-111	39	78A-11-101	Ē	HB 78		39
78-62-112	N	HB 78	78B-16-112	39	78A-11-104	Е	HB 78		39
78-63-101	E	SB 105		155	78A-11-109	Ā	SB 191		175
78-63-102	Е	SB 105		155		Е	HB 78		39
78-63-201	Е	SB 105		155	78A-11-110	Е	HB 78		39
78-63-202	Е	SB 105		155	78A-11-111	Е	HB 78		39
78-63-203	Е	SB 105		155	78A-11-112	Е	HB 78		39
78-63-204	Е	SB 105		155	78B-2-113	Α	SB 278		190
78-63-205	Е	SB 105		155	78B-3-101	Е	HB 78		39
78-63-206	Е	SB 105		155	78B-3-104	Е	HB 78		39
78A-1-106	Е	SB 278		190	78B-3-106.5	Е	SB 152		166
78A-1-107	Е	SB 278		190	78B-3-108	Е	HB 78		39
78A-2-104	Α	SB 105		155	78B-3-109	Е	HB 78		39
78A-2-216	Α	HB 92		46	78B-3-801	Е	HB 187		68
78A-5-102	Α	SB 236		184	78B-4-509	Α	SB 47		137
		SB 72		146	78B-4-512	E	HB 32		11
78A-5-110	Α	SB 44		135			SB 220		180
78A-6-103	Α	SB 236		184	78B-5-613	E	HB 78		39
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<u>Section</u>	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> <u>Number</u>	Section	Action	<u>Bill</u> Number	<u>Former/</u> <u>Renumber</u>	<u>Page</u> Number
78B-5-620	Е	HB 371		104	78B-7-101	Е	HB 78		39
78B-6-101	E	HB 78		39	78B-7-106	A	HB 149		60
78B-6-103	A	HB 46		16	78B-7-107	A	HB 149		60
700-0-100	E	HB 78		39	78B-7-107	A	HB 149		60
78B-6-104	E	HB 78		39	78B-7-113	A	SB 236		184
78B-6-105	A	HB 46		16	78B-7-204 78B-7-205	A	SB 236		184
78B-6-107	A	HB 46		16			SB 236 HB 78		
78B-6-113	A	HB 36		12	78B-8-101	E			39
78B-6-117	Ē	HB 78		39	78B-8-104	E	HB 78		39
78B-6-120	E	HB 78		39	78B-8-105	E	HB 78		39
78B-6-121	A	SB 278		190	78B-8-106	E	HB 78		39
700 0 121	E	HB 78		39	78B-8-107	E	HB 78		39
78B-6-122	Ā	SB 278		190	78B-8-108	E	HB 78		39
102 0 122	E	HB 78		39	78B-8-109	E	HB 78		39
78B-6-124	Ā	HB 46		16	78B-8-110	E	HB 78		39
78B-6-128	Α	HB 46		16	78B-8-201	Α	HB 187		68
	E	HB 78		39	700.004	_	SB 155		166
78B-6-129	A	HB 46		16	78B-8-601	E	HB 78		39
	E	HB 78		39	78B-8-602	E	HB 78		39
78B-6-130	Е	HB 78		39	78B-9-101	A	SB 277		190
78B-6-131	Α	HB 36		12	78B-9-102	A	SB 277		190
	Е	HB 78		39	78B-9-104	A	SB 277		190
78B-6-134	Α	HB 46		16	78B-9-105	A	SB 277		190
78B-6-136	Α	HB 46		16	78B-9-106	A	SB 277		190
78B-6-143	Α	HB 46		16	78B-9-107	A	SB 277		190
78B-6-144	Α	HB 46		16	78B-9-108	A	SB 277		190
78B-6-313	Ε	HB 78		39	78B-9-109	A	SB 277		190
78B-6-501	Α	HB 323		90	78B-9-202	A	SB 277		190
78B-6-605	E	HB 78		39	78B-12-301	A	SB 198		177
78B-6-702	E	HB 78		39	78B-12-302	A	SB 198		177
78B-6-801	Е	HB 78		39	700 40 400	E	HB 78		39
78B-6-807	Α	SB 265		189	78B-12-402 78B-12-403	E E	HB 78 HB 78		39 39
78B-6-901	A	SB 278		190	78B-17-101	E	SB 205		39 178
78B-6-1102	E	HB 78		39					
78B-6-1106	E	HB 78		39	78B-17-102	E	SB 205 SB 205		178 178
78B-6-1201	E	HB 78		39	78B-17-103 78B-17-201	E E	SB 205		178
78B-6-1211	E	HB 78		39	78B-17-201	E	SB 205		178
78B-6-1301	E	HB 78 HB 78		39 39	78B-17-202	E	SB 205		178
78B-6-1302	E	пв 76 НВ 78		39 39	78B-17-203	E	SB 205		178
78B-6-1303 78B-6-1304	E E	пв 76 НВ 78		39 39	78B-17-301	E	SB 205		178
78B-6-1313	E	HB 78		39	78B-17-301	E	SB 205		178
100-0-1313	_	пь / о		39	700-17-302	E	3B 203		170
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X=Repealed and Reenacted

N=Renumbered and Amended

R=Repealed

INTRODUCED LEGISLATION 2008 GENERAL SESSION

HB 1	Minimum School Program Base Budget Amendments (Bradley G. Last)	Passed
HB 2	New Fiscal Year Supplemental Appropriations Act (Ron Bigelow)	Passed
HB 3	Appropriations Adjustments (Ron Bigelow)	Passed
HB 4	State Agency and Higher Education Compensation Amendments (Ron Bigelow)	Passed
HB 5	Revenue Bond, Capital Facility, and Property Acquisition Authorizations (Kevin S. Garn)	Passed
HB 10	Disclosure of Identity to Officer (Curtis Oda)	Passed
HB 11	Parole Amendments (Curtis Oda)	Passed
HB 12	Controlled Substances and Paraphernalia (Curtis Oda)	Passed
HB 13	Criminal Statute of Limitations Amendments (Carl Wimmer)	Passed
HB 14	Discharge of Firearm Amendments (Carl Wimmer)	Passed
HB 15	Control and Prevention of Sexually Transmitted Diseases (Phil Riesen)	Passed
HB 16	Medicaid Coverage for Certain Telehealth Services (Bradley G. Last)	Passed
HB 17	Cancer Screening and Mortality Reduction Program (Paul Ray)	Failed
HB 18	Material Harmful to Minors Amendments (Paul Ray)	Passed
HB 19	Assault on a Peace Officer Penalty Amendments (Paul Ray)	Passed
HB 20	Economic Development Incentives Modifications (Steven R. Mascaro)	Passed
HB 21	Employment Security Act Amendments (Steven R. Mascaro)	Passed
HB 22	Expedited Parent-time Enforcement (Julie Fisher)	Passed
HB 23	Child and Family Protection (Lorie D. Fowlke)	Passed
HB 24	Amendments to Utah Digital Health Service Commission Act (Ronda Rudd Menlove)	Passed
HB 25	Access to Voter Date of Birth Records (Glenn A. Donnelson)	Failed
HB 26	Notary Public Revisions (Glenn A. Donnelson)	Passed
HB 27	Lieutenant Governor Powers - Administration of Oaths (Glenn A. Donnelson)	Passed
HB 28	Honoring Heroes Special Group License Plate (Paul Ray)	
HB 29	Election Law - Financial Reporting (Bradley M. Daw)	Passed
HB 30	Vehicle Concealing Illegal Items (Paul Ray)	Passed
HB 31	Child Welfare Definitions (Wayne A. Harper)	Passed
HB 32	Affirmative Defense for Agri-tourism Activity (Michael T. Morley)	Passed
HB 33	Waivers of Immunity - Exceptions (Gregory H. Hughes)	Passed
HB 34	Email Information Required of Registered Sex Offenders (Jim Bird)	Passed
HB 35	Motor and Special Fuel Tax Amendments (Craig A. Frank)	Passed
HB 36	Child Welfare Amendments (Wayne A. Harper)	Passed
HB 37	Utah Business Resource Centers Act (David Clark)	Passed
HB 38	Education and Outreach Regarding Substances Harmful During Pregnancy (Ronda Rudd Menlove)	Passed
HB 39	Divestment of Certain Retirement Fund Investments (Julie Fisher)	Failed
HB 40	Safe Drinking Water Revisions (Sylvia S. Andersen)	Passed
HB 41	Campaign Report Amendments (Sheryl L. Allen)	Failed
HB 42	Water Right Application for Electrical Cooperative (Gordon E. Snow)	Passed
HB 43	Allowance of Polling Places for Early Voting (Glenn A. Donnelson)	Passed
HB 44	Declaration of Candidacy Revisions (Glenn A. Donnelson)	Passed
HB 45	Supported Employment Services to a Person with a Disability (Ronda Rudd Menlove)	Passed

HB 46	Adoption and Termination of Parental Rights (Sheryl L. Allen)	Passed
HB 47	Standards for Electronic Exchange of Clinical Health Information (Ronda Rudd Menlove)	Passed
HB 48	Mobile Home Owners' Rights (Phil Riesen)	Passed
HB 49	Budget Reserve Account and Disaster Recovery Account Amendments (Wayne A. Harper)	Passed
HB 50	Underground Storage Tank Amendments (Sylvia S. Andersen)	Passed
HB 51	Water Right Amendments (Patrick Painter)	
HB 52	Research Activities Tax Credits Amendments (John Dougall)	Passed
HB 53	Impact of Administrative Rules on Small Businesses (Stephen D. Clark)	Passed
HB 54	Property Tax Assessment Revisions (Wayne A. Harper)	Passed
HB 55	Captive Insurance Company Amendments (James A. Dunnigan)	Passed
HB 56	Repeal Provisions Related to Assumption of Indebtedness on Residential Real Property (Kevin S. Garn)	Passed
HB 57	Transportation Administrative Rules - Criminal and Civil Penalty Amendments (Todd E. Kiser)	Passed
HB 58	Severance Tax Amendments (John Dougall)	Passed
HB 59	Community and Economic Development Technical Changes (Steven R. Mascaro)	Passed
HB 60	Legislative Review of Health Insurance Mandates (James A. Dunnigan)	Passed
HB 61	Designation of State Highways Amendments (Todd E. Kiser)	Passed
HB 62	Clean Fuel Special Group License Plate Amendments (Todd E. Kiser)	Passed
HB 63	Recodification of Title 63 State Affairs in General (Douglas C. Aagard)	Passed
HB 64	Disclosure of Information by the Department of Workforce Services (Paul A. Neuenschwander)	Passed
HB 65	Crime of Strangulation or Smothering (Jennifer M. Seelig)	Failed
HB 66	Paraeducator to Teacher Scholarship Program (Ronda Rudd Menlove)	Passed
HB 67	Extended Year for Special Educators (Ronda Rudd Menlove)	Failed
HB 68	Educator Relicensure Initiative (Ronda Rudd Menlove)	Passed
HB 69	Repeal of Board Leeway for Reading Improvement (John Dougall)	
HB 70	Expungement Law Amendments (Lorie D. Fowlke)	Passed
HB 71	Parent-time Amendments (Lorie D. Fowlke)	Passed
HB 72	Motorcycle License and Endorsement Amendments (Paul A. Neuenschwander)	Passed
HB 73	Child Care Providers (Karen W. Morgan)	
HB 74	Medicaid 340b Drug Pricing Programs (David Litvack)	
HB 75	Inventory and Review of Commercial Activities (Craig A. Frank)	
HB 76	Government Competition and Privatization Act (Craig A. Frank)	
HB 77	Personal Property Tax Amendments (John Dougall)	
HB 78	Title 78 Recodification and Revision (Jackie Biskupski)	
HB 79	Sunset Reauthorizations and Amendments (David Clark)	
HB 80	Administrative Rule Penalty Amendments (Ben C. Ferry)	
HB 81	Task Force to Study Performance Incentives for Teachers (Bradley G. Last)	
HB 82	Notice of Changes to the State Medicaid Plan (Merlynn T. Newbold)	
HB 83	Securities Amendments (Jim Bird)	
HB 84	Compensation of Educators with National Board Certification (Carol Spackman Moss)	
HB 85	Teacher Loan Program (Lynn N. Hemingway)	Failed
HB 86	Funding of Inmate Postsecondary Education (Jack R. Draxler)	Passed
HB 87	Primary Seat Belt Law (Richard A. Greenwood)	Failed

HB 88	Elementary Education Co-teaching Pilot Program (Jim Bird) Failed
HB 89	Antidiscrimination Act Amendments (Christine A. Johnson) Failed
HB 90	Expungement Amendments (R. Curt Webb) Passed
HB 91	Center for the School of the Future Incentives (Jack R. Draxler) Failed
HB 92	Garnishment Amendments (Jack R. Draxler)
HB 93	Insurance Fraud Amendments (Douglas C. Aagard) Passed
HB 94	Public Employees' Retirement - Spousal Election (LaWanna Lou Shurtliff) Failed
HB 95	Document Fraud (Karen W. Morgan) Failed
HB 96	Retired Teachers - Return to Work (DeMar Bud Bowman)
HB 97	Court-ordered Restitution for Costs of Incarceration (Curtis Oda) Passed
HB 98	Utah Employment Verification Act (Glenn A. Donnelson) Failed
HB 99	Business Registration - Optional Inclusion of Ownership Data (Mark A. Wheatley) Passed
HB 100	Amendments to Prescribing Schedule II Drugs (Mark A. Wheatley) Failed
HB 101	Amendments to Emergency Injection for Anaphylactic Reaction Act (Todd E. Kiser) Passed
HB 102	Child Abuse Homicide Amendments (Carl Wimmer) Passed
HB 103	Use of State Alternative Fuel Network (Fred R. Hunsaker) Passed
HB 104	Urban Trails Appropriation (Kory M. Holdaway)
HB 105	Transportation Infrastructure Loan Fund Amendments (Julie Fisher) Passed
HB 106	Clean Air and Efficient Vehicle Tax Incentives (Rosalind J. McGee)
HB 107	Emergency Management Administrative Council (Curtis Oda)
HB 108	Prosthetic Limb Health Insurance Parity (David Litvack)
HB 109	Sex Offender Law Amendments (Gregory H. Hughes)
HB 110	Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality (Neil A. Hansen)
HB 111	Charitable Solicitation Act Amendments (James R. Gowans) Failed
HB 112	Public Education Foundation Amendments (Sheryl L. Allen) Passed
HB 113	School Financial Disclosure (Kenneth W. Sumsion) Failed
HB 114	Minimum Wage Provisions (Neil A. Hansen)
HB 115	Appropriation for a Utah Lake Transportation Study (Kenneth W. Sumsion) Failed
HB 116	Fluorine in a Privately Owned Water System (Sylvia S. Andersen) Failed
HB 117	Instream Flow to Protect Trout Habitat (Stephen E. Sandstrom) Passed
HB 118	Veterans High School Diplomas (Lynn N. Hemingway) Passed
HB 119	Controlled Substance Database Amendments (Bradley M. Daw) Passed
HB 120	Education Materials Center (Ron Bigelow) Failed
HB 121	County Charges for Services to Incarcerated Persons (Richard A. Greenwood) Passed
HB 122	Driver License - Application of Minor Amendments (David Litvack)
HB 123	Accelerated Learning Programs Amendments (Ben C. Ferry) Failed
HB 124	Changes to Municipal Annexation Provisions (LaWanna Lou Shurtliff) Failed
HB 125	Department of Agriculture and Food Amendments (Kerry W. Gibson)
HB 126	Election Law - Ballot Proposition Amendments (Christine A. Johnson)
HB 127	Community Council Elections (Kenneth W. Sumsion)
HB 128	Utah Residential Mortgage Practices Act Amendments (Merlynn T. Newbold) Passed
HB 129	Appropriation for Construction of a Veterans' Nursing Home in Ogden (Brad L. Dee) Passed
HB 130	State Ethics Commission (Rosalind J. McGee)
HB 131	Community Based Self Sufficiency Program (Jennifer M. Seelig)
HB 132	Waste Tire Recycling Amendments (Neal B. Hendrickson) Passed

HB 133	Health System Reform (David Clark)	Passed
HB 134	Government Immunity Amendments (Douglas C. Aagard)	Failed
HB 135	Grants from Department of Community and Culture (Sheryl L. Allen)	Failed
HB 136	Illegal Drug Activity Reporting System (Christopher N. Herrod)	Failed
HB 137	State Facility Water Conservation Program (Larry B. Wiley)	Failed
HB 138	Sudan Divestment Act (David Litvack)	Failed
HB 139	Wireless Internet Access Requirements (Bradley M. Daw)	Failed
HB 140	Child Restraint Device Amendments (Tim M. Cosgrove)	Passed
HB 141	Identity Theft Reporting Information System Amendments (Douglas C. Aagard)	Passed
HB 142	Absentee Ballot Amendments (John G. Mathis)	Failed
HB 143	Administration of Interstate Water (Melvin R. Brown)	Passed
HB 144	Motor Vehicle Insurance Amendments (Todd E. Kiser)	Passed
HB 145	Additional State Retirement Benefit (Kory M. Holdaway)	Failed
HB 146	School Bus Amendments (Christine A. Johnson)	Passed
HB 147	Restrictions on Regulation of Automotive Collection Activities (Neal B. Hendrickson)	Failed
HB 148	Aquaculture Revitalization Act (Michael E. Noel)	Passed
HB 149	Protective Order Amendments (Lorie D. Fowlke)	Passed
HB 150	Authorization for Counties to Provide Supplemental Law Enforcement Services (Jackie Biskupski)	Failed
HB 151	Motor Vehicle Revisions (Stephen H. Urquhart)	Passed
HB 152	Fund from Impaired and Drug Related Violations (Christopher N. Herrod)	Failed
HB 153	Impact Fees Amendments (Michael T. Morley)	Passed
HB 154	Motorboat Education Requirements (James A. Dunnigan)	Failed
HB 155	Property Tax - Residential Exemption (Gage Froerer)	Failed
HB 156	DNA Sample - Felony and Certain Misdemeanor Convictions (Kerry W. Gibson)	Failed
HB 157	Alcoholic Beverage Control Violations Amendments (Curtis Oda)	Passed
HB 158	Tax Credit for Military Retired Pay (Steven R. Mascaro)	
HB 159	Professional Employer Organization Licensing Act (James A. Dunnigan)	Passed
HB 160	Charter School Law Revisions (Rebecca D. Lockhart)	
HB 161	Sex Offenders' Contact with Children (Richard A. Greenwood)	
HB 162	Utah School Seismic Hazard Inventory (Larry B. Wiley)	
HB 163	School Fee Amendments (Craig A. Frank)	
HB 164	Town Incorporation Process Amendments (Melvin R. Brown)	
HB 165	Sales and Use Tax Exemptions Relating to Aircraft (Brad L. Dee)	
HB 166	Minutes of Open and Public Meetings (Melvin R. Brown)	
HB 167	A Victim Amicus Bill (R. Curt Webb)	
HB 168	Health Insurance Market Choices (James A. Dunnigan)	
HB 169	Custody Evaluation and Parent Coordination (Tim M. Cosgrove)	
HB 170	Process for Entering into the Snake Valley Agreement (Bradley A. Winn)	
HB 171	Driving Privilege Card Amendments (Bradley M. Daw)	
HB 172	City or Town Option Sales and Use Tax (Brad L. Dee)	
HB 173	Money Management Act Updates (Paul A. Neuenschwander)	
HB 174	Traumatic Brain Injury Fund (James R. Gowans)	
HB 175	Election Law Reforms (Neil A. Hansen)	
HB 176	Sex Offender Registration Amendments (Keith Grover)	Failed
HB 177	County and Municipal Land Use Regulation of Potential Geologic Hazard Areas (Michael T. Morley)	Passed

HB 178	Jurisdiction for Prosecution (Paul A. Neuenschwander)	Passed
HB 179	Water Right Appropriation Amendments (Patrick Painter)	Failed
HB 180	Study on Taxpayer Advocate Program (Keith Grover)	Failed
HB 181	Disposition of Potential Evidence (Tim M. Cosgrove)	Failed
HB 182	Deadline for Voting Precinct Designation (Gregory H. Hughes)	Passed
HB 183	Sales and Use Tax Amendments (Wayne A. Harper)	Failed
HB 184	Construction Amendments (Michael T. Morley)	Passed
HB 185	Western States Presidential Primary Amendments (Keith Grover)	Passed
HB 186	Property Tax - County Assessment and Collection Amendments (Kay L. McIff)	Passed
HB 187	Death Caused by Illegal Drugs (Christopher N. Herrod)	Passed
HB 188	Transit Revisions (Wayne A. Harper)	Failed
HB 189	School Community Councils (Ron Bigelow)	Passed
HB 190	State System of Higher Education Amendments (John Dougall)	Failed
HB 192	Property Transaction Amendments (Rebecca D. Lockhart)	Passed
HB 194	Class Size Reduction in Kindergarten Through Grade Three (Karen W. Morgan)	Failed
HB 195	Concealed Firearm Permit Amendments (Merlynn T. Newbold)	Failed
HB 197	Residential Mortgage Loan Closing Act (Larry B. Wiley)	Failed
HB 198	State Agency Energy Efficiency (Fred R. Hunsaker)	Passed
HB 199	Tax Credits for Energy Efficient Residences (Fred R. Hunsaker)	Failed
HB 200	Early Childhood Learning and Evaluation (Bradley G. Last)	Failed
HB 201	Tax Credit for Solar Projects (Bradley G. Last)	Failed
HB 202	Employee Benefit Amendments (John Dougall)	Passed
HB 203	Judicial Review of State Engineer's Decision (Patrick Painter)	Passed
HB 204	Utah College of Applied Technology Amendments (Ron Bigelow)	
HB 206	Tax Amendments (Wayne A. Harper)	Passed
HB 208	Livestock Watering Rights (Michael E. Noel)	Passed
HB 210	Identity Theft and Other Crimes (Stephen E. Sandstrom)	
HB 211	Property Tax Amendments on Agricultural Land (Bradley A. Winn)	
HB 212	Educator Salary Adjustments (John Dougall)	
HB 214	School Testing Specialists (Stephen E. Sandstrom)	
HB 216	Annexation Revisions (Bradley G. Last)	
HB 217	Property Tax - Modified Acquisition Value (Gage Froerer)	
HB 221	Agriculture and Industrial Protection Area Amendments (John G. Mathis)	
HB 222	Water Quality Board Amendments (Patrick Painter)	
HB 223	Exemption from Licensure by Division of Real Estate (Mark W. Walker)	
HB 224	Construction Standards for Type II Assisted Living Facility (Rebecca D. Lockhart)	
HB 225	Proof for a Water Right Application (Patrick Painter)	
HB 226	Disruption of School Activities (Carol Spackman Moss)	
HB 227	Revoking Federal Authority to Use State Lands as a Bird Refuge (Ben C. Ferry)	
HB 228	Amendments to Motor Vehicle Provisions (Christopher N. Herrod)	
HB 229	Protections for Agricultural Practices (Michael T. Morley)	
HB 230	Certification of Meth Houses (Christopher N. Herrod)	
HB 231	Local Voter Information Pamphlet Amendments (Douglas C. Aagard)	
HB 232	Elementary School Math Initiative (Steven R. Mascaro)	
HB 233	Mortgage Fraud (Paul Ray)	Failed

HB 234	Kindergarten Assessment Amendments (LaWanna Lou Shurtliff) Passed
HB 235	County Merit System Amendments (Brad L. Dee)
HB 237	Illegal Immigration Enforcement Act (Glenn A. Donnelson) Failed
HB 238	Campaign Finance Filing Requirements (Gregory H. Hughes) Passed
HB 239	Driver License Qualification Amendments (Glenn A. Donnelson) Failed
HB 240	Public Education Funding - Block Grant Amendments (Sheryl L. Allen) Failed
HB 241	Repeal of Exemptions from Nonresident Tuition (Glenn A. Donnelson) Failed
HB 242	Transportation Funding Revisions (Wayne A. Harper) Passed
HB 243	Public Transit District Sales Tax Exemption (Brad L. Dee)
HB 245	Administration of Medication to Students Amendments (Rebecca D. Lockhart) Passed
HB 246	State Tree Redesignated (Jack R. Draxler)
HB 247	Domestic Violence and Dating Violence Amendments (David Litvack) Failed
HB 248	Amendments to Sales and Use Tax Exemption for Certain Property Incorporated into Real Property (John Dougall)
HB 249	Vehicles Covered by New Motor Vehicle Warranties (Kerry W. Gibson) Passed
HB 250	Public Employee Benefit Approval Provisions (John Dougall) Passed
HB 251	Sales and Use Tax Revisions (John Dougall)
HB 252	Charitable Solicitations Act Amendments (Wayne A. Harper) Passed
HB 253	Higher Education Information Technology Appropriation (Stephen D. Clark) Failed
HB 254	School Community Council Amendments (Ronda Rudd Menlove) Passed
HB 255	State Office of Education Human Resource Management Amendments (Ronda Rudd Menlove)
HB 256	Criminal Penalties Amendments - Including Jessica's Law (Carl Wimmer) Passed
HB 257	Employee Verification (Christopher N. Herrod)
HB 258	Medicaid Drug Utilization Amendments (Rebecca D. Lockhart) Passed
HB 259	Gold Star Family Special Group License Plate Amendments (Curtis Oda) Passed
HB 260	Controlled Substance Schedule - Amendments (Paul Ray)
HB 261	Local District Primary Elections (Karen W. Morgan) Passed
HB 262	Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants (Karen W. Morgan)
HB 263	Utah Registry of Autism and Developmental Disabilities (Eric K. Hutchings)
HB 264	Prohibition of Citation Quotas (Neil A. Hansen)
HB 265	Office of Recovery Services - Electronic Funds Transfer (Paul Ray) Passed
HB 266	Accelerated Learning Program Revisions (Carol Spackman Moss) Failed
HB 267	Controlled Substances Amendments - Suda Controls (Neil A. Hansen) Failed
HB 268	Health Facility Committee Membership (Christopher N. Herrod) Passed
HB 269	Scott B. Lundell Military Survivors' Tuition Waiver Amendments (Michael T. Morley) Passed
HB 270	Utah Science Technology and Research Initiative Centers (Ron Bigelow)
HB 271	Utah Purple Heart Recipients Tuition Act Amendments (Roger E. Barrus)
HB 272	False Impersonation and Representation (Gage Froerer)
HB 273	Time Limitation for Prosecution of Environmental Crimes (Carl Wimmer) Failed
HB 274	Utah K-8 Online Virtual School (Ben C. Ferry)
HB 275	Vehicle Towing Requirements (Bradley M. Daw)
HB 276	Health Professional Authority - Death and Disability (Bradley G. Last)
HB 277	Pandemic Preparedness Amendments (Bradley G. Last)
HB 278	Charter School Funding Amendments (Ron Bigelow)

HB 279	Tax Incentives for Military Members (Wayne A. Harper)	Failed
HB 280	School Finance Amendments (Julie Fisher)	Failed
HB 281	Grants to Rural Hospitals - Oversight Responsibilities (Merlynn T. Newbold)	Passed
HB 282	State Payment and Reimbursement to County Correctional Facilities (Michael E. Noel)	Passed
HB 283	Compact Agreement among the States to Elect the President by National Popular Vote (Neil A. Hansen)	Failed
HB 284	Utah College of Applied Technology Revisions (Kory M. Holdaway)	
HB 285	Licensing Eligibility (Stephen E. Sandstrom)	
HB 286	Permanent Teacher License Revocation for Sexual Activity with Students (Carl Wimmer) .	
HB 287	Regulation of Teacher - Student Relationships (Stephen E. Sandstrom)	
HB 288	911 Committee (<i>Brad L. Dee</i>)	
HB 289	Adoption - Investigation and Release of Information (Kenneth W. Sumsion)	
HB 290	Municipal Oversight of Rental Dwellings (Gage Froerer)	
HB 291	Off-highway Vehicle Amendments (Michael E. Noel)	
HB 292	Legislative Task Force to Study Radio Communication System in Utah (Brad L. Dee)	
HB 293	Private Building Inspector Authorized (Douglas C. Aagard)	
HB 294	Appropriation Limit Amendments - Fire Suppression (Ben C. Ferry)	
HB 295	Public School Electronic Device Policies (Sheryl L. Allen)	
HB 296	Voting Machines Used by Municipalities (Neil A. Hansen)	
HB 297	Designating Magnesium as the State Metal (Ronda Rudd Menlove)	
HB 298	Public Transit Study (Wayne A. Harper)	
HB 299	Motor Vehicle Code Revisions (Wayne A. Harper)	
HB 300	Telephone Solicitation Amendments (Stephen E. Sandstrom)	
HB 301	Comprehensive Health Insurance Pool Amendments (James A. Dunnigan)	Passed
HB 302	Citizenship Determination of Incarcerated Individuals (Stephen E. Sandstrom)	Failed
HB 303	Phosphorus Limit in Dishwashing Detergent (Christine A. Johnson)	Passed
HB 304	Sales and Use Tax Revenues for Qualified Emergency Food Agencies (Larry B. Wiley)	Passed
HB 305	County Sheriff Qualification Amendments (Richard A. Greenwood)	Passed
HB 306	Attorney's Lien Amendments (R. Curt Webb)	Failed
HB 307	Cancer Screening and Mortality Reduction Special Group License Plate (Carol Spackman Moss)	Failed
HB 308	Credit Card or Debit Card Contracts Act (Wayne A. Harper)	
HB 309	Election Information Amendments (John Dougall)	Passed
HB 310	Absentee Ballot Revisions (Douglas C. Aagard)	Passed
HB 311	Higher Education Distance Learning Partnerships (Bradley G. Last)	
HB 312	Crime Victim Reparations Revisions (Julie Fisher)	
HB 313	Motor Fuel and Special Fuel Tax - Indexing for Inflation (Wayne A. Harper)	Failed
HB 314	Sexual Offenses - Definitions (Ron Bigelow)	
HB 315	Child and Vulnerable Adult Endangerment Provisions (Michael T. Morley)	Failed
HB 316	Substance Abuse Treatment for Pregnant Women and Pregnant Minors (Eric K. Hutchings)	Passed
HB 317	Election Day Voter Registration (Neil A. Hansen)	
HB 318	Utah Adoption Amendments (Rebecca Chavez-Houck)	
HB 319	Review and Approval of Grants (David Clark)	
HB 320	Vehicle Impound Yard Requirements (Curtis Oda)	
HB 321	Higher Education Savings Incentive Program Amendments (Kevin S. Garn)	

HB 322	Local Health Department Funding (Stephen D. Clark) Failed
HB 323	Eminent Domain Amendments (Aaron Tilton)
HB 324	Not-a-drop Drivers Program Amendments (Richard A. Greenwood) Failed
HB 325	Bullying and Hazing (Carol Spackman Moss)
HB 326	Children's Health Insurance Program - Open Enrollment (Greg J. Curtis) Passed
HB 327	Enticing a Minor by Electronic Means (Kerry W. Gibson)
HB 328	Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees (Neil A. Hansen)
HB 329	High-ability Student Initiative Program (Bradley G. Last) Failed
HB 330	State Supplemental Funding for Head Start (LaWanna Lou Shurtliff) Passed
HB 331	Use of Utah Education Network for Telehealth (Gordon E. Snow) Failed
HB 332	Use of Public Schools by Community Organizations (Gregory H. Hughes) Passed
HB 333	Senior Citizen's Homeowner's Credit (Gage Froerer) Failed
HB 334	Labor Commission - Review of Administrative Decisions (Neil A. Hansen) Failed
HB 335	Mobile Home Park Amendments (Kory M. Holdaway) Failed
HB 336	Authority to Establish Refugee Services Fund (Christopher N. Herrod) Passed
HB 337	Access to Childrens Health Insurance Program (Paul Ray)
HB 338	Neutrality Required of Poll Workers (Rebecca Chavez-Houck)
HB 339	Human Trafficking Amendments (Christopher N. Herrod) Passed
HB 340	Municipal Annexation Amendments (Stephen D. Clark)
HB 341	Damage to Underground Utility Facilities Amendments (David Clark) Passed
HB 342	Insurance Code Amendments (James A. Dunnigan) Passed
HB 343	Exemption of University Housing from Eviction Laws (Paul A. Neuenschwander) Failed
HB 344	Alcoholic Beverage Enforcement Provisions (Curtis Oda)
HB 345	Minimum Age for Public Education Enrollment Amendments (Eric K. Hutchings) Failed
HB 346	Division of Real Estate Related Amendments (Gage Froerer) Passed
HB 347	Motor Vehicle Business Regulation Amendments (Sylvia S. Andersen) Passed
HB 348	Zion National Park Special Group License Plate (Bradley G. Last)
HB 349	Open Enrollment Revisions (Julie Fisher)
HB 350	Home School Amendments (Carl Wimmer)
HB 351	Individual Income Tax - Health Insurance (James A. Dunnigan) Failed
HB 352	Amendments Related to Monies Derived from Navajo Nation Reservation Lands in Utah (David Clark) Passed
HB 353	Department of Environmental Quality Amendments (Christine A. Johnson) Failed
HB 354	Appraisals for State Land Purchases (Jack R. Draxler) Passed
HB 355	Tax Changes and Appropriations for Preventive Health Activities (Paul Ray) Failed
HB 356	Taxation of Moist Snuff (Rebecca D. Lockhart) Passed
HB 357	Public Associations Subject to Government Records Access and Management Act (Michael E. Noel)
HB 358	Custodial Interference Amendments (Carl Wimmer)
HB 359	Tax Changes (John Dougall)
HB 360	Individual Income Tax - Long-term Care Insurance Premiums (Bradley G. Last) Failed
HB 361	Anti-seizure Drug Notification (Eric K. Hutchings)
HB 362	Motor Fuel Tax - Off-highway Vehicle Refund Amendments (Ben C. Ferry)
HB 363	Beverley Taylor Sorenson Elementary Arts Learning Program (Gregory H. Hughes) Failed
HB 364	Promotion of Health Care Coverage (Kory M. Holdaway)

HB 365	Aviation Amendments (Wayne A. Harper)	Passed
HB 366	Medicaid Long Term Care Amendments (Merlynn T. Newbold)	Passed
HB 367	Property Tax Assessment of Cable Television Companies (Wayne A. Harper)	. Failed
HB 368	School Fee Waiver Amendments (Jack R. Draxler)	. Failed
HB 369	Municipal Rental Fees Amendments (Mark W. Walker)	Passed
HB 370	Children's Health Insurance Program Amendments (James A. Dunnigan)	Passed
HB 371	Digital Certificates for Breathalizers (Christopher N. Herrod)	Passed
HB 372	Teacher Reemployment after Retirement (Eric K. Hutchings)	. Failed
HB 373	Uniform Fees on Vintage Motor Vehicles (Wayne A. Harper)	Passed
HB 374	Child Abuse and Neglect Prevention and Treatment Amendments (Paul Ray)	Passed
HB 375	Deception Detection Examiners Licensing Act Amendments (Roger E. Barrus)	
HB 376	Advisory Redistricting Commission (Rebecca Chavez-Houck)	
HB 377	Code of Criminal Procedure Amendments (Rebecca D. Lockhart)	
HB 378	State Accounting and Budgetary Procedures Amendments (Ron Bigelow)	
HB 380	Insurance Department - Workers' Compensation Amendments (Ron Bigelow)	
HB 381	Higher Education Access Enhancement Program (Ron Bigelow)	
HB 382	Financing Public Education (Merlynn T. Newbold)	
HB 383	Statewide Capital Outlay Equalization (Aaron Tilton)	
HB 384	Employee Obligations Related to Workers' Compensation (Michael T. Morley)	
HB 385	Road and Rights-of-way Amendments (Michael E. Noel)	
HB 391	Public School Funding (Wayne A. Harper)	
HB 394	Real Property Purchase - Notification of Water Rights (Ben C. Ferry)	
HB 395	Deportation of Eligible Undocumented Immigrant Prisoners (Glenn A. Donnelson)	
HB 399	Medication Aide Certified Amendments (Rebecca D. Lockhart)	
HB 400	Condominium and Community Association Provisions (R. Curt Webb)	
HB 401	Master Plumber Licensing (James A. Dunnigan)	
HB 402 HB 405	Vehicle to Pull off Highway (Fred R. Hunsaker)	. raileu
	Recreational, and Zoological Organizations or Facilities (Stephen E. Sandstrom)	
HB 406	Traffic Code Amendments (James A. Dunnigan)	
HB 407	Community Conscious Internet Provider (Michael T. Morley)	
HB 409	Powersport Vehicle Franchise Act Revisions (James R. Gowans)	
HB 410	Restricted Accounts Amendments (Ron Bigelow)	
HB 411	Title and Escrow Commission Act (R. Curt Webb)	
HB 412	Below Cost Sales (Stephen H. Urquhart)	
HB 413	Town Incorporation Process Revisions (Gage Froerer)	
HB 414	Recycling Amendments (<i>Tim M. Cosgrove</i>)	
HB 415	Joint Custody Modifications (Lorie D. Fowlke)	
HB 418	Physician Education Admissions (Bradley G. Last)	
HB 419	Public School Textbook Evaluation Amendments (Gage Froerer)	
HB 422	Political Subdivision Clerk Amendments (Merlynn T. Newbold)	
HB 425 HB 426	Exemption for Alcoholic Beverage Manufacturing License (Christine A. Johnson)	
пв 420 НВ 427	Hunter Education Requirement Exemption for Military Personnel (<i>Bradley A. Winn</i>)	
пв 42 <i>1</i> НВ 428	Statewide Standards for Health Care Interpreting (Rebecca Chavez-Houck)	
пв 420 НВ 430	Designation of Second District State Court Building (Neil A. Hansen)	
110 430	Designation of Second District State Court building (Nett A. Hansen)	. i alieu

HB 434	Firefighter Special Group License Plate Amendments (Ronda Rudd Menlove)	Failed
HB 435	Public Hearings on Property Tax Increases (Gage Froerer)	Failed
HB 436	English Language Learner Family Literacy Centers Program (Gregory H. Hughes)	Failed
HB 437	Funeral Services Licensing Act Amendments (Stephen H. Urquhart)	Passed
HB 439	Restitution Fund Account (Paul A. Neuenschwander)	Failed
HB 440	Modifications to Government Law (Lorie D. Fowlke)	Failed
HB 443	Membership of Occupational and Professional Licensure Review Committee (Gregory H. Hughes)	Passed
HB 444	Utah State Railroad Museum Authority (Neil A. Hansen)	Failed
HB 445	Nursing Home Amendments (Merlynn T. Newbold)	Passed
HB 447	Government Entity Changes (Kory M. Holdaway)	Failed
HB 449	Implementation of Federal Real Id Act (Glenn A. Donnelson)	Failed
HB 451	Depredating Wildlife Amendments (Stephen E. Sandstrom)	Failed
HB 452	Handling of Minor Traffic Accidents (Eric K. Hutchings)	Failed
HB 453	Assessment Area Amendments (Fred R. Hunsaker)	Failed
HB 454	Regulation of Riparian Overlay Zones (Michael T. Morley)	Failed
HB 455	Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission (Stephen E. Sandstrom)	Failed
HB 456	Fair Campaign Pledge Amendments (Eric K. Hutchings)	Failed
HB 459	Construction Trades Exemption (Stephen H. Urquhart)	Passed
HB 463	Motor Cycle Helmet Law Amendments (Neil A. Hansen)	Failed
HB 464	Access to Landlocked Parcels (Mark W. Walker)	Passed
HB 466	Title Insurance Recovery, Education, and Research Fund Act (Michael T. Morley)	Passed
HB 467	Motor Vehicle Insurance Arbitration Amendments (Stephen H. Urquhart)	Passed
HB 468	Responsibility for Access Devices and Security Breaches (Stephen H. Urquhart)	Failed
HB 470	Amendments to Animal Cruelty Provisions (Sheryl L. Allen)	Failed
HB 471	Educator Compensation Modifications (Gregory H. Hughes)	Failed
HB 472	Charter School Building and Enrollment Amendments (Kevin S. Garn)	Passed
HB 473	Firearms Amendments (Curtis Oda)	Failed
HB 475	Labor Organization Amendments (Gregory H. Hughes)	Failed
HB 476	Pay of National Guard Members (Gregory H. Hughes)	Passed
HB 477	Licensing of Anesthesiologist Assistants (Stephen D. Clark)	Failed
HB 479	Health Care Patient Identity Protections (Stephen E. Sandstrom)	Failed
HB 481	Subdivision Approval Amendments (Michael E. Noel)	Failed
HB 485	Legislators Health Plan (Eric K. Hutchings)	
HB 486	Wrongful Liens and Wrongful Judgement Liens (James R. Gowans)	
HB 487	Social Host Liability Act (Eric K. Hutchings)	Failed
HB 488	Kindergarten Program Amendments (Karen W. Morgan)	Failed
HB 490	Legislative Task Forces and Study Priorities (David Clark)	
HB 491	Health Plan Exemption from Selected Requirements (Eric K. Hutchings)	Failed
HB 492	Sex Offender Notification and Registration (Paul Ray)	Passed
HB 493	Stalking Amendments (Lorie D. Fowlke)	
HB 494	Amendments to the Utah Medical Service System Act (John Dougall)	Failed
HB 495	Vehicle Registration Fee for License Plate Recognition Fund (Larry B. Wiley)	Failed
HB 497	Revenue Bond Authorization for State Fair Park (Neal B. Hendrickson)	Failed
HCR 1	Meth Awareness for Students and Educators Resolution (Curtis Oda)	Passed

HCR 2	Concurrent Resolution Declaring February 6, 2008 Ronald Reagan Day (Michael T. Morley)
HCR 3	Concurrent Resolution - Declaring Love Your Library Week (Stephen D. Clark) Passed
HCR 4	Concurrent Resolution Encouraging Congressional Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah (David Clark)
HCR 5	Concurrent Resolution Urging Congressional Approval of R.s. 2477 Rights-of-way Recognition Act (Melvin R. Brown)
HCR 6	Concurrent Resolution Honoring the Life and Contributions of President Gordon B. Hinckley (Michael T. Morley)
HCR 7	Concurrent Resolution Declaring Colorectal Cancer Awareness Month (Eric K. Hutchings)
HCR 8	Concurrent Resolution Supporting the Narrows Water Project in Central Utah (Bradley A. Winn)
HJR 1	Resolution Addressing International Trade Issues (Sheryl L. Allen) Passed
HJR 2	Resolution Encouraging Manufactured and Mobile Home Parks as Affordable Housing (Neal B. Hendrickson)
HJR 3	Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance (Kerry W. Gibson)
HJR 4	Joint Resolution Urging School Closings to Recognize Veterans Day (Carl Wimmer) Passed
HJR 5	Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports (Michael E. Noel)
HJR 6	Joint Resolution Consenting to Creation of New State Within Utah (Neal B. Hendrickson) Failed
HJR 7	Joint Resolution Recognizing Unreinforced Masonry Buildings (Larry B. Wiley) Passed
HJR 8	Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities (Julie Fisher) Failed
HJR 9	Possilution Amending Property Tay Provision (Paul Paul
пэк э	Resolution Amending Property Tax Provision (Paul Ray) Failed
HJR 10	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton)
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HJR 10 HJR 11 HJR 12	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton)
HJR 10 HJR 11 HJR 12 HJR 14	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Passed Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Failed Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Passed Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Failed Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Passed Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Failed Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Joint Resolution Amending Legislative Article (Neil A. Hansen) Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Honoring James L. Sorenson (Gregory H. Hughes) Passed
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Passed Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Failed Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton)
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HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1 SB 2 SB 3	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Christopher N. Herrod) State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard) Passed Minimum School Program Budget Amendments (Howard A. Stephenson) Passed Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard) Passed
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1 SB 2 SB 3 SB 4	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Christopher N. Herrod) State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard) Passed Minimum School Program Budget Amendments (Howard A. Stephenson) Passed Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard) Passed General Obligation Bond Authorization (Scott K. Jenkins)
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1 SB 2 SB 3 SB 4 SB 5	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Christopher N. Herrod) State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard) Passed Minimum School Program Budget Amendments (Howard A. Stephenson) Passed Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard) Passed General Obligation Bond Authorization (Scott K. Jenkins) Passed Executive Compensation Revisions (Curtis S. Bramble)
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1 SB 2 SB 3 SB 4 SB 5 SB 10	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Joint Resolution Amending Legislative Article (Neil A. Hansen) Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Christopher N. Herrod) State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard) Passed Minimum School Program Budget Amendments (Howard A. Stephenson) Passed Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard) Passed General Obligation Bond Authorization (Scott K. Jenkins) Passed Executive Compensation Revisions (Curtis S. Bramble) Passed Search Warrant Procedure Amendments (Jon J. Greiner)
HJR 10 HJR 11 HJR 12 HJR 14 HJR 15 HR 1 HR 2 HR 3 HR 4 HR 6 SB 1 SB 2 SB 3 SB 4 SB 5	Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Aaron Tilton) Joint Resolution Supporting Statewide Government 211 System Information Directory (Eric K. Hutchings) Joint Resolution Amending the Utah Constitution - Stock and Bond Subscriptions (David Clark) Passed Joint Resolution Amending Residential Property Assessment Provisions (Gage Froerer) Failed Joint Resolution Amending Legislative Article (Neil A. Hansen) Failed Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (Stephen E. Sandstrom) Passed House Resolution Calling for Withdrawal from Nafta (Glenn A. Donnelson) Failed House Resolution Recognizing Utah's Asthma Open Airways Program (Todd E. Kiser) Passed House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Christopher N. Herrod) State Agency and Higher Education Base Budget Appropriations (Lyle W. Hillyard) Passed Minimum School Program Budget Amendments (Howard A. Stephenson) Passed Current Fiscal Year Supplemental Appropriations Act (Lyle W. Hillyard) Passed General Obligation Bond Authorization (Scott K. Jenkins) Passed Executive Compensation Revisions (Curtis S. Bramble)

SB 13	Candidate Residency Requirements (Peter C. Knudson)	. Passed
SB 14	Smoking Ban in Motor Vehicle (Scott D. McCoy)	Failed
SB 15	Driving Under the Influence Amendments (Carlene M. Walker)	. Passed
SB 16	Exoneration and Innocence Assistance (Gregory S. Bell)	. Passed
SB 17	Child Abuse and Neglect Registry - Management and Licensing Information	
	Systems Amendments (Gene Davis)	
SB 18	Public Safety Retirement Death Benefit Modifications (Jon J. Greiner)	
SB 19	Enhanced Public Safety Retirement Systems Cola Option (Carlene M. Walker)	
SB 20	Municipal Government Amendments (Carlene M. Walker)	
SB 21	Campaign Finance Disclosure Revisions (Peter C. Knudson)	
SB 22	Timing of Ballot Items (Peter C. Knudson)	
SB 23	Revision to Polling Requirements (Peter C. Knudson)	
SB 24	Retirement Death Benefits and Divorce Revisions (Lyle W. Hillyard)	
SB 25	Municipal Incorporation Amendments (Dennis E. Stowell)	
SB 26	Fire Management Areas (Margaret Dayton)	
SB 27	Trustees Sale - Process for Excess Proceeds (Gene Davis)	. Passed
SB 28	Apportionment of Business Income, Attributing Sales to the State, and	
	Deduction of Net Losses by a Unitary Group (Howard A. Stephenson)	Failed
SB 29	Truth in Taxation Amendments (Wayne L. Niederhauser)	
SB 30	Consumer Sales Practice Act Amendments (Patricia W. Jones)	
SB 31	Income Tax Amendments (Wayne L. Niederhauser)	Failed
SB 32	Local Government Bonding Act (Scott K. Jenkins)	. Passed
SB 33	Department of Community and Culture - State-owned Art Inventory (Mark B. Madsen)	Failed
SB 34	Confidentiality of Reports to Driver License Division (Allen M. Christensen)	
SB 35	Differentiated Pay for Teachers (Howard A. Stephenson)	
SB 36	Charter and Online Schools - Participation in Extracurricular Activities (Mark B. Madsen) .	. Passed
SB 37	Home School and Extra Curricular Activities Amendments (Mark B. Madsen)	
SB 38	Transparency in Government (Wayne L. Niederhauser)	
SB 39	Mathematics, Science, and Technology Education Task Force (Howard A. Stephenson) .	Failed
SB 40	State Trade Database (Mark B. Madsen)	
SB 41	International Education Initiative - Critical Languages Program (Howard A. Stephenson) .	
SB 42	Utah College of Applied Technology - Governance and Operations (Gregory S. Bell)	Failed
SB 43	Administrative Rules Reauthorization (Howard A. Stephenson)	
SB 44	Penalties for Failing to Secure a Load or Littering on a Highway (Patricia W. Jones)	. Passed
SB 45	Inventory for Competitive Activities of Local Entities (Howard A. Stephenson)	
SB 46	Anti-flow Control Amendments (Dan R. Eastman)	
SB 47	Limited Purpose Local Government Entities Revisions (Dennis E. Stowell)	
SB 48	Equalization of School Capital Outlay Funding (Dan R. Eastman)	. Passed
SB 49	New School District Amendments (D. Chris Buttars)	
SB 50	Medical Benefits Recovery Amendments (Allen M. Christensen)	
SB 51	Impact Fees - Public Safety Facility (Gregory S. Bell)	
SB 52	Identity Theft Amendment (Carlene M. Walker)	. Passed
SB 53	Use of Initiative and Referendum for Administrative Land Use and Zoning Matters (Brent H. Goodfellow)	. Passed
SB 54	Initiative and Referendum Petition Amendments (Brent H. Goodfellow)	. Passed
SB 56	Naturopathic Physician Licensing Amendments (Scott D. McCoy)	

SB 57	Franchise Law Amendments (Dan R. Eastman)	Passed
SB 58	Workers' Compensation Related Amendments (Mike Dmitrich)	Passed
SB 59	Wildlife Amendments (Allen M. Christensen)	Passed
SB 60	Repealing Labor Commission Responsibilities to Oversee Employment Agencies (Ross I. Romero)	
SB 61	Financial and Economic Literacy Education (Patricia W. Jones)	Failed
SB 62	Health Insurance - Medical Complication Exclusions (Peter C. Knudson)	Passed
SB 63	Adult Protective Services Amendments (Kevin T. VanTassell)	Passed
SB 64	Income Tax - Capital Gain Transactions (Wayne L. Niederhauser)	Failed
SB 65	Soliciting Gang Members Prohibited (Jon J. Greiner)	Passed
SB 66	Uniform Emergency Volunteer Health Practitioners Act (Lyle W. Hillyard)	Passed
SB 67	Protection of Constitutionally Guaranteed Activities in Certain Private Venues (Mark B. Madsen)	Failed
SB 68	Workers' Compensation - Death Benefits (Karen Mayne)	Passed
SB 69	Uniform Limited Cooperative Association Act (Lyle W. Hillyard)	Passed
SB 70	Emotional Support Animals (Scott D. McCoy)	Failed
SB 71	School District Amendments (Carlene M. Walker)	Passed
SB 72	Justice Court Amendments (Lyle W. Hillyard)	Passed
SB 73	Wrongful Death Amendments (Scott D. McCoy)	
SB 74	Health Care Provider Access (D. Chris Buttars)	
SB 75	Prohibiting Gang Activity (Jon J. Greiner)	Failed
SB 76	State Parks and Recreation Amendments (Brent H. Goodfellow)	Passed
SB 77	Revisions to Government Records Access Management Act (Margaret Dayton)	
SB 78	County Personnel Management Act Amendments (Wayne L. Niederhauser)	
SB 79	Small Business Access Amendments (Ross I. Romero)	Failed
SB 80	Ski and Snowboard Education, Development, and Promotion Special Group License Plate (Kevin T. VanTassell)	Failed
SB 81	Illegal Immigration (John W. Hickman)	Passed
SB 82	Ambulatory Surgical Centers Amendments (Allen M. Christensen)	
SB 83	Check Cashing and Deferred Deposit Lending Registration Act (Karen Mayne)	
SB 84	Net Metering Programs (Kevin T. VanTassell)	
SB 85	Water Rights Board (Dennis E. Stowell)	
SB 86	Economic Analysis and Reporting of Cost of Land Use Regulation (Mark B. Madsen)	
SB 88	Uniform Model Registered Agent Act (Lyle W. Hillyard)	
SB 89	Mitigation of Invasive Species (Dennis E. Stowell)	
SB 90	Payment in Lieu of Property Taxes Act (Gene Davis)	
SB 91	Benefits to American Board Certified Teachers (Mark B. Madsen)	
SB 92	Real Property Recording Amendments (Dennis E. Stowell)	
SB 93	Licensed Direct Entry Midwife Amendments (Margaret Dayton)	
SB 94	Burglary of a Railroad Car (Darin G. Peterson)	
SB 95	Markup on Alcoholic Beverages (Mike Dmitrich)	
SB 96	Multi-channel Video or Audio Service Tax Act Amendments (Wayne L. Niederhauser)	
SB 97	Immigration Task Force (Scott K. Jenkins)	
SB 98	Licensing of Security Services (Dan R. Eastman)	Passed
SB 99	Amendments to Sales and Use Tax Exemption for Prosthetic Devices (Wayne L. Niederhauser)	Passed

SB 100	Motor Vehicle Dealer Disclosure Requirements Amendments (Dan R. Eastman)	Passed
SB 101	Utah Comprehensive Health Insurance Pool Funding (Gene Davis)	Failed
SB 102	Animal Torture Offense (Gene Davis)	Failed
SB 103	Higher Education Enhancements (Dennis E. Stowell)	Passed
SB 104	State Capital Facility Board - Creation and Oversight (D. Chris Buttars)	Failed
SB 105	Judicial Performance Evaluation Commission (D. Chris Buttars)	Passed
SB 106	Juvenile Custody Maintenance Amendments (Darin G. Peterson)	Failed
SB 107	State Retirement Benefit Additions (Brent H. Goodfellow)	Failed
SB 108	Offset of Workers' Compensation and Social Security (John W. Hickman)	Passed
SB 109	Poll Worker Neutrality (Scott D. McCoy)	
SB 110	Foreign Business Entities and Tribal Law (Kevin T. VanTassell)	Passed
SB 111	Revisor's Statute (John W. Hickman)	
SB 112	Legislative Space in the Capitol (Curtis S. Bramble)	Passed
SB 113	Access to Research Workers' Personal Information (Gregory S. Bell)	Passed
SB 114	Notary Public Revision (Gregory S. Bell)	
SB 115	Motor Vehicle Safety Inspection Advisory Council Amendments (Dan R. Eastman)	
SB 116	Retirement Office Amendments (Carlene M. Walker)	
SB 117	Animal Cruelty Amendments (Allen M. Christensen)	
SB 118	Education Transportation Amendments (Darin G. Peterson)	
SB 119	Department of Corrections Amendments (Darin G. Peterson)	
SB 120	Department of Corrections Employee Vehicle Use (Darin G. Peterson)	
SB 121	Access to Qualified Health Care Providers (D. Chris Buttars)	Failed
SB 122	Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act Lyle W. Hillyard)	Passed
SB 123	Filling Vacancies in the Senate (John W. Hickman)	Failed
SB 124	Sales and Use Tax - Definitions of Permanently Attached to Real Property and Tangible Personal Property (Howard A. Stephenson)	Passed
SB 125	High School Voter Registration (Kevin T. VanTassell)	Passed
SB 126	Filing Fee for Write-in Candidates (Peter C. Knudson)	Failed
SB 127	Underground Utilities Facilities Amendments (Jon J. Greiner)	Failed
SB 128	Amendments to the Veteran's Property Tax Exemption (Brent H. Goodfellow) F	Passed
SB 129	Changes to County Surveyor (Kevin T. VanTassell)	Failed
SB 130	Utility Improvement District Revisions (Kevin T. VanTassell)	Passed
SB 131	Wage Withholding for Employee Contributions (Wayne L. Niederhauser)	Passed
SB 132	Consumer Credit Protection Act - Attorney General Powers (Carlene M. Walker)	Passed
SB 133	Medical Assistance and Managed Care (Gregory S. Bell)	Failed
SB 134	Mortgage Fraud Act (Sheldon L. Killpack)	Passed
SB 135	Extending the Sales and Use Tax Exemption for Pollution Control Facilities (Wayne L. Niederhauser)	Passed
SB 136	Apportionment of Business Income and Deduction of Net Losses by an Acquired Corporation (Wayne L. Niederhauser)	Passed
SB 137	Mineral Production Tax Withholding Amendments (Wayne L. Niederhauser)	Passed
SB 138	Utah Substance Abuse and Anti-violence Coordinating Council Amendments (D. Chris Buttars)	Passed
SB 139	Utah Antitrust Act Amendments (Lyle W. Hillyard)	Passed
SB 140	Education Advisory Councils (Patricia W. Jones)	Failed

SB 141	Water Conservancy District - Selection of Board of Trustees (Wayne L. Niederhauser)	Failed
SB 142	High School Graduation Requirements (Mark B. Madsen)	Failed
SB 143	Insurance Financial Requirements (Kevin T. VanTassell)	Passed
SB 144	Parameters on Governor's Ability to Enter Agreements Binding the State (Scott K. Jenkins)	Vetoed
SB 145	State Family Day Holiday (John W. Hickman)	Failed
SB 146	Amendment to Uniform Anatomical Gift Act (Lyle W. Hillyard)	Passed
SB 147	Candidate Filing Requirements (Peter C. Knudson)	Passed
SB 148	Enforcement of Front License Plate Display Requirement Amendments (Sheldon L. Killpack)	. Passed
SB 149	Motor Vehicle Liability Policy Minimum Limits (Sheldon L. Killpack)	Passed
SB 150	Criminal Penalties Revisions (Scott K. Jenkins)	Passed
SB 151	Trademark Protection Act Amendments (Dan R. Eastman)	Passed
SB 152	Presumptive Personal Representative (Gregory S. Bell)	Passed
SB 153	Revision to County Elected Offices (Gregory S. Bell)	Failed
SB 154	Protective Order - Crime of Inducing Breach (Scott D. McCoy)	Failed
SB 155	Punitive Damages Amendments (Lyle W. Hillyard)	Passed
SB 156	Utah Relocation Assistance Act Amendments (Lyle W. Hillyard)	Passed
SB 157	Rights of Citizens to Carry Firearms in Declared Emergency (Mark B. Madsen)	Passed
SB 158	Governor's Rural Partnership Board and Rural Coordinating Committee Amendments (Dennis E. Stowell)	. Passed
SB 159	Workers' Compensation Amendments (Dan R. Eastman)	Passed
SB 160	Candidate Replacement Deadline for General Election (Peter C. Knudson)	Failed
SB 161	Advance Health Care Directive Amendments (Allen M. Christensen)	Passed
SB 162	Federal Education Agreement Requirements (Margaret Dayton)	Passed
SB 163	Certified Public Accountant Licensing Act Amendments (Curtis S. Bramble)	Passed
SB 164	Computer Assisted Remote Hunting Prohibited (Michael G. Waddoups)	Passed
SB 165	Alcoholic Beverage Single Event Permits (Scott D. McCoy)	Passed
SB 166	Nondiscrimination Amendments (Scott D. McCoy)	Failed
SB 167	Alcoholic Beverages on Election Day (Scott D. McCoy)	Passed
SB 168	Highway Funding Amendments (Dennis E. Stowell)	Passed
SB 169	Renewable Energy Zone Task Force (Dennis E. Stowell)	Failed
SB 170	Board of Water Resources Amendments (Dennis E. Stowell)	Passed
SB 171	Repeal of Certain Reporting by Financial Institutions (Kevin T. VanTassell)	Passed
SB 172	Funding for Medicaid Vision Care (Allen M. Christensen)	Failed
SB 173	Renewable Energy Provisions (Scott D. McCoy)	Failed
SB 174	Dentist and Dental Hygienist Practice Act Amendments (Peter C. Knudson)	Passed
SB 175	Death Certificate Procedure Amendments (Jon J. Greiner)	Failed
SB 176	Unemployment Insurance Contribution Rates Amendments (Howard A. Stephenson)	Passed
SB 177	Local Government Disposal of Real Property Acquired by Exaction (Wayne L. Niederhauser)	. Passed
SB 178	Senior Citizen Property Tax Safe Harbor (D. Chris Buttars)	Failed
SB 179	Salvage Vehicle Amendments (Carlene M. Walker)	Passed
SB 180	Regents' Scholarship Program (Lyle W. Hillyard)	Passed
SB 181	Off-highway Vehicle Use on Public Highways (Scott K. Jenkins)	Passed
SB 182	Survival Action upon Injury or Death (Michael G. Waddoups)	Failed

SB 183	Child Pornography Amendment (D. Chris Buttars)	Failed
SB 184	Child Care Licensing Exemptions (Jon J. Greiner)	Passed
SB 185	Economic Incentive Revisions (Lyle W. Hillyard)	Passed
SB 186	Custody and Parent-time for Non-parents (Lyle W. Hillyard)	Passed
SB 187	Bail in Capital Offense Cases (Jon J. Greiner)	Passed
SB 188	Pilot Program for Summer School and after School Programs for Children with a Disability (Gregory S. Bell)	Failed
SB 189	Independent Contractor Database (Dan R. Eastman)	
SB 190	Public Classroom Displays (Allen M. Christensen)	
SB 191	Judicial Conduct Commission Amendments (Gene Davis)	
SB 192	Sex Offense Amendments (Jon J. Greiner)	Passed
SB 193	Election Law Changes (Peter C. Knudson)	Passed
SB 194	Metal Theft Amendments and Penalties (Jon J. Greiner)	Failed
SB 195	Use of Campaign Contributions (Gregory S. Bell)	Failed
SB 196	County and Municipal Land Use Amendments (Wayne L. Niederhauser)	Passed
SB 197	Preferred Drug List Revisions (Allen M. Christensen)	Failed
SB 198	Child Support Technical Amendments (Gregory S. Bell)	Passed
SB 200	Professional Engineers Licensing Amendments (Fred J. Fife)	Passed
SB 202	Energy Resource and Carbon Emission Reduction Initiative (Curtis S. Bramble)	Passed
SB 203	Highway Abandonment Amendments (Darin G. Peterson)	Failed
SB 204	Income Taxation Amendments (Wayne L. Niederhauser)	Failed
SB 205	Uniform Interstate Depositions and Discovery Act (Lyle W. Hillyard)	Passed
SB 208	Transportation Corridor Preservation Amendments (Sheldon L. Killpack)	Passed
SB 209	Methamphetamine Decontamination Standards and Funding (D. Chris Buttars)	Passed
SB 210	Proof of Citizenship Required to Vote (Mark B. Madsen)	Failed
SB 211	Alcoholic Beverage Control Amendments (Curtis S. Bramble)	Passed
SB 212	Funeral Processions (Brent H. Goodfellow)	Failed
SB 213	State Contract - False Claims Act (Allen M. Christensen)	Failed
SB 216	Deferred Deposit Lending Information and Reporting (Gregory S. Bell)	Failed
SB 217	Property Tax Deferrals, Abatements, and Relief Limitations (Dennis E. Stowell)	Failed
SB 218	Amendments to Tourism, Recreation, Cultural, and Convention Facilities Tax (Wayne L. Niederhauser)	Failed
SB 219	School District Division Funding (Michael G. Waddoups)	Failed
SB 220	Cause of Action for Defective Construction (Curtis S. Bramble)	Passed
SB 221	Capital Development and Improvement Amendments (Lyle W. Hillyard)	Passed
SB 222	Division of Real Estate Licensing and Presence in the United States (Margaret Daytor) Failed
SB 223	School Transfers - Participation in Extracurricular Activities (Mark B. Madsen)	Failed
SB 224	Coal Mine Safety Act (Mike Dmitrich)	
SB 225	Gubernatorial and Legislative Space in the Capitol (Curtis S. Bramble)	Passed
SB 228	Regulation of Wells (Margaret Dayton)	
SB 231	Transportation Governance (Sheldon L. Killpack)	Passed
SB 234	Minimum School Program Amendments - Counseling and Guidance Programs (Mike Dmitrich)	Failed
SB 235	Human Remains Related Amendments (Kevin T. VanTassell)	Passed
SB 236	Judiciary Amendments (Lyle W. Hillyard)	Passed
SB 237	Commercial Airline and Airport Taxation Amendments (Wayne L. Niederhauser)	Passed

SB 238	Aquatic Invasive Species Interdiction Act (Jon J. Greiner)	Passed
SB 239	Office of the Attorney General - Safety Net Initiative (Curtis S. Bramble)	
SB 241	Local Governmental Cooperation in Education Matters (Patricia W. Jones)	
SB 242	Law Enforcement Tracking of Domestic Violence Statistics (Jon J. Greiner)	
SB 243	This Is the Place Foundation - Procurement Code Exemption (Brent H. Goodfellow)	Failed
SB 244	Division of Parks and Recreation to Support Nonprofit Corporation	
	or Foundation (Brent H. Goodfellow)	
SB 245	Funding Relating to Airports, Highways, and Public Transit (Curtis S. Bramble)	Passed
SB 247	Veterans Procurement Provisions (Fred J. Fife)	Passed
SB 251	Task Force Studying Funding for Fighting Forest Fires (Dennis E. Stowell)	Failed
SB 253	County Law Enforcement Duties (Michael G. Waddoups)	Passed
SB 255	Hospital Lien (Darin G. Peterson)	Failed
SB 256	Good Samaritan Act for Engineers (Michael G. Waddoups)	Failed
SB 258	Property Tax Committee (Wayne L. Niederhauser)	Failed
SB 260	Disclosure of Public Employee Disciplinary Actions Amendments (D. Chris Buttars)	Failed
SB 261	Political Subdivision Annexation Amendments (Michael G. Waddoups)	Passed
SB 263	Self Authentication of Documents (Scott D. McCoy)	
SB 264	Development Around Military Installations (Sheldon L. Killpack)	Passed
SB 265	Unlawful Detainer Amendments (Michael G. Waddoups)	Passed
SB 266	Process Servers - Age Restrictions (Jon J. Greiner)	Failed
SB 267	Local Government Authority Amendments (D. Chris Buttars)	Failed
SB 269	Water Rights - Ombudsman (Dennis E. Stowell)	Failed
SB 273	Regulation of Gifts (Gregory S. Bell)	Failed
SB 274	Amendments to Utah Service Members' Civil Relief Act (Peter C. Knudson)	
SB 275	Military Justice Code Amendments (Peter C. Knudson)	Passed
SB 277	Post-conviction Remedies Act Revisions (Gregory S. Bell)	Passed
SB 278	Technical Amendments to Titles 78a and 78b (Gregory S. Bell)	Passed
SB 279	Water and Land Use Development (Darin G. Peterson)	Failed
SB 281	Use of Minimum School Program Nonlapsing Balances (Howard A. Stephenson)	
SB 283	Transportation Funding Amendments (Sheldon L. Killpack)	Passed
SB 286	Transportation and Transit Amendments (Sheldon L. Killpack)	
SB 287	Appropriation for the Swanson Tactical Training Center (Scott K. Jenkins)	Failed
SB 288	Condominium Ownership Act Amendments (Michael G. Waddoups)	Passed
SB 290	Private Investigators' Access to Driver Licensure Information (Margaret Dayton)	
SB 292	Voiding Transactions Against Public Policy (Margaret Dayton)	Failed
SB 294	Community Development and Renewal Amendments (Curtis S. Bramble)	Passed
SB 295	Security Alarm Business Licensing Amendments (Margaret Dayton)	Passed
SB 296	Financial Institutions Amendments (Curtis S. Bramble)	Passed
SB 297	Animal Torture and Cruelty Amendments (Allen M. Christensen)	
SB 298	State Land Acquisition (John W. Hickman)	
SB 299	Revision to Local Government (Gregory S. Bell)	
SCR 1	Resolution Supporting Obesity Awareness (D. Chris Buttars)	
SCR 2	Resolution Promoting Legislators Back to School Program (Margaret Dayton)	Passed
SCR 3	Resolution Supporting Observance of Peace Officers Memorial Day (Jon J. Greiner)	Passed
SCR 4	Concurrent Resolution Recognizing Utah's Nobel Prize Winner	D
	Mario Capecchi (John L. Valentine)	Passed

SCR 5	Concurrent Resolution Calling for Congress to Pass Balanced Immigration Reform (Howard A. Stephenson)
SCR 6	Concurrent Resolution on the Reconstruction of Interstate 15 (John L. Valentine) Passed
SJR 1	Resolution Encouraging the Advertisement of Alternative Routes to Teaching (Margaret Dayton)
SJR 2	Resolution Approving the Appointment of Legislative Fiscal Analyst (Curtis S. Bramble) Passed
SJR 3	Resolution Approving Compensation of In-session Employees (Gregory S. Bell) Passed
SJR 4	Joint Resolution Recognizing 100th Anniversary of Utah League of Cities and Towns (Peter C. Knudson)
SJR 5	Joint Resolution Amending Legislative Apportionment (Curtis S. Bramble) Passed
SJR 6	Joint Resolution Encouraging the Governor's Board Appointments to Reflect Utah Geographic Balance (Dennis E. Stowell)
SJR 7	Joint Rules Resolution - Authorizing Electronic Committee Meetings (Lyle W. Hillyard) Failed
SJR 8	Joint Rules Resolution - Base Budget Amendments (Wayne L. Niederhauser) Failed
SJR 9	Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System (Gene Davis)
SJR 10	Joint Resolution Amending Constitution Regarding Taxes of the Elderly (Gene Davis) Failed
SJR 11	Master Study Resolution (Curtis S. Bramble)
SJR 12	Joint Resolution Honoring Hill Air Force Base's 388th and 419th Fighter Wings (Sheldon L. Killpack)
SR 1	Senate Resolution Urging the Consideration of the United States Ending its Participation in the Security and Prosperity Partnership of North America (Fred J. Fife) Passed
SR 2	Senate Resolution Honoring James L. Sorenson (Allen M. Christensen) Passed
SR 3	Senate Resolution Petitioning Congress to Address the Illegal Immigration Crisis (Mark B. Madsen)
SR 4	Senate Resolution Regarding Trade with Taiwan (Curtis S. Bramble) Passed
SR 5	Senate Resolution Encouraging Congressional Action Related to the Navajo Nation's Ability to Collect Child Support (Mike Dmitrich)

SUBJECT INDEX OF LEGISLATION NOT PASSED 2008 GENERAL SESSION

ABUSE

Domestic Violence and Dating Violence Amendments - HB 247

ADMINISTRATIVE RULES AND PROCEDURES

Securities Amendments - HB 83

Labor Commission - Review of Administrative Decisions - HB 334

Water Rights Board - SB 85

ADOPTION

Adoption - Investigation and Release of Information - HB 289

Utah Adoption Amendments - HB 318

AGRICULTURE

Property Tax Amendments on Agricultural Land - HB 211 Protections for Agricultural Practices - HB 229 Subdivision Approval Amendments - HB 481

ALCOHOLIC BEVERAGE CONTROL

Alcoholic Beverage Enforcement Provisions - HB 344
Exemption for Alcoholic Beverage Manufacturing License
- HB 425

Social Host Liability Act - HB 487

ALCOHOLIC BEVERAGE CONTROL COMMISSION

Alcoholic Beverage Enforcement Provisions - HB 344
Exemption for Alcoholic Beverage Manufacturing License
- HB 425

ALCOHOLIC BEVERAGES

Alcoholic Beverage Enforcement Provisions - HB 344 Exemption for Alcoholic Beverage Manufacturing License - HB 425

Social Host Liability Act - HB 487

ANIMAL HEALTH

Amendments to Animal Cruelty Provisions - HB 470

ANNEXATION

Changes to Municipal Annexation Provisions - HB 124 Water and Land Use Development - SB 279

ANTIDISCRIMINATION

Antidiscrimination Act Amendments - HB 89 Nondiscrimination Amendments - SB 166

APPLIED TECHNOLOGY EDUCATION

Utah College of Applied Technology Amendments - HB 204

Utah College of Applied Technology Revisions - HB 284

Utah College of Applied Technology - Governance and Operations - SB 42

APPROPRIATIONS

Cancer Screening and Mortality Reduction Program - HB 17

Appropriation for a Utah Lake Transportation Study - HB 11

Grants from Department of Community and Culture - HB 135

State Facility Water Conservation Program - HB 137 School Fee Amendments - HB 163

Early Childhood Learning and Evaluation - HB 200

Educator Salary Adjustments - HB 212

School Testing Specialists - HB 214

Higher Education Distance Learning Partnerships - HB 311

High-ability Student Initiative Program - HB 329 Beverley Taylor Sorenson Elementary Arts Learning Program - HB 363

School Fee Waiver Amendments - HB 368

Higher Education Access Enhancement Program - HB 381

English Language Learner Family Literacy Centers Program - HB 436

Educator Compensation Modifications - HB 471 Legislative Task Forces and Study Priorities - HB 490 Benefits to American Board Certified Teachers - SB 91

Renewable Energy Zone Task Force - SB 169

Property Tax Committee - SB 258

Appropriation for the Swanson Tactical Training Center - SB 287

Joint Rules Resolution - Base Budget Amendments - SJR 8

ARTS

Grants from Department of Community and Culture - HB 135

ATTORNEYS

Attorney's Lien Amendments - HB 306

BOATING

Motorboat Education Requirements - HB 154

BONDS

Revenue Bond Authorization for State Fair Park - HB 497

BUDGETING

Modifications to Government Law - HB 440 Joint Rules Resolution - Base Budget Amendments -SJR 8

BUILDING CODES

Construction Standards for Type II Assisted Living Facility
- HB 224

BUSINESS

Securities Amendments - HB 83

Antidiscrimination Act Amendments - HB 89

Charitable Solicitation Act Amendments - HB 111

Minimum Wage Provisions - HB 114

Wireless Internet Access Requirements - HB 139

Residential Mortgage Loan Closing Act - HB 197

Construction Standards for Type II Assisted Living Facility
- HB 224

Controlled Substances Amendments - Suda Controls - HB 267

Private Building Inspector Authorized - HB 293

Telephone Solicitation Amendments - HB 300

Attorney's Lien Amendments - HB 306

Credit Card or Debit Card Contracts Act - HB 308

Mobile Home Park Amendments - HB 335

Alcoholic Beverage Enforcement Provisions - HB 344

Real Property Purchase - Notification of Water Rights - HB 394

Condominium and Community Association Provisions - HB 400

Community Conscious Internet Provider - HB 407

Powersport Vehicle Franchise Act Revisions - HB 409

Title and Escrow Commission Act - HB 411

Exemption for Alcoholic Beverage Manufacturing License - HB 425

Responsibility for Access Devices and Security Breaches - HB 468

State Trade Database - SB 40

Small Business Access Amendments - SB 79

Nondiscrimination Amendments - SB 166

Renewable Energy Zone Task Force - SB 169

Metal Theft Amendments and Penalties - SB 194

Deferred Deposit Lending Information and Reporting - SB 216

Division of Real Estate Licensing and Presence in the United States - SB 222

Voiding Transactions Against Public Policy - SB 292

CAMPAIGN FINANCE

Fair Campaign Pledge Amendments - HB 456 Use of Campaign Contributions - SB 195 Regulation of Gifts - SB 273

CAPITOL HILL

State Capital Facility Board - Creation and Oversight - SB 104

CHARITIES

Charitable Solicitation Act Amendments - HB 111

CHARTER SCHOOLS

Charter School Funding Amendments - HB 278

CHILD SUPPORT

Custody Evaluation and Parent Coordination - HB 169 Juvenile Custody Maintenance Amendments - SB 106 Senate Resolution Encouraging Congressional Action Related to the Navajo Nation's Ability to Collect Child Support - SR 05

CHILDREN

Child and Vulnerable Adult Endangerment Provisions - HB 315

Access to Childrens Health Insurance Program - HB 337 Custodial Interference Amendments - HB 358 Joint Custody Modifications - HB 415 Child Pornography Amendment - SB 183

COMMERCE AND TRADE

Securities Amendments - HB 83
Telephone Solicitation Amendments - HB 300
Powersport Vehicle Franchise Act Revisions - HB 409
Division of Real Estate Licensing and Presence in the
United States - SB 222

COMMITTEES. LEGISLATIVE

Joint Rules Resolution - Authorizing Electronic Committee Meetings - SJR 7

COMMUNITY AND CULTURE DEVELOPMENT

Grants from Department of Community and Culture - HB 135

Department of Community and Culture - State-owned Art Inventory - SB 33

Funeral Processions - SB 212

CONSTITUTION

Resolution Amending Property Tax Provision - HJR 09 Joint Resolution Amending Residential Property Assessment Provisions - HJR 14

Joint Resolution Amending Legislative Article - HJR 15 Protection of Constitutionally Guaranteed Activities in Certain Private Venues - SB 67

Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

CONSTRUCTION INDUSTRIES

Residential Mortgage Loan Closing Act - HB 197 Private Building Inspector Authorized - HB 293 Underground Utilities Facilities Amendments - SB 127

CONSUMER CREDIT

Credit Card or Debit Card Contracts Act - HB 308
Responsibility for Access Devices and Security Breaches
- HB 468

Deferred Deposit Lending Information and Reporting - SB 216

CONSUMER PROTECTION

Telephone Solicitation Amendments - HB 300

CONTRACTS

Credit Card or Debit Card Contracts Act - HB 308 State Contract - False Claims Act - SB 213 Voiding Transactions Against Public Policy - SB 292

CONTROLLED SUBSTANCES

Illegal Drug Activity Reporting System - HB 136 Controlled Substance Schedule - Amendments - HB 260 Controlled Substances Amendments - Suda Controls -HB 267

CORPORATE TAX

Tax Credits for Energy Efficient Residences - HB 199
Tax Credit for Solar Projects - HB 201
Apportionment of Business Income, Attributing Sales to
the State, and Deduction of Net Losses by a Unitary
Group - SB 28
Income Taxation Amendments - SB 204

CORPORATIONS

Fluorine in a Privately Owned Water System - HB 116

COUNTIES

Restrictions on Regulation of Automotive Collection Activities - HB 147

Authorization for Counties to Provide Supplemental Law Enforcement Services - HB 150

Residential Mortgage Loan Closing Act - HB 197 Private Building Inspector Authorized - HB 293

Municipal Annexation Amendments - HB 340

Town Incorporation Process Revisions - HB 413

Political Subdivision Clerk Amendments - HB 422

Modifications to Government Law - HB 440

Government Entity Changes - HB 447

Assessment Area Amendments - HB 453

Subdivision Approval Amendments - HB 481

Municipal Incorporation Amendments - SB 25

Economic Analysis and Reporting of Cost of Land Use Regulation - SB 86

Changes to County Surveyor - SB 129

Revision to County Elected Offices - SB 153

Disclosure of Public Employee Disciplinary Actions Amendments - SB 260

Local Government Authority Amendments - SB 267 Water and Land Use Development - SB 279

COURT RULES

Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System - SJR 9

COURTS

Custody Evaluation and Parent Coordination - HB 169
Custodial Interference Amendments - HB 358
Designation of Second District State Court Building HB 430

CREDIT

Credit Card or Debit Card Contracts Act - HB 308
Responsibility for Access Devices and Security Breaches
- HB 468

CRIMINAL CODE

Crime of Strangulation or Smothering - HB 65
Fund from Impaired and Drug Related Violations - HB 152
DNA Sample - Felony and Certain Misdemeanor
Convictions - HB 156

Sex Offenders' Contact with Children - HB 161 Mortgage Fraud - HB 233

Child and Vulnerable Adult Endangerment Provisions - HB 315

Amendments to Animal Cruelty Provisions - HB 470
Animal Torture Offense - SB 102
Animal Cruelty Amendments - SB 117
Protective Order - Crime of Inducing Breach - SB 154
Metal Theft Amendments and Penalties - SB 194

DEATH

Wrongful Death Amendments - SB 73 Death Certificate Procedure Amendments - SB 175 Survival Action upon Injury or Death - SB 182

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

State Contract - False Claims Act - SB 213

Alcoholic Beverage Enforcement Provisions - HB 344

DEPARTMENT OF COMMERCE

Charitable Solicitation Act Amendments - HB 111 Powersport Vehicle Franchise Act Revisions - HB 409 Water Rights - Ombudsman - SB 269

DEPARTMENT OF CORRECTIONS

Sex Offender Registration Amendments - HB 176

DEPARTMENT OF ENVIRONMENTAL QUALITY

Department of Environmental Quality Amendments - HB 353

DEPARTMENT OF FINANCIAL INSTITUTIONS

Deferred Deposit Lending Information and Reporting - SB 216

DEPARTMENT OF HEALTH

Construction Standards for Type II Assisted Living Facility
- HB 224

DEPARTMENT OF PUBLIC SAFETY

DNA Sample - Felony and Certain Misdemeanor Convictions - HB 156

DEPARTMENT OF TRANSPORTATION

Appropriation for a Utah Lake Transportation Study - HB 115

DISABILITIES

Health Professional Authority - Death and Disability - HB 276

Emotional Support Animals - SB 70

Pilot Program for Summer School and after School Programs for Children with a Disability - SB 188

DOMESTIC VIOLENCE

Domestic Violence and Dating Violence Amendments - HB 247

Protective Order - Crime of Inducing Breach - SB 154

DRIVER LICENSE

Motorboat Education Requirements - HB 154 Driver License Qualification Amendments - HB 239 Not-a-drop Drivers Program Amendments - HB 324 Implementation of Federal Real Id Act - HB 449

DRIVING UNDER THE INFLUENCE (DUI)

Not-a-drop Drivers Program Amendments - HB 324

ECONOMIC DEVELOPMENT

Utah State Railroad Museum Authority - HB 444 State Trade Database - SB 40

EDUCATION

Extended Year for Special Educators - HB 67
Repeal of Board Leeway for Reading Improvement - HB 69

Task Force to Study Performance Incentives for Teachers - HB 81

Compensation of Educators with National Board Certification - HB 84

Teacher Loan Program - HB 85

Elementary Education Co-teaching Pilot Program - HB 88

Center for the School of the Future Incentives - HB 91

School Financial Disclosure - HB 113

Education Materials Center - HB 120

Accelerated Learning Programs Amendments - HB 123

Utah School Seismic Hazard Inventory - HB 162

School Fee Amendments - HB 163

State System of Higher Education Amendments - HB 190

Class Size Reduction in Kindergarten Through Grade Three - HB 194

Early Childhood Learning and Evaluation - HB 200

Utah College of Applied Technology Amendments - HB 204

Educator Salary Adjustments - HB 212

School Testing Specialists - HB 214

Disruption of School Activities - HB 226

Elementary School Math Initiative - HB 232

Public Education Funding - Block Grant Amendments - HB 240

Repeal of Exemptions from Nonresident Tuition - HB 241 Higher Education Information Technology Appropriation -HB 253

State Office of Education Human Resource Management Amendments - HB 255

Accelerated Learning Program Revisions - HB 266 Utah Science Technology and Research Initiative Centers

- HB 270 Utah K-8 Online Virtual School - HB 274

Charter School Funding Amendments - HB 278

School Finance Amendments - HB 280

Utah College of Applied Technology Revisions - HB 284

Public School Electronic Device Policies - HB 295

Higher Education Distance Learning Partnerships - HB 311

High-ability Student Initiative Program - HB 329

Use of Utah Education Network for Telehealth - HB 331

Exemption of University Housing from Eviction Laws - HB 343

Minimum Age for Public Education Enrollment Amendments - HB 345

Home School Amendments - HB 350

Beverley Taylor Sorenson Elementary Arts Learning Program - HB 363

School Fee Waiver Amendments - HB 368

Teacher Reemployment after Retirement - HB 372

Higher Education Access Enhancement Program - HB 381

Financing Public Education - HB 382

Statewide Capital Outlay Equalization - HB 383

Recycling Amendments - HB 414

Physician Education Admissions - HB 418

Public School Textbook Evaluation Amendments - HB 419

English Language Learner Family Literacy Centers Program - HB 436

Educator Compensation Modifications - HB 471

Kindergarten Program Amendments - HB 488

Differentiated Pay for Teachers - SB 35

Home School and Extra Curricular Activities Amendments - SB 37

Mathematics, Science, and Technology Education Task Force - SB 39

Utah College of Applied Technology - Governance and Operations - SB 42

New School District Amendments - SB 49

Financial and Economic Literacy Education - SB 61

Benefits to American Board Certified Teachers - SB 91

State Capital Facility Board - Creation and Oversight - SB 104

Education Transportation Amendments - SB 118

Education Advisory Councils - SB 140

High School Graduation Requirements - SB 142

Public Classroom Displays - SB 190

School District Division Funding - SB 219

School Transfers - Participation in Extracurricular Activities - SB 223

Minimum School Program Amendments - Counseling and Guidance Programs - SB 234

Local Governmental Cooperation in Education Matters - SB 241

ELDERLY

Construction Standards for Type II Assisted Living Facility
- HB 224

Senior Citizen's Homeowner's Credit - HB 333

Senior Citizen Property Tax Safe Harbor - SB 178

Property Tax Deferrals, Abatements, and Relief Limitations - SB 217

Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

ELECTIONS

Access to Voter Date of Birth Records - HB 25

Campaign Report Amendments - HB 41

Absentee Ballot Amendments - HB 142

Election Law Reforms - HB 175

Compact Agreement among the States to Elect the President by National Popular Vote - HB 283

Election Day Voter Registration - HB 317

Neutrality Required of Poll Workers - HB 338

Advisory Redistricting Commission - HB 376

Fair Campaign Pledge Amendments - HB 456

Poll Worker Neutrality - SB 109

Filling Vacancies in the Senate - SB 123

Filing Fee for Write-in Candidates - SB 126

Revision to County Elected Offices - SB 153

Candidate Replacement Deadline for General Election - SB 160

Proof of Citizenship Required to Vote - SB 210

Regulation of Gifts - SB 273

ENERGY

Tax Credit for Solar Projects - HB 201 Renewable Energy Zone Task Force - SB 169 Renewable Energy Provisions - SB 173

ENVIRONMENTAL QUALITY

Fluorine in a Privately Owned Water System - HB 116 Certification of Meth Houses - HB 230

Time Limitation for Prosecution of Environmental Crimes -HB 273 Department of Environmental Quality Amendments - HB 353

Recycling Amendments - HB 414

ETHICS

Campaign Report Amendments - HB 41 State Ethics Commission - HB 130 Use of Campaign Contributions - SB 195 Regulation of Gifts - SB 273

EXECUTIVE BRANCH

Alcoholic Beverage Enforcement Provisions - HB 344 State Contract - False Claims Act - SB 213

FAMILY

Custody Evaluation and Parent Coordination - HB 169
Domestic Violence and Dating Violence Amendments HB 247

Community Conscious Internet Provider - HB 407

Joint Custody Modifications - HB 415

Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System - SJR 9

FEDERAL GOVERNMENT

Minimum Wage Provisions - HB 114

Revoking Federal Authority to Use State Lands as a Bird Refuge - HB 227

Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities - HJR 8

Appropriation for the Swanson Tactical Training Center - SB 287

FINANCIAL INSTITUTIONS

Credit Card or Debit Card Contracts Act - HB 308
Responsibility for Access Devices and Security Breaches
- HB 468

Deferred Deposit Lending Information and Reporting - SB 216

FIRE PROTECTION

Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees - HB 328

Task Force Studying Funding for Fighting Forest Fires - SB 251

FIXED GUIDEWAY

Public Transit Study - HB 298

FLAG (AMERICAN)

Public Classroom Displays - SB 190

FORESTS

Task Force Studying Funding for Fighting Forest Fires - SB 251

FREEDOM OF RELIGION - CONST. ART. I, SEC. 4

Protection of Constitutionally Guaranteed Activities in Certain Private Venues - SB 67

FUNERAL SERVICES

Funeral Processions - SB 212

GANGS

Prohibiting Gang Activity - SB 75

GOVERNMENT OPERATIONS (STATE ISSUES)

Access to Voter Date of Birth Records - HB 25
Divestment of Certain Retirement Fund Investments HB 39

Campaign Report Amendments - HB 41

Government Competition and Privatization Act - HB 76

State Ethics Commission - HB 130

Government Immunity Amendments - HB 134

Illegal Drug Activity Reporting System - HB 136

State Facility Water Conservation Program - HB 137

Absentee Ballot Amendments - HB 142

Additional State Retirement Benefit - HB 145

Minutes of Open and Public Meetings - HB 166

Election Law Reforms - HB 175

State Tree Redesignated - HB 246

Employee Verification - HB 257

Compact Agreement among the States to Elect the President by National Popular Vote - HB 283

Designating Magnesium as the State Metal - HB 297

Election Day Voter Registration - HB 317

Neutrality Required of Poll Workers - HB 338

Public Associations Subject to Government Records

Access and Management Act - HB 357

Restitution Fund Account - HB 439

Government Entity Changes - HB 447

Fair Campaign Pledge Amendments - HB 456

Labor Organization Amendments - HB 475

Legislators Health Plan - HB 485

Legislative Task Forces and Study Priorities - HB 490

Revenue Bond Authorization for State Fair Park - HB 497

Joint Resolution Consenting to Creation of New State Within Utah - HJR 6

Joint Resolution Supporting Statewide Government 211 System Information Directory - HJR 11

Joint Resolution Amending Legislative Article - HJR 15

Protection of Constitutionally Guaranteed Activities in Certain Private Venues - SB 67

State Capital Facility Board - Creation and Oversight - SB 104

Poll Worker Neutrality - SB 109

Filing Fee for Write-in Candidates - SB 126

State Family Day Holiday - SB 145

Candidate Replacement Deadline for General Election - SB 160

Use of Campaign Contributions - SB 195 Proof of Citizenship Required to Vote - SB 210 Disclosure of Public Employee Disciplinary Actions

Amendments - SB 260

Regulation of Gifts - SB 273

GOVERNMENT PURCHASING

Employee Verification - HB 257
Recycling Amendments - HB 414
State Contract - False Claims Act - SB 213
This Is the Place Foundation - Procurement Code
Exemption - SB 243

GOVERNMENT RECORDS

Access to Voter Date of Birth Records - HB 25
Public Associations Subject to Government Records
Access and Management Act - HB 357
Disclosure of Public Employee Disciplinary Actions
Amendments - SB 260

GOVERNMENTAL IMMUNITY

Government Immunity Amendments - HB 134

HAZARDOUS SUBSTANCES

Department of Environmental Quality Amendments - HB 353

HEALTH

Cancer Screening and Mortality Reduction Program - HB 17

Amendments to Prescribing Schedule II Drugs - HB 100

Prosthetic Limb Health Insurance Parity - HB 108

Health Insurance Market Choices - HB 168

Adoption - Investigation and Release of Information - HB 289

Local Health Department Funding - HB 322

Use of Utah Education Network for Telehealth - HB 331

Tax Changes and Appropriations for Preventive Health Activities - HB 355

Statewide Standards for Health Care Interpreting - HB 428

Licensing of Anesthesiologist Assistants - HB 477

Health Care Patient Identity Protections - HB 479

Amendments to the Utah Medical Service System Act - HB 494

Medical Benefits Recovery Amendments - SB 50

Emotional Support Animals - SB 70

Health Care Provider Access - SB 74

Ambulatory Surgical Centers Amendments - SB 82

Utah Comprehensive Health Insurance Pool Funding - SB 101

Access to Qualified Health Care Providers - SB 121

Medical Assistance and Managed Care - SB 133 Funding for Medicaid Vision Care - SB 172

Death Certificate Procedure Amendments - SB 175

Hospital Lien - SB 255

HEALTH CARE

Cancer Screening and Mortality Reduction Program -HB 17

Health Insurance Market Choices - HB 168 Individual Income Tax - Health Insurance - HB 351 Statewide Standards for Health Care Interpreting -HB 428

Licensing of Anesthesiologist Assistants - HB 477 Health Care Patient Identity Protections - HB 479 Health Plan Exemption from Selected Requirements -HB 491

Medical Benefits Recovery Amendments - SB 50 Funding for Medicaid Vision Care - SB 172

HEALTH CARE FACILITIES

Ambulatory Surgical Centers Amendments - SB 82 Hospital Lien - SB 255

HEALTH CARE PROVIDERS

Amendments to Prescribing Schedule II Drugs - HB 100 Health Professional Authority - Death and Disability -

Statewide Standards for Health Care Interpreting -HB 428

Amendments to the Utah Medical Service System Act -HB 494

Emotional Support Animals - SB 70 Health Care Provider Access - SB 74

Access to Qualified Health Care Providers - SB 121

HELMETS

Motor Cycle Helmet Law Amendments - HB 463

HIGHER EDUCATION

Center for the School of the Future Incentives - HB 91 State System of Higher Education Amendments - HB 190 Utah College of Applied Technology Amendments -

Repeal of Exemptions from Nonresident Tuition - HB 241 Higher Education Information Technology Appropriation -

Utah College of Applied Technology Revisions - HB 284 Higher Education Distance Learning Partnerships -HB 311

Use of Utah Education Network for Telehealth - HB 331 Exemption of University Housing from Eviction Laws -HB 343

Higher Education Access Enhancement Program -HB 381

Physician Education Admissions - HB 418 Utah College of Applied Technology - Governance and Operations - SB 42

HIGHWAYS

Appropriation for a Utah Lake Transportation Study -

Sales and Use Tax Amendments - HB 183 Road and Rights-of-way Amendments - HB 385 Vehicle to Pull off Highway - HB 402 Handling of Minor Traffic Accidents - HB 452 Highway Abandonment Amendments - SB 203

HISTORY

Grants from Department of Community and Culture -HB 135

HOUSING

Nondiscrimination Amendments - SB 166

HUMAN SERVICES

Domestic Violence and Dating Violence Amendments -HB 247

Adoption - Investigation and Release of Information -

Child and Vulnerable Adult Endangerment Provisions -

Utah Adoption Amendments - HB 318 Medical Benefits Recovery Amendments - SB 50 Juvenile Custody Maintenance Amendments - SB 106 Pilot Program for Summer School and after School Programs for Children with a Disability - SB 188

ILLEGAL ALIENS

Document Fraud - HB 95

Citizenship Determination of Incarcerated Individuals -HB 302

Deportation of Eligible Undocumented Immigrant Prisoners - HB 395

House Resolution Petitioning Congress to Address the Illegal Immigration Crisis - HR 6

IMMIGRATION

Document Fraud - HB 95 Illegal Immigration Enforcement Act - HB 237 Deportation of Eligible Undocumented Immigrant Prisoners - HB 395 Immigration Task Force - SB 97

IMPACT FEES

Impact Fees - Public Safety Facility - SB 51

INCOME TAX

Tax Credit for Military Retired Pay - HB 158 State System of Higher Education Amendments - HB 190 Tax Credits for Energy Efficient Residences - HB 199 Tax Credit for Solar Projects - HB 201 Tax Incentives for Military Members - HB 279 Individual Income Tax - Health Insurance - HB 351 Individual Income Tax - Long-term Care Insurance Premiums - HB 360

Apportionment of Business Income, Attributing Sales to the State, and Deduction of Net Losses by a Unitary Group - SB 28

Income Tax Amendments - SB 31

Income Tax - Capital Gain Transactions - SB 64

Income Taxation Amendments - SB 204

INDIAN AFFAIRS

Proof of Citizenship Required to Vote - SB 210 Senate Resolution Encouraging Congressional Action Related to the Navajo Nation's Ability to Collect Child Support - SR 5

INMATES

Citizenship Determination of Incarcerated Individuals - HB 302

Deportation of Eligible Undocumented Immigrant Prisoners - HB 395

INSURANCE

Title and Escrow Commission Act - HB 411
Health Plan Exemption from Selected Requirements - HB 491

INSURANCE DEPARTMENT

Residential Mortgage Loan Closing Act - HB 197

INSURANCE, HEALTH

Prosthetic Limb Health Insurance Parity - HB 108 Health Insurance Market Choices - HB 168 Access to Childrens Health Insurance Program - HB 337 Individual Income Tax - Health Insurance - HB 351 Legislators Health Plan - HB 485

Health Plan Exemption from Selected Requirements - HB 491

Health Care Provider Access - SB 74 Utah Comprehensive Health Insurance Pool Funding -SB 101

INTERNET

Wireless Internet Access Requirements - HB 139 Community Conscious Internet Provider - HB 407

JUDICIAL CODE

Custody Evaluation and Parent Coordination - HB 169
Disposition of Potential Evidence - HB 181
Joint Custody Modifications - HB 415
Designation of Second District State Court Building HB 430

Wrongful Death Amendments - SB 73
Small Business Access Amendments - SB 79
Protective Order - Crime of Inducing Breach - SB 154
Survival Action upon Injury or Death - SB 182
Good Samaritan Act for Engineers - SB 256
Process Servers - Age Restrictions - SB 266

Voiding Transactions Against Public Policy - SB 292 Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System - SJR 9

JUVENILES

Juvenile Custody Maintenance Amendments - SB 106

LABOR

Antidiscrimination Act Amendments - HB 89
Utah Employment Verification Act - HB 98
Minimum Wage Provisions - HB 114
Employee Verification - HB 257
Labor Commission - Review of Administrative Decisions - HB 334

Labor Organization Amendments - HB 475 Nondiscrimination Amendments - SB 166

LABOR COMMISSION

Labor Commission - Review of Administrative Decisions - HB 334

Nondiscrimination Amendments - SB 166

LABOR ORGANIZATIONS

Labor Organization Amendments - HB 475

LAND USE

Private Building Inspector Authorized - HB 293
Regulation of Riparian Overlay Zones - HB 454
Subdivision Approval Amendments - HB 481
Economic Analysis and Reporting of Cost of Land Use
Regulation - SB 86
Water and Land Use Development - SB 279

LANDLORD - TENANT

Exemption of University Housing from Eviction Laws - HB 343

LAW ENFORCEMENT AND CRIMINAL JUSTICE

Crime of Strangulation or Smothering - HB 65 Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality - HB 110

Authorization for Counties to Provide Supplemental Law Enforcement Services - HB 150

Fund from Impaired and Drug Related Violations - HB 152 DNA Sample - Felony and Certain Misdemeanor Convictions - HB 156

Sex Offenders' Contact with Children - HB 161 Sex Offender Registration Amendments - HB 176 Disposition of Potential Evidence - HB 181 Concealed Firearm Permit Amendments - HB 195 Disruption of School Activities - HB 226

Certification of Meth Houses - HB 230

Mortgage Fraud - HB 233

Controlled Substance Schedule - Amendments - HB 260

Prohibition of Citation Quotas - HB 264

Controlled Substances Amendments - Suda Controls - HB 267

Time Limitation for Prosecution of Environmental Crimes - HB 273

Citizenship Determination of Incarcerated Individuals - HB 302

Child and Vulnerable Adult Endangerment Provisions - HB 315

Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees - HB 328

Custodial Interference Amendments - HB 358

Deportation of Eligible Undocumented Immigrant Prisoners - HB 395

Amendments to Animal Cruelty Provisions - HB 470 Firearms Amendments - HB 473

Vehicle Registration Fee for License Plate Recognition Fund - HB 495

Prohibiting Gang Activity - SB 75

Animal Torture Offense - SB 102

Animal Cruelty Amendments - SB 117

Child Pornography Amendment - SB 183

Metal Theft Amendments and Penalties - SB 194

LEGISLATIVE AFFAIRS

Deportation of Eligible Undocumented Immigrant Prisoners - HB 395

Legislators Health Plan - HB 485

Legislative Task Forces and Study Priorities - HB 490 Joint Resolution Consenting to Creation of New State Within Utah - HJR 6

Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities - HJR 8

Joint Resolution Amending Legislative Article - HJR 15 House Resolution Calling for Withdrawal from Nafta -HR 2

Immigration Task Force - SB 97

Filling Vacancies in the Senate - SB 123

Joint Rules Resolution - Authorizing Electronic Committee Meetings - SJR 7

LEGISLATURE

Legislative Task Force to Study Radio Communication System in Utah - HB 292

Filling Vacancies in the Senate - SB 123

Joint Rules Resolution - Authorizing Electronic Committee Meetings - SJR 7

LIBRARIES

Grants from Department of Community and Culture - HB 135

LICENSE PLATES

Motor Vehicle Code Revisions - HB 299

Cancer Screening and Mortality Reduction Special Group License Plate - HB 307

Firefighter Special Group License Plate Amendments - HB 434

Vehicle Registration Fee for License Plate Recognition Fund - HB 495

Ski and Snowboard Education, Development, and Promotion Special Group License Plate - SB 80

LIENS

Attorney's Lien Amendments - HB 306 Condominium and Community Association Provisions -HB 400

Hospital Lien - SB 255

LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES

Water Conservancy District - Selection of Board of Trustees - SB 141

LOCAL BOARDS OF EDUCATION

Education Advisory Councils - SB 140 Local Governmental Cooperation in Education Matters -SB 241

LOCAL DISTRICTS

Public Transit District Sales Tax Exemption - HB 243 Government Entity Changes - HB 447 Assessment Area Amendments - HB 453 Water Conservancy District - Selection of Board of Trustees - SB 141

LOCAL GOVERNMENT CONTROLLED DISTRICTS

Task Force Studying Funding for Fighting Forest Fires - SB 251

LOCAL HEALTH DEPARTMENTS

Local Health Department Funding - HB 322

MARRIAGE / DIVORCE

Public Employees' Retirement - Spousal Election - HB 94 Joint Custody Modifications - HB 415 Local Government Authority Amendments - SB 267

MEDICAID

Access to Childrens Health Insurance Program - HB 337 Medical Benefits Recovery Amendments - SB 50 Ambulatory Surgical Centers Amendments - SB 82 Medical Assistance and Managed Care - SB 133 Funding for Medicaid Vision Care - SB 172 Preferred Drug List Revisions - SB 197

MEDICAL RECORDS

Health Care Patient Identity Protections - HB 479

MENTAL HEALTH

Emotional Support Animals - SB 70

MILITARY SERVICES

Tax Credit for Military Retired Pay - HB 158
Tax Incentives for Military Members - HB 279
Nondiscrimination Amendments - SB 166
Appropriation for the Swanson Tactical Training Center - SB 287

MINORS

Wireless Internet Access Requirements - HB 139 Social Host Liability Act - HB 487 Process Servers - Age Restrictions - SB 266

MORTGAGE

Mortgage Fraud - HB 233

MOTOR FUEL AND SPECIAL FUEL TAXES

Motor Fuel and Special Fuel Tax - Indexing for Inflation - HB 313

Motor Fuel Tax - Off-highway Vehicle Refund Amendments - HB 362

MOTOR VEHICLES

Primary Seat Belt Law - HB 87

Restrictions on Regulation of Automotive Collection Activities - HB 147

Amendments to Motor Vehicle Provisions - HB 228 Driver License Qualification Amendments - HB 239 Health Professional Authority - Death and Disability -HB 276

Motor Vehicle Code Revisions - HB 299

Cancer Screening and Mortality Reduction Special Group License Plate - HB 307

Vehicle Impound Yard Requirements - HB 320 Not-a-drop Drivers Program Amendments - HB 324

Vehicle to Pull off Highway - HB 402

Firefighter Special Group License Plate Amendments - HB 434

Handling of Minor Traffic Accidents - HB 452

Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission - HB 455

Vehicle Registration Fee for License Plate Recognition Fund - HB 495

Smoking Ban in Motor Vehicle - SB 14

Ski and Snowboard Education, Development, and Promotion Special Group License Plate - SB 80 Funeral Processions - SB 212

MOTORCYCLES

Motor Cycle Helmet Law Amendments - HB 463 Funeral Processions - SB 212

MUSEUMS

Utah State Railroad Museum Authority - HB 444

Department of Community and Culture - State-owned Art Inventory - SB 33

NATURAL RESOURCES

Appropriation for a Utah Lake Transportation Study - HB 115

Fluorine in a Privately Owned Water System - HB 116 State Facility Water Conservation Program - HB 137 Process for Entering into the Snake Valley Agreement -HB 170

Water Right Appropriation Amendments - HB 179

Proof for a Water Right Application - HB 225

Revoking Federal Authority to Use State Lands as a Bird Refuge - HB 227

Depredating Wildlife Amendments - HB 451

Regulation of Riparian Overlay Zones - HB 454

Concurrent Resolution Supporting the Narrows Water Project in Central Utah - HCR 8

Water Rights Board - SB 85

Renewable Energy Zone Task Force - SB 169

Renewable Energy Provisions - SB 173

This Is the Place Foundation - Procurement Code Exemption - SB 243

Task Force Studying Funding for Fighting Forest Fires - SB 251

Water Rights - Ombudsman - SB 269 Water and Land Use Development - SB 279

OCCUPATIONAL LICENSING

Licensing Eligibility - HB 285

Licensing of Anesthesiologist Assistants - HB 477 Division of Real Estate Licensing and Presence in the United States - SB 222

OCCUPATIONS AND PROFESSIONS

Licensing Eligibility - HB 285

OFFENSES

Protections for Agricultural Practices - HB 229 Child and Vulnerable Adult Endangerment Provisions -HB 315

Child Pornography Amendment - SB 183

OFF-HIGHWAY VEHICLES

Motor Fuel Tax - Off-highway Vehicle Refund Amendments - HB 362

PARKS

This Is the Place Foundation - Procurement Code Exemption - SB 243

PEACE OFFICER

Prohibition of Citation Quotas - HB 264 Disclosure of Public Employee Disciplinary Actions Amendments - SB 260

PHARMACIES

Amendments to Prescribing Schedule II Drugs - HB 100

Preferred Drug List Revisions - SB 197

POLITICAL SUBDIVISIONS (LOCAL ISSUES)

Government Competition and Privatization Act - HB 76 Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality - HB 110

Changes to Municipal Annexation Provisions - HB 124 Restrictions on Regulation of Automotive Collection Activities - HB 147

Authorization for Counties to Provide Supplemental Law Enforcement Services - HB 150

Proof for a Water Right Application - HB 225

Public Transit District Sales Tax Exemption - HB 243

Private Building Inspector Authorized - HB 293

Mobile Home Park Amendments - HB 335

Municipal Annexation Amendments - HB 340

Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities - HB 405

Town Incorporation Process Revisions - HB 413

Political Subdivision Clerk Amendments - HB 422

Modifications to Government Law - HB 440

Government Entity Changes - HB 447

Assessment Area Amendments - HB 453

Regulation of Riparian Overlay Zones - HB 454

Subdivision Approval Amendments - HB 481

Social Host Liability Act - HB 487

Amendments to the Utah Medical Service System Act - HB 494

Municipal Incorporation Amendments - SB 25

Impact Fees - Public Safety Facility - SB 51

Economic Analysis and Reporting of Cost of Land Use Regulation - SB 86

Payment in Lieu of Property Taxes Act - SB 90

Changes to County Surveyor - SB 129

Water Conservancy District - Selection of Board of Trustees - SB 141

Revision to County Elected Offices - SB 153

Amendments to Tourism, Recreation, Cultural, and Convention Facilities Tax - SB 218

Local Governmental Cooperation in Education Matters - SB 241

Local Government Authority Amendments - SB 267 Water and Land Use Development - SB 279

PORNOGRAPHY

Child Pornography Amendment - SB 183

PROPERTY TAX

Repeal of Board Leeway for Reading Improvement - HB 69

Property Tax - Residential Exemption - HB 155

Property Tax Amendments on Agricultural Land - HB 211

Property Tax - Modified Acquisition Value - HB 217

Senior Citizen's Homeowner's Credit - HB 333

Property Tax Assessment of Cable Television Companies - HB 367

Financing Public Education - HB 382

Statewide Capital Outlay Equalization - HB 383

Public School Funding - HB 391

Public Hearings on Property Tax Increases - HB 435

Resolution Amending Property Tax Provision - HJR 9

Joint Resolution Amending Residential Property

Assessment Provisions - HJR 14

Payment in Lieu of Property Taxes Act - SB 90

Property Tax Committee - SB 258

Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

PROPERTY TAX RELIEF

Senior Citizen's Homeowner's Credit - HB 333 Senior Citizen Property Tax Safe Harbor - SB 178 Property Tax Deferrals, Abatements, and Relief Limitations - SB 217

PUBLIC EDUCATION

Extended Year for Special Educators - HB 67
Repeal of Board Leeway for Reading Improvement - HB 69

Task Force to Study Performance Incentives for Teachers - HB 81

Compensation of Educators with National Board Certification - HB 84

Teacher Loan Program - HB 85

Elementary Education Co-teaching Pilot Program - HB 88

Center for the School of the Future Incentives - HB 91

School Financial Disclosure - HB 113

Education Materials Center - HB 120

Accelerated Learning Programs Amendments - HB 123

Utah School Seismic Hazard Inventory - HB 162

School Fee Amendments - HB 163

Class Size Reduction in Kindergarten Through Grade Three - HB 194

Early Childhood Learning and Evaluation - HB 200

Utah College of Applied Technology Amendments - HB 204

Educator Salary Adjustments - HB 212

School Testing Specialists - HB 214

Elementary School Math Initiative - HB 232

Public Education Funding - Block Grant Amendments - HB 240

State Office of Education Human Resource Management Amendments - HB 255

Accelerated Learning Program Revisions - HB 266

Utah Science Technology and Research Initiative Centers - HB 270

Utah K-8 Online Virtual School - HB 274

Charter School Funding Amendments - HB 278

School Finance Amendments - HB 280

Public School Electronic Device Policies - HB 295 High-ability Student Initiative Program - HB 329 Minimum Age for Public Education Enrollment Amendments - HB 345

Home School Amendments - HB 350

Beverley Taylor Sorenson Elementary Arts Learning Program - HB 363

School Fee Waiver Amendments - HB 368

Financing Public Education - HB 382

Public School Funding - HB 391

Recycling Amendments - HB 414

Public School Textbook Evaluation Amendments - HB 419 English Language Learner Family Literacy Centers

Program - HB 436

Educator Compensation Modifications - HB 471

Kindergarten Program Amendments - HB 488

Differentiated Pay for Teachers - SB 35

Home School and Extra Curricular Activities Amendments - SB 37

Mathematics, Science, and Technology Education Task Force - SB 39

New School District Amendments - SB 49

Financial and Economic Literacy Education - SB 61

Benefits to American Board Certified Teachers - SB 91

Education Transportation Amendments - SB 118

Education Advisory Councils - SB 140

Public Classroom Displays - SB 190

School District Division Funding - SB 219

School Transfers - Participation in Extracurricular Activities - SB 223

Minimum School Program Amendments - Counseling and Guidance Programs - SB 234

Local Governmental Cooperation in Education Matters - SB 241

PUBLIC MEETINGS

Minutes of Open and Public Meetings - HB 166

PUBLIC OFFICERS

Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees - HB 328

Teacher Reemployment after Retirement - HB 372 Legislators Health Plan - HB 485

Public Safety Retirement Death Benefit Modifications - SB 18

PUBLIC SAFETY

Fund from Impaired and Drug Related Violations - HB 152 Illegal Immigration Enforcement Act - HB 237 Prohibition of Citation Quotas - HB 264

Legislative Task Force to Study Radio Communication System in Utah - HB 292

Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees - HB 328

Firefighter Special Group License Plate Amendments -HB 434

Public Safety Retirement Death Benefit Modifications - SB 18

Impact Fees - Public Safety Facility - SB 51

PUBLIC TRANSIT DISTRICTS

Transit Revisions - HB 188

Public Transit District Sales Tax Exemption - HB 243 Public Transit Study - HB 298

PUBLIC UTILITIES

Underground Utilities Facilities Amendments - SB 127 Renewable Energy Provisions - SB 173

PUBLIC WORKS

Underground Utilities Facilities Amendments - SB 127

RAILROADS

Utah State Railroad Museum Authority - HB 444

REAL ESTATE

Property Tax - Modified Acquisition Value - HB 217 Mobile Home Park Amendments - HB 335

Real Property Purchase - Notification of Water Rights - HB 394

Assessment Area Amendments - HB 453

Subdivision Approval Amendments - HB 481

Income Taxation Amendments - SB 204

Division of Real Estate Licensing and Presence in the United States - SB 222

Water Rights - Ombudsman - SB 269

RECYCLING

Recycling Amendments - HB 414

REDISTRICTING

Advisory Redistricting Commission - HB 376

REGISTRATION AND REGISTRATION FEES

Cancer Screening and Mortality Reduction Special Group License Plate - HB 307

Firefighter Special Group License Plate Amendments - HB 434

Vehicle Registration Fee for License Plate Recognition Fund - HB 495

Ski and Snowboard Education, Development, and Promotion Special Group License Plate - SB 80

RESOLUTIONS

Process for Entering into the Snake Valley Agreement - HB 170

Concurrent Resolution Supporting the Narrows Water Project in Central Utah - HCR 8

Joint Resolution Consenting to Creation of New State Within Utah - HJR 6

Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities - HJR 8

Resolution Amending Property Tax Provision - HJR 9 Joint Resolution Supporting Statewide Government 211 System Information Directory - HJR 11

Joint Resolution Amending Residential Property Assessment Provisions - HJR 14

Joint Resolution Amending Legislative Article - HJR 15 House Resolution Calling for Withdrawal from Nafta - HR

House Resolution Petitioning Congress to Address the Illegal Immigration Crisis - HR 6

Joint Rules Resolution - Authorizing Electronic Committee Meetings - SJR 7

Joint Rules Resolution - Base Budget Amendments - SJR

Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System - SJR 9

Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

Senate Resolution Encouraging Congressional Action Related to the Navajo Nation's Ability to Collect Child Support - SR 5

RESOLUTIONS, CONSTITUTIONAL

Resolution Amending Property Tax Provision - HJR 9 Joint Resolution Amending Residential Property Assessment Provisions - HJR 14

Joint Resolution Amending Legislative Article - HJR 15 Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

RESOLUTIONS, RULES

Joint Rules Resolution - Base Budget Amendments -SJR 8

Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System - SJR 9

RESOLUTIONS, SETTLEMENTS

Process for Entering into the Snake Valley Agreement -HB 170

RESTITUTION

Restitution Fund Account - HB 439 Survival Action upon Injury or Death - SB 182

RETIREMENT

Divestment of Certain Retirement Fund Investments -

Public Employees' Retirement - Spousal Election - HB 94 Retired Teachers - Return to Work - HB 96

Sudan Divestment Act - HB 138

Additional State Retirement Benefit - HB 145

Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees - HB 328

Teacher Reemployment after Retirement - HB 372

Legislators Health Plan - HB 485

Public Safety Retirement Death Benefit Modifications -

State Retirement Benefit Additions - SB 107

RETIREMENT AND INDEPENDENT ENTITIES

State Retirement Benefit Additions - SB 107

REVENUE AND TAXATION

Repeal of Board Leeway for Reading Improvement -

Property Tax - Residential Exemption - HB 155

Tax Credit for Military Retired Pay - HB 158

Study on Taxpayer Advocate Program - HB 180

Sales and Use Tax Amendments - HB 183

Tax Credits for Energy Efficient Residences - HB 199

Tax Credit for Solar Projects - HB 201

Property Tax Amendments on Agricultural Land - HB 211

Property Tax - Modified Acquisition Value - HB 217 Public Transit District Sales Tax Exemption - HB 243

Tax Incentives for Military Members - HB 279

Senior Citizen's Homeowner's Credit - HB 333

Individual Income Tax - Health Insurance - HB 351

Individual Income Tax - Long-term Care Insurance Premiums - HB 360

Property Tax Assessment of Cable Television Companies - HB 367

Statewide Capital Outlay Equalization - HB 383

Public School Funding - HB 391

Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities - HB 405

Public Hearings on Property Tax Increases - HB 435

Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission - HB 455

Resolution Amending Property Tax Provision - HJR 9 Joint Resolution Amending Residential Property Assessment Provisions - HJR 14

Apportionment of Business Income, Attributing Sales to the State, and Deduction of Net Losses by a Unitary Group - SB 28

Income Tax Amendments - SB 31

Income Tax - Capital Gain Transactions - SB 64

Payment in Lieu of Property Taxes Act - SB 90

Multi-channel Video or Audio Service Tax Act Amendments - SB 96

Senior Citizen Property Tax Safe Harbor - SB 178 Income Taxation Amendments - SB 204

Property Tax Deferrals, Abatements, and Relief Limitations - SB 217

Amendments to Tourism, Recreation, Cultural, and Convention Facilities Tax - SB 218

Property Tax Committee - SB 258

Joint Resolution Amending Constitution Regarding Taxes of the Elderly - SJR 10

REVENUE AND TAXATION - CONST. ART. XIII

Resolution Amending Property Tax Provision - HJR 9

RIGHT OF WAY

Road and Rights-of-way Amendments - HB 385

SALES AND USE TAX

Sales and Use Tax Amendments - HB 183

Public Transit District Sales Tax Exemption - HB 243

Public School Funding - HB 391

Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities - HB 405

Utah State Railroad Museum Authority - HB 444

Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission - HB 455

Amendments to Tourism, Recreation, Cultural, and Convention Facilities Tax - SB 218

SCHOOL FINANCE

Repeal of Board Leeway for Reading Improvement - HB 69

School Financial Disclosure - HB 113

School Fee Amendments - HB 163

Public Education Funding - Block Grant Amendments - HB 240

Charter School Funding Amendments - HB 278

School Finance Amendments - HB 280

Financing Public Education - HB 382

Differentiated Pay for Teachers - SB 35

SCHOOL PERSONNEL

Extended Year for Special Educators - HB 67

Task Force to Study Performance Incentives for Teachers
- HB 81

Compensation of Educators with National Board Certification - HB 84

Teacher Loan Program - HB 85

Elementary Education Co-teaching Pilot Program - HB 88

Retired Teachers - Return to Work - HB 96

Utah Science Technology and Research Initiative Centers - HB 270

Educator Compensation Modifications - HB 471

Differentiated Pay for Teachers - SB 35

Minimum School Program Amendments - Counseling and Guidance Programs - SB 234

SCHOOL SAFETY

Utah School Seismic Hazard Inventory - HB 162 Disruption of School Activities - HB 226

SEAT BELT LAWS

Primary Seat Belt Law - HB 87

SECURITIES

Securities Amendments - HB 83

SEXUAL OFFENSES

Sex Offenders' Contact with Children - HB 161 Sex Offender Registration Amendments - HB 176 Disposition of Potential Evidence - HB 181 Child Pornography Amendment - SB 183

SOLID WASTE

Department of Environmental Quality Amendments - HB 353

SPECIAL DISTRICTS

Government Entity Changes - HB 447 Assessment Area Amendments - HB 453

STATE AFFAIRS IN GENERAL

Government Competition and Privatization Act - HB 76 Alcoholic Beverage Enforcement Provisions - HB 344 Government Entity Changes - HB 447 State Family Day Holiday - SB 145

STATE BOARD OF EDUCATION

State System of Higher Education Amendments - HB 190 School Fee Waiver Amendments - HB 368 Public School Textbook Evaluation Amendments - HB 419 School District Division Funding - SB 219

STATE BOARD OF REGENTS

State System of Higher Education Amendments - HB 190

STATE BOARDS, COMMISSIONS, AND COUNCILS

Government Competition and Privatization Act - HB 76 State Capital Facility Board - Creation and Oversight -SB 104

STATE BUILDINGS

Recycling Amendments - HB 414

Revenue Bond Authorization for State Fair Park - HB 497

STATE OFFICERS AND EMPLOYEES

Divestment of Certain Retirement Fund Investments - HB 39

Public Employees' Retirement - Spousal Election - HB 94 Illegal Drug Activity Reporting System - HB 136

Sudan Divestment Act - HB 138

Additional State Retirement Benefit - HB 145

State Office of Education Human Resource Management Amendments - HB 255

Labor Organization Amendments - HB 475

State Family Day Holiday - SB 145

Disclosure of Public Employee Disciplinary Actions Amendments - SB 260

STATE SYMBOLS

State Tree Redesignated - HB 246
Designating Magnesium as the State Metal - HB 297

SUBSTANCE ABUSE

Fund from Impaired and Drug Related Violations - HB 152 Certification of Meth Houses - HB 230

TASK FORCE / COMMITTEES

Task Force to Study Performance Incentives for Teachers
- HB 81

Legislative Task Force to Study Radio Communication System in Utah - HB 292

Legislative Task Forces and Study Priorities - HB 490 Mathematics, Science, and Technology Education Task Force - SB 39

Immigration Task Force - SB 97

Renewable Energy Zone Task Force - SB 169

Renewable Energy Provisions - SB 173

Task Force Studying Funding for Fighting Forest Fires - SB 251

Property Tax Committee - SB 258

TECHNOLOGY

Higher Education Information Technology Appropriation - HB 253

Legislative Task Force to Study Radio Communication System in Utah - HB 292

State Trade Database - SB 40

TELECOMMUNICATIONS

Use of Utah Education Network for Telehealth - HB 331 Property Tax Assessment of Cable Television Companies - HB 367

TELEPHONE

Telephone Solicitation Amendments - HB 300

TITLE AND ESCROW

Residential Mortgage Loan Closing Act - HB 197 Title and Escrow Commission Act - HB 411

TOBACCO

Smoking Ban in Motor Vehicle - SB 14

TOBACCO TAX

Tax Changes and Appropriations for Preventive Health Activities - HB 355

TOW TRUCKS

Vehicle Impound Yard Requirements - HB 320

TOWNSHIPS

Water and Land Use Development - SB 279

TRANSPORTATION

Primary Seat Belt Law - HB 87

Appropriation for a Utah Lake Transportation Study - HB 115

Motorboat Education Requirements - HB 154

Sales and Use Tax Amendments - HB 183

Transit Revisions - HB 188

Amendments to Motor Vehicle Provisions - HB 228

Driver License Qualification Amendments - HB 239

Public Transit Study - HB 298

Motor Vehicle Code Revisions - HB 299

Cancer Screening and Mortality Reduction Special Group License Plate - HB 307

Motor Fuel and Special Fuel Tax - Indexing for Inflation - HB 313

Vehicle Impound Yard Requirements - HB 320

Not-a-drop Drivers Program Amendments - HB 324

Motor Fuel Tax - Off-highway Vehicle Refund Amendments - HB 362

Road and Rights-of-way Amendments - HB 385

Vehicle to Pull off Highway - HB 402

Firefighter Special Group License Plate Amendments - HB 434

Implementation of Federal Real Id Act - HB 449

Handling of Minor Traffic Accidents - HB 452

Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission - HB 455

Motor Cycle Helmet Law Amendments - HB 463 Vehicle Registration Fee for License Plate Recognition Fund - HB 495

Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities - HJR 8

Smoking Ban in Motor Vehicle - SB 14

Ski and Snowboard Education, Development, and Promotion Special Group License Plate - SB 80 Highway Abandonment Amendments - SB 203

Funeral Processions - SB 212

TRANSPORTATION COMMISSION

Transit Revisions - HB 188

TRUSTS

Wrongful Death Amendments - SB 73

UTAH MUNICIPAL CODE

Changes to Municipal Annexation Provisions - HB 124 Restrictions on Regulation of Automotive Collection Activities - HB 147

Residential Mortgage Loan Closing Act - HB 197
Private Building Inspector Authorized - HB 293
Municipal Annexation Amendments - HB 340
Town Incorporation Process Revisions - HB 413
Political Subdivision Clerk Amendments - HB 422
Government Entity Changes - HB 447
Assessment Area Amendments - HB 453
Regulation of Riparian Overlay Zones - HB 454
Municipal Incorporation Amendments - SB 25
Economic Analysis and Reporting of Cost of Land Use
Regulation - SB 86

Local Government Authority Amendments - SB 267 Water and Land Use Development - SB 279

VITAL STATISTICS

Adoption - Investigation and Release of Information - HB 289

VOLUNTEER WORKERS

Neutrality Required of Poll Workers - HB 338

WAGES

Minimum Wage Provisions - HB 114

WATER AND IRRIGATION

State Facility Water Conservation Program - HB 137
Process for Entering into the Snake Valley Agreement - HB 170

Water Right Appropriation Amendments - HB 179 Proof for a Water Right Application - HB 225 Real Property Purchase - Notification of Water Rights - HB 394

Regulation of Riparian Overlay Zones - HB 454 Concurrent Resolution Supporting the Narrows Water Project in Central Utah - HCR 8

Water Rights Board - SB 85

Water Conservancy District - Selection of Board of Trustees - SB 141

Water Rights - Ombudsman - SB 269 Water and Land Use Development - SB 279

WATER QUALITY

Fluorine in a Privately Owned Water System - HB 116

WEAPONS

Crime of Discharging a Dangerous Weapon or Firearm
Within a Municipality - HB 110
Concealed Firearm Permit Amendments - HB 195
Firearms Amendments - HB 473
Protection of Constitutionally Guaranteed Activities in
Certain Private Venues - SB 67

WILDLIFE

Revoking Federal Authority to Use State Lands as a Bird Refuge - HB 227 Depredating Wildlife Amendments - HB 451

WILLS

Wrongful Death Amendments - SB 73

WORKFORCE SERVICES CODE

Document Fraud - HB 95 Utah Employment Verification Act - HB 98

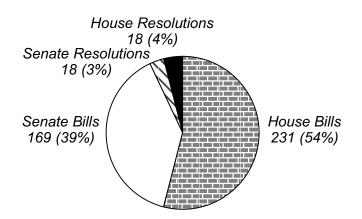
Statistical Summary of Legislation 2008 General Session

Total Bills and Resolutions Introduced	House <i>462</i>	Senate 282	Total <i>744</i>	
Total Bills and Resolutions Passed	249	187	436	
Total Bills and Resolutions Enacted	249	186	435	
Bills Introduced	435	259	694	
Bills Passed	231	169	400	
Bills Vetoed	0	1	1	
Bills with Line Items Vetoed	0	0	0	
Total Bills Enacted	231	168	399	
Joint Resolutions Introduced	14	12	26	
Concurrent Resolutions Introduced	8	6	14	
House & Senate Resolutions Introduced	5	5	10	
Total Resolutions Introduced	27	23	50	
Joint Resolutions Passed	8	8	16	
Concurrent Resolutions Passed	7	6	13	
House & Senate Resolutions Passed	3	4	7	
Total Resolutions Passed	18	18	36	

Introduced - 744

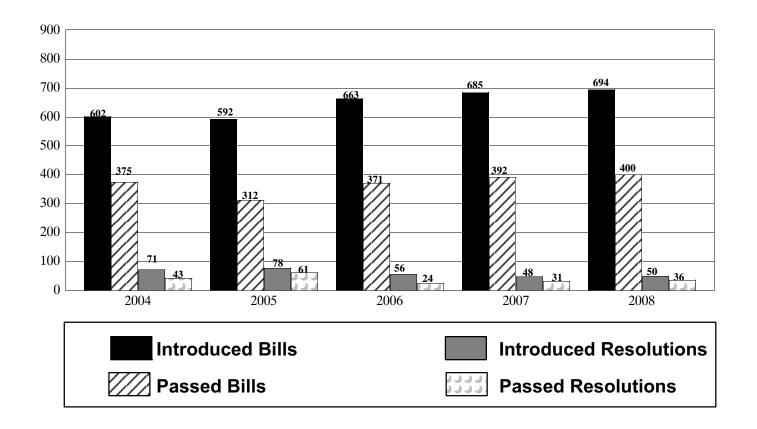
House Resolutions 27 (4%) Senate Resolutions 23 (3%) Senate Bills 259 (34%) House Bills 435 (59%)

Passed - 436



Statistical Summary of General Sessions 2004-2008

	2004	2005	2006	2007	2008
Bills Introduced	602	592	663	685	694
Bills Passed	375	312	371	392	400
Percentage of Bills Passed	62%	53%	56%	57%	58%
Bills Vetoed	6	2	4	0	1
Vetoes Overridden	2	0	0	0	0
Bills Failed Due to Lack of Presentment	0	1	0	0	0
Joint Resolutions Introduced	36	41	38	29	26
Joint Resolutions Passed	18	32	13	15	16
Concurrent Resolutions Introduced	21	24	11	14	14
Concurrent Resolutions Passed	15	20	5	12	13
House & Senate Resolutions Introduced	14	13	7	5	10
House & Senate Resolutions Passed	10	9	6	4	7



DIGEST OF LEGISLATION

2007 FIRST SPECIAL SESSION

of the 57th Legislature

Convened August 22, 2007 and Adjourned August 22, 2007

Prepared by the

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PASSED LEGISLATION 2007 FIRST SPECIAL SESSION

HB 1001 Creation of New School District Amendments (John Dougall)

This bill modifies provisions related to the creation of a new school district.

This bill:

- adds an exception to the requirement that a proposed new school district include the entire boundaries of each city or town that participates in an interlocal agreement for the creation of a new school district, so that a city or town may include some but not all of the area within its boundaries if the portion to be included is within the same school district as the other interlocal agreement participants and the area to be excluded is in another school district;
- provides that a city or town located in more than one county that participates in an interlocal agreement to create a new school district as to some but not all of the area within the city or town under the preceding exception may not be considered to cross county lines for purposes of a prohibition against a proposed new school district crossing county lines;
- clarifies that a new school district may be created from multiple existing school districts;
- clarifies the election provisions applicable to an election for the creation of a new school district;
- authorizes an individual residing within a new school district to elect to enroll in a secondary school located within another school district under certain circumstances;
- modifies provisions related to a required feasibility study for proposals to create a new school district; and
- modifies the time within which requests for the creation of a new school district are required to be certified.

Amends 53A-2-118, 53A-2-118.1

Effective August 27, 2007

Chapter 1, Laws of Utah 2007, FIRST SPECIAL SESSION

HB 1002 Interlocal Agreement Participant Requirements for Creation of New School District (Karen W. Morgan)

This bill modifies a provision relating to requirements imposed on interlocal agreement participants that enter into an interlocal agreement to create a new school district.

This bill:

modifies the requirements for interlocal agreement participants to submit to voter approval a proposal to create a new school district.

This bill provides an immediate effective date.

Amends 53A-2-118.1

Effective August 27, 2007

Chapter 2, Laws of Utah 2007, FIRST SPECIAL SESSION

HB 1003 Equalization Task Force (Gregory H. Hughes)

This bill creates the Equalization Task Force.

This bill:

- creates the Equalization Task Force, providing for membership and compensation of members; and
- designates the duties of the task force and requires the task force to report to the Executive Appropriations Committee.

This bill is repealed on December 31, 2007.

Effective August 27, 2007

Chapter 3, Laws of Utah 2007, FIRST SPECIAL SESSION

HB 1004 New School District Creation Amendments (James A. Dunnigan)

This bill modifies provisions related to the creation of a new school district.

This bill:

- lowers the population threshold for cities that are allowed to create a school district matching city boundaries; and
- modifies a provision relating to the allocation of school buildings and associated property.

Amends 53A-2-118.1

Effective August 27, 2007

Chapter 4, Laws of Utah 2007, FIRST SPECIAL SESSION

SJR 101 Joint Resolution Supporting Garfield County Jail Expansion (Dennis E. Stowell)

This joint resolution of the Legislature supports jail expansion in Garfield County through a contract with the Utah Department of Corrections.

This resolution:

supports Garfield County's expansion of its correctional facilities by means of a contract between the county and the Utah Department of Corrections.

Effective August 22, 2007

Laws of Utah 2007, FIRST SPECIAL SESSION

SUBJECT INDEX OF PASSED LEGISLATION 2007 FIRST SPECIAL SESSION

. 310
. 310
. 309
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. 309
. 310
. 310
. 310

Bill

E=Enacted

A=Amended

Former/

Former/

N=Renumbered and Amended

Utah Code Sections Affected 2007 First Special Session

Legend: The action taken on each section is as follows:

Α	Amended
Е	Enacted
R	Repealed

X Repealed and ReenactedN Renumbered and Amended

Section 53A-2-118	Action A	Number HB 1001	Renumber	Number 310	<u>Section</u>	<u>Action</u>	Number HB 1002	Renumber	Number 310
53A-2-118.1	A	HB 1001		310			HB 1004		311

X=Repealed and Reenacted

R=Repealed

SUBJECT INDEX OF LEGISLATION NOT PASSED 2007 FIRST SPECIAL SESSION

ANIMAL HEALTH

Animal Torture Offense - SB1001 Animal Cruelty Amendments - SB1002

CRIMINAL CODE

Animal Torture Offense - SB1001 Animal Cruelty Amendments - SB1002 LAW ENFORCEMENT AND CRIMINAL JUSTICE

Animal Torture Offense - SB1001 Animal Cruelty Amendments - SB1002

SPECIAL SESSION

Animal Torture Offense - SB1001 Animal Cruelty Amendments - SB1002

INTRODUCED LEGISLATION 2007 FIRST SPECIAL SESSION

HB 1001	Creation of New School District Amendments (John Dougall)	Passed
HB 1002	Interlocal Agreement Participant Requirements for Creation of New School District (<i>Karen W. Morgan</i>)	Passed
HB 1003	Equalization Task Force (Gregory S. Hughes)	Passed
HB 1004	New School District Creation Amendments (James A. Dunnigan)	Passed
SB1001	Animal Torture Offense (Gene Davis)	. Failed
SB1002	Animal Cruelty Amendments (Allen Christensen)	. Failed
SJR 101	Joint Resolution Supporting Garfield County Jail Expansion (Dennis E. Stowell)	Passed