



UTAH STATE LEGISLATURE

DIGEST OF LEGISLATION

2010 GENERAL SESSION

of the 58th Legislature

2009 First Special Session

of the 58th Legislature

 **OLRGC**
Office of Legislative Research and General Counsel

MAY 2010

Utah State Legislature

DIGEST OF LEGISLATION

2010 GENERAL SESSION

of the 58th Legislature

2009 First Special Session

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INTRODUCTION

This *Digest of Legislation* provides long titles of bills and resolutions enacted by the 59th Legislature in the 2010 General Session and the 2009 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.

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HB 1 Minimum School Program Base Budget *(Merlynn T. Newbold)*

This bill provides base funding for the Minimum School Program.

This bill:

- ▶ appropriates state and local funds for the Minimum School Program for fiscal year 2010-11;
- ▶ appropriates \$22,049,700 to the State Board of Education for fiscal year 2010-11 for school building aid programs for school districts;
- ▶ establishes the value of the weighted pupil unit at \$2,487 for fiscal year 2010-11;
- ▶ establishes the estimated minimum basic tax rate at .001513 for fiscal year 2010-11;
- ▶ provides that if monies appropriated to charter schools to replace local property taxes are less than the amount prescribed by a statutory funding formula, monies shall be allocated among charter schools in proportion to each charter school's share of the total enrollment in charter schools;
- ▶ provides that if monies appropriated for charter school administrative costs are insufficient to provide the amount per student prescribed in statute, the appropriation shall be allocated among charter schools in proportion to each charter school's share of the total enrollment in charter schools;
- ▶ provides certain exemptions to the Budgetary Procedures Act for monies appropriated to the State Board of Education for the Minimum School Program or capital outlay programs; and
- ▶ makes technical amendments.

This bill appropriates:

- ▶ as an ongoing appropriation, the following Minimum School Program monies:
 - \$1,990,547,523 from the Uniform School Fund for fiscal year 2010-11; and
 - \$20,000,000 from the Uniform School Fund Restricted - Interest and Dividends Account for fiscal year 2010-11; and
- ▶ as an ongoing appropriation, \$22,049,700 from the Uniform School Fund for school building aid programs for fiscal year 2010-11.

This bill takes effect on July 1, 2010.

Amends 53A-1a-513, 53A-1a-703, 53A-1a-903, 53A-2-118.3, 53A-16-107, 53A-17a-103, 53A-17a-105, 53A-17a-108, 53A-17a-111, 53A-17a-112, 53A-17a-113, 53A-17a-116, 53A-17a-119, 53A-17a-120, 53A-17a-120.5, 53A-17a-121, 53A-17a-123, 53A-17a-123.5, 53A-17a-124, 53A-17a-124.5, 53A-17a-125, 53A-17a-126, 53A-17a-131.15, 53A-17a-131.17, 53A-17a-135, 53A-17a-146, 53A-17a-153, 53A-17a-154, 53A-17a-155, 63J-1-206;

Repeals 53A-17a-104, 53A-21-501

Effective July 1, 2010

Chapter 3, Laws of Utah 2010

HB 2 Fiscal Year 2010 and Fiscal Year 2011 Supplemental Appropriations *(Ron Bigelow)*

This bill supplements or reduces appropriations previously provided for the use and support of state government for the fiscal years beginning July 1, 2009 and ending June 30, 2010 and beginning July 1, 2010 and ending June 30, 2011.

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 2010:

- ▶ (\$16,884,200) from the General Fund;
- ▶ (\$93,700) from the Education Fund;
- ▶ \$284,452,900 from various sources as detailed in this bill. This bill appropriates for fiscal year 2011:
- ▶ \$124,602,500 from the General Fund;
- ▶ (\$68,186,700) from the Uniform School Fund;
- ▶ (\$7,914,100) from the Education Fund;
- ▶ (\$2,134,853,823) as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$499,263,100 from various sources as detailed in this bill.

Section 1 of this bill takes effect immediately.

Sections 2 and 3 of this bill take effect July 1, 2010.

Effective July 1, 2010

Chapter 408, Laws of Utah 2010

HB 3 Appropriations Adjustments *(Ron Bigelow)*

This bill supplements or reduces appropriations previously provided for the use and support of state government for the fiscal years beginning July 1, 2009 and ending June 30, 2010 and beginning July 1, 2010 and ending June 30, 2011.

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 funds for the bills with fiscal impact passed in the 2010 General Session;
- ▶ provides budget increases and decreases for other purposes as described;
- ▶ approves capital acquisition amounts for internal service funds;
- ▶ authorizes rates and fees;
- ▶ provides intent language.

This bill appropriates for fiscal year 2010:

- ▶ \$518,700 from the General Fund;
- ▶ \$26,691,500 from various sources as detailed in this bill. This bill appropriates for fiscal year 2011:
- ▶ \$24,080,500 from the General Fund;
- ▶ (\$6,403,600) from the Education Fund;
- ▶ (\$145,198,200) from various sources as detailed in this bill.

Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 414, Laws of Utah 2010

HB 4 Current School Year Supplemental Minimum School Program Budget Adjustments *(Merlynn T. Newbold)*

This bill modifies funding for the Minimum School Program.

This bill:

- ▶ modifies funding for the Minimum School Program in fiscal year 2009-10 as follows:
 - increases funding for educator salary adjustments, the state-supported voted leeway program, and the state-supported board leeway program; and
 - reduces funding for Social Security and retirement.

This bill makes appropriations to the Uniform School Fund for fiscal year 2009-10 only, and reduces appropriations previously made from the Uniform School Fund for fiscal year 2009-10 only, resulting in a net appropriation of \$0.

Amends 53A-17a-104

Effective May 11, 2010

Chapter 7, Laws of Utah 2010

HB 5 Revenue Bond and Capital Facilities Authorizations (*Stephen D. Clark*)

This bill authorizes certain state agencies and higher education institutions to issue revenue bonds, to build capital facilities using agency, institutional, or donated funds, to sell, lease, or dispose of property, or to use donations to prepare preliminary proposals.

This bill:

- ▶ authorizes the issuance of revenue bonds by the State Board of Regents;
- ▶ authorizes other capital facility design and construction to be funded from agency, institutional, or donated funds;
- ▶ authorizes the University of Utah to use donations to prepare preliminary plans for a dental school, subject to certain restrictions; and
- ▶ authorizes the sale, lease, or disposal of certain state real property and certain interests in real property.

Enacts 63B-19-101, 63B-19-201, 63B-19-301, 63B-19-401

Effective May 11, 2010

Chapter 100, Laws of Utah 2010

HB 6 State Agency Compensation Appropriations (*Brad L. Dee*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government. The bill funds compensation changes for state employees for the fiscal years beginning July 1, 2009 and ending June 30, 2010 and beginning July 1, 2010 and ending June 30, 2011.

This bill:

- ▶ provides funding for an increase in the cost of health insurance for certain state employees;
- ▶ provides funding for an increase in the cost of retirement for certain state employees;
- ▶ provides funding for an increase in the cost of Unemployment Insurance; and,
- ▶ adjusts funding for changes in required contributions for Other Post Employment Benefits.

This bill appropriates for fiscal year 2010:

- ▶ (\$5,494,600) from the General Fund;
- ▶ (\$493,100) from the Uniform School Fund;
- ▶ (\$4,825,100) from various sources as detailed in this bill. This bill appropriates for fiscal year 2011:
- ▶ \$7,283,300 from the General Fund;
- ▶ \$349,500 from the Uniform School Fund;
- ▶ \$3,681,700 from various sources as detailed in this bill.

Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 409, Laws of Utah 2010

HB 10 Court Fees for Inmates (*Curtis Oda*)

This bill establishes procedures to determine if court fees and costs should be paid in full or waived in whole or in part for a prisoner who files an initial divorce action or an action to obtain custody of the prisoner's children.

This bill:

- ▶ requires the court to review the financial information of a prisoner who files an affidavit of impecuniosity;
- ▶ requires courts, constables, and sheriffs to provide equal service to the impecunious; and
- ▶ provides that a judge may order that a judgment or decree not be entered in favor of the prisoner who has been required to pay court costs and fees until those costs and fees are paid in full.

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

Amends 78A-2-305

Effective May 11, 2010

Chapter 226, Laws of Utah 2010

HB 11 Licensing of Elevator Contractors and Elevator Mechanics (*Larry B. Wiley*)

This bill provides for the licensing of elevator contractors and elevator mechanics in Chapter 55 of Title 58, Utah Construction Trades Licensing Act.

This bill:

- ▶ provides for the licensing of elevator contractors and elevator mechanics by the Division of Occupational and Professional Licensing;
- ▶ provides qualifications for licensure of an elevator contractor and elevator mechanic;
- ▶ provides for an emergency temporary elevator mechanic license;
- ▶ provides for exemptions; and
- ▶ provides a continuing education requirement.

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

Amends 58-55-102, 58-55-301, 58-55-302, 58-55-303, 58-55-305

Effective May 11, 2010

Chapter 227, Laws of Utah 2010

HB 13 Drug Law Definitions - Amendments (*Trisha S. Beck*)

This bill modifies health care chapters in Title 58, Occupations and Professions, to provide consistency in specified definitions used in these chapters.

This bill:

- ▶ amends the Utah Controlled Substances Act, the Utah Medical Practice Act, the Pharmacy Practice Act, the Utah Osteopathic Medical Practice Act, and the Naturopathic Physician Practice Act to provide consistency in the use of definitions, including those for "prescribe," "prescription device," and "drug."

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

Amends 58-17b-102, 58-17b-606, 58-17b-612, 58-37-2, 58-67-102, 58-68-102, 58-71-102

Effective May 11, 2010

Chapter 101, Laws of Utah 2010

HB 14 **Juvenile Transfers from Justice Court** (*Kay L. McIff*)

This bill allows a justice court judge to transfer a matter concerning a child to the juvenile court if the justice court judge determines the transfer is in the child's best interest.

This bill:

- ▶ provides discretion to a justice court judge to transfer a matter concerning a child from justice court to juvenile court.

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

Amends 78A-7-106

Effective May 11, 2010

Chapter 47, Laws of Utah 2010

HB 15 **Deferred Deposit Lending Amendments** (*James A. Dunnigan*)

This bill modifies the Check Cashing and Deferred Deposit Lending Registration Act to address operational requirements related to deferred deposit lending.

This bill:

- ▶ addresses required information in annual operation statements;
- ▶ changes the permissible length of rollovers to 10 weeks;
- ▶ imposes restrictions related to communications at a place of employment;
- ▶ provides for an extended payment plan option; and
- ▶ makes technical and conforming amendments.

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

Amends 7-23-201, 7-23-401, 15-1-4;

Enacts 7-23-403

Effective May 11, 2010

Chapter 102, Laws of Utah 2010

HB 16 **Parent-time Amendments** (*Lorie D. Fowlke*)

This bill clarifies provisions relating to parent-time when the parents live more than 150 miles from each other, and specific holiday issues.

This bill:

- ▶ clarifies provisions relating to parent-time when Section 30-3-37 applies including:
 - that the noncustodial parent is entitled to only one weekend per month;
 - that the last weekend of the month is designated as the noncustodial parent's weekend if no other designation is made and a holiday assigned to the custodial parent does not fall on that weekend;
 - that nonschool days, if contiguous to the noncustodial parent's weekend and not a holiday, are to be included in the weekend; and
 - that the custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent;
- ▶ specifies that extended parent-time is to be exercised when school is not in session;
- ▶ adds in references to Mother's Day for parent-time for children under five years of age; and
- ▶ makes technical corrections.

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

Amends 30-3-10.4, 30-3-35, 30-3-35.5, 30-3-37

Effective May 11, 2010

Chapter 228, Laws of Utah 2010

HB 17 Amendments to Programs for People with Disabilities *(Steven R. Mascaro)*

This bill modifies the Utah State Personnel Management Act by amending provisions relating to employment programs for people with disabilities.

This bill:

- ▶ provides that the competitive career service schedule includes positions filled through an on the job examination intended to appoint a qualified person with a disability;
- ▶ grants the executive director of the Department of Human Resource Management rulemaking authority to establish a Department of Human Resource Management approved on the job examination to appoint a qualified person with a disability; and
- ▶ makes technical changes.

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

Amends 67-19-15, 67-19-16

Effective May 11, 2010

Chapter 103, Laws of Utah 2010

HB 18 Unemployment Insurance Amendments *(Steven R. Mascaro)*

This bill modifies provisions of the Employment Security Act related to unemployment insurance benefits.

This bill:

- ▶ makes modifications to the definition of base period for purposes related to qualifying for unemployment insurance benefits; and
- ▶ requires an annual report by the division on the impact of these modifications.

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

Amends 35A-4-201, 35A-4-403

Effective May 11, 2010

Chapter 282, Laws of Utah 2010

HB 19 Post Conviction Remedies Amendments *(Kay L. McIff)*

This bill modifies the Judicial Code to clarify a statutory limitation on claims for relief under the Post-Conviction Remedies Act.

This bill:

- ▶ amends a section of the Post-Conviction Remedies Act which lists grounds upon which relief may not be claimed and also lists an exception if there was a failure to timely raise the ground for relief due to ineffective counsel, by including in this section an amendment that directly states that the exemption relating to ineffective counsel is the only ground for relief under that section; and
- ▶ makes this amendment with the purpose that it function in conjunction with a rule recently adopted by the Utah Supreme Court.

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

Amends 78B-9-106

Effective May 11, 2010

Chapter 48, Laws of Utah 2010

HB 20 Amendments to Health Insurance Coverage in State Contracts (*James A. Dunnigan*)

This bill amends provisions related to the requirement that contractors with certain state entities must provide qualified health insurance to their employees and the dependents of the employees who work or reside in the state.

This bill:

- ▶ clarifies that the application of a waiting period for health insurance may not exceed the first of the month following 90 days of the date of hire;
- ▶ clarifies that the qualified health insurance coverage must be offered to employees and dependents who work or reside in the state;
- ▶ clarifies that the qualified health insurance coverage that must be offered is a minimum standard and an employer may offer greater coverage;
- ▶ amends the definition of qualified health insurance coverage to clarify the standards;
- ▶ amends the enforcement provisions to provide protections for good faith compliance; and
- ▶ clarifies how an employer offering a defined contribution arrangement may comply with state contract requirements.

The original bill was recommended by the Health System Reform Task Force

Amends 17B-2a-818.5, 19-1-206, 63A-5-205, 63C-9-403, 72-6-107.5, 79-2-404;

Enacts 31A-30-209

Effective May 11, 2010

Chapter 229, Laws of Utah 2010

HB 21 Expungement Revisions (*Julie Fisher*)

This bill creates a new chapter known as the Utah Expungement Act.

This bill:

- ▶ creates a specific definition of expunge;
- ▶ sets out the steps a petitioner must take to obtain an expungement;
- ▶ specifies what cannot be expunged;
- ▶ allows the Bureau of Criminal Identification to charge application and issuance fees for a certificate of eligibility for expungement;
- ▶ provides for notice of a petition for expungement to be given to the prosecutor, victim, and, in the court's discretion, the Division of Adult Probation and Parole;
- ▶ allows the bureau to deny a petitioner a certificate of eligibility if the petitioner provides false or misleading information on an application;
- ▶ requires the bureau to expedite the eligibility process for a person who is acquitted;
- ▶ provides rulemaking authority to the Department of Public Safety for the expungement process;
- ▶ changes how agencies handle expunged records; and
- ▶ makes technical corrections.

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

Amends 41-6a-501, 53-3-414, 53-5-704, 53-6-302, 53-10-202.5, 53A-6-306, 76-8-504.6, 77-27-21.5, 77-38-14, 78A-2-301;

Enacts 77-40-101, 77-40-103, 77-40-104, 77-40-105, 77-40-106, 77-40-107, 77-40-110, 77-40-111;

Renumbers and Amends 77-18-9 to 77-40-102, 77-18-14 to 77-40-108, 77-18-15 to 77-40-109, 77-18-16 to 77-40-112, 77-18-17 to 77-40-113;

Repeals 77-18-10, 77-18-11, 77-18-12, 77-18-13

Effective May 11, 2010

Chapter 283, Laws of Utah 2010

HB 23 Workplace Drug and Alcohol Testing (*Trisha S. Beck*)

This bill modifies provisions related to an employer testing for drugs and alcohol.

This bill:

- ▶ modifies terminology;
- ▶ clarifies effect of complying with the chapter;
- ▶ requires certain confirmation testing to be done by a certified laboratory;
- ▶ addresses grounds for employer action;
- ▶ addresses presumptions in applying employer protections from liability; and
- ▶ makes technical and conforming amendments.

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

Amends 34-38-1, 34-38-2, 34-38-3, 34-38-6, 34-38-8, 34-38-10, 34-38-11, 34-38-14

Effective May 11, 2010

Chapter 284, Laws of Utah 2010

HB 24 Economic Development Incentives Act Amendments (*C. Brent Wallis*)

This bill modifies provisions of the Economic Development Incentives Act related to significant capital investment and requirements for receiving a tax credit under the act.

This bill:

- ▶ defines “significant capital investment” for purposes of the Economic Development Incentives Act to be an amount of at least \$10,000,000 to purchase a capital asset or fixed asset; and
- ▶ requires an applicant for a tax credit under the act to provide the Governor’s Office of Economic Development with documentation that it has satisfied the performance benchmarks required under the act, including significant capital investment, the creation of high paying jobs, significant purchases from Utah vendors or providers, or any combination of these economic factors.

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

Amends 63M-1-2403, 63M-1-2405

Effective May 11, 2010

Chapter 104, Laws of Utah 2010

HB 25 Health Reform - Administrative Simplification (*Merlynn T. Newbold*)

This bill amends provisions related to administrative simplification of the coordination of health insurance benefits as provided in divorce decrees, child support orders, and the Insurance Code.

This bill:

- ▶ provides uniform language for divorce decrees and child support orders related to the coordination of health insurance benefits when a dependent child of the marriage is covered by both parents' health insurance policies;
- ▶ establishes a coordination of benefits process for health insurance claims based primarily on national standards;
- ▶ provides uniform educational material for the public regarding the coordination of health insurance benefits; and
- ▶ repeals the coordination of the health insurance benefits process that was to take effect July 1, 2010.

The original bill was recommended by the Health System Reform Task Force

Amends 30-3-5, 31A-22-619, 62A-11-326, 63I-2-231, 78B-12-212;

Enacts 30-3-5.5;

Repeals 31A-22-619.5 (Effective 07/01/10)

Effective May 11, 2010

Chapter 285, Laws of Utah 2010

HB 26 Brine Shrimp Royalty Act Amendments (*Todd E. Kiser*)

This bill amends the Brine Shrimp Royalty Act.

This bill:

- ▶ repeals obsolete language;
- ▶ addresses definitions;
- ▶ addresses the calculation of the royalty; and
- ▶ makes technical changes.

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

Amends 59-23-3, 59-23-4, 59-23-7, 59-23-8;

Repeals 59-23-2

Effective May 11, 2010

Chapter 105, Laws of Utah 2010

HB 27 Per Diem and Travel Expense Modifications (Craig A. Frank)

This bill modifies per diem and travel expense language used for boards, commissions, councils, and committees.

This bill:

- ▶ replaces language used to describe per diem and travel expenses for members of boards, commissions, councils, and committees with standardized language referencing primary provisions for per diem and travel expenses; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations and Political Subdivisions Interim Committee

Amends 4-2-7, 4-2-8, 4-14-10, 4-17-3.5, 4-18-4, 4-20-1.5, 4-22-3, 4-23-4, 4-24-4, 4-30-2, 4-35-3, 4-37-503, 4-37-602, 4-38-3, 4-39-104, 7-1-203, 7-3-40, 7-9-43, 9-1-803, 9-3-403, 9-4-304, 9-4-503, 9-4-703, 9-4-801, 9-4-904, 9-6-204, 9-6-305, 9-6-604, 9-6-704, 9-7-204, 9-8-204, 9-9-104.5, 9-9-104.6, 9-9-405, 9-10-103, 9-11-105, 10-6-153, 11-38-201, 13-14-103, 13-35-103, 13-43-202, 17-36-5, 17B-1-307, 19-2-103, 19-2-109.2, 19-3-103, 19-4-103, 19-5-103, 19-6-103, 19-9-104, 20A-5-402.7, 23-14-2, 23-14-2.6, 26-1-7.5, 26-8a-103, 26-9f-103, 26-10-6, 26-18-102, 26-18a-2, 26-21-4, 26-33a-103, 26-40-104, 26-46-103, 26-50-202, 31A-2-403, 31A-29-104, 31A-35-201, 32A-1-106, 34-20-3, 34A-2-107, 34A-5-105, 34A-6-106, 35A-1-205, 35A-1-206, 35A-2-103, 35A-3-205, 35A-4-502, 36-2-4, 36-23-104, 36-26-102, 39-2-1, 40-2-203, 40-2-204, 40-6-4, 41-3-106, 49-11-202, 51-7-16, 51-7a-301, 53-2-108, 53-3-303, 53-3-908, 53-5-703, 53-6-106, 53-7-203, 53-7-304, 53-8-203, 53-9-104, 53-11-104, 53A-1-202, 53A-1a-501.5, 53A-1a-602, 53A-6-802, 53A-20b-103, 53A-25b-203, 53B-1-104, 53B-2-104, 53B-2a-103, 53B-2a-109, 53B-6-105.5, 53B-17-102, 53B-17-803, 53C-1-203, 54-8a-13, 54-10a-202, 54-14-301, 58-1-201, 58-1-402, 58-54-3, 58-55-103, 58-56-5, 59-1-905, 61-1-18.5, 61-2-5.5, 61-2b-7, 61-2c-104, 62A-1-107, 62A-3-107, 62A-4a-311, 62A-5a-103, 62A-7-501, 62A-15-605, 63A-3-403, 63A-5-101, 63A-9-301, 63B-1-201, 63B-1-304, 63C-4-101, 63C-6-103, 63C-8-103, 63C-9-202, 63C-9-702, 63C-10-102, 63C-11-201, 63F-1-202, 63G-2-501, 63G-2-502, 63G-6-201, 63G-6-807, 63H-2-202, 63I-4-201, 63J-4-502, 63K-3-201, 63K-3-301, 63M-1-302, 63M-1-604, 63M-1-1205, 63M-1-1402, 63M-1-1503, 63M-1-2611, 63M-1-2706, 63M-2-301, 63M-2-303, 63M-7-302, 63M-7-304, 63M-7-405, 63M-7-504, 63M-8-202, 63M-9-201, 63M-9-202, 65A-1-3, 65A-8-306, 67-1-8.1, 67-1a-10, 67-5a-8, 67-8-4, 67-19a-201, 67-19d-202, 68-4-5, 68-4-9, 71-7-4, 71-8-4, 71-11-7, 72-1-301, 72-4-302, 72-6-115, 72-9-201, 72-11-204, 73-10-2, 73-10c-3, 73-16-4, 77-32-401, 77-32-401.5, 78A-2-502, 78A-6-1208, 78A-12-202, 78B-3-416, 79-3-302, 79-4-302, 79-5-202;

Repeals and Reenacts 26-39-202, 63C-12-105, 63I-3-206, 63M-7-207, 63M-7-604, 63M-11-206, 67-5a-3, 78A-10-205, 78A-10-305, 78A-11-104, 78B-12-403

Effective May 11, 2010

Chapter 286, Laws of Utah 2010

HB 28 Controlled Substance Database Amendments *(Bradley M. Daw)*

This bill recodifies and amends provisions relating to the Controlled Substance Database and requires an individual, other than a veterinarian, who is licensed to prescribe a controlled substance, who is applying for a license, or who is renewing a license, to register to use the database and to take a tutorial and pass a test relating to the database and the prescribing of a controlled substance.

This bill:

- ▶ defines terms;
- ▶ recodifies provisions relating to the Controlled Substance Database into a new chapter known as the Controlled Substance Database Act;
- ▶ modifies provisions relating to accessing database information for certain legal proceedings;
- ▶ requires an individual, other than a veterinarian, who is licensed to prescribe a controlled substance, who is applying for a license, or who is renewing a license to:
 - register to use the database; and
 - take a tutorial and pass a test relating to the database and the prescribing of controlled substances;
- ▶ requires the division to impose an annual database registration fee on an individual who registers to use the database, to pay the startup and ongoing costs of the division for complying with the requirements of the preceding paragraph;
- ▶ describes the penalties that may be imposed by Division of Occupational and Professional Licensing (DOPL) on an individual who fails to comply with the requirements described in the preceding paragraph;
- ▶ requires DOPL to develop an online tutorial and test relating to the use of the database and the prescribing of a controlled substance;
- ▶ requires DOPL to impose a fee on an individual who takes the test described in this bill to pay the costs incurred by DOPL to fulfill the requirements described in this bill;
- ▶ grants rulemaking authority to DOPL; and
- ▶ makes technical changes.

This bill coordinates with S.B. 191, Governmental Accounting Amendments, by providing technical amendments.

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

Amends 26-1-36, 58-17b-201, 58-37-6, 63J-1-602;

Enacts 58-37f-101, 58-37f-102, 58-37f-201, 58-37f-202, 58-37f-203, 58-37f-301, 58-37f-302, 58-37f-401, 58-37f-402, 58-37f-501, 58-37f-601, 58-37f-602, 58-37f-701;

Renumbers and Amends 58-37-7.7 to 58-37f-502, 58-37-7.8 to 58-37f-801;

Repeals 58-37-7.5

Effective May 11, 2010

Chapter 287, Laws of Utah 2010

HB 29 School District Division Amendments (*Laura Black*)

This bill modifies procedures for establishing a new school district following voter approval of the proposal.

This bill:

- ▶ requires the election, at the next general election following voter approval of the proposal to create a new school district, of:
 - the school board members for the existing school district whose terms are expiring;
 - all members to the school board of the new school district; and
 - all members to the school board of the remaining school district;
- ▶ modifies the effective date for the new school district;
- ▶ modifies certain provisions relating to the allocation of school district property; and
- ▶ makes technical corrections.

The original bill was recommended by the Education Interim Committee

Amends 53A-2-118, 53A-2-118.1, 53A-2-119

Effective May 11, 2010

Chapter 230, Laws of Utah 2010

HB 30 Drug Law Amendments (*Trisha S. Beck*)

This bill modifies Title 58, Chapter 37, Utah Controlled Substances Act, regarding Schedule IV substances.

This bill:

- ▶ adds carisprodol, which has the brand name of Soma, as a Schedule IV drug.

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

Amends 58-37-4

Effective May 11, 2010

Chapter 106, Laws of Utah 2010

HB 31 Wildlife Licenses, Certificates, or Permit Amendments (*Kerry W. Gibson*)

This bill allows the Wildlife Board to establish additional grounds for the refund of a license fee.

This bill:

- ▶ allows the Wildlife Board, by administrative rule, to establish grounds other than those listed in statute for the refund of a license, certificate, or permit fee; and
- ▶ makes technical changes.

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

Amends 23-19-38

Effective May 11, 2010

Chapter 288, Laws of Utah 2010

HB 32 Livestock Damage Compensation Amendments (*Melvin R. Brown*)

This bill amends a provision relating to livestock damage caused by a wolf.

This bill:

- ▶ defines a term;
- ▶ allows a person to receive compensation for livestock damage by a wolf in certain areas; and
- ▶ makes technical corrections.

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

Amends 23-24-1

Effective May 11, 2010

Chapter 289, Laws of Utah 2010

HB 33 Groundwater Recharge and Recovery Act Amendments (*Michael E. Noel*)

This bill amends the Groundwater Recharge and Recovery Act.

This bill:

- ▶ defines terms;
- ▶ requires the state engineer to give 60 days' notice to a recharge or recovery permittee of the date to submit proof of completion;
- ▶ requires proof of completion of a recharge or recovery project;
- ▶ requires, if certain requirements are met, the state engineer to issue a certificate for a recharge or recovery project;
- ▶ authorizes the state engineer to waive certain filings;
- ▶ requires the permittee to file the certificate with the county recorder;
- ▶ establishes that a certificate is prima facie evidence of the right to the water as specified in the certificate; and
- ▶ makes technical changes.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / State Water Development Commission

Amends 73-3b-102, 73-3b-103, 73-3b-105, 73-3b-106, 73-3b-201, 73-3b-202, 73-3b-203, 73-3b-204, 73-3b-205, 73-3b-206, 73-3b-208

Effective May 11, 2010

Chapter 107, Laws of Utah 2010

HB 34 Water Storage Projects (*Michael E. Noel*)

This bill amends provisions of Title 73, Water and Irrigation, to address proof and certification of water storage projects.

This bill:

- ▶ establishes the proof requirements for a surface water storage facility constructed by a public water supplier;
- ▶ establishes a certificate requirement for a surface water storage facility constructed by a public water supplier; and
- ▶ makes technical changes.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / State Water Development Commission

Amends 73-3-16, 73-3-17

Effective May 11, 2010

Chapter 108, Laws of Utah 2010

HB 35 **Controlled Substance Database - Reporting of Prescribed Controlled Substance Overdose or Poisoning** (*Bradley M. Daw*)

This bill amends the Utah Health Code, the Utah Controlled Substances Act, and related provisions to provide for notification to a practitioner when a person who is 12 years of age or older is admitted to a hospital for poisoning by, or overdose of, a prescribed controlled substance that the practitioner may have prescribed to the person.

This bill:

- ▶ requires that, when a person who is 12 years of age or older is admitted to a general acute hospital for poisoning by, or overdose of, a prescribed controlled substance, the general acute hospital must report the poisoning or overdose, and other information, to the Division of Occupational and Professional Licensing (DOPL);
- ▶ requires that, when DOPL receives a report described in the preceding paragraph, DOPL must notify each practitioner who may have written a prescription for the controlled substance of the poisoning or overdose and certain information relating to the poisoning or overdose;
- ▶ requires the division to increase the licensing fee for manufacturing, producing, distributing, dispensing, administering, or conducting research, to pay the startup and ongoing costs of the division for complying with the requirements of the preceding paragraph; and
- ▶ makes technical changes.

This bill coordinates with H.B. 28 by providing technical amendments.

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

Enacts 26-21-26, 58-37-7.9

Effective May 11, 2010

Chapter 290, Laws of Utah 2010

HB 36 **Controlled Substance Database - Reporting Convictions for Driving Under the Influence or Impaired Driving** (*Bradley M. Daw*)

This bill amends provisions of the Traffic Code and the Utah Controlled Substances Act to provide for notification to a practitioner when a person is convicted of a crime for driving under the influence of, or impaired driving under the influence of, a controlled substance that the practitioner may have prescribed to that person.

This bill:

- ▶ requires a court to report certain information to the Division of Occupational and Professional Licensing (DOPL) when a person is convicted of driving under the influence or of impaired driving, if there is evidence that the person's driving was under the influence of, or impaired by, a prescribed controlled substance;
- ▶ requires that, when DOPL receives a report described in the preceding paragraph, DOPL must notify each practitioner who may have written a prescription for the controlled substance of the conviction and certain information relating to the conviction;
- ▶ requires DOPL to increase the licensing fee for manufacturing, producing, distributing, dispensing, administering, or conducting research to pay the startup and ongoing costs of DOPL for complying with the requirements of the preceding paragraph; and
- ▶ makes technical changes.

This bill coordinates with H.B. 28 and H.B. 36 by providing technical amendments.

This bill coordinates with H.B. 36, H.B. 28, and H.B. 35 by providing technical amendments.

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

Amends 41-6a-502, 41-6a-502.5;

Enacts 58-37-7.9

Effective May 11, 2010

Chapter 109, Laws of Utah 2010

HB 37 Criminal Background Checks on Motor Vehicle Dealers and Salespersons
(Rebecca D. Lockhart)

This bill modifies the Motor Vehicle Business Regulation Act and the Public Safety Code by amending provisions relating to criminal background checks on motor vehicle dealers and salespersons.

This bill:

- ▶ requires every applicant for a motor vehicle salesperson license to submit fingerprints with a completed application to the Motor Vehicle Enforcement Division;
- ▶ requires certain persons that renewed a motor vehicle salesperson license to submit fingerprints to the Motor Vehicle Enforcement Division;
- ▶ provides that the Motor Vehicle Enforcement Division shall submit fingerprints for each applicant to the Bureau of Criminal Identification;
- ▶ requires the Bureau of Criminal Identification to:
 - compare motor vehicle salesperson applicant fingerprints with certain criminal databases and inform the Motor Vehicle Enforcement Division of its findings; and
 - maintain a separate file of motor vehicle salesperson fingerprints and notify the Motor Vehicle Enforcement Division when a new entry is made concerning a person in the file regarding an arrest for certain offenses;
- ▶ requires the Motor Vehicle Enforcement Division to:
 - impose the fees that the Bureau of Criminal Identification is authorized to collect for certain services; and
 - remit the fees collected to the Bureau of Criminal Identification;
- ▶ requires the Motor Vehicle Enforcement Division to suspend the salesperson license of a salesperson who fails to submit the fingerprints as required;
- ▶ provides that the Motor Vehicle Enforcement Division shall use information received from the Bureau of Criminal Identification to determine whether a license should be denied, suspended, or revoked; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

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

Amends 41-3-209, 53-10-202;

Enacts 41-3-205.5

Effective July 1, 2010

Chapter 291, Laws of Utah 2010

HB 38 Scheduling of Controlled Substances (*Paul Ray*)

This bill modifies provisions regarding controlled substances by creating a committee to advise the Legislature on the scheduling of substances.

This bill:

- ▶ creates the Controlled Substances Advisory Committee;
- ▶ establishes the membership of the committee;
- ▶ creates the role of the committee as an advisory body regarding placing substances in the statutory schedule of controlled substances, changing the schedule of a substance, or removing a substance from the schedules; and
- ▶ provides guidelines for determining if a substance should be scheduled and in which schedule to place a substance.

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

Enacts 58-38a-101, 58-38a-102, 58-38a-201, 58-38a-202, 58-38a-203, 58-38a-204

Effective May 11, 2010

Chapter 231, Laws of Utah 2010

HB 39 Insurance Related Amendments (*James A. Dunnigan*)

This bill modifies the Insurance Code and related provisions to make various amendments.

This bill:

- ▶ modifies definitions;
- ▶ addresses fees, nonlapsing money, and the creation of restricted accounts;
- ▶ removes outdated language related to reporting;
- ▶ allows a member of the Title and Escrow Commission to continue to serve until replaced;
- ▶ modifies duties of the Title and Escrow Commission;
- ▶ modifies provisions related to variable contract law;
- ▶ modifies provisions related to approval of forms;
- ▶ addresses requirements for purchasing groups;
- ▶ clarifies language related to underinsured motorist coverage;
- ▶ addresses dependent coverage;
- ▶ modifies provisions related to catastrophic coverage of mental health conditions;
- ▶ addresses issuance of group or blanket accident and health insurance;
- ▶ modifies Utah's mini-COBRA provisions;
- ▶ addresses special enrollment periods relating to Medicaid and Children's Health Insurance Program;
- ▶ addresses provisions related to licensure and insurance adjusting;
- ▶ addresses licensee compensation;
- ▶ modifies definitions related to life settlements;
- ▶ provides for rulemaking and other processes related to surrender of a professional employer organization license;
- ▶ addresses the board of directors for the Utah Defined Contribution Risk Adjuster; and
- ▶ makes technical and conforming amendments.

This bill provides an effective date and limited retrospective operation.

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

Amends 31A-1-301, 31A-2-403, 31A-2-404, 31A-3-103, 31A-3-104, 31A-3-304 (Effective 07/01/10), 31A-3-304 (Superseded 07/01/10), 31A-5-217.5, 31A-15-208, 31A-20-106, 31A-21-201, 31A-21-301, 31A-22-305.3, 31A-22-411, 31A-22-610.5, 31A-22-625, 31A-22-701, 31A-22-722, 31A-22-722.5, 31A-23a-415, 31A-23a-501, 31A-26-201, 31A-35-401, 31A-35-406, 31A-36-102, 31A-40-103, 31A-40-302, 31A-42-201, 63J-1-602;

Enacts 31A-3-105, 31A-22-725, 31A-40-307

Effective March 5, 2010

Chapter 10, Laws of Utah 2010

HB 40 Utah Life and Health Insurance Guaranty Association Amendments (*James A. Dunnigan*)

This bill modifies the Utah Life and Health Insurance Guaranty Association Act to make various amendments.

This bill:

- ▶ addresses the coverage and limitations under the act;
- ▶ modifies definition provisions and terminology;
- ▶ directs the commissioner to appoint public members to the board of directors;
- ▶ addresses provisions related to the powers and duties under the act;
- ▶ adds additional requirements for a plan of operation;
- ▶ modifies reporting requirements of the commissioner;
- ▶ modifies time frames under the act; and
- ▶ makes technical and conforming amendments.

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

Amends 31A-28-103, 31A-28-105, 31A-28-107, 31A-28-108, 31A-28-109, 31A-28-110, 31A-28-111, 31A-28-112, 31A-28-114, 31A-28-118, 31A-28-119, 31A-28-120

Effective May 11, 2010

Chapter 292, Laws of Utah 2010

HB 41 Constables Amendments (*Curtis Oda*)

This bill modifies provisions relating to constables.

This bill:

- ▶ allows a county or municipality to contract with any constable, rather than a constable in the county where the justice court sits; and
- ▶ makes a technical change.

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

Amends 17-25-5

Effective May 11, 2010

Chapter 49, Laws of Utah 2010

HB 42 School District Employees - Career Status Requirements (*Ronda Rudd Menlove*)

This bill modifies the Utah Orderly School Termination Procedures Act regarding requirements for school district employees to obtain career status.

This bill:

- ▶ allows a school district to extend the period of time a provisional employee must work to obtain career status.

The original bill was recommended by the Education Interim Committee

Amends 53A-8-106

Effective May 11, 2010

Chapter 183, Laws of Utah 2010

HB 43 Unemployment Compensation Amendments (*Steven R. Mascaro*)

This bill modifies provisions in the Employment Security Act regarding the computation of individual weekly benefits for those whose benefit year begins after the termination of Pub. L. No. 111-5, Sec. 2002 as amended and the offset of Social Security benefits against the weekly benefit amount of unemployment compensation an individual is eligible to receive under the Act.

This bill:

- ▶ provides that Social Security benefits may not be offset against unemployment compensation weekly benefits under the Employment Security Act with respect to an individual whose benefit year begins after the termination of Pub. L. No. 111-5, Sec. 2002 as amended;
- ▶ provides for the computation of weekly unemployment benefits for those whose benefit year begins after the termination of Pub. L. No. 111-5, Sec. 2002 as amended; and
- ▶ makes certain technical changes.

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

Amends 35A-4-401

Effective May 11, 2010

Chapter 293, Laws of Utah 2010

HB 44 Referendum Ballot Proposition Amendments (*Fred R Hunsaker*)

This bill modifies the Election Code to amend the manner in which a ballot proposition is worded for a statewide or local referendum.

This bill:

- ▶ clarifies that the definition of "referendum" is a process to submit or refer a certain law to voters for their final approval or rejection;
- ▶ provides that a vote "for" on a referendum question means the voter is in favor of the law taking effect;
- ▶ provides that a vote "against" on a referendum question means the voter is against the law taking effect; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations and Political Subdivisions Interim Committee

Amends 20A-7-101, 20A-7-309, 20A-7-609

Effective May 11, 2010

Chapter 294, Laws of Utah 2010

HB 45 State Construction Code Adoption (*Michael T. Morley*)

This bill adopts the State Construction Code in accordance with the Utah Uniform Building Standards Act.

This bill:

- ▶ includes general provisions; and
- ▶ adopts the State Construction Code.

This bill takes effect on July 1, 2010.

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

Effective July 1, 2010

Chapter 232, Laws of Utah 2010

HB 46 Motor Vehicle Act Amendments (*Julie Fisher*)

This bill modifies the Motor Vehicles Code by amending provisions relating to motor vehicles.

This bill:

- ▶ provides that the Tax Commission may permit an owner or lessee of a commercial fleet of vehicles that are apportioned and required to be registered in this state to register the vehicles commencing on certain days and expiring on certain days in the following year;
- ▶ repeals the requirement that an owner of a vehicle record the actual miles on an application for a renewal of registration;
- ▶ provides that the Motor Vehicle Division shall publish a notice of a sale of a motor vehicle that has been seized and has not been recovered on the division's website rather than in a newspaper of general statewide circulation;
- ▶ authorizes a county legislative body of a county that is required to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard to impose a local emissions compliance fee;
- ▶ establishes the procedures and requirements for a county legislative body to impose a local emissions compliance fee;
- ▶ requires a county legislative body that imposes a local emissions compliance fee to use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-1a-203, 41-1a-215, 41-1a-905, 41-1a-1103, 41-1a-1201, 41-6a-1642;

Enacts 41-1a-1223

Effective May 11, 2010

Chapter 295, Laws of Utah 2010

HB 47 Board of Pardons and Parole Technical Amendments (*Eric K. Hutchings*)

This bill makes technical amendments to provisions concerning the Utah Board of Pardons and Parole.

This bill:

- ▶ allows the board to conduct hearings with inmate, offender, or witness appearance and participation by videoconference or other electronic means;
- ▶ allows the appointment of fewer than the maximum authorized pro tempore members of the board;
- ▶ allows the board to recommend applicants to the governor for pro tempore appointment and Senate consent;
- ▶ removes references to certified shorthand reporters, and allows the board to provide electronic copies of hearing recordings; and
- ▶ makes technical corrections.

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

Amends 77-27-1, 77-27-2, 77-27-5, 77-27-8, 77-27-9, 77-27-11;

Enacts 77-27-1.5

Effective May 11, 2010

Chapter 110, Laws of Utah 2010

HB 49 Amendments Related to a Tax, Fee, or Charge Administered by the State Tax Commission
(Todd E. Kiser)

This bill amends the General Taxation Policies chapter to address the taxes, fees, and charges administered by the State Tax Commission and the calculation of interest related to a tax, fee, or charge administered by the State Tax Commission.

This bill:

- ▶ addresses definitions including defining the taxes, fees, and charges administered by the State Tax Commission;
- ▶ addresses the calculation of interest related to a tax, fee, or charge administered by the State Tax Commission, including:
 - providing that under certain circumstances interest is allowed after a 45-day period if a return or amended return is with respect to certain income taxes and is filed electronically; and
 - providing that under certain circumstances interest is allowed after a 90-day period if a return or amended return is with respect to a tax, fee, or charge except for certain income taxes or is not filed electronically; and
- ▶ makes technical and conforming changes.

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

Amends 59-1-401, 59-1-402, 59-1-1402

Effective May 11, 2010

Chapter 233, Laws of Utah 2010

HB 50 Sales and Use Tax Modifications (Wayne A. Harper)

This bill amends the Sales and Use Tax Act to address definitions, the tax rate at which sales and use taxes are collected, and the location of a transaction involving a prepaid calling service or prepaid wireless calling service.

This bill:

- ▶ modifies the definition of bundled transaction;
- ▶ addresses the collection of a sales and use tax at the lowest agreement combined tax rate;
- ▶ addresses the determination of the location of a transaction involving a prepaid calling service or prepaid wireless calling service; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

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

Amends 59-12-102, 59-12-211

Effective July 1, 2010

Chapter 234, Laws of Utah 2010

HB 51 Family Employment Program - Cash Assistance to Single Minor Parent
(James A. Dunnigan)

This bill modifies provisions of the Family Employment Program regarding the requirements for a single minor parent to receive cash assistance under the program.

This bill:

- ▶ modifies the cash assistance to the single minor parent provision of the Family Employment Program by bringing it into compliance with federal law as to employment and education or training requirements.

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

Amends 35A-3-307

Effective May 11, 2010

Chapter 296, Laws of Utah 2010

HB 52 Health Reform - Uniform Electronic Standards - Insurance Information
(Merlynn T. Newbold)

This bill amends provisions related to the use of uniform electronic standards for health insurance claims processing, insurance eligibility, and coordination of benefits.

This bill:

- ▶ amends provisions related to uniform electronic standards for health insurance claims processing, electronic insurance eligibility information, and electronic information regarding the coordination of benefits;
- ▶ establishes a voluntary registry of software vendors who comply with electronic standards; and
- ▶ makes clarifying and technical amendments.

The original bill was recommended by the Health System Reform Task Force

Amends 31A-22-614.5

Effective May 11, 2010

Chapter 357, Laws of Utah 2010

HB 53 Foreclosure Rescue and Loan Modification Amendments (Ryan D. Wilcox)

This bill modifies provisions related to licensure and prohibited conduct for those engaging in foreclosure rescue or loan modification assistance.

This bill:

- ▶ modifies definitions related to real estate licensing;
- ▶ modifies prohibited conduct by real estate licensees;
- ▶ modifies definitions related to mortgage officer licensing;
- ▶ modifies prohibited conduct by a mortgage officer licensee; and
- ▶ makes technical and conforming amendments.

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

Amends 61-2-2, 61-2-3, 61-2-10, 61-2-11, 61-2c-102, 61-2c-301

Effective May 11, 2010

Chapter 184, Laws of Utah 2010

HB 54 **Property Tax Exemption for Water Facilities** (*Patrick Painter*)

This bill modifies Revenue and Taxation provisions relating to property tax exemptions.

This bill:

- ▶ enacts a property tax exemption for:
 - water rights, reservoirs, pumping plants, ditches, canals, pipes, flumes, and other water infrastructure if owned by a nonprofit entity and used within the state to irrigate land, provide domestic water, or provide water to a public water supplier;
 - land occupied by certain water facilities if the land is owned by the nonprofit entity that owns the facilities; and
 - land adjacent to certain water facilities if the land is owned by the nonprofit entity that owns the facilities and the land is reasonably necessary for the maintenance or for otherwise supporting the operation of the facilities; and
- ▶ enacts definitions for "domestic water" and "other water infrastructure."

This bill provides a contingent effective date of January 1, 2011.

The original bill was recommended by the Revenue and Taxation Interim Committee / State Water Development Commission

Amends 59-2-1111

Effective January 1, 2011

Chapter 50, Laws of Utah 2010

HB 55 **Department of Community and Culture Grants Amendments** (*Julie Fisher*)

This bill modifies provisions of Title 9, Community and Culture Development regarding grant programs administered by certain divisions, offices, and boards within the Department of Community and Culture in the Divisions of Arts and Museums, State Library, and State History.

This bill:

- ▶ provides for quarterly disbursement and progress reports of pass-through funding grants of at least \$25,000 administered by certain divisions, offices, and boards within the Department of Community and Culture;
- ▶ defines pass-through funding; and
- ▶ makes certain technical changes.

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

Amends 9-6-102, 9-6-201, 9-6-205, 9-6-601, 9-6-603, 9-6-605, 9-7-101, 9-7-203, 9-7-205, 9-8-102, 9-8-203, 9-8-205

Effective May 11, 2010

Chapter 111, Laws of Utah 2010

HB 57 Extension of Sunset for Design-build Contract Award Authorization (*Julie Fisher*)

This bill amends provisions relating to the procurement of design-build transportation project contracts.

This bill:

- ▶ extends until July 1, 2015, the sunset of the provision authorizing a transportation agency to award a design-build contract for a transportation project that has an estimated cost of \$5,000,000 or less to a qualified eligible proposer if:
 - only a single proposal is received; and
 - the transportation agency determines that the proposal is advantageous to the state and the proposal price is reasonable; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 63G-6-502, 63I-1-263

Effective May 11, 2010

Chapter 358, Laws of Utah 2010

HB 58 Utah Generated Renewable Energy Electricity Network Authority Board Amendments (*Roger E. Barrus*)

This bill modifies the membership of the Utah Generated Renewable Energy Electricity Network Authority Board.

This bill:

- ▶ modifies the membership of the Utah Generated Renewable Energy Electricity Network Authority Board; and
- ▶ makes technical amendments.

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

Amends 63H-2-202

Effective May 11, 2010

Chapter 112, Laws of Utah 2010

HB 59 Campaign Finance Revisions (*Keith Grover*)

This bill modifies Title 20A, Chapter 11, Campaign and Financial Reporting Requirements by amending certain reporting periods.

This bill:

- ▶ provides that all expenditures made by a corporation and a political issues committee must be reported as of five days instead of three days before the required filing date of the financial statement; and
- ▶ makes technical amendments.

The original bill was recommended by the Government Operations and Political Subdivisions Interim Committee

Amends 20A-11-701, 20A-11-802

Effective May 11, 2010

Chapter 235, Laws of Utah 2010

HB 60 **Water Conveyance Facilities Safety Act** (*Fred R Hunsaker*)

This bill addresses management plans for water conveyance facilities.

This bill:

- ▶ defines terms;
- ▶ requires certain water conveyance facilities to have a promptly adopted management plan as a condition of receiving state money;
- ▶ establishes the requirements for a management plan;
- ▶ requires the sharing of certain information with municipalities and counties;
- ▶ authorizes the division to provide information and technical resources;
- ▶ addresses providing information to the board or division;
- ▶ provides that a management plan is a protected record under Title 63G, Chapter 2, Government Records Access and Management Act;
- ▶ requires a report by the board;
- ▶ addresses scope of the section;
- ▶ addresses the introduction of certain information into evidence; and
- ▶ makes technical and conforming amendments.

The original bill was recommended by the State Water Development Commission

Amends 63G-2-305;

Enacts 73-10-33

Effective May 11, 2010

Chapter 113, Laws of Utah 2010

HB 62 **Penalties for Violent Crime in Presence of a Child** (*Janice M. Fisher*)

This bill modifies the Criminal Code to provide a penalty for committing a violent criminal offense in the presence of a child younger than 14 years of age.

This bill:

- ▶ provides a class B misdemeanor penalty for a person who, while in the presence of a child:
 - commits or attempts to commit criminal homicide against a third party;
 - intentionally causes or attempts to cause serious bodily injury to a third party or uses a dangerous weapon or other means or force likely to produce death or serious bodily injury against a third party; or
 - commits or attempts to commit a violent criminal offense; and
- ▶ provides definitions.

Enacts 76-3-203.10

Effective May 11, 2010

Chapter 359, Laws of Utah 2010

HB 66 **Prosthetic Limb Health Insurance Parity** (*David Litvack*)

This bill amends the Insurance Code to require an insurer that provides a health benefit plan to offer coverage for prosthetic devices.

This bill:

- ▶ defines terms; requires an insurer that provides a health benefit plan to offer at least one plan that provides coverage for prosthetic devices; and establishes terms of coverage and minimum requirements relating to the coverage described in this bill.

Enacts 31A-22-638

Effective May 11, 2010

Chapter 360, Laws of Utah 2010

HB 67 Health System Amendments (*Carl Wimmer*)

This bill prohibits a state agency or department from implementing federal health care reform passed by the United States Congress after March 1, 2010, unless a state agency reports to the Legislature regarding costs and impact on state reform efforts.

This bill:

- ▶ makes legislative findings;
- ▶ prohibits a state agency or department from implementing any provision of the federal health care reform unless the agency reports to the Legislature:
 - whether the federal act compels the state to adopt the particular federal provision;
 - consequences to the state if the state refuses to adopt the particular federal provision;
 - impact to the citizens of the state if reform efforts are implemented or not implemented; and
- ▶ prohibits an individual in this state from being required to purchase health insurance.

This bill provides an immediate effective date.

Enacts 63M-1-2505.5

Effective March 22, 2010

Chapter 51, Laws of Utah 2010

HB 68 Habitual Wanton Destruction of Wildlife (*Curtis Oda*)

This bill elevates to a third degree felony a third violation of the crime of wanton destruction of protected wildlife.

This bill:

- ▶ makes a third violation of the crime of wanton destruction of protected wildlife a new crime, called habitual wanton destruction of protected wildlife; and
- ▶ makes the crime of habitual wanton destruction of protected wildlife a third degree felony.

Enacts 23-20-4.7

Effective May 11, 2010

Chapter 52, Laws of Utah 2010

HB 69 State Engineer's Plugging of Wells Repealer (*James R. Gowans*)

This bill repeals a provision concerning the state engineer's power to plug certain artesian wells.

This bill:

- ▶ repeals a provision concerning the state engineer's power to plug certain artesian wells.

Repeals 73-2-21

Effective May 11, 2010

Chapter 297, Laws of Utah 2010

HB 70 **Retrofit Compressed Natural Gas Vehicles Amendments** (*Jack R. Draxler*)

This bill addresses the retrofitting of vehicles to operate on compressed natural gas.

This bill:

- ▶ requires certain inspections, emission standards, and certifications for retrofit compressed natural gas vehicles;
- ▶ authorizes the Division of Air Quality to develop programs to coordinate amongst government and private entities to facilitate use of retrofit compressed natural gas vehicles;
- ▶ provides that a retrofit compressed natural gas vehicle in compliance with certain requirements satisfies fleet requirements;
- ▶ prohibits a retrofit compressed natural gas vehicle from receiving a clean fuel vehicle tax credit, unless it meets certain requirements; and
- ▶ makes technical changes.

Amends 19-2-105.3, 59-7-605, 59-10-1009;

Enacts 19-1-406

Effective May 11, 2010

Chapter 236, Laws of Utah 2010

HB 73 **Utah Construction Trades Continuing Education Amendments** (*Michael T. Morley*)

This bill modifies provisions of the Utah Construction Trades Licensing Act related to continuing education.

This bill:

- ▶ defines "approved continuing education;"
- ▶ requires a contractor licensee to complete six hours of approved continuing education during a two-year licensing cycle;
- ▶ requires the commission, with the concurrence of the division, to establish a program of approved continuing education for contractor licensees;
- ▶ authorizes the Division of Occupational and Professional Licensing to charge a reasonable fee to administer the continuing education program; and
- ▶ modifies a provision relating to what constitutes unlawful conduct under the Utah Construction Trades Licensing Act.

Amends 58-55-102, 58-55-303, 58-55-501;

Enacts 58-55-302.5

Effective May 11, 2010

Chapter 53, Laws of Utah 2010

HB 74 Adoption and Child Custody Amendments (*Sheryl L. Allen*)

This bill amends adoption and child custody provisions in the portion of the Utah Code relating to divorce, the Utah Human Services Code, the Utah Adoption Act, and the Utah Uniform Parentage Act.

This bill:

- ▶ defines terms;
- ▶ removes the requirement that, when making a child custody determination in a separation or divorce proceeding, the court take into consideration that a parent has attempted to permanently relinquish custody of the child to a third party;
- ▶ amends race, color, and ethnicity requirements of the Utah Human Services Code to conform with the language of the federal Multiethnic Placement Act;
- ▶ describes when a petition for adoption may be filed;
- ▶ describes the time and manner in which a person may file a petition or motion to determine the rights and interests of a person who may claim an interest in a child;
- ▶ amends provisions relating to background checks;
- ▶ amends provisions relating to contesting an adoption;
- ▶ describes when a petition for termination of parental rights may be filed under the Utah Adoption Act;
- ▶ enacts and clarifies provisions relating to the preservation of rights by an unmarried biological father;
- ▶ describes the affect that a court's dismissal of an adoption petition has in a custody proceeding;
- ▶ requires a court to dismiss a paternity petition filed by an unmarried biological father, without adjudicating paternity, if the unmarried biological father is not entitled to consent to the adoption of the child; and
- ▶ makes technical changes.

Amends 30-3-10, 62A-4a-205.5, 78B-6-103, 78B-6-104, 78B-6-105, 78B-6-109, 78B-6-110, 78B-6-112, 78B-6-113, 78B-6-122, 78B-6-128, 78B-6-129, 78B-6-133, 78B-6-135, 78B-6-138, 78B-6-140, 78B-15-104;

Enacts 78B-6-122.5, 78B-6-136.5

Effective May 11, 2010

Chapter 237, Laws of Utah 2010

HB 75 Assessment Area Amendments (*Gage Froerer*)

This bill amends provisions of the Assessment Area Act.

This bill:

- ▶ requires that a governing body adopt a resolution or ordinance designating an assessment area before the governing body may levy an assessment;
- ▶ amends notice requirements;
- ▶ amends the requirements for preparing an assessment list;
- ▶ clarifies when a governing body may levy more than one assessment in a designated assessment area to pay for operation and maintenance costs or economic promotion activities;
- ▶ creates reporting requirements for an assessment levied to pay for economic promotion activities; and
- ▶ makes technical corrections.

Amends 11-42-201, 11-42-202, 11-42-401, 11-42-402, 11-42-404, 11-42-406

Effective May 11, 2010

Chapter 238, Laws of Utah 2010

HB 78 Weapons Revisions (*Stephen E. Sandstrom*)

This bill modifies weapons provisions of the Utah Criminal Code on carrying, displaying, and using a dangerous weapon.

This bill:

- ▶ clarifies the use of force or the threat of force necessary to defend a person against another's imminent use of unlawful force;
- ▶ clarifies when a person may threaten or display a dangerous weapon in self defense; and
- ▶ makes certain technical changes.

Amends 76-2-402, 76-10-506

Effective May 11, 2010

Chapter 361, Laws of Utah 2010

HB 81 School Employee Criminal Background Check (*Sheryl L. Allen*)

This bill modifies provisions regarding criminal background checks for employees of, or volunteers at, school districts, charter schools, and private schools.

This bill:

- ▶ directs a school district or charter school to require an employee to periodically submit to a criminal background check in accordance with rules of the State Board of Education or policies of the local school board or charter school governing board;
- ▶ provides that a school district, charter school, or private school may require an applicant or employee to pay for the costs of a criminal background check;
- ▶ allows the State Board of Education to require an educator to submit to a criminal background check where reasonable cause exists;
- ▶ imposes requirements for criminal background checks of contract employees; and
- ▶ makes technical amendments.

Amends 53A-3-410, 53A-6-401;

Repeals and Reenacts 53A-1a-512.5

Effective May 11, 2010

Chapter 362, Laws of Utah 2010

HB 86 Department of Human Services - Review and Oversight (*Rebecca D. Lockhart*)

This bill amends provisions of the Open and Public Meetings Act, the Utah Human Services Code, and the Government Records Access and Management Act to provide review and oversight relating to fatalities and other matters that occur in relation to a person in the custody of, or who has received services from, the Department of Human Services.

This bill:

- ▶ defines terms;
- ▶ amends provisions of the Open and Public Meetings Act to require that meetings of the Health and Human Services Interim Committee and the Child Welfare Legislative Oversight Panel to review individual cases be closed meetings;
- ▶ requires that investigations of abuse or neglect of a child who is in the custody of the Division of Child and Family Services shall be conducted by an independent child protective service investigator from the private sector;
- ▶ amends and consolidates other provisions relating to investigation of abuse or neglect of a child;
- ▶ codifies and amends provisions relating to fatality reviews and fatality review committees for the Department of Human Services;
- ▶ requires that a copy of a fatality review report and related documents be provided to the Office of Legislative Research and General Counsel and the chairs of the Health and Human Services Interim Committee and the Child Welfare Legislative Oversight Panel;
- ▶ gives the Health and Human Services Interim Committee authority to review, in a closed meeting, a fatality review report;
- ▶ requires the Child Welfare Legislative Oversight Panel to review, in a closed meeting, certain fatality review reports;
- ▶ prohibits the discovery or admission of documents and testimony related to a fatality review report in a civil, judicial, or administrative proceeding;
- ▶ describes requirements relating to the annual executive summary on fatality review reports;
- ▶ amends the Government Records Access and Management Act to permit the disclosure of fatality review reports and related documents to the Office of Legislative Research and General Counsel and the chairs of the Health and Human Services Interim Committee and the Child Welfare Legislative Oversight Panel; and
- ▶ makes technical changes.

The original bill was recommended by the Administrative Rules Review Committee

Amends 52-4-204, 52-4-205, 52-4-206, 62A-4a-202.6, 62A-4a-409, 62A-4a-414, 63G-2-202;

Enacts 62A-16-101, 62A-16-102, 62A-16-201, 62A-16-202, 62A-16-203, 62A-16-204, 62A-16-301, 62A-16-302;

Repeals 62A-4a-202.5

Effective May 11, 2010

Chapter 239, Laws of Utah 2010

HB 88 Electronic Cigarette Restrictions (*Ronda Rudd Menlove*)

This bill amends provisions of the Uniform Driver License Act, provisions relating to the state system of public education, the Utah Criminal Code, and the Utah Code of Criminal Procedure to place restrictions on the provision, obtaining, and possession of an electronic cigarette and to enforce those restrictions.

This bill:

- ▶ defines terms;
- ▶ makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure an electronic cigarette;
- ▶ provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of an electronic cigarette;
- ▶ prohibits an electronic cigarette in a correctional or a mental health facility and provides criminal penalties for violation of this prohibition;
- ▶ makes it a misdemeanor to provide an electronic cigarette to a person under 19 years of age;
- ▶ makes it a class C misdemeanor for an 18 year old person to buy, attempt to buy, accept, or possess an electronic cigarette;
- ▶ provides that a person under the age of 18 who buys, attempts to buy, accepts, or has in the person's possession an electronic cigarette is subject to the jurisdiction of the Juvenile Court;
- ▶ describes when the sale of an electronic cigarette is required to be face-to-face and provides criminal penalties for violation of those requirements;
- ▶ addresses enforcement of, and investigation of violations of, the provisions of this bill;
- ▶ describes when free distribution of an electronic cigarette is prohibited and provides criminal penalties for violation of those prohibitions; and
- ▶ makes technical changes.

Amends 53-3-229, 53-3-810, 53A-11-908, 76-8-311.3, 76-10-101, 76-10-104, 76-10-105, 76-10-105.1, 76-10-111, 77-39-101

Effective May 11, 2010

Chapter 114, Laws of Utah 2010

HB 89 License for Controlled Substances Amendments (*Michael T. Morley*)

This bill modifies the Controlled Substance Precursor Act to provide one controlled substance precursor license for persons engaged in regulated transactions.

This bill:

- ▶ provides for the Division of Occupational and Professional Licensing to issue a controlled substance precursor license, which combines the current controlled substance precursor purchaser and the controlled substance precursor distributor licenses.

Amends 58-37c-7, 58-37c-8

Effective May 11, 2010

Chapter 240, Laws of Utah 2010

HB 92 Moist Snuff Taxation Revisions (*Bradley M. Daw*)

This bill amends provisions of the Cigarette and Tobacco Tax and Licensing Act relating to “moist snuff.”

This bill:

- ▶ amends the definition of “moist snuff”;
- ▶ requires that a manufacturer who distributes a tobacco product in, or into, Utah, shall:
 - keep valid scientific evidence of the moisture content of the tobacco product available for review by the Tax Commission (commission), upon demand; and
 - provide a document to the person to whom the manufacturer distributes the tobacco product, that certifies the moisture content of the tobacco product;
- ▶ provides that a manufacturer who fails to comply with the requirements described in the preceding paragraph is liable for the nonpayment or underpayment of taxes on the tobacco product by a person who relies, in good faith, on the document;
- ▶ requires a person who is required to pay tax on a tobacco product to keep the document, provided by the manufacturer that certifies moisture content of the tobacco product, available for review by the commission, on demand;
- ▶ provides that a person who is required to pay tax on a tobacco product is not liable for nonpayment or underpayment of taxes on the tobacco product due to the person’s good faith reliance on the document; and
- ▶ makes technical changes.

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

Effective May 11, 2010

Chapter 115, Laws of Utah 2010

HB 93 Motorcycle and Off-highway Vehicle Amendments (*Ronda Rudd Menlove*)

This bill modifies the Motor Vehicles Code by amending provisions relating to wearing protective headgear while operating a motorcycle, motor-driven cycle, or off-highway vehicle.

This bill:

- ▶ provides that a court shall waive \$8 of a fine charged to a person operating a motorcycle or motor-driven cycle for a moving traffic violation if the person was:
 - 18 years of age or older at the time of operation; and
 - wearing protective headgear at the time of operation;
- ▶ provides that a court shall waive \$8 of a fine charged for certain violations to a person operating an off-highway vehicle on public land if the person was:
 - 18 years of age or older at the time of operation;
 - wearing protective headgear at the time of operation;
- ▶ provides that the failure to wear protective headgear:
 - does not constitute contributory or comparative negligence on the part of a person seeking recovery for injuries; and
 - may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages;
- ▶ provides that a court may not waive \$8 of a fine charged to a person for a driving under the influence violation; and
- ▶ makes technical changes.

Amends 41-6a-1505, 41-22-10.8

Effective May 11, 2010

Chapter 363, Laws of Utah 2010

HB 94 Uniform Fiscal Procedures Act Amendments for Towns, Cities, and Counties Amendments (*Fred R Hunsaker*)

This bill amends the public notice and hearing requirements for the uniform fiscal procedures of towns, cities, and counties.

This bill:

- ▶ amends notice requirements;
- ▶ requires a town council to give public notice and hold a hearing before amending a budget or allocating or transferring funds between a utility enterprise fund and another fund;
- ▶ requires the governing body of a city to give public notice and hold a hearing before allocating or transferring funds between a utility enterprise fund and another fund;
- ▶ requires the governing body of a county to give public notice and hold a hearing before amending a budgetary fund or increasing a budget appropriation of any budgetary fund;
- ▶ requires the governing body of a county to give public notice and hold a hearing before allocating or transferring funds between a utility enterprise fund and another fund; and
- ▶ makes technical corrections.

Amends 10-5-107, 10-5-108, 10-6-113, 10-6-135, 17-36-26, 17-36-32;

Repeals 17-36-25

Effective May 11, 2010

Chapter 116, Laws of Utah 2010

HB 95 Certification of Voting Equipment Modifications (*Douglas C. Aagard*)

This bill amends a provision relating to the certification of voting equipment.

This bill:

- ▶ requires voting equipment to be certified by the Election Assistance Commission; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 20A-5-402.5

Effective February 26, 2010

Chapter 8, Laws of Utah 2010

HB 96 Libel Amendments (*Julie Fisher*)

This bill limits the enforceability of foreign libel judgments.

This bill:

- ▶ requires that a libel judgment for damages meets certain standards before it can be enforced in this state;
- ▶ provides that libel judgments obtained from courts which do not apply the same protections regarding freedom of speech and press found in the United States and Utah Constitutions are not recognizable in Utah courts; and
- ▶ specifies who the judgment applies to.

Enacts 78B-5-320, 78B-5-321, 78B-5-322

Effective May 11, 2010

Chapter 117, Laws of Utah 2010

HB 97 Amendments Relating to Deceptive Practices Involving Consumers (*Marie H. Poulson*)

This bill modifies provisions relating to deceptive practices involving consumers.

This bill:

- ▶ provides that certain false expressions in an advertisement are deceptive acts or practices for purposes of the Utah Consumer Sales Practices Act and truth in advertising provisions.

Amends 13-11-4, 13-11a-3

Effective May 11, 2010

Chapter 54, Laws of Utah 2010

HB 98 State Engineer Bonding Requirements (*Ryan D. Wilcox*)

This bill eliminates a provision requiring the state engineer to post a bond before taking office.

This bill:

- ▶ eliminates a provision requiring the state engineer to post a bond before taking office; and
- ▶ makes technical changes.

Amends 73-2-2

Effective May 11, 2010

Chapter 298, Laws of Utah 2010

HB 100 Heber Valley Historic Railroad Authority (*Kraig Powell*)

This bill re-enacts the Heber Valley Historic Railroad Authority.

This bill:

- ▶ reinstates the Heber Valley Historic Railroad Authority as an independent state entity and establishes its membership;
- ▶ creates an executive director;
- ▶ requires disclosure of interests;
- ▶ creates the authority and powers of the railroad authority;
- ▶ provides for obligations of the authority;
- ▶ creates a duty to maintain the rails;
- ▶ clarifies the sales tax exemption for the authority;
- ▶ makes conforming amendments to the tax code regarding sales and use tax;
- ▶ provides for sunset review of the authority; and
- ▶ makes technical cross-reference changes.

This bill provides an effective date and retrospective operation for the provisions related to sales and use tax exemptions.

Amends 59-12-104, 63E-1-102, 63I-1-209, 63I-4-102, 63J-7-102;

Enacts 9-3-501, 9-3-502, 9-3-503, 9-3-504, 9-3-505, 9-3-506, 9-3-507, 9-3-508, 9-3-509, 9-3-510, 9-3-511

Effective May 11, 2010

Chapter 364, Laws of Utah 2010

HB 103 Reduced Speed School Zone Amendments (*Stephen E. Sandstrom*)

This bill modifies the Traffic Code by amending provisions relating to reduced speed school zones.

This bill:

- ▶ provides that if a school crosswalk is established at a signalized intersection, a local highway authority may reduce the speed limit at the signalized intersection to 20 miles per hour for a highway under its jurisdiction; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 41-6a-303

Effective March 29, 2010

Chapter 299, Laws of Utah 2010

HB 106 Expedited Background Checks for Human Services Providers (*Jennifer M. Seelig*)

This bill amends provisions of the Utah Human Services Code to establish a pilot program for expedited background checks of certain human services providers.

This bill:

- ▶ defines terms;
- ▶ establishes a pilot program for expedited initial background checks of certain human services providers; and
- ▶ requires the Office of Licensing, within the Department of Human Services, to report on the pilot program to the Health and Human Services Interim Committee during the 2011 interim;
- ▶ provides a sunset date for the pilot program; and
- ▶ makes technical changes.

Amends 62A-2-120, 63I-1-262;

Enacts 62A-2-120.5

Effective May 11, 2010

Chapter 365, Laws of Utah 2010

HB 107 Animal Shelter Amendments (*Jennifer M. Seelig*)

This bill amends provisions of the Utah Code relating to an animal shelter providing an animal to be used for research or educational purposes.

This bill:

- ▶ gives the governing body of a county or municipality the discretion to determine whether to make an impounded animal available to be used for research or educational purposes;
- ▶ prohibits the provision of an animal for research or educational purposes unless:
 - the animal has been legally impounded for at least five days or a longer period as provided by local ordinance;
 - the animal has not been claimed or redeemed; and
 - the animal shelter has made a reasonable effort to find the rightful owner of the animal and to make it available to others; and
- ▶ makes technical changes.

Amends 26-26-3

Effective May 11, 2010

Chapter 241, Laws of Utah 2010

HB 108 Meat Inspection Amendments (*John G. Mathis*)

This bill addresses meat inspection provisions.

This bill:

- ▶ provides for the adoption of various federal meat and poultry related provisions by reference;
- ▶ addresses the Department of Agriculture's adoption of emergency rules;
- ▶ changes terminology concerning livestock, meat and poultry products, meat establishments, and similar terms;
- ▶ defines other terms;
- ▶ makes changes necessary to effectuate changes in terminology;
- ▶ provides exceptions from licensing requirements for various meat and poultry related activities;
- ▶ addresses the licensing of a meat establishment;
- ▶ requires a farm custom slaughter license holder to provide the age of a slaughtered animal; and
- ▶ makes technical changes.

Amends 4-32-2, 4-32-3, 4-32-4, 4-32-5, 4-32-6, 4-32-7, 4-32-8, 4-32-11, 4-32-12, 4-32-13, 4-32-16, 4-32-17, 4-32-18, 4-32-20, 4-32-21, 4-32-22;

Enacts 4-32-2.1, 4-32-2.2

Effective May 11, 2010

Chapter 242, Laws of Utah 2010

HB 109 Volunteer Government Workers Act Definitions (*Jackie Biskupski*)

This bill modifies the Volunteer Government Workers Act by amending the definition of "compensatory service worker."

This bill:

- ▶ amends the definition of the compensatory service worker to include a person who is performing public service as a condition, or as part of, incarceration, a plea, or sentencing; and
- ▶ makes technical changes.

Amends 67-20-2

Effective May 11, 2010

Chapter 300, Laws of Utah 2010

HB 110 County Jail Inmate Medical Costs *(Bradley M. Daw)*

This bill modifies charges to counties relating to the costs of medical care for persons detained in a county jail.

This bill:

- ▶ provides that a county will pay for the medical needs of a person charged with or convicted of a criminal offense and committed to the county jail, to the extent that the expenses exceed any private insurance in effect that covers those expenses;
- ▶ provides that the county may seek reimbursement for the costs of medical care, treatment, hospitalization, and related transportation from an inmate who has resources or the ability to pay for expenses incurred by the county in behalf of the inmate by:
 - deducting the costs from the inmate's cash account on deposit with the jail during the inmate's incarceration or during a subsequent incarceration if the subsequent incarceration occurs within the same county and the incarceration is within three years of the date of the expense in behalf of the inmate; or
 - placing a lien against the inmate's personal property held by the jail; and
- ▶ requires an inmate who receives medical care, treatment, hospitalization, or related transportation to cooperate with the jail facility seeking reimbursement for expenses incurred by the county for the inmate.

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

Effective May 11, 2010

Chapter 366, Laws of Utah 2010

HB 112 Supreme Court Review of an Initiative or Referendum *(Brad L. Dee)*

This bill amends provisions that establish time requirements for the Supreme Court to review an issue related to an initiative or referendum.

This bill:

- ▶ deletes certain statutory time requirements for the Supreme Court to review initiative and referendum issues;
- ▶ amends statutory time requirements for the governor and a local legislative body; and
- ▶ authorizes the Supreme Court to refer certain fiscal impact estimate issues to a master for examination and a report.

Amends 20A-7-202.5, 20A-7-207, 20A-7-209, 20A-7-211, 20A-7-308, 20A-7-310, 20A-7-502.5, 20A-7-510, 20A-7-610

Effective May 11, 2010

Chapter 367, Laws of Utah 2010

HB 114 Disclosure of Donations to Higher Education Institutions *(Carl Wimmer)*

This bill requires higher education institutions to disclose certain gifts.

This bill:

- ▶ defines terms;
- ▶ requires a higher education institution to disclose to the Board of Regents certain gifts received from a foreign person; and
- ▶ provides the method of disclosure.

Enacts 53B-1-201, 53B-1-202

Effective May 11, 2010

Chapter 243, Laws of Utah 2010

HB 115 Counsel for Indigents in Juvenile Court Proceedings (*Kraig Powell*)

This bill provides limitations on the scope of services available to indigents through appointed counsel in juvenile court.

This bill:

- ▶ limits the scope of services the county is responsible for when counsel is appointed for an indigent in juvenile court to the proceedings for which counsel is appointed.

Amends 78A-6-306, 78A-6-1111

Effective May 11, 2010

Chapter 368, Laws of Utah 2010

HB 116 Political Subdivision Facility Energy Efficiency (*Fred R Hunsaker*)

This bill authorizes a political subdivision to enter into an energy savings agreement.

This bill:

- ▶ defines terms;
- ▶ permits a political subdivision to:
 - enter into an energy savings agreement with a qualified energy service provider;
 - develop and administer a facility energy efficiency program;
 - analyze energy consumption; and
 - designate a staff member who is responsible for the facility energy efficiency program;
- ▶ permits certain state entities to provide assistance to a political subdivision;
- ▶ defines length and type of contracts to be entered into;
- ▶ requires a political subdivision to follow the Utah Procurement Code for an energy savings agreement;
- ▶ requires an investment grade energy audit to be performed;
- ▶ requires the Division of Purchasing to maintain a list of qualified energy service providers; and
- ▶ requires a qualified energy service provider to issue an annual report.

Amends 53A-3-402;

Enacts 11-44-101, 11-44-102, 11-44-201, 11-44-202, 11-44-203, 11-44-301, 11-44-302

Effective May 11, 2010

Chapter 244, Laws of Utah 2010

HB 117 Public Education Capital Outlay Act (*Melvin R. Brown*)

This bill modifies programs that provide state aid to school districts for school buildings.

This bill:

- ▶ modifies the Capital Outlay Foundation Program by:
 - eliminating base funding except for school districts with fewer than 1,000 pupils in average daily membership;
 - setting the base tax effort rate at the average of the highest school district's capital and debt service levies and the statewide average of school districts' capital and debt service levies; and
 - directing the State Board of Education to determine a school district's allocation of funds under the program using data from the fiscal year two years prior to the fiscal year the school district receives the allocation;
- ▶ modifies the fiscal year of the data that is used to determine a school district's allocation of funds under the Capital Outlay Enrollment Growth Program; and
- ▶ makes technical amendments.

This bill takes effect on July 1, 2010.

Amends 53A-21-101.5, 53A-21-201, 53A-21-202, 53A-21-301

Effective July 1, 2010

Chapter 185, Laws of Utah 2010

HB 118 Economic Development Incentives Modifications (*Wayne A. Harper*)

This bill modifies economic development provisions of Title 63M, Chapter 1, the Governor's Office of Economic Development, related to the Industrial Assistance Fund.

This bill:

- ▶ modifies the definition of economic opportunities as defined in Title 63M, Chapter 1, Part 9, Industrial Assistance Fund, to include the retention of companies whose relocation outside the state would have a significant detrimental economic impact on the state as a whole, regions of the state, or specific components of the state;
- ▶ increases the percentage of money in the Industrial Assistance Fund that may be used to take timely advantage of economic opportunities as they arise;
- ▶ modifies qualifications for receiving financial assistance from the Industrial Assistance Fund; and
- ▶ modifies the amount of transfer of surplus of General Fund revenues earmarked to the Industrial Assistance Fund.

Amends 63M-1-902, 63M-1-903, 63M-1-905, 63M-1-909

Effective May 11, 2010

Chapter 245, Laws of Utah 2010

HB 120 Underground Storage Tank Amendments (*Kay L. McIff*)

This bill amends Title 19, Chapter 6, Part 4, Underground Storage Tank Act.

This bill:

- ▶ increases the coverage limits for participants in the Petroleum Storage Tank Trust Fund;
- ▶ increases maximum loan amounts from the Petroleum Storage Tank Loan Fund;
- ▶ addresses the uses for which trust fund monies may be used; and
- ▶ makes technical corrections.

Amends 19-6-405.3, 19-6-409, 19-6-419, 19-6-423

Effective May 11, 2010

Chapter 186, Laws of Utah 2010

HB 121 Emergency Medical Services Act Transport Amendments (*Gregory H. Hughes*)

This bill amends provisions related to licensing of non-911 transport services in the Utah Emergency Medical Services System Act.

This bill:

- ▶ defines terms;
- ▶ provides that when the Department of Health finds that a complaint against a non-911 provider has merit, the Department of Health shall issue a notice of meritorious finding to the political subdivision in which the non-911 provider is operating;
- ▶ permits a political subdivision that receives the notice of meritorious finding to determine appropriate corrective actions, which may include issuing a request for proposal for non-911 services;
- ▶ requires the Department of Health to issue the request for proposal for non-911 services if the political subdivision intends to respond to a request for proposal; and
- ▶ makes technical and conforming amendments.

Amends 26-8a-102, 26-8a-405.1, 26-8a-405.2, 26-8a-405.3;

Enacts 26-8a-405.4, 26-8a-405.5

Effective May 11, 2010

Chapter 187, Laws of Utah 2010

HB 124 Campaign Funds Expenditure Restrictions (*Tim M. Cosgrove*)

This bill modifies the Campaign and Financial Reporting Requirements by amending provisions related to personal use of campaign monies.

This bill:

- ▶ defines "personal use expenditure" and provides a list of authorized and prohibited uses of campaign funds;
- ▶ provides for enforcement and assessment of administrative penalties by the lieutenant governor;
- ▶ prohibits a candidate or an officeholder from using campaign contributions for a personal use expenditure; and
- ▶ makes technical changes.

Amends 20A-11-101, 20A-11-201, 20A-11-301, 20A-11-402, 20A-11-1301;

Enacts 20A-11-104

Effective May 11, 2010

Chapter 246, Laws of Utah 2010

HB 125 Kidnapping and Sex Offender Registry Amendments (*Ron Bigelow*)

This bill requires the department to separate kidnapping and sex offenses on the registry.

This bill:

- ▶ removes certain acts of simple kidnapping from the list of offenses for the registry; and
- ▶ makes technical changes.

Amends 77-27-21.5

Effective May 11, 2010

Chapter 55, Laws of Utah 2010

HB 130 Cancer Research Special Group License Plate (*Brad L. Dee*)

This bill authorizes a cancer research support special group license plate.

This bill:

- ▶ creates a cancer research support special group license plate for programs that conduct or support cancer research programs;
- ▶ requires applicants for a new plate to make a \$35 annual donation to the Cancer Research Restricted Account;
- ▶ creates the Cancer Research Restricted Account;
- ▶ requires the Department of Health to distribute funds in the Cancer Research Restricted Account to certain organizations that provide programs that conduct or support cancer research programs; and
- ▶ makes technical changes.

This bill takes effect on October 1, 2010.

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

Enacts 26-21a-302

Effective October 1, 2010

Chapter 369, Laws of Utah 2010

HB 132 Pioneer Trail Memorial Highway (*Ronda Rudd Menlove*)

This bill modifies the Transportation Code by establishing the Pioneer Trail Memorial Highway.

This bill:

- ▶ establishes the Pioneer Trail Memorial Highway on existing sections of Route 65 and Route 186; and
- ▶ requires the Department of Transportation to designate this highway on future state highway maps.

Enacts 72-4-212

Effective May 11, 2010

Chapter 301, Laws of Utah 2010

HB 133 Release of Court Documents and Child Interviews (*Lorie D. Fowlke*)

This bill limits the release of court documents and child interviews.

This bill:

- ▶ limits who can receive and view interviews with child victims;
- ▶ creates a new provision in the Judiciary and Judicial Administration code;
- ▶ provides that documents received by pro se litigants are confidential;
- ▶ requires the court to advise pro se litigants of the confidentiality of documents received during litigation;
- ▶ requires the court to specify who may receive child interviews; and
- ▶ provides that violations by pro se litigants may be punished by contempt or a class B misdemeanor.

Amends 63G-2-305, 77-37-4, 78A-6-317;

Enacts 78A-2-229

Effective May 11, 2010

Chapter 247, Laws of Utah 2010

HB 138 Hazing Penalties (*Carol Spackman Moss*)

This bill amends provisions of the Utah Criminal Code related to hazing.

This bill:

- ▶ provides a penalty for a charge of hazing when an alcoholic product, drug, or other substance is involved; and
- ▶ makes technical changes.

Amends 76-5-107.5

Effective May 11, 2010

Chapter 248, Laws of Utah 2010

HB 139 Emergency and Disaster Management Amendments (*Curtis Oda*)

This bill amends the Disaster Recovery Funding Act, the Disaster Response and Recovery Act, and related provisions to address the expenditure of monies relating to a declared disaster, the governor's powers during a state of emergency, and related reporting requirements to the Legislative Management Committee or the Executive Appropriations Committee.

This bill:

- ▶ modifies definitions;
- ▶ increases the monies that the Division of Homeland Security may expend from the State Disaster Recovery Restricted Account to address costs to the state of emergency disaster services in response to a declared disaster;
- ▶ provides that the monies that the Division of Homeland Security may expend from the State Disaster Recovery Restricted Account are subject to appropriation by the Legislature;
- ▶ repeals obsolete language;
- ▶ addresses the governor's powers during a state of emergency including:
 - suspending or modifying a statute or administrative rule or suspending the enforcement of a statute during a state of emergency under certain circumstances;
 - repealing a requirement that the president of the United States declare an emergency or major disaster before the governor may exercise certain powers;
 - addressing the removal of debris or wreckage; and
 - declaring a state of emergency;
- ▶ requires certain reports to the Legislative Management Committee or the Executive Appropriations Committee; and
- ▶ makes technical and conforming changes.

This bill appropriates:

- ▶ \$3,000,000 from the State Disaster Recovery Restricted Account for fiscal year 2010-11 only, to the Department of Public Safety - Division of Homeland Security - Emergency and Disaster Management line item.

This bill provides effective dates.

Amends 26-49-102, 53-2-403, 53-2-404, 53-2-406, 63J-5-103, 63J-7-102, 63K-4-201, 63K-4-203, 63K-4-401, 76-8-317;

Enacts 63K-4-406

Effective May 11, 2010

Chapter 370, Laws of Utah 2010

HB 140 Human Resource Management Amendments (*Brad L. Dee*)

This bill modifies the Utah State Personnel Management Act by amending state employee compensation pay plan provisions and employee grievance procedures and by replacing the Career Service Review Board.

This bill:

- ▶ amends certain definitions;
- ▶ amends vacant position report provisions for the Department of Human Resource Management's executive director;
- ▶ repeals a requirement that an agency obtain field office approval for appointments to vacant positions;
- ▶ adds the attorney general or designee to the human resource management rate committee;
- ▶ requires that costs incurred by the attorney general to defend state employee grievances be submitted to the rate committee in the proposed fee schedule;
- ▶ repeals steps within pay ranges for state career service employees in the state employee compensation plans;
- ▶ repeals provisions requiring the most recently earned sick leave to be used first;
- ▶ provides that continuing medical and life insurance benefits provided at the time of retirement:
 - may not be suspended or deferred for future use; and
 - continues in effect until exhausted;
- ▶ prohibits an employer participating in certain benefit programs from providing certain benefits to a person reemployed after retirement;
- ▶ amends and consolidates classification schedules for state employees;
- ▶ amends provisions for salary increases based on employee longevity and promotion;
- ▶ replaces the Career Service Review Board with the Career Service Review Office and provides that the office is the final administrative body to review certain employee grievances;
- ▶ provides for the appointment, qualifications, powers, and duties of the administrator of the office;
- ▶ provides that the administrator has rulemaking authority;
- ▶ amends employee grievance procedures;
- ▶ amends the burden of proof for certain grievances;
- ▶ prohibits an employee from making certain dispositive motions and certain motions for discovery in a formal adjudicative proceeding on a grievance; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

This bill provides revisor instructions.

This bill coordinates with H.B. 27, Per Diem and Travel Expense Modifications, by providing superseding and substantive amendments

Amends 63I-2-267, 67-19-3, 67-19-3.1, 67-19-6, 67-19-6.1, 67-19-6.7, 67-19-11, 67-19-12, 67-19-12.2, 67-19-14, 67-19-14.2, 67-19-15, 67-19-15.6, 67-19-15.7, 67-19-16, 67-19-18, 67-19-30, 67-19a-101, 67-19a-201, 67-19a-203, 67-19a-204, 67-19a-301, 67-19a-302, 67-19a-303, 67-19a-401, 67-19a-402, 67-19a-403, 67-19a-404, 67-19a-406;

Enacts 67-19a-101.5;

Repeals 67-19a-407, 67-19a-408;

Repeals and Reenacts 67-19a-202

Effective July 1, 2010

Chapter 249, Laws of Utah 2010

HB 141 Recreational Use of Public Water on Private Property (*Kay L. McIff*)

This bill addresses public use of public waters on public and private property.

This bill:

- ▶ makes legislative declarations concerning constitutional protections for private property and related matters;
- ▶ provides liability protection for owners of private property beneath or adjacent to public waters;
- ▶ defines terms;
- ▶ recognizes a limited recreational floating right on public water;
- ▶ outlines circumstances under which the public may acquire recreational access to public water on private property;
- ▶ provides a process for the declaration of the right to certain public recreational access based on historical adverse use;
- ▶ provides for injunctions;
- ▶ addresses the chapter's effect on other uses of public waters;
- ▶ requires a person using a public access area to remove refuse and personal property;
- ▶ addresses fences across public water; and
- ▶ makes technical and conforming amendments.

Amends 57-14-4, 73-1-1;

Enacts 73-29-101, 73-29-102, 73-29-103, 73-29-201, 73-29-202, 73-29-203, 73-29-204, 73-29-205, 73-29-206, 73-29-207, 73-29-208;

Repeals and Reenacts 57-14-1

Effective May 11, 2010

Chapter 410, Laws of Utah 2010

HB 143 Eminent Domain Authority (*Christopher N. Herrod*)

This bill authorizes the state to exercise eminent domain authority on property possessed by the federal government unless the property was acquired by the federal government with the consent of the Legislature and in accordance with the United States Constitution Article I, Section 8, Clause 17.

This bill:

- ▶ authorizes the state to exercise eminent domain authority on property possessed by the federal government unless the property was acquired by the federal government with the consent of the Legislature and in accordance with the United States Constitution Article I, Section 8, Clause 17.

Enacts 78B-6-503.5

Effective May 11, 2010

Chapter 250, Laws of Utah 2010

HB 145 Renewable Energy Financing Provisions *(Bradley G. Last)*

This bill addresses provisions related to net metering programs and public utilities.

This bill:

- ▶ excludes from the definition of a "public utility" an independent energy producer that provides service to a customer on the real property where an independent power production facility is located under certain circumstances;
- ▶ changes definitions to provide that a facility used to supply energy for a specific customer may qualify as a customer generation system under Title 54, Chapter 15, Net Metering of Electricity;
- ▶ provides for actions by the Public Service Commission; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 54-2-1, 54-15-102;

Enacts 54-15-108

Effective March 29, 2010

Chapter 302, Laws of Utah 2010

HB 146 Law Enforcement by Federal Land Management Agency *(Michael E. Noel)*

This bill modifies the Public Safety Code regarding functions of federal officers within Utah.

This bill:

- ▶ defines federally managed land;
- ▶ defines federal employee as a person who works for an agency that manages federal land;
- ▶ defines federal agency as an agency that manages federal land;
- ▶ provides that unless specified under Utah law, federal employees may only exercise law enforcement authority authorized by federal statute and consistent with the United States Constitution;
- ▶ provides that Utah does not recognize federal agency authority beyond that necessary to manage, use, and protect federally managed lands;
- ▶ provides that Utah does not authorize federal enforcement action or prosecution based on Utah law by federal agencies, as defined in this bill, except as authorized by agreement with the appropriate state or local law enforcement agency;
- ▶ authorizes state and local law enforcement agencies to assist in enforcing federal law on federally managed lands by authorized contract;
- ▶ provides that agreements with a federal agency, as defined in this bill, may not be for longer than two years;
- ▶ provides that state and local law enforcement agencies may not allow federal agencies to use state or local resources without the written consent of the appropriate responsible official of the state or local law enforcement agency; and
- ▶ requires the county sheriff to review the activities of any federal enforcement agency within the county and report to the county attorney.

Amends 53-13-106;

Enacts 53-13-106.5

Effective May 11, 2010

Chapter 411, Laws of Utah 2010

HB 149 School Finance Amendments (*Ron Bigelow*)

This bill modifies provisions regarding the approval of an increase in charter school enrollment capacity and provides flexibility to school districts and charter schools in the use of certain program funds.

This bill:

- ▶ removes a statutorily imposed cap on the maximum number of students that may be enrolled in charter schools each year;
- ▶ allows the State Board of Education to approve an increase in charter school enrollment capacity subject to the Legislature appropriating funds for the increase;
- ▶ allows a school district or charter school that receives an allocation of funds for certain programs that is less than \$10,000 to combine the funds with certain other program funds;
- ▶ describes how program funds that are combined may be used; and
- ▶ makes technical amendments.

This bill takes effect on July 1, 2010.

Amends 53A-1a-502.5, 53A-1a-515;

Enacts 53A-17a-105.5

Effective July 1, 2010

Chapter 303, Laws of Utah 2010

HB 150 Administrative Subpoena Amendments (*Bradley M. Daw*)

This bill modifies the Code of Criminal Procedure regarding the use of administrative subpoenas in the investigation of specified criminal offenses.

This bill:

- ▶ defines electronic communication, electronic communications services and systems, and remote computing services;
- ▶ provides that the administrative subpoenas are for the investigation of offenses committed with the use of an electronic communications system or service or remote computing service;
- ▶ amends the scope of use of these administrative subpoenas to include stalking and child kidnapping, in addition to sexual offenses against a minor;
- ▶ addresses the rights and remedies of providers and subscribers affected by the administrative subpoena;
- ▶ amends the ground for issuing the administrative subpoena, which currently is when the investigating agency has a reasonable suspicion that an electronic communications system or service or a remote computing service has been used in the commission of a criminal offense, to include when the agency reasonably believes the criminal offense may have been committed; and
- ▶ requires that prosecutorial and law enforcement agencies annually report the number of administrative subpoenas each agency requested of a federal agency during the prior year.

Amends 77-22-2.5

Effective May 11, 2010

Chapter 371, Laws of Utah 2010

HB 155 Agricultural Advisory Board and Livestock Related Policy (*John G. Mathis*)

This bill modifies the Utah Agricultural Code to address the activities of the Agricultural Advisory Board.

This bill:

- ▶ expands the duties and membership of the Agricultural Advisory Board to encompass issues related to the care of livestock and poultry; and
- ▶ makes technical changes.

Amends 4-2-7

Effective May 11, 2010

Chapter 118, Laws of Utah 2010

HB 161 Voter Registration Amendments (*Rebecca Chavez-Houck*)

This bill amends a provision relating to voter registration.

This bill:

- ▶ authorizes the lieutenant governor to compare the statewide voter registration database with information submitted by a registered voter to a state agency to identify a change of name or address;
- ▶ requires the lieutenant governor to:
 - establish measures to ensure the accuracy of a voter registration record; and
 - notify the county clerk of a change of name or address; and
- ▶ requires the county clerk to update the voter registration record and notify the registered voter.

Amends 20A-2-109;

Enacts 20A-2-304.5

Effective May 11, 2010

Chapter 304, Laws of Utah 2010

HB 166 **Reductions to Education Mandates** (*John Dougall*)

This bill amends provisions related to public school funding, administration, and reporting requirements.

This bill:

- ▶ exempts school districts and charter schools from the requirement to administer the tenth grade basic skills competency test for two years;
- ▶ requires the State Board of Education to prepare and present a pilot program to replace the tenth grade basic skills competency test with computer adaptive testing and administration of the ACT exam for two years;
- ▶ modifies the requirements to obtain a basic high school diploma for two years;
- ▶ exempts a local school board from the requirement to develop and administer certain activity disclosure statements for two years;
- ▶ exempts a school district from certain requirements related to the disposal of textbooks for two years;
- ▶ exempts a local school board from the requirement to prepare and present an annual presentation on adoption for two years;
- ▶ exempts a school district from certain requirements related to an independent evaluation of the purchasing of instructional materials for two years;
- ▶ eliminates the requirement to administer criterion-referenced tests for students in the second grade;
- ▶ exempts the State Board of Education and public schools from complying with certain school performance reporting requirements for two years;
- ▶ requires the State Board of Education to review mandates or requirements in board rule to determine if certain mandates could be temporarily waived;
- ▶ amends provisions related to the transportation levy; and
- ▶ makes technical changes.

Amends 53A-1-401, 53A-1-602, 53A-1-603, 53A-1-611, 53A-3-420, 53A-3-602.5, 53A-12-207, 53A-13-107, 53A-14-107, 53A-17a-127

Effective May 11, 2010

Chapter 305, Laws of Utah 2010

HB 169 **Refinery Amendments** (*Rebecca P. Edwards*)

This bill authorizes a legislative body considering a zoning change or a land use authority considering a land use application to consult with a refinery before adopting the zoning change or approving the land use application.

This bill:

- ▶ authorizes a legislative body considering a zoning change or a land use authority considering a land use application to consult with a refinery before adopting the zoning change or approving the land use application.

Enacts 10-9a-522, 17-27a-521

Effective May 11, 2010

Chapter 306, Laws of Utah 2010

HB 170 Foster Care Revisions (*Kerry W. Gibson*)

This bill amends provisions of the Utah Human Services Code relating to removing a foster child from a foster home.

This bill:

- ▶ provides that the explanation required to be given to a foster parent for removing a child from a foster home shall be in writing;
- ▶ provides that, for a child who has been in a foster home for at least two years, the review that may be requested by a foster parent prior to removal shall be by the juvenile court judge currently assigned to the child's case or, if the judge is not available, another juvenile court judge;
- ▶ provides that it is unlawful for a person, with the intent to avoid compliance with the requirements described in this bill, to:
 - take action, or encourage another to take action, against the license of a foster parent; or
 - remove a child from a foster home before the child has been placed with the foster parents for two years; and
- ▶ makes technical changes.

Amends 62A-4a-206

Effective May 11, 2010

Chapter 56, Laws of Utah 2010

HB 173 911 Amendments (*Brad L. Dee*)

This bill modifies code provisions regarding 911 emergency communications and uses of funding.

This bill:

- ▶ provides a definition of a public safety answering point; and
- ▶ provides additional uses for the 911 surcharge funds.

Amends 53-10-602, 53-10-603, 69-2-2, 69-2-5

Effective May 11, 2010

Chapter 307, Laws of Utah 2010

HB 176 Continuing Education Requirements for Electricians and Plumbers (*Wayne A. Harper*)

This bill modifies the Utah Construction Trades Licensing Act.

This bill:

- ▶ establishes continuing education requirements for electricians and plumbers; and
- ▶ requires the Division of Occupational and Professional Licensing to establish a continuing education program and provides for its administration.

Amends 58-55-303;

Enacts 58-55-302.7

Effective May 11, 2010

Chapter 57, Laws of Utah 2010

HB 178 Bureau of Criminal Identification Fee Amendments (*Eric K. Hutchings*)

This bill modifies fees charged for services provided by the Bureau of Criminal Identification.

This bill:

- ▶ adds an application fee for a certificate of eligibility for expungement of \$25; and
- ▶ changes the Bureau of Criminal Identification fees for:
 - fingerprint cards from \$15 to \$20;
 - name check from \$10 to \$15;
 - issuance of a certificate of eligibility for expungement from \$25 to \$56 unless exempted in Subsection 77-18-10(6); and
 - right of access service and an individual's criminal history report from \$10 to \$15.

This bill coordinates with H.B. 21, Expungement Revisions, by providing technical amendments.

Amends 53-10-108, 53-10-202.5, 77-18-11

Effective May 11, 2010

Chapter 58, Laws of Utah 2010

HB 179 Off-highway Vehicle and Street-legal All-terrain Vehicle Revisions (*Michael E. Noel*)

This bill modifies the Traffic Code, Off-highway Vehicles Code, and the Motor and Special Fuel Tax Act by amending provisions relating to off-highway vehicles.

This bill:

- ▶ repeals the requirement that a street-legal all-terrain vehicle only be operated on a highway with one lane in each direction;
- ▶ provides that a street-legal all-terrain vehicle may not be operated on an interstate freeway or a limited access highway;
- ▶ provides that an all-terrain type II vehicle is eligible for an off-highway implement of husbandry sticker;
- ▶ provides that an off-highway vehicle accident shall be reported in accordance with the motor vehicle accident reporting requirements;
- ▶ provides that an off-highway vehicle owned and operated by a state government agency is exempt from the non-resident permit requirements if the operation within the state is within the course and scope of the duties of the agency;
- ▶ repeals the sunset on the refund of the motor fuel tax revenues that are deposited into the Off-highway Vehicle Account; and
- ▶ makes technical changes.

Amends 41-6a-1509, 41-22-5.5, 41-22-10.6, 41-22-35, 59-13-201

Effective May 11, 2010

Chapter 308, Laws of Utah 2010

HB 181 Condominium Association Common Expenses (*Carol Spackman Moss*)

This bill modifies a provision of the Condominium Ownership Act relating to common expenses.

This bill:

- ▶ includes rules adopted by the condominium association management committee among the documents that may authorize the management committee to terminate certain services of an owner who has failed to pay an assessment.

Amends 57-8-20

Effective May 11, 2010

Chapter 309, Laws of Utah 2010

HB 183 Construction and Fire Code Related Amendments (*Michael T. Morley*)

This bill modifies the Utah Fire Prevention and Safety Act and Utah Uniform Building Standards Act to address the process for adopting and modifying a state construction code or state fire code.

This bill:

- ▶ clarifies the enforcement of the state fire code;
- ▶ addresses the adoption and amendment process for a state fire code;
- ▶ addresses local authority to adopt fire code standards;
- ▶ provides for the creation of a joint peer advisory committee;
- ▶ addresses the adoption and amendment process for a state construction code;
- ▶ provides for funding of education related to codes being considered; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

Amends 26-15-3, 53-7-102, 53-7-103, 53-7-104, 53-7-106, 53-7-202, 53-7-204, 53-7-209, 53A-20c-102, 58-55-305, 58-56-3, 58-56-4, 58-56-5, 58-56-6, 58-56-7, 58-56-9, 58-56-9.3, 58-56-12, 58-56-13, 58-56-14, 58-56-15, 58-56-17.5, 58-56-20, 58-56-21;

Repeals 53-7-205

Effective July 1, 2010

Chapter 310, Laws of Utah 2010

HB 184 Medicaid Autism Waiver (*Paul Ray*)

This bill relates to the administration of the state's Medicaid program.

This bill:

- ▶ requires the Division of Health Care Financing to develop a range of options for a Medicaid autism waiver;
- ▶ specifies what the options must include;
- ▶ requires the division to develop the options in consultation with persons who have specialized knowledge of autism;
- ▶ requires the division to report to the Health and Human Services Interim Committee; and
- ▶ requires the Health and Human Services Interim Committee to make a recommendation to the Legislature.

Effective May 11, 2010

Chapter 311, Laws of Utah 2010

HB 186 Controlled Substance Database Revisions (*Ronda Rudd Menlove*)

This bill amends access provisions relating to the controlled substance database.

This bill:

- ▶ permits employees of the Department of Health to have access to information in the controlled substance database in relation to a person whom the Department of Health suspects may be improperly obtaining or providing a controlled substance; and
- ▶ makes technical changes.

This bill coordinates with H.B. 28, Controlled Substance Database Amendments, by providing technical amendments.

Amends 58-37-7.5

Effective May 11, 2010

Chapter 312, Laws of Utah 2010

HB 187 Peace Officer Standards and Training Amendments (*Carl Wimmer*)

This bill modifies the Public Safety Code relating to peace officer certification and the procedures and grounds for the denial, relinquishment, suspension, or revocation of certification.

This bill:

- ▶ provides that a peace officer who voluntarily relinquishes the peace officer's certification to the division may not thereafter reapply to the division to be certified as a peace officer in Utah;
- ▶ provides authority to the Peace Officer Standards and Training (POST) Council to suspend or revoke certification of a peace officer for any of the following:
 - willful falsification of any information to obtain certified status;
 - physical or mental disability affecting the peace officer's ability to perform duties;
 - addiction to alcohol or controlled substances unless the peace officer reports the addiction to the employer and the director; and
 - violation of a state or federal criminal law;
- ▶ amends provisions referring to the POST director's rulemaking authority with the advice of the POST council;
- ▶ amends directives regarding specific rulemaking for dispatcher training and certification;
- ▶ provides procedures and requires the division to initiate all adjudicative proceedings as civil actions;
- ▶ specifies that the burden of proof in the adjudicative proceedings is by clear and convincing evidence;
- ▶ provides requirements for recusal of council members in hearings regarding a peace officer;
- ▶ permits a peace officer to request an appeal hearing conducted by an administrative law judge;
- ▶ provides that termination, whether voluntary or involuntary, or employment by an agency after termination does not preclude suspension or revocation of peace officer certification status by the council if the peace officer was terminated for cause; and
- ▶ requires a chief, sheriff, or administrative officer of a law enforcement agency who is made aware of alleged conduct of a peace officer that would be grounds for suspension or revocation to investigate and report the conduct to the division, if the agency finds the allegation to be true.

Amends 53-6-102, 53-6-105, 53-6-202, 53-6-203;

Enacts 53-6-211.5;

Repeals and Reenacts 53-6-211

Effective May 11, 2010

Chapter 313, Laws of Utah 2010

HB 188 Workers' Compensation Benefits - Social Security Offset (*Wayne A. Harper*)

This bill modifies the Workers' Compensation Act to remove a reduction in workers' compensation benefits on the basis of the receipt of Social Security retirement benefits.

This bill:

- ▶ repeals the reduction in workers' compensation benefits on the basis of the receipt of Social Security retirement benefits;
- ▶ provides intent language;
- ▶ requires the Labor Commission to report to the Business and Labor Interim Committee; and
- ▶ makes technical amendments.

This bill provides for retrospective operation to correspond to the date a Utah Supreme Court case addressing the reduction in benefits was issued.

Amends 34A-2-413

Effective May 11, 2010

Chapter 59, Laws of Utah 2010

HB 189 Closed Meetings Amendments *(Patrick Painter)*

This bill modifies when a closed meeting may be held under the Open and Public Meetings Act.

This bill:

- ▶ allows a closed meeting to be held to discuss the purchase, exchange, lease, or sale of a water right or water shares.

Amends 52-4-205

Effective May 11, 2010

Chapter 60, Laws of Utah 2010

HB 192 Renewable Energy - Methane Gas *(Christine F. Watkins)*

This bill addresses the treatment of electrical energy derived from certain methane gas as a renewable energy source under Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act.

This bill:

- ▶ provides that electrical energy derived from methane gas from certain coal mine facilities is among the types of waste gases considered as a renewable energy source under Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act; and
- ▶ makes technical changes.

Amends 10-19-102, 54-17-601

Effective May 11, 2010

Chapter 119, Laws of Utah 2010

HB 193 Occupations and Professions Amendments *(Rebecca D. Lockhart)*

This bill amends provisions of Title 58, Occupations and Professions.

This bill:

- ▶ clarifies provisions related to the Division of Occupational and Professional Licensing's access to Bureau of Criminal Identification records;
- ▶ modifies language related to the issuing of reprimands by the division;
- ▶ provides for the resolution of problems with the division through a stipulated agreement;
- ▶ modifies definition provisions in the Utah Controlled Substances Act and the Uniform Building Standards Act administered by the division;
- ▶ provides for the reporting of certain information by a trust that has applied to the division for an alarm company contractor license; and
- ▶ makes certain technical changes.

Amends 58-1-301.5, 58-1-401, 58-31b-201, 58-37-7.5, 58-55-302, 58-56-3, 58-56-4

Effective May 11, 2010

Chapter 372, Laws of Utah 2010

HB 195 Homicide Penalty Amendment (*Carl Wimmer*)

This bill modifies the Criminal Code by amending specified felony penalties to maintain consistency with other sections.

This bill:

- ▶ amends the penalty for specified non-capital first degree felonies from 20 years and which may be for life, to 25 years and which may be for life, to be consistent with the same amendment made to Sections 76-3-206 and 76-3-207.7 in H.B. 317, Capital Felony Amendments, which passed during the 2009 General Session.

Amends 76-3-207, 76-5-202

Effective May 11, 2010

Chapter 373, Laws of Utah 2010

HB 196 Tobacco Tax Revisions (*Paul Ray*)

This bill amends the Cigarette and Tobacco Tax Act by increasing the tax rates on the sale, use, storage, or distribution of cigarettes in the state and the sale, use, or storage of tobacco products in the state for the 2010-11 state fiscal year, and by providing a calculation by which those tax rates will either remain the same, or increase, every third fiscal year after the 2010-11 state fiscal year.

This bill:

- ▶ increases the tax rate for the sale, use, storage, or distribution of cigarettes in the state and for the sale, use, or storage of tobacco products in the state, for the 2010-11 state fiscal year, as follows:
 - for cigarettes weighing not more than three pounds per thousand cigarettes, from 3.475 cents per cigarette to 8.5 cents per cigarette;
 - for cigarettes weighing in excess of three pounds per thousand cigarettes, from 4.075 cents per cigarette to 9.963 cents per cigarette;
 - for tobacco products, except moist snuff, from 35% to 86% of the manufacturer's sale price; and
 - for moist snuff, from \$.75 to \$1.83 per ounce;
- ▶ sets the tax rate for the sale, use, storage, or distribution of cigarettes in the state and for the sale, use, or storage of tobacco products in the state, for each third year after the 2010-11 state fiscal year, as follows:
 - for cigarettes weighing not more than three pounds per thousand cigarettes, at the greater of the rate for the preceding state fiscal year or one-half of one cent above the national average, excluding certain tobacco producing states;
 - for cigarettes weighing in excess of three pounds per thousand cigarettes, at a rate that is 1.172 times higher than the rate described in the preceding paragraph;
 - for tobacco products, except moist snuff, the greater of the rate for the preceding state fiscal year and a percentage rate that is modified by the percentage change in the rate for cigarettes weighing not more than three pounds per thousand cigarettes; and
 - for moist snuff, the greater of the tax rate for the preceding state fiscal year and an amount that is modified by the percentage change described in the preceding paragraph;
- ▶ allocates money from funds generated by the tax increase described in this bill;
- ▶ levies a transitional inventory tax on cigarettes and tobacco products subject to the tax increase described in this bill; and
- ▶ makes technical changes.

Amends 59-14-204, 59-14-302, 63J-1-201;

Enacts 59-14-215, 59-14-304

Effective July 1, 2010

Chapter 415, Laws of Utah 2010

HB 197 Custodial Interference Amendments (*Carl Wimmer*)

This bill amends the Utah Criminal Code and the Uniform Driver License Act in relation to the crime of custodial interference.

This bill:

- ▶ defines terms;
- ▶ enacts a modified version of the crime of custodial interference;
- ▶ provides that custodial interference is:
 - except as otherwise provided in this bill, a class B misdemeanor;
 - a class A misdemeanor if the actor was previously convicted of custodial interference at least twice in the two-year period preceding the latest commission; or
 - a felony of the third degree if, during the course of the custodial interference, the actor removes, causes the removal, or directs the removal of the child from the state;
- ▶ creates affirmative defenses to the crime of custodial interference; and
- ▶ imposes a driver license suspension upon a person convicted of custodial interference.

Amends 53-3-220;

Enacts 76-5-303.5;

Repeals and Reenacts 76-5-303

Effective May 11, 2010

Chapter 374, Laws of Utah 2010

HB 199 Municipal Clerk and Recorder Responsibilities (*Bradley G. Last*)

This bill modifies provisions relating to municipal clerks and recorders.

This bill:

- ▶ authorizes the legislative body of a town to establish a director of finance position;
- ▶ eliminates a requirement that cities operating under an optional form of government establish a director of finance position;
- ▶ clarifies the appointment and removal of a director of finance; and
- ▶ makes technical changes.

Amends 10-5-123, 10-6-157

Effective May 11, 2010

Chapter 375, Laws of Utah 2010

HB 200 Informed Consent Amendments *(Carl Wimmer)*

This bill amends provisions of the Utah Criminal Code relating to providing informed consent to a woman who is seeking an abortion.

This bill:

- ▶ describes informed consent requirements relating to a woman who is seeking an abortion;
- ▶ requires that, if an ultrasound is performed on a woman before an abortion is performed, the ultrasound images will be simultaneously displayed in a manner to permit the woman to choose to view the images or not to view the images;
- ▶ requires that, if a woman described in the preceding paragraph desires, the woman shall be given a detailed description of the ultrasound images;
- ▶ describes exceptions to the informed consent provisions contained in this bill;
- ▶ describes the printed materials and informational video relating to abortion that the Department of Health is required to produce;
- ▶ subject to certain exceptions, requires a facility that performs an abortion on a woman to provide the printed materials and informational video described in the preceding paragraph to the woman at least 24 hours before the abortion is performed;
- ▶ requires that the printed materials and video described in this bill be made available:
 - at no cost; and
 - for viewing on the Department of Health's website;
- ▶ requires the Department of Health to make an annual report to the Health and Human Services Interim Committee on statistics relating to the informed consent provisions described in this bill;
- ▶ describes reporting requirements for physicians; and
- ▶ makes technical changes.

Amends 76-7-304.5, 76-7-305, 76-7-313;

Enacts 76-7-305.6, 76-7-305.7;

Repeals and Reenacts 76-7-305.5

Effective May 11, 2010

Chapter 314, Laws of Utah 2010

HB 201 State Fire Marshal Modifications (*Ronda Rudd Menlove*)

This bill modifies the Utah Fire Prevention and Safety Act in the Public Safety Code to regulate the storage, sale, and distribution of novelty lighters that have a shape resembling or imitating a toy or object other than a lighter.

This bill:

- ▶ authorizes the Utah Fire Prevention Board to adopt administrative rules to:
 - identify lighters or classes or types of lighters that are commonly referred to as novelty lighters; and
 - provide for review of a decision of the State Fire Marshal Division regarding these lighters;
- ▶ requires the state fire marshal to maintain and make available to the public a list of novelty lighters;
- ▶ prohibits the sale, distribution, or possession of novelty lighters for the purpose of selling or distributing the novelty lighters within the state;
- ▶ authorizes the state fire marshal, a representative of the state fire marshal, a local fire enforcement official, and a law enforcement agency to seize and destroy certain novelty lighters;
- ▶ provides civil penalties and authorizes the state fire marshal to assess a civil penalty on an importer, wholesaler, seller, or distributor of the novelty lighters;
- ▶ grants the state fire marshal, a representative of the state fire marshal, or a local fire enforcement official authority to inspect facilities and business records pertaining to the importing, distribution, sale, or storage of lighters; and
- ▶ allows the state attorney general to bring an action at the request of the state fire marshal to:
 - prevent or end a violation;
 - recover civil penalties;
 - obtain access for inspections; or
 - recover attorney fees and other enforcement costs.

This bill takes effect on July 1, 2010.

Enacts 53-7-501, 53-7-502, 53-7-503, 53-7-504, 53-7-505, 53-7-506

Effective July 1, 2010

Chapter 376, Laws of Utah 2010

HB 202 **Fireworks Amendments** (*Ronda Rudd Menlove*)

This bill modifies the Utah Fire Prevention and Safety Act in the Public Safety Code to regulate flame effects operators and require them to obtain a license.

This bill:

- ▶ requires special effects operators and flame effects operators who create the combustion of flammable materials before an audience to obtain a license from the State Fire Marshal Division;
- ▶ requires a special effects operator and a flame effects operator to obtain a permit from the municipality or county where the operator is working;
- ▶ requires the Utah Fire Prevention Board to define methods of establishing proof of the competence of an operator to use special effects fireworks and flame effects;
- ▶ provides the duties of the division in issuing a license to flame effects operators;
- ▶ authorizes individuals licensed by the division to purchase, possess, or discharge class C dangerous explosives;
- ▶ authorizes the division to stop the improper or dangerous use of flame effects;
- ▶ exempts individuals licensed by the division from penalties for possession of explosive, chemical, or incendiary devices as authorized by their license; and
- ▶ provides definitions.

Amends 11-3-3.5, 53-7-202, 53-7-204, 53-7-222, 53-7-223, 76-10-306

Effective May 11, 2010

Chapter 61, Laws of Utah 2010

HB 205 **Impact Fee Amendments** (*Stephen E. Sandstrom*)

This bill amends impact fee provisions relating to school districts and charter schools.

This bill:

- ▶ requires that an impact fee enactment allow, in certain circumstances, a developer to receive a credit against or proportionate reimbursement of an impact fee, including a school district or charter school;
- ▶ amends requirements for a capital facilities plan;
- ▶ amends provisions relating to an impact fee enactment;
- ▶ amends provisions relating to impact fees; and
- ▶ makes technical corrections.

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

Effective May 11, 2010

Chapter 315, Laws of Utah 2010

HB 206 **Ban on Sale of Smoking Paraphernalia to Minors** (*Paul Ray*)

This bill amends Utah Criminal Code provisions related to access to tobacco products by a person under the age of 19.

This bill:

- ▶ defines tobacco paraphernalia; and
- ▶ makes it a misdemeanor to provide tobacco paraphernalia to a person under the age of 19.

Enacts 76-10-104.1

Effective May 11, 2010

Chapter 316, Laws of Utah 2010

HB 207 Protection of Property Amendment (*Carl Wimmer*)

This bill modifies the Criminal Code regarding the offense of use of force in defense of property.

This bill:

- ▶ amends the provision regarding justified use of force in defense of property to provide that the court may consider, in determining reasonableness:
 - extent of damage;
 - previous damage;
 - prior threats of injury or damage; and
 - prior pattern of abuse or violence.

Amends 76-2-406

Effective May 11, 2010

Chapter 377, Laws of Utah 2010

HB 208 Disposition of the Remains of a Deceased Military Service Member (*Jennifer M. Seelig*)

This bill amends a provision of the Funeral Services Licensing Act dealing with the disposition of the remains of deceased persons.

This bill:

- ▶ provides that a person designated in a federal Record of Emergency Data, DD Form 93 or subsequent form by a service member while serving in a branch of the United States Armed Forces as defined in 10 U.S.C. Sec. 1481 is a first priority person in determining the disposition of the remains of the military service member upon the service member's death; and
- ▶ makes certain technical changes.

Amends 58-9-602

Effective May 11, 2010

Chapter 251, Laws of Utah 2010

HB 209 Sex Offender Regulation Amendments (*Christine F. Watkins*)

This bill modifies the Code of Criminal Procedure regarding the annual fee paid by registered sex offenders.

This bill:

- ▶ provides that in addition to the annual fee of \$100 that registered sex offenders are currently required to pay to the Department of Corrections, a fee of not more than \$25 may be assessed by the agency other than the Department of Corrections, that registers the offender.

Amends 77-27-21.5

Effective May 11, 2010

Chapter 120, Laws of Utah 2010

HB 211 Improvement District Board Membership (*Kraig Powell*)

This bill amends the board of trustees membership requirements for an improvement district.

This bill:

- ▶ amends the board of trustees membership requirements for an improvement district; and
- ▶ makes technical corrections.

Amends 17B-2a-404

Effective May 11, 2010

Chapter 121, Laws of Utah 2010

HB 213 Cigarette Tax Exemption Amendments (*Evan J. Vickers*)

This bill amends the Cigarette and Tobacco Tax and Licensing Act relating to exemptions from the state tax on cigarettes.

This bill:

- ▶ amends a citation to the Internal Revenue Code relating to federal law exemptions that also apply to the state tax on cigarettes; and
- ▶ makes technical and conforming changes.

Amends 59-14-204.5

Effective May 11, 2010

Chapter 317, Laws of Utah 2010

HB 214 Concealed Firearm Permit Modifications (*Rebecca D. Lockhart*)

This bill modifies provisions of the Concealed Weapon Act and related provisions dealing with the issuance, denial, and revocation of a concealed firearm permit.

This bill:

- ▶ changes the names of the Concealed Weapon Act and the Concealed Weapon Review Board to the Concealed Firearm Act and the Concealed Firearm Review Board;
- ▶ provides that duties related to the issuance of a concealed firearm permit previously designated to be performed by the Criminal Investigations and Technical Services Division will be performed by the Bureau of Criminal Identification;
- ▶ clarifies the ability of the bureau to revoke a concealed carry permit of a licensee who is convicted of a felony or other crimes or offenses; and
- ▶ makes certain technical changes.

Amends 53-1-104, 53-5-701, 53-5-702, 53-5-703, 53-5-704, 53-5-705, 53-5-706, 53-5-707, 53-5-708, 53-5-711, 76-10-501, 76-10-526

Effective May 11, 2010

Chapter 62, Laws of Utah 2010

HB 215 Amendments to Public Employees' Benefit and Insurance Program Act - Risk Pools (*Kevin S. Garn*)

This bill amends the Public Employee's Benefit and Insurance Program Act risk pools.

This bill:

- ▶ changes the number of eligible full-time enrollees an institution of higher education must have in order to participate in the program's risk pools;
- ▶ requires the program to create a rate for an institute of higher education with 1,000 or more plan enrollees based 100% on experience; and
- ▶ requires a separate risk pool for institutes of higher education that have experience rating that is higher than the state employees risk pool experience rating.

Amends 49-20-202

Effective May 11, 2010

Chapter 318, Laws of Utah 2010

HB 216 Incorporation of a Town Amendments (*Gage Froerer*)

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

This bill:

- ▶ amends notice requirements;
- ▶ requires that the legislative body of a county, based on certain results of the financial feasibility study:
 - approve a petition to incorporate;
 - deny a petition to incorporate;
 - impose conditions on the area proposed to be incorporated; or
 - alter the boundaries of the area proposed to be incorporated; and
- ▶ makes technical corrections.

Amends 10-2-125

Effective May 11, 2010

Chapter 122, Laws of Utah 2010

HB 219 Delinquent Property Tax Amendments (*Gage Froerer*)

This bill amends provisions in the Property Tax Act related to the imposition and payment of delinquent taxes.

This bill:

- ▶ increases the penalty imposed on delinquent property taxes from 2% to 2.5%;
- ▶ provides that the penalty is only 1% if the delinquent property taxes and the penalty are paid by a specified date;
- ▶ provides that the interest rate that attaches to delinquent taxes and the penalty be:
 - no less than 7%; and
 - no more than 10%; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 59-2-1331

Effective July 1, 2010

Chapter 63, Laws of Utah 2010

HB 221 Sunset Act and Repealers Reauthorization (*Kevin S. Garn*)

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2011 or 2012 Annual General Session of the Utah Legislature.

This bill:

- ▶ reauthorizes certain named state entities and programs that are scheduled to sunset before the 2011 or 2012 Annual General Session; and
- ▶ makes technical changes.

Amends 63I-1-219, 63I-1-231, 63I-1-234, 63I-1-241, 63I-1-253, 63I-1-259, 63I-1-263, 63I-1-267

Effective May 11, 2010

Chapter 319, Laws of Utah 2010

HB 222 Land Use Meeting Notice (*Trisha S. Beck*)

This bill amends the notice requirements for a public hearing to adopt or modify a land use ordinance.

This bill:

- ▶ amends the notice requirements for a public hearing to adopt or modify a land use ordinance.

Amends 10-9a-205, 17-27a-205

Effective May 11, 2010

Chapter 123, Laws of Utah 2010

HB 225 Counterfeit Substance Amendments (*Paul Ray*)

This bill modifies definitions regarding imitation and counterfeit controlled substances.

This bill:

- ▶ amends the definition of "counterfeit controlled substance," including adding a reasonable person standard; and
- ▶ amends the definition of "imitation controlled substance," including providing that an imitation controlled substance resembles any legally or illegally manufactured controlled substance.

This bill provides an immediate effective date.

Amends 58-37-2, 58-37-8, 58-37b-2;

Repeals 58-37b-3

Effective March 22, 2010

Chapter 64, Laws of Utah 2010

HB 226 Well Driller's License - Pump Installation (*Patrick Painter*)

This bill addresses requirements for well drillers.

This bill:

- ▶ defines "well drilling" to include installation or repair of a pump in a well;
- ▶ allows pump installation or repair without a license on a person's own property;
- ▶ subjects a person installing or repairing a pump in a well for compensation to well driller licensing requirements; and
- ▶ makes technical changes.

Amends 73-3-25

Effective May 11, 2010

Chapter 124, Laws of Utah 2010

HB 228 Renewable Energy Source Amendments (*Roger E. Barrus*)

This bill includes energy derived from municipal solid waste as a renewable energy source for purposes of Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act.

This bill:

- ▶ changes the definition of "renewable energy source" in Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act, to include energy derived from municipal solid waste; and
- ▶ makes technical changes.

Amends 10-19-102, 54-17-601

Effective May 11, 2010

Chapter 125, Laws of Utah 2010

HB 229 Water Right General Adjudication Amendments (*Patrick Painter*)

This bill addresses matters related to a general adjudication of water rights.

This bill:

- ▶ eliminates a requirement that an objection to a state engineer's proposed determination of water rights be verified under oath;
- ▶ provides for a petition to expedite a hearing concerning an objection to a proposed determination of water rights;
- ▶ allows a claimant to file a petition seeking to compel the state engineer to issue a proposed determination of water rights in a geographically limited portion of the general adjudication area; and
- ▶ makes technical changes.

Amends 73-4-11;

Repeals and Reenacts 73-4-24

Effective May 11, 2010

Chapter 320, Laws of Utah 2010

HB 230 Human Trafficking Amendments (*Julie Fisher*)

This bill modifies the Criminal Code regarding charging the offenses of human trafficking or human smuggling.

This bill:

- ▶ provides that it is a separate offense regarding each person who is trafficked or smuggled in violation of current law.

Amends 76-5-309

Effective May 11, 2010

Chapter 126, Laws of Utah 2010

HB 231 Water Rights Priorities in Times of Shortage (*Kerry W. Gibson*)

This bill addresses the priority of water rights during times of water shortage.

This bill:

- ▶ provides that the priority for water use under water rights is determined by the date of the appropriation of water;
- ▶ provides an exception allowing certain uses to be prioritized before an earlier-dated water right in times of a declared temporary water shortage emergency;
- ▶ defines "temporary water shortage emergency;"
- ▶ provides for the payment of compensation to be paid by a water user whose right is given priority during a temporary water shortage emergency to the user whose use is interrupted; and
- ▶ makes technical changes.

Enacts 73-3-21.1

Effective May 11, 2010

Chapter 252, Laws of Utah 2010

HB 232 Medical Language Interpreter Amendments (*Rebecca Chavez-Houck*)

This bill recodifies the Medical Language Interpreter Act and amends the act by providing for expiration and renewal of certification, denial of certification, and for disciplinary actions.

This bill:

- ▶ defines terms;
- ▶ recodifies the Medical Language Interpreter Act;
- ▶ provides for a term of certification for, and for expiration and renewal of certification as, a certified medical language interpreter;
- ▶ provides for disciplinary proceedings against, and for denial of certification as, a certified medical language interpreter; and
- ▶ makes technical changes.

Enacts 58-80a-201, 58-80a-304, 58-80a-401, 58-80a-503;

Renumbers and Amends 58-80-101 to 58-80a-101, 58-80-102 to 58-80a-102, 58-80-201 to 58-80a-301, 58-80-202 to 58-80a-302, 58-80-203 to 58-80a-303, 58-80-301 to 58-80a-501, 58-80-302 to 58-80a-502, 58-80-401 to 58-80a-305, 58-80-402 to 58-80a-601

Effective May 11, 2010

Chapter 127, Laws of Utah 2010

HB 233 Retirement Office Amendments (*Don L. Ipson*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions related to appointment of board members, purchase of service credit, disability benefits, and termination of employment on the retirement date.

This bill:

- ▶ provides that only two of the four appointed Utah State Retirement Board members, with experience in investments or banking, can be appointed every two years;
- ▶ provides that any defined contribution balance based on employer contributions not just service credit must be forfeited when service credit is purchased;
- ▶ provides that purchase of service credit made on or after July 1, 2010, shall be made in accordance with rules in effect at the time the purchase is completed, and the cost of the purchase will not be recalculated at the time of retirement;
- ▶ provides that payments made for a salary protection program for a disabled employee shall be paid over the period of the disability and shall not include settlement or lump sum payments;
- ▶ clarifies that a member may not be employed on the retirement date by any other participating employer in the same system from which the member is retiring;
- ▶ allows an attorney or a person appointed as a conservator or guardian of the eligible employee who is unable to apply for long-term disability benefits to make an application and prohibits an application for a deceased employee;
- ▶ provides that after the date of disability, cost-of-living increases to any offsetting benefits may not be considered in calculating monthly disability benefits;
- ▶ provides that monthly disability benefits shall cease when the eligible employee dies; and
- ▶ makes technical changes.

Amends 49-11-202, 49-11-403, 49-11-404, 49-12-401, 49-13-401, 49-14-401, 49-15-401, 49-16-401, 49-17-401, 49-18-401, 49-21-401, 49-21-402, 49-21-403

Effective May 11, 2010

Chapter 321, Laws of Utah 2010

HB 234 **Opting Out of the Real Id Act** (*Stephen E. Sandstrom*)

This bill modifies the Uniform Driver License Act by amending provisions relating to the federal REAL ID Act of 2005.

This bill:

- ▶ provides legislative findings regarding the federal REAL ID Act of 2005;
- ▶ prohibits the state from participating in the implementation of the REAL ID Act of 2005;
- ▶ prohibits the Driver License Division from implementing the provisions of the REAL ID Act of 2005;
- ▶ requires the Driver License Division to report to the governor any attempts to implement the provisions of the REAL ID Act of 2005; and
- ▶ provides that the Driver License Division may comply with provisions of the REAL ID Act that are already:
 - adopted by administrative rule; or
 - authorized under this code.

Enacts 53-3-104.5

Effective May 11, 2010

Chapter 253, Laws of Utah 2010

HB 235 **Child Support for Children in State Custody** (*Wayne A. Harper*)

This bill amends provisions of the Utah Human Services Code relating to the collection of child support for a child who is in state custody.

This bill:

- ▶ prohibits the Office of Recovery Services, within the Department of Human Services, from providing child support services to the Division of Child and Family Services (DCFS) when the child is in the custody of DCFS and is living in the home of a custodial parent of the child for more than seven consecutive days, regardless of whether the child is living in the home on a trial basis;
- ▶ provides that DCFS is not entitled to child support for a calendar month for which child support services may not be provided under the preceding paragraph; and
- ▶ makes technical changes.

Amends 7-1-1006, 62A-11-104

Effective May 11, 2010

Chapter 65, Laws of Utah 2010

HB 236 Statutory Construction Amendments (*Rebecca D. Lockhart*)

This bill amends provisions relating to definitions, statutory construction, and drafting of the Utah Code, contained in Title 68, Chapter 3, Construction.

This bill:

- ▶ amends provisions relating to statutory construction of the Utah Code;
- ▶ specifies terms and phrases that are preferred, and terms and phrases the use of which is discouraged, in the Utah Code;
- ▶ defines terms for the Utah Code;
- ▶ recodifies and amends definitions applicable to the Utah Code;
- ▶ deletes some definitions applicable to the Utah Code; and
- ▶ makes technical changes.

Amends 17-22-2.5, 17B-1-102, 20A-1-102, 45-1-101, 63M-7-502, 68-3-2, 68-3-3, 68-3-12, 68-3-14, 76-6-506, 78B-6-1402;

Enacts 68-3-12.5

Effective May 11, 2010

Chapter 254, Laws of Utah 2010

HB 238 Low Speed Vehicle Amendments (*Johnny Anderson*)

This bill modifies the Traffic Code by amending provisions relating to a low-speed vehicle.

This bill:

- ▶ repeals the requirement that a low-speed vehicle must be equipped with a speedometer and odometer and braking for each wheel; and
- ▶ makes technical changes.

Amends 41-6a-1508

Effective May 11, 2010

Chapter 255, Laws of Utah 2010

HB 239 Child Protection Revisions (*Wayne A. Harper*)

This bill amends provisions of the Utah Human Services Code and the Juvenile Court Act of 1996 relating to the performance monitoring system of the Division of Child and Family Services (DCFS), the interviewing of children in DCFS custody, and the provision of reunification services.

This bill:

- ▶ defines terms;
- ▶ amends provisions relating to the performance monitoring system of DCFS;
- ▶ prohibits DCFS from consenting to the interview of a child in DCFS' custody by a law enforcement officer, unless consent for the interview is obtained from the child's guardian ad litem;
- ▶ provides for the extension of time, under certain circumstances, during which reunification services may be provided; and
- ▶ makes technical changes.

Amends 78A-6-312, 78A-6-314;

Enacts 62A-4a-415;

Repeals and Reenacts 62A-4a-117

Effective May 11, 2010

Chapter 322, Laws of Utah 2010

HB 240 Department of Natural Resources Amendments (*Jack R. Draxler*)

This bill amends provisions related to the Department of Natural Resources and its powers and duties.

This bill:

- ▶ reduces the age requirement for a falconry license from 14 years of age to 12 years of age;
- ▶ addresses the use and possession of alcohol while boating;
- ▶ removes duplicate requirements concerning:
 - operation of a boat at wakeless speed; and
 - navigation lights on boats;
- ▶ changes the calculation and use of user fees on golf courses located in state parks;
- ▶ changes the membership of the Recreational Trails Advisory Council; and
- ▶ makes technical changes.

Amends 23-13-2, 23-19-34.5, 23-19-34.7, 41-6a-526, 73-18-8, 73-18-15.1, 79-4-403, 79-5-202

Effective May 11, 2010

Chapter 256, Laws of Utah 2010

HB 243 Foreclosure Processes on Residential Rental Properties (*Wayne A. Harper*)

This bill modifies provisions relating to the foreclosure of residential rental property.

This bill:

- ▶ modifies requirements for notices of trustee's sale if the property to be sold is residential rental property;
- ▶ modifies unlawful detainer provisions relating to foreclosed residential rental property;
- ▶ enacts a provision requiring a notice to a tenant of property that is subject to a mortgage foreclosure proceeding;
- ▶ provides a sunset for provisions enacted in this bill; and
- ▶ makes technical changes.

Amends 57-1-25, 63I-1-278, 78B-6-802;

Enacts 63I-1-257, 78B-6-901.5

Effective May 11, 2010

Chapter 66, Laws of Utah 2010

HB 246 Retirement Benefits for Charter School Employees (*Christine F. Watkins*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions relating to retirement benefits for charter school employees.

This bill:

- ▶ provides that a member, a participating employer, or a member and a participating employer jointly may purchase service credit equal to the period of the member's employment in a charter school located within the state if the member forfeits certain retirement benefits; and
- ▶ makes technical changes.

Amends 49-11-403

Effective May 11, 2010

Chapter 257, Laws of Utah 2010

HB 248 Government Records Amendments (*Johnny Anderson*)

This bill changes the name of the Archives and Records Service chapter and modifies government records provisions.

This bill:

- ▶ renames the Archives and Records Service chapter to the Public Records Management Act;
- ▶ adopts definitions from Government Records Access and Management Act; and
- ▶ makes technical changes.

Amends 63A-12-100, 63G-2-502;

Enacts 63A-12-100.5

Effective May 11, 2010

Chapter 258, Laws of Utah 2010

HB 249 Emancipation Amendments (*Lorie D. Fowlke*)

This bill allows a court to dismiss a petition for emancipation if it is insufficient or incomplete.

This bill:

- ▶ provides that the court shall review a petition for emancipation for completeness and whether the petitioner meets the age requirement before setting a hearing;
- ▶ allows the court to dismiss a petition without setting a hearing if it is incomplete or insufficient on its face; and
- ▶ removes the requirement that a guardian ad litem be appointed in every case.

Amends 78A-6-804

Effective May 11, 2010

Chapter 259, Laws of Utah 2010

HB 250 Criminal Penalties Amendments - Leaving the Scene of an Accident (*Christopher N. Herrod*)

This bill modifies the Motor Vehicles Code by amending provisions relating to leaving the scene of a motor vehicle traffic accident.

This bill:

- ▶ defines serious bodily injury;
- ▶ increases the penalty from a class A misdemeanor to a third degree felony for a person who violates the requirement to stop the vehicle at the scene of an accident and remain at the scene of the accident until the operator has fulfilled certain requirements if the accident resulted in serious bodily injury or death of a person and regardless of whether the person has previously been convicted of certain violations; and
- ▶ makes technical changes.

Amends 41-6a-401.3, 41-6a-401.5

Effective May 11, 2010

Chapter 128, Laws of Utah 2010

HB 254 **Voter Identification Amendments** (*Bradley M. Daw*)

This bill modifies the Election Code by amending the definition of valid voter identification.

This bill:

- ▶ clarifies that each of the following forms of personal identification is valid voter identification by itself:
 - a currently valid United States military identification card;
 - a Bureau of Indian Affairs card; or
 - a tribal treaty card; and
- ▶ makes technical changes.

Amends 20A-1-102

Effective May 11, 2010

Chapter 129, Laws of Utah 2010

HB 257 **Dietitian Certification Act Amendments** (*Merlynn T. Newbold*)

This bill removes the repeal date provision of the Dietician Certification Act.

This bill:

- ▶ removes the established sunset date of the Dietician Certification Act.

Amends 63I-1-258

Effective May 11, 2010

Chapter 188, Laws of Utah 2010

HB 258 Voting Precinct Boundaries (*Kenneth W. Sumsion*)

This bill limits changes to voting precincts during the time period before and after the United States decennial census.

This bill:

- ▶ prohibits a county legislative body from changing voting precincts between January 1 of a year immediately preceding a census year and the day on which the Legislature divides the state into districts based on the new census information; and
- ▶ makes technical changes.

This bill takes effect on March 8, 2012.

Amends 20A-5-303

Effective March 8, 2012

Chapter 130, Laws of Utah 2010

HB 259 Property Tax Amendments (*Wayne A. Harper*)

This bill modifies provisions relating to property tax.

This bill:

- ▶ moves the authority to fill a vacancy in the office of county assessor from the county executive to the county legislative body;
- ▶ modifies the time at which certain qualifications for a county assessor in a county of the first, second, or third class are determined;
- ▶ expands a requirement to conduct an annual update of property values using a mass appraisal system so that the requirement applies to assessors in counties of the third, fourth, fifth, and sixth class in addition to county assessors in first and second class counties;
- ▶ modifies the distribution of certain funds from the multicounty assessing and collecting levy;
- ▶ modifies a provision relating to a property tax notice that the county auditor is required to provide;
- ▶ modifies the time within which a taxpayer may file an appeal relating to the value of personal property;
- ▶ prohibits a person from claiming a homestead exemption for property acquired as a result of criminal activity; and
- ▶ modifies provisions relating to the multicounty assessing and collecting levy.

Amends 17-17-2, 59-2-303.1, 59-2-306, 59-2-919.1, 59-2-924, 59-2-1005, 59-2-1601, 59-2-1602, 59-2-1603, 59-2-1606, 78B-5-503

Effective May 11, 2010

Chapter 131, Laws of Utah 2010

HB 260 Children's Health Insurance Plan Simplified Renewal (*Merlynn T. Newbold*)

This bill establishes a process for simplified renewal of benefits under the Children's Health Insurance Plan.

This bill:

- ▶ requires the Children's Health Insurance Plan to apply for grants to fund a simplified renewal process;
- ▶ if funding is available, requires the Children's Health Insurance Plan to establish a simplified renewal process in which the eligibility worker may, if the applicant provides consent, confirm the adjusted gross income of the applicant from the Utah State Tax Commission; and
- ▶ requires the Utah State Tax Commission to work with the Children's Health Insurance Program to provide the program with access to an applicant's adjusted gross income.

Amends 26-40-105, 59-1-403

Effective May 11, 2010

Chapter 67, Laws of Utah 2010

HB 261 Financial Responsibility of Motor Vehicle Owners and Operators Act Amendments
(Richard A. Greenwood)

This bill modifies the Financial Responsibility of Motor Vehicle Owners and Operators Act by amending provisions relating to evidence of insurance requirements.

This bill:

- ▶ repeals the exception that prohibits a person from using a renewal notice or a card issued by an insurance company as evidence that the person had owner's or operator's security in effect for the vehicle the person was operating at the time of the person's citation or arrest for a violation of operating a motor vehicle without having evidence of owner's or operator's security for the vehicle in the person's immediate possession;
- ▶ provides that a peace officer may not cite or arrest a person for violating the requirement to have evidence of owner's or operator's security for the vehicle in the person's immediate possession if the Uninsured Motorist Identification Database Program information indicates that the vehicle or driver is insured; and
- ▶ increases the number of months that a motor vehicle must show as not insured in the Uninsured Motorist Identification Database before the designated agent provides certain notices to the owner of the motor vehicle.

Amends 41-1a-109, 41-12a-303.2, 41-12a-804

Effective May 11, 2010

Chapter 260, Laws of Utah 2010

HB 262 Reporting to Appropriation Committees (Ron Bigelow)

This bill modifies provisions related to reporting to the Executive Appropriations Committee or an appropriations subcommittee designated by the Executive Appropriations Committee to provide for more reports being made to appropriations subcommittees or interim committees.

This bill:

- ▶ modifies reporting requirements; and
- ▶ makes technical changes.

Amends 11-38-304, 26-1-38, 26-18-3, 26-47-103, 53-2-406, 53-10-606, 53B-17-804, 59-5-102, 62A-4a-207, 63M-1-1206, 63M-1-1901, 63M-1-2408, 63M-2-302, 63M-11-204

Effective May 11, 2010

Chapter 323, Laws of Utah 2010

HB 263 Technical Cross Reference Revisions (*Johnny Anderson*)

This bill modifies parts of the Utah Code to make technical corrections including alphabetizing definitions, updating cross references, and correcting numbering.

This bill:

- modifies parts of the Utah Code to make technical corrections including alphabetizing definitions, updating cross references, and correcting numbering.

Amends 3-1-2, 3-1-4, 3-1-8, 3-1-19, 3-1-21, 3-1-45, 4-1-8, 4-8-4, 4-16-2, 4-16-7, 4-17-3.5, 4-19-2, 4-23-4, 4-24-4, 4-24-10, 4-32-4, 4-32-7, 4-38-8, 7-2-7, 7-7-15, 7-9-30, 7-9-43, 7-9-53, 7-15-2, 8-4-2, 9-3-410, 9-4-202, 9-6-305, 9-6-505, 9-7-204, 9-8-705, 11-32-3.5, 11-32-15, 13-11-21, 13-28-2, 16-10a-705, 16-10a-906, 16-10a-1325, 17-36-5, 19-2-109.2, 19-2-113, 19-5-115, 19-6-108.5, 19-6-316, 19-6-318, 19-6-325, 19-6-402, 19-6-703, 19-6-706, 20A-1-703, 20A-3-307, 20A-7-501, 23-14-2.6, 23-22-2, 26-18-102, 26A-1-111, 31A-5-217.5, 31A-8-103, 31A-15-202, 31A-16-106, 31A-17-506, 36-20-2, 39-1-1, 40-6-6.5, 40-6-9, 40-10-3, 40-10-18, 41-1a-510, 41-1a-1001, 41-1a-1002, 41-3-106, 48-2a-402, 52-3-1, 53-3-213, 53-3-225, 53-3-416, 53-3-908, 53-5-703, 53-6-108, 53-6-302, 53-7-102, 53-7-222, 53-7-309, 53-7-315, 53-10-211, 53A-26a-305, 53B-12-104, 53B-21-102, 54-7-13.6, 54-8b-13, 56-1-18.5, 57-11-7, 58-1-201, 58-41-4, 58-54-3, 58-57-7, 58-73-401, 59-2-1114, 59-10-503, 59-10-517, 59-11-114, 61-1-10, 62A-3-206, 63A-3-203, 63A-4-103, 63A-5-302, 63J-1-602, 63M-9-301, 67-1-8.1, 67-19a-201, 67-21-3, 70A-2a-219, 70A-2a-529, 70A-3-206, 70A-3-307, 70A-3-310, 70A-3-502, 70A-4a-507, 70A-8-106, 70A-8-202, 75-2-103, 75-2-302, 75-2-603, 75-2-606, 75-5-410, 76-2-402, 76-9-301.1, 76-10-920, 76-10-1219, 76-10-2101, 77-7-5, 77-23a-4, 77-23a-10, 78B-7-113

Effective May 11, 2010

Chapter 324, Laws of Utah 2010

HB 265 Real Property Amendments (*Gage Froerer*)

This bill modifies property tax assessment provisions relating to certain property.

This bill:

- requires a county assessor to consider certain factors in determining the fair market value of a golf course or hunting club.

Amends 59-2-301.1

Effective May 11, 2010

Chapter 261, Laws of Utah 2010

HB 267 **Lobbyist Disclosure and Regulation Act Amendments** (*Kevin S. Garn*)

This bill amends the Lobbyist Disclosure and Regulation Act related to an expenditure by a lobbyist, principal, or government officer for the benefit of a public official.

This bill:

- ▶ requires the disclosure of an expenditure or aggregate daily expenditure greater than \$10;
- ▶ prohibits a lobbyist, principal, or government officer from making an expenditure greater than \$10, except for food, a beverage, travel, lodging, or attendance at a meeting or activity;
- ▶ repeals and amends definitions, including the definition of expenditure to exclude certain items or items under certain circumstances;
- ▶ amends the information a lobbyist files when registering;
- ▶ changes a lobbyist's filing fee from \$25 to \$100;
- ▶ requires a person to file a report electronically by the close of regular office hours;
- ▶ repeals a section establishing different reporting schedules; and
- ▶ makes technical changes.

Amends 36-11-102, 36-11-103, 36-11-201;

Repeals 36-11-201.3;

Repeals and Reenacts 36-11-304

Effective May 11, 2010

Chapter 325, Laws of Utah 2010

HB 269 **Solemnizing Marriages Amendment** (*Douglas C. Aagard*)

This bill allows all employees of the office responsible for the issuance of marriage licenses to be deputized to solemnize marriages.

This bill:

- ▶ repeals a requirement that only full-time employees of the office responsible for the issuance of marriage licenses may be deputized to solemnize marriages, thereby allowing all employees of the office responsible for the issuance of marriage licenses to be deputized to solemnize marriages.

Amends 30-1-6

Effective May 11, 2010

Chapter 132, Laws of Utah 2010

HB 270 Financial Disclosure and Conflict of Interest Amendments (*Gregory H. Hughes*)

This bill modifies and enacts provisions of the Utah Code that relate to financial disclosures and the declaration of conflicts of interest by certain public officeholders and candidates.

This bill:

- ▶ requires candidates for the following offices to file a financial disclosure at the time of filing a declaration of candidacy:
 - governor, lieutenant governor, state auditor, state treasurer, and attorney general;
 - the Legislature; and
 - the State Board of Education;
- ▶ prohibits a filing officer from accepting a declaration of candidacy unless a financial disclosure has been filed;
- ▶ provides procedures and requirements for filing financial disclosures;
- ▶ requires a candidate's financial disclosure to be made publicly available:
 - at the filing officer's place of business; and
 - on the Statewide Electronic Voter Information Website administered by the lieutenant governor;
- ▶ modifies provisions of the criminal statute that regulates failure to disclose conflicts of interest;
- ▶ provides and modifies definitions;
- ▶ requires the following officeholders to file a financial disclosure at specified times:
 - governor, lieutenant governor, state auditor, state treasurer, and attorney general;
 - members of the Legislature; and
 - members of the State Board of Education;
- ▶ specifies what information the financial disclosure must contain;
- ▶ provides a criminal penalty if a regulated officeholder engages in an official action that constitutes a conflict of interest if:
 - the conflict of interest has not been provided on the financial disclosure; and
 - the officeholder fails to publicly declare a conflict of interest at the time of the action;
- ▶ requires conflicts of interest that are declared at the time of the action to be recorded on official records;
- ▶ requires blank financial disclosure forms to be available for regulated officeholders and the public;
- ▶ requires financial disclosures that are filed by officeholders to be made available:
 - on the Internet;
 - at the lieutenant governor's office, for executive branch officeholders; and
 - at the offices for the Senate or House of Representatives, for legislators; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 20A-9-201, 76-8-109;

Enacts 20A-11-1501, 20A-11-1502, 20A-11-1503

Effective March 8, 2010

Chapter 12, Laws of Utah 2010

HB 271 **Hunting Guides and Outfitters Licensing Act Amendments** *(Evan J. Vickers)*

This bill amends provisions of the Hunting Guides and Outfitters Licensing Act.

This bill:

- ▶ modifies the definitions of hunting guide, outfitter, and public lands within the act and provides a definition for hunting guide services;
- ▶ modifies the unlawful conduct provision of the act; and
- ▶ makes certain technical changes.

Amends 58-79-102, 58-79-501

Effective May 11, 2010

Chapter 326, Laws of Utah 2010

HB 273 **Utah International Trade Commission Amendments** *(Eric K. Hutchings)*

This bill modifies provisions of Title 36, Chapter 26, the Utah International Trade Commission.

This bill:

- ▶ changes the name of the Utah International Trade Commission to the Utah International Relations and Trade Commission; and
- ▶ clarifies the duties of the commission to include the promotion of international relations between Utah and other countries.

Amends 36-26-101, 36-26-102, 36-26-103

Effective May 11, 2010

Chapter 327, Laws of Utah 2010

HB 274 Statutory Construction Compliance Amendments *(Rebecca D. Lockhart)*

This bill amends provisions of Titles 3 through 16 of the Utah Code by correcting terms to comply with rules of statutory construction applicable to the Utah Code.

This bill:

- ▶ amends provisions of Titles 3 through 16 of the Utah Code by correcting terms to comply with rules of statutory construction applicable to the Utah Code; and
- ▶ makes technical changes.

Amends 3-1-1, 3-1-9, 3-1-11, 3-1-13.8, 3-1-14, 3-1-15, 3-1-15.1, 3-1-17, 3-1-22, 3-1-26, 3-1-35, 3-1-37, 4-1-7, 4-2-8.7, 4-2-15, 4-5-5, 4-5-7, 4-5-8, 4-5-9, 4-5-15, 4-5-18, 4-7-8, 4-7-11, 4-9-15, 4-14-3, 4-15-2, 4-15-10, 4-17-7, 4-22-3, 4-22-6, 4-23-5, 4-23-6, 4-23-8, 4-24-2, 4-24-12, 4-24-20, 4-26-5, 4-29-2, 4-30-7.6, 4-31-16, 4-31-16.5, 4-32-3, 4-32-7, 4-32-16, 4-32-22, 4-35-7, 4-37-102, 4-37-109, 4-37-110, 4-37-202, 4-37-203, 4-37-204, 4-37-302, 4-37-303, 4-37-305, 4-37-402, 4-37-502, 4-37-503, 4-39-201, 4-39-205, 4-39-206, 4-39-302, 4-39-304, 4-39-305, 4-39-306, 6-1-3, 6-1-9, 6-1-15, 7-1-303, 7-1-309, 7-1-607, 7-1-612, 7-1-806, 7-2-9, 7-2-10, 7-2-12, 7-5-2, 7-5-4, 7-5-7, 7-5-8, 7-5-11, 7-7-2, 7-7-4, 7-7-7, 7-7-14, 7-7-15, 7-7-17, 7-7-19, 7-7-21, 7-7-26, 7-7-29, 7-7-30, 7-7-32, 7-7-33, 7-7-43, 7-9-5, 7-9-19, 7-9-32, 7-14-5, 7-17-4, 7-17-6, 7-17-8, 7-17-9, 7-18a-301, 8-3-1, 9-3-407, 9-4-301, 9-4-602, 9-4-703, 9-4-914, 9-4-924, 9-6-203, 9-6-405, 9-6-504, 9-7-213, 9-7-504, 9-12-103, 9-12-201, 10-1-105, 10-1-108, 10-1-109, 10-1-112, 10-1-113, 10-2-109, 10-2-303, 10-2-403, 10-2-510, 10-2-614, 10-3-508, 10-3-608, 10-3-702, 10-3-704, 10-3-717, 10-3-905, 10-3-907, 10-3-912, 10-3-1004, 10-3-1011, 10-3-1012.5, 10-3-1306, 10-5-103, 10-5-107, 10-5-114, 10-5-115, 10-6-111, 10-6-116, 10-6-123, 10-6-159, 10-7-4, 10-7-5, 10-7-18, 10-7-32, 10-7-71, 10-7-72, 10-7-73, 10-7-85, 10-8-15, 10-8-16, 10-8-17, 10-8-33, 10-8-36, 10-8-58.5, 10-9a-403, 10-9a-509.5, 10-9a-514, 10-9a-519, 10-11-2, 10-15-4, 11-8-1, 11-13-309, 11-13-311, 11-14-302, 11-14-308, 11-14-313, 11-14-315, 11-17-1.5, 11-17-2, 11-17-4, 11-17-5, 11-17-7, 11-17-10, 11-25-9, 11-25-11, 11-27-5, 11-30-2, 11-31-2, 11-32-7, 11-34-1, 11-34-2, 11-36-401, 13-1-1, 13-1a-6, 13-2-6, 13-5-3, 13-5-12, 13-5-16, 13-7-1, 13-7-2, 13-11-6, 13-11-19, 13-11-20, 13-11a-3, 13-12-3, 13-12-4, 13-12-7, 13-13-4, 13-14b-103, 13-15-4, 13-15-5, 13-32-103, 13-32-104, 13-32-107, 13-32a-109.8, 13-34-104, 13-34-105, 13-34-107, 13-41-102, 13-42-105, 13-42-106, 13-42-111, 13-42-113, 13-42-117, 13-42-118, 13-42-119, 13-42-120, 13-42-121, 13-42-122, 13-42-132, 13-42-137, 13-42-138, 14-1-20, 14-2-5, 15-2-5, 15-3-4, 15-4-2, 15-4-4, 15-4-7, 15-9-105, 15-9-106, 15-9-109, 15-9-110, 15-9-118, 16-6a-709, 16-6a-808, 16-6a-1419, 16-7-10, 16-10a-103, 16-10a-120, 16-10a-201, 16-10a-202, 16-10a-401, 16-10a-601, 16-10a-602, 16-10a-603, 16-10a-604, 16-10a-620, 16-10a-621, 16-10a-625, 16-10a-704, 16-10a-705, 16-10a-706, 16-10a-707, 16-10a-720, 16-10a-722, 16-10a-723, 16-10a-725, 16-10a-727, 16-10a-730, 16-10a-732, 16-10a-801, 16-10a-803, 16-10a-808, 16-10a-822, 16-10a-823, 16-10a-825, 16-10a-904, 16-10a-1003, 16-10a-1007, 16-10a-1022, 16-10a-1023, 16-10a-1101, 16-10a-1102, 16-10a-1103, 16-10a-1202, 16-10a-1303, 16-10a-1320, 16-10a-1321, 16-10a-1322, 16-10a-1323, 16-10a-1325, 16-10a-1330, 16-10a-1402, 16-10a-1404, 16-10a-1406, 16-10a-1407, 16-10a-1434, 16-10a-1506, 16-10a-1507, 16-10a-1510, 16-10a-1533, 16-10a-1607, 16-11-6, 16-11-8, 16-11-15, 16-11-16, 16-12-5, 16-12-6, 16-13-4, 16-13-5, 16-13-9, 16-13-11, 16-16-111, 16-16-112, 16-16-113, 16-16-114, 16-16-117, 16-16-118, 16-16-119, 16-16-201, 16-16-203, 16-16-204, 16-16-207, 16-16-301, 16-16-302, 16-16-304, 16-16-402, 16-16-403, 16-16-404, 16-16-405, 16-16-407, 16-16-501, 16-16-507, 16-16-508, 16-16-603, 16-16-801, 16-16-803, 16-16-804, 16-16-809, 16-16-813, 16-16-1001, 16-16-1002, 16-16-1004, 16-16-1202, 16-16-1205, 16-16-1208, 16-16-1209, 16-16-1212, 16-16-1213, 16-16-1303, 16-16-1402, 16-16-1405, 16-16-1406, 16-16-1407, 16-16-1503, 16-16-1504, 16-16-1602, 16-16-1603, 16-16-1604, 16-16-1606, 16-16-1607, 16-16-1608, 16-16-1609, 16-16-1701, 16-17-202, 16-17-203, 16-17-204, 16-17-210, 16-17-301, 16-17-402

Effective May 11, 2010

Chapter 378, Laws of Utah 2010

HB 275 **Division of Real Estate Amendments** (*Gage Froerer*)

This bill modifies provisions related to the Division of Real Estates' regulation of the appraisal, mortgage, and real estate industries.

This bill:

- ▶ recodifies Title 61, Chapter 2, Division of Real Estate, and Chapter 2a, Real Estate Recovery Fund Act, and as part of the recodification creates Chapter 2f, Real Estate Licensing and Practices Act;
- ▶ addresses definitions and consistency of terminology;
- ▶ addresses powers under appraisal, mortgage, and real estate statutes, including:
 - providing for the suspension of a license, registration, or certification for payment of a fee with a dishonored instrument;
 - addressing investigatory powers and costs;
 - addressing the division providing lists of licensees, registrants, and certificate holders;
 - addressing the effect of a failure to accurately disclose a criminal history; and
 - requiring deadlines for compliance with disciplinary actions;
- ▶ increases certain fines;
- ▶ clarifies procedures related to the renewal of a registration as a trainee under appraisal statutes;
- ▶ modifies the powers of the Real Estate Appraiser Licensing and Certification Board with regard to examinations and education;
- ▶ modifies requirements for licensing and certification under appraisal statutes;
- ▶ corrects references to trainees under appraisal statutes;
- ▶ addresses ability of persons licensed, certified, or registered under appraisal statutes to operate as a professional corporation or limited liability company;
- ▶ requires that an individual licensed under mortgage statutes be sponsored by a licensed entity;
- ▶ addresses education and examination requirements under mortgage statutes that are specific to obtaining a license in Utah;
- ▶ addresses the process and requirements to obtain a license, renew a license, or notify the division of changes in certain information;
- ▶ provides for certain past revocations of a license under mortgage statutes to be converted to a suspension of the license;
- ▶ modifies criminal penalties;
- ▶ clarifies procedures for making claims against the mortgage and real estate recovery funds; and
- ▶ makes technical and conforming amendments.

This bill coordinates with H.B. 53, Foreclosure Rescue and Loan Modification Amendments, to technically merge changes.

Amends 10-3-1110, 13-25a-111, 16-11-2, 17-50-106, 31A-2-402, 34-44-102, 34A-2-104, 41-1a-422, 48-2c-1502, 57-11-2, 57-11-14, 57-19-14, 57-21-2, 57-23-5, 57-27-102, 58-56-16, 61-1-13, 61-2b-2, 61-2b-3, 61-2b-6, 61-2b-8, 61-2b-10, 61-2b-14, 61-2b-15, 61-2b-17, 61-2b-18, 61-2b-19, 61-2b-20, 61-2b-25, 61-2b-28, 61-2b-29, 61-2b-30.5, 61-2b-32, 61-2b-33, 61-2b-36, 61-2b-39, 61-2b-40, 61-2c-102, 61-2c-103, 61-2c-104, 61-2c-105, 61-2c-106, 61-2c-201, 61-2c-202, 61-2c-203, 61-2c-204.1, 61-2c-205, 61-2c-205.1, 61-2c-206, 61-2c-301, 61-2c-302, 61-2c-401, 61-2c-402, 61-2c-404, 61-2c-501, 61-2c-502, 61-2c-503, 61-2c-505, 61-2c-507, 63G-2-302, 63J-1-602, 70D-3-102, 72-5-116;

Enacts 61-2-101, 61-2-102, 61-2-202, 61-2c-209, 61-2c-501.5, 61-2f-101, 61-2f-105, 61-2f-206, 61-2f-305;

Renumbers and Amends 61-2-1 to 61-2f-201, 61-2-2 to 61-2f-102, 61-2-3 to 61-2f-202, 61-2-5 to 61-2-201, 61-2-5.1 to 61-2-203, 61-2-5.5 to 61-2f-103, 61-2-6 to 61-2f-203, 61-2-7 to 61-2f-205, 61-2-7.1 to 61-2f-207, 61-2-7.2 to 61-2f-301, 61-2-8 to 61-2f-304, 61-2-9 to 61-2f-204, 61-2-10 to 61-2f-302, 61-2-11 to 61-2f-401, 61-2-11.5 to 61-2f-402, 61-2-12 to 61-2f-404, 61-2-13 to 61-2f-406, 61-2-13.5 to 61-2f-408, 61-2-14 to 61-2f-104, 61-2-17 to 61-2f-405, 61-2-18 to 61-2f-409, 61-2-20 to 61-2f-306, 61-2-21 to 61-2f-407, 61-2-22 to 61-2f-106, 61-2-24 to 61-2f-403, 61-2-25 to 61-2f-303, 61-2-26 to 61-2f-307, 61-2-27 to 61-2f-308, 61-2-28 to 61-2-204, 61-2a-1 to 61-2f-501, 61-2a-2 to 61-2f-502, 61-2a-3 to 61-2f-503, 61-2a-4 to 61-2f-505, 61-2a-5 to 61-2f-506, 61-2a-6 to 61-2f-507, 61-2a-7 to 61-2f-508, 61-2a-8 to 61-2f-509, 61-2a-9 to 61-2f-510, 61-2a-10 to 61-2f-512, 61-2a-11 to 61-2f-511, 61-2a-12 to 61-2f-504;

Repeals 61-2-4, 61-2b-11, 61-2b-16, 61-2c-207, 61-2c-208

Effective May 11, 2010

Chapter 379, Laws of Utah 2010

HB 276 Sex Offender Registry Amendment (*Paul Ray*)

This bill modifies provisions regarding the state sex offender registry.

This bill:

- ▶ amends the definitions applicable to the sex offender registry provisions to include in the definition of conviction those convictions obtained under any state, federal, or military court; and
- ▶ makes technical corrections.

Amends 77-27-21.5

Effective May 11, 2010

Chapter 328, Laws of Utah 2010

HB 277 Overdose Reporting Amendments (*Christine A. Johnson*)

This bill provides a mitigating circumstance for certain alcohol offenses when reporting an alcohol consumption-related emergency.

This bill:

- ▶ provides that a person younger than 21 years of age who is in violation of an alcohol possession or consumption law, and who in the same incident reports to law enforcement a person who is physically endangered by the consumption of alcohol, may be considered by the sentencing court for a mitigation of the sentence due to having reported the endangered person.

Enacts 32A-13-110

Effective May 11, 2010

Chapter 329, Laws of Utah 2010

HB 278 Government Records Access and Management Act Amendments (*Christopher N. Herrod*)

This bill modifies provisions in the Government Records Access and Management Act.

This bill:

- ▶ requires a record to be produced in an electronic format upon request if the governmental entity currently maintains the record in an electronic format, subject to certain restrictions;
- ▶ provides a five business day deadline for a governmental entity to inform a person who requests an expedited response that the governmental entity has determined that the request does not qualify for an expedited response;
- ▶ modifies and clarifies language dealing with requirements for initial responses to records requests; and
- ▶ makes technical changes.

Amends 63G-2-201, 63G-2-204

Effective May 11, 2010

Chapter 380, Laws of Utah 2010

HB 279 County Recorder Amendments (*R. Curt Webb*)

This bill modifies provisions relating to county recorders.

This bill:

- ▶ for cities, counties, and towns:
 - clarifies plat recordation requirements;
 - amends the requirements to submit a subdivision plat for recording;
 - permits a recorder to record a document absent a certificate or written approval;
 - amends provisions governing the conveyance of a common or community area parcel;
 - amends provisions governing the recording of an amended plat; and
 - amends recording requirements for a public street, right-of-way, or easement vacated by a legislative body;
- ▶ creates certain exceptions for abstracting an instrument in a tract index;
- ▶ prohibits a person from bringing an action against a recorder as a result of information contained in a recorded instrument;
- ▶ states that the recordation of an instrument does not cure a failure to give public notice caused by an error, omission, or defect in the instrument;
- ▶ amends joint tenancy provisions;
- ▶ amends provisions relating to the rescinding or cancelling of a trustee's deed;
- ▶ for purposes of an assessment, states an effective date for a boundary change of a taxing entity; and
- ▶ makes technical corrections.

Amends 10-9a-603, 10-9a-604, 10-9a-605, 10-9a-606, 10-9a-607, 10-9a-608, 10-9a-609, 10-9a-609.5, 17-17-1, 17-21-6, 17-21-20, 17-27a-603, 17-27a-604, 17-27a-605, 17-27a-606, 17-27a-607, 17-27a-608, 17-27a-609, 17-27a-609.5, 38-9-1, 38-9-3, 38-9-4, 57-1-5, 57-1-5.1, 57-1-28, 57-3-106, 59-2-1304, 59-2-1325, 72-3-107

Effective May 11, 2010

Chapter 381, Laws of Utah 2010

HB 282 Local Government Amendments (*Stephen E. Sandstrom*)

This bill amends the definition of “educational facility.”

This bill:

- ▶ amends the definition of “educational facility”; and
- ▶ makes technical corrections.

Amends 10-9a-103, 10-9a-305, 17-27a-103, 17-27a-305

Effective May 11, 2010

Chapter 330, Laws of Utah 2010

HB 284 Uniform Collaborative Law Act (*Lorie D. Fowlke*)

This bill creates the Utah Uniform Collaborative Law Act.

This bill:

- ▶ establishes minimum requirements for collaborative law participation agreements, including written agreements, description of the matter submitted to a collaborative law process, and designation of collaborative lawyers;
- ▶ requires that the collaborative law process be voluntary;
- ▶ specifies when and how a collaborative law process begins and is terminated;
- ▶ creates a stay of proceedings when parties sign a participation agreement to attempt to resolve a matter related to a proceeding pending before a tribunal while allowing the tribunal to ask for periodic status reports;
- ▶ creates an exception to the stay of proceedings for a collaborative law process for emergency orders to protect health, safety, welfare, or interests of a party, a family member, or a dependent;
- ▶ authorizes courts to approve settlements arising out of a collaborative law process;
- ▶ codifies the disqualification requirement of collaborative lawyers if a collaborative law process terminates;
- ▶ defines the scope of the disqualification requirement to both the matter specified in the collaborative law participation agreement and to matters related to the collaborative matter;
- ▶ extends the disqualification requirement to lawyers in a law firm with which the collaborative lawyer is associated;
- ▶ requires parties to a collaborative law participation agreement to voluntarily disclose relevant information during the collaborative law process without formal discovery requests and update information previously disclosed that has materially changed;
- ▶ acknowledges that standards of professional responsibility and child abuse reporting for lawyers and other professionals are not changed by their participation in a collaborative law process;
- ▶ requires that lawyers disclose and discuss the material risks and benefits of a collaborative law process to help insure parties enter into collaborative law participation agreements with informed consent;
- ▶ creates an obligation on collaborative lawyers to screen clients for domestic violence and, if present, to participate in a collaborative law process only if the victim consents and the lawyer is reasonably confident that the victim will be safe; and
- ▶ authorizes parties to reach an agreement on the scope of confidentiality of their collaborative law communications.

Enacts 78B-19-101, 78B-19-102, 78B-19-103, 78B-19-104, 78B-19-105, 78B-19-106, 78B-19-107, 78B-19-108, 78B-19-109, 78B-19-110, 78B-19-111, 78B-19-112, 78B-19-113, 78B-19-114, 78B-19-115, 78B-19-116

Effective May 11, 2010

Chapter 382, Laws of Utah 2010

HB 285 Practice of Veterinary Medicine (*John G. Mathis*)

This bill amends the Veterinary Practice Act.

This bill:

- ▶ amends the definition of “practice of veterinary medicine, surgery, and dentistry”; and
- ▶ makes technical changes.

Amends 58-28-102

Effective May 11, 2010

Chapter 189, Laws of Utah 2010

HB 287 Legislator Salary Amendments (*David Litvack*)

This bill modifies provisions in the legislative title of the Utah Code that govern legislators’ daily pay.

This bill:

- ▶ unless certain contingencies occur, maintains legislators’ daily pay at \$117 through the 2011 calendar year, for:
 - annual general sessions;
 - veto-override sessions;
 - special sessions; and
 - authorized legislative meetings;
- ▶ authorizes the Legislative Compensation Commission to issue more than one report in an even-numbered year;
- ▶ clarifies the factors that the commission may consider, recommend, and include in its report; and
- ▶ makes technical changes.

Amends 36-2-2, 36-2-3, 36-2-5

Effective May 11, 2010

Chapter 133, Laws of Utah 2010

HB 289 Judicial Nominating Commission Amendments (*Curtis Oda*)

This bill requires trial court nominating commissions to submit five names to the governor, the appellate court nominating commission to submit seven names to the governor, and that all nominating commissions meet within a specified period of time.

This bill:

- ▶ requires judicial nominating commissions to meet within a specified period from the effective date of a judicial vacancy;
- ▶ requires the governor to ensure that the nominating commissions follow statutes and rules;
- ▶ requires the governor to appoint the staff of the judicial nominating commissions;
- ▶ requires the governor's staff to enact rules regarding judicial nominating commissions;
- ▶ requires the appellate court nominating commission to submit seven names to the governor per vacancy;
- ▶ requires trial court nominating commissions to submit five names to the governor per vacancy; and
- ▶ removes the chief justice of the Supreme Court from the nominating commissions.

This bill takes effect on July 1, 2010.

This bill coordinates with S.B. 232, Judicial Administration Amendments, to account for a judicial hiring freeze.

Amends 78A-10-103, 78A-10-104, 78A-10-202, 78A-10-203, 78A-10-302, 78A-10-303;

Enacts 78A-10-105;

Repeals 20A-1-505

Effective July 1, 2010

Chapter 134, Laws of Utah 2010

HB 293 Victims' Rights Amendments (*R. Curt Webb*)

This bill adds back in subsections inadvertently deleted in a previous bill that apply to appellate rights for victims.

This bill:

- ▶ adds back in two subsections deleted in a previous bill which apply to appellate rights for victims.

Amends 77-38-11

Effective May 11, 2010

Chapter 331, Laws of Utah 2010

HB 294 Health System Reform Amendments (*David Clark*)

This bill amends provisions related to health system reform for the insurance market, health care providers, the Health Code, and the Office of Consumer Health Services.

This bill:

- ▶ provides access to the Department of Health's all payer database, for limited purposes, to the Insurance Department's health care delivery and health care payment reform demonstration project, and for the risk adjusting mechanism of the defined contribution insurance market;

- ▶ authorizes the all payer database to analyze the data it collects to provide consumer awareness of costs and transparency in the health care market including:
 - reports on geographic variances in medical costs; and
 - cost increases for health care;
- ▶ clarifies the restrictions and protections for identifiable health information;
- ▶ requires health care facilities to post prices for patients;
- ▶ consolidates statutory language requiring insurance department reports concerning the health insurance market;
- ▶ makes technical and clarifying amendments to the price and value comparison of health benefit plans;
- ▶ amends the amount of excess fees from the department that will be treated as free revenue;
- ▶ requires the insurance commissioner to convene a group to develop a method of comparing health insurers' claims denial, and other information that would help a consumer compare the value of health plans, and requires an administrative rule to implement the transparency reports;
- ▶ instructs the Insurance Department to continue its work with the Office of Consumer Health Services and the Department of Health to develop additional demonstration projects for health care delivery and payment reform and to apply for available grants to implement and expand the demonstration projects;
- ▶ makes a technical amendment to the health plans an insurer may offer after July 1, 2012;
- ▶ requires the Insurance Department to:
 - convene a group to simplify the uniform health insurance application and decrease the number of questions; and
 - develop a uniform waiver of coverage form;
- ▶ amends group and blanket conversion coverage related to NetCare;
- ▶ creates ongoing monthly enrollment for employers in the defined contribution market and makes conforming amendments;
- ▶ allows a pilot program for a limited number of large employer groups to enter the defined contribution market by January 1, 2011;
- ▶ requires an insurer in the defined contribution market to offer a choice of health benefit plans that vary as follows:
 - the basic benefit plan;
 - one plan that has an actuarial value that is at least 15% higher than the actuarial value of the basic benefit plan;
 - one plan that is a federally qualified high deductible plan that has the highest deductible that qualifies as a federally qualified high deductible plan;
 - one plan that is a federally qualified high deductible plan with an individual deductible of \$2,500 and a deductible of \$5,000 for two or more people; and
 - the carrier's five most popular health benefit plans;
- ▶ allows an insurer in the defined contribution market to offer:
 - any other health benefit plan that has a greater actuarial value than the actuarial value of the basic benefit plan; and
 - any other health benefit plan that has an actuarial value that is no lower than the actuarial value of the \$2,500 federally qualified high deductible plan;
- ▶ gives carriers the option to participate in the defined contribution market on the Health Insurance Exchange by offering defined contribution products or defined benefit products on the exchange;
- ▶ provides that a carrier that does not choose to participate in the Health Insurance Exchange by January 1, 2011, may not participate in the exchange until January 1, 2013;

- ▶ allows small employers the choice of selecting insurance products in the Health Insurance Exchange or in the traditional market outside of the exchange;
- ▶ permits a carrier to offer defined benefit products in the traditional market outside of the Health Insurance Exchange if the carrier uses the same rating and underwriting practices in the defined benefit market and the Health Insurance Exchange so that rating practices do not favor one market over the other market;
- ▶ prohibits insurers in the defined contribution market from treating renewing groups as new business, subject to premium rate increases, based on the employer's move from the traditional market into a defined benefit or defined contribution plan in the Health Insurance Exchange;
- ▶ creates a procedure for a producer to be appointed as a producer for the defined contribution market;
- ▶ requires an insurer to obtain the Insurance Department's approval to use a class of businesses for underwriting purposes;
- ▶ effective January 1, 2011, modifies underwriting and rating practices in the small group market, in and out of the Health Insurance Exchange by:
 - standardizing age bands and slopes;
 - standardizing family tiers;
 - removing gender from case characteristics;
 - removing group size and industry classification from case characteristics;
- ▶ makes amendments to the defined contribution risk adjuster to incorporate large groups into the risk adjuster;
- ▶ effective January 1, 2013, imposes a risk adjuster mechanism on the small group market inside and outside of the Health Insurance Exchange;
- ▶ requires health care providers to give consumers information about prices;
- ▶ requires the Health Insurance Exchange to:
 - create an advisory board of appointed producers and consumers;
 - establish the electronic standards for delivering the uniform health insurance application; and
 - appoint an independent actuary to monitor the risk and underwriting practices of small employer group carriers to ensure that the carriers are using the same rating practices inside the Health Insurance Exchange and in the traditional insurance market;
- ▶ clarifies the type of information that an insurer must submit to the Health Insurance Exchange and to the Insurance Department; and
- ▶ re-authorizes the Health System Reform Task Force for one year.

Amends 26-1-37, 26-33a-106.1, 26-33a-109, 31A-2-201, 31A-3-304 (Effective 07/01/10), 31A-22-613.5, 31A-22-614.6, 31A-22-618.5, 31A-22-625, 31A-22-635, 31A-22-723, 31A-30-103, 31A-30-105, 31A-30-106, 31A-30-106.5, 31A-30-202, 31A-30-203, 31A-30-204, 31A-30-205, 31A-30-207, 31A-42-102, 31A-42-103, 31A-42-201, 31A-42-202, 63I-1-231, 63I-2-231, 63M-1-2504, 63M-1-2506;

Enacts 26-21-26, 31A-2-201.2, 31A-30-106.1, 31A-30-202.5, 31A-30-209, 31A-42a-101, 31A-42a-102, 31A-42a-103, 31A-42a-201, 31A-42a-202, 31A-42a-203, 31A-42a-204, 58-5a-307, 58-31b-802, 58-67-804, 58-68-804, 58-69-806, 58-73-603;

Repeals and Reenacts 31A-30-208

Effective March 22, 2010

Chapter 68, Laws of Utah 2010

HB 295 Expanded Uses of School District Property Tax Revenue (*Kenneth W. Sumsion*)

This bill amends provisions related to certain uses of school district property tax revenue.

This bill:

- ▶ allows local school boards to use revenue collected from certain capital property tax levies for certain general fund purposes for fiscal years 2010-11 and 2011-12;
- ▶ requires a local school board to notify taxpayers of certain uses of property tax revenue; and
- ▶ makes technical changes.

Amends 53A-16-107, 53A-19-102

Effective May 11, 2010

Chapter 135, Laws of Utah 2010

HB 298 Land Use Authority Notification of Canal Development (*Ben C. Ferry*)

This bill requires a municipal or a county land use authority to notify a canal company or canal operator of a land use application to develop within 100 feet of a canal.

This bill:

- ▶ amends notification requirements;
- ▶ requires a municipal or a county land use authority to notify a canal company or canal operator of a land use application to develop within 100 feet of a canal; and
- ▶ makes technical corrections.

Amends 10-9a-509, 17-27a-508;

Enacts 10-9a-211, 17-27a-211

Effective May 11, 2010

Chapter 332, Laws of Utah 2010

HB 299 Amendments Related to Substances Harmful to Pregnancy (*Ronda Rudd Menlove*)

This bill modifies the Utah Health Code related to efforts to inform people of the effects of consuming alcohol during pregnancy.

This bill:

- ▶ repeals outdated language related to a public education and outreach program; and
- ▶ requires posting of a warning by alcohol retailers related to the effects of consuming alcohol during pregnancy.

This bill coordinates with S.B. 167, Alcoholic Beverage Control Act Recodification, to technically merge the changes.

Enacts 26-7-6;

Repeals 26-7-5

Effective May 11, 2010

Chapter 136, Laws of Utah 2010

HB 302 Minor Adjustments to County Boundaries (*Patrick Painter*)

This bill amends provisions relating to minor adjustments to county boundaries.

This bill:

- ▶ amends provisions relating to minor adjustments to county boundaries.

Amends 17-2-209

Effective May 11, 2010

Chapter 383, Laws of Utah 2010

HB 303 Protections for Victims of Domestic Violence *(Eric K. Hutchings)*

This bill modifies the Cohabitant Abuse Procedures Act regarding procedures, records, protective orders, and jail release agreements and orders.

This bill:

- ▶ provides time limits on protective orders and jail release agreements and orders, and provides for judicial discretion for good cause;
- ▶ authorizes the court to issue a pretrial protective order if the defendant has been charged with a domestic violence offense;
- ▶ amends terms to reflect judicial procedures regarding release of a defendant;
- ▶ provides additional definitions;
- ▶ provides that if a person charged with domestic violence is released, the person shall receive a copy of the protective order or jail release agreement or order prior to release;
- ▶ requires that the arresting officer shall provide, at the time of the arrest:
 - to the alleged victim, notification that release conditions may expire at midnight of that day; and
 - to the person charged with a domestic violence offense, information about the requirement to appear in court;
- ▶ provides that the court may allow the jail release order or jail release agreement to expire at midnight of the day the defendant appears in court, or may extend the order or agreement for good cause;
- ▶ removes the requirement of a possible showing of future violence when the court waives the requirement that the alleged victim's location be disclosed;
- ▶ requires that action regarding protective orders be transmitted to the statewide domestic violence network;
- ▶ provides that any protective order related to a dismissed criminal domestic violence case shall be dismissed;
- ▶ provides for a sentencing protective order to be issued for the duration of a domestic violence defendant's probation and provides that violation of the order is a class A misdemeanor; and
- ▶ requires the defendant to pay the costs of counseling for children who are affected by the domestic violence offense, in addition to the current requirement to pay for the victim's counseling.

Amends 77-36-1, 77-36-2.4, 77-36-2.5, 77-36-2.6, 77-36-2.7, 77-36-5, 77-36-5.1, 77-36-6

Effective May 11, 2010

Chapter 384, Laws of Utah 2010

HB 304 Lieutenant Governor Amendments *(Eric K. Hutchings)*

This bill enacts a provision relating to the duties of the lieutenant governor.

This bill:

- ▶ prohibits the lieutenant governor from certifying a document in certain circumstances.

Enacts 67-1a-13

Effective May 11, 2010

Chapter 333, Laws of Utah 2010

HB 306 Terrorism Amendments (*Eric K. Hutchings*)

This bill modifies the definition and use of the word terrorism in the Utah Code.

This bill:

- ▶ changes the term cyber-terrorism to malicious cyber activity;
- ▶ changes the term commercial terrorism to commercial obstruction;
- ▶ changes the term disruptive terrorism to terrorism;
- ▶ moves references to the threat of terrorism into a new section apart from the misdemeanor offense of threat of violence; and
- ▶ defines terrorism as activities that:
 - involve acts dangerous to human life;
 - are a violation of the criminal laws of the United States or of this state; and
 - to a reasonable person, would appear to be intended to:
 - intimidate or coerce a civilian population;
 - influence the policy of a government by intimidation or coercion; or
 - affect the conduct of a government by mass destruction, assassination, or kidnapping.

Amends 13-5a-102, 53-2-102, 63K-1-102, 63K-3-102, 63K-4-103, 76-3-203.5, 76-5-107, 76-6-206, 76-10-1602, 76-10-2402, 77-23a-8;

Enacts 76-5-107.3

Effective May 11, 2010

Chapter 334, Laws of Utah 2010

HB 307 General County Powers Amendments (*Gregory H. Hughes*)

This bill amends the general powers of a county.

This bill:

- ▶ prohibits a county or a governmental instrumentality of a county from performing an action, providing a service, exercising a power, or performing a function in another county or a municipality within the other county without first entering into an agreement with the other county; and
- ▶ makes technical corrections.

Amends 17-50-302

Effective May 11, 2010

Chapter 385, Laws of Utah 2010

HB 308 State Fire Code Adoption (*Todd E. Kiser*)

This bill adopts the State Fire Code in accordance with the Utah Fire Prevention and Safety Act.

This bill:

- ▶ includes general provisions; and
- ▶ adopts the State Fire Code.

This bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 335, Laws of Utah 2010

HB 310 Spending Limits Amendments (*Ron Bigelow*)

This bill modifies provisions in the State Appropriations and Tax Limitation Act.

This bill:

- ▶ modifies the list of monies considered “appropriations” that are used in the formula that determines the state appropriations limit for each fiscal year; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 63J-3-103

Effective July 1, 2010

Chapter 137, Laws of Utah 2010

HB 311 Autism Treatment Fund (*Rebecca D. Lockhart*)

This bill creates a restricted account within the General Fund to be administered by the Department of Health for the receipt and expenditure of certain gifts, donations, and appropriations to be used for providing services relating to autism.

This bill:

- ▶ creates a restricted account within the General Fund to be known as the Autism Treatment Account for the receipt and expenditure of certain gifts, donations, and appropriations to be used for services relating to autism; and
- ▶ provides for the administration and use of the account.

Enacts 26-52-101, 26-52-102, 26-52-201, 26-52-202

Effective May 11, 2010

Chapter 69, Laws of Utah 2010

HB 312 Medical Expenses for Offenders (*Paul Ray*)

This bill modifies Title 64, State Institutions, to set payment rates for certain medical services provided to criminal offenders outside of a prison facility.

This bill:

- ▶ provides that medical care provided outside of a prison facility to an offender in the custody of the department shall be provided at the contracted rate, or if there is no contract between the department and a health care facility or provider that establishes a fee schedule for medical services rendered, expenses shall be at the noncapitated state Medicaid rate in effect at the time the service was provided regarding health care facilities, and 65% of the amount that would be paid under the Public Employees’ Benefit and Insurance Program for health care providers;
- ▶ provides that the expense to the department for these medical services is limited to the amount that the expense exceeds coverage by an offender’s policy through a private insurer that is in effect at the time of the service; and
- ▶ the Public Employees’ Benefit and Insurance Program shall provide information to the department that enables the department to calculate the amount to be paid to a health care provider, and this information shall be kept confidential.

This bill takes effect on July 1, 2011.

Amends 64-13-30

Effective July 1, 2011

Chapter 386, Laws of Utah 2010

HB 314 Water Rights Addendums to Deeds (*Ben C. Ferry*)

This bill modifies and enacts provisions relating to water rights addenda to deeds.

This bill:

- ▶ allows a person submitting for recording a deed conveying title to land or title to water rights to submit also a water rights addendum identifying and describing the water rights being conveyed;
- ▶ requires grantors and grantees to sign any water rights addendum that is submitted;
- ▶ requires the state engineer to use the approved water rights addendum form and to make the form available to the public;
- ▶ requires county recorders to transmit a copy of a recorded applicable deed and water rights addendum to the state engineer; and
- ▶ makes conforming changes.

Amends 73-1-10, 73-1-11;

Enacts 57-3-109

Effective May 11, 2010

Chapter 70, Laws of Utah 2010

HB 315 Utah Public Notice Website Amendments (*Kraig Powell*)

This bill modifies a provision relating to the Utah Public Notice Website.

This bill:

- ▶ modifies statutory requirements to publish or post notice to the Utah Public Notice Website to provide a temporary exemption for specified public bodies with an annual budget of less than \$1,000,000.

Amends 63F-1-701

Effective May 11, 2010

Chapter 138, Laws of Utah 2010

HB 316 Disabled Veterans Property Tax Exemption Amendments (*Gregory H. Hughes*)

This bill modifies a provision relating to a property tax exemption for disabled veterans and their families.

This bill:

- ▶ modifies a provision relating to a disabled veteran's eligibility for the veteran's property tax exemption;
- ▶ creates a United States citizenship presumption for an honorably discharged veteran; and
- ▶ requires the Department of Veterans' Affairs to resolve a dispute concerning a veteran's status as a disabled veteran.

Amends 59-2-1104

Effective May 11, 2010

Chapter 71, Laws of Utah 2010

HB 318 Revolving Loan Fund for Certain Energy Efficient Projects Amendments *(Roger E. Barrus)*

This bill expands a revolving loan fund known as the Energy Efficiency Fund to include political subdivisions.

This bill:

- ▶ defines terms;
- ▶ allows the Energy Efficiency Fund to be used for energy efficiency projects in buildings owned by political subdivisions, including school districts;
- ▶ permits the Board of the Utah Geological Survey to make rules establishing eligibility and prioritization criteria for disbursing monies from the fund;
- ▶ grants the board other powers and directions to make loans from the fund; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 63A-3-205;

Enacts 11-44-101, 11-44-102, 11-44-202, 11-44-203, 11-44-204, 11-44-205;

Renumbers and Amends 53A-20c-102 to 11-44-201

Effective March 22, 2010

Chapter 72, Laws of Utah 2010

HB 320 Utah Construction Trades Licensing Act - Alarm Companies Amendments
(Christopher N. Herrod)

This bill modifies a provision of the Utah Construction Trades Licensing Act related to alarm company employees.

This bill:

- ▶ authorizes the issuance of a temporary license to certain alarm company employees;
- ▶ provides that certain behavior is unlawful conduct on the part of an alarm company and agent; and
- ▶ makes technical changes.

Amends 58-55-312, 58-55-501, 58-55-503

Effective May 11, 2010

Chapter 387, Laws of Utah 2010

HB 321 Bond Election Notification Revisions *(Gregory H. Hughes)*

This bill modifies notice and ballot requirements for bond elections.

This bill:

- ▶ requires a voter information pamphlet to be prepared for certain bond elections and mailed to all households containing a registered voter who is eligible to vote on the bonds;
- ▶ requires additional information to be provided in a voter information pamphlet prepared for a bond election;
- ▶ changes ballot notification requirements by:
 - requiring additional information to be provided on the ballot;
 - deleting a provision requiring the type of bond to be identified on the ballot; and
 - deleting a provision requiring notification of payment sources if the bond is payable from tax proceeds and operating revenues; and
- ▶ makes technical changes.

Amends 11-14-202, 11-14-206

Effective May 11, 2010

Chapter 388, Laws of Utah 2010

HB 324 Public Lands Litigation (*Kenneth W. Sumsion*)

This bill amends and enacts provisions related to actions filed by the attorney general on property possessed by the federal government and the appropriation of funds for those actions.

This bill:

- ▶ appropriates money from the Land Exchange Distribution Account to the Constitutional Defense Restricted Account for legal services and just compensation for property taken;
- ▶ directs the attorney general to file certain eminent domain or quiet title actions on property possessed by the federal government;
- ▶ authorizes the attorney general to file an action to enforce a section of the Utah Enabling Act; and
- ▶ makes technical changes.

This bill appropriates \$1,000,000 from the Land Exchange Distribution Account for fiscal years 2010-11, 2011-12, and 2012-13 only to the Constitutional Defense Restricted Account.

Amends 53C-3-203, 63C-4-102, 63C-4-103;

Enacts 67-5-29

Effective May 11, 2010

Chapter 262, Laws of Utah 2010

HB 327 Autism Awareness Support Special Group License Plate (*Rebecca P. Edwards*)

This bill authorizes an Autism Awareness support special group license plate.

This bill:

- ▶ creates an Autism Awareness support special group license plate for programs that create or support autism awareness programs;
- ▶ requires applicants for a new plate to make a \$25 annual donation to the Autism Awareness Restricted Account;
- ▶ creates the Autism Awareness Restricted Account;
- ▶ requires the superintendent of public instruction to distribute funds in the Autism Awareness Restricted Account to certain organizations that provide programs that create or support autism awareness programs;
- ▶ grants the State Board of Education rulemaking authority to make rules providing procedures for an organization to apply to receive a distribution; and
- ▶ makes technical changes.

This bill takes effect on October 1, 2010.

Amends 41-1a-418, 41-1a-422, 53A-1-301;

Enacts 53A-1-304

Effective October 1, 2010

Chapter 139, Laws of Utah 2010

HB 329 Campaign Finance Amendments (*Ben C. Ferry*)

This bill amends provisions in Title 20A, Chapter 11, Campaign and Financial Reporting Requirements and Title 20A, Chapter 12, Selection and Election of Judges.

This bill:

- ▶ enacts, amends, and repeals definitions;
- ▶ requires a filing entity to electronically file a financial statement;
- ▶ requires the lieutenant governor to post a financial statement online in a searchable format within three business days;
- ▶ requires checks that have been negotiated to be reported in an interim or summary report;
- ▶ requires a person sponsoring certain electioneering communications to file a report;
- ▶ repeals a provision requiring a political action committee or political issues committee to disclose the occupation of a person who makes a contribution;
- ▶ establishes additional filing deadlines for some filing entities;
- ▶ requires a corporation to disclose certain contracts with the state;
- ▶ prohibits making a campaign contribution in another's name;
- ▶ establishes reporting requirements for labor organizations;
- ▶ imposes a fine for failure to file a timely financial statement; and
- ▶ makes technical changes.

This bill takes effect on January 1, 2011.

Amends 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-11-403, 20A-11-507, 20A-11-508, 20A-11-602, 20A-11-603, 20A-11-701, 20A-11-702, 20A-11-703, 20A-11-802, 20A-11-901, 20A-11-1001, 20A-11-1002, 20A-11-1301, 20A-11-1302, 20A-11-1303, 20A-11-1305, 20A-12-303, 20A-12-304, 20A-12-305, 20A-12-306;

Enacts 20A-11-904, 20A-11-1005, 20A-11-1501, 20A-11-1502, 20A-11-1503

Effective January 1, 2011

Chapter 389, Laws of Utah 2010

HB 331 Waste Fee and Related Amendments (*Ronda Rudd Menlove*)

This bill addresses various waste fees and the Environmental Quality Restricted Account.

This bill:

- ▶ addresses provisions related to the Environmental Quality Restricted Account;
- ▶ provides for a supplementary fee to be charged by the Department of Environmental Quality for certain services;
- ▶ changes the fee amounts related to commercial radioactive waste disposal or treatment;
- ▶ provides for review of costs by the department;
- ▶ addresses the fee amounts related to hazardous waste and treated hazardous waste disposal;
- ▶ provides for a special assessment should fee amounts not cover costs related to the regulation of hazardous waste; and
- ▶ makes technical and conforming amendments.

This bill takes effect on July 1, 2010.

Amends 19-1-108, 19-1-201, 19-3-106, 19-6-118, 19-6-118.5

Effective July 1, 2010

Chapter 17, Laws of Utah 2010

HB 332 Utah Agricultural Code Amendments *(Christine F. Watkins)*

This bill makes changes to Title 4, Utah Agricultural Code.

This bill:

- ▶ makes changes to Title 4, Chapter 10, Bedding, Upholstered Furniture, and Quilted Clothing Inspection Act, including:
 - addressing the definition of “new material”;
 - license fees; and
 - inspections;
- ▶ makes changes to Title 4, Chapter 11, Utah Bee Inspection Act, including:
 - definitions;
 - registration;
 - inspectors and inspections;
 - quarantines; and
 - other provisions;
- ▶ eliminates a provision allowing for the creation of a nominating commission for the Utah Dairy Commission;
- ▶ makes changes to Title 4, Chapter 23, Agricultural and Wildlife Damage Prevention Act, to modify certain fees; and
- ▶ makes technical changes.

Amends 4-10-2, 4-10-5, 4-10-10, 4-11-2, 4-11-4, 4-11-5, 4-11-6, 4-11-7, 4-11-8, 4-11-9, 4-11-10, 4-11-11, 4-11-12, 4-11-13, 4-11-14, 4-11-15, 4-22-6, 4-23-7, 4-23-8;

Enacts 4-11-17

Effective May 11, 2010

Chapter 73, Laws of Utah 2010

HB 335 Utility Related Exemptions *(Gregory H. Hughes)*

This bill excludes from various public utility provisions certain entities producing electricity.

This bill:

- ▶ provides that certain entities providing electricity to certain owners and creditors are not considered an electrical corporation or public utility under Title 54, Public Utilities;
- ▶ exempts from various regulatory provisions electricity provided to certain owners and creditors; and
- ▶ makes technical changes.

Amends 54-2-1, 54-3-8, 54-4-2

Effective May 11, 2010

Chapter 390, Laws of Utah 2010

HB 337 Uniform Driver License Act Amendments (*Rebecca D. Lockhart*)

This bill modifies the Uniform Driver License Act by amending provisions relating to driver license suspensions for certain drug-related offenses.

This bill:

- ▶ provides that a court is not required to forward to the division within 10 days a record of the conviction for certain drug-related offenses and provides that the Driver License Division is not required to suspend a person's license for certain drug-related offenses if:
 - the violation did not involve a motor vehicle; and
 - the convicted person is participating in or has successfully completed substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or probation through the Department of Corrections Adult Probation and Parole;
- ▶ provides that if the person fails to comply with the terms of the substance abuse treatment program or the terms of probation:
 - the substance abuse treatment program or the Department of Corrections Adult Probation and Parole shall provide an affidavit or other sworn information to the court notifying the court that the person has failed;
 - the court shall immediately forward an abstract of the court record of the conviction to the Driver License Division; and
 - the Driver License Division shall immediately suspend the person's license; and
- ▶ makes technical changes.

Amends 53-3-218

Effective May 11, 2010

Chapter 336, Laws of Utah 2010

HB 340 Sexual Assault Victim Protocols (*Jackie Biskupski*)

This bill amends Sexual Assault Victim Protocols within the Utah Health Code.

This bill:

- ▶ defines terms;
- ▶ exempts a freestanding urgent care center from providing emergency contraception if there is a hospital within 30 miles; and
- ▶ requires an exempt freestanding urgent care center to provide certain information to a victim.

Amends 26-21b-102, 26-21b-201

Effective May 11, 2010

Chapter 140, Laws of Utah 2010

HB 341 Uniform Athlete Agents Act (*Paul Ray*)

This bill modifies the Uniform Athlete Agents Act related to the board and licensure.

This bill:

- ▶ eliminates the Athlete Agents Licensing Board;
- ▶ eliminates a reference to licensure by the division; and
- ▶ makes technical and conforming amendments.

Amends 15-9-103, 15-9-107

Effective May 11, 2010

Chapter 74, Laws of Utah 2010

HB 343 **Great Salt Lake Advisory Council** (*Ben C. Ferry*)

This bill enacts the Great Salt Lake Advisory Council Act to create the Great Salt Lake Advisory Council and address related issues.

This bill:

- ▶ defines terms;
- ▶ creates the Great Salt Lake Advisory Council;
- ▶ requires designated departments to provide staffing; and
- ▶ outlines the duties of the council.

Enacts 73-29-101, 73-29-102, 73-29-201, 73-29-202

Effective May 11, 2010

Chapter 141, Laws of Utah 2010

HB 348 **Sheriffs Fees** (*Richard A. Greenwood*)

This bill authorizes the legislative body of a county to set a fee charged by the county sheriff.

This bill:

- ▶ authorizes the legislative body of a county to set a fee charged by the county sheriff;
- ▶ amends existing sheriff fees; and
- ▶ makes technical corrections.

Amends 17-22-2.5

Effective May 11, 2010

Chapter 75, Laws of Utah 2010

HB 349 **Sales and Use Tax Amendments** (*Wayne A. Harper*)

This bill amends the Municipal Energy Sales and Use Tax Act and the Sales and Use Tax Act to address definitions, the administration of the municipal energy sales and use tax, provisions related to the collection, remittance, and payment of a tax on direct mail and certain sales and use taxes, and determining the location of certain transactions.

This bill:

- ▶ modifies a definition and defines terms;
- ▶ provides that the administrative fee the State Tax Commission charges with respect to the municipal energy sales and use tax shall be expended to administer the municipal energy sales and use tax;
- ▶ addresses the collection, remittance, and payment of a tax on direct mail and certain sales and use taxes;
- ▶ addresses the determination of the location of certain transactions; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

Amends 10-1-303, 10-1-307, 59-12-102, 59-12-123, 59-12-211;

Enacts 59-12-211.1

Effective July 1, 2010

Chapter 142, Laws of Utah 2010

HB 353 Nonlapsing Dedicated Credit Amendments (*Ron Bigelow*)

This bill makes modifications to the Budgetary Procedures Act and eliminates certain nonlapsing dedicated credits.

This bill:

- ▶ provides that certain dedicated credits that were classified as nonlapsing are now subject to lapsing requirements;
- ▶ clarifies that, unless otherwise specifically provided, revenues in a restricted account or fund do not lapse to another account or fund unless otherwise specifically provided for by law or legislative appropriation;
- ▶ removes the modified dedicated credits from the list of nonlapsing funds and accounts in the Budgetary Procedures Act;
- ▶ makes technical cross-reference corrections; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

This bill coordinates with S.B. 167, Alcoholic Beverage Control Act Recodification, by providing conforming and substantive amendments.

Amends 4-2-2, 4-14-3, 4-14-13, 4-35-6, 19-6-120, 26-8a-208, 26-18-3, 26-40-108, 31A-2-208, 31A-31-108, 31A-31-109, 32A-1-115, 35A-3-114, 41-1a-1201, 41-1a-1221, 41-3-601, 41-3-604, 41-22-36, 46-1-23, 53-7-314, 58-37-7.7, 58-56-9, 61-2c-401, 63J-1-104, 63J-1-602, 63M-1-1604, 63M-1-2408, 64-13-21.2, 72-2-107, 72-2-118, 72-2-124, 72-3-207, 73-18-25, 78A-9-102, 78B-1-146, 79-4-403, 79-4-1001

Effective July 1, 2010

Chapter 391, Laws of Utah 2010

HB 355 Legal Guardianship Amendments (*Stephen E. Sandstrom*)

This bill amends the Utah Uniform Probate Code as it relates to guardianship of minors.

This bill:

- ▶ requires attorney fees to be paid in certain circumstances; and
- ▶ makes technical changes.

Amends 75-5-206

Effective May 11, 2010

Chapter 392, Laws of Utah 2010

HB 363 Municipal Election Amendments (*Craig A. Frank*)

This bill modifies the Election Code by amending provisions for early voting for certain municipalities.

This bill:

- ▶ allows rather than requires a municipality of the fifth class or a town to provide early voting for a municipal primary election or a municipal general election; and
- ▶ makes technical changes.

Amends 20A-3-601, 20A-3-605

Effective May 11, 2010

Chapter 337, Laws of Utah 2010

HB 364 Right of Identity Theft Victim to Civil Cause of Action *(Julie Fisher)*

This bill creates a civil action for damages for an identity theft victim against a perpetrator.

This bill:

- ▶ allows an identity theft victim to bring an action against a perpetrator;
- ▶ sets out limits on the recovery of damages; and
- ▶ designates a statute of limitations for a civil action for damages.

Amends 78B-2-305;

Enacts 78B-6-1701

Effective May 11, 2010

Chapter 143, Laws of Utah 2010

HB 365 Department of Corrections Registry Amendments *(Douglas C. Aagard)*

This bill clarifies the definition of secondary residence, clarifies that the Department of Corrections is to assist in investigating kidnapping crimes, and makes technical corrections.

This bill:

- ▶ clarifies that a secondary residence may include any location that the offender does not own, or does not have a financial interest in, if the offender has stayed at that location for a specified period of time;
- ▶ clarifies that the Department of Corrections is to assist in investigating kidnapping crimes; and
- ▶ makes technical corrections.

Amends 77-27-21.5

Effective May 11, 2010

Chapter 144, Laws of Utah 2010

HB 366 Motor Vehicle Business Regulation Act Amendments (*Bradley M. Daw*)

This bill modifies the Motor Vehicle Business Regulation Act by amending provisions relating to motor vehicle dealers.

This bill:

- ▶ amends definitions;
- ▶ provides that a pawnbroker engaged in selling, exchanging, or pawning motor vehicles is considered as coming into possession of the motor vehicles incident to the person's regular business and shall be licensed as a used motor vehicle dealer;
- ▶ provides that a person engaged in a title lending, check cashing, or deferred deposit lending business that comes into possession of motor vehicles incident to the person's regular business and sells the motor vehicle under contractual rights that it may have in the motor vehicle is not considered a dealer;
- ▶ specifies additional requirements that must be included in an application for a motor vehicle dealer license;
- ▶ specifies requirements for temporary and permanent additional places of business for used motor vehicle dealers;
- ▶ establishes information that shall be included in orientation materials for a provider of an orientation class;
- ▶ provides that a person may not, for a fee, commission, or other form of compensation, arrange, offer to arrange, or broker a transaction involving the sale or lease of more than two used motor vehicles in any 12 consecutive month period, unless the person is licensed as a new or used motor vehicle dealer; and
- ▶ makes technical changes.

Amends 41-3-102, 41-3-103, 41-3-105, 41-3-201, 41-3-201.5, 41-3-201.7

Effective May 11, 2010

Chapter 393, Laws of Utah 2010

HB 370 Capital Project Amendments (*Stephen D. Clark*)

This bill amends capital development provisions.

This bill:

- ▶ requires the State Building Board to establish a rule to govern the disposition of real property;
- ▶ postpones the effective date of the provision prohibiting the Legislature from funding developments without funding improvements; and
- ▶ addresses the director's supervision of capital improvement projects.

Amends 63A-5-103, 63A-5-104, 63A-5-206

Effective May 11, 2010

Chapter 338, Laws of Utah 2010

HB 378 Motor Vehicle Insurance Requirements (*Todd E. Kiser*)

This bill modifies the Insurance Code by amending provisions relating to notice requirements for motor vehicle insurance carriers.

This bill:

- ▶ requires an insurer that gives notice of nonrenewal or cancellation of insurance on a motor vehicle insurance policy for nonpayment of a premium to notify the lienholder if the insurer has been provided the name and mailing address of the lienholder;
- ▶ requires a lienholder to provide a current physical address of notification or an electronic address of notification to an insurer that is required to make a notification; and
- ▶ makes technical changes.

Amends 31A-21-303

Effective May 11, 2010

Chapter 190, Laws of Utah 2010

HB 379 Barber, Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments (*Merlynn T. Newbold*)

This bill amends definition and licensing qualification provisions of the Barber, Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act.

This bill:

- ▶ modifies the definitions of the practice of basic esthetics and practice of cosmetology/barbering;
- ▶ provides for acceptance of graduation from an out-of-state recognized master esthetics school and practicing at least 4,000 hours as a licensed master esthetician as another option for satisfying one of the requirements to become a licensed master esthetician; and
- ▶ provides for the accepted transferability of credit hours towards graduation.

Amends 58-11a-102, 58-11a-302

Effective May 11, 2010

Chapter 145, Laws of Utah 2010

HB 380 Firearm Laws Amendments (*Stephen E. Sandstrom*)

This bill modifies Title 53, Chapter 5a, Firearm Laws, regarding the discharge of a firearm by a concealed firearm permit holder on private property.

This bill:

- ▶ provides that a private property owner is not civilly or criminally liable for any harm or damages resulting from discharge of a firearm by a person who holds a concealed firearm permit while on the owner's property; and
- ▶ provides that the exemption from liability does not apply if the property owner solicits, requests, commands, encourages, or intentionally aids the permit holder in discharging the firearm while on the owner's property.

Enacts 53-5a-103

Effective May 11, 2010

Chapter 339, Laws of Utah 2010

HB 381 **Municipal Land Use Provisions** (*Stephen E. Sandstrom*)

This bill amends municipal land use provisions relating to nonconforming uses and noncomplying structures.

This bill:

- ▶ amends municipal land use provisions relating to nonconforming uses and noncomplying structures; and
- ▶ makes technical corrections.

Amends 10-9a-511

Effective May 11, 2010

Chapter 394, Laws of Utah 2010

HB 386 **Interstate Compact on Educational Opportunity for Military Children** (*Gregory H. Hughes*)

This bill enacts the Interstate Compact on Educational Opportunity for Military Children.

This bill:

- ▶ enacts the Interstate Compact on Educational Opportunity for Military Children, which includes provisions for transferring military children relating to:
 - defining terms;
 - applicability of the compact;
 - transfer of educational records and enrollment;
 - placement and attendance;
 - eligibility for enrollment and extracurricular participation;
 - graduation; and
 - other administrative and legal parameters;
- ▶ establishes the State Council on Military Children;
- ▶ provides for the appointment of the state's representative on the Interstate Commission on Educational Opportunity for Military Children; and
- ▶ makes technical changes.

Amends 53A-1-611, 53A-3-402, 53A-11-302, 53A-11-504;

Enacts 53A-1-1001, 53A-1-1002, 53A-1-1003;

Repeals 53A-11-1401, 53A-11-1402, 53A-11-1403, 53A-11-1404

Effective May 11, 2010

Chapter 395, Laws of Utah 2010

HB 388 **Mobile Home Revisions** (*James A. Dunnigan*)

This bill modifies a provision of the Mobile Home Park Residency Act.

This bill:

- ▶ modifies provisions relating to the formation and operation of a resident association in a mobile home park;
- ▶ modifies rights of residents in a mobile home park;
- ▶ limits what a mobile home park operator, as defined, may do with respect to a mobile home park resident association; and
- ▶ makes technical changes.

Amends 57-16-16

Effective May 11, 2010

Chapter 15, Laws of Utah 2010

HB 395 **Limitation of Actions Amendments** (*Michael E. Noel*)

This bill limits the liability of persons or businesses for damage or injury caused by greenhouse gas emissions.

This bill:

- ▶ limits the liability of a person or business for damage or injury caused by greenhouse gas emissions, unless the emissions violated:
 - a statutory limitation; or
 - a valid operating, air, or other permit; and
- ▶ requires that the party bringing an action prove by clear and convincing evidence that unavoidable, and identifiable damage has or will result from the violation.

Enacts 78B-4-515

Effective May 11, 2010

Chapter 396, Laws of Utah 2010

HB 396 **Speech-language Pathology and Audiology Licensing Act Amendments** (*Don L. Ipson*)

This bill modifies provisions of Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing Act, related to licensing requirements and temporary licenses.

This bill:

- ▶ clarifies and modifies licensing requirements for speech-language pathologists and audiologists;
- ▶ provides for the issuance of temporary licenses to individuals who have completed licensing requirements for an audiologist or speech-language pathologist, except for the clinical fellowship year;
- ▶ provides a grandfathering provision; and
- ▶ makes certain technical changes.

Amends 58-41-5;

Enacts 58-41-5.5;

Repeals 58-41-7

Effective May 11, 2010

Chapter 397, Laws of Utah 2010

HB 397 Medicaid Program Amendments (*John Dougall*)

This bill amends Medicaid provisions of the Utah Code.

This bill:

- ▶ requires the Department of Health to conduct a certain level of internal audits of the Medicaid program;
- ▶ requires the Department of Health to study and report:
 - direct contracting for primary care services; and
 - the feasibility of establishing a medical homes model;
- ▶ requires the Department of Human Services to report to the Legislature when changes to the state Medicaid plan, or a Medicaid waiver effect the care of children and youth in custody of the Division of Child and Family Services or the Division of Juvenile Justice Services;
- ▶ allows the Department of Health to apply for and, if approved, implement a program for health opportunity accounts;
- ▶ requires certain funds to be deposited in the Medicaid Restricted Account; and
- ▶ expands the use of the Nursing Care Facilities Account, which was established to assist nursing care facilities providing services under the Medicaid program.

Amends 26-18-3, 26-18-402, 26-35a-106;

Renumbers and Amends 26-18-301 to 26-10-101, 26-18-302 to 26-10-102, 26-18-303 to 26-10-103, 26-18-304 to 26-10-104, 26-18-305 to 26-10-105

Effective May 11, 2010

Chapter 340, Laws of Utah 2010

HB 398 Sexually Oriented Business License Amendments (*F. Jay Seegmiller*)

This bill enacts provisions relating to the licensing of a sexually oriented business or an individual working in a sexually oriented business.

This bill:

- ▶ enacts provisions relating to the licensing of a sexually oriented business or an individual working in a sexually oriented business.

Enacts 10-8-41.5, 17-50-331

Effective May 11, 2010

Chapter 398, Laws of Utah 2010

HB 402 Department of Administrative Services Modifications (*Stephen D. Clark*)

This bill amends the Utah Administrative Services Code and the Division of Administrative Rules part to address operating a division within the Department of Administrative Services as an internal service fund agency.

This bill:

- ▶ provides that subject to certain limitations the Department of Administrative Services may operate a division within the department, except for the Office of State Debt Collection, as an internal service fund agency;
- ▶ provides that a division that manages an internal service fund shall submit to the Rate Committee:
 - a proposed rate and fee schedule for certain services rendered by the division; and
 - other information or analysis requested by the Rate Committee; and
- ▶ makes technical and conforming changes.

Amends 63A-1-114, 63A-3-103, 63A-11-104, 63A-12-101, 63G-3-402;

Enacts 63A-1-109.5

Effective May 11, 2010

Chapter 341, Laws of Utah 2010

HB 404 Motor Vehicle Business Amendments (*Don L. Ipson*)

This bill modifies the Motor Vehicles Code by amending provisions relating to motor vehicle business.

This bill:

- ▶ amends priority rights for certain security interests in certain motor vehicles;
- ▶ amends constructive notice provisions for liens and encumbrances against vehicles, vessels, and outboard motors;
- ▶ provides that certain corporate surety bonds shall be conditioned upon the dealer not violating certain provisions;
- ▶ provides that reasonable cause for denial, suspension, or revocation of a license includes having had a license revoked within five years from the date of application;
- ▶ specifies certain acts or practices that are unlawful for a motor vehicle business licensee to engage in;
- ▶ amends provisions relating to the payoff of liens on motor vehicles traded in; and
- ▶ makes technical changes.

Amends 41-1a-601, 41-1a-604, 41-1a-606, 41-3-205, 41-3-209, 41-3-402;

Enacts 41-3-211;

Repeals and Reenacts 41-1a-605

Effective May 11, 2010

Chapter 342, Laws of Utah 2010

HB 406 State Fair Park Amendments (*James R. Gowans*)

This bill amends Title 63A, Chapter 5, Part 3, Division of Facilities Construction and Management Leasing, regarding the leasing of the state fair park by the division to the Utah State Fair Corporation.

This bill:

- ▶ provides that the division may lease the state fair park to the Utah State Fair Corporation for a period not to exceed 50 years beginning July 1, 2010, premised on significant capital improvements to the fair park during the lease term; and
- ▶ provides that the White Ball Field portion of the state fair park lease shall lapse back to the division on June 30, 2017.

This bill takes effect on July 1, 2010.

Amends 63A-5-306

Effective July 1, 2010

Chapter 343, Laws of Utah 2010

HB 408 Hospital Claims Management (*Bradley G. Last*)

This bill amends the Health Code to authorize a demonstration project administered by the department.

This bill:

- ▶ authorizes the Department of Health to establish a demonstration project to facilitate:
 - open and honest dialogue between a health care provider and a patient or the patient's representative regarding unexpected medical outcomes; and
 - timely and cost effective resolution of unexpected medical outcomes; and
- ▶ gives the department rulemaking authority to implement the demonstration project.

Amends 26-1-30.5

Effective May 11, 2010

Chapter 344, Laws of Utah 2010

HB 409 Civil Action for Damages Related to Addiction from Illegal Drug Sale
(Christopher N. Herrod)

This bill modifies the Judicial Code regarding civil causes of action.

This bill:

- ▶ provides that the estate of a person who becomes addicted to 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 addicted person; and
- ▶ provides for treble damages, punitive damages, and costs of addiction treatment or rehabilitation.

Amends 78B-3-801, 78B-8-201

Effective May 11, 2010

Chapter 345, Laws of Utah 2010

HB 419 Alcoholic Beverage Control and Signage At State Stores (Kraig Powell)

This bill modifies the Alcoholic Beverage Control Act to address signage at state stores.

This bill:

- ▶ requires certain text on exterior signage for state stores; and
- ▶ makes technical changes.

This bill coordinates with S.B. 167, Alcoholic Beverage Control Act Recodification, to technically merge the changes.

Amends 32A-2-101

Effective May 11, 2010

Chapter 346, Laws of Utah 2010

HB 421 Medical Financial Records Amendments (Bradley G. Last)

This bill modifies the Utah Health Code to allow hospitals to obtain financial information of a patient from a bank or other financial institution when assisting with Medicaid eligibility of a patient.

This bill:

- ▶ requires a bank to release financial records to a hospital when determining whether a patient qualifies for Medicaid; and
- ▶ specifies the information the bank shall receive before releasing financial records.

This bill takes effect on July 1, 2010.

Enacts 26-18-3.2

Effective July 1, 2010

Chapter 347, Laws of Utah 2010

HB 425 Budgetary Procedures Act - Fee Amendments *(Ron Bigelow)*

This bill modifies provisions of the Budgetary Procedures Act that address fees.

This bill:

- ▶ provides definitions;
- ▶ makes technical and organizational modifications;
- ▶ clarifies that a fee agency may not create, change, or collect a fee that has not been established according to the requirements of the fee provisions of the act;
- ▶ clarifies that each fee agency shall submit its fee schedule and special assessment amounts to the Legislature for approval on an annual basis;
- ▶ exempts certain fees that involve financial processing charges that are assessed by a non-governmental third party from the requirement that fees be pre-approved by the Legislature;
- ▶ modifies procedures that are required for fee changes; and
- ▶ makes technical changes.

Amends 63J-1-504

Effective May 11, 2010

Chapter 146, Laws of Utah 2010

HB 426 Bail Bond Licensee Representation Amendments *(Stephen E. Sandstrom)*

This bill modifies the Bail Bond Recovery Act regarding use of badges and identifying clothing by licensees.

This bill:

- ▶ allows licensees under the Bail Bond Recovery Act to display and wear a badge of a design authorized and approved by the Bail Bond Recovery Licensure Board if the licensee also displays lettering on clothing that indicates the licensee is a bail enforcement or recovery agent; and
- ▶ allows the licensee to wear a distinctive jacket bearing an insignia indicating the wearer is a bail enforcement or recovery agent, if the insignia is approved by the board.

Amends 53-11-121

Effective May 11, 2010

Chapter 348, Laws of Utah 2010

HB 431 Identity Verification by Department of Commerce *(Michael T. Morley)*

This bill modifies general government provisions to address identity documents and verification by the Department of Commerce.

This bill:

- ▶ exempts the Department of Commerce from certain verification requirements when issuing a license if certain conditions are met; and
- ▶ makes technical changes.

Amends 63G-11-104

Effective May 11, 2010

Chapter 191, Laws of Utah 2010

HB 433 Foreign Exchange Student Amendments *(Carl Wimmer)*

This bill requires a school district to accept certain students participating in a foreign exchange program.

This bill:

- ▶ requires a school district or charter school to accept a student participating in a foreign exchange program if another student from the same school is participating in the same exchange program outside the country; and
- ▶ makes technical changes.

Amends 53A-2-206

Effective May 11, 2010

Chapter 349, Laws of Utah 2010

HB 435 Dixie State College - Nonprofit Entities *(Don L. Ipson)*

This bill allows Dixie State College to form nonprofit corporations or foundations for certain purposes.

This bill:

- ▶ allows Dixie State College to form nonprofit corporations or foundations for certain purposes.

Enacts 53B-16-501

Effective May 11, 2010

Chapter 147, Laws of Utah 2010

HB 438 Transportation Modifications *(Rebecca D. Lockhart)*

This bill modifies the Sales and Use Tax Act by amending provisions relating to transportation funding.

This bill:

- ▶ for the fiscal year 2010-11 only, reduces the amount of sales and use tax revenue that is deposited into the Centennial Highway Fund Restricted Account from 8.3% to 1.93%; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 59-12-103

Effective July 1, 2010

Chapter 412, Laws of Utah 2010

HB 440 Veterans' Nursing Home Reimbursement Restricted Account *(Ron Bigelow)*

This bill creates a restricted account within the General Fund for reimbursement funds from the federal government for the construction of veterans' nursing homes.

This bill:

- ▶ creates a restricted account for reimbursement funds from the federal government for the construction of veterans' nursing homes;
- ▶ requires that all interest and other amounts generated by the account be deposited into the General Fund; and
- ▶ restricts the use of the account to match federal funding for construction of future veterans' nursing homes.

Enacts 71-11-11

Effective May 11, 2010

Chapter 148, Laws of Utah 2010

HB 450 Fishing License Amendments - Disabled Veterans (*Tim M. Cosgrove*)

This bill allows the Division of Wildlife Resources to make rules under which a disabled veteran may receive a free or reduced price fishing license.

This bill:

- ▶ allows the Division of Wildlife Resources to make rules under which a disabled veteran may receive a free or reduced price fishing license.

Enacts 23-19-38.3

Effective May 11, 2010

Chapter 192, Laws of Utah 2010

HB 452 Collection Fees (*Stephen E. Sandstrom*)

This bill modifies the Collection Agencies title to provide for the imposition of collection fees under certain circumstances.

This bill:

- ▶ provides when a creditor may impose a collection fee;
- ▶ addresses the amount of a collection fee; and
- ▶ provides that the collection fee is in addition to any attorney fees.

Enacts 12-1-11

Effective May 11, 2010

Chapter 350, Laws of Utah 2010

HB 459 Health Amendments (*David Clark*)

This bill amends provisions related to transparency and health benefits in the Insurance Code and the Medicaid program.

This bill:

- ▶ requires accountability and transparency from the state Medicaid program;
- ▶ requires an insurer to provide information to consumers regarding health insurance policies; and
- ▶ requires greater choice of benefit plans for employers in the defined contribution market of the health insurance exchange.

This bill coordinates with H.B. 294, Health System Reform Amendments, by substantively superseding a provision.

This bill coordinates with H.B. 39, Insurance Related Amendments, by providing substantive changes.

Amends 26-18-2.3, 26-18-3, 31A-22-613.5, 31A-22-722.5, 31A-30-205

Effective March 23, 2010

Chapter 149, Laws of Utah 2010

HB 461 Children's Health Insurance Program (*John Dougall*)

This bill modifies provisions of the Utah Children's Health Insurance Act.

This bill:

- ▶ deletes provisions requiring the Department of Health, when contracting for services for the Utah Children's Health Insurance Program, to accept a bidder that offers or provides access to two different provider networks.

Amends 26-40-110

Effective May 11, 2010

Chapter 351, Laws of Utah 2010

HB 462 Criminal Homicide and Abortion Revisions (*Carl Wimmer*)

This bill amends provisions of the Utah Criminal Code to describe the difference between abortion and criminal homicide of an unborn child and to remove prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child.

This bill:

- ▶ provides that, for aggravated murder, the aggravating factor of the victim being under the age of 14 years does not apply to the homicide of an unborn child;
- ▶ provides that a person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person refused to consent to medical treatment or a cesarean section or failed to follow medical advice;
- ▶ provides that a woman is not guilty of criminal homicide of her own unborn child if the death of her unborn child:
 - is caused by a criminally negligent or reckless act of the woman; and
 - is not caused by an intentional or knowing act of the woman;
- ▶ defines terms, including amending the definition of abortion to relate only to a medical procedure carried out by a physician, or through a substance used under the direction of a physician, with the consent of the woman on whom the abortion is performed;
- ▶ describes the difference between abortion and criminal homicide of an unborn child;
- ▶ removes prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child;
- ▶ clarifies that a woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by law; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

This bill coordinates with H.B. 12, Criminal Homicide and Abortion Amendments, by providing superseding amendments.

Amends 76-5-201, 76-5-202, 76-7-301, 76-7-302, 76-7-314, 76-7-314.5, 76-7-327;

Enacts 76-7-301.5;

Repeals 76-7-329

Effective March 8, 2010

Chapter 13, Laws of Utah 2010

HB 464 Family Health Services RFPS - Tobacco Settlement Funds (*John Dougall*)

This bill requires the Department of Health to use the RFP process to provide services with Tobacco Settlement funds and makes a one-time deposit into the General Fund from Tobacco Settlement funds.

This bill:

- ▶ requires that the Department of Health provide services with Tobacco Settlement money through the RFP process; and
- ▶ makes a one-time deposit of \$11,350,900 from funds received under the Tobacco Settlement into the General Fund.

Amends 51-9-202;

Enacts 26-10-8

Effective May 11, 2010

Chapter 413, Laws of Utah 2010

HCR 1 Concurrent Resolution on International Trade and State Governments (*Sheryl L. Allen*)

This concurrent resolution of the Legislature and the Governor urges Congress to improve federal-state consultation on international trade, including improving the availability of data to states necessary to evaluate the impact of free trade agreements on economic development within the states and state authority.

This resolution:

- ▶ urges Congress to improve federal-state consultation on matters of international trade and improve the availability of data to states regarding international trade agreements and their impact on the states; and
- ▶ provides for the distribution of the resolution.

The original bill was recommended by the Utah International Trade Commission

Effective March 22, 2010

Laws of Utah 2010

HCR 2 Concurrent Resolution on States' Rights (*Julie Fisher*)

This concurrent resolution of the Legislature and the Governor strongly urges the federal government and United States Congress to repeal and prohibit regulations and laws that do or would infringe upon the rights of states under the Tenth Amendment to the United States Constitution.

This resolution:

- ▶ claims state sovereignty under the Tenth Amendment to the United States Constitution over certain powers;
- ▶ rejects interpretations of the Tenth Amendment to the United States Constitution, alone or in combination with other portions of the Constitution, that would dilute the plain intent of the Tenth Amendment;
- ▶ strongly urges the United States Congress and the federal government to repeal regulations and laws that infringe upon the rights of states under the Tenth Amendment; and
- ▶ strongly urges the United States Congress and the federal government to prohibit future regulations and laws from infringing upon the rights of states under the Tenth Amendment.

Effective March 23, 2010

Laws of Utah 2010

HCR 3 Italian-american Heritage Month Concurrent Resolution (*Christine F. Watkins*)

This concurrent resolution of the Legislature and the Governor designates October 2010, as Italian-American Heritage Month.

This resolution:

- ▶ designates the month of October 2010, as Italian-American Heritage Month in the state of Utah; and
- ▶ recognizes the many contributions made by Italian-Americans to the history and development of the state of Utah.

Effective March 26, 2010

Laws of Utah 2010

HCR 4 Veterans Freedom Memorial Concurrent Resolution (*Gregory H. Hughes*)

This concurrent resolution of the Legislature and the Governor expresses support for the creation of a Utah Freedom Memorial Park and recommends a funding study.

This resolution:

- ▶ expresses support for the creation of a Utah Freedom Memorial Park to honor all of Utah's military, from statehood through the current war on terrorism, and to educate both children and adults on the cost of freedom and the opportunities of citizenship; and
- ▶ recommends that a study be conducted during the 2010 Legislative Interim to review the scope of the project and ways that state and local governments may assist in the planning, funding, and furthering of the project.

Effective March 25, 2010

Laws of Utah 2010

HCR 5 Concurrent Resolution Recognizing the 100th Anniversary of the Boy Scouts of America (*Bradley M. Daw*)

This concurrent resolution of the Legislature and the Governor recognizes the 100th Anniversary of the Boy Scouts of America.

This resolution:

- ▶ recognizes the 100th Anniversary of the Boy Scouts of America and expresses appreciation for the service and character building that the organization has provided through its dedication to the youth of Utah.

Effective February 26, 2010

Laws of Utah 2010

HCR 7 Credit Scores Concurrent Resolution (*Douglas C. Aagard*)

This concurrent resolution of the Legislature and the Governor urges Congress to ensure that consumers can annually obtain their credit report from the nation's three major credit agencies at no cost to the consumer.

This resolution:

- ▶ urges the United States Congress to amend federal law to ensure that consumers have the right to access their Fair Isaac Corporation credit scores from the nation's three major credit agencies annually at no cost.

Effective March 23, 2010

Laws of Utah 2010

HCR 8 Concurrent Resolution on Federal Health Care Reform (*David Clark*)

This concurrent resolution of the Legislature and Governor urges Congress to refuse to pass any health care legislation that contains certain provisions, urges Congress to pass health care legislation with specific provisions, and urges Congress, should it pass health reform legislation that further restricts states, to grandfather certain state laws, regulations, and practices.

This resolution:

- ▶ urges Congress to refuse to enact, and the President of the United States to refuse to sign, any legislation that imposes further restrictions on any state's ability to regulate the payment and delivery of health care, imposes additional financial burden related to health care on any state, or limits the ability of consumers and businesses to create innovative models for higher quality, lower cost health care;
- ▶ urges Congress to pass, and the President to sign, legislation that grants states greater flexibility under federal laws and regulations related to health care and encourages states to create health reform demonstration projects with the potential for replication elsewhere; and
- ▶ urges that should Congress pass, and the President sign, legislation that further restricts states in any manner, the legislation recognize states' efforts to reform health care by grandfathering any state laws, regulations, or practices intended to contain costs, improve quality, increase consumerism, or otherwise implement health system reform concepts.

Effective March 22, 2010

Laws of Utah 2010

HCR 9 Autism, Disabilities, and Faith Concurrent Resolution (*Ronda Rudd Menlove*)

This concurrent resolution of the Legislature and the Governor designates April 26 - May 2 as Autism, Disabilities, and Faith Week, and recognizes the importance of fully integrating persons with autism and disabilities and their families into all Utah faith-based organizations.

This resolution:

- ▶ designates April 26 - May 2, 2010, as Autism, Disabilities, and Faith Week in the state of Utah; and
- ▶ recognizes the importance of fully integrating persons with autism and disabilities and their families into all Utah faith-based organizations.

Effective March 26, 2010

Laws of Utah 2010

HCR 11 Taiwan Concurrent Resolution (*Rebecca D. Lockhart*)

This concurrent resolution of the Legislature and the Governor reaffirms their friendship with the people of Taiwan and urges the Obama Administration to support Taiwan's meaningful participation in United Nations specialized agencies, programs, and conventions.

This resolution:

- ▶ reaffirms the Legislature's and Governor's friendship with the people of Taiwan and urges the Obama Administration to support Taiwan's meaningful participation in United Nations specialized agencies, programs, and conventions; and
- ▶ expresses support for a strong and deepening relationship between Utah and Taiwan.

Effective March 22, 2010

Laws of Utah 2010

HCR 12 Printing and Graphic Arts Recognition Month Concurrent Resolution (*Bradley M. Daw*)

This concurrent resolution of the Legislature and the Governor designates April 2010, as Utah Printing and Graphic Arts Recognition Month.

This resolution:

- ▶ designates the month of April 2010, as Printing and Graphic Arts Recognition Month in the state of Utah;
- ▶ recognizes the many contributions made by the printing and graphic arts industries to the history and development of the state of Utah; and
- ▶ encourages institutions of learning, communities, and all individuals who benefit from the use of the printing and graphic arts professions to learn more of their value to Utah's culture and history.

Effective March 29, 2010

Laws of Utah 2010

HCR 13 Concurrent Resolution on Providing Continuing Federal Financial Assistance for the Delivery of Basic Services to Dutch John, Utah (*Melvin R. Brown*)

This concurrent resolution of the Legislature and the Governor urges the United States Government and the Secretary of the Interior to provide continued financial assistance to defray the costs of administration and basic community services for residents of Dutch John, Utah.

This resolution:

- ▶ urges the United States Government and the Secretary of the Interior to provide continued financial assistance of \$500,000 per year for 15 years to Daggett County to defray the costs of administration and basic community services for the residents of Dutch John, Utah.

Laws of Utah 2010

HCR 14 R.S. 2477 Historic Roads Concurrent Resolution (*Michael E. Noel*)

This concurrent resolution of the Legislature and the Governor addresses the lack of federal recognition of any R.S. 2477 highway rights across federally managed lands in Utah and encourages federal recognition of these rights.

This resolution:

- ▶ strongly encourages the United States Government to immediately begin to recognize valid state and local government rights-of-way across federally managed lands and refrain from all actions to restrict and close historic and other valid public highways in Utah;
- ▶ encourages state and local government agencies to seek federal administrative recognition of established R.S. 2477 rights across federally managed lands through a Recordable Disclaimer of Interest process;
- ▶ encourages counties to join with the state in adjudicating public highway rights-of-way, without further delay, as necessary to preserve and protect the public's right to enjoy the continued use of historic highways throughout the state;
- ▶ recognizes the fiduciary duty of elected and appointed officials to protect highway rights they manage in trust for the public; and
- ▶ strongly encourages federal officials to refrain from pressuring state and local officials to accept lesser Federal Land Policy Management Act Title V permits or maintenance agreements on roads for which substantial evidence of a valid R.S. 2477 right-of-way exists, because the permits and agreements diminish or eradicate property rights granted to Utahns by Congress under R.S. 2477.

Effective March 29, 2010

Laws of Utah 2010

HCR 15 Resolution to the Secretary of Transportation on Revocation of Driver Licenses
(Rebecca D. Lockhart)

This concurrent resolution of the Legislature and the Governor expresses opposition to a federal requirement that the state of Utah pass a law requiring revocation or suspension of a person's driver license for any drug-related offense, and expresses the Legislature's and the Governor's determination that Utah law will provide exceptions to the revocation or suspension of a driver license for any drug-related offense.

This resolution:

- ▶ expresses the Legislature's and the Governor's opposition to a federal requirement that the state pass a law requiring revocation or suspension of a person's driver license for any drug-related offense; and
- ▶ expresses the Legislature's and the Governor's determination that Utah will enforce its own law, which provides that persons convicted of certain drug-related offenses will not have their driver licenses revoked if:
 - the violation did not involve a motor vehicle; and
 - the convicted person is participating in or has successfully completed substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole.

Effective March 29, 2010

Laws of Utah 2010

HCR 16 Statue of Responsibility Monument Concurrent Resolution (Michael T. Morley)

This concurrent resolution of the Legislature and the Governor expresses support for the Statue of Responsibility Monument and acknowledges Utah's historic role in its creation as that of "Utah - Birth Place of the Statue of Responsibility".

This resolution:

- ▶ expresses support for the creation of the Statue of Responsibility Monument, which will firmly and boldly declare to our nation, and to the world, the sublime message that with great liberty comes great responsibility;
- ▶ recognizes the state of Utah's claim to the honorable moniker as the "Birth Place of the Statue of Responsibility"; and
- ▶ encourages concerned Utahns to assist in the building of what has been called "the most compelling monument project to freedom of the 21st Century."

Effective March 23, 2010

Laws of Utah 2010

HCR 17 Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah (*Michael E. Noel*)

This concurrent resolution of the Legislature and the Governor urges the President of the United States and the United States Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah.

This resolution:

- ▶ expresses opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate;
- ▶ urges the President of the United States and the United States Congress to refrain from using the Antiquities Act to designate new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah;
- ▶ declares that this unchecked exercise of power concentrated in the President portends serious consequences for Utah and essentially coronates the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen;
- ▶ urges Congress to check the President's authority to exercise this power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument;
- ▶ expresses support for S 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by the express authorization of Congress; and
- ▶ calls on the United States government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise to convey the federal public lands to Utah for proper care and management, consistent with the Constitution's Framers' original intent.

Effective March 29, 2010

Laws of Utah 2010

HCR 18 Workforce Needs Concurrent Resolution (*Brad L. Dee*)

This concurrent resolution of the Legislature and the Governor strongly urges the State Board of Regents to study and review certain workforce needs in Northern Utah and to report its findings to the Legislature and the Governor.

This resolution:

- ▶ strongly urges the State Board of Regents to study the workforce needs associated with the future expansion and support of Hill Air Force Base, the Falcon Hill Enhanced Use Lease Agreement, and the Falcon Hill National Aerospace Research Park;
- ▶ strongly urges the State Board of Regents to review, in collaboration with the Aerospace Cluster Acceleration Project, the economic and workforce needs of Weber and Davis Counties;
- ▶ strongly urges the State Board of Regents to consider academic programs to meet the economic development and workforce needs in Weber and Davis Counties, including Weber State University's proposed Bachelor of Science in Electronics Engineering, in accordance with Section 53B-16-102, Utah Code Annotated, and board policy;
- ▶ strongly urges the State Board of Regents to report its findings and actions to the Speaker of the House of Representatives, the President of the Senate, and the Governor by no later than October 31, 2010, including the status of Weber State University's application for a proposed Bachelor of Science in Electronics Engineering; and
- ▶ urges the State Board of Regents to also report its findings and actions to the Legislature's Education Interim Committee by the October 2010 Interim meeting, including the status of Weber State University's application for a proposed Bachelor of Science in Electronics Engineering.

Effective March 22, 2010

Laws of Utah 2010

HJR 2 Joint Resolution on Property Tax Exemption for Water Facilities (*Patrick Painter*)

This joint resolution of the Legislature proposes to amend the Utah Constitution to enact a property tax exemption related to certain property associated with water.

This resolution proposes to amend the Utah Constitution to:

- ▶ enact a property tax exemption for:
 - certain property owned by a nonprofit entity and used within the State to irrigate land, provide domestic water, or provide water to a public water supplier;
 - land occupied by certain exempt facilities if the land is owned by the nonprofit entity that owns the facilities; and
 - land adjacent to those facilities if the land is owned by the nonprofit entity that owns the facilities and is reasonably necessary for the maintenance or for otherwise supporting the operation of the facilities.

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

Utah Constitution Sections Affected:AMENDS:ARTICLE XIII, SECTION 3

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The original bill was recommended by the Revenue and Taxation Interim Committee / Utah Constitutional Revision Commission / State Water Development Commission

Amends A13 S3

Effective January 1, 2011

Laws of Utah 2010

HJR 3 Joint Resolution on Teacher Performance Pay (*Marie H. Poulson*)

This joint resolution of the Legislature recommends that performance pay or differentiated pay plans for public school teachers be developed using certain guiding principles.

This resolution:

- ▶ recommends that the goal of any future efforts to develop performance pay or differentiated pay plans for public school teachers should be to ensure that there is a quality teacher in every classroom; and
- ▶ recommends that any proposed performance pay or differentiated pay plan for public school teachers should promote student achievement and support quality instruction, be adequately funded by a sustainable revenue source, promote collaboration, be flexible and responsive to local needs, use fair and objective criteria, be open to all who are eligible, and be in alignment with existing programs and school improvement plans.

Effective February 26, 2010

Laws of Utah 2010

HJR 5 Joint Resolution on Clean Air (*Carol Spackman Moss*)

This joint resolution of the Legislature encourages the citizens of Utah to eliminate all unnecessary idling of motor vehicles.

This resolution:

- ▶ encourages Utahns to eliminate unnecessary idling of their motor vehicles to protect public health and the environment, reduce air pollution, conserve fuel, and protect motor vehicle performance.

Effective February 24, 2010

Laws of Utah 2010

HJR 6 Strangulation and Domestic Violence Joint Resolution (*Jennifer M. Seelig*)

This joint resolution of the Legislature urges state and local law enforcement officers and prosecutors to investigate and prosecute as felonies assaults in which the defendant applied force to the neck or throat of the victim.

This resolution:

- ▶ urges state and local law enforcement officers and prosecutors to investigate and prosecute as felonies all assaults in which the evidence shows that the defendant applied force to the neck or throat of the victim, creating a substantial likelihood of impediment to the victim's normal breathing or circulation.

Effective March 4, 2010

Laws of Utah 2010

HJR 9 Resolution in Support of Veterans' Nursing Home (*Curtis Oda*)

This joint resolution of the Legislature strongly encourages the United States Department of Veterans Affairs to prioritize Utah for the construction of an additional veterans' nursing home.

This resolution:

- ▶ strongly encourages the United States Department of Veterans Affairs to prioritize Utah for the construction of an additional veterans' nursing home; and
- ▶ encourages any and all efforts by the state of Utah to continue helping veterans acquire properties and build a veterans' nursing home in central and southern Utah.

Effective February 26, 2010

Laws of Utah 2010

HJR 10 Joint Resolution Opposing the Establishment of a Federal Commission on State Workers' Compensation Laws (*Michael T. Morley*)

This joint resolution of the Legislature supports the state-based workers' compensation system and opposes federal efforts that would undermine the system.

This resolution:

- ▶ expresses strong support for the current state-based workers' compensation system and opposes proposed federal legislation that would lead to broadening the federal role in that system; and
- ▶ opposes H.R. 635 of the 111th United States Congress, which would establish a National Commission on State Workers' Compensation Laws, because the Commission's evaluation could lead to recommendations that would erode the independence of the state-based workers' compensation benefit delivery system, would seek to impose federal benefit delivery system rules, which Congress would be expected to approve, that inherently interfere with state benefit systems, would increase system costs nationwide, and would frustrate efforts of the states to contain costs.

Effective February 18, 2010

Laws of Utah 2010

HJR 11 Joint Resolution Regarding Federal Health Insurance Reform (*Michael T. Morley*)

This joint resolution of the Legislature urges the United States Congress to refrain from passing certain federal health insurance reforms.

This resolution:

- ▶ urges the United States Congress to refrain from instituting a new federal review, oversight, or preemption of state health insurance laws, to refrain from creating a federal health insurance exchange or connector, and to refrain from creating a federal health insurance public plan option.

Effective February 18, 2010

Laws of Utah 2010

HJR 12 Climate Change Joint Resolution (*Kerry W. Gibson*)

This joint resolution of the Legislature urges the United States Environmental Protection Agency to cease its carbon dioxide reduction policies, programs, and regulations until climate data and global warming science are substantiated.

This resolution:

- ▶ urges the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and withdraw its "Endangerment Finding" and related regulations until a full and independent investigation of climate data and global warming science can be substantiated.

Effective February 26, 2010

Laws of Utah 2010

HJR 13 Recognition of Community Councils and the Association of Community Councils Together Joint Resolution (*Susan Duckworth*)

This joint resolution of the Legislature recognizes the 25th Anniversary of the Community Councils of Unincorporated Salt Lake County and expresses thanks and support for their work as partners with Salt Lake County government to provide advice and input on behalf of its residents for the betterment of their communities.

This resolution:

- ▶ recognizes the 25th Anniversary of the adoption of Salt Lake County Ordinance, Chapter 2.56, Community Districts and Community Councils, which established the relationship between the community councils of the unincorporated communities of Salt Lake County and their valley-wide organization, the Association of Community Councils Together (ACCT); and
- ▶ recognizes the service, work, and achievements the community councils and the ACCT have performed in providing a voice for the benefit of the residents of unincorporated Salt Lake County.

Effective February 26, 2010

Laws of Utah 2010

HJR 14 Joint Rules Resolution on Financial Disclosures (*Gregory H. Hughes*)

This resolution modifies provisions of the Legislative Joint Rules relating to the declaration and disclosure of conflicts of interest and filing financial disclosures.

This resolution:

- ▶ modifies and creates definitions;
- ▶ requires each legislator to file a financial disclosure form;
- ▶ provides filing deadlines and requirements for the form;
- ▶ specifies the content of the form;
- ▶ requires the form to be made available on the Internet and in legislative offices; and
- ▶ makes technical changes.

This resolution provides an immediate effective date.

Legislative Rules Affected:AMENDS:JR6-1-201

Amends JR6-1-201

Effective March 4, 2010

Laws of Utah 2010

HJR 15 Joint Resolution on Legislative Ethics Commission *(David Clark)*

This joint resolution of the Legislature proposes to amend the Utah Constitution to establish a legislative ethics commission.

This resolution proposes to amend the Utah Constitution to:

- ▶ establish a legislative ethics commission and define its authority; and
- ▶ authorize the Legislature to provide by rule for complaint filing procedures and requirements, for the qualifications, appointment, and terms of commission members, and for commission duties, powers, operations, and procedures.

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

Utah Constitution Sections Affected:AMENDS:ARTICLE VI, SECTION 10

Amends A6 S10

Effective January 1, 2011

Laws of Utah 2010

HJR 16 Joint Resolution Supporting Kane County Expansion of Correctional Facilities *(Michael E. Noel)*

This joint resolution of the Legislature supports the expansion of correctional facilities in Kane County through a contract with the Utah Department of Corrections.

This resolution:

- ▶ supports Kane County's expansion of its correctional facilities by means of a contract between the county and the Utah Department of Corrections.

Effective March 11, 2010

Laws of Utah 2010

HJR 19 Joint Resolution Approving Reappointment of Legislative Auditor General *(David Clark)*

This joint resolution of the Legislature reappoints John M. Schaff as Legislative Auditor General.

This resolution:

- ▶ reappoints John M. Schaff as Legislative Auditor General for a six-year term beginning November 9, 2010.

Effective February 25, 2010

Laws of Utah 2010

HJR 21 Joint Resolution on Energy Policy *(Michael E. Noel)*

This joint resolution urges that Utah withdraw from the Western Climate Initiative.

This resolution:

- ▶ urges the Governor to withdraw Utah from the Western Climate Initiative.

Effective March 11, 2010

Laws of Utah 2010

HJR 22 Joint Resolution Recognizing the 75th Anniversary of the Utah Highway Patrol*(Don L. Ipson)*

This joint resolution of the Legislature recognizes the 75th anniversary of the formation of the Utah Highway Patrol and its service to the citizens of Utah.

This resolution:

- ▶ recognizes the 75th anniversary of the Utah Highway Patrol and its continued exceptional service to the state of Utah and its motoring public.

Effective February 16, 2010

Laws of Utah 2010

HJR 23 Joint Resolution Approving the Sale of Real Property At the Utah State Developmental Center *(Craig A. Frank)*

This joint resolution of the Legislature grants approval for the sale of a parcel of land associated with the Utah State Developmental Center by the Division of Facilities Construction and Management.

This resolution:

- ▶ approves the sale of the 2.929-acre parcel of land at the Utah State Developmental Center (USDC) to Utah County for the widening of 4800 West, which runs along the east side of the USDC in American Fork.

Effective March 4, 2010

Laws of Utah 2010

HJR 26 Joint Resolution Approving Water Rights Addendum Form *(Ben C. Ferry)*

This joint resolution of the Legislature adopts the water rights addendum to land deeds and the water rights addendum to water rights deeds.

This resolution adopts:

- ▶ the water rights addendum to land deeds; and
- ▶ the water rights addendum to water deeds.

Effective March 10, 2010

Laws of Utah 2010

HJR 27 Authentic Charity Health Care Joint Resolution *(Merlynn T. Newbold)*

This joint resolution of the Legislature recognizes authentic charity care and urges community, citizen, and medical community support of authentic charity care throughout the state.

This resolution:

- ▶ recognizes authentic charity care as a key component of state health care policy;
- ▶ expresses support for preserving the integrity of authentic charity care as medical care provided without cost to patients and without payment, or government reimbursement, to providers;
- ▶ urges community leaders and the citizens of Utah to become community partners with existing authentic charity care clinics;
- ▶ urges the citizens of Utah to consider voluntarily supporting Utah's existing charity care clinics, to assist in establishing clinics in communities where they do not currently exist, and to seek out opportunities to collaborate and coordinate charitable health care efforts throughout the state; and
- ▶ urges Utah's medical professionals and health care providers to turn their collective attention and benevolence to providing authentic charity care throughout the state.

Effective March 4, 2010

Laws of Utah 2010

HJR 30 War Veterans' Memorial on Capitol Hill Joint Resolution *(Rebecca Chavez-Houck)*

This joint resolution of the Legislature expresses support for efforts to create a monument at the Utah State Capitol Complex to honor war veterans whose suffering continued after their military service.

This resolution:

- ▶ expresses support for the creation of a memorial on the Utah State Capitol Complex grounds for veterans of foreign wars who have suffered and died from war-related injuries received during their military service; and
- ▶ expresses support for the memorial as a fitting tribute to those whose sacrifices continued after their military service.

Effective March 10, 2010

Laws of Utah 2010

HJR 31 House Joint Rules Legislative Review Note Procedures Amendments *(Ben C. Ferry)*

This resolution modifies procedures governing legislative review notes.

This resolution:

- ▶ requires the legislative general counsel to place an amended legislative review note on a bill or resolution when an amendment or a substitute substantively changes the legislation's constitutionality.

Legislative Rules Affected:AMENDS:JR4-2-402

Amends JR4-2-402

Effective March 10, 2010

Laws of Utah 2010

HJR 32 Joint Resolution Approving the Pelt Case Final Settlement Agreement *(David Clark)*

This resolution approves the final settlement agreement in the Pelt case.

This resolution:

- ▶ approves the final settlement agreement in the Pelt v. State of Utah case.

Effective March 10, 2010

Laws of Utah 2010

HJR 33 Marking of Underground Utilities Joint Resolution *(Melvin R. Brown)*

This joint resolution of the Legislature strongly urges the Public Service Commission to establish underground conduit and marking standards.

This resolution:

- ▶ urges the Public Service Commission to review, in conjunction with utility companies, methods of marking underground utilities; and
- ▶ urges that the review take into account currently existing products that can provide a uniform system of marking underground utilities.

Effective March 10, 2010

Laws of Utah 2010

HJR 34 Joint Resolution on Hospital Claims Management *(Bradley G. Last)*

This joint resolution amends a rule of evidence relating to expressions of apology in medical malpractice actions.

This resolution:

- ▶ amends Rule 409 of the Utah Rules of Evidence; and
- ▶ makes expressions of apology, sympathy, condolences, and the like inadmissible against the health care provider.

This resolution provides an immediate effective date.

Utah Rules of Evidence Affected:AMENDS:

Amends Rule 409

Effective March 9, 2010

Laws of Utah 2010

HR 1 Healthy Family Partnership House Resolution *(Curtis Oda)*

This resolution of the House of Representatives urges that age appropriate materials on family violence prevention be made available in Utah's public schools and that state government continue community partnerships to help youth prevent family and dating violence.

This resolution:

- ▶ encourages the Utah State Board of Education and the Utah State Board of Regents, as resources permit, to ensure that all middle school, junior high, senior high, and post-secondary education programs in the state provide timely and age appropriate materials on the dangers of family and dating violence, how to identify the problem, how to get help, and how to provide support for friends or siblings caught in an abusive situation; and
- ▶ encourages the Department of Human Services to ensure, as resources permit, that high risk families receive violence prevention services, which research has shown significantly reduces the incidence of child abuse and domestic violence while providing the Utah taxpayer with a significant cost benefit advantage.

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

Effective February 2, 2010

Laws of Utah 2010

HR 3 House Rules Resolution - Recodification and Revisions (*Ben C. Ferry*)

This resolution recodifies and revises House Rules.

This resolution:

- ▶ reorganizes, renumbers, and makes corrections and additions to House Rules.

Legislative Rules Affected:

Enacts HR1-1-101, HR1-1-102, HR1-1-103, HR1-2-101, HR1-3-101, HR1-3-102, HR1-3-103, HR1-4-101, HR1-4-102, HR1-4-201, HR1-4-202, HR1-5-101, HR1-5-102, HR1-5-103, HR1-5-201, HR1-5-202, HR1-5-301, HR1-5-302, HR1-5-303, HR1-6-101, HR1-7-101, HR1-7-102, HR1-7-103, HR1-7-104, HR2-1-101, HR2-1-102, HR2-2-101, HR2-2-102, HR2-2-103, HR2-2-104, HR2-2-105, HR2-2-106, HR2-3-101, HR2-4-101, HR2-4-102, HR2-4-103, HR2-4-104, HR2-4-105, HR2-5-101, HR3-1-101, HR3-1-102, HR3-1-103, HR3-1-104, HR3-1-105, HR3-1-201, HR3-2-101, HR3-2-102, HR3-2-103, HR3-2-104, HR3-2-201, HR3-2-202, HR3-2-301, HR3-2-302, HR3-2-303, HR3-2-304, HR3-2-401, HR3-2-402, HR3-2-403, HR3-2-404, HR3-2-405, HR3-2-406, HR3-2-407, HR3-2-408, HR3-2-409, HR3-2-410, HR3-2-501, HR3-2-502, HR3-2-503, HR3-2-504, HR3-2-505, HR3-2-506, HR3-2-601, HR4-1-101, HR4-2-101, HR4-2-102, HR4-2-103, HR4-2-104, HR4-2-201, HR4-2-202, HR4-3-101, HR4-3-102, HR4-3-103, HR4-3-104, HR4-3-201, HR4-3-202, HR4-3-301, HR4-3-302, HR4-4-101, HR4-4-201, HR4-4-202, HR4-4-203, HR4-4-301, HR4-4-401, HR4-4-501, HR4-5-101, HR4-5-102, HR4-5-103, HR4-6-101, HR4-6-102, HR4-6-103, HR4-6-104, HR4-6-105, HR4-6-106, HR4-6-107, HR4-6-108, HR4-6-109, HR4-6-110, HR4-6-201, HR4-6-202, HR4-6-203, HR4-7-101, HR4-7-102, HR4-7-103, HR4-7-104, HR4-7-105, HR4-7-106, HR4-7-201, HR4-7-202, HR4-7-203, HR4-8-101, HR4-8-102, HR4-8-103, HR4-8-104, HR4-8-105, HR4-9-101, HR4-9-102, HR4-9-103, HR5-1-101, HR5-2-101, HR5-3-101, HR5-3-102, HR5-3-103, HR5-3-104;

Repeals HR-20.01, HR-20.02, HR-20.03, HR-20.04, HR-20.05, HR-20.06, HR-20.07, HR-20.08, HR-21.01, HR-21.02, HR-22.01, HR-22.02, HR-22.03, HR-22.04, HR-22.05, HR-22.06, HR-22.07, HR-22.08, HR-22.09, HR-22.10, HR-23.01, HR-23.02, HR-23.03, HR-23.04, HR-23.05, HR-23.06, HR-23.07, HR-23.08, HR-23.09, HR-23.10, HR-23.11, HR-23.13, HR-24.01, HR-24.02, HR-24.03, HR-24.05, HR-24.06, HR-24.07, HR-24.08, HR-24.09, HR-24.10, HR-24.11, HR-24.12, HR-24.14, HR-24.15, HR-24.16, HR-24.17, HR-24.18, HR-24.19, HR-24.20, HR-24.21, HR-24.22, HR-24.23, HR-24.24, HR-24.25, HR-24.26, HR-24.27, HR-24.28, HR-24.29, HR-24.30, HR-24.33, HR-25.01, HR-25.03, HR-25.04, HR-25.05, HR-25.08, HR-25.09, HR-25.10, HR-25.11, HR-25.12, HR-25.13, HR-25.14, HR-25.15, HR-26.01, HR-26.02, HR-27.01, HR-27.02, HR-27.03, HR-27.04, HR-27.05, HR-27.07, HR-27.08, HR-27.09, HR-27.10, HR-27.11, HR-27.12, HR-27.13, HR-27.14, HR-27.15, HR-27.16, HR-27.17, HR-28.01, HR-28.02, HR-28.03, HR-28.04, HR-28.05, HR-28.06, HR-29.01, HR-29.02, HR-29.03, HR-29.04, HR-29.05, HR-29.06, HR-30.01, HR-30.02, HR-30.03, HR-30.04, HR-30.05, HR-30.06, HR-30.07, HR-30.08, HR-30.09, HR-31.01, HR-31.02, HR-31.03, HR-31.04, HR-31.05, HR-31.06, HR-32.01, HR-32.02, HR-32.03, HR-32.04, HR-33.01, HR-33.02, HR-33.03, HR-33.04, HR-33.05, HR-33.06, HR-34.01, HR-34.02, HR-34.03, HR-35.01, HR-36.01, HR-36.03, HR-36.04, HR-36.05, HR-37.10, HR-38.01, HR-38.02, HR-38.03, HR-38.04, HR-38.05, HR-38.06, HR-38.07

Effective February 5, 2010

Laws of Utah 2010

HR 4 Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty
(Jennifer M. Seelig)

This resolution of the House of Representatives requests that the United States Senate provide its advice and consent for ratification of the Comprehensive Test Ban Treaty.

This resolution:

- ▶ strongly urges the President of the United States to submit the Comprehensive Test Ban Treaty to the United States Senate; and
- ▶ strongly urges the United States Senate to promptly give its advice and consent for ratification of the Treaty.

Effective March 8, 2010

Laws of Utah 2010

HR 8 Resolution Recognizing Energy Innovation in the State of Utah *(Eric K. Hutchings)*

This resolution of the House of Representatives expresses support for policies that promote and foster energy innovation development in the state of Utah.

This resolution:

- ▶ expresses support for policies that promote and foster energy innovation development in the state of Utah to increase employment, potentially increase education funding, and make the state a national and international leader in new processes and technologies.

Effective March 5, 2010

Laws of Utah 2010

HR 9 Speaker's Powers Amendments *(Kevin S. Garn)*

This resolution enacts a rule providing for the approval of a meeting or activity.

This resolution:

- ▶ defines a term;
- ▶ authorizes the Speaker to approve certain meetings or activities that are not expenditures under Title 36, Chapter 11, Lobbyist Disclosure and Regulation Act;
- ▶ requires a Representative to submit a written request for approval; and
- ▶ requires the posting of the written request and approval on the House's website within two business days.

Legislative Rules Affected: ENACTS:HR5-4-101

Enacts HR5-4-101

Effective March 8, 2010

Laws of Utah 2010

SB 1 State Agency and Higher Education Base Budget (*Lyle W. Hillyard*)

State Agency and Higher Education Base Budget

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 2011:

- ▶ \$1,801,862,650 from the General Fund;
- ▶ \$122,256,600 from the Uniform School Fund;
- ▶ \$343,918,600 from the Education Fund;
- ▶ \$2,134,853,823 as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$6,461,690,000 from various sources as detailed in this

bill. This bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 2, Laws of Utah 2010

SB 2 Minimum School Program and Public Education Budget Amendments*(Howard A. Stephenson)*

This bill supplements or reduces appropriations previously provided for school districts, charter schools, and certain state education agencies for the fiscal year beginning July 1, 2010 and ending June 30, 2011 and modifies related budgetary provisions.

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state education agencies;
- ▶ provides budget increases and decreases for programs that support school districts and charter schools;
- ▶ provides intent language;
- ▶ establishes the value of the weighted pupil unit at \$2,577 for fiscal year 2010-11;
- ▶ prescribes the powers and duties of the State Board of Education to adjust Minimum School Program allocations;
- ▶ provides that monies appropriated to the State Board of Education are nonlapsing;
- ▶ modifies the state guarantee under the voted leeway and board-authorized leeway programs;
- ▶ provides that the state guarantee under the voted leeway and board-authorized leeway programs shall apply to tax rates approved by a certain date;
- ▶ provides that if monies appropriated to charter schools to replace local property taxes are less than the amount prescribed by a statutory funding formula, monies shall be allocated among charter schools in proportion to each charter school's share of the total enrollment in charter schools;
- ▶ provides that if monies appropriated for charter school administrative costs are insufficient to provide the amount per student prescribed in statute, the appropriation shall be allocated among charter schools in proportion to each charter school's share of the total enrollment in charter schools;
- ▶ provides that if the Legislature reduces funding to public schools due to an Education Fund budget deficit:
 - the reduction shall be allocated in proportion to each school district's or charter school's share of Minimum School Program funds; and
 - a school district or charter school may determine which programs, with certain exceptions, are affected by the reduction; and
- ▶ makes technical amendments.

This bill appropriates for fiscal year 2010-11:

- ▶ \$946,200 from the General Fund;
- ▶ (\$2,048,016,623) from the Uniform School Fund;
- ▶ \$2,362,586,586 from the Education Fund; and
- ▶ \$1,000 from various sources as detailed in this

bill. This bill takes effect on July 1, 2010.

Amends 53A-1a-513, 53A-17a-108, 53A-17a-133, 53A-17a-134, 53A-17a-146, 63J-1-602;

Repeals and Reenacts 53A-17a-105

Effective July 1, 2010

Chapter 399, Laws of Utah 2010

SB 3 **Current Fiscal Year Supplemental 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, 2009 and ending June 30, 2010.

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.

This bill appropriates for fiscal year 2010:

- ▶ (\$33,216,100) from the General Fund;
- ▶ (\$2,397,200) from the Uniform School Fund;
- ▶ \$701,200 from the Education Fund;
- ▶ (\$2,397,200) as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$135,916,600 from various sources as detailed in this

bill. This bill takes effect immediately.

Effective February 26, 2010

Chapter 4, Laws of Utah 2010

SB 10 **Criminal Offense Penalties Amendments** (*Jon J. Greiner*)

This bill modifies provisions of the Criminal Code regarding elements of specified criminal offenses and regarding the dollar value of damage used to determine levels of criminal offenses.

This bill:

- ▶ applies the enhanced penalty that currently applies to persons committing a crime in concert with two or more persons to persons who commit any of the listed offenses in association with a criminal street gang;
- ▶ provides that commission of aggravated assault resulting in serious bodily injury is a second degree felony, regardless of whether the actor intended to cause serious bodily injury;
- ▶ modifies the penalty for a second offense of theft, or of robbery or burglary with the intent to commit theft, to require that the second offense be committed or the conviction obtained within 10 years prior to the current theft offense;
- ▶ modifies the factors considered by the juvenile court in hearings to certify a juvenile to stand trial as an adult to include if the juvenile engaged in criminal activity in association with a criminal street gang;
- ▶ modifies the definition of a criminal nuisance to include criminal activity conducted in association with a criminal street gang; and
- ▶ modifies the dollar value of damage that determines the levels of offense for offenses, including arson, criminal mischief, theft, various fraud offenses, unlawful dealing by a fiduciary, destruction of livestock, reckless burning, computer crimes, bad checks, mortgage fraud, and theft of utility services.

This bill provides an effective date of November 1, 2010.

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

Amends 9-4-612, 63M-7-510, 76-3-203.1, 76-5-103, 76-6-101, 76-6-102, 76-6-104, 76-6-106, 76-6-111, 76-6-409.3, 76-6-412, 76-6-505, 76-6-506.5, 76-6-513, 76-6-518, 76-6-608, 76-6-703, 76-6-1204, 76-8-1206, 76-8-1301, 76-10-1801, 78A-6-703, 78B-6-1101, 78B-6-1107

Effective November 1, 2010

Chapter 193, Laws of Utah 2010

SB 11 **Utah State-made Firearms Protection Act** (*Margaret Dayton*)

This bill addresses the manufacture of firearms within the state for in-state use.

This bill:

- ▶ addresses the legal status of a firearm manufactured in the state for use within the state;
- ▶ defines terms;
- ▶ provides that a firearm or one of various firearm-related items manufactured in the state for in-state use is not subject to federal firearms laws and regulations;
- ▶ exempts from in-state manufacturing some firearms and ammunition; and
- ▶ requires certain markings on a firearm manufactured in the state for use within the state.

This bill provides an immediate effective date.

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

Enacts 53-5b-101, 53-5b-102, 53-5b-103, 53-5b-201, 53-5b-202

Effective February 26, 2010

Chapter 5, Laws of Utah 2010

SB 12 **Individual Income Tax Contribution for Methamphetamine Housing Reconstruction and Rehabilitation Fund** (*Karen Mayne*)

This bill amends the Housing and Community Development part and the Individual Income Tax Contribution Act to enact the Methamphetamine Housing Reconstruction and Rehabilitation Fund Act and to enact an income tax contribution.

This bill:

- ▶ defines terms;
- ▶ enacts the Methamphetamine Housing Reconstruction and Rehabilitation Fund Act;
- ▶ creates a restricted account known as the Methamphetamine Housing Reconstruction and Rehabilitation Fund;
- ▶ enacts an individual income tax contribution for the Methamphetamine Housing Reconstruction and Rehabilitation Fund for a taxable year beginning on or after January 1, 2010, but beginning on or before December 31, 2012;
- ▶ provides that monies received from the income tax contribution shall be deposited into the Methamphetamine Housing Reconstruction and Rehabilitation Fund and expended by a qualified housing organization to:
 - reconstruct or rehabilitate residences contaminated by methamphetamine; or
 - purchase property upon which a residence contaminated by methamphetamine is reconstructed or rehabilitated;
- ▶ grants rulemaking authority to the Division of Housing and Community Development; and
- ▶ makes technical changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

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

Enacts 9-4-1501, 9-4-1502, 9-4-1503, 59-10-1314

Effective May 11, 2010

Chapter 194, Laws of Utah 2010

SB 13 State Construction Contracts and Drug and Alcohol Testing (*Karen Mayne*)

This bill modifies the Utah Procurement Code to address requirements for drug and alcohol testing for state construction contracts.

This bill:

- ▶ defines terms;
- ▶ requires that a state construction contract impose requirements related to drug and alcohol testing;
- ▶ addresses penalties;
- ▶ clarifies that monitoring activities are not required of the state;
- ▶ provides that the state is not liable in actions related to drug and alcohol testing;
- ▶ provides exemptions; and
- ▶ addresses the scope of the provision.

This bill takes effect on July 1, 2010.

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

Enacts 63G-6-604

Effective July 1, 2010

Chapter 18, Laws of Utah 2010

SB 14 Building and Construction Projects - Technical Corrections (*Mark B. Madsen*)

This bill makes technical corrections to building and construction projects provisions dealing with notices of completion and definitions.

This bill:

- ▶ removes duplicative provisions dealing with the filing of a notice of completion of a construction project; and
- ▶ makes a conforming change to correctly reference the Fire Prevention Board in the definitions section of the Uniform Building Standards Act.

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

Amends 38-1-33, 58-56-3

Effective May 11, 2010

Chapter 76, Laws of Utah 2010

SB 15 Utah Scenic Byway Amendments (*Dennis E. Stowell*)

This bill modifies the Designation of State Highways Act by amending provisions relating to scenic byway designations.

This bill:

- ▶ defines corridor management plan;
- ▶ requires the Legislature to approve the corridor management plan that will be submitted with the application for a highway to be nominated for designation as a National Scenic Byway or All-American Road;
- ▶ provides that the Legislature may:
 - approve the corridor management plan;
 - approve the corridor management plan with conditions specified by the Legislature; or
 - deny the corridor management plan;
- ▶ provides that upon a decision by the Legislature, the nominating entity is not required to move forward with the nomination for the National Scenic Byway or All-American Road designation; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 72-4-301, 72-4-301.5

Effective May 11, 2010

Chapter 195, Laws of Utah 2010

SB 16 Utah Performance Assessment System for Students (u-pass) Amendments (*Howard A. Stephenson*)

This bill modifies the Utah Performance Assessment System for Students (U-PASS) by allowing the use of online computer adaptive tests, extending a pilot assessment system, and eliminating certain tests.

This bill:

- ▶ provides for the statewide assessment of students in grades 2-12 in basic skills courses using criterion-referenced tests or online computer adaptive tests, as determined by the State Board of Education;
- ▶ allows the State Board of Education to exempt a school district or charter school from one or more of the Utah Performance Assessment System for Students (U-PASS) testing requirements if the school district or charter school pilots an assessment system that incorporates certain assessments;
- ▶ eliminates a cap on the number of school districts and charter schools that may participate in a pilot assessment system;
- ▶ extends the pilot assessment systems through July 1, 2015;
- ▶ eliminates the requirement to administer a statewide norm-referenced test in grades 3, 5, and 8; and
- ▶ makes technical amendments.

The original bill was recommended by the Education Interim Committee

Amends 53A-1-602, 53A-1-603, 53A-1-604, 53A-1-605, 53A-3-602.5, 63I-2-253

Effective May 11, 2010

Chapter 11, Laws of Utah 2010

SB 17 Uniform Commercial Driver License Act Amendments (*Kevin T. Van Tassell*)

This bill modifies the Uniform Commercial Driver License Act by amending provisions relating to commercial driver licenses.

This bill:

- ▶ provides that the Driver License Division may, rather than shall, waive the skills test if it determines that an applicant for a commercial driver license meets certain requirements;
- ▶ provides that a person who holds or is required to hold a CDL is disqualified from driving a commercial motor vehicle for a period of not less than a year if convicted of driving a commercial motor vehicle while the person's commercial driver license is disqualified for violating certain offenses;
- ▶ increases the number of days that a driver of a commercial motor vehicle is disqualified from driving a commercial vehicle if the person is convicted of violating an out-of-service order;
- ▶ increases the minimum civil penalty amounts for a driver of a commercial motor vehicle who is convicted of violating an out-of-service order;
- ▶ provides that an employer may not knowingly allow, permit, or authorize a driver to drive a commercial motor vehicle during any period when the driver is operating a commercial motor vehicle or employed by a motor carrier operation that is subject to an out-of-service order;
- ▶ increases the maximum fine amount for an employer who is convicted of knowingly allowing, permitting, or authorizing a driver to drive a commercial vehicle when the driver, the commercial motor vehicle, or a motor carrier operation is subject to an out-of-service order; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 53-3-407, 53-3-414, 53-3-415

Effective May 11, 2010

Chapter 196, Laws of Utah 2010

SB 18 Election Modifications (*Peter C. Knudson*)

This bill modifies Title 20A, Election Code.

This bill:

- ▶ amends the deadline for filing certain declarations of candidacy, nomination petitions, and certificate of nomination from 5 p.m. to the close of normal office hours;
- ▶ defines "date of the election";
- ▶ requires the consent of the Senate for the governor to fill a vacancy in the office of lieutenant governor;
- ▶ amends the voter registration form to clarify that only a Utah Driver License or Utah Identification Card Number may be used on the form;
- ▶ allows a county clerk to transfer voter registration forms that have been superseded to the Division of Archives and Records Service;
- ▶ allows a voter to present valid voter identification to either the county clerk or to an election officer who is administering the election, if the voter presented unsatisfactory voter identification to a poll worker when voting;
- ▶ amends the provisions for being "legally entitled to vote" by amending the time period from "five business days" to the close of normal office hours on Monday for a voter to present valid voter identification to the county clerk after the election if the voter presented unsatisfactory voter identification to a poll worker when voting;
- ▶ amends the period for the board of municipal canvassers to meet after the election to canvass the returns for a municipal primary election from between three and seven days to between seven and 14 days after the election;
- ▶ clarifies that a local district or school district must contract with, rather than designate, the county clerk, municipal clerk, or both, to serve as the election officer to administer a bond election for those portions of the local political subdivision in which no other election, other than a voted leeway or bond election, is being held;
- ▶ clarifies the definition of "legislative office candidate," "filing entity," and "reporting entity"; and
- ▶ makes technical amendments.

The original bill was recommended by the Government Operations and Political Subdivisions Interim Committee

Amends 17B-1-306, 20A-1-102, 20A-1-504, 20A-1-508, 20A-1-509.1, 20A-2-104, 20A-3-104, 20A-3-104.5, 20A-3-305, 20A-4-107, 20A-4-301, 20A-5-400.5, 20A-9-203, 20A-9-503, 20A-11-101

Effective May 11, 2010

Chapter 197, Laws of Utah 2010

SB 19 Vehicle Safety Flags on Off-highway Vehicles (*Brent H. Goodfellow*)

This bill modifies the Off-Highway Vehicles Code by amending provisions relating to off-highway vehicle equipment requirements.

This bill:

- ▶ provides that a safety flag may be attached to the protective headgear of a person operating a motorcycle rather than attaching the safety flag to the motorcycle as required when operating on certain sand dunes.

The original bill was recommended by the Transportation Interim Committee

Amends 41-22-10.7

Effective May 11, 2010

Chapter 77, Laws of Utah 2010

SB 20 Local District Amendments (*Dennis E. Stowell*)

This bill allows the creation of a local district to develop and execute a groundwater management plan in cooperation with the state engineer.

This bill:

- ▶ permits a local district to acquire groundwater rights;
- ▶ allows the creation of a local district for the development and execution of a groundwater management plan in cooperation with and approved by the state engineer;
- ▶ provides that a groundwater management plan described in the preceding paragraph may include the banking of groundwater rights by a local district in a critical management area following the adoption of a groundwater management plan by the state engineer;
- ▶ exempts the creation of a local district for the development and execution of a groundwater management plan from the election requirement; and
- ▶ makes technical corrections.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / State Water Development Commission

Amends 17B-1-103, 17B-1-107, 17B-1-202, 17B-1-203, 17B-1-213, 17B-1-214, 17B-1-215

Effective May 11, 2010

Chapter 150, Laws of Utah 2010

SB 21 Amendments to Social Worker Licensing (*D. Chris Buttars*)

This bill amends the Social Worker Licensing Act by providing that an applicant for licensure must satisfactorily complete a program accredited by, or in candidacy for accreditation by, the Council on Social Work Education.

This bill:

- ▶ defines the term "program accredited by the Council on Social Work Education" to include a program that was accredited, and a program that was in candidacy for accreditation, on the day on which the applicant for licensure satisfactorily completed the program; and
- ▶ makes technical changes.

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

Amends 58-60-202

Effective May 11, 2010

Chapter 78, Laws of Utah 2010

SB 23 Corporate Franchise and Income Tax Amendments (*John L. Valentine*)

This bill amends the Corporate Franchise and Income Taxes chapter.

This bill:

- ▶ modifies the definition of "foreign operating company" to provide requirements relating to property and payroll located outside the United States;
- ▶ addresses provisions relating to subtractions from unadjusted income, including a subtraction for a foreign operating company; and
- ▶ makes technical changes.

This bill takes effect for a taxable year beginning on or after January 1, 2011.

The original bill was recommended by the Revenue and Taxation Interim Committee / Utah Tax Review Commission

Amends 59-7-101, 59-7-105, 59-7-106

Effective January 1, 2011

Chapter 198, Laws of Utah 2010

SB 24 Land Exchange Distribution Account Amendments *(Dennis E. Stowell)*

This bill modifies provisions relating to the collection and distribution of revenues from federal land exchange parcels.

This bill:

- ▶ defines terms;
- ▶ provides that 50% of the revenue generated from oil shale leases on federal land exchange parcels, net of amounts paid to the United States pursuant to a reserved interest of the United States in oil shale, shall be deposited in the Land Exchange Distribution Account;
- ▶ modifies the calculation of administrative costs related to the collection and distribution of revenue from federal land exchange parcels;
- ▶ provides that 1% of the monies in the Land Exchange Distribution Account shall be distributed to the Geological Survey for test wells, other hydrologic studies, and air quality monitoring in the West Desert;
- ▶ reduces the amount of money distributed from the Land Exchange Distribution Account to the Permanent Community Impact Fund from 7.5% to 6.5% of the account monies;
- ▶ provides a repeal date; and
- ▶ makes technical amendments.

The original bill was recommended by the Natural Resources, Agriculture, and Environment Interim Committee / State Water Development Commission

Amends 53C-3-201, 53C-3-202, 53C-3-203, 63I-1-253

Effective May 11, 2010

Chapter 79, Laws of Utah 2010

SB 25 State Highway System Modifications *(Kevin T. Van Tassell)*

This bill modifies the Designation of State Highways Act by amending the description of two state highways and adding a highway to the state highway system.

This bill:

- ▶ creates the Southern Parkway as SR-7;
- ▶ modifies the description of SR-112 and SR-209; and
- ▶ makes technical changes.

The original bill was recommended by the Transportation Interim Committee

Amends 72-4-106, 72-4-117, 72-4-126

Effective May 11, 2010

Chapter 199, Laws of Utah 2010

SB 26 Utah E-commerce Integrity Act (*Stephen H. Urquhart*)

This bill contains prohibitions and other provisions concerning Internet-related conduct, including phishing, pharming, spyware, and cybersquatting.

This bill:

- ▶ defines terms;
- ▶ prohibits a person from facilitating certain types of fraud and injury through use of electronic communications;
- ▶ allows for the removal of domain names and online content by an Internet registrar or Internet service provider under certain circumstances;
- ▶ prohibits contrary laws enacted by a political subdivision of the state;
- ▶ forbids the use of various types of software, commonly called spyware, if used for certain purposes;
- ▶ provides exceptions from spyware provisions for various types of communications and interactions, including authorized diagnostics;
- ▶ prohibits the registration of domain names under certain circumstances, commonly referred to as cybersquatting;
- ▶ provides civil penalties for a violation of cybersquatting provisions; and
- ▶ makes technical changes.

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

Amends 70-3a-402;

Enacts 13-40-103, 13-40-203, 13-40-204, 13-40-303, 13-40-402, 70-3a-309;

Repeals and Reenacts 13-40-101, 13-40-102, 13-40-201, 13-40-202, 13-40-301, 13-40-302, 13-40-401

Effective July 1, 2010

Chapter 200, Laws of Utah 2010

SB 28 Amendments to Individual Income Tax Return Filing Requirements (*J. Stuart Adams*)

This bill amends the Individual Income Tax Act to address return filing requirements.

This bill:

- ▶ modifies the definition of electronic;
- ▶ repeals the definition of scan technology;
- ▶ repeals a requirement that under certain circumstances an income tax return preparer file a return by scan technology;
- ▶ repeals related provisions addressing scan technology; and
- ▶ makes technical and conforming changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

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

Amends 59-10-514.1

Effective May 11, 2010

Chapter 201, Laws of Utah 2010

SB 29 **Amendments to Individual Income Tax Definition of Resident Individual** (*Curtis S. Bramble*)

This bill amends the Individual Income Tax Act to modify the definition of resident individual.

This bill:

- ▶ modifies the definition of resident individual to address the circumstances under which an individual who is not domiciled in the state is a resident individual;
- ▶ grants rulemaking authority to the State Tax Commission; and
- ▶ makes technical and conforming changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

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

Amends 59-10-103

Effective May 11, 2010

Chapter 202, Laws of Utah 2010

SB 30 Local Option Sales and Use Taxes for Transportation Act (*Wayne L. Niederhauser*)

This bill amends the Sales and Use Tax Act to address local option sales and use taxes for transportation.

This bill:

- ▶ enacts the Local Option Sales and Use Taxes for Transportation Act;
- ▶ defines terms;
- ▶ repeals certain local option sales and use taxes for transportation and enacts certain local option sales and use taxes for transportation;
- ▶ addresses the authority to impose a local option sales and use tax for transportation;
- ▶ addresses the transactions that may be subject to taxation and the tax rates at which those transactions may be subject to taxation;
- ▶ addresses the determination of the location of a transaction for sales and use tax purposes;
- ▶ addresses the administration, collection, and enforcement of a local option sales and use tax for transportation;
- ▶ addresses the transfer or transmission of revenues collected from a local option sales and use tax for transportation;
- ▶ addresses the State Tax Commission's authority to retain a percentage of revenues collected from a local option sales and use tax for transportation, the deposit of those revenues into the Sales and Use Tax Administrative Fees Account, and the expenditure of those revenues;
- ▶ addresses legislative body and voter approval requirements for a local option sales and use tax for transportation;
- ▶ addresses the enactment, repeal, or change in the rate of a local option sales and use tax for transportation;
- ▶ addresses a seller's or certified service provider's failure to collect a local option sales and use tax for transportation if the seller or certified service provider relies on certain State Tax Commission information;
- ▶ addresses a seller's or certified service provider's failure to collect a local option sales and use tax for transportation if the seller or certified service provider relies on certain software certified by the State Tax Commission;
- ▶ addresses the circumstances under which a purchaser is relieved from a penalty or is not liable for a tax or interest;
- ▶ provides transition provisions;
- ▶ addresses the imposition of local option sales and use taxes for transportation including the purposes for which revenues collected from the taxes may be expended; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

This bill provides revisor instructions.

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

Amends 10-8-86, 17-50-322, 17B-1-412, 59-12-102, 59-12-211, 59-12-602, 59-12-2003, 63B-11-501, 63B-11-502, 72-2-117.5, 72-2-121, 72-2-121.1, 72-2-121.2, 72-10-215;

Enacts 59-12-2201, 59-12-2202, 59-12-2203, 59-12-2204, 59-12-2205, 59-12-2206, 59-12-2207, 59-12-2208, 59-12-2209, 59-12-2210, 59-12-2211, 59-12-2212, 59-12-2212.1, 59-12-2213, 59-12-2214, 59-12-2215, 59-12-2216, 59-12-2217;

Renumbers and Amends 59-12-1903 to 59-12-2218;

Repeals 59-12-501, 59-12-502, 59-12-503, 59-12-504, 59-12-506, 59-12-507, 59-12-508, 59-12-1001, 59-12-1002, 59-12-1004, 59-12-1005, 59-12-1006, 59-12-1501, 59-12-1502, 59-12-1503, 59-12-1505, 59-12-1506, 59-12-1507, 59-12-1701, 59-12-1702, 59-12-1703, 59-12-1704, 59-12-1705, 59-12-1706, 59-12-1707, 59-12-1708, 59-12-1901, 59-12-1902, 59-12-1904, 59-12-1905, 59-12-1906

Effective July 1, 2010

Chapter 263, Laws of Utah 2010

SB 31 **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 Department of Human Services Related Parties Conflict Investigation Procedure.

This bill takes effect on May 1, 2010.

The original bill was recommended by the Administrative Rules Review Committee

Effective May 1, 2010

Chapter 80, Laws of Utah 2010

SB 32 **Rainwater Harvesting** (*Scott K. Jenkins*)

This bill provides for the collection and use of precipitation without obtaining a water right under certain conditions.

This bill:

- ▶ provides for the collection and use of precipitation without obtaining a water right under certain conditions; and
- ▶ makes technical corrections.

The original bill was recommended by the State Water Development Commission

Amends 73-3-1;

Enacts 73-3-1.5

Effective May 11, 2010

Chapter 19, Laws of Utah 2010

SB 33 **State Capitol Preservation Board Fee Amendments** (*Mark B. Madsen*)

This bill amends the State Capitol Preservation Board fee schedule for the current fiscal year.

This bill:

- ▶ establishes rental rates for State Capitol facilities during the 2010 General Session of the Utah State Legislature.

This bill provides an immediate effective date.

The original bill was recommended by the Executive Appropriations Committee

Effective February 11, 2010

Chapter 1, Laws of Utah 2010

SB 36 **Wolf Management** (*Allen M. Christensen*)

This bill addresses the management of the wolf in the state.

This bill:

- ▶ defines terms;
- ▶ makes legislative findings and declarations concerning the wolf;
- ▶ provides for the Division of Wildlife Resources to request federal removal of wolves found within areas of the state where the wolf is listed as endangered or threatened;
- ▶ requires the division to manage the wolf to avoid the establishment of a viable pack of wolves within the areas of the state where the wolf is not listed as endangered or threatened;
- ▶ allows the division to make administrative rules concerning the management of wolves; and
- ▶ makes technical changes.

Enacts 23-29-101, 23-29-102, 23-29-103, 23-29-201, 23-29-202

Effective May 11, 2010

Chapter 20, Laws of Utah 2010

SB 37 **Impact Fee Revisions** (*Wayne L. Niederhauser*)

This bill amends public notice requirements for a local political subdivision that imposes an impact fee and directs a local government entity to refund an impact fee subject to certain circumstances.

This bill:

- ▶ defines terms;
- ▶ amends public notice requirements;
- ▶ directs a local government entity to refund an impact fee if a court ruling is consistent with an advisory opinion issued by the Office of Property Rights Ombudsman on the impact fee; and
- ▶ makes technical corrections.

Amends 10-9a-305, 10-9a-510, 11-36-102, 11-36-201, 13-43-206, 17-27a-305, 17-27a-509, 17B-1-118

Effective May 11, 2010

Chapter 203, Laws of Utah 2010

SB 38 **Restrictions on High Occupancy Vehicle Lane** (*Karen W. Morgan*)

This bill modifies the Traffic Code by amending provisions relating to a high occupancy vehicle lane.

This bill:

- ▶ provides that if a highway authority establishes an HOV lane, the highway authority shall annually report to the Transportation Interim Committee no later than November 30 of each year regarding:
 - the types of vehicles that may access the lane;
 - where, when, and how a vehicle may access the lane;
 - how a tax, fee, or charge is assessed for a vehicle carrying less than the number of persons specified for the lane;
 - the usage of the HOV lane as compared to the usage of the general purpose lanes along the same stretch of highway; and
 - the compliance issues, safety risks, and impacts of certain lane parameters; and
- ▶ makes technical changes.

Amends 41-6a-702

Effective May 11, 2010

Chapter 81, Laws of Utah 2010

SB 39 Health Insurance Prior Authorization Amendments *(Karen Mayne)*

This bill amends the Accident and Health Insurance part of the Insurance Code.

This bill:

- ▶ requires an accident and health insurer to provide an enrollee with a statement of preauthorization for a medical procedure in certain circumstances; and
- ▶ clarifies that a statement of preauthorization is not a guarantee of payment by an insurer.

Enacts 31A-22-638

Effective May 11, 2010

Chapter 204, Laws of Utah 2010

SB 41 Drug Utilization Review Board Amendments *(Peter C. Knudson)*

This bill amends the drug prior approval program within the state's Medicaid program.

This bill:

- ▶ permits the Drug Utilization Review Board to consider costs, as well as other factors, when determining whether a drug should be placed on the prior approval program;
- ▶ amends notice requirements;
- ▶ amends number of days before implementation of a decision of the board;
- ▶ provides more discretion to the Drug Utilization Review Board to restrict the use of a drug for off label indications; and
- ▶ makes technical changes.

Amends 26-18-105

Effective May 11, 2010

Chapter 205, Laws of Utah 2010

SB 43 Post-retirement Employment Amendments (*Daniel R. Liljenquist*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions related to a retiree who returns to work for a participating employer, and the restrictions on the maximum retirement allowance certain employees can accrue.

This bill:

- ▶ defines certain terms;
- ▶ repeals a requirement that a participating employer who hires a retiree contribute the same percentage of a retiree's salary that the participating employer would have been required to contribute if the retiree were an active member of the retirement system;
- ▶ provides that a participating employer who hires a retiree before July 1, 2010 may not contribute an amount that exceeds the normal cost rate to a qualified defined contribution plan;
- ▶ provides that a retiree from the Utah State Retirement System who returns to work with a participating employer on or after July 1, 2010, is returned to active member status to earn additional service credit if the retiree is reemployed within one year from retirement;
- ▶ provides that a retiree who returns to work with a participating employer after a year from the date of retirement may elect to either:
 - receive a retirement allowance and forfeit any retirement contribution related to the reemployment; or
 - cancel the retiree's retirement allowance and earn additional service credit for the period of reemployment;
- ▶ requires a participating employer to pay the amortization rate to the retirement system that would have covered the retiree who is:
 - reemployed after July 1, 2010; and
 - receiving a retirement allowance;
- ▶ repeals the maximum allowance that a member may receive for a member who initially retires on or after July 1, 2010, in the following systems:
 - the Public Safety Contributory Retirement System;
 - the Public Safety Noncontributory Retirement System;
 - the Firefighters' Retirement System;
 - the Judges' Contributory Retirement System; and
 - the Judges' Noncontributory Retirement System;
- ▶ prevents the Commissioner of Public Safety, an elected or appointed sheriff, or a chief of police from retiring in place on or after July 1, 2010; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 49-11-102, 49-11-405, 49-11-504, 49-12-701, 49-13-701, 49-14-203, 49-14-402, 49-15-203, 49-15-402, 49-16-203, 49-16-402, 49-17-402, 49-18-402;

Enacts 49-11-505

Effective July 1, 2010

Chapter 264, Laws of Utah 2010

SB 45 Utah Fit Premises Act Amendments (*Wayne L. Niederhauser*)

This bill modifies provisions related to the Utah Fit Premises Act.

This bill:

- ▶ prohibits counties and municipalities from placing a specified limit on the number of unrelated individuals allowed to occupy a single-family unit;
- ▶ modifies a renter's duties;
- ▶ authorizes a renter who is a victim of domestic violence to terminate a rental agreement, upon certain conditions;
- ▶ modifies a renter's remedies against an owner for a residential rental unit that does not comply with applicable requirements;
- ▶ prohibits counties and municipalities from adopting measures inconsistent with the Utah Fit Premises Act, with limitations; and
- ▶ makes technical changes.

Amends 57-22-4, 57-22-5, 57-22-5.1;

Enacts 10-9a-505.5, 17-27a-505.5, 57-22-7;

Repeals and Reenacts 57-22-6

Effective May 11, 2010

Chapter 352, Laws of Utah 2010

SB 48 Nonlapsing Authority Technical Amendments (*Ralph Okerlund*)

This bill modifies the Budgetary Procedures Act to reorganize the list of nonlapsing funds.

This bill:

- ▶ makes technical and organizational modifications to the Budgetary Procedures Act's list of nonlapsing funds; and
- ▶ deletes references to nonlapsing funds that have been repealed in previous legislation.

This bill provides revisor instructions.

This bill coordinates with H.B. 39, Insurance Related Amendments, by providing conforming amendments.

Amends 63J-1-602;

Enacts 63J-1-602.1, 63J-1-602.2, 63J-1-602.3, 63J-1-602.4, 63J-1-602.5

Effective May 11, 2010

Chapter 265, Laws of Utah 2010

SB 50 Victims' Rights Revisions (*J. Stuart Adams*)

This bill shifts responsibility for the district victims' rights committees from the district courts to the Utah Council on Victims of Crime.

This bill:

- ▶ changes the appointment of the chairs of district victim rights' committees from the presiding district court judge to the Utah Council on Victims of Crime; and
- ▶ makes technical numbering corrections.

Amends 63M-7-603, 77-37-5

Effective May 11, 2010

Chapter 82, Laws of Utah 2010

SB 51 **Bioprospecting** (*Lyle W. Hillyard*)

This bill modifies provisions related to state lands to address requirements related to bioprospecting.

This bill:

- ▶ enacts the Utah Bioprospecting Act, including:
 - defining terms;
 - providing for the scope of the chapter;
 - requiring registration;
 - providing for the state's reservation of economic rights; and
 - providing for penalties.

Enacts 65A-14-101, 65A-14-102, 65A-14-103, 65A-14-104, 65A-14-201, 65A-14-202, 65A-14-301

Effective May 11, 2010

Chapter 21, Laws of Utah 2010

SB 52 **State Board of Regents Amendments** (*Dennis E. Stowell*)

This bill modifies provisions related to appointments to the State Board of Regents and requires the State Board of Regents to approve certain academic programs.

This bill:

- ▶ when making appointments to the Board of Regents, requires the governor to:
 - appoint at least two individuals who do not reside within a metropolitan statistical area;
 - appoint no more than six individuals who reside within a county of the first class; and
 - consider certain factors;
- ▶ provides for transition provisions;
- ▶ requires the Board of Regents to approve an electronics engineering program at Weber State University; and
- ▶ makes technical changes.

Amends 53B-1-104;

Enacts 53B-16-106

Effective May 11, 2010

Chapter 400, Laws of Utah 2010

SB 53 **Voter Challenge Revisions** (*Peter C. Knudson*)

This bill modifies provisions in the Election Code relating to the procedures for challenging a person's eligibility to vote.

This bill:

- ▶ provides the grounds upon which a person's right to vote in an election may be challenged during or before an election;
- ▶ requires that written challenges to a person's right to vote in an election be filed in advance of the election and provides procedures for filing and resolving the challenges before the date of the election;
- ▶ requires the election officer to notify each person whose right to vote in the election has been challenged in writing and permits the person who has been challenged to provide information in response to the challenge;
- ▶ requires that written challenges be submitted under oath and be subject to criminal penalties for false statements;
- ▶ provides that an election officer's determination regarding a challenge to a person's right to vote is subject to judicial appeal;
- ▶ requires all documents filed in relation to a written challenge to be public records;
- ▶ provides requirements for challenging a person's right to vote at the polling place; and
- ▶ makes technical changes.

Amends 20A-3-105.5;

Enacts 20A-3-201.5, 20A-3-202.3, 20A-3-202.5;

Repeals and Reenacts 20A-3-202

Effective May 11, 2010

Chapter 83, Laws of Utah 2010

SB 55 **Authorization of Charter Schools by Higher Education Institutions** (*J. Stuart Adams*)

This bill allows a board of trustees of a higher education institution to authorize the establishment and operation of a charter school and specifies the responsibilities of a board of trustees that authorizes a charter school.

This bill:

- ▶ defines terms;
- ▶ subject to approval by the State Board of Education, allows a board of trustees of a higher education institution to enter into an agreement with certain individuals or entities to establish and operate a charter school;
- ▶ allows a fee to be charged for a board of trustees' costs of providing oversight and technical support to a charter school;
- ▶ specifies procedures for applying for authorization of a charter school by a board of trustees of a higher education institution;
- ▶ specifies the responsibilities of a board of trustees of a higher education institution that authorizes a charter school; and
- ▶ makes technical amendments.

This bill coordinates with S.B. 69, College of Eastern Utah Affiliation with Utah State University, by making substantive amendments.

Amends 53A-1a-501.3, 53A-1a-501.6, 53A-1a-502.5, 53A-1a-508, 53A-1a-512, 53A-1a-520, 63I-4-102;

Enacts 53A-1a-521

Effective May 11, 2010

Chapter 353, Laws of Utah 2010

SB 56 School Reporting Amendments (*Karen W. Morgan*)

This bill modifies the information to be reported in the state superintendent's annual report of the public school system and a school performance report.

This bill:

- ▶ modifies the state superintendent's annual report of the public school system by:
 - requiring reporting of data on average class sizes calculated in accordance with State Board of Education rule;
 - modifying the reporting of pupil-teacher ratios; and
 - deleting the reporting of pupil-adult ratios;
- ▶ directs the State Board of Education to adopt rules for the calculation of average class size and specifies certain requirements for the rules;
- ▶ requires the State Board of Education, a school district, and a charter school to calculate and report average class size in a school performance report in accordance with rules adopted by the State Board of Education; and
- ▶ makes technical amendments.

Amends 53A-1-301, 53A-3-602.5

Effective May 11, 2010

Chapter 206, Laws of Utah 2010

SB 57 Local School Board Budget Procedures (*Dennis E. Stowell*)

This bill modifies requirements regarding notice of a public hearing on a proposed school district budget and public disclosure of a proposed school district budget.

This bill:

- ▶ modifies requirements regarding notice of a public hearing on a proposed school district budget;
- ▶ requires a local school board to post a proposed budget on the school district's Internet website 10 days prior to a public hearing on the proposed budget; and
- ▶ makes technical amendments.

Amends 53A-19-102

Effective May 11, 2010

Chapter 84, Laws of Utah 2010

SB 58 Transportation Expenses for Defendants (*J. Stuart Adams*)

This bill modifies the Criminal Code regarding expenses for transportation of defendants.

This bill:

- ▶ mandates that defendants pay restitution for the costs of governmental transportation expenses, unless the court rules otherwise, rather than the current provision requiring the court to order the defendant to pay the restitution for transportation; and
- ▶ increases the mileage fees for transportation restitution by defendants.

Amends 76-3-201

Effective May 11, 2010

Chapter 85, Laws of Utah 2010

SB 59 **At-risk Student Provisions** (*Luz Robles*)

This bill modifies the State System of Public Education code relating to at-risk students.

This bill:

- ▶ requires the State Board of Education to adopt rules that require a local school board or governing board of a charter school to enact certain gang prevention and intervention policies; and
- ▶ makes technical changes.

Amends 53A-11-902;

Enacts 53A-15-603

Effective May 11, 2010

Chapter 207, Laws of Utah 2010

SB 60 **Search and Rescue Funding** (*Ralph Okerlund*)

This bill modifies the Search and Rescue Financial Assistance Program regarding definitions and a cross reference.

This bill:

- ▶ revises definitions and adds a cross reference.

Amends 53-2-107

Effective May 11, 2010

Chapter 208, Laws of Utah 2010

SB 61 **Sales and Use Tax Exemption for a Web Search Portal** (*Howard A. Stephenson*)

This bill amends the Sales and Use Tax Act to provide a sales and use tax exemption.

This bill:

- ▶ provides a sales and use tax exemption for certain purchases or leases for use in the operation of a web search portal; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

Amends 59-12-104

Effective July 1, 2010

Chapter 209, Laws of Utah 2010

SB 62 Motor Vehicle Insurance Coverage Amendments (*Stephen H. Urquhart*)

This bill modifies the Insurance Code by amending provisions relating to uninsured and underinsured motorist coverage.

This bill:

- ▶ provides that, if a covered person elects to submit a claim for uninsured or underinsured motorist benefits to binding arbitration or files litigation, the covered person shall provide a written demand to the uninsured or underinsured motorist carrier for payment of uninsured or underinsured motorist compensation with certain documentation;
- ▶ provides that an uninsured or underinsured motorist carrier that receives an election for arbitration or a notice of filing for litigation and the demand for payment of uninsured or underinsured motorist benefits shall have a reasonable time, not to exceed 60 days, to provide a written response to the written demand for payment and tender the amount, if any, of the uninsured or underinsured motorist carrier's determination of the amount owed to the claimant;
- ▶ provides that a covered person may elect to litigate or arbitrate any remaining claim if an uninsured or underinsured motorist carrier's tender is less than the total amount of the uninsured or underinsured policy limits;
- ▶ provides procedures for litigating or arbitrating a claim for uninsured or underinsured motorist compensation;
- ▶ provides that, if a litigation or arbitration award is greater than a certain amount, the carrier is liable for the award amount and certain costs;
- ▶ establishes a cap on certain amounts an uninsured motorist carrier or an underinsured motorist carrier pays;
- ▶ provides that litigating or arbitrating a covered person's demand for uninsured or underinsured motorist compensation does not limit any other cause of action that arose or may arise against the carrier that is the subject of the litigation from the same dispute; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

This bill provides revisor instructions.

Amends 31A-22-305, 31A-22-305.3

Effective March 30, 2010

Chapter 354, Laws of Utah 2010

SB 63 New Public Employees' Tier II Contributory Retirement Act (*Daniel R. Liljenquist*)

This bill modifies the Utah State Retirement and Insurance Benefit Act to provide for modified retirement benefits for new public employees and new public safety and firefighter employees.

This bill:

- ▶ defines terms;
- ▶ requires that the Retirement Office report when the funded status of the trust fund reaches 100% funded and requires the Retirement and Independent Entities Committee to study employee compensation and benefits;
- ▶ provides for a "Tier I" system or plan for which an employee is eligible to participate if the employee initially enters regular full-time employment before July 1, 2011;
- ▶ creates a "Tier II" retirement system and plan for which an employee is eligible to participate, if the employee initially enters regular full-time employment on or after July 1, 2011, and which includes a:

- New Public Employees' Tier II Hybrid Retirement System;
- New Public Employees' Tier II Defined Contribution Plan;
- New Public Safety and Firefighter Tier II Hybrid Retirement System; and
- New Public Safety and Firefighter Tier II Defined Contribution Plan;
- ▶ provides that all new public employees including public safety, firefighters, governors, and legislators may only participate in a Tier II retirement system or plan;
- ▶ provides that new employees may choose between the Tier II hybrid retirement system or the Tier II Defined Contribution (DC) plan except governors and legislators are only eligible for the Tier II DC plan;
- ▶ provides that the retirement benefits for public employees who elect the Tier II hybrid retirement system include:
 - full retirement benefits after 35 years of service credit;
 - 2.5% cost-of-living adjustments on the retirement allowance;
 - a 1.5% multiplier for each year of service;
 - a 401(k) employer contribution;
 - a death benefit; and
 - a disability benefit;
- ▶ provides that the participating employer shall contribute for public employees Tier II employees the percentage of the employee's compensation equal to the corresponding Tier I system amortization rate plus 10%;
- ▶ provides that the total public employees' Tier II contribution credited specifically on behalf of a Tier II employee is 10% of the employee's salary;
- ▶ provides that the retirement benefits for the public safety and firefighter employees who elect the Tier II hybrid retirement system include:
 - full retirement benefits after 25 years of service credit;
 - 2.5% cost-of-living adjustments on the retirement allowance;
 - a 1.5% multiplier for each year of service;
 - a 401(k) employer contribution;
 - a death benefit;
 - a line of duty death benefit; and
 - a disability benefit;
- ▶ provides that the participating employer shall contribute for public safety and firefighter Tier II employees the percentage of the employee's compensation equal to the corresponding Tier I system amortization rate plus 12%;
- ▶ provides that the total Tier II contribution credited specifically on behalf of a public safety and firefighter Tier II employee is 12% of the employee's salary;
- ▶ closes for employees who initially enter employment beginning on or after July 1, 2011, the:
 - Public Employees' Contributory Retirement System;
 - Public Employees' Noncontributory Retirement System;
 - Public Safety Contributory Retirement System;
 - Public Safety Noncontributory Retirement System;
 - Firefighters' Retirement System; and
 - Utah Governors' and Legislators' Retirement System;
- ▶ provides for certain exclusions from membership in the Tier II DC plan; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 35A-4-502, 49-11-102, 49-11-401, 49-11-403, 49-11-404, 49-11-612, 49-11-801, 49-11-1001, 49-12-201, 49-13-201, 49-14-201, 49-14-202, 49-15-201, 49-15-202, 49-16-201, 49-16-202, 49-19-201, 49-21-201, 49-21-403, 53-7-105, 53-13-108, 53A-1a-512, 67-22-1;

Enacts 49-11-307, 49-22-101, 49-22-102, 49-22-103, 49-22-104, 49-22-201, 49-22-202, 49-22-203, 49-22-204, 49-22-301, 49-22-302, 49-22-303, 49-22-304, 49-22-305, 49-22-306, 49-22-307, 49-22-308, 49-22-309, 49-22-401, 49-22-402, 49-22-501, 49-22-502, 49-22-601, 49-23-101, 49-23-102, 49-23-103, 49-23-104, 49-23-201, 49-23-202, 49-23-301, 49-23-302, 49-23-303, 49-23-304, 49-23-305, 49-23-306, 49-23-307, 49-23-308, 49-23-401, 49-23-402, 49-23-501, 49-23-502, 49-23-503, 49-23-601

Effective July 1, 2010

Chapter 266, Laws of Utah 2010

SB 66 **Public School Extracurricular Activities for Home School and Private School Students**
(*Mark B. Madsen*)

This bill addresses private school and home school students' eligibility to participate in extracurricular activities.

This bill:

- ▶ provides that a minor who is enrolled in a private school or a home school shall be eligible to participate in extracurricular activities at a public school;
- ▶ provides that, with certain exceptions, a private school or a home school student may only participate in extracurricular activities at the public school within whose boundaries the student's custodial parent or legal guardian resides or a public school from which the student withdrew;
- ▶ provides that, with certain exceptions, private school students and home school students shall be eligible for extracurricular activities at a public school consistent with eligibility standards for fully enrolled public school students; and
- ▶ makes technical changes.

Amends 53A-11-102.5;

Enacts 53A-11-102.6

Effective May 11, 2010

Chapter 210, Laws of Utah 2010

SB 67 **Public Safety Services Crossing State Borders** (*Lyle W. Hillyard*)

This bill recognizes a mutual aid agreement regarding emergency responders who cross state borders in response to an emergency.

This bill:

- ▶ establishes recognition of a mutual aid agreement established between states regarding emergency responders who cross state borders in response to an emergency;
- ▶ provides definitions;
- ▶ establishes terms for the filing of claims and the limits of recovery against an emergency responder who crosses the border between Utah and Idaho as part of providing an emergency response;
- ▶ provides legislative findings on public policy regarding emergency responder mutual aid, including damage caps; and
- ▶ takes effect when Idaho enacts reciprocal legislation.

This bill provides an immediate effective date.

Enacts 63K-5-101, 63K-5-102, 63K-5-201, 63K-5-301, 63K-5-302, 63K-5-303, 63K-5-401, 63K-5-402

Effective March 22, 2010

Chapter 22, Laws of Utah 2010

SB 69 **College of Eastern Utah Affiliation with Utah State University** (*David P. Hinkins*)

This bill establishes Utah State University-College of Eastern Utah as a comprehensive regional college of Utah State University.

This bill:

- ▶ allows a comprehensive regional college to participate in the Public Employees' Benefit and Insurance Program's risk pools;
- ▶ changes the composition of Utah State University's Board of Trustees;
- ▶ changes the name of the College of Eastern Utah to Utah State University-College of Eastern Utah and establishes it as a comprehensive regional college of Utah State University, and includes provisions for:
 - campus locations;
 - a chancellor;
 - a regional advisory council; and
 - legal succession; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 49-20-202, 53A-15-202, 53B-1-102, 53B-1-103, 53B-2-101, 53B-2-104, 53B-2a-103, 53B-3-102, 53B-7-502, 53B-8-101, 53B-16-201, 53B-16-207, 53B-16-208, 59-12-702, 76-8-701;

Enacts 53B-18-1201

Effective July 1, 2010

Chapter 211, Laws of Utah 2010

SB 70 **Motor Vehicle Liability Amendments - Minor Drivers** (*Stephen H. Urquhart*)

This bill modifies the Uniform Driver License Act by amending provisions relating to liability imposed for damages caused by a minor operating a motor vehicle.

This bill:

- ▶ provides that if owner's or operator's security is in effect in certain amounts, the owner of the motor vehicle or the person who gave or furnished the motor vehicle to the minor is not subject to the joint and several liability imposed;
- ▶ provides that certain limitations on liability do not prohibit a cause of action for any direct negligence on the part of the person furnishing the motor vehicle to the minor; and
- ▶ makes technical changes.

Amends 53-3-212

Effective May 11, 2010

Chapter 86, Laws of Utah 2010

SB 71 **Small Business Access to Justice Act** (*Ross I. Romero*)

This bill increases the amount of litigation expenses a small business can collect when a court finds that a state action was undertaken without substantial justification.

This bill:

- ▶ increases the maximum amount of litigation expenses that a small business can collect from the state when the state undertakes legal action against a small business without substantial justification; and
- ▶ makes technical corrections.

Amends 78B-8-503

Effective May 11, 2010

Chapter 87, Laws of Utah 2010

SB 73 Sales and Use Tax Exemption Relating to Aircraft *(Curtis S. Bramble)*

This bill amends the Sales and Use Tax Act to enact a sales and use tax exemption relating to aircraft.

This bill:

- ▶ defines terms;
- ▶ enacts a sales and use tax exemption for certain sales of tangible personal property to or by an aircraft maintenance, repair, and overhaul provider; and
- ▶ makes technical and conforming changes.

This bill takes effect on July 1, 2010.

Amends 59-12-102, 59-12-104

Effective July 1, 2010

Chapter 88, Laws of Utah 2010

SB 74 State Park Highway Access Amendments *(David P. Hinkins)*

This bill modifies the Highway Jurisdiction and Classification Act by amending and adding a description of a state park access highway.

This bill:

- ▶ creates the North Access to Goblin Valley State Park;
- ▶ amends the description of the East Access to Goblin Valley State Park;
- ▶ amends the description of the access highway for Green River State Park; and
- ▶ makes technical changes.

Amends 72-3-203

Effective May 11, 2010

Chapter 23, Laws of Utah 2010

SB 76 Trust Deed Amendments *(John L. Valentine)*

This bill modifies a provision relating to a statement provided by a trustee under a trust deed.

This bill:

- ▶ clarifies a trustee's responsibility to provide a statement of reinstatement or payoff amounts;
- ▶ authorizes a person with a right to reinstate an obligation secured by a trust deed to request a statement;
- ▶ provides a process and time frame for a trustee to provide the statement;
- ▶ provides consequences if a trustee fails to provide the statement within the time required; and
- ▶ makes technical changes.

Amends 57-1-31.5

Effective May 11, 2010

Chapter 24, Laws of Utah 2010

SB 78 **Constitutional Revision Commission Duties** (*John L. Valentine*)

This bill modifies a provision relating to the duties of the Utah Constitutional Revision Commission.

This bill:

- ▶ modifies a prohibition against the Utah Constitutional Revision Commission making a recommendation on a proposed constitutional amendment after final legislative action so that the commission may make a recommendation if requested by the governor, the president of the Senate, or the speaker of the House of Representatives.

Amends 63I-3-203

Effective May 11, 2010

Chapter 25, Laws of Utah 2010

SB 79 **Fraudulent Transfer Amendments** (*John L. Valentine*)

This bill corrects a conflict between the Uniform Fraudulent Transfer Act and the chapter on Statutes of Limitations.

This bill:

- ▶ deletes the general provision in the chapter on statutes of limitations regarding the Uniform Fraudulent Transfer Act in order to allow the more specific provisions in the UFTA to control.

Amends 78B-2-302

Effective May 11, 2010

Chapter 89, Laws of Utah 2010

SB 81 **Eminent Domain Amendments** (*Lyle W. Hillyard*)

This bill amends provisions relating to a settlement offer and litigation expenses in an eminent domain action.

This bill:

- ▶ defines terms;
- ▶ creates a time line for a defendant or a plaintiff to file a settlement offer;
- ▶ sets requirements for a settlement offer;
- ▶ authorizes the court to, under certain circumstances, award litigation expenses; and
- ▶ makes technical corrections.

Amends 78B-6-509

Effective May 11, 2010

Chapter 26, Laws of Utah 2010

SB 82 **Passenger Ropeway Systems Act Amendments** (*Allen M. Christensen*)

This bill modifies the Passenger Ropeway Systems Act by amending provisions relating to the registration and inspection of private residence passenger ropeways.

This bill:

- ▶ defines private residence passenger ropeways;
- ▶ provides that private residence passenger ropeways are exempt from the registration and inspection requirements; and
- ▶ makes technical changes.

Amends 72-11-102, 72-11-201, 72-11-205, 72-11-211

Effective May 11, 2010

Chapter 212, Laws of Utah 2010

SB 84 Special Service District Amendments *(David P. Hinkins)*

This bill modifies a provision relating to the withdrawal of an area from a special service district.

This bill:

- ▶ provides exceptions to a prohibition against withdrawing an area from a special service district that applies when there are outstanding and unpaid bonds, notes, or other obligations; and
- ▶ provides an exception to a prohibition against withdrawing an area from a special service district that applies when the special service district is under a contractual obligation to provide services.

Amends 17D-1-602

Effective May 11, 2010

Chapter 267, Laws of Utah 2010

SB 85 Utah Construction Trade Licensing Act Amendments *(Scott K. Jenkins)*

This bill modifies provisions of the Utah Construction Trade Licensing Act relating to plumbers and electricians.

This bill:

- ▶ modifies definitions applicable to supervision of apprentice plumbers and electricians so that the Division of Occupational and Professional Licensing specifies what is reasonable direction, oversight, inspection, and evaluation of a person's work;
- ▶ modifies provisions relating to licensing exemptions for public utilities and persons engaged in minor plumbing work; and
- ▶ makes technical changes.

Amends 58-55-102, 58-55-305

Effective May 11, 2010

Chapter 27, Laws of Utah 2010

SB 88 Pharmacy Practice Act Amendments *(Curtis S. Bramble)*

This bill amends the Pharmacy Practice Act.

This bill:

- ▶ amends provisions related to exemptions from licensure;
- ▶ defines terms;
- ▶ exempts prescribing physicians from licensure under the Pharmacy Practice Act when a physician dispenses a cosmetic drug or injectable weight loss drug to the physician's patient; and
- ▶ requires certain drug labeling and record keeping standards for the dispensing physician.

Amends 58-17b-309

Effective May 11, 2010

Chapter 213, Laws of Utah 2010

SB 89 **Legal Notice Amendments** (*Stephen H. Urquhart*)

This bill amends legal notice requirements.

This bill:

- ▶ modifies provisions relating to public notices on websites;
- ▶ modifies provisions requiring the publication of notice of a public meeting or hearing so that the notice is published on the Utah Public Notice Website rather than a website for legal notices;
- ▶ clarifies publication requirements for a notice subject to legal notice publication and the Open and Public Meetings Act;
- ▶ adds a requirement to publish notice to the Utah Public Notice Website to certain provisions requiring the publication of notice;
- ▶ modifies an advertisement for bids publication requirement applicable to the Department of Transportation; and
- ▶ makes technical changes.

This bill coordinates with H.B. 216, Incorporation of a Town Amendments, by providing superseding, technical amendments.

Amends 4-30-5, 7-1-706, 10-2-108, 10-2-114, 10-2-125, 10-2-407, 10-2-415, 10-2-418, 10-2-419, 10-2-502.5, 10-3-818, 10-5-108, 10-6-113, 10-8-2, 10-9a-204, 10-9a-205, 10-9a-208, 10-18-203, 10-18-302, 11-14-202, 11-42-402, 17-27a-204, 17-27a-205, 17-27a-208, 17-27a-306, 17-27a-404, 17-36-12, 17-36-26, 17-41-304, 17-41-405, 17B-1-211, 17B-1-413, 17B-1-417, 17B-1-609, 17B-1-1204, 17B-1-1307, 17C-1-601, 17C-2-403, 17C-4-202, 17C-4-302, 19-2-109, 20A-7-204.1, 45-1-101, 53A-3-202, 53A-3-402, 53B-7-101.5, 54-8-10, 54-8-16, 57-11-11, 59-2-919, 59-2-919.2, 59-12-1102, 63G-9-303, 63H-1-701, 63H-2-204, 72-3-108, 72-5-105, 72-6-107, 73-1-16, 73-5-14, 75-1-401

Effective May 11, 2010

Chapter 90, Laws of Utah 2010

SB 90 **Mental Health Professional Practice Act Amendments** (*Lyle W. Hillyard*)

This bill amends provisions of the Mental Health Professional Practice Act.

This bill:

- ▶ defines terms;
- ▶ modifies requirements for licensure by endorsement;
- ▶ provides that a license by endorsement that was valid immediately before the passage of this bill continues to be valid;
- ▶ amends the scope of practice provisions for a social service worker;
- ▶ defines the term “program accredited by the Council on Social Work Education” to include a program that was accredited, and a program that was in candidacy for accreditation, on the day on which the applicant for licensure satisfactorily completed the program;
- ▶ modifies the membership of the Social Worker Licensing Board;
- ▶ modifies the qualifications for a social service worker license;
- ▶ provides that a social service worker license that was valid immediately before the passage of this bill continues to be valid;
- ▶ establishes a continuing education requirement for a social service worker;
- ▶ modifies qualifications for admission to examination under the Social Worker Licensing Act;
- ▶ changes the classification of “certified marriage and family therapist intern” to “associate marriage and family therapist”;
- ▶ changes the classification of “certified professional counselor intern” to “associate professional counselor”;
- ▶ modifies license qualification requirements and supervision requirements under the Substance Abuse Practice Act; and
- ▶ makes technical changes.

Amends 58-60-109, 58-60-115, 58-60-202, 58-60-203, 58-60-205, 58-60-206, 58-60-304, 58-60-305, 58-60-308, 58-60-404, 58-60-405, 58-60-407, 58-60-506, 58-60-508;

Enacts 58-60-115.2, 58-60-205.5

Effective May 11, 2010

Chapter 214, Laws of Utah 2010

SB 91 **Prosecutor Appeals** (*Daniel R. Liljenquist*)

This bill modifies Justice Court provisions relating to the standards for de novo review in district court for certain orders in specified criminal prosecutions.

This bill:

- ▶ provides that the standard for a de novo review in district court on a pretrial order excluding evidence in a justice court for an infraction or class C misdemeanor is that the prosecutor certifies that exclusion of the evidence prevents continued prosecution;
- ▶ provides that the standard for a de novo review in district court on a pretrial order excluding evidence in a justice court for a class B misdemeanor is that the prosecutor certifies that exclusion of the evidence impairs continued prosecution;
- ▶ provides that a notice of appeal for a hearing de novo in the district court on a pretrial order excluding evidence shall be filed within 30 days of the justice court order excluding the evidence; and
- ▶ makes related technical changes.

Amends 78A-7-118

Effective May 11, 2010

Chapter 215, Laws of Utah 2010

SB 93 **Gubernatorial Appointment Powers Amendments** (*Curtis S. Bramble*)

This bill addresses the effect of the Senate's lack of consent to a gubernatorial appointment within certain time periods.

This bill:

- ▶ provides that a gubernatorial nomination for which Senate consent is required is considered rejected if not acted upon within:
 - 90 days for permanent appointments; and
 - 30 days for certain interim appointments; and
- ▶ makes technical changes.

Amends 67-1-1.5

Effective May 11, 2010

Chapter 355, Laws of Utah 2010

SB 95 **Utah Educational Savings Plan Amendments** (*Wayne L. Niederhauser*)

This bill modifies provisions related to the Utah Educational Savings Plan.

This bill:

- ▶ amends the governance and oversight authority of the State Board of Regents for the Utah Educational Savings Plan;
- ▶ modifies Utah Educational Savings Plan provisions, including:
 - clarifying the plan's name, powers, and duties;
 - beginning with the 2011 taxable year, eliminating a requirement to reduce the value of the Utah Educational Savings Plan tax credit or deduction when the Consumer Price Index decreases from one year to the next; and
 - exempting certain withdrawals from the add back provisions of a Utah state income tax credit or deduction previously claimed;
- ▶ defines terms; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 53B-8-110, 53B-8a-101, 53B-8a-102, 53B-8a-103, 53B-8a-104, 53B-8a-105, 53B-8a-106, 53B-8a-107, 53B-8a-108, 53B-8a-109, 53B-8a-110, 53B-8a-111, 53B-8a-112, 53B-8a-113, 59-1-403, 59-7-105, 59-7-106, 59-10-114, 59-10-201, 59-10-202, 59-10-1017, 59-10-1313, 63G-2-305

Effective February 26, 2010

Chapter 6, Laws of Utah 2010

SB 96 **Uintah Basin Revitalization Fund Amendments** (*Kevin T. Van Tassell*)

This bill modifies a provision relating to the Uintah Basin Revitalization Fund.

This bill:

- ▶ modifies the calendar year designation in a provision requiring an adjustment in an amount to be deposited into the Uintah Basin Revitalization Fund based on a change in the consumer price index.

Amends 59-5-116

Effective May 11, 2010

Chapter 28, Laws of Utah 2010

SB 97 Farmland Assessment Act Amendments (*David P. Hinkins*)

This bill modifies a provision of the Farmland Assessment Act.

This bill:

- ▶ allows land subject to a forest stewardship plan to be assessed on the basis of the value that the land has for agricultural use if the land otherwise qualifies to be assessed on that basis.

Amends 59-2-503

Effective May 11, 2010

Chapter 29, Laws of Utah 2010

SB 100 Income Tax Credit or Refund Amendments (*Curtis S. Bramble*)

This bill amends the Corporate Franchise and Income Taxes chapter and the Individual Income Tax Act to repeal limits on the amount of an income tax credit or refund.

This bill:

- ▶ repeals limits on the amount of an income tax credit or refund; and
- ▶ makes technical and conforming changes.

Amends 59-7-522, 59-10-529

Effective May 11, 2010

Chapter 216, Laws of Utah 2010

SB 102 Restricting the Movement of a Motor Vehicle (*Brent H. Goodfellow*)

This bill modifies the Traffic Code by amending provisions relating to vehicle immobilization devices.

This bill:

- ▶ provides that the maximum fee that a vehicle immobilizer may charge to remove a vehicle immobilization device may not exceed:
 - \$75 for the first 24-hour period a vehicle is immobilized; plus
 - \$25 for each additional 24-hour period a vehicle is immobilized;
- ▶ provides that the maximum fee that a vehicle immobilizer may charge to remove a vehicle immobilization device may not exceed \$150 per instance; and
- ▶ makes technical changes.

Amends 41-6a-1409

Effective May 11, 2010

Chapter 91, Laws of Utah 2010

SB 103 Adverse Possession of Real Property (*Stephen H. Urquhart*)

This bill prohibits a person from acquiring certain real property through adverse possession, prescriptive use, or acquiescence that is held by a metropolitan water district.

This bill:

- ▶ prohibits a person from acquiring certain real property through adverse possession, prescriptive use, or acquiescence that is held by a metropolitan water district; and
- ▶ makes technical corrections.

Amends 78B-2-216

Effective May 11, 2010

Chapter 30, Laws of Utah 2010

SB 104 Renewable Energy Modifications *(Stephen H. Urquhart)*

This bill includes certain compressed air energy storage technology as a renewable energy source under Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act.

This bill:

- ▶ includes certain compressed air energy storage technology as a renewable energy source under Title 10, Chapter 19, Municipal Electric Utility Carbon Emission Reduction Act, and Title 54, Chapter 17, Energy Resource Procurement Act; and
- ▶ makes technical changes.

Amends 10-19-102, 54-17-601

Effective May 11, 2010

Chapter 268, Laws of Utah 2010

SB 105 Motor Vehicle Accident Arbitration Amendments *(Stephen H. Urquhart)*

This bill modifies the Insurance Code by amending provisions relating to the use of arbitration for certain motor vehicle accident claims.

This bill:

- ▶ increases the arbitration award limit for a party that submits a bodily injury claim to arbitration;
- ▶ provides that a claim submitted to arbitration is not subject to subrogation on the part of the underinsured motorist carrier;
- ▶ provides that a party that elects to proceed against a defendant through certain arbitration proceedings:
 - waives the right to obtain a judgment against the personal assets of the defendant; and
 - is limited only to recovery against available insurance coverage;
- ▶ amends the time limit that discovery must be completed within;
- ▶ provides that upon filing a notice requesting a trial de novo and unless otherwise stipulated to by the parties, an additional amount of time shall be allowed for discovery;
- ▶ amends the requirements to determine when the moving party in a trial de novo is responsible for the nonmoving party's costs;
- ▶ increases the limits on the award of certain costs in a trial de novo on an arbitration proceeding;
- ▶ increases the limits on a trial verdict in a trial de novo on an arbitration proceeding;
- ▶ provides that an interim committee designated by the Legislative Management Committee shall study the results of implementing arbitration in third party motor vehicle accident claims; and
- ▶ makes technical changes.

Amends 31A-22-321

Effective May 11, 2010

Chapter 217, Laws of Utah 2010

SB 107 Lien Amendments (*Curtis S. Bramble*)

This bill modifies provisions relating to mechanics' liens.

This bill:

- ▶ modifies the time for filing an action to enforce a mechanics' lien if an owner files bankruptcy;
- ▶ changes a notice of intent to file a notice of completion into a notice of intent to obtain final completion and modifies a provision relating to its filing;
- ▶ bars a person otherwise qualified to file a lien from maintaining a lien on an owner-occupied residence under certain circumstances, including if the general contract is no more than \$5,000; and
- ▶ makes technical changes.

Amends 38-1-11, 38-1-40, 38-11-107, 38-11-110, 38-11-204

Effective May 11, 2010

Chapter 31, Laws of Utah 2010

SB 110 Revisor's Statute (*Margaret Dayton*)

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, correcting numbering, and fixing errors that were created from the previous year's session.

Amends 10-2-407, 13-34-105, 13-34-114, 13-42-111, 16-6a-401, 16-6a-1603, 16-10a-401, 16-11-16, 16-13-4, 17-27a-306, 19-1-206, 23-28-202, 26-4-29, 26-8b-303, 26-21-25, 26-38-8, 30-3-40, 31A-36-102, 32A-14b-202, 34-46-102, 42-2-6.6, 48-2a-102, 48-2c-106, 51-9-408, 53-1-108, 53A-11a-301, 53C-1-201, 58-54-3, 59-11-102, 61-1-14, 62A-15-902, 63H-2-102, 63J-1-602, 63M-1-1502, 67-1a-6.5, 67-4a-102 (Effective 07/01/11), 76-5-404, 77-36-1, 78A-6-702, 78B-4-102, 78B-4-514, 79-2-402;

Repeals 26-8a-209

Effective May 11, 2010

Chapter 218, Laws of Utah 2010

SB 111 Repeal of Severance Tax Holding Account (*Lyle W. Hillyard*)

This bill amends the Funds and Accounts Act to repeal the Severance Tax Holding Account and related provisions.

This bill:

- ▶ repeals the Severance Tax Holding Account and related provisions;
- ▶ renames the part title to reflect the repeal of the Severance Tax Holding Account; and
- ▶ makes technical and conforming changes.

Amends 51-9-202, 51-9-301, 51-9-302;

Repeals 51-9-304

Effective May 11, 2010

Chapter 219, Laws of Utah 2010

SB 114 Motor Vehicle Accident Reports *(Dennis E. Stowell)*

This bill modifies the Traffic Code by amending provisions relating to motor vehicle accident reports.

This bill:

- ▶ requires an investigating peace officer to record on an accident report whether an accident occurred on a livestock highway if the accident resulted in the injury or death of livestock;
- ▶ requires a peace officer investigating an accident resulting in injury or death of any livestock to make arrangements with the owner of the livestock to:
 - deliver, mail, email, fax, or otherwise provide the owner of the livestock a copy of the accident report; or
 - advise the owner of the livestock where a copy of the accident report may be obtained; and
- ▶ makes technical changes.

Amends 41-6a-404, 41-6a-408

Effective May 11, 2010

Chapter 220, Laws of Utah 2010

SB 116 District Court Judges Amendments *(Stephen H. Urquhart)*

This bill adds one juvenile court judge in the fifth judicial district.

This bill:

- ▶ adds one juvenile court judge in the fifth judicial district.

This bill takes effect on July 1, 2010.

Amends 78A-1-104

Effective July 1, 2010

Chapter 32, Laws of Utah 2010

SB 117 Pete Suazo Memorial Highway *(Luz Robles)*

This bill modifies the Transportation Code by designating Route 68 in Salt Lake City from 2100 South to 1700 North as the Pete Suazo Memorial Highway.

This bill:

- ▶ designates Route 68 in Salt Lake City from 2100 South to 1700 North as the Pete Suazo Memorial Highway; and
- ▶ requires the Department of Transportation to make the designation of this highway on future state highway maps.

Enacts 72-4-212

Effective May 11, 2010

Chapter 92, Laws of Utah 2010

SB 118 Uniform Probate Code Amendments (*Lyle W. Hillyard*)

This bill makes changes to the Uniform Probate Code in response to a proposal by the National Commission on Uniform State Laws.

This bill:

- ▶ provides for cost of living adjustments to certain amounts in the Probate Code;
- ▶ requires the Administrative Office of the Courts to adjust and maintain a listing of the amounts each year;
- ▶ increases amounts throughout the Probate Code;
- ▶ clarifies the division of a decedent's estate and adds one more level of heirs before escheat;
- ▶ adopts a provision to coordinate with the Uniform Trust Code to allow the court to reform the terms of a document to conform it to the author's intent;
- ▶ allows the court to modify the terms of a document to achieve the author's tax objectives to coordinate with the Uniform Trust Code;
- ▶ makes a change to the Uniform Trust Code, allowing the transacting of trust business in the name of the trust; and
- ▶ makes technical changes.

Amends 7-5-9, 75-1-201, 75-1-403, 75-2-102, 75-2-103, 75-2-104, 75-2-106, 75-2-202, 75-2-402, 75-2-403, 75-2-405, 75-7-814;

Enacts 75-1-110, 75-2-805, 75-2-806;

Repeals 75-2-108

Effective May 11, 2010

Chapter 93, Laws of Utah 2010

SB 119 Special Elections Modifications (*Howard A. Stephenson*)

This bill provides certain limitations on local special elections called by a local political subdivision.

This bill:

- ▶ prohibits a local political subdivision from holding a local special election for a bond, levy, leeway, or sales tax issue without at least two-thirds of all members of the local legislative body calling the local special election; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

Amends 20A-1-203

Effective July 1, 2010

Chapter 221, Laws of Utah 2010

SB 120 Disarming a Peace Officer Amendment (*David P. Hinkins*)

This bill modifies the Criminal Code regarding disarming a peace officer.

This bill:

- ▶ provides that taking, or attempting to take, a conductive energy device from a peace officer is a third degree felony.

Amends 76-5-102.8

Effective May 11, 2010

Chapter 222, Laws of Utah 2010

SB 121 Utah Uniform Probate Code Amendments (*John L. Valentine*)

This bill allows a personal representative to be appointed for the purpose of representing a deceased person in any proceeding to establish liability when the deceased person was protected by liability insurance and makes changes to accommodate the repeal of the Federal Estate Tax.

This bill:

- ▶ removes a three-year limitation to appoint a personal representative when the deceased person was protected by liability insurance; and
- ▶ creates a stopgap provision to alleviate difficulties caused by the repeal of the Federal Estate Tax for taxable transfers occurring during 2010.

This bill provides retrospective operation to January 1, 2010 for Section 75-3-917 only.

Amends 75-3-803;

Enacts 75-3-917

Effective May 11, 2010

Chapter 223, Laws of Utah 2010

SB 122 Eminent Domain Revisions (*J. Stuart Adams*)

This bill amends provisions relating to the right to exercise eminent domain.

This bill:

- ▶ authorizes an entity to exercise eminent domain for:
 - a byroad leading from a highway to an existing or proposed residence, development, or farm; or
 - sewage service for an existing or proposed development; and
- ▶ makes technical corrections.

Amends 78B-6-501

Effective May 11, 2010

Chapter 401, Laws of Utah 2010

SB 123 Motion Picture Incentive Fund Amendments (*Lyle W. Hillyard*)

This bill modifies provisions of the Motion Picture Incentive Fund regarding administration of the fund.

This bill:

- ▶ provides that the Governor's Office of Economic Development shall administer the Motion Picture Incentive Fund;
- ▶ provides for review of motion picture company reports by an independent certified public accountant;
- ▶ provides that the office shall make incentive payments from the fund to qualified motion picture companies; and
- ▶ makes certain technical changes.

Amends 63M-1-1803

Effective May 11, 2010

Chapter 151, Laws of Utah 2010

SB 124 Military Installation Development Authority Modifications (*Jerry W. Stevenson*)

This bill amends provisions of the Military Installation Development Authority Act.

This bill:

- ▶ defines terms;
- ▶ authorizes the Military Installation Development Authority (authority) to:
 - impose a resort communities tax; and
 - contract with the federal government, a public entity, or other authorized source;
- ▶ exempts land within a project area from certain state law, ordinances, or regulations;
- ▶ authorizes certain changes to the authority board;
- ▶ authorizes the authority to include, under certain circumstances, public or private land in a project area that is noncontiguous to military land;
- ▶ amends notice requirements;
- ▶ amends the authority's receipt and use of tax increment;
- ▶ amends the authority's use of municipal services revenue;
- ▶ designates funds received by the authority as nonlapsing; and
- ▶ makes technical corrections.

This bill provides an immediate effective date.

Amends 59-12-401, 59-12-402, 63H-1-102, 63H-1-201, 63H-1-202, 63H-1-203, 63H-1-302, 63H-1-401, 63H-1-402, 63H-1-501, 63H-1-502, 63H-1-602, 63J-1-602;

Enacts 63H-1-504

Effective March 2, 2010

Chapter 9, Laws of Utah 2010

SB 125 Intangible Property Amendments (*Curtis S. Bramble*)

This bill modifies a property tax provision relating to intangible property.

This bill:

- ▶ expands the definition of intangible property for property tax purposes to include renewable energy tax credits and incentives.

Amends 59-2-102

Effective May 11, 2010

Chapter 14, Laws of Utah 2010

SB 126 Subdivision Amendments (*J. Stuart Adams*)

This bill defines terms and amends provisions relating to vacating, altering, or amending a subdivision plat.

This bill:

- ▶ defines terms;
- ▶ for a municipality or a county, amends provisions relating to vacating, altering, or amending a subdivision plat; and
- ▶ makes technical corrections.

Amends 10-9a-103, 10-9a-603, 10-9a-608, 17-27a-103, 17-27a-603, 17-27a-608

Effective May 11, 2010

Chapter 269, Laws of Utah 2010

SB 127 Public Assistance Fraud Amendments (*Howard A. Stephenson*)

This bill modifies provisions relating to public assistance fraud.

This bill:

- ▶ requires both earned and unearned income to be disclosed when an individual applies for public assistance; and
- ▶ allows the state agency administering the public assistance to request additional information it considers necessary to determine eligibility.

Amends 76-8-1203

Effective May 11, 2010

Chapter 94, Laws of Utah 2010

SB 129 New Motor Vehicle Franchise Amendments (*Daniel R. Liljenquist*)

This bill modifies and enacts provisions under the New Automobile Franchise Act.

This bill:

- ▶ modifies definitions;
- ▶ enacts a definition of “site-control agreement”;
- ▶ modifies provisions relating to prohibited actions by a new motor vehicle franchisor;
- ▶ prohibits a new motor vehicle franchisor from taking certain actions;
- ▶ modifies the basis for denial of a franchisee’s claim for warranty compensation;
- ▶ enacts a provision relating to site-control agreements;
- ▶ modifies a provision relating to the relocation of a franchisee;
- ▶ modifies a provision relating to a franchisor’s obligation to pay a franchisee upon the termination or noncontinuation of a franchise; and
- ▶ enacts a provision governing the termination, cancellation, or nonrenewal of a recreational vehicle franchise.

Amends 13-14-102, 13-14-201, 13-14-204, 13-14-302, 13-14-307;

Enacts 13-14-206, 13-14-307.5

Effective May 11, 2010

Chapter 33, Laws of Utah 2010

SB 130 **Judiciary Amendments** (*Lyle W. Hillyard*)

This bill makes conforming and correction changes throughout the code regarding the judiciary and courts.

This bill:

- ▶ changes the filing fee for a temporary separation to conform with the filing fees in the judicial administration title;
- ▶ eliminates the requirement that a second notice be sent to a taxpayer when an overpayment of taxes will be applied to the bail on an arrest warrant;
- ▶ allows the cancellation of a grand jury hearing when no person has been scheduled to testify;
- ▶ clarifies that references to petition, complaint, or other documents filed with the courts include the cover sheet filed with them;
- ▶ makes changes to the court reporter chapter, including:
 - requiring that the Judicial Council shall provide for the methods of maintaining court proceedings by rule; and
 - eliminating substitute reporters, traveling expenses, and the Court Reporting Technology Account;
- ▶ gives justice courts explicit authority to issue writs necessary to carry out its orders; and
- ▶ clarifies notice and hearing provisions for ex parte orders.

Amends 30-3-4.5, 59-10-529, 77-10a-2, 78A-2-402, 78A-2-405, 78A-2-408, 78A-2-409, 78A-5-102, 78A-6-115, 78A-7-106, 78A-8-105, 78B-7-107, 78B-7-203;

Enacts 78A-2-229;

Repeals 78A-2-406, 78A-2-407

Effective May 11, 2010

Chapter 34, Laws of Utah 2010

SB 132 **Higher Education Scholarship Amendments** (*John L. Valentine*)

This bill makes adjustments to the New Century scholarship and the Regents' scholarship.

This bill:

- ▶ changes the day on which requirements must be completed for a New Century scholarship;
- ▶ requires additional grade point average or test score requirements for New Century scholarship applicants;
- ▶ provides transition provisions for certain changes;
- ▶ requires a scholarship holder to enroll full-time at an institution by the fall term immediately following graduation;
- ▶ gives the State Board of Regents authority to impose application deadlines and other administrative procedures for the scholarships;
- ▶ provides that a student may not receive both a New Century scholarship and a Regents' scholarship; and
- ▶ makes technical changes.

Amends 53B-8-105, 53B-8-108, 53B-8-109, 53B-8-111

Effective May 11, 2010

Chapter 270, Laws of Utah 2010

SB 133 **Qualifications of State Tax Commissioners** (*J. Stuart Adams*)

This bill amends the State Tax Commission part to address qualifications of commissioners of the State Tax Commission.

This bill:

- ▶ addresses the tax knowledge and experience required of commissioners of the State Tax Commission;
- ▶ repeals the qualification requirement for a commissioner of the State Tax Commission to give a bond; and
- ▶ makes technical and conforming changes.

Amends 59-1-202, 59-1-204

Effective May 11, 2010

Chapter 356, Laws of Utah 2010

SB 134 **Partnership Tax Return Filing Deadlines** (*J. Stuart Adams*)

This bill amends the Individual Income Tax Act to address partnership return filing deadlines.

This bill:

- ▶ modifies return filing deadlines for a partnership; and
- ▶ makes technical and conforming changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

Amends 59-10-516

Effective May 11, 2010

Chapter 271, Laws of Utah 2010

SB 136 **Open and Public Meetings Revisions Related to Review of Ethics Complaints**
(*John L. Valentine*)

This bill modifies provisions of the Open and Public Meetings Act.

This bill:

- ▶ authorizes the Independent Legislative Ethics Commission to convene a closed meeting without first commencing an open meeting and voting to close the meeting if:
 - the purpose of the meeting is to conduct business relating to the receipt or review of an ethics complaint; and
 - it provides advance public notice of the closed meeting;
- ▶ provides that an ethics committee of the Legislature may close a meeting by a majority vote of the members present if the committee is meeting for the purpose of reviewing an ethics complaint and the meeting is closed for the purpose of:
 - conducting deliberations to reach a decision on an ethics complaint; or
 - seeking legal advice on legal, evidentiary, or procedural matters; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 52-4-204, 52-4-205

Effective March 22, 2010

Chapter 35, Laws of Utah 2010

SB 137 **Coordination of Removing, Relocating, or Altering Utilities** (*Daniel R. Liljenquist*)

This bill addresses the removal, relocation, or alteration of a utility facility to accommodate a construction or reconstruction project on a public highway.

This bill:

- ▶ defines terms;
- ▶ provides for notification and cooperation concerning utility facilities located in the area of a proposed construction or reconstruction project on a public highway;
- ▶ provides a method for a public agency to identify a utility company with a utility facility in the area of a proposed construction or reconstruction project on a public highway; and
- ▶ makes technical changes.

Amends 54-8a-9, 72-6-116;

Enacts 54-3-29

Effective May 11, 2010

Chapter 272, Laws of Utah 2010

SB 138 **Grama Revisions Related to Review of Ethics Complaints** (*John L. Valentine*)

This bill modifies provisions of the Government Records Access and Management Act that relate to classification of records associated with the review of legislative ethics complaints.

This bill:

- ▶ provides private status to certain records of the Independent Legislative Ethics Commission;
- ▶ requires the commission's summary data report to be public;
- ▶ provides that only records related to review of ethics complaints may be classified as private by a legislative ethics committee, unless those documents are classified as public under legislative rule; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 63G-2-302

Effective March 22, 2010

Chapter 36, Laws of Utah 2010

SB 139 **Physician Assistant Amendments** (*Curtis S. Bramble*)

This bill modifies provisions in the Utah Code relating to physician assistants.

This bill:

- ▶ changes membership requirements for the Physician Assistant Licensing Board;
- ▶ updates the names of the national accrediting boards;
- ▶ permits a supervising physician to delegate to a licensed physician assistant, on a temporary basis, the supervision of physician assistant students;
- ▶ extends a temporary license up to 120 days to physician assistant students to pass the national exam;
- ▶ modifies definitions; and
- ▶ makes technical changes.

Amends 58-70a-201, 58-70a-302, 58-70a-305, 58-70a-306, 58-70a-503

Effective May 11, 2010

Chapter 37, Laws of Utah 2010

SB 140 **Juvenile Detention Amendments** (*Jon J. Greiner*)

This bill clarifies the jurisdiction of the district court and juvenile detention requirements.

This bill:

- ▶ clarifies the detention requirement for minors charged in district court under certain circumstances; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 62A-7-201, 78A-6-113, 78A-6-116, 78A-6-601, 78A-6-602, 78A-6-701, 78A-6-702, 78A-6-703

Effective March 22, 2010

Chapter 38, Laws of Utah 2010

SB 141 **Utah Substance Abuse and Anti-violence Coordinating Council Amendments**
(*J. Stuart Adams*)

This bill modifies provisions related to the name, membership, and duties of the Utah Substance Abuse and Anti-Violence Coordinating Council.

This bill:

- ▶ changes the name of the Utah Substance Abuse and Anti-Violence Coordinating Council to the Utah Substance Abuse Advisory Council;
- ▶ modifies the membership and duties of the council;
- ▶ repeals a related section, the operation of which terminated in 2009; and
- ▶ makes technical changes.

Amends 26-7-5, 32A-1-115, 32A-10-103, 63M-7-202, 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, 63M-7-305, 63M-7-306

Effective May 11, 2010

Chapter 39, Laws of Utah 2010

SB 142 **Driver License Amendments** (*Howard A. Stephenson*)

This bill modifies the Uniform Driver License Act by amending provisions relating to the expiration of certain driver licenses.

This bill:

- ▶ provides that a regular license certificate or any endorsement to a regular license certificate issued to an immediate family member or dependent of an individual who is ordered to active duty and stationed outside of Utah in any of the armed forces of the United States who is residing outside of Utah, which expires during the time period the person is stationed outside of the state, is valid until 90 days after the person's orders have been terminated or the person has been discharged.

Amends 53-3-205

Effective May 11, 2010

Chapter 95, Laws of Utah 2010

SB 143 Grand Jury Amendments (*Daniel R. Liljenquist*)

This bill specifies instances when a grand jury may be called and adds municipal attorneys to the statute.

This bill:

- ▶ specifies when a certification need not contain specific information; and
- ▶ adds municipal attorneys to the list of prosecutors.

Amends 77-10a-2, 77-10a-12

Effective May 11, 2010

Chapter 96, Laws of Utah 2010

SB 144 Vision Screening Amendments (*Wayne L. Niederhauser*)

This bill amends provisions related to vision screening in schools.

This bill:

- ▶ provides conditions when a licensed health care professional may participate in a school district's free vision screening program; and
- ▶ makes technical changes.

Amends 53A-11-203

Effective May 11, 2010

Chapter 273, Laws of Utah 2010

SB 145 Medical Malpractice Amendments (*J. Stuart Adams*)

This bill amends the Utah Health Care Malpractice Act.

This bill:

- ▶ amends the cap on non-economic damages that may be awarded in a malpractice action;
- ▶ requires an affidavit of merit from a health care professional to proceed with an action if the pre-litigation panel makes a finding of non-meritorious; and
- ▶ limits the liability of a health care provider, in certain circumstances, for the acts or omissions of an ostensible agent.

Amends 78B-3-410, 78B-3-412, 78B-3-416, 78B-3-418;

Enacts 78B-3-423, 78B-3-424

Effective May 11, 2010

Chapter 97, Laws of Utah 2010

SB 148 **Guaranteed Asset Protection Waivers** (*Jerry W. Stevenson*)

This bill modifies the Insurance Code to address the regulation of guaranteed asset protection waivers, including enacting the Guaranteed Asset Protection Waivers Act.

This bill:

- ▶ explains the limited scope of regulation by the Insurance Department of guaranteed asset protection waivers;
- ▶ enacts the Guaranteed Asset Protection Waivers Act, including:
 - defining terms;
 - explaining the relationship with the Insurance Code;
 - providing exemptions;
 - providing for severability;
 - establishing licensing and registration requirements;
 - establishing requirements for a waiver and the issuance, marketing, selling, offering to sell, or provision of a waiver;
 - requiring certain disclosures;
 - addressing cancellation of waiver; and
 - granting the commissioner enforcement authority;
- ▶ addresses relationship to debt cancellation or suspension agreements; and
- ▶ makes technical and conforming amendments.

Amends 31A-1-103, 31A-6a-105, 31A-21-109;

Enacts 31A-6b-101, 31A-6b-102, 31A-6b-103, 31A-6b-104, 31A-6b-201, 31A-6b-202, 31A-6b-203, 31A-6b-204, 31A-6b-301, 31A-6b-302, 31A-6b-303, 31A-6b-401

Effective July 1, 2010

Chapter 274, Laws of Utah 2010

SB 149 **Utah Forest Practices Act Amendments** (*David P. Hinkins*)

This bill amends Title 65A, Chapter 8a, Utah Forest Practices Act.

This bill:

- ▶ defines terms;
- ▶ addresses notification of intent to conduct forest practices by operators;
- ▶ provides penalties for a violation of the act;
- ▶ requires the Division of Forestry, Fire, and State Lands to make administrative rules governing a forest stewardship plan; and
- ▶ makes technical changes.

Amends 65A-8a-102, 65A-8a-104, 65A-8a-106

Effective May 11, 2010

Chapter 40, Laws of Utah 2010

SB 150 Reading Requirements for Student Advancement (*Karen W. Morgan*)

This bill requires parental notification regarding remediation for certain students that read below grade level.

This bill:

- ▶ requires a school district or charter school to provide notice to a parent or guardian of a student in the first, second, or third grade:
 - if the student is reading below grade level; and
 - of available reading interventions available through the school district or charter school;
- ▶ requires a school district or charter school to provide appropriate reading remediation;
- ▶ requires the State Board of Education to make rules; and
- ▶ requires the State Board of Education to annually report certain information regarding students who read below grade level and interventions provided to those students to the Education Interim Committee.

Enacts 53A-1-606.6

Effective May 11, 2010

Chapter 275, Laws of Utah 2010

SB 152 Utah State Railroad Museum Authority Act (*Peter C. Knudson*)

This bill creates the "Utah State Railroad Museum Authority."

This bill:

- ▶ creates the "Utah State Railroad Museum Authority" as an independent body politic and corporate, establishes its membership, and provides operational procedures;
- ▶ provides for the powers and duties of the authority and its executive director;
- ▶ provides that the authority's financial obligations are not obligations of the state;
- ▶ provides that the authority is responsible for the maintenance of its properties; and
- ▶ exempts the authority from the Funds Consolidation Act, Budgetary Procedures Act, Utah Procurement Code, Utah State Personnel Management Act, and the Department of Administrative Services.

This bill takes effect on July 1, 2010.

Amends 63E-1-102, 63I-4-102, 63J-7-102;

Enacts 9-3-501, 9-3-502, 9-3-503, 9-3-504, 9-3-505, 9-3-506, 9-3-507, 9-3-508, 9-3-509, 9-3-510

Effective July 1, 2010

Chapter 152, Laws of Utah 2010

SB 154 Postconviction Remedies Act Amendments (*J. Stuart Adams*)

This bill clarifies the procedure for claiming factual innocence.

This bill:

- ▶ clarifies the procedure for claiming factual innocence;
- ▶ specifies particular steps required;
- ▶ gives the court discretion to review and dismiss petitions under specific circumstances; and
- ▶ makes technical corrections.

This bill provides an immediate effective date.

Amends 78B-9-104, 78B-9-402, 78B-9-404;

Enacts 78B-9-401.5

Effective March 25, 2010

Chapter 153, Laws of Utah 2010

SB 156 **Antitrust Act Amendments** (*Stephen H. Urquhart*)

This bill amends provisions of the Antitrust Act.

This bill:

- ▶ amends provisions of the Antitrust Act.

Amends 76-10-915, 76-10-919

Effective May 11, 2010

Chapter 154, Laws of Utah 2010

SB 157 **Motor Vehicle Dealer Franchise Amendments** (*Curtis S. Bramble*)

This bill modifies and enacts provisions under the New Automobile Franchise Act.

This bill:

- ▶ enacts a provision relating to a reinstated franchisee resuming operations as a franchisee under certain circumstances; and
- ▶ provides a private cause of action for a reinstated franchisee for an act of a specified franchisor that causes a substantial diminution in value of the reinstated franchisee's reinstated franchise.

This bill provides an immediate effective date.

Amends 13-14-308;

Enacts 13-14-302.5

Effective March 22, 2010

Chapter 41, Laws of Utah 2010

SB 160 **Utah State Developmental Center Amendments** (*Margaret Dayton*)

This bill amends the Utah Human Services Code to provide that a person who qualifies to receive services under the home and community-based services waiver shall instead be placed in the Utah State Developmental Center or another Intermediate Care Facility for the Mentally Retarded (ICF/MR) if the person, or the person's legal representative or legal guardian, chooses that placement.

This bill:

- ▶ requires that, when a person qualifies to receive services under the home and community-based services waiver, the Division of Services for People with Disabilities shall:
 - inform the person, or that person's legal representative or legal guardian, of any reasonable alternatives under the waiver; and
 - place the person in the Utah State Developmental Center, or another ICF/MR if the person, or the person's legal representative or legal guardian, chooses that placement; and
- ▶ makes technical changes.

Amends 62A-5-201

Effective May 11, 2010

Chapter 42, Laws of Utah 2010

SB 161 Real Property Transfer Fee Amendments (*Mark B. Madsen*)

This bill enacts a provision relating to fees associated with the transfer of real property.

This bill:

- ▶ declares certain covenants, restrictions, agreements, and other instruments and documents that obligate a future buyer or seller to make a payment upon the transfer of real property to be void and unenforceable;
- ▶ provides for reinvestment fee covenants by common interest associations;
- ▶ requires a notice to be filed for a prior transfer fee covenant and for reinvestment fee covenants; and
- ▶ provides limits on the enforcement of a reinvestment fee covenant.

This bill provides an immediate effective date.

This bill provides revisor instructions.

Enacts 57-1-46

Effective March 16, 2010

Chapter 16, Laws of Utah 2010

SB 165 Allocation and Apportionment of Income and Deduction of a Net Loss
(*Wayne L. Niederhauser*)

This bill amends the Revenue and Taxation title to address the allocation and apportionment of income and the deduction of a net loss by an acquired corporation.

This bill:

- ▶ amends provisions in the Multistate Tax Compact governing allocation and apportionment of income;
- ▶ defines terms;
- ▶ addresses the apportionment of business income to the state;
- ▶ addresses the time period during which a taxpayer's determination to use a certain formula to apportion business income to the state is in effect;
- ▶ addresses the amount of net loss a corporation that is acquired by a unitary group may deduct; and
- ▶ makes technical and conforming changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

Amends 59-1-801, 59-7-110, 59-7-302, 59-7-311

Effective May 11, 2010

Chapter 155, Laws of Utah 2010

SB 167 Alcoholic Beverage Control Act Recodification (*John L. Valentine*)

This bill recodifies the Alcoholic Beverage Control Act and updates language related to the regulation of an alcoholic product.

This bill:

- ▶ repeals Title 32A, Alcoholic Beverage Control Act, and replaces it with Title 32B, Alcoholic Beverage Control Act, including:
 - modifying terminology and inconsistency in use of terms;
 - removing outdated language;
 - addressing a business license and written consent;
 - clarifying that disciplinary action can be taken if certain actions are taken with a record required to be made or maintained under the title;
 - removing requirements related to posting bonds;
 - permitting a commissioner to serve until a successor is appointed with the consent of the Senate;
 - addressing commission duties including that the commission by rule may establish different types of package agencies;
 - clarifying the posting of bonds related to a package agency;
 - clarifying penalties that may be imposed by the commission against a person subject to administrative action;
 - addressing department duties, including when the department may make a claim against a bond;
 - clarifying the department's authority to require purchases to be made in cash by persons who have payed with a dishonored check;
 - clarifying when a violation of commission rules is not a criminal offense;
 - clarifying that if an applicant for a license or permit is a government entity, it may be exempted from certain requirements;
 - renaming certain licenses and permits;
 - removing certain price and posting requirements for an event permit; and
 - removing the health care facility use permit; and
- ▶ makes technical and conforming amendments.

This bill provides revisor instructions.

This bill coordinates with S.B. 141, Utah Substance Abuse and Anti-violence Coordinating Council Amendments, to technically merge amendments.

Amends 11-10-1, 13-7-2, 26-38-2, 29-2-102, 41-6a-526, 53-3-207, 53-3-219, 53-3-220, 53-3-229, 53-3-231, 53-3-806, 53-3-810, 53-10-102, 53-10-112, 53-10-113, 53-10-304, 53-10-305, 53A-11-904, 58-37-2, 58-82-102 (Effective 07/01/12), 59-15-101, 59-15-109, 62A-15-401, 63G-4-201, 76-5-113, 76-10-1506, 76-10-1602, 77-39-101, 78A-6-117, 78A-6-606, 78A-6-1001, 78A-6-1202, 78B-6-1602;

Enacts 32B-1-101, 32B-1-102, 32B-1-103, 32B-1-104, 32B-1-201, 32B-1-202, 32B-1-203, 32B-1-204, 32B-1-205, 32B-1-301, 32B-1-302, 32B-1-303, 32B-1-304, 32B-1-305, 32B-1-306, 32B-1-307, 32B-1-401, 32B-1-402, 32B-1-403, 32B-1-404, 32B-1-405, 32B-1-406, 32B-1-407, 32B-1-408, 32B-1-501, 32B-1-502, 32B-1-503, 32B-1-504, 32B-1-505, 32B-1-506, 32B-1-601, 32B-1-602, 32B-1-603, 32B-1-604, 32B-1-605, 32B-1-606, 32B-1-607, 32B-1-608, 32B-2-101, 32B-2-102, 32B-2-201, 32B-2-202, 32B-2-203, 32B-2-204, 32B-2-205, 32B-2-206, 32B-2-207, 32B-2-208, 32B-2-301, 32B-2-302, 32B-2-303, 32B-2-304, 32B-2-401, 32B-2-402, 32B-2-403,

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Effective July 1, 2011

Chapter 276, Laws of Utah 2010

SB 169 **Navajo Revitalization Fund Amendments** (*David P. Hinkins*)

This bill modifies provisions related to the Navajo Revitalization Fund to address administrative costs.

This bill:

- ▶ increases the percentage of annual receipts to the revitalization fund that can be used for administration of the revitalization fund; and
- ▶ makes technical amendments.

This bill takes effect on July 1, 2010.

Amends 9-11-104

Effective July 1, 2010

Chapter 156, Laws of Utah 2010

SB 170 **Suspension of Driving Privileges** (*Lyle W. Hillyard*)

This bill modifies the Uniform Driver License Act by amending provisions relating to the suspension of driving privileges.

This bill:

- ▶ provides that a judge may order the revocation of a person's driver license for a period of one year if the person is convicted of careless driving and the violation causes or results in the death of another person;
- ▶ provides that the Driver License Division shall revoke, deny, suspend, or disqualify the license of a person upon receiving a record of the person's conviction for manslaughter or negligent homicide if the death of another person resulted from driving a motor vehicle;
- ▶ provides that a court shall forward the report of the manslaughter or negligent homicide conviction resulting from driving a motor vehicle to the Driver License Division; and
- ▶ makes technical changes.

Amends 41-6a-1715, 53-3-218, 76-5-205, 76-5-206

Effective May 11, 2010

Chapter 157, Laws of Utah 2010

SB 171 Higher Education Retirement Amendments (*Daniel R. Liljenquist*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending participation provisions for higher education employees.

This bill:

- ▶ allows a higher education employee hired on or after May 11, 2010, who has service credit in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System, to elect to continue participation in that system regardless of the institution's employment classification assignment;
- ▶ provides a one-time irrevocable election until June 30, 2010, to a regular full-time employee of an institution of higher education who has URS service credit to transfer to a Public Employees' Retirement System;
- ▶ provides for certain rulemaking by the board; and
- ▶ makes technical changes.

Amends 49-12-204, 49-13-204

Effective May 11, 2010

Chapter 158, Laws of Utah 2010

SB 172 Local District Taxing Authority Amendments (*Curtis S. Bramble*)

This bill amends provisions relating to the taxing authority of local districts.

This bill:

- ▶ defines terms;
- ▶ amends provisions relating to services that a local district may provide;
- ▶ prohibits local districts that do not have elected boards from levying and collecting a property tax in certain circumstances;
- ▶ amends provisions relating to a metropolitan water district board of trustees;
- ▶ prohibits, with certain exceptions, a metropolitan water district board of trustees from collecting a property tax;
- ▶ amends provisions relating to a water conservancy district board of trustees;
- ▶ prohibits, with certain exceptions, a water conservancy district board of trustees from collecting a property tax; and
- ▶ makes technical corrections.

Amends 17B-1-202, 17B-1-1001, 17B-2a-604, 17B-2a-817, 17B-2a-905, 17B-2a-1005, 17B-2a-1006;

Enacts 17B-2a-608, 17B-2a-1009;

Repeals 17B-2a-908

Effective May 11, 2010

Chapter 159, Laws of Utah 2010

SB 173 Business Entity Amendments (*Lyle W. Hillyard*)

This bill modifies provisions in Title 16, Corporations, Title 48, Partnership, Title 76, Utah Criminal Code, and Title 78B, Judicial Code, related to business entities required to file with the Division of Corporations and Commercial Code, including addressing issues regarding filings and the responsibilities of the division.

This bill:

- ▶ repeals outdated language related to registered agents;
- ▶ requires certain documents to be in a machine printed format;
- ▶ addresses the Division of Corporations and Commercial Code's subpoena powers;
- ▶ addresses the notice requirement in articles of organization for series limited liability companies;
- ▶ repeals language in the criminal code that addresses filings or service of process with the Division of Corporations and Commercial Code;
- ▶ repeals language related to sworn certificates being required of a nonresident doing business in the state; and
- ▶ makes technical and conforming changes.

Amends 16-6a-202, 16-10a-202, 16-10a-1503, 42-2-5, 48-2c-113, 48-2c-410, 48-2c-606, 48-2c-607, 76-10-1209, 76-10-1219, 76-10-1220, 76-10-1221, 78B-3-204;

Repeals 78B-3-203

Effective May 11, 2010

Chapter 43, Laws of Utah 2010

SB 175 School District Capital Outlay Equalization Amendments (*Benjamin M. McAdams*)

This bill amends provisions related to public education financing and certain school property tax provisions.

This bill:

- ▶ allows local school boards to use revenue collected from certain capital property tax levies for certain general fund purposes for fiscal years 2010-11 and 2011-12;
- ▶ requires a local school board to notify taxpayers of certain uses of property tax revenue;
- ▶ requires a school district in a county of the first class that receives property tax revenue from a capital outlay levy equalization program to report to the Education Interim Committee each year;
- ▶ requires the Education Interim Committee to consider reports of receiving school districts when determining whether to reauthorize certain capital outlay levy equalization programs during a sunset review;
- ▶ sunsets certain capital outlay levy equalization programs at the end of 2016; and
- ▶ makes technical changes.

This bill provides retrospective operation for a taxable year beginning on or after January 1, 2010.

Amends 53A-16-107, 53A-16-107.1, 53A-19-102, 63I-1-253, 63I-1-259

Effective May 11, 2010

Chapter 160, Laws of Utah 2010

SB 178 Utah Emergency Medical Services System Act Amendments *(Dennis E. Stowell)*

This bill modifies the Utah Emergency Medical Services System Act by changing the distributions of monies allocated for grants that assist with the delivery of emergency medical services.

This bill:

- ▶ expands the coverage area for allocating grants to assist with the delivery of emergency services from certain rural areas of the state to the entire state;
- ▶ permits the State Emergency Medical Services Committee to determine what percentage of the funds will be used as per capita block grants; and
- ▶ makes technical changes.

Amends 26-8a-207

Effective May 11, 2010

Chapter 161, Laws of Utah 2010

SB 179 Utah Revised Business Corporation Act Amendments *(Daniel R. Liljenquist)*

This bill modifies the Utah Revised Business Corporation Act to address the liability of shareholders of a corporation.

This bill:

- ▶ addresses the liability of shareholders; and
- ▶ makes technical amendments.

Amends 16-10a-622

Effective May 11, 2010

Chapter 44, Laws of Utah 2010

SB 181 Employment Security Administration Fund Repealer *(David P. Hinkins)*

This bill repeals the Employment Security Administration Fund and makes conforming changes within Title 35A, Utah Workforce Services Code, and Title 63J, Budgeting.

This bill:

- ▶ eliminates the Employment Security Administration Fund due to its obsolescence, allowing the Unemployment Insurance Division of the Department of Workforce Services to better meet its federal reporting requirements; and
- ▶ makes conforming and technical changes.

Amends 35A-3-115, 35A-4-201, 35A-4-501, 35A-4-506, 35A-4-507, 63J-1-602;

Repeals 35A-4-505

Effective May 11, 2010

Chapter 277, Laws of Utah 2010

SB 188 Charter School Amendments (*Howard A. Stephenson*)

This bill modifies provisions regarding the operation and governance of charter schools.

This bill:

- ▶ expands the membership of the State Board of Education by including a member of the State Charter School Board as a nonvoting member;
- ▶ removes a statutory enrollment cap on charter schools;
- ▶ allows the State Board of Education to approve an increase in charter school enrollment capacity subject to the Legislature appropriating funds for the increase;
- ▶ modifies procedures for:
 - admitting students to charter schools; and
 - transferring from a charter school to a school district or another charter school;
- ▶ modifies conflict of interest provisions applicable to charter school officers;
- ▶ provides for the nomination by the State Charter School Board of members of a committee that reviews requests for loans to charter schools; and
- ▶ makes technical amendments.

Amends 53A-1-101, 53A-1a-502.5, 53A-1a-506.5, 53A-1a-515, 53A-1a-518, 53A-21-401

Effective May 10, 2010

Chapter 162, Laws of Utah 2010

SB 189 Capital Facilities Amendments (*Curtis S. Bramble*)

This bill amends provisions regarding capital projects accounting and use of project reserve money.

This bill:

- ▶ requires the director of the Division of Facilities Construction and Management to account for reserve money accrued from state appropriated funds generated from bid savings and project residuals in separate accounts, one for capital improvement projects and one for capital development projects;
- ▶ allows the state building board to re-allocate bid savings and project residuals for approved capital improvement projects;
- ▶ provides for certain limitations and reporting of the transfer of funds between projects; and
- ▶ make technical changes.

Amends 63A-5-209

Effective May 11, 2010

Chapter 163, Laws of Utah 2010

SB 191 Governmental Accounting Amendments (*Lyle W. Hillyard*)

This bill modifies the name of certain funds in the Utah Code for governmental accounting purposes.

This bill:

- ▶ changes the name of certain funds to reflect the fact that they are actually restricted accounts within the General Fund;
- ▶ clarifies that money in a restricted account or fund does not lapse to another account or fund unless otherwise specified;
- ▶ addresses the disposition of money deposited into the Rural Health Care Facilities Account;
- ▶ provides that certain highway special revenue funds are within the Transportation Fund;
- ▶ provides that certain highway special revenue funds are within the Transportation Investment Fund of 2005;
- ▶ establishes the Transportation Investment Fund of 2005 as a major fund type in the Utah Code;
- ▶ provides that the Uniform School Fund is a special revenue fund within the Education Fund;
- ▶ deletes obsolete accounts; and
- ▶ makes technical changes.

This bill provides effective dates.

This bill coordinates with S.B. 123 by providing technical amendments.

Amends 4-2-8.6, 4-2-8.7, 4-20-1, 4-20-1.5, 4-20-1.6, 4-20-2, 4-20-3, 9-4-802, 9-4-803, 13-1-2, 13-14-105, 13-15-3, 13-34-107, 13-35-105, 15-9-117, 16-10a-1703, 19-1-307, 19-3-106.2, 23-14-13, 26-2-12.5, 26-9-4, 26-18a-1, 26-18a-3, 26-18a-4, 35A-3-115, 35A-4-201, 35A-4-305, 35A-4-306, 35A-4-501, 35A-4-505, 35A-4-506, 35A-4-507, 51-5-4, 51-9-407, 53-10-602, 53-10-603, 53-10-604, 53-10-605, 53-10-606, 53A-16-101, 58-31b-103, 58-31b-503, 58-37-7.5, 58-44a-103, 58-55-503, 58-56-9.5, 58-76-103, 59-1-210, 59-7-614.5, 59-10-1108, 59-10-1306, 59-10-1308, 59-21-2, 62A-4a-309, 62A-4a-310, 62A-4a-311, 62A-15-503, 63A-5-220, 63B-10-401, 63J-1-104, 63J-1-602, 63J-6-203, 63M-1-902, 63M-1-903, 63M-1-904, 63M-1-905, 63M-1-906, 63M-1-908, 63M-1-909, 63M-1-1211, 63M-1-1802, 63M-1-1803, 63M-1-1804, 63M-1-2301, 63M-1-2302, 63M-1-2303, 63M-1-2304, 63M-1-2305, 67-5-25, 70-3a-203, 72-2-106, 72-2-120, 72-2-121, 72-2-121.1, 72-2-125, 72-6-118, 76-7-317.1, 78A-2-301, 78B-6-209;

Enacts 62A-15-502.5;

Repeals 63M-5-202

Effective May 11, 2010

Chapter 278, Laws of Utah 2010

SB 197 Community Development and Renewal Agency Amendments (*Curtis S. Bramble*)

This bill amends Community Development and Renewal Agencies provisions.

This bill:

- ▶ defines terms;
- ▶ amends a public entity's authority to assist with a project;
- ▶ amends notice requirements;
- ▶ amends provisions relating to the payment of tax increment;
- ▶ authorizes, in certain circumstances, an agency to loan tax increment from one project area fund to another project area fund;
- ▶ amends provisions related to funds allocated for housing;
- ▶ requires, in certain circumstances, a licensed attorney to certify a project area budget;
- ▶ prohibits, in certain circumstances, a person from contesting a project area budget or an amendment to a project area budget;
- ▶ permits a successor taxing entity to enforce a resolution or interlocal agreement;
- ▶ prohibits, in certain circumstances, a person from contesting a resolution or interlocal agreement adopted by a taxing entity or public entity; and
- ▶ makes technical corrections.

Amends 9-4-704, 10-3-1303, 11-25-3, 11-27-2, 17C-1-101, 17C-1-102, 17C-1-207, 17C-1-303, 17C-1-401, 17C-1-409, 17C-1-412, 17C-2-108, 17C-2-110, 17C-2-201, 17C-2-206, 17C-2-502, 17C-3-107, 17C-3-109, 17C-3-201, 17C-3-205, 17C-3-402, 17C-4-201, 17C-4-202, 17C-4-402, 59-2-924.2, 72-1-208

Effective May 11, 2010

Chapter 279, Laws of Utah 2010

SB 198 Economic Development Incentive Amendments (*John L. Valentine*)

This bill amends the Corporate Franchise and Income Taxes chapter, the Individual Income Tax Act, and the Economic Development Incentives Act relating to economic development incentives including tax credits.

This bill:

- ▶ enacts and modifies definitions;
- ▶ provides that a local government entity or community development and renewal agency may claim a refundable economic development tax credit under certain circumstances;
- ▶ addresses the procedures, requirements, and administration related to the refundable economic development tax credit and the creation of economic development zones;
- ▶ addresses reporting requirements by the Governor's Office of Economic Development;
- ▶ addresses the expenditure of amounts received as a tax credit by a local government entity or community development and renewal agency;
- ▶ addresses the commingling of tax credit amounts with certain other amounts; and
- ▶ makes technical and conforming changes.

This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.

This bill coordinates with H.B. 24, Economic Development Incentives Act Amendments, by merging substantive amendments.

Amends 59-7-614.2, 59-10-1107, 63M-1-2403, 63M-1-2404, 63M-1-2405, 63M-1-2407, 63M-1-2408;

Enacts 63M-1-2409

Effective May 11, 2010

Chapter 164, Laws of Utah 2010

SB 204 Midterm Vacancy Amendments (*Benjamin M. McAdams*)

This bill amends a provision relating to a midterm vacancy in the Legislature.

This bill:

- ▶ defines “filing deadline” as the final date for filing a declaration of candidacy and a certificate of nomination;
- ▶ provides procedures for obtaining a position on the ballot for an office of senator, if a vacancy in the office occurs after the filing deadline but before September 1 of an even-numbered year in which the term of office does not expire;
- ▶ requires the lieutenant governor to:
 - provide notice of a vacancy; and
 - establish a filing deadline; and
- ▶ provides that a vacancy in the office of senator be filled for the unexpired term if the vacancy occurs on or after September 1 of an even-numbered year in which the term of office does not expire.

Amends 20A-1-503

Effective May 11, 2010

Chapter 165, Laws of Utah 2010

SB 209 Humanitarian Service and Educational and Cultural Exchange Support Special Group License Plate (*Peter C. Knudson*)

This bill authorizes a Humanitarian Service and Educational and Cultural Exchange support special group license plate.

This bill:

- ▶ creates a Humanitarian Service and Educational and Cultural Exchange support special group license plate for programs that create or support humanitarian service and educational and cultural exchange programs;
- ▶ requires applicants for a new plate to make a \$25 annual donation to the Humanitarian Service and Educational and Cultural Exchange Restricted Account;
- ▶ creates the Humanitarian Service and Educational and Cultural Exchange Restricted Account;
- ▶ requires the Department of Community and Culture to distribute funds in the Humanitarian Service and Educational and Cultural Exchange Restricted Account to certain organizations that provide programs that create or support humanitarian service and educational and cultural exchange programs; and
- ▶ makes technical changes.

This bill takes effect on October 1, 2010.

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

Enacts 9-17-101, 9-17-102

Effective October 1, 2010

Chapter 166, Laws of Utah 2010

SB 210 Judicial Performance Evaluation Commission Amendments (*D. Chris Buttars*)

This bill amends the judicial performance evaluation survey.

This bill:

- ▶ eliminates witnesses who have testified in cases considered by the judge from the list of mandatory survey respondent groups; and
- ▶ expands the survey topic of "judicial temperament" to include questions about judicial demeanor and personal attributes that promote trust and confidence in the judiciary.

Amends 78A-12-203, 78A-12-204, 78A-12-205, 78A-12-206

Effective May 11, 2010

Chapter 98, Laws of Utah 2010

SB 212 Pawn Shop Amendments (*Jon J. Greiner*)

This bill modifies the Pawnshop and Secondhand Merchandise Transaction Information Act regarding businesses required to participate in the state register.

This bill:

- ▶ requires, on and after January 1, 2011, that all pawn and secondhand businesses, regardless of the number of transactions, participate in the state register of merchandise and pawned articles.

Amends 13-32a-107

Effective May 11, 2010

Chapter 167, Laws of Utah 2010

SB 215 Highway Project Funding - Salt Lake County (*Wayne L. Niederhauser*)

This bill provides a mechanism for financing and constructing certain highway projects in Salt Lake County using revenues generated wholly in Salt Lake County.

This bill:

- ▶ authorizes Salt Lake County and the state of Utah to enter into an interlocal agreement for financing certain highway projects in Salt Lake County;
- ▶ specifies certain provisions of that agreement;
- ▶ provides for Salt Lake County to issue revenue bonds and transmit a portion of the proceeds to the Department of Transportation and to certain municipalities;
- ▶ provides for the state of Utah to transfer money from the state fund that receives certain Salt Lake County revenues to Salt Lake County to pay debt service on the revenue bonds;
- ▶ modifies existing statutory provisions to provide revenues necessary to pay debt service on the Salt Lake County revenue bonds; and
- ▶ makes technical corrections.

Amends 72-2-121;

Enacts 72-2-121.3, 72-2-121.4

Effective May 11, 2010

Chapter 168, Laws of Utah 2010

SB 216 Absentee Voting by Military Personnel Amendments (*Benjamin M. McAdams*)

This bill modifies the Election Code by amending provisions related to overseas military absentee voting.

This bill:

- ▶ allows an overseas military voter to apply for an absentee ballot electronically;
- ▶ authorizes a county clerk to accept a ballot application for one general election instead of two general elections; and
- ▶ makes technical changes.

Amends 20A-3-406

Effective May 11, 2010

Chapter 169, Laws of Utah 2010

SB 217 Increase in Surcharge on Fines (*Scott K. Jenkins*)

This bill increases the surcharges on fines and penalties to provide funds for increased law enforcement presence in areas with halfway houses.

This bill:

- ▶ increases the surcharges on criminal fines and penalties from 85% to 90%;
- ▶ creates a Law Enforcement Services Account for the increased amounts;
- ▶ requires that the Commission on Criminal and Juvenile Justice administer the account;
- ▶ requires that the account be used for increased law enforcement in areas with halfway houses; and
- ▶ allows law enforcement agencies to receive funds based on the number of halfway house beds in their jurisdiction to accomplish the purpose of the account.

This bill appropriates as an ongoing appropriation subject to future budget constraints, \$619,000 from the Law Enforcement Services Account for fiscal year 2010-11 to the Commission on Criminal and Juvenile Justice.

This bill takes effect on July 1, 2010.

Amends 51-9-401, 51-9-402;

Enacts 51-9-412

Effective July 1, 2010

Chapter 402, Laws of Utah 2010

SB 218 Engine Coolant Bittering Agent Act (*Michael G. Waddoups*)

This bill modifies the Environmental Quality Code to require a bittering agent in engine coolant and to address related issues.

This bill:

- ▶ enacts the Engine Coolant Bittering Agent Act including:
 - defining terms;
 - requiring engine coolant sold in the state to contain a bittering agent subject to specific conditions;
 - requires recordkeeping and public access to the records;
 - prohibits regulation by political subdivisions;
 - exempts certain persons from liability for various harms;
 - provides a private right of action; and
 - provides exemptions.

Enacts 19-1-501, 19-1-502, 19-1-503, 19-1-504, 19-1-505, 19-1-506, 19-1-507, 19-1-508

Effective May 11, 2010

Chapter 170, Laws of Utah 2010

SB 219 **Criminal Nuisance Amendment** (*Jon J. Greiner*)

This bill modifies the Criminal Code regarding nuisances.

This bill:

- ▶ provides that violation of an order or judgment abating or enjoining a nuisance or a public nuisance is a class B misdemeanor.

Enacts 76-10-806.5, 78B-6-1102.5

Effective May 11, 2010

Chapter 99, Laws of Utah 2010

SB 222 **Fee Exemptions** (*Brent H. Goodfellow*)

This bill authorizes, in certain circumstances, a local district to provide a credit for a fee charged by the local district.

This bill:

- ▶ authorizes, in certain circumstances, a local district to provide a credit for a fee charged by the local district.

Enacts 17B-1-645

Effective May 11, 2010

Chapter 171, Laws of Utah 2010

SB 225 Motor Vehicle Insurance - Named Driver Exclusion (*Lyle W. Hillyard*)

This bill modifies the Insurance Code by amending provisions relating to named driver exclusions for motor vehicle insurance coverage.

This bill:

- ▶ provides that a policy of personal lines insurance or combination of personal lines policies purchased to satisfy the owner's or operator's security requirement may specifically exclude from coverage a person who is a resident of the named insured's household or a person who usually or customarily operates the motor vehicle;
- ▶ provides that the named driver exclusion is only effective if:
 - each person excluded from coverage satisfies the owner's or operator's security requirement independently of the named insured;
 - the named insured and the person excluded from coverage each provide written consent to the exclusion; and
 - the insurer includes the name of each person excluded from coverage in the evidence of insurance provided to an additional insured or loss payee;
- ▶ provides that the named driver exclusion requirement to obtain owner's or operator's security does not apply if the excluded person's license has been denied, suspended, or revoked;
- ▶ provides that if the driver license of a person excluded from coverage has been denied, suspended, revoked, or disqualified and the person excluded from coverage subsequently operates a motor vehicle, the exclusion shall:
 - exclude all liability coverage and all physical damage coverage without regard to the comparative fault of the excluded driver;
 - proportionately reduce any benefits otherwise payable to the person excluded from coverage and by any named insured for certain motor vehicle insurance benefits payable to the extent the person excluded from coverage was comparatively at fault; and
 - if the person excluded from coverage is 50% or more at fault in causing the accident, bar both the excluded driver and any named insured from recovering any benefits under certain motor vehicle insurance coverage;
- ▶ provides that the named driver exclusion does not apply when the person excluded from coverage is a non-driving passenger in a motor vehicle or a pedestrian; and
- ▶ makes technical changes.

Amends 31A-22-303;

Enacts 31A-22-302.5

Effective July 1, 2010

Chapter 172, Laws of Utah 2010

SB 227 Interlocal Energy Amendments (*Curtis S. Bramble*)

This bill addresses the provision of certain energy services by an interlocal entity.

This bill:

- ▶ addresses the provision of retail electric service by an energy services interlocal entity;
- ▶ allows certain energy services interlocal entities to provide service outside their municipal members' boundaries under certain circumstances; and
- ▶ addresses the Public Service Commission's role in the provision of certain service by an energy services interlocal entity.

Amends 11-13-204

Effective May 11, 2010

Chapter 173, Laws of Utah 2010

SB 231 Medical Benefits Under Workers' Compensation (*D. Chris Butters*)

This bill modifies the Workers' Compensation Act to address issues related to the payment of medical benefits in the case of an industrial accident.

This bill:

- ▶ provides that legislative changes in the time limits in seeking medical benefits are to be applied retroactively; and
- ▶ makes technical changes.

Amends 34A-2-417

Effective May 11, 2010

Chapter 174, Laws of Utah 2010

SB 232 Judicial Administration Amendments (*Scott K. Jenkins*)

This bill creates a procedure to implement a judicial hiring freeze.

This bill:

- ▶ allows a judicial hiring freeze to be implemented during a General Fund deficit for the juvenile court, district court, appellate court, or any combination of these courts; and
- ▶ specifies that a judicial hiring freeze shall be established for a specified period of time.

Enacts 78A-2-113

Effective May 11, 2010

Chapter 175, Laws of Utah 2010

SB 237 Transition for Repealed Navajo Trust Fund Act Amendments (*David P. Hinkins*)

This bill amends the Transition for Repealed Navajo Trust Fund Act.

This bill:

- ▶ addresses receipt of litigation related monies;
- ▶ addresses expenditures on certain projects; and
- ▶ modifies a date related to qualifying for receipt of money for postsecondary education.

Amends 51-9-504

Effective May 11, 2010

Chapter 176, Laws of Utah 2010

SB 240 Retirement Participation Amendments (*Daniel R. Liljenquist*)

This bill modifies the Utah State Retirement and Insurance Benefit Act to allow certain employers and employees to be excluded from participation in the Public Employees' Non-Contributory Retirement System.

This bill:

- ▶ allows senior staff of USTAR to elect to opt out of a defined benefit retirement system and into a defined contribution retirement system;
- ▶ specifies that certain interlocal risk management organizations may elect to not participate in the Public Employees' Non-Contributory Retirement System;
- ▶ provides procedures for the exclusion;
- ▶ requires the retirement office to reduce an employer's delinquent contributions to the system on behalf of an employee who has relinquished service credit; and
- ▶ makes technical amendments.

Amends 49-11-406, 49-11-601, 49-13-202, 49-13-203

Effective May 11, 2010

Chapter 280, Laws of Utah 2010

SB 242 Economic Development Incentives for Alternative Energy Projects (*Kevin T. Van Tassell*)

This bill modifies provisions of the Renewable Energy Development Act dealing with economic development incentives for alternative energy projects.

This bill:

- ▶ changes the name of the Renewable Energy Development Act to the Alternative Energy Development Act;
- ▶ provides definitions for alternative energy, alternative energy development zones, and alternative energy project;
- ▶ provides the Governor's Office of Economic Development with criteria for determining a qualifying tax credit under the act; and
- ▶ makes certain conforming and technical changes.

Amends 63M-1-2801, 63M-1-2802, 63M-1-2803, 63M-1-2804, 63M-1-2805, 63M-1-2806

Effective May 11, 2010

Chapter 45, Laws of Utah 2010

SB 247 John M. Browning Commemorative Day (*Mark B. Madsen*)

This bill establishes a day commemorating John M. Browning.

This bill:

- ▶ provides that the state commemorate John M. Browning on January 24, 2011; and
- ▶ provides a repeal date.

Amends 63G-1-401, 63I-2-263

Effective May 11, 2010

Chapter 224, Laws of Utah 2010

SB 250 Political Party Bylaws - United States Senators (*Howard A. Stephenson*)

This bill authorizes political parties to include provisions in their bylaws establishing, if desired by the political party, a process for the political party to consult with its party members in the Utah Senate and House about United States Senate incumbents and candidates.

This bill:

- ▶ authorizes political parties to establish a process in their bylaws to:
 - consult with and obtain the opinion of members of its party serving in the Utah House and Utah Senate about the performance and policy positions of the United States Senators from Utah and any candidates for United States Senate from Utah including specifically their views and actions on state's rights and federalism and their performance in representing Utah's interests; and
 - if desired by the political party, obtain collective or individual endorsements of a particular United States Senate candidate from the members of its political party serving in the Utah Senate or Utah House.

Amends 20A-8-401

Effective May 11, 2010

Chapter 177, Laws of Utah 2010

SB 251 Verification of Employment Eligibility (*D. Chris Buttars*)

This bill modifies provisions related to employment to address verification of employment eligibility.

This bill:

- ▶ enacts the Private Employer Verification Act, including:
 - defining terms;
 - addressing private employers' obligations related to verification of federal legal working status and liability protections;
 - providing for voluntary registration with the Department of Commerce by a private employer who participates in employee verification; and
 - requiring the Department of Commerce to publish a list of registered private employers participating in employee verification.

Enacts 13-47-101, 13-47-102, 13-47-103, 13-47-201, 13-47-202, 13-47-203, 13-47-204

Effective May 11, 2010

Chapter 403, Laws of Utah 2010

SB 252 Bail Bond Act Amendments (*Dennis E. Stowell*)

This bill modifies provisions regarding bail bond companies, notice of bond forfeiture, and satisfaction of the judgment.

This bill:

- ▶ requires notification to the bail bond company by the commissioner of nonpayment of a judgment; and
- ▶ provides that a bail bond company has five business days after notification of a nonpayment of judgment to satisfy the judgment.

Amends 31A-35-504

Effective May 11, 2010

Chapter 178, Laws of Utah 2010

SB 259 Amendments to Tobacco Tax (*Allen M. Christensen*)

This bill amends provisions of the Cigarette and Tobacco Tax Act.

This bill:

- ▶ removes a provision relating to the allocation of funds that remain in the Cigarette Tax Restricted Account at the end of the fiscal year; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2010.

This bill coordinates with H.B. 196, Tobacco Tax Revisions, by providing substantive amendments.

Amends 59-14-204

Effective July 1, 2010

Chapter 407, Laws of Utah 2010

SB 265 Budget Revisions - Drug Court Expansion (*Daniel R. Liljenquist*)

This bill eliminates the drug board pilot program and provides funds to the Department of Human Services to expand the drug court program statewide.

This bill:

- ▶ eliminates the drug board pilot program; and
- ▶ provides funds to the Department of Human Services to expand the drug court program statewide.

This bill takes effect on July 1, 2010.

Amends 51-9-201

Effective July 1, 2010

Chapter 404, Laws of Utah 2010

SB 272 Amendments to Transportation Provisions (*Jerry W. Stevenson*)

This bill modifies provisions relating to Public Transit Districts.

This bill:

- ▶ provides definitions;
- ▶ provides that a public transit district may:
 - establish, finance, participate as a limited partner or member in a development with limited liabilities, construct, improve, maintain, or operate a transit-oriented development or transit-supportive development; and
 - assist in a transit-oriented development or transit-supportive development in connection with the economic development of areas in proximity to a right-of-way, rail line, station, platform, switchyard, terminal, or parking lot;
- ▶ provides that a public transit district may only assist in the economic development of certain areas in certain ways and on no more than five transit-oriented developments or transit-supportive developments;
- ▶ provides that a public transit district may not invest in a transit-oriented development or a transit-supportive development as a limited partner or other limited liability unless certain circumstances apply;
- ▶ provides that a current board member of a public transit district may not have any interest in certain transactions engaged in by the public transit district;
- ▶ increases the number of members on the board of trustees of a public transit district with more than 200,000 people residing within the boundaries of the public transit district and amends apportionment provisions relating to the board of trustees;
- ▶ authorizes a board of trustees to appoint a chief executive officer in place of or in addition to a general manager and allows the board of trustees to allocate duties between the general manager and the chief executive officer;
- ▶ repeals certain public notice requirements relating to a public transit district bidding certain construction projects;
- ▶ amends provisions relating to criminal background checks for public transit district employees;
- ▶ exempts a public transit pass issued by a public transit district from the requirement that a document may only be issued to a United States Citizen, a national, or a legal permanent resident alien; and
- ▶ makes technical changes.

Amends 17B-2a-802, 17B-2a-804, 17B-2a-807, 17B-2a-808, 17B-2a-810, 17B-2a-811, 17B-2a-818, 17B-2a-825, 63G-11-102

Effective May 11, 2010

Chapter 281, Laws of Utah 2010

SB 273 Hospital Assessments (*Lyle W. Hillyard*)

This bill enacts the Hospital Provider Assessment Act in the health code.

This bill:

- ▶ makes legislative findings;
- ▶ defines terms;
- ▶ clarifies the application of the chapter;
- ▶ establishes the assessment and payment of the hospital provider assessment;
- ▶ establishes the calculation of the assessment;
- ▶ provides for quarterly assessment and payment;
- ▶ establishes a Medicaid inpatient hospital access payment from the division to a hospital;
- ▶ provides for penalties if the hospital provider assessment is not paid;
- ▶ creates a restricted special revenue fund;
- ▶ repeals the assessment if certain events occur;
- ▶ creates a Hospital Policy Review Board to review Medicaid state plan amendments that effect hospital reimbursements;
- ▶ requires the division to seek approval from the Center for Medicare and Medicaid Services for federal matching based on the hospital provider assessment; and
- ▶ repeals the hospital provider assessment on July 1, 2013.

This bill has retrospective operation for taxable years beginning on or after January 1, 2010.

Amends 63I-1-226;

Enacts 26-36a-101, 26-36a-102, 26-36a-103, 26-36a-201, 26-36a-202, 26-36a-203, 26-36a-204, 26-36a-205, 26-36a-206, 26-36a-207, 26-36a-208, 26-36a-209

Effective May 11, 2010

Chapter 179, Laws of Utah 2010

SB 274 Online Pharmacy Amendments (*Curtis S. Bramble*)

This bill creates an Online Prescribing, Dispensing, and Facilitation Licensing Act.

This bill:

- ▶ amends unlawful conduct provisions;
- ▶ defines terms;
- ▶ requires licenses with the state to engage in online prescribing, online dispensing, or Internet facilitation;
- ▶ establishes requirements for the licenses;
- ▶ allows certain online prescribers, online contract pharmacies, and Internet facilitators to continue delivering online pharmaceutical services while their applications for licensure are pending with the division;
- ▶ establishes duties for a licensed online prescriber, online contract pharmacy, and Internet facilitator;
- ▶ limits the type of drugs that can be prescribed online;
- ▶ requires the use of an Internet facilitator and an online contract pharmacy to prescribe online; and
- ▶ provides enforcement mechanisms for the division.

Amends 58-1-501;

Enacts 58-83-101, 58-83-102, 58-83-201, 58-83-301, 58-83-302, 58-83-303, 58-83-304, 58-83-305, 58-83-306, 58-83-307, 58-83-308, 58-83-401, 58-83-501, 58-83-502, 58-83-503

Effective May 11, 2010

Chapter 180, Laws of Utah 2010

SB 275 Removing Signature from Initiative and Referendum Petition (*Howard A. Stephenson*)

This bill modifies the Election Code by amending provisions related to removing signatures from a statewide initiative and referendum petition.

This bill:

- ▶ repeals the requirement that a voter must submit a notarized statement to the county clerk to have the voter's signature removed from a statewide initiative or referendum petition;
- ▶ provides that to remove a voter's name from a statewide initiative or referendum petition, a voter shall sign a statement requesting removal, which includes the voter's address and identification information;
- ▶ requires a county clerk to deliver to the lieutenant governor a voter statement requesting removal of a voter's name from a statewide initiative or referendum petition;
- ▶ provides that the lieutenant governor, instead of the county clerk, remove the name of a voter who requests removal from a statewide initiative or referendum petition;
- ▶ provides that the lieutenant governor does not count a name removed from the petition; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

Amends 20A-7-205, 20A-7-206, 20A-7-207, 20A-7-305, 20A-7-306, 20A-7-307

Effective March 26, 2010

Chapter 225, Laws of Utah 2010

SB 277 DNA Modifications (*J. Stuart Adams*)

This bill modifies the public safety laws regarding collection of DNA specimens to include collection from persons booked for any violent felony, increases the fee for the specimen, and changes the management of fees.

This bill:

- ▶ requires that a county sheriff that books a person for any violent crime shall obtain a DNA specimen if at the time of booking the person's DNA specimen is not already on file;
- ▶ requires the booked person to pay a fee of \$150 for the costs of collecting the DNA specimen if the person is convicted of the charge for which the person was booked;
- ▶ increases the fee for all required DNA specimens from \$100 to \$150;
- ▶ allocates \$25 of the fee to the collecting agency, and the balance of \$125 to the Department of Public Safety for the processing of the DNA specimens; and
- ▶ provides that a DNA specimen taken at time of booking may not be processed until the person is bound over for trial, waives a preliminary hearing, or a grand jury issues an indictment;
- ▶ clarifies that only DNA markers used for forensic purposes may be included when establishing a donor's gender and unique individual identification by DNA analysis;
- ▶ requires that the DNA analysis be consistent with and not exceed FBI forensic DNA analysis procedures;
- ▶ requires that the department destroy a DNA specimen if criminal charges have not been filed within 90 days after booking;
- ▶ provides that when a court issues an order to destroy DNA records pursuant to a person's motion for destruction based on dismissal or acquittal of the charge against the person, the court may also provide information advising of state law regarding expungement of criminal charges;
- ▶ establishes criminal penalties for possessing or disclosing individually identifiable DNA analysis information and the failure to destroy a DNA specimen, in violation of state law regarding management, storage, and destruction of DNA specimens and DNA analysis; and
- ▶ allows analysis of the DNA if the person is convicted of any charge arising out of the same criminal episode regarding which the DNA specimen was obtained.

This bill takes effect on January 1, 2011.

Amends 53-10-403, 53-10-403.5, 53-10-404, 53-10-405, 53-10-406, 53-10-407, 78B-9-301;

Enacts 53-10-404.5

Effective January 1, 2011

Chapter 405, Laws of Utah 2010

SB 278 Homeowners' Association Amendments (*Stephen H. Urquhart*)

This bill enacts provisions relating to condominium and community associations.

This bill:

- ▶ requires a reserve analysis to be conducted and a review of a reserve analysis on a periodic basis; and
- ▶ enacts provisions governing reserve funds of condominium associations and community associations.

Enacts 57-8-7.5, 57-8a-211

Effective May 11, 2010

Chapter 46, Laws of Utah 2010

SB 280 **2010 General Obligation Bond Authorization** (*Lyle W. Hillyard*)

This bill authorizes the issuance of general obligation bonds for certain capital facilities and modifies the terms for issuing bonds on existing capital improvement projects.

This bill:

- ▶ modifies existing language and dollar amounts on authorized costs and authorization caps to comply with current language and funding practices;
- ▶ removes the prerequisites for issuing and selling general obligation bonds for the Utah State University Agricultural Science Classroom Building capital facility project;
- ▶ modifies the bonding code by authorizing the issuance and sale of general obligation bonds by the State Building Commission for capital facilities;
- ▶ specifies the use of the general obligation bond proceeds and the manner of issuance; and
- ▶ provides expressions of legislative intent.

This bill provides an immediate effective date.

Amends 63B-17-101;

Enacts 63B-19-101

Effective March 25, 2010

Chapter 181, Laws of Utah 2010

SB 281 **Public Access to Stream Beds - Utah Waterways Task Force** (*Dennis E. Stowell*)

This bill creates a task force to address public rights on public waters.

This bill:

- ▶ creates a legislative task force to study public rights on public waters, consisting of six members from each legislative house.

This bill is repealed on November 30, 2010.

Effective May 11, 2010

Chapter 406, Laws of Utah 2010

SB 282 **Capital Facilities Appropriations** (*Curtis S. Bramble*)

This bill appropriates money for capital facilities.

This bill:

- ▶ appropriates money for capital facilities.

This bill appropriates \$113,000,000 from the General Fund for fiscal year 2010-2011 only, to the Capital Budget for Capital Development.

This bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 182, Laws of Utah 2010

SCR 1 Alzheimer's and Dementia Awareness Concurrent Resolution (*Karen W. Morgan*)

This concurrent resolution of the Legislature and the Governor urges Utahns to increase their awareness of the impact of Alzheimer's disease.

This resolution:

- ▶ recognizes the citizens of Utah who are battling Alzheimer's's disease or a related dementia and their caregivers as courageous Utahns engaged in a healthcare battle of the 21st century;
- ▶ encourages their families, neighbors, employers, congregations, and the community at large to readily communicate their support, lend a helping hand, and promote open discussion about Alzheimer's disease or a related dementia;
- ▶ urges Utah's care provider industry to continue working hand-in-hand with families to support and care for those coping with the devastating effects of Alzheimer's's disease or a related dementia;
- ▶ recommends that all Utahns recognize their risk and personally adopt a brain-healthy lifestyle to reduce the controllable risks of the disease; and
- ▶ urges Utah's brain health research and medical communities to continue their efforts to make the breakthroughs necessary to treat and ultimately prevent Alzheimer's's disease and related dementias.

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

Effective February 18, 2010

Laws of Utah 2010

SCR 2 Reducing Prescription Drug Misuse Resolution (*Patricia W. Jones*)

This concurrent resolution of the Legislature and the Governor urges consumers, doctors, pharmacists, health insurers, employers, government agencies, parents, and Utahns generally to take specific steps to reduce prescription drug misuse and addiction.

This resolution:

- ▶ urges various groups to take specific steps to:
 - improve the effectiveness of education and risk assessment before a prescription is issued;
 - improve the effectiveness of disposal and monitoring of use after a prescription is issued; and
 - increase the availability and use of treatment programs.

Effective March 8, 2010

Laws of Utah 2010

SCR 3 State Sovereignty Concurrent Resolution (*J. Stuart Adams*)

This concurrent resolution of the Legislature and the Governor reaffirms the sovereignty of the state of Utah under the Tenth Amendment of the United States Constitution.

This resolution:

- ▶ reaffirms the state of Utah's residuary and inviolable sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and
- ▶ strongly urges that all compulsory federal legislation that directs states to comply under threat of civil or criminal penalty or sanction or that requires states to enact legislation or lose federal funding be prohibited or repealed.

Effective March 26, 2010

Laws of Utah 2010

SCR 4 Dental Health Care Concurrent Resolution (*Patricia W. Jones*)

This concurrent resolution of the Legislature and the Governor expresses support for the efforts of the Regence Caring Foundation for Children to provide dental care to children from low-income families who earn too much to qualify for public assistance.

This resolution:

- ▶ expresses support for the efforts of the Regence Caring Foundation for Children to provide dental care to children from families who do not qualify for government assistance but cannot afford dental insurance; and
- ▶ encourages the citizens of Utah to learn more about the efforts of the Regence Caring Foundation for Children to provide dental health services to Utah children from low-income families.

Effective March 8, 2010

Laws of Utah 2010

SCR 5 Concurrent Resolution Recognizing the 100 Year Anniversary of the McKay-Dee Hospital (*Jon J. Greiner*)

This concurrent resolution of the Legislature and the Governor recognizes the 100 year anniversary of McKay-Dee Hospital.

This resolution:

- ▶ recognizes the 100th anniversary of McKay-Dee Hospital and the tremendous contribution the hospital, and those who have guided it through the years, have made to the citizens of the state of Utah.

Effective March 8, 2010

Laws of Utah 2010

SCR 6 Concurrent Resolution Approving Classification of Solid Waste Facility Solid Waste Permit (*Brent H. Goodfellow*)

This concurrent resolution of the Legislature and the Governor gives approval for the operation of a landfill to receive specified nonhazardous solid waste.

This resolution:

- ▶ addresses the proposed Mountain View Landfill, that is owned by Mountain View Landfill, Inc., and that is located in Salt Lake City, in Salt Lake County;
- ▶ grants statutorily required approval of the operating plan, as approved by the Department of Environmental Quality, and allows the Mountain View Landfill to operate as a Class V landfill and receive nonhazardous waste, industrial waste, construction and demolition waste, and special wastes as enumerated; and
- ▶ reiterates that the Mountain View Landfill is required under state law to apply for and receive approval from the Department of Environmental Quality, if the landfill desires to change a specified element of its waste stream.

Effective March 22, 2010

Laws of Utah 2010

SCR 7 Concurrent Resolution Approving Solid Waste Facility Classification Change
(Wayne L. Niederhauser)

This concurrent resolution of the Legislature and the Governor gives approval for the change in classification of a landfill from a class IV facility to a class VI facility.

This resolution:

- ▶ addresses the proposed Central Valley Landfill that is owned by Central Valley Water Reclamation Facility and managed by Construction Waste Management, LLC, and located in the city of Salt Lake in Salt Lake County; and
- ▶ grants statutorily required approval of the operating plan, as approved by the Department of Environmental Quality, and allows the Central Valley Landfill to change classification from a class IV landfill to a class VI landfill and receive nonhazardous construction and demolition waste and other waste as approved in the operating plan issued by the executive secretary of the Solid and Hazardous Waste Control Board.

Effective March 22, 2010

Laws of Utah 2010

SCR 11 Concurrent Resolution Expressing Opposition to the Creation of New National Monuments in Utah
(Kevin T. Van Tassell)

This concurrent resolution of the Legislature and the Governor urges the President of the United States and the United States Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah.

This resolution:

- ▶ expresses opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate;
- ▶ urges the President of the United States and the United States Congress to refrain from using the Antiquities Act to designate new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah;
- ▶ declares that this unchecked exercise of power concentrated in the President portends serious consequences for Utah and essentially coronates the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen;
- ▶ urges Congress to check the President's authority to exercise this power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument;
- ▶ expresses support for S 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by the express authorization of Congress; and
- ▶ calls on the United States government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise to convey the federal public lands to Utah for proper care and management, consistent with the Constitution's Framers' original intent.

Effective March 26, 2010

Laws of Utah 2010

SJR 1 Escalante Heritage Hole-in-the-rock Center Joint Resolution *(Dennis E. Stowell)*

This joint resolution of the Legislature expresses support for the construction of a Heritage Center in Escalante, Utah, and for improvements to the Hole-in-the-Rock Road, to highlight the journey of the San Juan/Hole-in-the-Rock colonizing expedition during the winter of 1879-80 and to preserve the history of the most difficult colonizing expedition in all of the West.

This resolution:

- ▶ expresses support for the Escalante Heritage Center's effort to preserve the history of the Hole-in-the-Rock pioneers, the history of the early explorations of the Escalante Valley, and the settlement of the town Escalante in 1876 through the heroic efforts of members of the Church of Jesus Christ of Latter-day Saints to follow the call of their leader to colonize and tame a part of the frontier; and
- ▶ expresses support for improving safety and year round travel on the Hole-in-the-Rock Road.

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

Effective February 18, 2010

Laws of Utah 2010

SJR 2 Joint Resolution on Combating and Reducing Gang Activity *(Luz Robles)*

This joint resolution of the Legislature urges state and local governments to work together to combat and reduce gang activity.

This resolution:

- ▶ urges state and local governments to take a comprehensive, collaborative, and communitywide approach to combat and reduce gang activity; and
- ▶ acknowledges sports, arts, academic, targeted counseling, and employment programs as a means to counter gang recruitment.

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

Effective February 26, 2010

Laws of Utah 2010

SJR 3 Joint Resolution on Ethics Complaint Procedures *(John L. Valentine)*

This bill modifies the joint legislative rules that govern the receipt and review of an ethics complaint against a legislator.

This resolution:

- ▶ establishes an Independent Legislative Ethics Commission;
 - ▶ establishes membership for the commission;
 - ▶ provides qualifications for membership;
 - ▶ provides term periods and replacement procedures for a member of the commission;
 - ▶ provides for the resignation, removal, or recusal of a member of the commission;
 - ▶ provides per diem for commission members;
 - ▶ provides procedures for calling a meeting of the commission;
 - ▶ requires the commission to prepare a public summary data report on an annual basis and requires that the report be submitted to a committee of the Legislature;
-

- ▶ provides for an independent staff to assist the commission;
- ▶ specifies the grounds upon which an ethics complaint may be filed against a legislator;
- ▶ provides certain time and jurisdiction limitations on filing an ethics complaint;
- ▶ establishes a general outline of hearing procedures for reviewing an ethics complaint;
- ▶ provides the chair of the commission or an ethics committee with the authority to direct proceedings and make rulings;
- ▶ permits a majority of the commission or committee to overrule certain decisions of the chair;
- ▶ provides subpoena powers to the commission and committees;
- ▶ provides procedures for issuing a subpoena;
- ▶ defines actions that constitute contempt of the Legislature in relation to procedures established under these rules;
- ▶ provides procedures for enforcing findings of contempt of the Legislature;
- ▶ provides general procedures for the examination of a witness;
- ▶ establishes permitted and restricted communications by commission and committee members during the period that an ethics complaint is under review;
- ▶ establishes rules that govern the payment of attorney fees and costs;
- ▶ establishes conduct requirements for an attorney appearing before the commission or a committee;
- ▶ provides procedures for filing an ethics complaint, including:
 - who may file a complaint;
 - restrictions on dates for filing a complaint;
 - the form of the complaint; and
 - information required to be included in the complaint;
- ▶ prohibits any person from disclosing the existence or contents of an ethics complaint while the commission is reviewing the complaint with certain exceptions;
- ▶ requires a complaint to be filed with the Senate or House Ethics Committee;
- ▶ changes the title of an ethics committee cochair to vice chair;
- ▶ modifies provisions for the recusal of an ethics committee member;
- ▶ requires the chair and vice chair of the committee to review the complaint for technical compliance with filing rules;
- ▶ requires a new complaint to be filed if the original complaint fails to meet filing requirements;
- ▶ requires the chair and vice chair of an ethics committee to forward a complaint that meets the filing requirements to the Independent Legislative Ethics Commission;
- ▶ provides that the commission shall conduct the original review of each ethics complaint;
- ▶ provides that commission meetings and hearings shall be closed to the public;
- ▶ permits the commission or an ethics committee to dismiss allegations that have previously been heard by the commission or an ethics committee;
- ▶ provides procedures for the commission to schedule a meeting to review an ethics complaint;
- ▶ permits the accused legislator, referred to as the respondent, to file a response to the complaint;
- ▶ establishes procedures and requirements for filing a response;
- ▶ permits the commission to hold meetings on preliminary matters in relation to a complaint before holding the formal review of the complaint;
- ▶ provides that the scope of the committee's authority is limited to review of those allegations contained in the complaint;
- ▶ provides procedures for the commission's review of the complaint;
- ▶ permits the commission to consult on certain issues with commission staff outside of the

- presence of parties and their counsel;
- ▶ prohibits third party recording of commission meetings, except under limited circumstances;
 - ▶ requires that all portions of the commission's meetings be recorded;
 - ▶ provides procedures for storing a record of commission meetings;
 - ▶ provides that recordings and records of commission meetings are to be classified as private records under the Government Records Access and Management Act;
 - ▶ provides procedures for the commission's deliberations when reviewing an ethics complaint;
 - ▶ provides standards of evidence and voting procedures to be used by the commission in determining whether each allegation in a complaint is proved or not proved;
 - ▶ requires the commission to dismiss allegations that are not found to be proved;
 - ▶ if one or more allegation is found to be proved, requires the commission to:
 - refer the proved allegations to the Senate Ethics Committee or the House Ethics Committee; and
 - prepare a recommendation, a modified complaint, and a modified response for public release and submission to the ethics committee for review;
 - ▶ provides procedures for the ethics committee's review of allegations submitted by the commission;
 - ▶ provides that committee meetings for review of the allegations submitted by the commission are subject to the Open and Public Meetings Act;
 - ▶ permits the committee to close the meeting for discussion of certain matters;
 - ▶ prohibits third party recording of committee meetings, except under limited circumstances;
 - ▶ requires that all portions of the committee's meetings be recorded;
 - ▶ provides procedures for storing a record of committee meetings;
 - ▶ provides procedures for the committee's deliberations;
 - ▶ provides standards of evidence and voting procedures to be used by a committee in determining whether each allegation referred to the committee by the commission is proved or not proved;
 - ▶ requires a committee to dismiss allegations that are not found to be proved;
 - ▶ requires a committee to publicly issue a finding and order on the allegations;
 - ▶ if one or more allegation is found to be proved, requires the committee to:
 - vote on a recommended consequence for the violation, including censure, expulsion, or denial of any of the respondent's rights or privileges; and
 - refer the finding and order to the membership of the House or Senate; and
 - ▶ makes technical changes.

This resolution provides an immediate effective date.

Legislative Rules Affected:

AMENDS:JR6-2-101JR6-2-102JR6-2-201JR6-3-101JR6-4-101JR6-4-102JR6-4-201ENACTS
:JR6-2-103JR6-2-104JR6-2-301JR6-2-302JR6-2-303JR6-2-304JR6-2-305JR6-2-306JR6-2-3
07JR6-3-102JR6-4-103REPEALS AND
REENACTS:JR6-2-202JR6-4-202JR6-4-203JR6-4-204JR6-4-301JR6-4-302JR6-4-303JR6-4-
304JR6-4-305JR6-4-306REPEALS:JR6-4-205JR6-4-206JR6-4-207JR6-4-307JR6-4-308JR6-
4-309JR6-4-310

The original bill was recommended by the Ethics Interim Committee

Amends JR6-2-101, JR6-2-102, JR6-2-201, JR6-3-101, JR6-4-101, JR6-4-102, JR6-4-201;

Enacts JR6-2-103, JR6-2-104, JR6-2-301, JR6-2-302, JR6-2-303, JR6-2-304, JR6-2-305, JR6-2-306, JR6-2-307, JR6-3-102, JR6-4-103;

Repeals JR6-4-205, JR6-4-206, JR6-4-207, JR6-4-307, JR6-4-308, JR6-4-309, JR6-4-310;

Repeals and Reenacts JR6-2-202, JR6-4-202, JR6-4-203, JR6-4-204, JR6-4-301, JR6-4-302, JR6-4-303, JR6-4-304, JR6-4-305, JR6-4-306

Effective March 5, 2010

Laws of Utah 2010

SJR 5 Joint Resolution on the Spending of Federal Economic Renewal Grants (*Karen Mayne*)

This joint resolution of the Legislature endorses the use of economic recovery monies to create jobs for Utahns and expresses a commitment to use these monies to purchase only products made or services performed in the United States.

This resolution:

- ▶ endorses the efforts of citizens and government to work to maximize the creation of American jobs and restore economic growth and opportunity by spending recovery plan funds on products and services that both create jobs and help keep Americans employed;
- ▶ expresses the Legislature's commitment to use any economic recovery monies provided to the state of Utah by American taxpayers to purchase only products and services that are made or performed in the United States whenever and wherever possible; and
- ▶ expresses support for publishing any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of the nation's economic recovery program.

Effective March 10, 2010

Laws of Utah 2010

SJR 6 Joint Resolution - State Sovereignty and Tenth Amendment (*Howard A. Stephenson*)

This joint resolution of the Legislature strongly urges Congress and the President to refrain from exercising authority related to the individual states beyond that granted by the states in the Constitution of the United States and declares the state's sovereignty under the Tenth Amendment to the Constitution.

This resolution:

- ▶ strongly urges the United States Congress to refrain from passing, and the President of the United States to refrain from issuing, any law or executive order that violates the United States Constitution;
- ▶ strongly urges the United States Congress and the President of the United States to repeal any current law or executive order that violates the United States Constitution;
- ▶ strongly urges the federal government to refrain from entering into any treaty that conflicts with any provision of either the United States Constitution or the Utah State Constitution or that abridges the rights of the people as expressed in the United States Constitution;
- ▶ strongly urges the United States Congress to prohibit or repeal any compulsory federal law that directs states to comply under threat of civil or criminal penalties or sanctions or requires states to pass legislation or lose federal funding;
- ▶ strongly urges the federal government, as the agent of the people of the state, to immediately cease and desist issuing mandates that are beyond the scope of constitutionally delegated powers;
- ▶ strongly urges all other states to join in a commitment to confine federal power to its constitutional limitations and restore the powers of the people and of the states; and
- ▶ declares sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States.

Effective February 25, 2010

Laws of Utah 2010

SJR 9 Joint Resolution Approving Compensation of In-session Employees (*Scott K. Jenkins*)

This joint resolution of the Legislature fixes the compensation for legislative in-session employees for 2010.

This resolution:

- ▶ fixes the compensation for legislative in-session employees for 2010.

This resolution provides retrospective operation to January 4, 2010.

Effective February 17, 2010

Laws of Utah 2010

SJR 10 Joint Resolution Supporting the Expansion of Correctional Facilities in Uintah County (*Kevin T. Van Tassell*)

This joint resolution of the Legislature supports jail expansion in Uintah County through a contract with the Utah Department of Corrections.

This resolution:

- ▶ supports Uintah County's expansion of its correctional facilities by means of a contract between the county and the Utah Department of Corrections.

Effective March 4, 2010

Laws of Utah 2010

SJR 11 Utah Athletic Foundation Resolution (*Stephen H. Urquhart*)

This joint resolution extends the approval of the negotiation of sales of portions of the Winter Sports Park under certain conditions.

This resolution:

- ▶ extends the approval of the Utah Athletic Foundation's negotiation of sales of portions of the Winter Sports Park under certain conditions.

Effective March 4, 2010

Laws of Utah 2010

SJR 15 Master Study Resolution (*Scott K. Jenkins*)

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 2010 legislative interim;
- ▶ directs interim committees assigned these studies to study and make recommendations for legislative action to the 59th Legislature before the 2011 Annual General Session; and
- ▶ suggests that the Legislative Management Committee, in approving studies, give consideration to the available time of legislators and the budget and capacity of staff to respond to the assigned studies.

Effective March 11, 2010

Laws of Utah 2010

SJR 16 Health Care Facility Disclosure Joint Resolution (*Peter C. Knudson*)

This joint resolution of the Legislature urges health care facilities to adopt, implement, publish, and inform patients of certain policies, and urges the Utah Department of Health to publish a list of the procedures for which health care facilities most frequently bill patients.

This resolution:

- ▶ urges health care facilities to demonstrate to the Utah Department of Health that they have adopted and implemented written policies that specify the methods used by the facilities to calculate individual procedure charges and other charges;
- ▶ urges health care facilities to have written policies that specify any discounts provided for prompt payment of a bill and the procedures used by the facilities for collecting amounts owing on unpaid bills;
- ▶ urges health care facilities that provide financial assistance to patients to specify in their written policies criteria for financial assistance eligibility and limits, if any, on the total charges and the percentage of individual procedure charges billed to a patient eligible for financial assistance;
- ▶ urges health care facilities that provide financial assistance to patients to publish their policies on the Internet for use by the general public, to inform each patient at the time the patient is admitted at the facility that the financial assistance policies are available on the Internet, and to inform each patient of any obligation the facility may have, under the federal Emergency Medical Treatment and Active Labor Act, to provide care to the patient without regard for the patient's source of payment or ability to pay;
- ▶ urges the Utah Department of Health to publish, by administrative rule before September 1, 2010, a list of the procedures for which health care facilities in the state most frequently bill patients, and to include on the list those procedures represented by at least 25%, but no more than 50%, of total procedure billings; and
- ▶ urges health care facilities to publish, beginning January 1, 2011, the amount the facilities charge to perform a procedure and the amount the facilities are paid for the procedure by both Medicaid and Medicare; and
- ▶ urges each health care facility to annually update the information it publishes.

Effective March 11, 2010

Laws of Utah 2010

SJR 19 Joint Rules Resolution on Ethics Complaints (*John L. Valentine*)

This bill modifies provisions of the joint legislative rules that govern the receipt and review of ethics complaints.

This resolution:

- ▶ provides procedures for the submission and technical review of legislative ethics complaints and their compliance with form and content requirements;
- ▶ provides that allegations that have been previously heard by the commission or an ethics committee may be dismissed by the Independent Legislative Ethics Commission at the time of the chair's initial review of the complaint for technical compliance or during review of the complaint by the commission;
- ▶ requires that ethics complaints be filed with the Independent Legislative Ethics Commission rather than the chair and vice-chair of the Senate or House legislative ethics committee; and
- ▶ provides that the chair of the Independent Legislative Ethics Commission performs the review of an ethics complaint for technical compliance rather than the chair and vice-chair of the Senate or House legislative ethics committee;
- ▶ requires the chair of the commission to provide notice of a filing of an ethics complaint to the Speaker of the House of Representatives or the President of the Senate and to the chair and vice-chair of the House or Senate legislative ethics committee, but requires that the filing remain confidential until publicly disclosed by the commission; and
- ▶ makes technical changes.

This bill coordinates with S.J.R. 3, Joint Resolution on Ethics Complaint Procedures, by providing substantive and conforming amendments.

Legislative Rules Affected:AMENDS:JR6-2-201JR6-4-101Legislative Rules Affected by Coordination Clause:JR6-3-101JR6-4-203JR6-4-204JR6-4-306

Amends JR6-2-201, JR6-4-101

Effective March 11, 2010

Laws of Utah 2010

VETOED BILLS - 2010 GENERAL SESSION

HB 3 Appropriations Adjustments *(Ron Bigelow)*

This bill supplements or reduces appropriations previously provided for the use and support of state government for the fiscal years beginning July 1, 2009 and ending June 30, 2010 and beginning July 1, 2010 and ending June 30, 2011.

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 funds for the bills with fiscal impact passed in the 2010 General Session;
- ▶ provides budget increases and decreases for other purposes as described;
- ▶ approves capital acquisition amounts for internal service funds;
- ▶ authorizes rates and fees;
- ▶ provides intent language.

This bill appropriates for fiscal year 2010:

- ▶ \$518,700 from the General Fund;
- ▶ \$26,691,500 from various sources as detailed in this bill. This bill appropriates for fiscal year 2011:
- ▶ \$24,080,500 from the General Fund;
- ▶ (\$6,403,600) from the Education Fund;
- ▶ (\$145,198,200) from various sources as detailed in this bill.

Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2010.

Effective July 1, 2010

Chapter 414, Laws of Utah 2010

Governor's Veto Message

Dear Speaker Clark and President Waddoups:

March 31, 2010

This letter serves to inform you that on March 31, 2010, I vetoed the following items of appropriation in H.B. 3, APPROPRIATION ADJUSTMENTS, and have transmitted the bill to the Lieutenant Governor for filing.

- | | | |
|----------|--|-------------|
| ITEM 21 | To Department of Health - Executive Director's Operations | |
| | From Dedicated Credits Revenue | 210,000 |
| | From Transportation Fund - Department of Public Safety Restricted Account | (210,000) |
| ITEM 102 | To Insurance Department - Insurance Department Administration | |
| | From Dedicated Credits Revenue | (2,634,500) |
| | Schedule of Programs: | |
| | Insurance Fraud Program | (1,984,500) |
| | Captive Insurers | (650,000) |
| | To implement the provisions of Nonlapsing Dedicated Credit Amendments (House Bill 353, 2010 General Session) | |

ITEM 104 To Insurance Department - Insurer Assessments
 From Dedicated Credits Revenue 650,000
 Schedule of Programs:

Insurer Assessments 650,000

To implement the provisions of Nonlapsing Dedicated Credit Amendments (House Bill 353, 2010 General Session)

The Legislature intends that all funds collected from insurer assessments as authorized in UCA 31A-31-108 shall not lapse at the close of fiscal year 2011.

ITEM 105 To Insurance Department - Civil Penalties
 From Dedicated Credits Revenue 1,984,500
 Schedule of Programs:

Civil Penalties 1,984,500

To implement the provisions of Nonlapsing Dedicated Credit Amendments (House Bill 353, 2010 General Session).

The Legislature intends that all funds collected from civil penalties as authorized in UCA 31A-31-109 shall not lapse at the close of fiscal year 2011.

A veto of these four items of appropriation is necessary for technical corrections to funding allocations.

Gary R. Herbert, Governor

HB 12 Criminal Homicide and Abortion Amendments (*Carl Wimmer*)

This bill amends provisions of the Utah Criminal Code to describe the difference between abortion and criminal homicide of an unborn child and to remove prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child.

This bill:

- ▶ provides that, for aggravated murder, the aggravating factor of the victim being under the age of 14 years does not apply to the homicide of an unborn child;
- ▶ provides that a person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person refused to consent to medical treatment or a cesarean section or failed to follow medical advice;
- ▶ provides that a woman is not guilty of criminal homicide of her own unborn child if the death of her unborn child:
 - is caused by a criminally negligent act of the woman; and
 - is not caused by an intentional, knowing, or reckless act of the woman;
- ▶ defines terms, including amending the definition of abortion to relate only to a medical procedure carried out by a physician, or through a substance used under the direction of a physician, with the consent of the woman on whom the abortion is performed;
- ▶ describes the difference between abortion and criminal homicide of an unborn child;
- ▶ removes prohibitions against prosecution of a woman for killing an unborn child or committing criminal homicide of an unborn child;
- ▶ clarifies that a woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by law; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

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

Amends 76-5-201, 76-5-202, 76-7-301, 76-7-302, 76-7-314, 76-7-314.5, 76-7-327;

Enacts 76-7-301.5;

Repeals 76-7-329

Amends 17-27a-605

Governor's Veto Message

Dear Speaker Clark and President Waddoups:

March 8, 2010

The Utah House of Representatives has presented me with two bills for my consideration: H.B. 12, CRIMINAL HOMICIDE AND ABORTION AMENDMENTS and H.B. 462, CRIMINAL HOMICIDE AND ABORTION REVISIONS. I have closely followed the progress of these bills and have taken keen interest in the debate over the consequences, both intended and unintended, of these measures.

I appreciate the willingness of Representative Wimmer to reevaluate the impact of potential unintended consequences arising from the inclusion of "reckless" behavior in H.B. 12. H.B. 462 is more consistent with the true intent of the legislation and addresses those situations in which the termination of a pregnancy is intentional and is not conducted at a physician's direction.

For these reasons, I have signed H.B. 462 and vetoed H.B. 12. Gary R. Herbert, Governor

SB 22 Notary Public Amendments (*Peter C. Knudson*)

This bill modifies the Notaries Public Reform Act.

This bill:

- ▶ authorizes a notary to complete a certificate that includes the name and date of the person whose signature is being certified;
- ▶ authorizes a person licensed to practice law in this state to perform a notarial act;
- ▶ authorizes the lieutenant governor to report a violation to the Utah State Bar;
- ▶ repeals provisions relating to a written examination for a notary;
- ▶ requires the lieutenant governor to provide an applicant with a copy of the law governing a notary and answers to frequently asked questions;
- ▶ requires an applicant to sign a statement that the applicant has read certain information; and
- ▶ makes technical changes.

The original bill was recommended by the Government Operations and Political Subdivisions Interim Committee

Amends 46-1-3, 46-1-9, 46-1-19;

Enacts 46-1-3.5

Governor's Veto Message

Dear Speaker Clark and President Waddoups:

March 31, 2009

I have carefully reviewed S.B. 22, Fourth Substitute, NOTARY PUBLIC AMENDMENTS. This bill would repeal the provisions of Utah law requiring that those seeking to become notaries pass a written test. Many states throughout the country have looked to Utah's testing procedures as a model to help ensure that notaries understand the responsibilities and duties they undertake. The people of Utah will not be well served by removing the testing requirement.

As a result, I have vetoed S.B. 22, Fourth Substitute.

Gary R. Herbert, Governor

SB 47 Electrical Utility Amendments - Efficiency and Conservation Tariff (*Kevin T. Van Tassell*)

This bill addresses electric energy efficiency and conservation tariffs for electrical utilities.

This bill:

- ▶ addresses Public Service Commission (PSC) approval of a tariff proposed by an electrical utility for demand side management or energy efficiency programs including direct load control programs;
- ▶ defines terms;
- ▶ addresses input by various entities before approval of a tariff; and
- ▶ makes technical changes.

Repeals and Reenacts 54-7-12.8

Governor's Veto Message

Dear Speaker Clark and President Waddoups:

March 30, 2009

The Utah Senate has presented me with S.B. 47., First Substitute, ELECTRICAL UTILITY AMENDMENTS - EFFICIENCY AND CONSERVATION TARIFF. While I applaud the aims of the

bill and encourage all Utahns to examine their energy use and take steps to conserve where possible, I believe this bill is adverse to good public policy in the state of Utah.

Load management is critical to meeting customers' demand for electricity during peak demand times, as well keeping Utah's prices among the lowest in the nation. However, I believe the people of Utah will be better served by continued educational campaigns about the importance of energy conservation and efforts to increase voluntary participation in programs such as Rocky Mountain Power's Cool Keeper than they are by mandating participation.

For these reasons, I have vetoed S. B. 47, First Substitute.

Gary R. Herbert, Governor

Utah Code Sections Affected for Bills Passed 2010 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>.

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
3-1-1	A	HB 274		77	4-5-18	A	HB 274		77
3-1-2	A	HB 263		73	4-7-8	A	HB 274		77
3-1-4	A	HB 263		73	4-7-11	A	HB 274		77
3-1-8	A	HB 263		73	4-8-4	A	HB 263		73
3-1-9	A	HB 274		77	4-9-15	A	HB 274		77
3-1-11	A	HB 274		77	4-10-2	A	HB 332		94
3-1-13.8	A	HB 274		77	4-10-5	A	HB 332		94
3-1-14	A	HB 274		77	4-10-10	A	HB 332		94
3-1-15	A	HB 274		77	4-11-2	A	HB 332		94
3-1-15.1	A	HB 274		77	4-11-4	A	HB 332		94
3-1-17	A	HB 274		77	4-11-5	A	HB 332		94
3-1-19	A	HB 263		73	4-11-6	A	HB 332		94
3-1-21	A	HB 263		73	4-11-7	A	HB 332		94
3-1-22	A	HB 274		77	4-11-8	A	HB 332		94
3-1-26	A	HB 274		77	4-11-9	A	HB 332		94
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INTRODUCED LEGISLATION 2010 GENERAL SESSION

HB 1	Minimum School Program Base Budget (<i>Merlynn T. Newbold</i>)	Passed
HB 2	Fiscal Year 2010 and Fiscal Year 2011 Supplemental Appropriations (<i>Ron Bigelow</i>)	Passed
HB 3	Appropriations Adjustments (<i>Ron Bigelow</i>)	Line Item Vetoed
HB 4	Current School Year Supplemental Minimum School Program Budget Adjustments (<i>Merlynn T. Newbold</i>)	Passed
HB 5	Revenue Bond and Capital Facilities Authorizations (<i>Stephen D. Clark</i>)	Passed
HB 6	State Agency Compensation Appropriations (<i>Brad L. Dee</i>)	Passed
HB 10	Court Fees for Inmates (<i>Curtis Oda</i>)	Passed
HB 11	Licensing of Elevator Contractors and Elevator Mechanics (<i>Larry B. Wiley</i>)	Passed
HB 12	Criminal Homicide and Abortion Amendments (<i>Carl Wimmer</i>)	Vetoed
HB 13	Drug Law Definitions - Amendments (<i>Trisha S. Beck</i>)	Passed
HB 14	Juvenile Transfers from Justice Court (<i>Kay L. McIff</i>)	Passed
HB 15	Deferred Deposit Lending Amendments (<i>James A. Dunnigan</i>)	Passed
HB 16	Parent-time Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 17	Amendments to Programs for People with Disabilities (<i>Steven R. Mascaro</i>)	Passed
HB 18	Unemployment Insurance Amendments (<i>Steven R. Mascaro</i>)	Passed
HB 19	Post Conviction Remedies Amendments (<i>Kay L. McIff</i>)	Passed
HB 20	Amendments to Health Insurance Coverage in State Contracts (<i>James A. Dunnigan</i>)	Passed
HB 21	Expungement Revisions (<i>Julie Fisher</i>)	Passed
HB 22	Inmate Health Insurance Amendments (<i>Paul Ray</i>)	Failed
HB 23	Workplace Drug and Alcohol Testing (<i>Trisha S. Beck</i>)	Passed
HB 24	Economic Development Incentives Act Amendments (<i>C. Brent Wallis</i>)	Passed
HB 25	Health Reform - Administrative Simplification (<i>Merlynn T. Newbold</i>)	Passed
HB 26	Brine Shrimp Royalty Act Amendments (<i>Todd E. Kiser</i>)	Passed
HB 27	Per Diem and Travel Expense Modifications (<i>Craig A. Frank</i>)	Passed
HB 28	Controlled Substance Database Amendments (<i>Bradley M. Daw</i>)	Passed
HB 29	School District Division Amendments (<i>Laura Black</i>)	Passed
HB 30	Drug Law Amendments (<i>Trisha S. Beck</i>)	Passed
HB 31	Wildlife Licenses, Certificates, or Permit Amendments (<i>Kerry W. Gibson</i>)	Passed
HB 32	Livestock Damage Compensation Amendments (<i>Melvin R. Brown</i>)	Passed
HB 33	Groundwater Recharge and Recovery Act Amendments (<i>Michael E. Noel</i>)	Passed
HB 34	Water Storage Projects (<i>Michael E. Noel</i>)	Passed
HB 35	Controlled Substance Database - Reporting of Prescribed Controlled Substance Overdose or Poisoning (<i>Bradley M. Daw</i>)	Passed
HB 36	Controlled Substance Database - Reporting Convictions for Driving Under the Influence or Impaired Driving (<i>Bradley M. Daw</i>)	Passed
HB 37	Criminal Background Checks on Motor Vehicle Dealers and Salespersons (<i>Rebecca D. Lockhart</i>)	Passed
HB 38	Scheduling of Controlled Substances (<i>Paul Ray</i>)	Passed
HB 39	Insurance Related Amendments (<i>James A. Dunnigan</i>)	Passed
HB 40	Utah Life and Health Insurance Guaranty Association Amendments (<i>James A. Dunnigan</i>)	Passed
HB 41	Constables Amendments (<i>Curtis Oda</i>)	Passed
HB 42	School District Employees - Career Status Requirements (<i>Ronda Rudd Menlove</i>)	Passed

HB 43	Unemployment Compensation Amendments (<i>Steven R. Mascaro</i>)	Passed
HB 44	Referendum Ballot Proposition Amendments (<i>Fred R Hunsaker</i>)	Passed
HB 45	State Construction Code Adoption (<i>Michael T. Morley</i>)	Passed
HB 46	Motor Vehicle Act Amendments (<i>Julie Fisher</i>)	Passed
HB 47	Board of Pardons and Parole Technical Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 48	Amendments to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act (<i>Craig A. Frank</i>)	Failed
HB 49	Amendments Related to a Tax, Fee, or Charge Administered by the State Tax Commission (<i>Todd E. Kiser</i>)	Passed
HB 50	Sales and Use Tax Modifications (<i>Wayne A. Harper</i>)	Passed
HB 51	Family Employment Program - Cash Assistance to Single Minor Parent (<i>James A. Dunnigan</i>)	Passed
HB 52	Health Reform - Uniform Electronic Standards - Insurance Information (<i>Merlynn T. Newbold</i>)	Passed
HB 53	Foreclosure Rescue and Loan Modification Amendments (<i>Ryan D. Wilcox</i>)	Passed
HB 54	Property Tax Exemption for Water Facilities (<i>Patrick Painter</i>)	Passed
HB 55	Department of Community and Culture Grants Amendments (<i>Julie Fisher</i>)	Passed
HB 56	Amended Campaign Financial Statements (<i>Sheryl L. Allen</i>)	Failed
HB 57	Extension of Sunset for Design-build Contract Award Authorization (<i>Julie Fisher</i>)	Passed
HB 58	Utah Generated Renewable Energy Electricity Network Authority Board Amendments (<i>Roger E. Barrus</i>)	Passed
HB 59	Campaign Finance Revisions (<i>Keith Grover</i>)	Passed
HB 60	Water Conveyance Facilities Safety Act (<i>Fred R Hunsaker</i>)	Passed
HB 61	Real Property Sales Information Disclosure (<i>Gage Froerer</i>)	Failed
HB 62	Penalties for Violent Crime in Presence of a Child (<i>Janice M. Fisher</i>)	Passed
HB 63	Tire Recycling Fee Modification (<i>Neal B. Hendrickson</i>)	Failed
HB 64	Errors and Omissions Coverage for Insurance Producers (<i>Jim Bird</i>)	Failed
HB 65	Amendments Related to Regulation of Insurance Type Products (<i>Jim Bird</i>)	Failed
HB 66	Prosthetic Limb Health Insurance Parity (<i>David Litvack</i>)	Passed
HB 67	Health System Amendments (<i>Carl Wimmer</i>)	Passed
HB 68	Habitual Wanton Destruction of Wildlife (<i>Curtis Oda</i>)	Passed
HB 69	State Engineer's Plugging of Wells Repealer (<i>James R. Gowans</i>)	Passed
HB 70	Retrofit Compressed Natural Gas Vehicles Amendments (<i>Jack R. Draxler</i>)	Passed
HB 71	Nicotine Product Restrictions (<i>Paul Ray</i>)	Failed
HB 72	Utah School Seismic Hazard Inventory (<i>Larry B. Wiley</i>)	Failed
HB 73	Utah Construction Trades Continuing Education Amendments (<i>Michael T. Morley</i>)	Passed
HB 74	Adoption and Child Custody Amendments (<i>Sheryl L. Allen</i>)	Passed
HB 75	Assessment Area Amendments (<i>Gage Froerer</i>)	Passed
HB 76	Ticket Scalping (<i>Lynn N. Hemingway</i>)	Failed
HB 77	Seismic Requirements for Condominium Conversion Projects (<i>Larry B. Wiley</i>)	Failed
HB 78	Weapons Revisions (<i>Stephen E. Sandstrom</i>)	Passed
HB 79	Valid Voter Identification Amendments (<i>Marie H. Poulson</i>)	Failed
HB 80	Public Access to Private Stream Beds (<i>Lorie D. Fowlke</i>)	Failed
HB 81	School Employee Criminal Background Check (<i>Sheryl L. Allen</i>)	Passed
HB 82	Protection of Children Riding in Motor Vehicles (<i>F. Jay Seegmiller</i>)	Failed
HB 83	Public Employees' Retirement - Spousal Election (<i>C. Brent Wallis</i>)	Failed

HB 84	Water Banking (<i>Jack R. Draxler</i>)	Failed
HB 85	Responsible Development of Nuclear Power Generation (<i>F. Jay Seegmiller</i>)	Failed
HB 86	Department of Human Services - Review and Oversight (<i>Rebecca D. Lockhart</i>)	Passed
HB 87	Medical Assistance Asset Test Amendments (<i>Rebecca Chavez-Houck</i>)	Failed
HB 88	Electronic Cigarette Restrictions (<i>Ronda Rudd Menlove</i>)	Passed
HB 89	License for Controlled Substances Amendments (<i>Michael T. Morley</i>)	Passed
HB 90	Income Tax Amendments (<i>Brian S. King</i>)	Failed
HB 91	Traffic Control Signs for Bicycles (<i>Carol Spackman Moss</i>)	Failed
HB 92	Moist Snuff Taxation Revisions (<i>Bradley M. Daw</i>)	Passed
HB 93	Motorcycle and Off-highway Vehicle Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 94	Uniform Fiscal Procedures Act Amendments for Towns, Cities, and Counties Amendments (<i>Fred R Hunsaker</i>)	Passed
HB 95	Certification of Voting Equipment Modifications (<i>Douglas C. Aagard</i>)	Passed
HB 96	Libel Amendments (<i>Julie Fisher</i>)	Passed
HB 97	Amendments Relating to Deceptive Practices Involving Consumers (<i>Marie H. Poulson</i>)	Passed
HB 98	State Engineer Bonding Requirements (<i>Ryan D. Wilcox</i>)	Passed
HB 99	Background Checks for School Sports Officials (<i>Laura Black</i>)	Failed
HB 100	Heber Valley Historic Railroad Authority (<i>Kraig Powell</i>)	Passed
HB 101	Anesthesiologist Assistants (<i>Julie Fisher</i>)	Failed
HB 102	Agriculture Sustainability Act (<i>Jack R. Draxler</i>)	Failed
HB 103	Reduced Speed School Zone Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 104	Unlawful Provision of Identifiable Prescription Information (<i>Jackie Biskupski</i>)	Failed
HB 105	Public School Employee Auditory Protection Requirements (<i>Laura Black</i>)	Failed
HB 106	Expedited Background Checks for Human Services Providers (<i>Jennifer M. Seelig</i>)	Passed
HB 107	Animal Shelter Amendments (<i>Jennifer M. Seelig</i>)	Passed
HB 108	Meat Inspection Amendments (<i>John G. Mathis</i>)	Passed
HB 109	Volunteer Government Workers Act Definitions (<i>Jackie Biskupski</i>)	Passed
HB 110	County Jail Inmate Medical Costs (<i>Bradley M. Daw</i>)	Passed
HB 111	Small Group Health Insurance - Statewide Risk Adjustment (<i>Jackie Biskupski</i>)	Failed
HB 112	Supreme Court Review of an Initiative or Referendum (<i>Brad L. Dee</i>)	Passed
HB 113	Child Restraint Device Amendments (<i>Christopher N. Herrod</i>)	Failed
HB 114	Disclosure of Donations to Higher Education Institutions (<i>Carl Wimmer</i>)	Passed
HB 115	Counsel for Indigents in Juvenile Court Proceedings (<i>Kraig Powell</i>)	Passed
HB 116	Political Subdivision Facility Energy Efficiency (<i>Fred R Hunsaker</i>)	Passed
HB 117	Public Education Capital Outlay Act (<i>Melvin R. Brown</i>)	Passed
HB 118	Economic Development Incentives Modifications (<i>Wayne A. Harper</i>)	Passed
HB 119	Motor Vehicle Impound Amendments (<i>Curtis Oda</i>)	Failed
HB 120	Underground Storage Tank Amendments (<i>Kay L. McIff</i>)	Passed
HB 121	Emergency Medical Services Act Transport Amendments (<i>Gregory H. Hughes</i>)	Passed
HB 122	Surveyor Amendments (<i>John G. Mathis</i>)	Failed
HB 123	Adoption Tax Credit (<i>Stephen E. Sandstrom</i>)	Failed
HB 124	Campaign Funds Expenditure Restrictions (<i>Tim M. Cosgrove</i>)	Passed
HB 125	Kidnapping and Sex Offender Registry Amendments (<i>Ron Bigelow</i>)	Passed
HB 126	State Construction Registry Amendments (<i>R. Curt Webb</i>)	Failed
HB 127	Reproductive Health Education Amendments (<i>Lynn N. Hemingway</i>)	Failed
HB 128	Antidiscrimination Study Related to Employment and Housing (<i>Christine A. Johnson</i>)	Failed

HB 129	Amendments to Education Financing (<i>Merlynn T. Newbold</i>)	Failed
HB 130	Cancer Research Special Group License Plate (<i>Brad L. Dee</i>)	Passed
HB 131	B and C Road Construction Amendments (<i>Michael E. Noel</i>)	Failed
HB 132	Pioneer Trail Memorial Highway (<i>Ronda Rudd Menlove</i>)	Passed
HB 133	Release of Court Documents and Child Interviews (<i>Lorie D. Fowlke</i>)	Passed
HB 134	Education Donation Tax Credit (<i>Evan J. Vickers</i>)	Failed
HB 135	Pharmacy Benefit Managers Act (<i>Evan J. Vickers</i>)	Failed
HB 136	Jail Contracting and Reimbursement (<i>Michael E. Noel</i>)	Failed
HB 137	Public School Funding (<i>Wayne A. Harper</i>)	Failed
HB 138	Hazing Penalties (<i>Carol Spackman Moss</i>)	Passed
HB 139	Emergency and Disaster Management Amendments (<i>Curtis Oda</i>)	Passed
HB 140	Human Resource Management Amendments (<i>Brad L. Dee</i>)	Passed
HB 141	Recreational Use of Public Water on Private Property (<i>Kay L. McIlff</i>)	Passed
HB 142	Legislator - Benefit Plan (<i>Eric K. Hutchings</i>)	Failed
HB 143	Eminent Domain Authority (<i>Christopher N. Herrod</i>)	Passed
HB 145	Renewable Energy Financing Provisions (<i>Bradley G. Last</i>)	Passed
HB 146	Law Enforcement by Federal Land Management Agency (<i>Michael E. Noel</i>)	Passed
HB 148	Sales and Use Tax Changes (<i>Wayne A. Harper</i>)	Failed
HB 149	School Finance Amendments (<i>Ron Bigelow</i>)	Passed
HB 150	Administrative Subpoena Amendments (<i>Bradley M. Daw</i>)	Passed
HB 151	Utah High School Rodeo Support Special Group License Plate (<i>James R. Gowans</i>)	Failed
HB 152	Contract Passenger Carrier Safety Act (<i>F. Jay Seegmiller</i>)	Failed
HB 153	Recycling of Electronic Items (<i>Rebecca P. Edwards</i>)	Failed
HB 155	Agricultural Advisory Board and Livestock Related Policy (<i>John G. Mathis</i>)	Passed
HB 160	Campaign Finance Provisions (<i>Brian S. King</i>)	Failed
HB 161	Voter Registration Amendments (<i>Rebecca Chavez-Houck</i>)	Passed
HB 162	Unlawful Sexual Conduct with a Minor (<i>Rebecca P. Edwards</i>)	Failed
HB 164	Redistricting Provisions (<i>Rebecca Chavez-Houck</i>)	Failed
HB 166	Reductions to Education Mandates (<i>John Dougall</i>)	Passed
HB 169	Refinery Amendments (<i>Rebecca P. Edwards</i>)	Passed
HB 170	Foster Care Revisions (<i>Kerry W. Gibson</i>)	Passed
HB 171	Water Rights Revisions (<i>Kerry W. Gibson</i>)	Failed
HB 173	911 Amendments (<i>Brad L. Dee</i>)	Passed
HB 174	License Plates Amendments (<i>Paul Ray</i>)	Failed
HB 175	Amendments to Light Requirements on Motor Vehicles (<i>Kraig Powell</i>)	Failed
HB 176	Continuing Education Requirements for Electricians and Plumbers (<i>Wayne A. Harper</i>)	Passed
HB 177	Public Employees' Health Care (<i>David Litvack</i>)	Failed
HB 178	Bureau of Criminal Identification Fee Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 179	Off-highway Vehicle and Street-legal All-terrain Vehicle Revisions (<i>Michael E. Noel</i>)	Passed
HB 180	Outdoor Advertising Amendments (<i>Craig A. Frank</i>)	Failed
HB 181	Condominium Association Common Expenses (<i>Carol Spackman Moss</i>)	Passed
HB 182	Property Tax - Home Owner Exemption Modification (<i>Gage Froerer</i>)	Failed
HB 183	Construction and Fire Code Related Amendments (<i>Michael T. Morley</i>)	Passed
HB 184	Medicaid Autism Waiver (<i>Paul Ray</i>)	Passed
HB 185	Animal Euthanasia Standards (<i>F. Jay Seegmiller</i>)	Failed

HB 186	Controlled Substance Database Revisions (<i>Ronda Rudd Menlove</i>)	Passed
HB 187	Peace Officer Standards and Training Amendments (<i>Carl Wimmer</i>)	Passed
HB 188	Workers' Compensation Benefits - Social Security Offset (<i>Wayne A. Harper</i>)	Passed
HB 189	Closed Meetings Amendments (<i>Patrick Painter</i>)	Passed
HB 190	Disclosure of Methamphetamine Contaminated Property Act Amendments (<i>Steven R. Mascaro</i>)	Failed
HB 191	Reporting by Deferred Deposit Lenders (<i>Laura Black</i>)	Failed
HB 192	Renewable Energy - Methane Gas (<i>Christine F. Watkins</i>)	Passed
HB 193	Occupations and Professions Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 194	Grants for Math Teacher Training (<i>Bradley G. Last</i>)	Failed
HB 195	Homicide Penalty Amendment (<i>Carl Wimmer</i>)	Passed
HB 196	Tobacco Tax Revisions (<i>Paul Ray</i>)	Passed
HB 197	Custodial Interference Amendments (<i>Carl Wimmer</i>)	Passed
HB 198	Assertive Community Mental Health Treatment Pilot Program (<i>Carol Spackman Moss</i>)	Failed
HB 199	Municipal Clerk and Recorder Responsibilities (<i>Bradley G. Last</i>)	Passed
HB 200	Informed Consent Amendments (<i>Carl Wimmer</i>)	Passed
HB 201	State Fire Marshal Modifications (<i>Ronda Rudd Menlove</i>)	Passed
HB 202	Fireworks Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 203	Repeal of Sales and Use Tax Exemption Relating to Mining (<i>Christine F. Watkins</i>)	Failed
HB 204	Jury Trial Amendments (<i>Wayne A. Harper</i>)	Failed
HB 205	Impact Fee Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 206	Ban on Sale of Smoking Paraphernalia to Minors (<i>Paul Ray</i>)	Passed
HB 207	Protection of Property Amendment (<i>Carl Wimmer</i>)	Passed
HB 208	Disposition of the Remains of a Deceased Military Service Member (<i>Jennifer M. Seelig</i>)	Passed
HB 209	Sex Offender Regulation Amendments (<i>Christine F. Watkins</i>)	Passed
HB 210	Eminent Domain Modifications (<i>Craig A. Frank</i>)	Failed
HB 211	Improvement District Board Membership (<i>Kraig Powell</i>)	Passed
HB 212	Continuing Education Requirements for Landscape Architects (<i>R. Curt Webb</i>)	Failed
HB 213	Cigarette Tax Exemption Amendments (<i>Evan J. Vickers</i>)	Passed
HB 214	Concealed Firearm Permit Modifications (<i>Rebecca D. Lockhart</i>)	Passed
HB 215	Amendments to Public Employees' Benefit and Insurance Program Act - Risk Pools (<i>Kevin S. Garn</i>)	Passed
HB 216	Incorporation of a Town Amendments (<i>Gage Froerer</i>)	Passed
HB 217	Income Tax Revisions (<i>Carl Wimmer</i>)	Failed
HB 218	Municipal Disincorporation Revisions (<i>Gage Froerer</i>)	Failed
HB 219	Delinquent Property Tax Amendments (<i>Gage Froerer</i>)	Passed
HB 220	Disproportionate Rental Fee Amendments (<i>Gage Froerer</i>)	Failed
HB 221	Sunset Act and Repealers Reauthorization (<i>Kevin S. Garn</i>)	Passed
HB 222	Land Use Meeting Notice (<i>Trisha S. Beck</i>)	Passed
HB 223	Alcoholic Beverage Control Act and Licenses (<i>Gage Froerer</i>)	Failed
HB 224	Uniform Real Property Transfer on Death Act (<i>Lorie D. Fowlke</i>)	Failed
HB 225	Counterfeit Substance Amendments (<i>Paul Ray</i>)	Passed
HB 226	Well Driller's License - Pump Installation (<i>Patrick Painter</i>)	Passed
HB 227	Licensing Eligibility (<i>Stephen E. Sandstrom</i>)	Failed
HB 228	Renewable Energy Source Amendments (<i>Roger E. Barrus</i>)	Passed

HB 229	Water Right General Adjudication Amendments (<i>Patrick Painter</i>)	Passed
HB 230	Human Trafficking Amendments (<i>Julie Fisher</i>)	Passed
HB 231	Water Rights Priorities in Times of Shortage (<i>Kerry W. Gibson</i>)	Passed
HB 232	Medical Language Interpreter Amendments (<i>Rebecca Chavez-Houck</i>)	Passed
HB 233	Retirement Office Amendments (<i>Don L. Ipson</i>)	Passed
HB 234	Opting Out of the Real Id Act (<i>Stephen E. Sandstrom</i>)	Passed
HB 235	Child Support for Children in State Custody (<i>Wayne A. Harper</i>)	Passed
HB 236	Statutory Construction Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 237	Restrictions on Use of Wireless Telephones in Vehicles by Minors (<i>Phil Riesen</i>)	Failed
HB 238	Low Speed Vehicle Amendments (<i>Johnny Anderson</i>)	Passed
HB 239	Child Protection Revisions (<i>Wayne A. Harper</i>)	Passed
HB 240	Department of Natural Resources Amendments (<i>Jack R. Draxler</i>)	Passed
HB 241	Requirements for Check Casher to Cash a Check (<i>Wayne A. Harper</i>)	Failed
HB 242	Marriage License Fee Amendments (<i>Christine A. Johnson</i>)	Failed
HB 243	Foreclosure Processes on Residential Rental Properties (<i>Wayne A. Harper</i>)	Passed
HB 244	Provisional Ballot Amendments for Unregistered Voters (<i>Rebecca Chavez-Houck</i>)	Failed
HB 245	Voter Challenge Amendments (<i>Neil A. Hansen</i>)	Failed
HB 246	Retirement Benefits for Charter School Employees (<i>Christine F. Watkins</i>)	Passed
HB 247	Lobbyist Restriction Modifications (<i>Carol Spackman Moss</i>)	Failed
HB 248	Government Records Amendments (<i>Johnny Anderson</i>)	Passed
HB 249	Emancipation Amendments (<i>Lorie D. Fowlke</i>)	Passed
HB 250	Criminal Penalties Amendments - Leaving the Scene of an Accident (<i>Christopher N. Herrod</i>)	Passed
HB 251	Admission of Affidavits into Evidence (<i>Rebecca D. Lockhart</i>)	Failed
HB 252	Workplace Accommodation of Breast Feeding (<i>Christine A. Johnson</i>)	Failed
HB 253	Transfer of the Bureau of Emergency Medical Services from the Department of Health to the Department of Public Safety (<i>Paul Ray</i>)	Failed
HB 254	Voter Identification Amendments (<i>Bradley M. Daw</i>)	Passed
HB 255	Divorce Orientation Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 256	Child Abuse Database Amendments (<i>Lorie D. Fowlke</i>)	Failed
HB 257	Dietitian Certification Act Amendments (<i>Merlynn T. Newbold</i>)	Passed
HB 258	Voting Precinct Boundaries (<i>Kenneth W. Sumsion</i>)	Passed
HB 259	Property Tax Amendments (<i>Wayne A. Harper</i>)	Passed
HB 260	Children's Health Insurance Plan Simplified Renewal (<i>Merlynn T. Newbold</i>)	Passed
HB 261	Financial Responsibility of Motor Vehicle Owners and Operators Act Amendments (<i>Richard A. Greenwood</i>)	Passed
HB 262	Reporting to Appropriation Committees (<i>Ron Bigelow</i>)	Passed
HB 263	Technical Cross Reference Revisions (<i>Johnny Anderson</i>)	Passed
HB 264	Law Enforcement Amendments (<i>Carl Wimmer</i>)	Failed
HB 265	Real Property Amendments (<i>Gage Froerer</i>)	Passed
HB 266	Government Records Access and Management Act Revisions (<i>Kraig Powell</i>)	Failed
HB 267	Lobbyist Disclosure and Regulation Act Amendments (<i>Kevin S. Garn</i>)	Passed
HB 268	Public School Innovations (<i>Keith Grover</i>)	Failed
HB 269	Solemnizing Marriages Amendment (<i>Douglas C. Aagard</i>)	Passed
HB 270	Financial Disclosure and Conflict of Interest Amendments (<i>Gregory H. Hughes</i>)	Passed
HB 271	Hunting Guides and Outfitters Licensing Act Amendments (<i>Evan J. Vickers</i>)	Passed

HB 272	Construction Trades Licensing Act Amendments (<i>Brian S. King</i>)	Failed
HB 273	Utah International Trade Commission Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 274	Statutory Construction Compliance Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 275	Division of Real Estate Amendments (<i>Gage Froerer</i>)	Passed
HB 276	Sex Offender Registry Amendment (<i>Paul Ray</i>)	Passed
HB 277	Overdose Reporting Amendments (<i>Christine A. Johnson</i>)	Passed
HB 278	Government Records Access and Management Act Amendments (<i>Christopher N. Herrod</i>)	Passed
HB 279	County Recorder Amendments (<i>R. Curt Webb</i>)	Passed
HB 280	Real Property - Transfer Fees (<i>Rebecca D. Lockhart</i>)	Failed
HB 281	Medicaid Family Planning Waiver (<i>Jennifer M. Seelig</i>)	Failed
HB 282	Local Government Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 283	Fees in Special Service Districts (<i>John G. Mathis</i>)	Failed
HB 284	Uniform Collaborative Law Act (<i>Lorie D. Fowlke</i>)	Passed
HB 285	Practice of Veterinary Medicine (<i>John G. Mathis</i>)	Passed
HB 286	Retirement System Divestment (<i>Julie Fisher</i>)	Failed
HB 287	Legislator Salary Amendments (<i>David Litvack</i>)	Passed
HB 288	Daylight Saving Time (<i>Kenneth W. Sumsion</i>)	Failed
HB 289	Judicial Nominating Commission Amendments (<i>Curtis Oda</i>)	Passed
HB 290	Recreational Use of Privately Owned Stream Beds (<i>R. Curt Webb</i>)	Failed
HB 291	Applicability of Land Use Provisions to Federal Government (<i>Keith Grover</i>)	Failed
HB 292	Equalization of Funding for Divided School Districts (<i>Jim Bird</i>)	Failed
HB 293	Victims' Rights Amendments (<i>R. Curt Webb</i>)	Passed
HB 294	Health System Reform Amendments (<i>David Clark</i>)	Passed
HB 295	Expanded Uses of School District Property Tax Revenue (<i>Kenneth W. Sumsion</i>)	Passed
HB 296	Choice of Law in Utah Courts (<i>Carl Wimmer</i>)	Failed
HB 297	Compact Agreement among the States to Elect the President by National Popular Vote (<i>Neil A. Hansen</i>)	Failed
HB 298	Land Use Authority Notification of Canal Development (<i>Ben C. Ferry</i>)	Passed
HB 299	Amendments Related to Substances Harmful to Pregnancy (<i>Ronda Rudd Menlove</i>)	Passed
HB 300	Adoption Revisions (<i>Rebecca Chavez-Houck</i>)	Failed
HB 301	Disorderly Conduct Amendments (<i>Carl Wimmer</i>)	Failed
HB 302	Minor Adjustments to County Boundaries (<i>Patrick Painter</i>)	Passed
HB 303	Protections for Victims of Domestic Violence (<i>Eric K. Hutchings</i>)	Passed
HB 304	Lieutenant Governor Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 305	Antidiscrimination Amendments (<i>Christine A. Johnson</i>)	Failed
HB 306	Terrorism Amendments (<i>Eric K. Hutchings</i>)	Passed
HB 307	General County Powers Amendments (<i>Gregory H. Hughes</i>)	Passed
HB 308	State Fire Code Adoption (<i>Todd E. Kiser</i>)	Passed
HB 309	Surface Owner Protection Act (<i>John G. Mathis</i>)	Failed
HB 310	Spending Limits Amendments (<i>Ron Bigelow</i>)	Passed
HB 311	Autism Treatment Fund (<i>Rebecca D. Lockhart</i>)	Passed
HB 312	Medical Expenses for Offenders (<i>Paul Ray</i>)	Passed
HB 314	Water Rights Addendums to Deeds (<i>Ben C. Ferry</i>)	Passed
HB 315	Utah Public Notice Website Amendments (<i>Kraig Powell</i>)	Passed
HB 316	Disabled Veterans Property Tax Exemption Amendments (<i>Gregory H. Hughes</i>)	Passed

HB 317	Property Tax Notices Amendments (<i>Gage Froerer</i>)	Failed
HB 318	Revolving Loan Fund for Certain Energy Efficient Projects Amendments (<i>Roger E. Barrus</i>)	Passed
HB 319	State Construction Registry Revisions (<i>Kraig Powell</i>)	Failed
HB 320	Utah Construction Trades Licensing Act - Alarm Companies Amendments (<i>Christopher N. Herrod</i>)	Passed
HB 321	Bond Election Notification Revisions (<i>Gregory H. Hughes</i>)	Passed
HB 322	Property Tax Valuation Amendments (<i>Neil A. Hansen</i>)	Failed
HB 323	School and Institutional Trust Lands Amendments (<i>Kenneth W. Sumsion</i>)	Failed
HB 324	Public Lands Litigation (<i>Kenneth W. Sumsion</i>)	Passed
HB 327	Autism Awareness Support Special Group License Plate (<i>Rebecca P. Edwards</i>)	Passed
HB 329	Campaign Finance Amendments (<i>Ben C. Ferry</i>)	Passed
HB 331	Waste Fee and Related Amendments (<i>Ronda Rudd Menlove</i>)	Passed
HB 332	Utah Agricultural Code Amendments (<i>Christine F. Watkins</i>)	Passed
HB 333	Reemployed Retiree Contribution Amendments (<i>David Litvack</i>)	Failed
HB 334	Mechanical Contractor Licensing Provisions (<i>Larry B. Wiley</i>)	Failed
HB 335	Utility Related Exemptions (<i>Gregory H. Hughes</i>)	Passed
HB 336	Railroad and Railroad Crossing Amendments (<i>Richard A. Greenwood</i>)	Failed
HB 337	Uniform Driver License Act Amendments (<i>Rebecca D. Lockhart</i>)	Passed
HB 340	Sexual Assault Victim Protocols (<i>Jackie Biskupski</i>)	Passed
HB 341	Uniform Athlete Agents Act (<i>Paul Ray</i>)	Passed
HB 342	Innkeeper's Rights Act Modifications (<i>Stephen E. Sandstrom</i>)	Failed
HB 343	Great Salt Lake Advisory Council (<i>Ben C. Ferry</i>)	Passed
HB 347	Guardianship Amendments (<i>Kraig Powell</i>)	Failed
HB 348	Sheriffs Fees (<i>Richard A. Greenwood</i>)	Passed
HB 349	Sales and Use Tax Amendments (<i>Wayne A. Harper</i>)	Passed
HB 350	Club Teams in Public Schools (<i>Stephen E. Sandstrom</i>)	Failed
HB 351	Funding for Highway Projects - Salt Lake County (<i>Wayne A. Harper</i>)	Failed
HB 353	Nonlapsing Dedicated Credit Amendments (<i>Ron Bigelow</i>)	Passed
HB 354	Finance Amendments for Financially Distressed School Districts (<i>Christine F. Watkins</i>)	Failed
HB 355	Legal Guardianship Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 362	Duties of City Police Departments (<i>Christopher N. Herrod</i>)	Failed
HB 363	Municipal Election Amendments (<i>Craig A. Frank</i>)	Passed
HB 364	Right of Identity Theft Victim to Civil Cause of Action (<i>Julie Fisher</i>)	Passed
HB 365	Department of Corrections Registry Amendments (<i>Douglas C. Aagard</i>)	Passed
HB 366	Motor Vehicle Business Regulation Act Amendments (<i>Bradley M. Daw</i>)	Passed
HB 367	Guardianship Residency Requirements (<i>Laura Black</i>)	Failed
HB 368	Election Day Voting Centers (<i>Rebecca Chavez-Houck</i>)	Failed
HB 370	Capital Project Amendments (<i>Stephen D. Clark</i>)	Passed
HB 372	Wrongful Death of Unborn Child (<i>Carl Wimmer</i>)	Failed
HB 373	Renewal of Judgment Act Amendments (<i>Gage Froerer</i>)	Failed
HB 375	Bailable Offenses Act (<i>Paul Ray</i>)	Failed
HB 377	Department of Human Services Licensing Amendments (<i>Paul Ray</i>)	Failed
HB 378	Motor Vehicle Insurance Requirements (<i>Todd E. Kiser</i>)	Passed
HB 379	Barber, Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments (<i>Merlynn T. Newbold</i>)	Passed

HB 380	Firearm Laws Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 381	Municipal Land Use Provisions (<i>Stephen E. Sandstrom</i>)	Passed
HB 383	County Tax Amendments (<i>Wayne A. Harper</i>)	Failed
HB 386	Interstate Compact on Educational Opportunity for Military Children (<i>Gregory H. Hughes</i>)	Passed
HB 387	Protecting Identity of Children (<i>Eric K. Hutchings</i>)	Failed
HB 388	Mobile Home Revisions (<i>James A. Dunnigan</i>)	Passed
HB 389	Mobile Home Park Residency Amendments (<i>Janice M. Fisher</i>)	Failed
HB 393	Advertisements on School Buses (<i>Jim Bird</i>)	Failed
HB 394	Motor and Special Fuel Tax Act Amendments (<i>Stephen D. Clark</i>)	Failed
HB 395	Limitation of Actions Amendments (<i>Michael E. Noel</i>)	Passed
HB 396	Speech-language Pathology and Audiology Licensing Act Amendments (<i>Don L. Ipson</i>)	Passed
HB 397	Medicaid Program Amendments (<i>John Dougall</i>)	Passed
HB 398	Sexually Oriented Business License Amendments (<i>F. Jay Seegmiller</i>)	Passed
HB 399	Common Interest Ownership Amendments (<i>Gage Froerer</i>)	Failed
HB 401	Residential Facilities for Elderly Persons (<i>Bradley M. Daw</i>)	Failed
HB 402	Department of Administrative Services Modifications (<i>Stephen D. Clark</i>)	Passed
HB 404	Motor Vehicle Business Amendments (<i>Don L. Ipson</i>)	Passed
HB 406	State Fair Park Amendments (<i>James R. Gowans</i>)	Passed
HB 407	Obligations Secured by Trust Deeds (<i>Gregory H. Hughes</i>)	Failed
HB 408	Hospital Claims Management (<i>Bradley G. Last</i>)	Passed
HB 409	Civil Action for Damages Related to Addiction from Illegal Drug Sale (<i>Christopher N. Herrod</i>)	Passed
HB 411	Public Utility Modifications (<i>Johnny Anderson</i>)	Failed
HB 417	Deer Hunt Amendments (<i>Kraig Powell</i>)	Failed
HB 418	Final Judgments That Affect the Ownership of or Title to Real Property (<i>Kraig Powell</i>)	Failed
HB 419	Alcoholic Beverage Control and Signage At State Stores (<i>Kraig Powell</i>)	Passed
HB 421	Medical Financial Records Amendments (<i>Bradley G. Last</i>)	Passed
HB 422	Livestock on Highways (<i>Patrick Painter</i>)	Failed
HB 424	Operation of Bicycles and Mopeds on Roadways (<i>Johnny Anderson</i>)	Failed
HB 425	Budgetary Procedures Act - Fee Amendments (<i>Ron Bigelow</i>)	Passed
HB 426	Bail Bond Licensee Representation Amendments (<i>Stephen E. Sandstrom</i>)	Passed
HB 428	Nonresident Tuition Amendments (<i>Richard A. Greenwood</i>)	Failed
HB 429	Newspaper Publication Requirements (<i>Johnny Anderson</i>)	Failed
HB 431	Identity Verification by Department of Commerce (<i>Michael T. Morley</i>)	Passed
HB 432	Hate Crime Amendments (<i>Stephen E. Sandstrom</i>)	Failed
HB 433	Foreign Exchange Student Amendments (<i>Carl Wimmer</i>)	Passed
HB 435	Dixie State College - Nonprofit Entities (<i>Don L. Ipson</i>)	Passed
HB 436	State Officers' Salary Amendments (<i>Neil A. Hansen</i>)	Failed
HB 437	Phlebotomy Certification Act (<i>F. Jay Seegmiller</i>)	Failed
HB 438	Transportation Modifications (<i>Rebecca D. Lockhart</i>)	Passed
HB 440	Veterans' Nursing Home Reimbursement Restricted Account (<i>Ron Bigelow</i>)	Passed
HB 445	Highway Access to Sovereign Lands (<i>Roger E. Barrus</i>)	Failed
HB 448	Retirement Disability Amendments (<i>Susan Duckworth</i>)	Failed

HB 450	Fishing License Amendments - Disabled Veterans (<i>Tim M. Cosgrove</i>)	Passed
HB 452	Collection Fees (<i>Stephen E. Sandstrom</i>)	Passed
HB 454	Maternity Leave for School Employees (<i>Janice M. Fisher</i>)	Failed
HB 456	Amendments to Department of Environmental Quality (<i>Rebecca P. Edwards</i>)	Failed
HB 459	Health Amendments (<i>David Clark</i>)	Passed
HB 460	Board of Regents Amendments (<i>Brad L. Dee</i>)	Failed
HB 461	Children's Health Insurance Program (<i>John Dougall</i>)	Passed
HB 462	Criminal Homicide and Abortion Revisions (<i>Carl Wimmer</i>)	Passed
HB 463	Divided School District Property Tax Amendments (<i>Eric K. Hutchings</i>)	Failed
HB 464	Family Health Services Rfps - Tobacco Settlement Funds (<i>John Dougall</i>)	Passed
HCR 1	Concurrent Resolution on International Trade and State Governments (<i>Sheryl L. Allen</i>)	Passed
HCR 2	Concurrent Resolution on States' Rights (<i>Julie Fisher</i>)	Passed
HCR 3	Italian-american Heritage Month Concurrent Resolution (<i>Christine F. Watkins</i>)	Passed
HCR 4	Veterans Freedom Memorial Concurrent Resolution (<i>Gregory H. Hughes</i>)	Passed
HCR 5	Concurrent Resolution Recognizing the 100th Anniversary of the Boy Scouts of America (<i>Bradley M. Daw</i>)	Passed
HCR 6	Stockton Bar Geologic Formation Concurrent Resolution (<i>Ronda Rudd Menlove</i>)	Failed
HCR 7	Credit Scores Concurrent Resolution (<i>Douglas C. Aagard</i>)	Passed
HCR 8	Concurrent Resolution on Federal Health Care Reform (<i>David Clark</i>)	Passed
HCR 9	Autism, Disabilities, and Faith Concurrent Resolution (<i>Ronda Rudd Menlove</i>)	Passed
HCR 11	Taiwan Concurrent Resolution (<i>Rebecca D. Lockhart</i>)	Passed
HCR 12	Printing and Graphic Arts Recognition Month Concurrent Resolution (<i>Bradley M. Daw</i>)	Passed
HCR 13	Concurrent Resolution on Providing Continuing Federal Financial Assistance for the Delivery of Basic Services to Dutch John, Utah (<i>Melvin R. Brown</i>)	Declined to Sign
HCR 14	R.S. 2477 Historic Roads Concurrent Resolution (<i>Michael E. Noel</i>)	Passed
HCR 15	Resolution to the Secretary of Transportation on Revocation of Driver Licenses (<i>Rebecca D. Lockhart</i>)	Passed
HCR 16	Statue of Responsibility Monument Concurrent Resolution (<i>Michael T. Morley</i>)	Passed
HCR 17	Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah (<i>Michael E. Noel</i>)	Passed
HCR 18	Workforce Needs Concurrent Resolution (<i>Brad L. Dee</i>)	Passed
HCR 19	General Motors Concurrent Resolution (<i>Melvin R. Brown</i>)	Failed
HJR 1	Joint Resolution Amending Provision on Municipal Water Rights (<i>Kay L. McIlff</i>)	Failed
HJR 2	Joint Resolution on Property Tax Exemption for Water Facilities (<i>Patrick Painter</i>)	Passed
HJR 3	Joint Resolution on Teacher Performance Pay (<i>Marie H. Poulson</i>)	Passed
HJR 4	Joint Resolution Urging an End to the U.s. Military's Don't Ask, Don't Tell Policy (<i>Christine A. Johnson</i>)	Failed
HJR 5	Joint Resolution on Clean Air (<i>Carol Spackman Moss</i>)	Passed
HJR 6	Strangulation and Domestic Violence Joint Resolution (<i>Jennifer M. Seelig</i>)	Passed
HJR 7	Joint Resolution Prohibiting Property Transfer Tax (<i>Gage Froerer</i>)	Failed
HJR 8	Joint Rules Resolution on the Selection of Ethics Committee Members (<i>Neil A. Hansen</i>)	Failed
HJR 9	Resolution in Support of Veterans' Nursing Home (<i>Curtis Oda</i>)	Passed
HJR 10	Joint Resolution Opposing the Establishment of a Federal Commission on State Workers' Compensation Laws (<i>Michael T. Morley</i>)	Passed
HJR 11	Joint Resolution Regarding Federal Health Insurance Reform (<i>Michael T. Morley</i>)	Passed
HJR 12	Climate Change Joint Resolution (<i>Kerry W. Gibson</i>)	Passed

HJR 13	Recognition of Community Councils and the Association of Community Councils Together Joint Resolution (<i>Susan Duckworth</i>)	Passed
HJR 14	Joint Rules Resolution on Financial Disclosures (<i>Gregory H. Hughes</i>)	Passed
HJR 15	Joint Resolution on Legislative Ethics Commission (<i>David Clark</i>)	Passed
HJR 16	Joint Resolution Supporting Kane County Expansion of Correctional Facilities (<i>Michael E. Noel</i>)	Passed
HJR 17	Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills (<i>Kenneth W. Sumsion</i>)	Failed
HJR 18	Joint Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty (<i>Jennifer M. Seelig</i>)	Failed
HJR 19	Joint Resolution Approving Reappointment of Legislative Auditor General (<i>David Clark</i>)	Passed
HJR 20	Green Schools Joint Resolution (<i>Mark A. Wheatley</i>)	Failed
HJR 21	Joint Resolution on Energy Policy (<i>Michael E. Noel</i>)	Passed
HJR 22	Joint Resolution Recognizing the 75th Anniversary of the Utah Highway Patrol (<i>Don L. Ipson</i>)	Passed
HJR 23	Joint Resolution Approving the Sale of Real Property at the Utah State Developmental Center (<i>Craig A. Frank</i>)	Passed
HJR 24	Joint Resolution on Equal Treatment by Government (<i>Curtis Oda</i>)	Failed
HJR 25	Joint Resolution Regarding School Fees and Supplies (<i>Kraig Powell</i>)	Failed
HJR 26	Joint Resolution Approving Water Rights Addendum Form (<i>Ben C. Ferry</i>)	Passed
HJR 27	Authentic Charity Health Care Joint Resolution (<i>Merlynn T. Newbold</i>)	Passed
HJR 28	Joint Rules Resolution on Expenses and Mileage Provisions (<i>John Dougall</i>)	Failed
HJR 30	War Veterans' Memorial on Capitol Hill Joint Resolution (<i>Rebecca Chavez-Houck</i>)	Passed
HJR 31	House Joint Rules Legislative Review Note Procedures Amendments (<i>Ben C. Ferry</i>)	Passed
HJR 32	Joint Resolution Approving the Pelt Case Final Settlement Agreement (<i>David Clark</i>)	Passed
HJR 33	Marking of Underground Utilities Joint Resolution (<i>Melvin R. Brown</i>)	Passed
HJR 34	Joint Resolution on Hospital Claims Management (<i>Bradley G. Last</i>)	Passed
HR 1	Healthy Family Partnership House Resolution (<i>Curtis Oda</i>)	Passed
HR 2	Resolution Regarding the Tenth Amendment to the United States Constitution (<i>Jim Bird</i>)	Failed
HR 3	House Rules Resolution - Recodification and Revisions (<i>Ben C. Ferry</i>)	Passed
HR 4	Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty (<i>Jennifer M. Seelig</i>)	Passed
HR 5	Strangulation and Domestic Violence Resolution (<i>Jennifer M. Seelig</i>)	Failed
HR 6	Resolution Governing Distribution of Items on the House Floor (<i>Craig A. Frank</i>)	Failed
HR 7	House Rules Resolution Allowing Abstaining from Voting (<i>John Dougall</i>)	Failed
HR 8	Resolution Recognizing Energy Innovation in the State of Utah (<i>Eric K. Hutchings</i>)	Passed
HR 9	Speaker's Powers Amendments (<i>Kevin S. Garn</i>)	Passed
SB 1	State Agency and Higher Education Base Budget (<i>Lyle W. Hillyard</i>)	Passed
SB 2	Minimum School Program and Public Education Budget Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 3	Current Fiscal Year Supplemental Appropriations (<i>Lyle W. Hillyard</i>)	Passed
SB 10	Criminal Offense Penalties Amendments (<i>Jon J. Greiner</i>)	Passed
SB 11	Utah State-made Firearms Protection Act (<i>Margaret Dayton</i>)	Passed
SB 12	Individual Income Tax Contribution for Methamphetamine Housing Reconstruction and Rehabilitation Fund (<i>Karen Mayne</i>)	Passed
SB 13	State Construction Contracts and Drug and Alcohol Testing (<i>Karen Mayne</i>)	Passed

SB 14	Building and Construction Projects - Technical Corrections (<i>Mark B. Madsen</i>)	Passed
SB 15	Utah Scenic Byway Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 16	Utah Performance Assessment System for Students (U-PASS) Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 17	Uniform Commercial Driver License Act Amendments (<i>Kevin T. Van Tassell</i>)	Passed
SB 18	Election Modifications (<i>Peter C. Knudson</i>)	Passed
SB 19	Vehicle Safety Flags on Off-highway Vehicles (<i>Brent H. Goodfellow</i>)	Passed
SB 20	Local District Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 21	Amendments to Social Worker Licensing (<i>D. Chris Buttars</i>)	Passed
SB 22	Notary Public Amendments (<i>Peter C. Knudson</i>)	Vetoed
SB 23	Corporate Franchise and Income Tax Amendments (<i>John L. Valentine</i>)	Passed
SB 24	Land Exchange Distribution Account Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 25	State Highway System Modifications (<i>Kevin T. Van Tassell</i>)	Passed
SB 26	Utah E-commerce Integrity Act (<i>Stephen H. Urquhart</i>)	Passed
SB 27	Sales and Use Tax Definition of Tangible Personal Property (<i>Lyle W. Hillyard</i>)	Failed
SB 28	Amendments to Individual Income Tax Return Filing Requirements (<i>J. Stuart Adams</i>)	Passed
SB 29	Amendments to Individual Income Tax Definition of Resident Individual (<i>Curtis S. Bramble</i>)	Passed
SB 30	Local Option Sales and Use Taxes for Transportation Act (<i>Wayne L. Niederhauser</i>)	Passed
SB 31	Administrative Rules Reauthorization (<i>Howard A. Stephenson</i>)	Passed
SB 32	Rainwater Harvesting (<i>Scott K. Jenkins</i>)	Passed
SB 33	State Capitol Preservation Board Fee Amendments (<i>Mark B. Madsen</i>)	Passed
SB 34	Municipal Disincorporation Amendments (<i>Allen M. Christensen</i>)	Failed
SB 35	Capital Facilities Bonds Amendments (<i>Wayne L. Niederhauser</i>)	Failed
SB 36	Wolf Management (<i>Allen M. Christensen</i>)	Passed
SB 37	Impact Fee Revisions (<i>Wayne L. Niederhauser</i>)	Passed
SB 38	Restrictions on High Occupancy Vehicle Lane (<i>Karen W. Morgan</i>)	Passed
SB 39	Health Insurance Prior Authorization Amendments (<i>Karen Mayne</i>)	Passed
SB 40	Tobacco Tax Amendments (<i>Allen M. Christensen</i>)	Failed
SB 41	Drug Utilization Review Board Amendments (<i>Peter C. Knudson</i>)	Passed
SB 42	Retirement Eligibility Modifications (<i>Daniel R. Liljenquist</i>)	Failed
SB 43	Post-retirement Employment Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 44	Health Amendments for Legal Immigrant Children (<i>Luz Robles</i>)	Failed
SB 45	Utah Fit Premises Act Amendments (<i>Wayne L. Niederhauser</i>)	Passed
SB 46	Utah Child Care Licensing Act Amendments (<i>Ross I. Romero</i>)	Failed
SB 47	Electrical Utility Amendments - Efficiency and Conservation Tariff (<i>Kevin T. Van Tassell</i>)	Vetoed
SB 48	Nonlapsing Authority Technical Amendments (<i>Ralph Okerlund</i>)	Passed
SB 49	Vending Machines in Public Schools (<i>Patricia W. Jones</i>)	Failed
SB 50	Victims' Rights Revisions (<i>J. Stuart Adams</i>)	Passed
SB 51	Bioprospecting (<i>Lyle W. Hillyard</i>)	Passed
SB 52	State Board of Regents Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 53	Voter Challenge Revisions (<i>Peter C. Knudson</i>)	Passed
SB 54	Health Education Amendments (<i>Stephen H. Urquhart</i>)	Failed
SB 55	Authorization of Charter Schools by Higher Education Institutions (<i>J. Stuart Adams</i>)	Passed
SB 56	School Reporting Amendments (<i>Karen W. Morgan</i>)	Passed

SB 57	Local School Board Budget Procedures (<i>Dennis E. Stowell</i>)	Passed
SB 58	Transportation Expenses for Defendants (<i>J. Stuart Adams</i>)	Passed
SB 59	At-risk Student Provisions (<i>Luz Robles</i>)	Passed
SB 60	Search and Rescue Funding (<i>Ralph Okerlund</i>)	Passed
SB 61	Sales and Use Tax Exemption for a Web Search Portal (<i>Howard A. Stephenson</i>)	Passed
SB 62	Motor Vehicle Insurance Coverage Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 63	New Public Employees' Tier II Contributory Retirement Act (<i>Daniel R. Liljenquist</i>)	Passed
SB 66	Public School Extracurricular Activities for Home School and Private School Students (<i>Mark B. Madsen</i>)	Passed
SB 67	Public Safety Services Crossing State Borders (<i>Lyle W. Hillyard</i>)	Passed
SB 68	Local Health Authority Funding Amendments (<i>Dennis E. Stowell</i>)	Failed
SB 69	College of Eastern Utah Affiliation with Utah State University (<i>David P. Hinkins</i>)	Passed
SB 70	Motor Vehicle Liability Amendments - Minor Drivers (<i>Stephen H. Urquhart</i>)	Passed
SB 71	Small Business Access to Justice Act (<i>Ross I. Romero</i>)	Passed
SB 72	Enhanced 911 for Multi-line Telephone Systems (<i>Jon J. Greiner</i>)	Failed
SB 73	Sales and Use Tax Exemption Relating to Aircraft (<i>Curtis S. Bramble</i>)	Passed
SB 74	State Park Highway Access Amendments (<i>David P. Hinkins</i>)	Passed
SB 75	Construction Trades License Amendments (<i>D. Chris Buttars</i>)	Failed
SB 76	Trust Deed Amendments (<i>John L. Valentine</i>)	Passed
SB 77	School District Leave Policies (<i>Margaret Dayton</i>)	Failed
SB 78	Constitutional Revision Commission Duties (<i>John L. Valentine</i>)	Passed
SB 79	Fraudulent Transfer Amendments (<i>John L. Valentine</i>)	Passed
SB 80	Physician Licensing - Visiting Professors (<i>Peter C. Knudson</i>)	Failed
SB 81	Eminent Domain Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 82	Passenger Ropeway Systems Act Amendments (<i>Allen M. Christensen</i>)	Passed
SB 83	Bail Bond Recovery Amendments (<i>Jon J. Greiner</i>)	Failed
SB 84	Special Service District Amendments (<i>David P. Hinkins</i>)	Passed
SB 85	Utah Construction Trade Licensing Act Amendments (<i>Scott K. Jenkins</i>)	Passed
SB 86	Fleeing in a Stolen Vehicle - Penalty (<i>Jon J. Greiner</i>)	Failed
SB 87	School Property Tax Equalization Revisions (<i>Gene Davis</i>)	Failed
SB 88	Pharmacy Practice Act Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 89	Legal Notice Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 90	Mental Health Professional Practice Act Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 91	Prosecutor Appeals (<i>Daniel R. Liljenquist</i>)	Passed
SB 92	Amendments to Revenue and Taxation Title (<i>Curtis S. Bramble</i>)	Failed
SB 93	Gubernatorial Appointment Powers Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 94	Supplemental Benefit Amendments for Noncontributory Public Employees (<i>Daniel R. Liljenquist</i>)	Failed
SB 95	Utah Educational Savings Plan Amendments (<i>Wayne L. Niederhauser</i>)	Passed
SB 96	Uintah Basin Revitalization Fund Amendments (<i>Kevin T. Van Tassell</i>)	Passed
SB 97	Farmland Assessment Act Amendments (<i>David P. Hinkins</i>)	Passed
SB 98	Dangerous Weapons Restrictions Amendments (<i>David P. Hinkins</i>)	Failed
SB 99	Water Companies and Water Right Change Requests (<i>John L. Valentine</i>)	Failed
SB 100	Income Tax Credit or Refund Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 101	Drugs Amendments (<i>Peter C. Knudson</i>)	Failed
SB 102	Restricting the Movement of a Motor Vehicle (<i>Brent H. Goodfellow</i>)	Passed

SB 103	Adverse Possession of Real Property (<i>Stephen H. Urquhart</i>)	Passed
SB 104	Renewable Energy Modifications (<i>Stephen H. Urquhart</i>)	Passed
SB 105	Motor Vehicle Accident Arbitration Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 106	Motor Vehicle Noise Emission Standards (<i>Patricia W. Jones</i>)	Failed
SB 107	Lien Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 108	Judicial Nominating Commission Staff Amendments (<i>Scott K. Jenkins</i>)	Failed
SB 109	Chief Justice of the Utah Supreme Court Appointment (<i>Scott K. Jenkins</i>)	Failed
SB 110	Revisor's Statute (<i>Margaret Dayton</i>)	Passed
SB 111	Repeal of Severance Tax Holding Account (<i>Lyle W. Hillyard</i>)	Passed
SB 112	Termination of a Billboard and Associated Rights Amendments (<i>Peter C. Knudson</i>)	Failed
SB 113	Wireless Telephone Use Restriction for Minors in Vehicles (<i>Ross I. Romero</i>)	Failed
SB 114	Motor Vehicle Accident Reports (<i>Dennis E. Stowell</i>)	Passed
SB 115	Unemployment Insurance Revisions (<i>Luz Robles</i>)	Failed
SB 116	District Court Judges Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 117	Pete Suazo Memorial Highway (<i>Luz Robles</i>)	Passed
SB 118	Uniform Probate Code Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 119	Special Elections Modifications (<i>Howard A. Stephenson</i>)	Passed
SB 120	Disarming a Peace Officer Amendment (<i>David P. Hinkins</i>)	Passed
SB 121	Utah Uniform Probate Code Amendments (<i>John L. Valentine</i>)	Passed
SB 122	Eminent Domain Revisions (<i>J. Stuart Adams</i>)	Passed
SB 123	Motion Picture Incentive Fund Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 124	Military Installation Development Authority Modifications (<i>Jerry W. Stevenson</i>)	Passed
SB 125	Intangible Property Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 126	Subdivision Amendments (<i>J. Stuart Adams</i>)	Passed
SB 127	Public Assistance Fraud Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 128	City and County Carbon Credits for Sequestration of Waste Stream Materials (<i>Ross I. Romero</i>)	Failed
SB 129	New Motor Vehicle Franchise Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 130	Judiciary Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 131	Energy Cost Recovery and Renewable Energy Provisions (<i>David P. Hinkins</i>)	Failed
SB 132	Higher Education Scholarship Amendments (<i>John L. Valentine</i>)	Passed
SB 133	Qualifications of State Tax Commissioners (<i>J. Stuart Adams</i>)	Passed
SB 134	Partnership Tax Return Filing Deadlines (<i>J. Stuart Adams</i>)	Passed
SB 135	Sales and Use Tax Exemption for an Energy Efficient Stove or Energy Efficient Stove Fuel (<i>Gene Davis</i>)	Failed
SB 136	Open and Public Meetings Revisions Related to Review of Ethics Complaints (<i>John L. Valentine</i>)	Passed
SB 137	Coordination of Removing, Relocating, or Altering Utilities (<i>Daniel R. Liljenquist</i>)	Passed
SB 138	Grama Revisions Related to Review of Ethics Complaints (<i>John L. Valentine</i>)	Passed
SB 139	Physician Assistant Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 140	Juvenile Detention Amendments (<i>Jon J. Greiner</i>)	Passed
SB 141	Utah Substance Abuse and Anti-violence Coordinating Council Amendments (<i>J. Stuart Adams</i>)	Passed
SB 142	Driver License Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 143	Grand Jury Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 144	Vision Screening Amendments (<i>Wayne L. Niederhauser</i>)	Passed

SB 145	Medical Malpractice Amendments (<i>J. Stuart Adams</i>)	Passed
SB 146	Wrongful Death Amendments (<i>Benjamin M. McAdams</i>)	Failed
SB 147	Education Related Parent Organizations (<i>Margaret Dayton</i>)	Failed
SB 148	Guaranteed Asset Protection Waivers (<i>Jerry W. Stevenson</i>)	Passed
SB 149	Utah Forest Practices Act Amendments (<i>David P. Hinkins</i>)	Passed
SB 150	Reading Requirements for Student Advancement (<i>Karen W. Morgan</i>)	Passed
SB 151	Collection, Remittance, and Retention of Certain Taxes, Fees, or Charges (<i>Curtis S. Bramble</i>)	Failed
SB 152	Utah State Railroad Museum Authority Act (<i>Peter C. Knudson</i>)	Passed
SB 153	Marking of Underground Utilities (<i>Jon J. Greiner</i>)	Failed
SB 154	Postconviction Remedies Act Amendments (<i>J. Stuart Adams</i>)	Passed
SB 155	Enhanced Penalties for HIV Positive Offender Amendments (<i>Jerry W. Stevenson</i>)	Failed
SB 156	Antitrust Act Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 157	Motor Vehicle Dealer Franchise Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 158	Utah Venture Capital Enhancement Act Amendments (<i>J. Stuart Adams</i>)	Failed
SB 160	Utah State Developmental Center Amendments (<i>Margaret Dayton</i>)	Passed
SB 161	Real Property Transfer Fee Amendments (<i>Mark B. Madsen</i>)	Passed
SB 163	Health Regulation of Geothermal Pools and Baths (<i>Mark B. Madsen</i>)	Failed
SB 164	Surety Requirements for Mining (<i>Dennis E. Stowell</i>)	Failed
SB 165	Allocation and Apportionment of Income and Deduction of a Net Loss (<i>Wayne L. Niederhauser</i>)	Passed
SB 167	Alcoholic Beverage Control Act Recodification (<i>John L. Valentine</i>)	Passed
SB 169	Navajo Revitalization Fund Amendments (<i>David P. Hinkins</i>)	Passed
SB 170	Suspension of Driving Privileges (<i>Lyle W. Hillyard</i>)	Passed
SB 171	Higher Education Retirement Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 172	Local District Taxing Authority Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 173	Business Entity Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 175	School District Capital Outlay Equalization Amendments (<i>Benjamin M. McAdams</i>)	Passed
SB 176	Utility Revisions (<i>Scott K. Jenkins</i>)	Failed
SB 178	Utah Emergency Medical Services System Act Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 179	Utah Revised Business Corporation Act Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 180	Sexual Exploitation of a Vulnerable Adult (<i>David P. Hinkins</i>)	Failed
SB 181	Employment Security Administration Fund Repealer (<i>David P. Hinkins</i>)	Passed
SB 182	Utah Common Interest Ownership Act (<i>Wayne L. Niederhauser</i>)	Failed
SB 185	Adoption of Canal Safety Act (<i>Gene Davis</i>)	Failed
SB 186	Amendments to Emissions Inspections (<i>Mark B. Madsen</i>)	Failed
SB 188	Charter School Amendments (<i>Howard A. Stephenson</i>)	Passed
SB 189	Capital Facilities Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 191	Governmental Accounting Amendments (<i>Lyle W. Hillyard</i>)	Passed
SB 194	Assessment Area Act Amendments (<i>Wayne L. Niederhauser</i>)	Failed
SB 196	Community Development and Renewal Amendments (<i>Gene Davis</i>)	Failed
SB 197	Community Development and Renewal Agency Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 198	Economic Development Incentive Amendments (<i>John L. Valentine</i>)	Passed
SB 199	Municipal Boundary Clarification (<i>Ralph Okerlund</i>)	Failed
SB 200	Cause of Action Amendments (<i>Stephen H. Urquhart</i>)	Failed
SB 203	Vacancies in County Elected Offices (<i>Howard A. Stephenson</i>)	Failed

SB 204	Midterm Vacancy Amendments (<i>Benjamin M. McAdams</i>)	Passed
SB 206	Access to Crime Victim's Medical Records (<i>Jon J. Greiner</i>)	Failed
SB 207	Tax Exemption for Cedar Band of Paiute Tribe (<i>Dennis E. Stowell</i>)	Failed
SB 208	Jury Amendments (<i>Ralph Okerlund</i>)	Failed
SB 209	Humanitarian Service and Educational and Cultural Exchange Support Special Group License Plate (<i>Peter C. Knudson</i>)	Passed
SB 210	Judicial Performance Evaluation Commission Amendments (<i>D. Chris Buttars</i>)	Passed
SB 212	Pawn Shop Amendments (<i>Jon J. Greiner</i>)	Passed
SB 213	Division of Services for People with Disabilities Advisory Council (<i>Allen M. Christensen</i>)	Failed
SB 215	Highway Project Funding - Salt Lake County (<i>Wayne L. Niederhauser</i>)	Passed
SB 216	Absentee Voting by Military Personnel Amendments (<i>Benjamin M. McAdams</i>)	Passed
SB 217	Increase in Surcharge on Fines (<i>Scott K. Jenkins</i>)	Passed
SB 218	Engine Coolant Bittering Agent Act (<i>Michael G. Waddoups</i>)	Passed
SB 219	Criminal Nuisance Amendment (<i>Jon J. Greiner</i>)	Passed
SB 220	Vehicle Impound Amendment (<i>Jon J. Greiner</i>)	Failed
SB 222	Fee Exemptions (<i>Brent H. Goodfellow</i>)	Passed
SB 223	Department of Environmental Quality Boards Amendments (<i>Margaret Dayton</i>)	Failed
SB 224	Construction Contract Amendments (<i>Curtis S. Bramble</i>)	Failed
SB 225	Motor Vehicle Insurance - Named Driver Exclusion (<i>Lyle W. Hillyard</i>)	Passed
SB 227	Interlocal Energy Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 230	Pharmaceutical Marketing to Consumers Amendment (<i>Daniel R. Liljenquist</i>)	Failed
SB 231	Medical Benefits Under Workers' Compensation (<i>D. Chris Buttars</i>)	Passed
SB 232	Judicial Administration Amendments (<i>Scott K. Jenkins</i>)	Passed
SB 235	Agricultural Loan Authorization (<i>Ralph Okerlund</i>)	Failed
SB 237	Transition for Repealed Navajo Trust Fund Act Amendments (<i>David P. Hinkins</i>)	Passed
SB 238	Long-term Care Facility - Medicaid Certification for Bed Capacity Amendments (<i>Luz Robles</i>)	Failed
SB 240	Retirement Participation Amendments (<i>Daniel R. Liljenquist</i>)	Passed
SB 241	Health Code Amendments (<i>Allen M. Christensen</i>)	Failed
SB 242	Economic Development Incentives for Alternative Energy Projects (<i>Kevin T. Van Tassell</i>)	Passed
SB 244	Annexation Amendments (<i>Curtis S. Bramble</i>)	Failed
SB 247	John M. Browning Commemorative Day (<i>Mark B. Madsen</i>)	Passed
SB 248	Child Registry Amendments (<i>Mark B. Madsen</i>)	Failed
SB 250	Political Party Bylaws - United States Senators (<i>Howard A. Stephenson</i>)	Passed
SB 251	Verification of Employment Eligibility (<i>D. Chris Buttars</i>)	Passed
SB 252	Bail Bond Act Amendments (<i>Dennis E. Stowell</i>)	Passed
SB 253	Uninsured Motorist Identification Database Program Amendments (<i>Jon J. Greiner</i>)	Failed
SB 254	Motor Vehicle Insurance - Unfair Claim Settlement Practices (<i>Gene Davis</i>)	Failed
SB 257	Health Care Facility Disclosure Requirements (<i>Peter C. Knudson</i>)	Failed
SB 259	Amendments to Tobacco Tax (<i>Allen M. Christensen</i>)	Passed
SB 265	Budget Revisions - Drug Court Expansion (<i>Daniel R. Liljenquist</i>)	Passed
SB 269	County Powers to Resolve Lawsuits via Development Agreements (<i>J. Stuart Adams</i>)	Failed
SB 272	Amendments to Transportation Provisions (<i>Jerry W. Stevenson</i>)	Passed
SB 273	Hospital Assessments (<i>Lyle W. Hillyard</i>)	Passed

SB 274	Online Pharmacy Amendments (<i>Curtis S. Bramble</i>)	Passed
SB 275	Removing Signature from Initiative and Referendum Petition (<i>Howard A. Stephenson</i>)	Passed
SB 276	Promoting Healthy Lifestyles in Public Schools (<i>Patricia W. Jones</i>)	Failed
SB 277	Dna Modifications (<i>J. Stuart Adams</i>)	Passed
SB 278	Homeowners' Association Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 279	Identity Fraud and Related Amendments (<i>Stephen H. Urquhart</i>)	Failed
SB 280	2010 General Obligation Bond Authorization (<i>Lyle W. Hillyard</i>)	Passed
SB 281	Public Access to Stream Beds - Utah Waterways Task Force (<i>Dennis E. Stowell</i>)	Passed
SB 282	Capital Facilities Appropriations (<i>Curtis S. Bramble</i>)	Passed
SCR 1	Alzheimer's and Dementia Awareness Concurrent Resolution (<i>Karen W. Morgan</i>)	Passed
SCR 2	Reducing Prescription Drug Misuse Resolution (<i>Patricia W. Jones</i>)	Passed
SCR 3	State Sovereignty Concurrent Resolution (<i>J. Stuart Adams</i>)	Passed
SCR 4	Dental Health Care Concurrent Resolution (<i>Patricia W. Jones</i>)	Passed
SCR 5	Concurrent Resolution Recognizing the 100 Year Anniversary of the Mckay-dee Hospital (<i>Jon J. Greiner</i>)	Passed
SCR 6	Concurrent Resolution Approving Classification of Solid Waste Facility Solid Waste Permit (<i>Brent H. Goodfellow</i>)	Passed
SCR 7	Concurrent Resolution Approving Solid Waste Facility Classification Change (<i>Wayne L. Niederhauser</i>)	Passed
SCR 8	Fathers Do Matter Concurrent Resolution (<i>Gene Davis</i>)	Failed
SCR 9	Declaration of the Family Concurrent Resolution (<i>Wayne L. Niederhauser</i>)	Failed
SCR 11	Concurrent Resolution Expressing Opposition to the Creation of New National Monuments in Utah (<i>Kevin T. Van Tassell</i>)	Passed
SCR 12	Responsible Development of Public Lands Concurrent Resolution (<i>Kevin T. Van Tassell</i>)	Failed
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SJR 2	Joint Resolution on Combating and Reducing Gang Activity (<i>Luz Robles</i>)	Passed
SJR 3	Joint Resolution on Ethics Complaint Procedures (<i>John L. Valentine</i>)	Passed
SJR 4	State Sovereignty Joint Resolution (<i>Scott K. Jenkins</i>)	Failed
SJR 5	Joint Resolution on the Spending of Federal Economic Renewal Grants (<i>Karen Mayne</i>)	Passed
SJR 6	Joint Resolution - State Sovereignty and Tenth Amendment (<i>Howard A. Stephenson</i>)	Passed
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SJR 16	Health Care Facility Disclosure Joint Resolution (<i>Peter C. Knudson</i>)	Passed
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Sales and Use Tax Definition of Tangible Personal Property - SB 27
Sales and Use Tax Exemption for an Energy Efficient Stove or Energy Efficient Stove Fuel - SB 135
Collection, Remittance, and Retention of Certain Taxes, Fees, or Charges - SB 151
Tax Exemption for Cedar Band of Paiute Tribe - SB 207

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TOBACCO TAX

Tobacco Tax Amendments - SB 40

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Statistical Summary of Legislation

2010 General Session

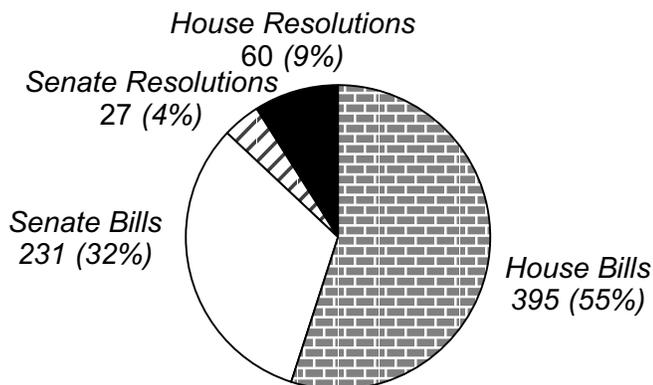
	House	Senate	Total
<i>Total Bills and Resolutions Introduced</i>	455	259	714
<i>Total Bills and Resolutions Passed</i>	299	182	481
<i>Total Bills and Resolutions Enacted</i>	298	179	477

Bills Introduced	395	231	626
Bills Passed	255	163	418
Bills Vetoed	1	2	3
Bills with Line Items Vetoed	1	0	1
<i>Total Bills Enacted</i>	254	161	415

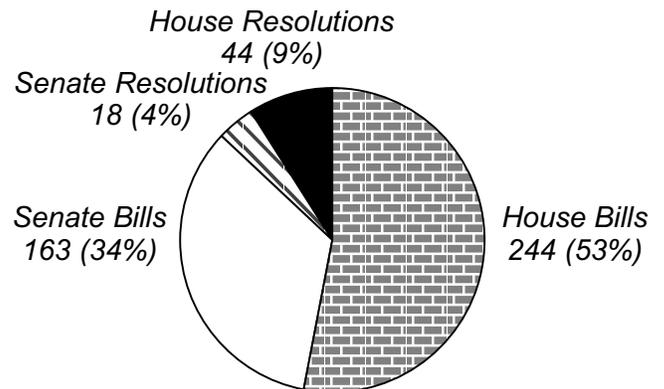
Concurrent Resolutions Introduced	18	11	29
Joint Resolutions Introduced	33	15	48
House & Senate Resolutions Introduced	9	1	10
<i>Total Resolutions Introduced</i>	60	27	87

Concurrent Resolutions Passed	16	8	24
Joint Resolutions Passed	23	11	34
House & Senate Resolutions Passed	5	0	5
Resolution Declined to Sign	0	1	1
<i>Total Resolutions Passed</i>	44	18	62

Introduced - 714

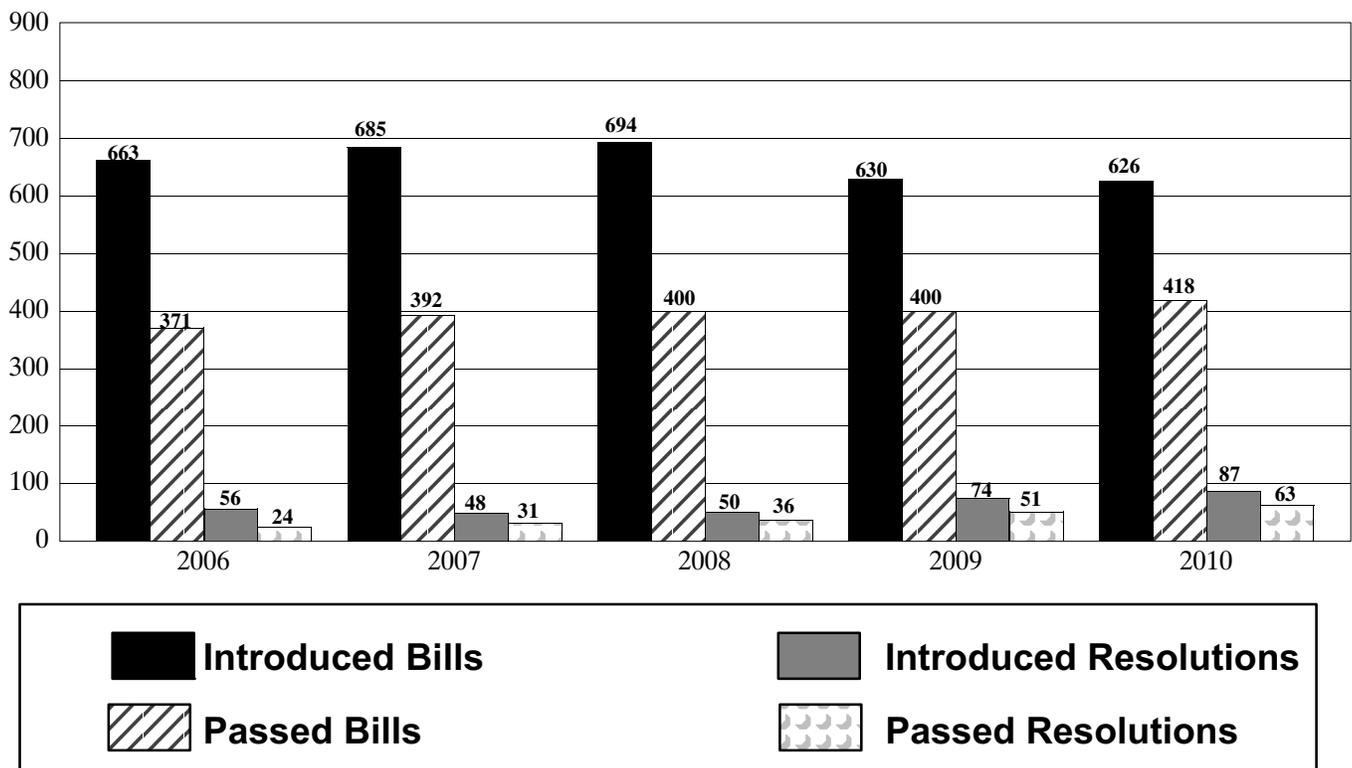


Passed - 481



Statistical Summary of General Sessions 2006-2010

	2006	2007	2008	2009	2010
Bills Introduced	663	685	694	630	626
Bills Passed	371	392	400	400	418
Percentage of Bills Passed	56%	57%	58%	63%	67%
Bills Vetoed	4	0	1	2	3
Vetoes Overridden	0	0	0	0	0
Concurrent Resolutions Introduced	11	14	14	14	29
Concurrent Resolutions Passed	5	12	13	12	24
Concurrent Resolutions Declined by Governor	0	0	0	1	1
Joint Resolutions Introduced	38	29	26	50	48
Joint Resolutions Passed	13	15	16	31	34
House & Senate Resolutions Introduced	7	5	10	10	10
House & Senate Resolutions Passed	6	4	7	8	5



DIGEST OF LEGISLATION

2009 FIRST SPECIAL SESSION of the 58th Legislature

**Convened May 20, 2009
and Adjourned May 20, 2009**

*Prepared by the
Office of Legislative Research and General Counsel
Utah State Capitol Complex
W210 House Building
P.O. Box 145210
Salt Lake City, Utah 84114-5210
(801) 538-1032
<http://le.utah.gov>*

HB 1001 Subdivision Approval Amendments (*R. Curt Webb*)

This bill modifies county land use provisions relating to subdivisions.

This bill:

- ▶ authorizes an owner of at least 100 contiguous acres of agricultural land within a county of the third, fourth, fifth, or sixth class to divide from the land a single lot without complying with subdivision plat requirements or county subdivision ordinances; and
- ▶ prohibits a county of the third, fourth, fifth, or sixth class from denying a building permit to an owner of a minor subdivision lot if the lot meets the county's reasonable health, safety, and access standards that the county has established and made public.

This bill takes effect on October 1, 2009.

Amends 17-27a-605

Effective October 1, 2009

Chapter 1, Laws of Utah 2009, First Special Session

HB 1002 Conditions for Requesting and Disclosing Information Under Employment Selection Procedures Act (*Wayne A. Harper*)

This bill modifies the Employment Selection Procedures Act to modify conditions under which identifying information may be requested and when information may be disclosed.

This bill:

- ▶ permits an employer, if certain conditions are met, to request information when the employer conducts an internal review for employment related actions;
- ▶ permits an employer, if certain conditions are met, to request information for purposes related to a government service, benefit, or program;
- ▶ clarifies when information may be disclosed by an employer as required by law or for purposes related to a government service, benefit, or program; and
- ▶ makes technical changes.

This bill provides an immediate effective date.

This bill has retrospective operation to May 12, 2009.

Amends 34-46-201, 34-46-202

Effective May 21, 2009

Chapter 2, Laws of Utah 2009, First Special Session

HB 1003 Appropriations Adjustments Related to Federal Funds *(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, 2008 and ending June 30, 2009 and beginning July 1, 2009 and ending June 30, 2010.

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 the use and support of public education;
- ▶ provides budget increases and decreases for other purposes as described; and
- ▶ provides intent language.

This bill appropriates for fiscal year 2009:

- ▶ (\$500,000) from the General Fund;
- ▶ (\$94,381,800) from the Uniform School Fund;
- ▶ (\$94,381,800) as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$166,347,200 from various sources as detailed in this bill. This bill appropriates for fiscal year 2010:
- ▶ \$500,000 from the General Fund;
- ▶ \$94,381,800 from the Uniform School Fund;
- ▶ \$94,381,800 as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$54,781,300 from various sources as detailed in this bill.

Section 1 of this bill takes effect immediately. Section 2 of this bill takes effect on July 1, 2009.

Effective May 21, 2009

Chapter 3, Laws of Utah 2009, First Special Session

SB 1001 Forest Reserve Fund Amendments *(Ralph Okerlund)*

This bill amends provisions related to the Forest Reserve Fund.

This bill:

- ▶ provides procedures for the state treasurer to use in apportioning Title III forest reserve funds to fire-related special service districts for special projects;
- ▶ clarifies that the services provided by a fire-related special service district may include emergency search and rescue, Firewise Communities programs, and the development of community wildfire protection plans; and
- ▶ makes technical changes.

This bill takes effect on June 15, 2009.

Amends 17D-1-201, 51-9-602, 51-9-603

Effective June 15, 2009

Chapter 4, Laws of Utah 2009, First Special Session

SB 1002 Legal Notice Amendments (*Stephen H. Urquhart*)

This bill amends legal notice provisions of the Utah Code.

This bill:

- ▶ amends legal notice provisions of the Utah Code; and
- ▶ makes technical corrections.

This bill provides an immediate effective date.

Amends 9-3-409, 10-2-607, 11-14-318, 11-39-103, 17B-1-643, 38-8-3, 40-6-10, 45-1-101, 52-4-202, 53A-19-102;

Renumbers and Amends 45-1-3 to 45-1-305, 45-1-301 to 45-1-306, 45-1-302 to 45-1-307, 45-1-303 to 45-1-308, 45-1-304 to 45-1-309

Effective May 21, 2009

Chapter 5, Laws of Utah 2009, First Special Session

SB 1003 Disposition of Registration Fee Revenues (*Sheldon L. Killpack*)

This bill modifies the Motor Vehicle Act and the Transportation Code by amending provisions relating to the disposition of certain motor vehicle registration fee revenue.

This bill:

- ▶ provides that a portion of certain registration fees shall be deposited in the Transportation Investment Fund of 2005; and
- ▶ makes technical changes.

This bill takes effect on July 1, 2009.

Amends 41-1a-1201, 41-1a-1201 (Effective 07/01/09), 72-2-124, 72-2-124 (Effective 07/01/09)

Effective July 1, 2009

Chapter 6, Laws of Utah 2009, First Special Session

SB 1004 Supplemental Appropriations Adjustments (*Lyle W. Hillyard*)

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal years beginning July 1, 2008 and ending June 30, 2009 and beginning July 1, 2009 and ending June 30, 2010.

This bill:

- ▶ provides appropriations for the use and support of certain state agencies;
- ▶ provides appropriations for the use and support of public education;
- ▶ provides budget increases and decreases for other purposes as described; and
- ▶ provides intent language.

This bill appropriates for fiscal year 2009 effective July 1, 2010:

- ▶ \$80,995,500 from the Uniform School Fund;
- ▶ (\$91,200,000) from various sources as detailed in this bill. This bill appropriates for fiscal year 2009 effective immediately:
- ▶ \$45,000,000 as a transfer from the General Fund to the Education Fund;
- ▶ (\$80,995,500) from the Uniform School Fund;
- ▶ (\$126,534,300) as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$116,700,000 from various sources as detailed in this bill. This bill appropriates for fiscal year 2010:
- ▶ \$4,555,000 from the General Fund;
- ▶ \$2,261,403,400 as a transfer from the Education Fund to the Uniform School Fund;
- ▶ \$3,133,700 from various sources as detailed in this bill.

Effective May 21, 2009

Chapter 7, Laws of Utah 2009, First Special Session

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Utah Code Sections Affected 2009 First Special 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**

<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>	<u>Section</u>	<u>Action</u>	<u>Bill Number</u>	<u>Former/ Renumber</u>	<u>Page Number</u>
9-3-409	A	SB 1002		293	45-1-3	N	SB 1002	45-1-305	293
10-2-607	A	SB 1002		293	45-1-101	A	SB 1002		293
11-14-318	A	SB 1002		293	45-1-301	N	SB 1002	45-1-306	293
11-39-103	A	SB 1002		293	45-1-302	N	SB 1002	45-1-307	293
17-27a-605	A	HB 1001		291	45-1-303	N	SB 1002	45-1-308	293
17B-1-643	A	SB 1002		293	45-1-304	N	SB 1002	45-1-309	293
17D-1-201	A	SB 1001		292	51-9-602	A	SB 1001		292
34-46-201	A	HB 1002		291	51-9-603	A	SB 1001		292
34-46-202	A	HB 1002		291	52-4-202	A	SB 1002		293
38-8-3	A	SB 1002		293	53A-19-102	A	SB 1002		293
40-6-10	A	SB 1002		293	72-2-124	A	SB 1003		293
41-1a-1201	A	SB 1003		293	72-2-124	A	SB 1003		293
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A=Amended

E=Enacted

R=Repealed

X=Repealed and Reenacted

N=Renumbered and Amended

INTRODUCED LEGISLATION 2009 FIRST SPECIAL SESSION

HB 1001	Subdivision Approval Amendments (<i>R. Curt Webb</i>)	Passed
HB 1002	Conditions for Requesting and Disclosing Information Under Employment Selection Procedures Act (<i>Wayne A. Harper</i>)	Passed
HB 1003	Appropriations Adjustments Related to Federal Funds (<i>Ron Bigelow</i>)	Passed
SB 1001	Forest Reserve Fund Amendments (<i>Ralph Okerlund</i>)	Passed
SB 1002	Legal Notice Amendments (<i>Stephen H. Urquhart</i>)	Passed
SB 1003	Disposition of Registration Fee Revenues (<i>Sheldon L. Killpack</i>)	Passed
SB 1004	Supplemental Appropriations Adjustments (<i>Lyle W. Hillyard</i>)	Passed