

## SELECTED HIGHLIGHTS of the 2014 General Session

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### **Business**

#### HB 127 Consumer Lending Amendments

Dunnigan, J.

This bill modifies provisions related to deferred deposit loans.

- modifies the reporting requirements for deferred deposit lenders;
- imposes additional requirements before the extension of a deferred deposit loan;
- prohibits a deferred deposit contract from modifying statutory venue provisions;
- requires notice before initiating a civil action;
- modifies provisions related to extended payment plans; and
- makes technical and conforming amendments.

#### HB 283 Nonprofit Entity Receipt of Government Money

Menlove, R.

This bill addresses nonprofit entity receipt of state money.

- defines terms;
- addresses audits of nonprofit entities;
- requires written agreements for grants to nonprofit entities;
- enacts the Nonprofit Entity Receipt of State Money Act, including:
  - defining terms;
  - imposing requirements on a nonprofit entity's receipt of state money; and
  - authorizing a state entity to seek return of state money if the nonprofit entity fails to comply with the requirements; and
- makes technical changes.

#### SB 44 Workers' Compensation and Employee Misconduct

Mayne, K.

This bill modifies the Workers' Compensation Act to address use of controlled substances or alcohol.

- addresses reductions or prohibitions on receipt of disability compensation related to the use of controlled substances or alcohol on the basis of the degree to which the conduct is a contributing cause of an injury;
- addresses knowing use of a controlled substance not obtained under a prescription;
- clarifies burden of proof to rebut presumption;
- addresses what an employee can prove to rebut presumption;
- requires split testing; and
- makes technical and conforming changes.

#### SB 133 Benefit Corporation Amendments

Valentine, J.

This bill modifies corporate provisions to enact the Benefit Corporation Act.

- enacts the Benefit Corporation Act, including:
  - providing for the application and effect of chapter;
  - defining terms;
  - providing for incorporation as a benefit corporation;
  - providing for election to become a benefit corporation;
  - allowing for termination of benefit corporation status;
  - addressing establishment of corporate purposes;
  - imposing standards of conduct for directors;
  - providing for a benefit director;
  - imposing standards of conduct for officers;
  - providing for a benefit officer;
  - establishing a right of action;
  - requiring an annual benefit report; and
  - addressing availability of an annual benefit report; and
- makes technical and conforming changes.

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### **Economic Development**

#### HB 34 Tourism Marketing Performance Account Amendments

Wilson, B.

This bill modifies Title 63M, Chapter 1, Governor's Office of Economic Development, by amending provisions related to the Tourism Marketing Performance Account and related provisions.

- extends from fiscal year 2015 to fiscal year 2019 the number of years that growth in tourism-oriented sales tax revenue is calculated as part of a formula to potentially increase annual funding for Tourism Marketing Performance Account;
- requires certain one-time reporting by the Governor's Office of Economic Development;
- provides for the repeal of the one-time reporting requirement; and
- makes technical changes.

#### HB 243 Amendments to the Fund of Funds

Bird, J.

This bill amends Title 63M, Chapter 1, Part 12, the Utah Venture Capital Enhancement Act.

- amends the membership of the Utah Capital Investment Board by adding a member of the Senate and a member of the House of Representatives;
- amends the quorum requirements of the Utah Capital Investment Board;
- requires that the annual report and the annual audit for the Utah fund of funds be completed on or before September 1 for the previous calendar year;
- describes additional information required in the annual report and audit;
- provides that the aggregate outstanding certificates may not exceed a total of \$150,000,000 for a loan guarantee;
- provides that the aggregate outstanding certificates may not exceed a total of \$75,000,000 for a guarantee for equity investments in the Utah fund of funds; and
- makes technical changes.

#### HB 356 New Convention Facility Development Incentive Provisions

Wilson, B.

This bill enacts provisions relating to incentives for the development of a new convention facility.

- enacts the New Convention Facility Development Incentive Act;
- establishes a tax credit for the owner of a new convention hotel or a local government entity, under certain circumstances, in the amount of state and local sales tax revenue generated from sales to the construction of a new convention hotel and from sales on hotel property, and other local taxes;
- establishes requirements and criteria for qualifying for a tax credit;
- establishes a process for applying for and the issuance of a tax credit certificate, including an agreement between the Governor's Office of Economic Development and the hotel owner or local government in which the hotel is located;
- authorizes a community development and renewal agency of a host local government to receive incremental property tax revenue generated from hotel property during the eligibility period;
- limits how money derived from a tax credit and incremental property tax revenue may be spent;
- establishes an independent review committee to review tax credit applications;
- grants the Governor's Office of Economic Development rulemaking authority to carry out its responsibilities under and to implement provisions of this bill;
- requires a county in which a new convention hotel is located to make an annual payment into the Stay Another Day and Bounce Back Account;
- creates the Stay Another Day and Bounce Back Fund as an expendable special revenue fund;
- creates the Hotel Impact Mitigation Fund as an expendable special revenue fund; and
- modifies the duties and authority of the Board of Tourism Development.

#### SB 62 Utah Science Technology and Research Governing Authority Amendments

Shiozawa, B.

This bill modifies Title 63M, Chapter 2, Utah Science Technology and Research Governing Authority Act, and other related provisions.

- defines terms;
- requires the Utah Science Technology and Research (USTAR) governing authority to:
  - lease certain science and technology buildings to state universities;
  - establish written performance standards and expectations for each technology outreach program location;
  - establish written performance standards and expectations for each research team funded by the USTAR initiative;
  - provide a detailed annual report; and
  - provide an annual audit;
- modifies the allocation of commercialization revenues;
- repeals the nonlapsing status of appropriations to the USTAR governing authority; and
- makes technical changes.

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### **Education**

HB 96 Utah School Readiness Initiative

Hughes, G.

This bill creates the School Readiness Board, which provides grants to certain early childhood education programs, and may enter into certain contracts with private entities to provide funding for early childhood education programs for at-risk students.

- creates the School Readiness Special Revenue Fund;
- creates the School Readiness Board (board) to negotiate contracts with private entities to fund certain early childhood education programs and award grants to certain early childhood education programs;
- details components of a high quality school readiness program that may be funded through a results-based contract between the board and private entities;
- describes a home-based educational technology program that may be funded through a results-based contract between the board and a private entity or entities;
- requires the State Board of Education and the Department of Workforce Services to:
  - solicit proposals from qualifying early childhood education programs for quality school readiness grants;
  - make recommendations to the board to award grants to qualifying early childhood education programs;
  - monitor and evaluate the programs; and
  - develop policies and enact rules;
- requires the board to award grants to qualifying early childhood education programs based on recommendations of the State Board of Education and the Department of Workforce Services and certain criteria;
- requires the Governor's Office of Management and Budget to staff the board;
- requires the repayment to private entities to be conditioned on meeting performance outcomes set in the contract;
- requires an independent evaluation of the performance outcomes;
- allows the board no more than \$15,000,000 of outstanding obligations at any one time;
- exempts the awarding of a results-based contract from general procurement requirements; and
- establishes reporting requirements.

HB 150 Science, Technology, Engineering, and Mathematics Amendments

Peterson, V.

This bill amends and enacts provisions relating to the Science, Technology, Engineering, and Mathematics Action Center.

- defines terms;
- adds members to the STEM Action Center Board;
- allows the STEM Action Center Board to create a foundation;
- specifies that the STEM Action Center shall support high quality professional development for educators related to STEM education in kindergarten through grade 12;
- allows the STEM Action Center to further STEM education with nontechnological means;
- expands the scope of the STEM education related technology program to more students;
- creates the STEM education endorsements and incentive program, and requires the State Board of Education to make rules regarding the incentives;
- requires the STEM Action Center to select technology providers to create a certain professional development application;
- requires the STEM Action Center to create in-person STEM education high quality professional development;
- creates the STEM education middle school applied science initiative;
- creates the high school STEM education initiative; and
- makes technical changes.

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- HB 168 School and Institutional Trust Lands and Funds Management Provisions Brown, M.  
This bill modifies and enacts provisions relating to the management of state trust lands and funds.
- modifies provisions relating to the director of the School Children's Trust Section, including:
    - the required qualifications of the director;
    - the removal of the director; and
    - the duties of the director;
  - modifies provisions relating to the School Children's Trust Section;
  - requires the School Children's Trust Section to provide staff support to the nominating committee for board members of the School and Institutional Trust Lands Administration;
  - enacts the School and Institutional Trust Fund Management Act;
  - establishes the School and Institutional Trust Fund Office, a board of trustees of the Office, and the position of director of the office;
  - provides for the management of a fund consisting of money from the sale or use of land granted to the state under the Utah Enabling Act and other proceeds, revenue, and assets;
  - provides for a nominating committee for members of the School and Institutional Trust Fund Board of Trustees;
  - provides for funding office operations; and
  - repeals Investment of Land Grant Trust Fund Money provisions.
- HB 286 Child Sexual Abuse Prevention Romero, A.  
This bill enacts provisions relating to child sexual abuse prevention training and instruction in public schools.
- adopts certain recommendations of Illinois's Erin's Law Task Force;
  - requires the State Board of Education, in partnership with the Department of Human Services, to approve instructional materials for child sexual abuse prevention and awareness training and instruction;
  - requires a school district or charter school to use the instructional materials approved by the State Board of Education to provide child sexual abuse prevention and awareness training and instruction to:
    - school personnel; and
    - the parents or guardians of elementary school students;
  - provides that a school district or charter school may provide child sexual abuse prevention and awareness instruction to elementary school students subject to certain requirements; and
  - requires the State Board of Education to report to the Education Interim Committee.
- SB 34 Statewide Data Alliance and Utah Futures Stephenson, H.  
This bill amends provisions related to Utah Futures and appropriates money to support a statewide data system for public education, higher education, and workforce data.
- amends provisions related to Utah Futures;
  - establishes an evaluation panel to evaluate Utah Futures and determine whether any or all components of Utah Futures should be outsourced to a private provider; and
  - makes technical changes.
- SB 40 Financial and Economic Literacy Amendments Jones, P.  
This bill modifies provisions relating to financial and economic literacy education.
- requires the State Board of Education to:
    - contract with a provider to develop an online, end-of-course assessment for the general financial literacy course;
    - require a school district or charter school to administer an online, end-of-course assessment to a student who takes the general financial literacy course;
    - identify, and make available to teachers, online resources for financial and economic literacy education;
    - in cooperation with school districts, charter schools, and interested private or nonprofit entities, provide professional development opportunities in financial and economic literacy to teachers;
    - adopt course standards or objectives for the general financial literacy course that address certain topics;
    - implement a teacher endorsement in general financial literacy; and
    - administer the general financial literacy course in the same manner as other core curriculum courses for grades 9 through 12 are administered;
  - modifies duties of a financial and economic literacy task force established by the State Board of Education; and
  - makes technical amendments.
- SB 58 Carbon Monoxide Detection Amendments Dabakis, J.  
This bill amends provisions of Title 15A, Chapter 5, State Fire Code Act, relating to carbon monoxide detection.
- requires that certain buildings or structures used for educational purposes for students through grade 12 be equipped with carbon monoxide detection in accordance with the provisions of this bill;
  - makes technical and conforming changes.

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### **Environmental Quality**

HB 61 Clean Air Programs

Arent, P.

This bill modifies Title 19, Environmental Quality Code, by modifying the Clean Fuels and Vehicle Technology Program Act and enacting the Clean Air Retrofit, Replacement, and Off-road Technology Program.

- defines terms;
- amends definitions;
- modifies the process for the Department of Environmental Quality to make a loan or grant from the Clean Fuels and Vehicle Technology Program, including:
  - allowing electric-hybrids to be eligible for the program; and
  - removing the state match requirements for a grant for refueling infrastructure;
- describes the requirements for receiving a grant from the Division of Air Quality;
- authorizes the Air Quality Board to make rules; and
- makes technical changes.

HB 154 Wood Burning Amendments

Arent, P.

This bill deals with wood burning and air quality.

- authorizes the director of the Division of Air Quality to hire contractors or part-time temporary employees to investigate reports of wood burning on days when wood burning is prohibited;
- requires the Division of Air Quality to create a:
  - public awareness campaign about the effects of wood burning on air quality; and
  - program to convert a dwelling in which the sole source of heat is a wood burning stove to a natural gas or other clean fuel heating source, as funding allows;
- authorizes the Division of Air Quality to pursue private and federal sources of funding, in addition to any funds appropriated by the Legislature, to implement the wood burning conversion program
- makes technical changes.

SB 196 Medical Waste Incineration Prohibition

Weiler, T.

This bill deals with the incineration of infectious waste and chemotherapeutic agents.

- prohibits the Division of Solid and Hazardous Waste from approving an operation plan or issuing a permit to a facility that:
  - incinerates infectious waste or chemotherapeutic agents within a two-mile radius of a residential area; and
  - is not in operation as of May 13, 2014; and
- makes technical changes.

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### **Government Operations (State Issues)**

HB 390 Unlawful Activities Amendments

Chavez-Houck, R.

This bill amends provisions of the Utah Criminal Code and the Election Code in relation to unlawful activity.

- enacts the class A misdemeanor offense of obstructing a legislative proceeding;
- defines "official proceeding" for Title 76, Chapter 8, Part 5, Offenses Against the Administration of Government;
- amends the offense of a pattern of unlawful activity to include, as unlawful activities, tampering with evidence or the falsification or alteration of certain government records; and
- makes technical changes.

HB 394 Campaign Finance Revisions

Dunnigan, J.

This bill amends provisions of the Election Code relating to campaign finance, conflicts of interest, and financial disclosures.

- defines terms;
- requires that a financial report include expenditures made by a reporting entity or an agent (including a political consultant) of a reporting entity on behalf of the reporting entity;
- provides that "contribution" includes a loan by a candidate to the candidate's own campaign;
- defines "in-kind" contributions;
- grants rulemaking authority to the director of elections within the Lieutenant Governor's Office;
- provides that when a person makes a detailed listing that discloses or reports the source of a contribution, discloses or reports the person or entity to whom a disbursement is made, or discloses reports the identity of a donor, the person:
  - shall reveal the actual source of the contribution, the actual person or entity to whom the disbursement is ultimately made, or the actual identity of the donor; and
  - may not merely list, disclose, or report the transactional intermediary;
- modifies required filing dates for a financial disclosure form filed by a regulated officeholder;
- modifies and expands the information that a regulated officeholder is required to disclose in a financial disclosure form, including information for the year preceding the day on which the regulated officeholder files a financial disclosure form;
- expands disclosure provisions to include a regulated officeholder's involvement in limited liability corporations and other entities;
- clarifies that a regulated officeholder may file an amended financial disclosure form at any time;
- addresses the publication and retention of financial disclosure forms;
- establishes criminal and civil penalties for violating certain provisions of this bill relating to the filing or content of a financial disclosure form;
- describes duties of the lieutenant governor for reviewing a financial disclosure form and enforcing the provisions of this bill;
- provides that the lieutenant governor shall deposit a fine collected under this bill into the General Fund as a dedicated credit to pay for the costs of administering the provisions of this bill; and
- makes technical and conforming changes.

HCR 8 Concurrent Resolution Regarding Moving the State Prison

Wilson, B.

This concurrent resolution of the Legislature and the Governor addresses the relocation of the Utah State Prison. This resolution:

- concludes that it is in the best interests of the state to move the state prison from its current location in Draper;
- resolves that the prison should be relocated from its current location;
- identifies factors that should be given careful, serious, and deliberate consideration in the process of relocating the prison; and
- directs that a copy of the resolution be given to various persons.

SB 36 Voter Information Amendments

Mayne, K.

This bill amends provisions of the Election Code, the Government Records Access and Management Act, and related provisions, in relation to the disclosure, provision, or use of the list of registered or information in the list of registered voters.

- defines terms;
- modifies a voter registration form;
- places limitations on who may obtain a voter's date of birth from a voter registration form;
- places limitations on providing or using a voter's date of birth that is obtained from a voter registration form;
- establishes requirements and procedures to ensure that a voter's date of birth is not obtained, provided, or used unlawfully;
- establishes a procedure by which a person may request that the person's voter registration record be classified as private if disclosure of the person's voter registration record, or information in the voter registration record, is likely to put the voter or a member of the voter's household's life or safety at risk or to put the voter or a member of the voter's household at risk of being stalked or harassed;
- provides civil and criminal penalties for a person who unlawfully obtains, provides, or uses a voter's date of birth that is obtained from a voter registration record;
- grants rulemaking authority to the director of elections within the Office of the Lieutenant Governor;
- provides that the date of birth of a voter that is obtained from a voter registration record is a private record; and
- makes technical and conforming changes.

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### SB 54 Elections Amendments

Bramble, C.

This bill amends provisions of the Election Code relating to nomination of candidates, primary and general elections, and ballots.

- defines terms and modifies defined terms;
- enacts a severability clause;
- modifies dates and other provisions relating to a notice of election;
- except as it relates to presidential candidates, prohibits a ballot or ballot sheet from indicating that a candidate is associated with a political party unless the candidate is nominated by petition or nominated by a qualified political party;
- changes dates relating to the establishment and publication of the master ballot position list;
- defines a qualified political party as a registered political party that:
  - permits voters who are unaffiliated with any political party to vote for the registered political party's candidates in a primary election;
  - permits a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely or permits the designation of an alternate delegate; does not hold the registered political party's convention before April 1 of an even-numbered year; and
  - permits a member of the registered political party to seek the registered political party's nomination for any elective office by seeking the nomination through the registered political party's convention process, seeking the nomination by collecting signatures, or both;
- modifies provisions and dates relating to a declaration of candidacy;
- provides that candidates for elective office shall be nominated in direct primary elections, unless the candidates are listed on the ballot as unaffiliated or are nominated by a qualified political party;
- modifies provisions relating to the conduct of a primary election;
- describes petition requirements for appearing on a primary election ballot for nomination as a candidate for an identified political party;
- grants rulemaking authority;
- describes duties of the lieutenant governor and county clerks in relation to the provisions of this bill;
- describes requirements and exceptions for a qualified political party;
- describes two alternate nomination procedures for a qualified political party; and
- makes technical and conforming changes.

### SB 268 Prison Relocation Commission

Stevenson, J.

This bill addresses the creation of a Prison Relocation Commission.

- enacts provisions creating the Prison Relocation Commission;
- provides for commission membership, duties, and responsibilities;
- requires the commission to study and make recommendations on how and where to move the state prison; and
- provides for the repeal of commission provisions.

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### Health

#### HB 105 Plant Extract Amendments

Froerer, G.

This bill makes amendments to the Utah Code related to hemp.

- permits the Department of Agriculture and a department-certified higher education institution to grow industrial hemp for the purpose of agricultural or academic research;
- exempts an individual with intractable epilepsy who uses or possesses hemp extract, and complies with other requirements, from the penalties related to possession or use of the hemp extract under the Controlled Substances Act;
- exempts an individual who possesses hemp extract and administers the hemp extract to a minor with intractable epilepsy from the penalties related to administering the hemp extract to a minor under the Controlled Substances Act;
- requires the Department of Health to issue a hemp extract registration card to an individual who meets certain requirements;
- requires a neurologist signing a statement that an individual or minor could benefit from treatment with hemp extract to keep a record of the neurologist's evaluation and transmit the record to the Department of Health;
- requires the Department of Health to maintain a database of neurologist evaluations;
- repeals certain provisions on July 1, 2016; and
- makes technical and conforming amendments.

#### HB 119 Opiate Overdose Emergency Treatment

Moss, C.

This bill creates the Emergency Administration of Opiate Antagonist Act.

- defines terms;
- permits the dispensing and administration of an opiate antagonist to a person who is reasonably believed to be experiencing an opiate-related drug overdose event;
- establishes immunity for the good faith administration of an opiate antagonist;
- clarifies that the administration of an opiate antagonist is voluntary and that the act does not establish a duty to administer an opiate antagonist;
- clarifies that it is not unlawful or unprofessional conduct for certain health professionals to prescribe an opiate antagonist to:
  - a person at increased risk of experiencing an opiate-related drug overdose event; or
  - a family member, friend, or other person in a position to assist a person who is at increased risk of experiencing an opiate-related drug overdose; and
- requires a person who prescribes or dispenses an opiate antagonist to advise a person to seek a medical evaluation after experiencing a drug overdose and taking an opiate antagonist.

#### HB 141 Health Reform Amendments

Dunnigan, J.

This bill amends provisions related to health insurance and state and federal health care reform.

- amends the period of time in which an employee of a state contractor must be enrolled in health insurance to conform to federal law;
- amends the Utah Health Data Authority Act to facilitate:
  - the coordination of eligibility for health insurance benefits; and
  - cost and quality reports for episodes of care;
- amends the health insurance navigator license chapter of the Insurance Code to:
  - create two types of navigator licenses;
  - establish different training for the types of licenses; and
  - add an exception to the license requirement for Indian health centers;
- amends the state Comprehensive Health Insurance Pool to:
  - close the pool to new enrollees;
  - pay out claims incurred by enrollees; and
  - close down the business of the pool;
- permits an enrollee to re-new an insurance plan as long as permitted by federal policy;
- establishes the state option for calculating the cost to the state if the state mandates additional benefits to the PPACA essential health benefits;
- creates the Individual and Small Employer Risk Adjustment Act, which:
  - requires the insurance commissioner to work with stakeholders to develop a state based risk adjustment program for the individual and small group market;
  - describes the risk adjustment models the commissioner may consider;
  - requires the commissioner to report to the Legislature before implementing a risk adjustment model;
  - authorizes the commissioner to set fees for the operation of the risk adjustment program; and
  - establishes an Individual and Small Employer Risk Adjustment Enterprise Fund for the operation of the program;
- requires the Office of Consumer Health Services, which runs the small employer health insurance exchange, to provide the form required for the federal small employer premium tax credit to small employers who purchase qualified health plans; and
- makes technical and conforming amendments.



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### SB 55 Pharmaceutical Dispensing Amendments

Vickers, E.

This bill amends the Pharmacy Practice Act.

- defines terms;
- modifies the definition of pharmaceutical wholesaler or distributor in the Pharmacy Practice Act to exclude a facility for which the facility's total distribution-related sales of prescription drugs does exceed 5% of the facility's total prescription drug sales;
- allows a hospital pharmacy that dispenses a prescription drug in a multidose container to a hospital patient and follows labeling requirements to provide the patient the drug when the patient is discharged;
- establishes the license classification "dispensing medical practitioner" under the Pharmacy Practice Act for medical practitioners who prescribe and dispense a drug;
- establishes the pharmacy facility license classification "dispensing medical practitioner clinic pharmacy" under the Pharmacy Practice Act;
- creates Part 8, Dispensing Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy;
- removes the exemption from the Pharmacy Practice Act for medical practitioners who prescribe and dispense a cosmetic drug, injectable weight loss drug, or a cancer drug treatment regimen;
- requires a license as a dispensing medical practitioner for a health care practitioner to dispense:
  - a cosmetic drug;
  - a cancer drug treatment regimen; or
  - a prepackaged drug at an employer sponsored clinic;
- requires the Board of Pharmacy to work in conjunction with the affected practitioner governing boards:
  - for discipline or hearings related to a dispensing medical practitioner; and
  - to develop the administrative rules in the Pharmacy Practice Act related to a dispensing medical practitioner and a dispensing medical practitioner clinic pharmacy;
- establishes that practice as a dispensing medical practitioner does not include:
  - the use of a vending-type dispensing device; or
  - the prescription of controlled substances, except as permitted for cancer drug treatment regimens;
- amends the reporting requirements for the controlled substance database;
- amends unlawful and unprofessional conduct provisions; and
- makes technical changes.

### SB 57 Autism Services Amendments

Shiozawa, B.

This bill amends the Insurance Code to provide health benefit plan coverage for the treatment of autism spectrum disorder.

- defines terms;
- requires a health benefit plan offered or renewed in the individual market or large group market, on or after January 1, 2016, to provide coverage for the treatment of autism spectrum disorder for 2 to 9 years of age;
- describes minimum coverage limits for autism coverage;
- requires an assessment of treatment plan every six months;
- permits the commissioner to waive coverage under this section if the attorney general issues a legal opinion that the limits on autism coverage are unenforceable under federal law;
- clarifies that all other terms of the insurance plan related to deductibles, provider networks, and cost sharing apply to the autism coverage;
- provides a waiver for an insurer if premium costs increase by more than a certain percentage; and
- sunsets the autism coverage on January 1, 2019.

### SB 75 Primary Care Grants Amendments

Christensen, A.

This bill amends provisions of the Utah Health Code related to primary care grants.

- creates the Primary Care Grant Committee;
- directs the committee to evaluate applications for primary care grants and make recommendations to the department;
- directs the department to review and rank applications for primary care grants;
- allows the department to use up to 5% of funds appropriated by the Legislature for primary care grants to pay the department's costs to administer the primary care grant program;
- recodifies provisions related to community outreach and education contracts;
- adds the primary care grant program to the list of programs with nonlapsing funds; and
- makes technical and conforming amendments.

### SB 168 Charity Care Amendments

Christensen, A.

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

- requires a written waiver from a patient; and
- provides immunity from liability to a health care provider who volunteers services at a federally qualified health center or an Indian health clinic.

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### **Human Services**

HB 254 Human Trafficking Victim Amendments

Seelig, J.

This bill amends and enacts provisions related to human trafficking and prostitution.

- provides that a child is not subject to a delinquency proceeding for engaging in prostitution unless a law enforcement officer has referred the child to the Division of Child and Family Services on a one prior occasion for an alleged act of prostitution or sexual solicitation; and
- makes technical changes.

SB 132 Human Services Amendments

Harper, W.

This bill amends provisions of the Utah Code relating to the Office of Guardian ad Litem.

- removes the repeal date for Section 78A-2-227.1;
- renumbers the provisions in the Judicial Administration Act related to the Office of Guardian ad Litem;
- provides that the district court may appoint an office attorney guardian ad litem when the district court determines that no private attorney guardians ad litem are reasonably available;
- provides that any savings resulting from assigning private attorney guardians ad litem in a district court case shall be applied to the office to reduce caseloads and improve practices in juvenile cases to recruit and train attorneys for the private attorney guardian ad litem program;
- provides that the court may appoint only an office attorney guardian ad litem in protective order cases; and
- makes technical and conforming changes.

SB 229 Adoption Act Amendments

Weiler, T.

This bill amends provisions of Title 78B, Chapter 6, Part 1, Utah Adoption Act, relating to the rights and obligations of individuals in relation to the adoption of a child.

- provides that if a birth mother has not resided in the state for 90 total days or more:
  - the birth mother shall file with the court a declaration regarding each potential birth father;
  - the court may, based on the declaration regarding the potential birth father, order the birth mother to serve a potential birth father notice that she intends to consent to adoption or relinquishment of a child for adoption; and
  - the potential birth father's consent is required, in accordance with certain provisions of the Utah Adoption Act.

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### **Judicial Code**

#### HB 117 Patent Infringement Amendments

McKell, M.

This bill creates a cause of action for the distribution of bad faith demand letters asserting patent infringement.

- defines terms;
- prohibits the distribution of bad faith demand letters asserting patent infringement;
- allows a person who has been the recipient of a demand letter asserting patent infringement to file an action;
- allows the court to require the filing of a bond to cover costs of the action;
- provides remedies; and
- sets limits on punitive damages.

#### HB 268 Dangerous Weapons Amendments

Greene, B.

This bill redefines dangerous weapon, clarifies restrictions relating to dangerous weapons, and establishes exemptions for the use of archery equipment for hunting and target shooting.

- defines dangerous weapon as a firearm or an object which is used unlawfully to inflict serious bodily injury;
- clarifies the criminal culpability of transferring a dangerous weapon to a restricted person;
- provides that a restricted person may own, possess, or have under the person's custody or control, archery equipment, including crossbows, for the purpose of lawful hunting and target shooting;
- makes technical corrections.

#### SB 46 Administrative Subpoena Modifications

Madsen, M.

This bill amends provisions related to administrative subpoenas.

- includes enticement or attempted enticement of a minor under the definition of a sexual offense against a minor;
- requires a law enforcement agency to receive a court order to collect electronic communication records involving specified crimes;
- amends the reporting requirements for a court order issued for criminal investigations of specified crimes; and
- makes technical changes.

#### SB 259 Victim Reparations Fund Amendments

Madsen, M.

This bill amends provisions related to the Crime Victim Reparations Fund.

- allocates appropriated funds under the Crime Victim Reparations Fund to the Office for Victims of Crime.

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### **Law Enforcement and Criminal Justice**

#### HB 11 Overdose Reporting Amendments

Moss, C.

This bill modifies Title 58, Chapter 37, Utah Controlled Substances Act, and Title 76, Utah Criminal Code, regarding penalties for controlled substance violations related to the reporting of an overdose incident.

- provides that a person who reports a person's overdose from a controlled substance or other substance may claim an affirmative defense to specified charges of violating the Utah Controlled Substances Act if the person remains with the person who is subject to the overdose and cooperates with responding medical providers and law enforcement officers; and
- provides that remaining with a person subject to an overdose and cooperating with medical providers and law enforcement is a mitigating factor when determining the penalty for a related violation of the Utah Controlled Substances Act.

#### HB 71 Distribution of Intimate Images

Poulson, M.

This bill modifies Title 76, Utah Criminal Code, regarding distributing intimate images of a person without that person's permission.

- provides a definition of "intimate image";
- provides exceptions for lawful use of images;
- provides an exception for lawful practices and functions, including law enforcement functions and medical procedures;
- provides an exemption for defined telecommunication services; and
- provides that distribution of an intimate image of an individual, as defined and without that individual's permission, is a third degree felony.

#### SB 185 Law Enforcement Transparency

Henderson, D.

This bill modifies the Code of Criminal Procedure regarding the reporting of specified information by law enforcement agencies.

- requires all state or municipal law enforcement agencies to annually report specific information to the Commission on Criminal and Juvenile Justice;
- provides that the Commission on Criminal and Juvenile Justice develop a standardized format to receive the reports from law enforcement entities; and
- requires the Commission on Criminal and Juvenile Justice to provide a summary report before August 15 of each year to the attorney general, the speaker of the House of Representatives, the president of the Senate, and each law enforcement agency.

#### SB 256 Asset Forfeiture Amendments

Stephenson, H.

This bill modifies the Forfeiture and Disposition of Property Act regarding forfeiture procedures.

- modifies the definition of a claimant of property seized for forfeiture;
- reduces, and makes mandatory, the number of days within which a prosecutor must file a complaint for civil forfeiture;
- provides that the prosecutor is not required to serve notice on a claimant who has disclaimed ownership of the seized property;
- requires that service by publication must include a newspaper of general circulation;
- provides that if the prosecuting attorney does not take a specified action regarding forfeiture of the property within 75 days after the seizure, the property shall be promptly returned and no further prosecutorial action may be taken;
- requires that a prevailing property owner shall be awarded reasonable legal and attorney costs;
- establishes limitations and procedural requirements regarding the transfer of seized property to the federal government; and
- limits the amount of forfeited property that may be applied to prosecutorial attorney fees to 20% of the value of the property.

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### **Military Services**

- HB 222            Veteran's Preference Amendments Peterson, V.
- This bill makes all ranks of military officers eligible for veteran's preference points.
- modifies a definition of "preference eligible" to include all ranks of officers; and
  - converts Utah's percentage-based scoring process to match the federal government's points-based preference process.
- HB 313            Veterans' and Military Affairs Commission Cosgrove, T.
- This bill creates a legislative commission to address veterans' and military affairs issues.
- creates a legislative commission and limits its composition to not more than 23 members;
  - requires the commission to study policy issues related to servicemembers, veterans, and their dependents;
  - further requires the commission to study the impact of military facilities on Utah and how to maximize the benefits of those facilities for veterans and the state;
  - requires the commission to report to the Government Operations Interim Committee; and
  - provides a sunset date.
- SB 68            Veterans Centers Knudson, P.
- This bill directs the State Board of Regents to conduct a study and develop a plan for providing veterans centers or veterans services at each state institution of higher education.
- requires the State Board of Regents to:
    - study the feasibility of providing a veterans center or veterans services at each state institution of higher education;
    - develop a plan for implementing the study of centers or services;
    - prepare a report of the study and plan with recommendations for implementation that include funding requirements; and
    - present the report to the Legislature.
- SB 96            Veterans' Assistance Registry Mayne, K.
- This bill creates a registry process at the Utah Department of Veterans' and Military Affairs that provides contact information to donors of materials and labor for veterans and their dependents.
- directs the department to develop a donor and recipient registry;
  - involves the Veterans' Advisory Council in determining qualifications for participation in the registry and for providing information to donors and recipients;
  - limits who may see donors' and recipients' information;
  - requires the registry to be listed on the department's website;
  - provides immunity for use of the registry;
  - requires data tracking of registry donors and recipients, and summary data to be included in the department's annual report; and
  - makes technical corrections.

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### **Natural Resources**

HB 160 Utah Wilderness Act

Handy, S.

This bill enacts the Utah Wilderness Act.

- recognizes the importance of securing the benefits of protected wilderness areas;
- defines terms;
- establishes the process for mapping and evaluating potential wilderness areas;
- establishes the process for designating a protected wilderness area;
- describes the acceptable uses of a protected wilderness area; and
- requires the director of the Public Lands Policy Coordination Office to make annual reports to the: governor, for transmission to the Legislature; and Natural Resources, Agriculture, and Environment Interim Committee by November 30 of each year.

HB 370 Canal Safety Amendments

Anderson, Johnny

This bill modifies the Water and Irrigation code.

- modifies the definition of "water conveyance facility";
- requires the state engineer, by July 1, 2017, to inventory and maintain a list of all open, human-made water conveyance systems in the state;
- requires the state engineer to contract with the Utah Association of Conservation Districts to provide technical support for a canal owner who is adopting a management plan; and
- makes technical changes.

SB 212 Invasive Species Amendments

Knudson, P.

This bill modifies the Division of Wildlife Resources' ability to eradicate and prevent the infestation of the Dreissena mussel.

- authorizes the Division of Wildlife Resources to establish inspection stations to temporarily stop, detain, and inspect a conveyance or equipment that may be contaminated with Dreissena musse
  - provides that a person who proceeds through an inspection station or administrative checkpoint during normal hours of operation without presenting a conveyance for inspection is guilty of a clas
- misdemeanor; and
- makes technical changes.

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### **Political Subdivisions (Local Issues)**

HB 16 Wrongful Lien Amendments

Webb, R. C.

This bill recodifies and amends Title 38, Chapter 9, Wrongful Liens and Wrongful Judgment Liens.

- defines terms;
- requires a document sponsor who submits a nonconsensual common law document to the county recorder for recording to:
  - cause the sheriff to serve notice of the recording on each affected person; and
  - initiate a judicial proceeding to determine whether the nonconsensual common law document is enforceable;
- provides that a document sponsor who submits an unenforceable nonconsensual common law document to the county recorder for recording is liable to each affected person for any actual damage;
- provides that a recorded nonconsensual common law document is void if the document sponsor does not comply with the requirements described in this bill; and
- makes technical and conforming changes.

HB 102 Assessment Area Amendments

Webb, R. C.

This bill amends provisions related to the designation of an assessment area.

- defines terms;
- prohibits a governing body from designating an assessment area beginning on May 13, 2014, and before May 12, 2015;
- authorizes a governing body to circulate a petition to designate an assessment area if the protests to an assessment area are contestable; and
- makes technical corrections.

SB 216 Political Subdivisions Revisions

Mayne, K.

This bill enacts language related to political subdivisions.

- suspends certain township incorporation and township annexation procedures;
- requires a county of the first class to study the governance of, delivery of services to, and other issues related to the unincorporated county;
- amends provisions authorizing a county to provide municipal services;
- exempts the creation of a municipal services district from election requirements;
- amends provisions related to the withdrawal of an area from a local district;
- enacts the "Municipal Services District Act," including the following provisions:
  - definitions;
  - applicability of existing law;
  - additional district powers;
  - creation of a municipal services district;
  - board of trustees membership and powers;
  - exclusion of rural real property;
- remittance of sales tax by certain municipalities; and
- providing and sharing of funds;
- provides repeal dates; and
- makes technical and conforming amendments.

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### **Resolutions, Rules**

HJR 10            Joint Rules Resolution Regarding a Long-term Planning Conference

Wilson, B.

This joint rules resolution of the Legislature modifies provisions relating to Joint Conventions and Joint Committees by providing for a joint Long-Term Planning Conference. This resolution:

- requires the president of the Senate and the speaker of the House of Representatives to call a joint Long-Term Planning Conference of members of the two houses;
- provides that the conference will be held at least every two years;
- describes the purposes of the Long-Term Planning Conference;
- provides for conference staffing; and
- requires each interim committee to devote part of the May interim committee meeting to long-term planning.



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### **Retirement**

#### SB 10 401K Appropriation Amendments

Hillyard, L.

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2013 and ending June 30, 2014.

- reallocates appropriations from the Division of Finance to other state agencies to fund the new 401K benefit established in House Bill 194, 2013 General Session;
- adds appropriations from restricted accounts, dedicated credits, and other sources to fund the new benefit; and
- authorizes the matching rate at up to \$26 per pay period depending upon employee participation.

#### SB 15 Reemployment Restrictions Amendments

Weiler, T.

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending postretirement employment restrictions.

- exempts an active senior justice court judge appointed to hear cases by the Utah Supreme Court from postretirement employment restrictions;
- exempts a reemployed retiree who serves as a judge from reemployment earnings limitations; and
- makes technical changes.

#### SB 59 Independent Entities Financial Transparency Disclosure

Henderson, D.

This bill modifies provisions related to making certain independent entities' financial information available to the public on the Internet.

- requires the Utah State Retirement Office to publicly report certain financial information on its website;
- defines "independent entity";
- requires an independent entity, except the Workers' Compensation Fund and the Utah State Retirement Office, to report certain financial information on the Utah Public Finance Website or via a its own website through the Utah Public Finance Website;
- provides specific reporting exclusions for certain independent entities; and
- makes technical changes.

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### **Revenue and Taxation**

HB 74 Energy Efficient Vehicle Tax Credits Snow, V. L.

This bill addresses tax credits related to energy efficient vehicles.

- addresses the amount of tax credit that may be claimed for the purchase of certain energy efficient vehicles; and
- makes technical and conforming changes.

HB 140 Tax Credit Amendments King, B.

This bill addresses provisions related to tax credits.

- enacts tax credits for the employment of persons who are homeless;
- repeals provisions related to tax credits and enacts the Tax Credit Administration Act; and
- enacts the Tax Credit for Employment of Persons Who Are Homeless Act, including:
  - defining terms;
  - addressing the procedures and requirements for the Department of Workforce Services to authorize, and a person to claim, a tax credit; and
  - requires the Department of Workforce Services to make certain reports to the Legislature.

SB 61 Revisions to Property Tax Henderson, D.

This bill addresses procedures and requirements related to imposing property taxes.

- defines terms;
- addresses the procedures and requirements for imposing a property tax levy that exceeds the certified tax rate;
- amends the timing for a public hearing held for the purpose of considering the imposition of a judgment levy;
- addresses the content of certain tax notices; and
- makes technical and conforming changes.

SB 214 Multistate Tax Compact Amendments Bramble, C.

This bill addresses provisions related to the Multistate Tax Compact.

- addresses audits, tax enforcement, and tax administration related to the Multistate Tax Compact; and
- repeals certain repeal dates related to the Multistate Tax Compact.

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### **Transportation**

HB 20 Emergency Vehicle Operator Duty of Care Revisions

Dee, B.

This bill modifies the Traffic Code by amending provisions relating to the duty of care for certain emergency vehicle operators.

- provides definitions;
- provides that the operator of a marked authorized emergency vehicle owes no duty of care to a person who is:
  - a suspect in the commission of a crime and evading, fleeing, or otherwise attempting to elude the operator of a marked authorized emergency vehicle; or
  - in a motor vehicle with the suspect, unless it is proven by a preponderance of the evidence that the person's presence in the motor vehicle was involuntary and the person's participation in evading, fleeing, or attempting to elude was involuntary;
- provides that an operator of a marked authorized emergency vehicle may be held liable for a fleeing suspect's injuries in certain circumstances;
- provides that if an operator of a marked authorized emergency vehicle complies with certain requirements while operating the marked authorized emergency vehicle, the operator shall be deemed to have met the operator's duty to act as a reasonably prudent emergency vehicle operator under the circumstances; and
- makes technical corrections.

HB 101 Roadway and Sidewalk Safety Amendments

Nielson, J.

This bill amends provisions relating to safety on roadways and sidewalks.

- prohibits individuals from engaging in conduct that impedes or blocks traffic within certain roadways; and
- prohibits individuals from soliciting money or goods in an aggressive manner on sidewalks within 10 feet of the entrance or exit of a bank or an automated teller machine.

HB 264 Disabled Parking Fine Amendments

Seelig, J.

This bill modifies the Motor Vehicles Code by amending provisions relating to the fine for a disabled parking violation.

- authorizes a court to waive a portion of the fine for a disabled parking violation if the operator of the vehicle presents evidence to the court that the individual had been issued a disability special g license plate, temporary removable windshield placard, or removable windshield placard at the time of the violation; and
- makes technical corrections.

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