



Analysis of Special Session Legislation

First Special Session of the 66th Legislature | October 6, 2025

Overview

The Governor called a Special Session of the Utah Legislature under Article VII, Section 6 of the Constitution of the State of Utah, to address certain matters that have arisen since the adjournment of the 2025 General Session. In response to the Governor's call, the Legislature will convene on Monday, October 6, 2025, to consider legislation during the First Special Session of the Sixty-sixth Legislature of the State of Utah.

The Office of Legislative Research and General Counsel (OLRGC) has compiled an analysis of legislation that is intended to be general in nature, describe the legislation at the time it is introduced, and does not address subsequent adopted substitutes or amendments. To read the legislation or review substitutes or amendments, click on the link provided in this document or visit le.utah.gov.

Clicking (Ctrl+link) on the title in the list below will take you directly to the legislation's analysis within the document.

- Higher Education Recodification
- Higher Education Recodification External References
- Judiciary Amendments
- Revisor's Technical Corrections to Utah Code
- Local Option Sales Tax Amendments
- Title 17 Recodification General Provisions and County Officers
- Title 17 Recodification County Programs and Related Provisions
- Municipal Land Use, Development, and Management Act Recodification
- County Recodification External References Amendments
- County Recodification External References Modifications
- Redistricting Standards
- Great Salt Lake Amendments
- Property Manager Amendments
- Emissions Inspection Amendments
- Election Records Amendments
- County Governance Amendments
- Joint Resolution on Federal Funds



Proposed Legislation: Higher Education Recodification

S.B. 1001, Higher Education Recodification

Sponsors: Sen. Ann Millner and Rep. Val L. Peterson

Drafting Attorney: Jeff Van Hulten | **Policy Analyst:** Finn Rose

S.B. 1001 is a technical recodification of Utah Code Title 53B, State System of Higher Education. The bill renumbers and reorganizes Title 53B as Title 53H, Higher Education, and makes changes to the structural makeup of the higher education code. This recodification includes structural changes, reformatting, renumbering, general consolidation, and the repealing of outdated code. S.B. 1001 also amends definitions to eliminate inconsistent terms that have been used interchangeably throughout the higher education code.

Proposed Legislation: Higher Education Recodification External References

S.B. 1002, Higher Education Recodification External References

Sponsors: Sen. Ann Millner and Rep. Val L. Peterson

Drafting Attorney: Jeff Van Hulten | **Policy Analyst:** Finn Rose

S.B. 1002 is a companion bill to S.B. 1001, Higher Education Recodification, and renumbers references to the higher education code throughout the Utah Code, which would be outdated and inconsistent if S.B. 1001 were to pass. This bill contains no policy changes to the code.

Proposed Legislation: Judiciary Amendments

S.B. 1003, Judiciary Amendments

Sponsors: Sen. Brady Brammer and Rep. Casey Snider

Drafting Attorney: Jacqueline Carlton | **Policy Analyst:** Jonathan Adams

S.B. 1003 amends the process for selecting the chief justice of the Utah Supreme Court and makes other changes related to the court's membership and internal management.

Chief justice selection methods vary across states. Currently, Utah (along with 22 other states) selects its chief justice by vote of the court's sitting justices. S.B. 1003 would instead allow the governor to appoint the chief justice—subject to Senate confirmation—upon a vacancy in the office. This would align Utah with the 13 states that use gubernatorial appointment for chief justice selection.

S.B. 1003 also changes the term for a chief justice from a renewable four-year term to a single eight-year term. The legislation clarifies that the current Chief Justice Durrant, most recently selected in 2024, would complete his four-year term ending April 1, 2028, before the new process takes effect.



Lastly, the bill contains technical and conforming changes to ensure that the statute is consistently drafted.

Proposed Legislation: Revisor’s Technical Corrections to Utah Code

S.B. 1004, Revisor’s Technical Corrections to Utah Code

Sponsors: Sen. Kirk A. Cullimore and Rep. Steve Eliason

Drafting Attorney: Gus Harb | **Policy Analyst:** Adam Sweet

S.B. 1004 makes technical corrections to the Utah Code by eliminating or correcting references involving repealed provisions, eliminating redundant or obsolete language, making minor word changes, updating cross-references, repealing codified titles, and correcting numbering and other errors.

Proposed Legislation: Local Option Sales Tax Amendments

S.B. 1005, Local Option Sales Tax Amendments

Sponsors: Sen. Derrin R. Owens and Rep. Joseph Elison

Drafting Attorney: Gus Harb | **Policy Analyst:** Chris Stitt

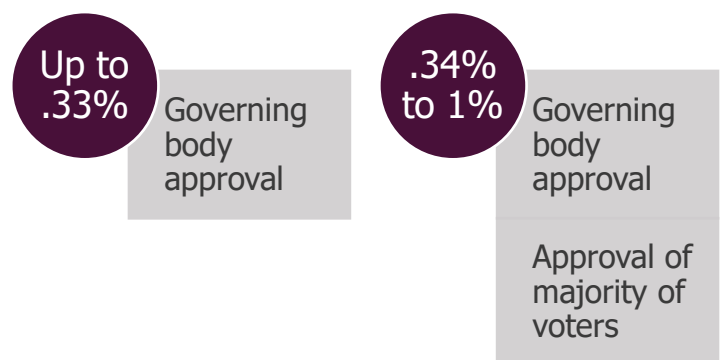
S.B. 1005 allows certain counties and political subdivisions within that county to impose a sales and use tax of up to 1% for purposes of funding emergency services, which are defined as emergency medical services (EMS) and fire protection within the county.

The sales and use tax is available to counties of the second or third class having a national park and two or more state parks and a municipality with a population of at least 95,000, municipalities that are located within that county, and special service districts operating within that county to provide EMS services.

This bill requires a different process for obtaining authorization to impose the tax depending on the chosen tax rate. For a tax rate of up to .33% the political subdivision must obtain authorization from its governing body. For a tax rate between .34% and 1% the political subdivision must obtain authorization from both the governing body and the voters within the jurisdiction of the political subdivision.

If authorized, the tax is imposed for 10 years, at the end of which the tax must be reauthorized by obtaining the same authorization under which the rate was first imposed.

Figure 1. Rate Authorization and Reauthorization Requirements





The bill also removes the ability for a county of the second class with a national park and two or more state parks within its boundaries to impose a rural county health care tax to fund EMS.

Proposed Legislation: Title 17 Recodification

There are five pieces of legislation proposed relating to the recodification of Title 17.

S.B. 1006, Title 17 Recodification General Provisions and County Officers

Sponsors: Sen. Don L. Ipson and Rep. James A. Dunnigan

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady

S.B. 1006 is the first of two Title 17 Recodification bills. This bill reorganizes and renumbers provisions of the state code related to counties

S.B. 1007, Title 17 Recodification County Programs and Related Provisions

Sponsors: Sen. Don L. Ipson and Rep. James A. Dunnigan

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady

S.B. 1007 is the second bill related to the recodification of Title 17. This bill restructures and renumbers provisions of the state code pertaining to counties. This bill, along with S.B. 1006, complete the structural recodification of Title 17.

S.B. 1008, Municipal Land Use, Development, and Management Act Recodification

Sponsors: Sen. Don L. Ipson and Rep. James A. Dunnigan

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady

S.B. 1008 amends provisions of Title 10, Chapter 9a relating to the municipal Land Use, Development, and Management Act (LUDMA). These changes are necessary to maintain the consistency between the Title 10 LUDMA provisions and those provisions restructured and amended in the counties' LUDMA provisions in the Title 17 recodification bills.

S.B. 1009, County Recodification External References Amendments

Sponsors: Sen. Don L. Ipson and Rep. James A. Dunnigan

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady

S.B. 1009 is the first of two bills that make technical corrections to cross-references throughout the Utah Code that tie back to the sections in Title 17 that were renumbered in the two Title 17 recodification bills.

S.B. 1010, County Recodification External References Modifications

Sponsors: Sen. Don L. Ipson and Rep. James A. Dunnigan

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady



S.B. 1010 is the second of two bills that make technical corrections to cross-references throughout the Utah Code that tie back to the sections in Title 17 that were renumbered in the two Title 17 recodification bills.

Proposed Legislation: Redistricting Standards

S.B. 1011, Redistricting Standards

Sponsors: Sen. Brady Brammer and Rep. Norman K. Thurston

Drafting Attorney: Mike Curtis | **Policy Analyst:** Kirsi Jarvis

Proposition 4, as initially enacted in code and restored by the district court after a repeal, amended provisions related to the redistricting process, redistricting standards, and map drawing criteria.

Proposition 4 requires the Legislature and the Independent Redistricting Commission to use judicial standards and the best available data and scientific and statistical methods, including measures of partisan symmetry, to assess whether a proposed redistricting plan abides by redistricting standards. Proposition 4 also requires the Legislature and Commission to not purposefully or unduly favor or disfavor candidates, officials, or any political party.

This bill defines terms and establishes statistical methods and standards to use in evaluating redistricting plans for compliance with requirements under state law (for compliance with the partisan prohibition and partisan symmetry requirement).

Measures of Partisan Symmetry

This bill:

- Defines “measures of partisan symmetry” for a congressional redistricting plan as:
 - the partisan bias test; and
 - an ensemble analysis with subsequent culling to include only redistricting plans that pass the partisan bias test to ensure the plan is within the statistical bounds of passing plans
- Defines “unduly favor or disfavor” for purposes of a congressional map as a map being asymmetrical under the measures of partisan symmetry and fails the mean-median difference test
- Clarifies a redistricting plan that is symmetrical under the measures of partisan symmetry and passes the mean-median difference test does not unduly favor or disfavor a political party
- Defines “partisan index” as an average of the partisan vote share from the three immediately preceding statewide elections for the following offices:
 - United States president;
 - governor;
 - attorney general;
 - state treasurer; and
 - state auditor



- Clarifies exceptions for the offices used for the partisan index:
 - Excludes an election for an office in which the two largest political parties did not field a candidate
 - Excludes an election that allocates votes for an independent general election candidate to a political party if the independent candidate attempted to win the nomination of the political party at a primary election or a party convention for the same general election

Ensemble Analysis

This bill:

- Defines “ensemble analysis” as an analysis that uses a sequential simulation to generate an ensemble of at least 4,000 redistricting plans before culling any plan for compliance and indicates whether a proposed redistricting plan shows a partisan intent
- Defines how an ensemble analysis is calculated by using the partisan index:
 - Compare a plan to the ensemble described above to measure if the proposed redistricting plan, using the partisan index, and based on squared deviations, falls outside the normal distribution of the expected outcomes the ensemble establishes
- Defines how the results are interpreted:
 - A result that is not within 2.5% and 97.5% fails the ensemble analysis
- Clarifies a redistricting plan, absent clear and convincing evidence of purpose, that is within the acceptable bounds of the ensemble analysis does not purposefully favor or disfavor a political party

Partisan Bias Test

This bill:

- Defines “partisan bias test” as an evaluation of partisan symmetry in a proposed redistricting plan
- Defines how the partisan bias test is calculated sequentially using the partisan index:
 1. Calculate each party’s statewide vote share using the partisan index;
 2. Calculate the difference between each party’s statewide vote share and 50%;
 3. Subtract the difference described above from each party’s vote share in each district in the proposed plan, based on the partisan index data for each census block within the district, to determine the adjusted vote share
 4. Based on the adjusted vote share, calculate the difference between each party’s expected seat share and 50% of the total seats in a hypothetical election, with the difference between the party’s seat share in the hypothetical election and 50% of the total seats representing the degree of partisan bias
- Defines how the results are interpreted:
 - A result other than the following fails the partisan bias test:
 - For an even number of seats, 0;
 - For an odd number of seats, 0.5



Mean-Median Difference Test

This bill:

- Defines “mean-median difference test” as an evaluation of a proposed redistricting plan
- Defines how the mean-median difference test is calculated:
 - Calculate the difference between a party’s average statewide vote share and the party’s median vote share across all districts in a proposed plan
 - The difference described above reflects:
 - The degree of partisan asymmetry;
 - Asymmetry in favor of a party with a median district vote share percentage above 50%; and
 - Asymmetry against a party with a median district vote share percentage below 50%
- Defines how the results are interpreted:
 - A difference that is greater than a 2% deviation from the mean fails the mean-median difference test

Judicial Review

This bill:

- Clarifies that any judicial review of a congressional redistricting plan to determine whether the Legislature or Commission complies with redistricting standards regarding purposefully or unduly favoring or disfavoring a political party shall base the review on the outcomes of the following:
 - An ensemble analysis;
 - The partisan bias test; and
 - The mean-median difference test

Proposed Legislation: Great Salt Lake Amendments

H.B. 1001, Great Salt Lake Amendments

Sponsors: Rep. Jill Koford and Sen. Scott D. Sandall

Drafting Attorney: Patricia Owen | **Policy Analyst:** Charley Hart

H.B. 1001 addresses berm management of the Great Salt Lake and makes technical and conforming changes. The adaptive management berm restricts water and salt flow between the North and South Arm to maintain separate ecological conditions on each side. The North Arm is hypersaline, while the South Arm receives freshwater inflow and supports more biodiversity.

The Division of Forestry, Fire, and State Lands (division) is tasked with berm management and the preservation of both arms. The bill will allow the division to raise the adaptive management berm to 4,192 feet in consideration of the management objectives outlined in Utah Code Section [65A-17-201](#). Under current statute, to pursue management goals, the division is required to raise the adaptive management berm if the Great Salt Lake elevation is 4,190 feet



or lower. H.B. 1001 provides that the division may raise the adaptive management berm to 4,192 feet in consideration of enumerated management objectives, including the preservation of Gunnison Bay.

Lastly, the bill clarifies that the division must have and comply with a plan that includes a schedule for lowering the adaptive management berm.

Proposed Legislation: Property Manager Amendments

H.B. 1002, Property Manager Amendments

Sponsors: Rep. Walter R. Neil and Sen. Calvin R. Musselman

Drafting Attorney: Austin Weenig | **Policy Analyst:** Bo Wood

2025 General Session [H.B. 337, Property Manager Requirements](#), modified the Utah Real Estate Licensing and Practices Act to establish a regulatory structure for licensing property managers as an occupation independent from real estate agents. After enrolling, it was found that an amendment passed in the Senate Business and Labor committee was not included in the final language. H.B. 1002 adds this amendment language to the statute, clarifying that individuals currently licensed as a principal broker, associate broker, or sales agent are not required to obtain additional licensure to engage in property management. The bill also extends the effective date of the requirements to July 1, 2026.

Proposed Legislation: Emissions Inspection Amendments

H.B. 1003, Emissions Inspection Amendments

Sponsors: Rep. Clinton Okerlund and Sen. Wayne A. Harper

Drafting Attorney: Riley Williams | **Policy Analyst:** Rachel Brooks

H.B. 1003 amends the emissions inspection requirements for diesel vehicles weighing more than 12,001 pounds to fix an error arising from the 2025 General Session [H.B. 272, Vehicle Assessment Amendments](#).

H.B. 272 modified the weight at which a vehicle qualifies for an age-based uniform fee in lieu of property tax, instead of a value-based uniform fee in lieu of property tax, from 12,000 pounds to 14,000 pounds. However, H.B. 272 inadvertently expanded these vehicle weight changes to the county-run vehicle emissions inspection program. To fix this error, this bill reverts the vehicle weights for diesel vehicles to be subject to county emissions inspections to 12,000 pounds. H.B. 1003 makes this change retroactive to July 1, 2025, the date on which H.B. 272 went into effect.

Proposed Legislation: Election Records Amendments



H.B. 1004, Election Records Amendments

Sponsors: Rep. Norman K. Thurston and Sen. Brady Brammer

Drafting Attorney: Michael Cipriano | **Policy Analyst:** Megan Bolin

[2025 General Session H.B. 263, Election Records Amendments](#), amended provisions related to records created or used during an election. This bill modifies those provisions, specifically addressing election record retention, disposition, and access, as well as election data reporting.

Election Record Retention, Disposition, and Access

This bill:

- Clarifies retention, disposition, and access based on the type of election record. See **Table 1** below.
- Repeals Title 20A, Chapter 4, Part 7, Electronic Copy of Election Material – Access and Examination, which created a process for a county legislative body or government entity to access certain election material for research purposes.
- Clarifies that the list of voters contacted to “cure” their ballot (also known as the “cure list”) may be shared with certain individuals¹, upon request, at the discretion of a county clerk.

Table 1: Retention, Disposition, and Access Provisions by Type of Election Record

	RECORDS²	RETENTION AND DISPOSITION	ACCESS
ELECTION RETURNS³	Ballots, return envelopes, final election results database, etc.	Sealed for 22 months. Destroyed afterward.	No public access. Lt. Gov., auditors, or courts.
ELECTION MATERIALS	Chain of custody documentation, logs of replicated and adjudicated ballots, etc.	Retained for 22 months. Option to destroy or keep indefinitely.	No public access. Lt. Gov., auditors, or courts. County Clerk may make and alter working copies.
PUBLIC RECORDS	Early unofficial returns, results and tally of all counted ballots, etc.	Not specified.	Anyone may access; classified as a public record under the Government Records Access and Management Act

Election Data Reporting

This bill:

¹ A candidate, political party, sponsor of a ballot proposition, or representative of a political issues committee may have access to the cure list.

² The list of records provides examples and is not exhaustive. See definitions of “election returns” and “election material” for a comprehensive listing.

³ Election returns are included in this table for comparison purposes; this bill does not change requirements related to election returns’ retention, disposition, and access.



- Consolidates and clarifies the election data reported by election officials. See **Table 2** below.
- Requires all voting equipment used in the state to be capable of generating certain election results data, including a digital interpretation of each counted ballot and a ballot image.

Table 2: Reporting Requirements for Election Data

	DESCRIPTION	REPORTING REQUIREMENT
BALLOT RECONCILIATION	Uncounted + counted ballots = the number of voters given credit for voting.	Publicly posted each day that ballots are tabulated.
BALLOT STATISTICS	The number of ballots received, ballots counted, ballots awaiting counting, etc.	Publicly posted the day after election day and each Monday, Wednesday, and Friday until the canvass.
STANDARDIZED STATISTICS	Voter turnout, the number of counted ballots, rejected ballots, cured ballots, provisional ballots, etc.	Included with the canvassers' report.*
CAST VOTE RECORD REPORT	Each vote cast for a candidate and ballot proposition.	Included with the canvassers' report.*

**Canvassers' report is publicly posted for 180 days on the Utah Public Notice Website and the election official's jurisdiction's website, and available to the public indefinitely.*

Proposed Legislation: County Governance Amendments

H.B. 1005, County Governance Amendments

Sponsors: Rep. Jordan D. Teuscher and Sen. Michael K. McKell

Drafting Attorney: RuthAnne Oakey-Frost | **Policy Analyst:** Nathan Brady

H.B. 1005 amends provisions relating to the districting of council members for counties that use the County executive-council and the Council-manager forms of government. H.B. 1005 requires counties that use these forms of government to ensure that each council member represents a single district in which the council member resides. This bill exempts counties where, as of September 15, 2025, at least 65% of the council members are elected to represent a single district. Exempted counties may continue to have one or more council members elected at-large. H.B. 1005 further establishes the process for a county to create and implement a county council district map and establishes deadlines.



Proposed Legislation: Joint Resolution on Federal Funds

H.J.R 101, Joint Resolution on Federal Funds

Sponsors: Rep. Val L. Peterson and Sen. Jerry W. Stevenson

Drafting Attorney: Kami Orton | **Policy Analyst:** Seth Anderson

H.J.R. 101 approves the state's acceptance of federal funds from Public Law 119-21, or [H.R. 1](#), also commonly known as the "One Big Beautiful Bill Act, 2025," in accordance with the requirements of Utah Code Section [63J-5-204](#).

H.R. 1 was a comprehensive budget reconciliation package that impacted various federal programs, tax policies, and federal spending. The House of Representatives passed H.R. 1 on May 22, 2025, and the Senate passed the bill on July 3, 2025. H.R. 1 became Public Law No. 119-21 on July 4, 2025, after being signed by the President. Among other things, H.R. 1 established the **Rural Health Transformation Program (RHTP)**, which included a \$50 billion appropriation to provide grants to states to enhance rural healthcare access, infrastructure, and workforce development.

In accordance with Utah Code Section 63J-5-204, legislative review and approval are required for requests for **medium- and high-impact federal funds**. The RHTP funding amounts contemplated in H.R. 1 would be categorized as high-impact federal funds requests because the state stands to receive more than \$10,000,000 per year from the federal government. H.J.R. 1 provides six guiding principles for the use of the funds.

- 1) Initiatives should seek to create sustainable positive financial outcomes without creating future financial obligations for the state or permanently committing the state to a local government or private sector responsibility.
- 2) Initiatives should prioritize one-time projects or upgrades.
- 3) Initiatives should seek to leverage non-state resources where possible by partnering with the private sector or other levels of government.
- 4) Initiatives should inspire innovation in healthcare delivery, including healthcare data and electronic record sharing.
- 5) Initiatives should seek to improve the health outcomes of Utahns.
- 6) When awarding funds, the state of Utah should notify funding recipients that the funds are temporary and do not create an ongoing obligation by the state government.

Background

H.R. 1 contained a \$50 billion appropriation for the RHTP. This money is divided into two categories, referred to as *Baseline Funding* and *Workload Funding*, with \$25 billion allocated to each category. **Table 3** describes these two categories of funding, the amount of money Utah can expect to receive under each category, and the information currently known regarding the criteria for awarding funds to states.



Utah's Department of Health and Human Services (DHHS) is leading efforts to create and submit an RHTP application for the state. DHHS has begun coordinating stakeholder outreach and will actively pursue feedback from various entities before submitting the state's application. More information on DHHS' ongoing efforts in this area is available at www.dhhs.utah.gov/ruralhealth.

The Centers for Medicare and Medicaid Services (CMS) released the RHTP [Notice of Funding Opportunity \(NOFO\)](#) on September 15, 2025, and has given states a deadline of November 5, 2025, for application submission. The NOFO contains, among other things, information on the RHTP purpose, application timeline and directions, application review and scoring criteria, and post-award requirements and administration.

Table 3: Two Categories of H.R. 1 RHTP Funding

	Baseline Funding	Workload Funding
Total Amount	\$25 billion distributed equally among all approved states	\$25 billion distributed based on an approach determined by CMS within broad requirements; must be allocated to not less than ¼ of states according to formula to be determined by CMS Administrator
Amount for Utah	\$500 million total (if every state applies and is approved) <ul style="list-style-type: none">- \$100 million per year distributed over 5 years (FFY 2026 – 2030)	Unknown – according to CMS “We will distribute the other \$25 billion based on the content and quality of your application and rural factors. Workload funding will be half of the total funding available each budget period.”
Criteria for award to states	State must have an approved application, which includes a “detailed rural health transformation plan.” Additional application guidance is available in the NOFO.	H.R. 1 contained the following parameters: <ul style="list-style-type: none">- the percentage of each state's population that lives in rural areas;- the state's proportion of rural health facilities compared to rural health facilities nationwide;- the situation of hospitals that serve a disproportionate number of low-income patients with special needs; and- any other factors that the Administrator deems relevant. The NOFO provided additional guidance on scoring factors for the Workload Funding category. The factors fall into two primary categories: (1) Rural facility & population score factors; and (2) Technical score factors. More information



		about these scoring factors, including the weighting of factors rubric, is available in the NOFO.
--	--	---