

INFORMATION TECHNOLOGY COMMISSION AMENDMENTS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: David H. Steele

This act modifies the Information Technology Act. The act clarifies that the provisions relating to certain terms of members refer to the members representing the public.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63D-1-203, as renumbered and amended by Chapter 73 and last amended by Chapter 276, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63D-1-203** is amended to read:

63D-1-203. Terms of members -- Vacancies -- Term limitation.

(1) (a) Except as required by Subsections (1)(b) and (2), as terms of current public commission members expire, the speaker of the House and the president of the Senate shall appoint each new member or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (1)(a), the speaker of the House and the president of the Senate shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of commission members are staggered so that approximately half of the commission is appointed every two years.

(c) Terms shall expire on June 30 every two years.

(2) (a) The chairs, with the approval of the commission, may remove a public commission member and appoint another to fill the vacancy if the commission member, other than a legislator:

(i) has more than two consecutive unexcused absences from commission meetings in a 12-month period;

(ii) fails or refuses to fulfill the responsibilities and duties of a commission member; or

(iii) no longer represents the interest for which the member was originally appointed.

(b) If a member no longer serves in the Legislature, a vacancy is created.

(c) [~~When~~] Except as set forth in Subsection (2)(a), when a vacancy occurs in the

membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the original appointment.

- (3) A public member may not serve more than two consecutive terms.