

**SUNSET REAUTHORIZATIONS AND
AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Clark

Senate Sponsor: Curtis S. Bramble

LONG TITLE

Committee Note:

The Legislative Management Committee recommended this bill.

General Description:

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

Highlighted Provisions:

This bill:

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

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63-55-219, as last amended by Laws of Utah 2006, Chapters 82 and 187

63-55-226, as last amended by Laws of Utah 2007, Chapter 24

63-55-238, as enacted by Laws of Utah 2004, Chapter 250



- 28 **63-55-258**, as last amended by Laws of Utah 2007, Chapter 216
- 29 **63-55-263**, as last amended by Laws of Utah 2007, Chapters 216, 306, and 317
- 30 **63-55-273**, as last amended by Laws of Utah 2003, Chapter 254
- 31 **63-55-278**, as last amended by Laws of Utah 2007, Chapters 216 and 324
- 32 **63-55b-120**, as last amended by Laws of Utah 2003, Chapters 131 and 159
- 33 **63-55b-163**, as last amended by Laws of Utah 2007, Chapter 306

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

36 Section 1. Section **63-55-219** is amended to read:

37 **63-55-219. Repeal dates, Title 19.**

- 38 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2009.
- 39 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.
- 40 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2009.
- 41 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2009.
- 42 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
- 43 2009.
- 44 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
- 45 1, 2010.
- 46 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
- 47 ~~2008~~ 2018.
- 48 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.
- 49 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2009.
- 50 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2010.
- 51 (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,

52 2012.

53 Section 2. Section **63-55-226** is amended to read:

54 **63-55-226. Repeal dates, Title 26.**

- 55 (1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
- 56 1, 2015.
- 57 (2) Title 26, Chapter 23b, Detection of Public Health Emergencies Act, is repealed July
- 58 1, 2009.

59 (3) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2014.

60 (4) Section 26-21-23, Licensing of non-Medicaid nursing care facility beds, is repealed

61 July 1, [~~2009~~] 2011.

62 Section 3. Section **63-55-238** is amended to read:

63 **63-55-238. Repeal dates, Title 38.**

64 [~~Section 38-1-27 and Sections 38-1-30 through 38-1-37 are repealed July 1, 2008.~~]

65 Section 4. Section **63-55-258** is amended to read:

66 **63-55-258. Repeal dates, Title 58.**

67 (1) Title 58, Chapter 9, Funeral Services Licensing Act, is repealed July 1, [~~2008~~]

68 2018.

69 (2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is

70 repealed July 1, 2016.

71 (3) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2015.

72 (4) Title 58, Chapter 20a, Environmental Health Scientist Act, is repealed July 1, 2013.

73 (5) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2013.

74 (6) Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing Act, is

75 repealed July 1, 2009.

76 (7) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2015.

77 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July

78 1, 2013.

79 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2014.

80 (10) Title 58, Chapter 49, Dietitian Certification Act, is repealed July 1, 2015.

81 (11) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2017.

82 Section 5. Section **63-55-263** is amended to read:

83 **63-55-263. Repeal dates, Titles 63 to 63E.**

84 (1) Title 63, Chapter 25a, Part 3, Sentencing Commission, is repealed January 1, 2012.

85 (2) The Crime Victims' Reparations Board, created in Section 63-25a-404, is repealed

86 July 1, 2017.

87 (3) The Resource Development Coordinating Committee, created in Section

88 63-38d-501, is repealed July 1, 2015.

89 (4) Title 63, Chapter 38f, Part 4, Enterprise Zone Act, is repealed July 1, [~~2008~~] 2018.

90 (5) (a) Title 63, Chapter 38f, Part 11, Recycling Market Development Zone Act, is
91 repealed July 1, 2010.

92 (b) Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in
93 recycling market development zones, are repealed for taxable years beginning on or after
94 January 1, 2011.

95 (c) Notwithstanding Subsection (5)(b), a person may not claim a tax credit under
96 Section 59-7-610 or 59-10-1007:

97 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
98 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

99 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
100 the expenditure is made on or after July 1, 2010.

101 (d) Notwithstanding Subsections (5)(b) and (c), a person may carry forward a tax credit
102 in accordance with Section 59-7-610 or 59-10-1007 if:

103 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

104 (ii) (A) for the purchase price of machinery or equipment described in Section
105 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;
106 or

107 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
108 expenditure is made on or before June 30, 2010.

109 (6) Title 63, Chapter 47, Utah Commission for Women and Families, is repealed July
110 1, 2011.

111 (7) Title 63, Chapter 75, Families, Agencies, and Communities Together for Children
112 and Youth At Risk Act, is repealed July 1, 2016.

113 (8) Title 63, Chapter 88, Navajo Trust Fund, is repealed July 1, 2008.

114 (9) Title 63, Chapter 99, Utah Commission on Aging, is repealed July 1, 2009.

115 (10) Section 63A-4-204, authorizing the Risk Management Fund to provide coverage
116 to any public school district that chooses to participate, is repealed July 1, 2016.

117 (11) Section 63C-8-106, Rural residency training program, is repealed July 1, 2015.

118 Section 6. Section **63-55-273** is amended to read:

119 **63-55-273. Repeal dates, Title 73.**

120 Title 73, Chapter 27, State Water Development Commission, is repealed December 31,

121 [2008] 2018.

122 Section 7. Section **63-55-278** is amended to read:

123 **63-55-278. Repeal dates, Title 78.**

124 (1) The Office of the Court Administrator, created in Section 78-3-23, is repealed July
125 1, [2008] 2018.

126 (2) Foster care citizen review boards and steering committee, created in Title 78,
127 Chapter 3g, is repealed July 1, 2012.

128 (3) Alternative Dispute Resolution Act, created in Title 78, Chapter 31b, is repealed
129 July 1, 2016.

130 (4) Section 78-14-17, regarding medical malpractice arbitration agreements, is repealed
131 July 1, 2009.

132 (5) The case management program coordinator in Subsection 78-3-25(4) is repealed
133 July 1, 2009.

134 Section 8. Section **63-55b-120** is amended to read:

135 **63-55b-120. Repeal dates, Title 20A.**

136 Section 20A-2-107.5 is repealed July 1, [2008] 2013.

137 Section 9. Section **63-55b-163** is amended to read:

138 **63-55b-163. Repeal dates, Title 63 to Title 63B.**

139 (1) Section 63-38a-105 is repealed July 1, 2007.

140 (2) Sections 63-63b-101 and 63-63b-102 are repealed on July 1, 2007.

141 (3) Section 63B-14-101 is repealed December 31, [2008] 2013.

Legislative Review Note
as of 12-5-07 3:53 PM

Office of Legislative Research and General Counsel

H.B. 79 - Sunset Reauthorizations and Amendments

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will maintain certain tax credits already in place, thus the state will forgo corporate and individual income tax revenue increases that absent the bill would accrue to the Education Fund. The estimated amount of these forgone revenue increases is \$3,500,000 in FY 2009 and \$6,000,000 per year thereafter. The bill will also delay by ten years a shift of \$169,000 from the Petroleum Storage Tank Restricted Account to the General Fund.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs for individuals, businesses, or local governments though extension of the enterprise zone tax credit may benefit individuals and businesses.