

SUNSET ACT AND REPEALERS

REAUTHORIZATIONS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheldon L. Killpack

House Sponsor: Kevin S. Garn

LONG TITLE

General Description:

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2010 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 2010 Annual General Session; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

§→ [None] This bill coordinates with H.B. 60, Family Preservation Services

Amendments, by providing superseding amendments. ←§

Utah Code Sections Affected:

AMENDS:

63I-1-219, as last amended by Laws of Utah 2008, Chapter 148 and renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-226, as last amended by Laws of Utah 2008, Chapters 60, 148 and renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-258, as last amended by Laws of Utah 2008, Chapter 148 and renumbered and



28 amended by Laws of Utah 2008, Chapter 382

29 **63I-1-261**, as renumbered and amended by Laws of Utah 2008, Chapter 382

30 **63I-1-262**, as last amended by Laws of Utah 2008, Chapter 136 and renumbered and
31 amended by Laws of Utah 2008, Chapter 382

32 **63I-1-263**, as last amended by Laws of Utah 2008, Chapters 148, 334, 339 and
33 renumbered and amended by Laws of Utah 2008, Chapter 382

34 **63I-1-278**, as last amended by Laws of Utah 2008, Chapters 3, 148 and renumbered and
35 amended by Laws of Utah 2008, Chapter 382

36 **63I-2-226**, as renumbered and amended by Laws of Utah 2008, Chapter 382



37
38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section **63I-1-219** is amended to read:

40 **63I-1-219. Repeal dates, Title 19.**

41 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, [~~2009~~] 2014.

42 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.

43 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, [~~2009~~] 2019.

44 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, [~~2009~~] 2019.

45 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
46 [~~2009~~] 2019.

47 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
48 1, 2010.

49 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
50 2018.

51 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.

52 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, [~~2009~~]
53 2019.

54 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2010.

55 (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,
56 2012.

57 Section 2. Section **63I-1-226** is amended to read:

58 **63I-1-226. Repeal dates, Title 26.**

59 (1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
60 1, 2015.

61 (2) Section 26-18-12, Expansion of 340B drug pricing programs, is repealed July 1,
62 2013.

63 [~~(3) Title 26, Chapter 23b, Detection of Public Health Emergencies Act, is repealed~~
64 ~~July 1, 2009.~~]

65 [(~~4~~) (3)] Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
66 2014.

67 [(~~5~~) (4)] Section 26-21-23, Licensing of non-Medicaid nursing care facility beds, is
68 repealed July 1, 2011.

69 Section 3. Section **63I-1-258** is amended to read:

70 **63I-1-258. Repeal dates, Title 58.**

71 (1) Title 58, Chapter 9, Funeral Services Licensing Act, is repealed July 1, 2018.

72 (2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is
73 repealed July 1, 2016.

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

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

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

77 (6) Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing Act, is
78 repealed July 1, [~~2009~~] 2019.

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

80 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July
81 1, 2013.

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

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

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

85 Section 4. Section **63I-1-261** is amended to read:

86 **63I-1-261. Repeal dates, Title 61.**

87 Title 61, Chapter 1, Utah Uniform Securities Act, is repealed July 1, [~~2009~~] 2011.

88 Section 5. Section **63I-1-262** is amended to read:

89 **63I-1-262. Repeal dates, Title 62A.**

90 (1) Section 62A-5-103.1, Program for provision of supported employment services, is
91 repealed July 1, 2013.

92 (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed
93 July 1, [~~2009~~] 2014.

94 Section 6. Section **63I-1-263** is amended to read:

95 **63I-1-263. Repeal dates, Titles 63 to 63M.**

96 (1) Title 63M, Chapter 7, Part 4, Sentencing Commission, is repealed January 1, 2012.

97 (2) The Crime Victim Reparations Board, created in Section 63M-7-504, is repealed
98 July 1, 2017.

99 (3) The Resource Development Coordinating Committee, created in Section
100 63J-4-501, is repealed July 1, 2015.

101 (4) Title 63M, Chapter 1, Part 4, Enterprise Zone Act, is repealed July 1, 2018.

102 (5) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is
103 repealed July 1, 2010.

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

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

109 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
110 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

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

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

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

116 (ii) (A) for the purchase price of machinery or equipment described in Section
117 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;

118 or

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

121 (6) Title 63M, Chapter 8, Utah Commission for Women and Families, is repealed July
122 1, 2011.

123 (7) Title 63M, Chapter 9, Families, Agencies, and Communities Together for Children
124 and Youth At Risk Act, is repealed July 1, 2016.

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

126 (9) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, ~~[2009]~~ 2012.

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

129 (11) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1,
130 2016.

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

132 Section 7. Section **63I-1-278** is amended to read:

133 **63I-1-278. Repeal dates, Title 78A and Title 78B.**

134 (1) The Office of the Court Administrator, created in Section 78A-2-105, is repealed
135 July 1, 2018.

136 ~~[(5)]~~ (2) The case management program coordinator in Subsection 78A-2-108(4) is
137 repealed July 1, 2009.

138 ~~[(4)]~~ (3) Section 78B-3-421, regarding medical malpractice arbitration agreements, is
139 repealed July 1, ~~[2009]~~ 2019.

140 ~~[(3)]~~ (4) Alternative Dispute Resolution Act, created in Title 78B, Chapter 6, Part 2, is
141 repealed July 1, 2016.

142 ~~[(2)]~~ (5) Foster care citizen review boards and steering committee, created in Title 78B,
143 Chapter 8, Part 1, is repealed July 1, 2012.

144 Section 8. Section **63I-2-226** is amended to read:

145 **63I-2-226. Repeal dates -- Title 26.**

146 ~~[(1) Section 26-38-4 is repealed January 1, 2009.]~~

147 ~~[(2)]~~ Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance Program,
148 is repealed July 1, 2017.

148a **§→ Section 9. Coordinating S.B. 143 with H.B. 60 -- Superseding amendments.**

148b **If this S.B. 143 and H.B. 60, Family Preservation Services Amendments both pass, it is**
148c **the intent of the Legislature that the amendments to Subsection 63I-1-262(2) in H.B. 60**
148d **supersede the amendments to Subsection 63I-1-262(2) in this bill, when the Office of Legislative**
148e **Research and General Counsel prepares the Utah Code database for publication.** ←§

Legislative Review Note
as of 1-14-09 11:21 AM

Office of Legislative Research and General Counsel

S.B. 143 - Sunset Act and Repealers Reauthorizations

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
