

SUNSET ACT AND REPEALERS

REAUTHORIZATION

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kevin S. Garn

Senate Sponsor: Scott K. Jenkins

LONG TITLE

General Description:

This bill reauthorizes certain state entities and programs that would otherwise sunset before the 2011 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 2011 Annual General Session; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-219, as last amended by Laws of Utah 2009, Chapter 334

63I-1-231, as renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-234, as last amended by Laws of Utah 2009, Chapters 85 and 158

63I-1-241, as renumbered and amended by Laws of Utah 2008, Chapter 382

63I-1-253, as last amended by Laws of Utah 2009, Chapter 299



28 **63I-1-259**, as renumbered and amended by Laws of Utah 2008, Chapter 382

29 **63I-1-263**, as last amended by Laws of Utah 2009, Chapters 334 and 356



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

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

33 **63I-1-219. Repeal dates, Title 19.**

34 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2014.

35 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.

36 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2019.

37 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2019.

38 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
39 2019.

40 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
41 1, [~~2010~~] 2020.

42 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
43 2018.

44 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.

45 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2019.

46 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, [~~2010~~]
47 2020.

48 (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,
49 2012.

50 Section 2. Section **63I-1-231** is amended to read:

51 **63I-1-231. Repeal dates, Title 31A.**

52 (1) Section 31A-2-208.5, Comparison tables, is repealed July 1, [~~2010~~] 2015.

53 (2) Section 31A-2-217, Coordination with other states, is repealed July 1, 2013.

54 [~~(3) Section 31A-22-315, Motor vehicle insurance reporting -- Penalty, is repealed July~~
55 ~~1, 2010.~~]

56 [(~~4~~)] (3) Section 31A-22-625, Catastrophic coverage of mental health conditions, is
57 repealed July 1, 2011.

58 Section 3. Section **63I-1-234** is amended to read:

59 **63I-1-234. Repeal dates, Title 34A.**

60 (1) Section 34A-2-202.5 is repealed December 31, [~~2010~~] 2020.

61 (2) Section 34A-2-705 and Subsection 59-9-101(2)(c)(iv) are repealed July 1, 2013.

62 (3) Title 34A, Chapter 8a, Utah Injured Worker Reemployment Act, is repealed July 1,
63 2014.

64 Section 4. Section **63I-1-241** is amended to read:

65 **63I-1-241. Repeal dates, Title 41.**

66 [~~The following provisions of Title 41 are repealed on the following dates:~~]

67 [~~(1) Title 41, Chapter 12a, Part 8, Uninsured Motorist Identification Database Program,~~
68 ~~is repealed July 1, 2010.~~]

69 [~~(2) The HOV lane exception in Subsection 41-6a-702(5) is repealed December 31,~~
70 ~~2010.~~]

71 Section 5. Section **63I-1-253** is amended to read:

72 **63I-1-253. Repeal dates, Titles 53, 53A, and 53B.**

73 The following provisions are repealed on the following dates:

74 (1) Section 53-3-232, Conditional licenses, is repealed July 1, 2015.

75 (2) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program, is
76 repealed July 1, [~~2010~~] 2020.

77 (3) Title 53A, Chapter 1a, Part 9, Voluntary Extended-day Kindergarten Program, is
78 repealed July 1, 2011.

79 (4) The State Instructional Materials Commission, created in Section 53A-14-101, is
80 repealed July 1, 2011.

81 (5) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed
82 July 1, 2011.

83 Section 6. Section **63I-1-259** is amended to read:

84 **63I-1-259. Repeal dates, Title 59.**

85 Section 59-9-102.5 is repealed December 31, [~~2010~~] 2020.

86 Section 7. Section **63I-1-263** is amended to read:

87 **63I-1-263. Repeal dates, Titles 63 to 63M.**

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

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

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

92 (4) The Resource Development Coordinating Committee, created in Section
93 63J-4-501, is repealed July 1, 2015.

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

95 (6) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is
96 repealed July 1, [~~2010~~] 2020.

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

100 (c) Notwithstanding Subsection (6)(b), a person may not claim a tax credit under
101 Section 59-7-610 or 59-10-1007:

102 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
103 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

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

106 (d) Notwithstanding Subsections (6)(b) and (c), a person may carry forward a tax credit
107 in accordance with Section 59-7-610 or 59-10-1007 if:

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

109 (ii) (A) for the purchase price of machinery or equipment described in Section
110 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;
111 or

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

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

115 (8) The Crime Victim Reparations Board, created in Section 63M-7-504, is repealed
116 July 1, 2017.

117 (9) Title 63M, Chapter 8, Utah Commission for Women and Families Act, is repealed
118 July 1, 2011.

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

121

(11) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2012.

Legislative Review Note
as of 12-4-09 2:06 PM

Office of Legislative Research and General Counsel

H.B. 221 - Sunset Act and Repealers Reauthorization

Fiscal Note

2010 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.
