

HB0414S01 compared with HB0414

~~text~~ shows text that was in HB0414 but was deleted in HB0414S01.

inserted text shows text that was not in HB0414 but was inserted into HB0414S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Stephen G. Handy proposes the following substitute bill:

UTAH BROADBAND OUTREACH CENTER

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Utah Broadband Outreach Center within the Governor's Office of Economic Development (GOED).

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Utah Broadband Outreach Center (center) within GOED;
- ▶ authorizes the executive director of GOED to appoint a director of the center;
- ▶ describes the duties of the center, which include:
 - coordinating broadband development policy and promotion among broadband providers, state and federal agencies, and local government entities;
 - making recommendations to the governor and Legislature regarding policies and

HB0414S01 compared with HB0414

initiatives that promote the development of broadband-related infrastructure in the state; and

- coordinating with broadband providers and other relevant stakeholders to promote the voluntary expansion of broadband infrastructure in both rural and urban communities;~~† and†~~
- ▶ describes reporting requirements of the center~~†~~; and
- ▶ provides a sunset date.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2015:

- ▶ to the Governor's Office of Economic Development – Utah Broadband Outreach Center as a one time appropriation:
 - from the General Fund, One-time, \$75,000.

This bill appropriates in fiscal year 2016:

- ▶ to the Governor's Office of Economic Development — Utah Broadband Outreach Center as an ongoing appropriation:
 - from the General Fund, \$350,000.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-1-263, as last amended by Laws of Utah 2014, Chapters 113, 189, 195, 211, 419, 429, and 435

ENACTS:

63N-12-301, Utah Code Annotated 1953

63N-12-302, Utah Code Annotated 1953

63N-12-303, Utah Code Annotated 1953

63N-12-304, Utah Code Annotated 1953

63N-12-305, Utah Code Annotated 1953

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

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

HB0414S01 compared with HB0414

63I-1-263. Repeal dates, Titles 63A to ~~63M~~63N.

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

(2) Subsection 63A-5-104(4)(h) is repealed on July 1, 2024.

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

(4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2018.

(5) Title 63C, Chapter 14, Federal Funds Commission, is repealed July 1, 2018.

(6) Title 63C, Chapter 15, Prison Relocation Commission, is repealed July 1, 2017.

(7) Subsection 63G-6a-1402(7) authorizing certain transportation agencies to award a contract for a design-build transportation project in certain circumstances, is repealed July 1, 2015.

(8) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2020.

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

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

(11) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is repealed January 1, 2021.

(b) Subject to Subsection (11)(c), Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in recycling market development zones, are repealed for taxable years beginning on or after January 1, 2021.

(c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

(i) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

(ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if the expenditure is made on or after January 1, 2021.

(d) Notwithstanding Subsections (11)(b) and (c), a person may carry forward a tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

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

(ii) (A) for the purchase price of machinery or equipment described in Section

HB0414S01 compared with HB0414

59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31, 2020; or

(B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the expenditure is made on or before December 31, 2020.

(12) Section 63M-1-3412 is repealed on July 1, 2021.

(13) (a) Section 63M-1-2507, Health Care Compact is repealed on July 1, 2014.

(b) (i) The Legislature shall, before reauthorizing the Health Care Compact:

(A) direct the Health System Reform Task Force to evaluate the issues listed in Subsection (13)(b)(ii), and by January 1, 2013, develop and recommend criteria for the Legislature to use to negotiate the terms of the Health Care Compact; and

(B) prior to July 1, 2014, seek amendments to the Health Care Compact among the member states that the Legislature determines are appropriate after considering the recommendations of the Health System Reform Task Force.

(ii) The Health System Reform Task Force shall evaluate and develop criteria for the Legislature regarding:

(A) the impact of the Supreme Court ruling on the Affordable Care Act;

(B) whether Utah is likely to be required to implement any part of the Affordable Care Act prior to negotiating the compact with the federal government, such as Medicaid expansion in 2014;

(C) whether the compact's current funding formula, based on adjusted 2010 state expenditures, is the best formula for Utah and other state compact members to use for establishing the block grants from the federal government;

(D) whether the compact's calculation of current year inflation adjustment factor, without consideration of the regional medical inflation rate in the current year, is adequate to protect the state from increased costs associated with administering a state based Medicaid and a state based Medicare program;

(E) whether the state has the flexibility it needs under the compact to implement and fund state based initiatives, or whether the compact requires uniformity across member states that does not benefit Utah;

(F) whether the state has the option under the compact to refuse to take over the federal Medicare program;

HB0414S01 compared with HB0414

(G) whether a state based Medicare program would provide better benefits to the elderly and disabled citizens of the state than a federally run Medicare program;

(H) whether the state has the infrastructure necessary to implement and administer a better state based Medicare program;

(I) whether the compact appropriately delegates policy decisions between the legislative and executive branches of government regarding the development and implementation of the compact with other states and the federal government; and

(J) the impact on public health activities, including communicable disease surveillance and epidemiology.

(14) (a) Title 63M, Chapter 1, Part 35, Utah Small Business Jobs Act, is repealed January 1, 2021.

(b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.

(c) Notwithstanding Subsection (14)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:

(i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and

(ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63M-1-3503 on or before December 31, 2023.

(15) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2017.

(16) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2017.

(17) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed July 1, 2018.

Section ~~11~~2. Section **63N-12-301** is enacted to read:

Part 3. Utah Broadband Outreach Center

63N-12-301. Title.

This part is known as the "Utah Broadband Outreach Center."

Section ~~2~~3. Section **63N-12-302** is enacted to read:

63N-12-302. Definitions.

As used in this part:

HB0414S01 compared with HB0414

(1) (a) "Broadband" means high-speed Internet access that is always on.

(b) "Broadband" includes both mobile and fixed technologies.

(2) "Center" means the Utah Broadband Outreach Center created in Section 63N-12-303.

Section ~~{3}~~4. Section **63N-12-303** is enacted to read:

63N-12-303. Creation of center.

(1) There is created within GOED the Utah Broadband Outreach Center.

(2) The executive director shall appoint a director of the center.

(3) The director of the center may appoint staff with the approval of the executive director.

Section ~~{4}~~5. Section **63N-12-304** is enacted to read:

63N-12-304. Center responsibilities.

(1) The center shall:

(a) coordinate broadband development policy and promotion among:

(i) voluntarily participating broadband providers in the state;

(ii) state and federal agencies; and

(iii) local government entities in the state;

(b) make recommendations to the governor and Legislature regarding policies and initiatives that promote the development of broadband-related infrastructure and help implement those policies and initiatives;

(c) promote policies and initiatives that encourage private-sector deployment of infrastructure and public-private partnerships to increase broadband services to urban and rural communities;

(d) facilitate coordination between broadband providers and public and private entities;

(e) coordinate with broadband providers and other relevant stakeholders to promote the voluntary expansion of broadband infrastructure in both rural and urban communities;

(f) promote the adoption and utilization of up-to-date broadband technologies and infrastructure; and

(g) collect and analyze data on broadband availability and usage in the state, including Internet speed, capacity, unique visitors, and broadband infrastructure available throughout the state.

HB0414S01 compared with HB0414

(2) The center may:

(a) work with broadband providers, state and local governments, and other public and private stakeholders to facilitate and encourage the expansion of broadband infrastructure throughout the state;

(b) work with state and local government entities to promote best practices that increase coordination between public and private partners and encourage broader deployment of broadband infrastructure;

(c) work with various stakeholders, including the Office of Rural Development created in Section 63N-4-102, the Governor's Rural Partnership Board created in Section 63C-10-102, chambers of commerce, developers, and state and local governments to market existing broadband infrastructure, particularly in rural communities;

(d) create a voluntary broadband advisory committee that may include broadband providers and other public and private stakeholders to solicit input on policy guidance, best practices, and broadband adoption strategies;

(e) partner with the Automated Geographic Reference Center created in Section 63F-1-506 to:

(i) collect and maintain a database and interactive map that displays residential and commercial broadband data;

(ii) display data regarding broadband availability on the center's website and make the data available for other state and national websites;

(iii) conduct research on broadband availability and adoption; and

(iv) conduct research to verify broadband availability data; and

(f) in accordance with the requirements of Title 63J, Chapter 5, Federal Funds

Procedures Act:

(i) apply for federal grants;

(ii) participate in federal programs; and

(iii) in accordance with federal requirements, administer federally funded broadband-related programs.

Section ~~5~~6. Section **63N-12-305** is enacted to read:

63N-12-305. Reporting.

(1) The center shall prepare an annual report describing the center's operations and

HB0414S01 compared with HB0414

recommendations for inclusion in GOED's annual written report described in Section 63N-1-301.

(2) The center shall maintain a public website that:

(a) provides updated information regarding broadband coverage and availability in the state; and

(b) provides information as determined by the center that aids in marketing and expanding broadband and broadband infrastructure in the state.

Section ~~67~~7. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2015.

To Governor's Office of Economic Development – Utah Broadband Outreach Center

From General Fund, One-time \$75,000

Schedule of Programs:

Utah Broadband Outreach Center \$75,000

Section ~~77~~8. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016.

To Governor's Office of Economic Development – Utah Broadband Outreach Center

From General Fund \$350,000

Schedule of Programs:

Utah Broadband Outreach Center \$350,000

Section ~~88~~9. **Effective date.**

(1) Except as provided in Subsection (2), if approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's

HB0414S01 compared with HB0414

signature, or in the case of a veto, the date of veto override.

(2) Uncodified Section ~~f7~~8. Appropriation, takes effect on July 1, 2015.

f

Legislative Review Note

~~as of 2-25-15 10:40 AM~~

~~Office of Legislative Research and General Counsel}~~