

## SELECTED HIGHLIGHTS of the 2018 General Session

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Detailed bill information may be found on the Utah State Legislature website at <http://le.utah.gov>.*

### Abortion

SB 118 Abortion Law Amendments

Weiler, T.

This bill amends provisions relating to abortion law.

This bill:

- defines terms;
- prohibits certain abortions outside of an abortion clinic or a hospital;
- amends provisions relating to informed consent;
- removes the requirement for the Department of Health to create a brochure and an informational video;
- requires the Department of Health to maintain a website with specified information;
- requires the Department of Health to develop an information module with specified information;
- requires the Department of Health to present the information module, or an update to the information module, to the Health and Human Services Interim Committee;
- establishes additional penalties for a violation of an abortion law provision;
- requires the Department of Health to make rules and pursue administrative and legal remedies to ensure compliance with provisions of abortion law; and
- makes technical changes.

### Agriculture

HB 432 Agriculture Revisions

Sandall, S.

This bill modifies provisions related to beef promotion.

This bill:

- defines terms;
- creates the Utah Beef Council as an independent state agency;
- describes the Utah Beef Council's composition, organization, and duties; and
- modifies provisions related to setting the beef promotion fee.

### Applied Technology Education

HB 437 Career and Technical Education Scholarships

Grover, K.

This bill creates a scholarship for individuals who meet certain conditions to attend a technical college.

This bill:

- defines terms;
- creates a scholarship to fund attendance at a technical college for individuals who meet certain conditions;
- enacts provisions related to a technical college scholarship, including provisions related to:
  - eligibility for a scholarship;
  - the amount of a scholarship; and
  - the duration of a scholarship, including the circumstances under which a technical college may cancel a scholarship or grant a deferral to a scholarship recipient; and
- requires the Utah System of Technical Colleges Board of Trustees to make rules.

### Arts

SCR 1 Concurrent Resolution Recommending Replacement of Statue of Philo Farnsworth in United States Capitol

Weiler, T.

This concurrent resolution initiates the replacement of the state's statue of Philo Farnsworth in the United States Capitol with a statue of Dr. Martha Hughes Cannon.

This resolution:

- requests that the Joint Committee on the Library of Congress approve the replacement of Utah's statue of Philo Farnsworth in the National Statuary Hall Collection in the United States Capitol with a statue of Dr. Martha Hughes Cannon.

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### Business

#### HB 30 Utah Antidiscrimination Act Amendments

Dunnigan, J.

This bill amends the Utah Antidiscrimination Act and the Administrative Procedures Act.

This bill:

- removes a provision relating to the Utah Labor Commission Antidiscrimination and Labor Division (UALD) holding hearings upon receiving complaints;
- grants the UALD subpoena power during an investigation;
- permits the Career Service Review Office to request an investigation in certain circumstances;
- instructs the UALD to assign a mediator to offer mediation services between parties before an investigation begins;
- removes language instructing mediators to attempt a settlement between parties by conciliation and persuasion;
- requires notification to parties regarding the right to request an evidentiary hearing;
- excludes the issuance of a determination and order from the Utah Administrative Procedures Act;
- removes a provision requiring a finding before an investigation begins; and
- makes technical changes.

#### HB 45 Consumer Reporting Agency Fees

Dunnigan, J.

This bill modifies and enacts provisions of the Consumer Credit Protection Act.

This bill:

- modifies the manner in which a consumer requests a placement or removal of a security freeze;
- addresses a consumer reporting agency's duties related to placing a security freeze;
- prohibits a consumer reporting agency from charging a fee in connection with placing or removing a security freeze; and
- prohibits a consumer reporting agency from charging a fee to download or install a mobile application through which a person places or removes a security freeze.

#### HB 196 Breastfeeding Protection Act

Fawson, J.

This bill creates the Breastfeeding Protection Act and amends provisions related to public accommodations.

This bill:

- defines terms;
- prohibits discrimination based on pregnancy in places of public accommodation;
- permits a woman to breastfeed in any place of public accommodation; and
- makes technical and conforming changes.

#### HB 241 Post-employment Restrictions Amendments

Schultz, M.

This bill modifies provisions of the Post-employment Restrictions Act.

This bill:

- defines terms;
- addresses the circumstances and conditions under which a post-employment restrictive covenant between a broadcasting company and a broadcasting employee is valid; and
- makes technical and conforming changes.

#### HB 310 Professional Licensing Amendments

Schultz, M.

This bill modifies provisions of the Residence Lien Restriction and Lien Recovery Fund Act, the Building Inspector and Factory Built Housing Licensing Act, and other related provisions.

This bill:

- modifies provisions related to the Residence Lien Restriction and Lien Recovery Fund Act, the Building Inspector and Factory Built Housing Licensing Act, and other related provisions;
- discontinues assessments to provide money for the continuing operation of the Residence Lien Recovery Fund;
- requires certain reporting requirements from the Division of Occupational and Professional Licensing to the Legislature regarding the Residence Lien Recovery Fund, including providing the Legislature with a recommendation of when provisions related to the fund should be repealed due to insufficient money in the fund to pay claims; and
- makes technical changes.

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HB 369 Auto Dealership License Amendments Coleman, K.

This bill amends provisions related to the licensing of a new motor vehicle dealer.

This bill:

- defines terms;
- creates a direct-sale manufacturer license;
- creates a direct-sale manufacturer salesperson license;
- permits a direct-sale manufacturer licensee to act as a dealer under certain conditions;
- permits a direct-sale manufacturer salesperson licensee to act as a salesperson for one direct-sale manufacturer under certain conditions;
- exempts a direct-sale manufacturer from the provisions of the New Automobile Franchise Act; and
- makes technical changes.

HB 457 Consumer Ticket Protection Amendments Wilson, B.

This bill enacts provisions related to consumer protection and event tickets.

This bill:

- enacts the Ticket Sales Act;
- defines terms;
- provides that a person may not issue a ticket to an event by a method that substantially prevents the purchaser from reselling the ticket on the ticket website or by the method of the purchaser's choice;
- prohibits a person from treating an individual differently because the individual resold a ticket to an event or purchased a resold ticket to an event on a particular website or by a particular method; and
- addresses enforcement of the Ticket Sales Act.

### Constitution

HJR 18 Proposal to Amend Utah Constitution -- Special Sessions of the Legislature Wilson, B.

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to special sessions of the Legislature.

This resolution proposes to amend the Utah Constitution to:

- authorize the Legislature to convene a session of the Legislature, under specified circumstances;
- provide a process for the Legislature to convene a session;
- impose certain limitations on a session convened by the Legislature;
- make a related clarification for sessions convened by the Governor; and
- enact a provision providing options for the Governor to address a shortfall of revenues to defray ordinary expenses of the state, including calling the Legislature into session.

SJR 2 Proposal to Amend Utah Constitution - Property Tax Exemptions Hemmert, D.

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to property tax exemptions.

This resolution proposes to amend the Utah Constitution to:

- allow real property that the state or a local government entity leases from a private owner to be exempt from property tax, as provided by statute.

### Controlled Substances

HB 25 Cannabinoid Product Board Membership Amendments Daw, B.

This bill amends provisions related to the Cannabinoid Product Board.

This bill:

- amends the required composition of the Cannabinoid Product Board; and
- amends the duties of the Cannabinoid Product Board to include review of expanded cannabinoid products.

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### HB 195 Medical Cannabis Policy

Daw, B.

This bill creates a "right to try" cannabis-based treatment for terminally ill patients.

This bill:

- defines terms;
- provides that an individual who possesses or uses cannabis in a medicinal dosage form in compliance with Title 58, Chapter 85, Utah Right to Try Act, is not subject to the penalties described in Title 58, Chapter 37, Utah Controlled Substances Act; and
- describes the procedure for a terminally ill patient to receive a recommendation for a cannabis-based treatment from the terminally ill patient's physician.

### SB 130 Cannabidiol Product Act

Vickers, E.

This bill enacts and amends provisions related to cannabidiol products.

This bill:

- defines terms;
- authorizes the Department of Agriculture and Food to make rules regarding cannabidiol;
- authorizes the cultivation, production, and possession of hemp and the sale and use of cannabidiol products under certain circumstances;
- directs the Department of Agriculture and Food to issue licenses and enforce operating requirements;
- grants the Department of Agriculture and Food, the Division of Occupational and Professional Licensing, the Department of Financial Institutions, and the Department of Health rulemaking authority;
- creates an exemption from sales and use tax for sales of cannabidiol products;
- imposes a special tax on the sale of cannabidiol products;
- creates the Cannabinoid Product Restricted Account;
- amends provisions related to driving with a measurable metabolite of cannabinoid medicine; and
- prohibits a court from discriminating against a parent in a child custody case based on the parent's legal use of a cannabidiol product.

## Counties

### HB 224 County Government Change Election Amendments

Froerer, G.

This bill amends provisions related to the process to change a county's form of government.

This bill:

- reorganizes and recodifies Title 17, Chapter 52, Changing Forms of County Government;
- combines sections with similar subject matter;
- defines terms;
- amends provisions related to the appointment of an appointment council;
- prohibits a person from initiating a process to change a county's form of government when a process to change the county's form of government is pending;
- allows certain counties to adopt an optional plan without creating a study committee;
- requires that registered voters who wish to initiate the process to change a county's form of government file a notice of intent to gather signatures;
- establishes a deadline by which the sponsors of a petition to create a study committee are required to file the petition;
- requires only certain counties to comply with a provision that requires an optional plan to be approved by the county legislative body or subjected to a petition before the optional plan is submitted to the voters;
- requires a county clerk to post an optional plan on the county's website for a specified period of time before an election on the optional plan;
- provides that an optional plan is adopted if approved by a majority of voters that vote on the optional plan;
- provides for the appointment of a chair of a study committee;
- requires a study committee to submit a report to the county clerk;
- provides that if a study committee recommends that the form of a county's government not change, the process to change the county's form of government is concluded;
- establishes a deadline after which an optional plan may not be repealed without initiating a new process to change the county's form of government;
- provides a grandfather provision for counties that have initiated the process to change the county's form of government as of the effective date of this bill;
- requires a county that operates under a form of government that is not authorized by statute to change the county's form of government;
- establishes repeal dates for provisions that will become obsolete;
- removes obsolete and superfluous provisions; and
- makes technical and conforming changes.

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### Declaration of Rights - Const. Art. I

HB 116 Student Civil Liberties Protection Act

Coleman, K.

This bill creates the Student Civil Liberties Protection Act.

This bill:

- upon the commissioner of higher education's recommendation, permits the State Board of Regents to hire legal staff;
- requires a state institution of higher education to initiate rulemaking proceedings for a policy under certain circumstances;
- requires each state institution of higher education to:
  - review each current policy for direct effects on the civil liberties of students; and
  - repeal or initiate rulemaking proceedings for each policy that directly affects a student's civil liberty;
- permits a student at a state institution of higher education to submit a complaint about a school policy to the State Board of Regents or to the Utah System of Technical Colleges Board of Trustees;
- requires the State Board of Regents and the Utah System of Technical Colleges Board of Trustees to:
  - establish a complaint process; and
  - report annually to the Administrative Rules Review Committee;
- amends the Utah Administrative Rulemaking Act; and
- makes technical and conforming changes.

SCR 3 Concurrent Resolution on the Importance of Civil Liberties for Students

Dabakis, J.

This concurrent resolution of the Legislature and the Governor encourages state institutions of higher education to defend the civil liberties of students and create an avenue by which a student may appeal a school policy.

This resolution:

- recognizes some rights as inalienable;
- emphasizes the protection of many inalienable rights in the United States Constitution and the Utah Constitution;
- recognizes the unique role of institutions of higher education;
- recognizes state institutions of higher education as government actors;
- encourages state institutions of higher education to defend the civil liberties of students through policies that reflect constitutional protections; and
- recommends that state institutions of higher education create avenues by which students may appeal a policy.

### Domestic Violence

SB 27 Relationship Violence and Offenses Amendments

Weiler, T.

This bill modifies provisions related to domestic violence, dating violence, and stalking.

This bill:

- modifies definition of "crime victim" as it relates to dating violence;
- addresses violation of specified protective orders;
- modifies definitions;
- amends provisions for forms of petitions and protective orders;
- addresses duties of law enforcement officers;
- addresses when and how a court may act ex parte;
- modifies provisions related to mutual protective orders or stalking injunctions;
- amends continuing duty to inform court of other proceedings;
- addresses dismissal or expiration of protective orders; and
- makes technical changes.

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### Economic Development

SB 146 Technology Summit Incentives

Anderegg, J.

This bill modifies provisions related to the Industrial Assistance Account.

This bill:

- modifies the allowable distribution of money from the Industrial Assistance Account;
- requires the Governor's Office of Economic Development to annually report on the grants provided through the Industrial Assistance Account;
- allows some nonprofit organizations engaged in publicizing, developing, and promoting the high tech sector to qualify for a grant from the Industrial Assistance Account;
- provides a sunset date; and
- makes technical changes.

SB 239 Utah Science Technology and Research Initiative Amendments

Hemmert, D.

This bill modifies provisions of the Utah Science Technology and Research Governing Authority (USTAR) Act and other related provisions.

This bill:

- defines terms;
- modifies provisions that require USTAR to provide ongoing funding for certain researchers at the University of Utah and Utah State University;
- modifies reporting requirements related to researchers that receive state funding;
- requires USTAR to transfer ownership of:
  - a certain research building located on the campus of the University of Utah to the university; and
  - a certain research building located on the campus of Utah State University to the university;
- creates a new restricted account;
- amends provisions related to the Governor's Office of Economic Development's Technology Commercialization and Innovation Program; and
- makes technical changes.

### Education

HB 491 Election Law Changes

Edwards, R.

This bill modifies the Election Code to establish procedures for submitting a nonbinding opinion question to the voters of Utah.

This bill:

- defines terms;
- establishes procedures for submitting a nonbinding opinion question to the voters of Utah;
- describes the duties of the lieutenant governor and county clerks in submitting the opinion question to the voters;
- establishes procedures for the ballot form, voter information pamphlet, public notice, manner of voting, and canvass of returns in relation to the nonbinding opinion question; and
- provides a repealer.

HJR 20 Joint Resolution Submitting a Question to Voters

Edwards, R.

This joint resolution directs the lieutenant governor to present an opinion question to the legal voters of the state to determine whether the voters support an increase in motor and special fuel tax rates for public education and local roads.

This resolution:

- pursuant to Title 36, Chapter 16b, Nonbinding Statewide Public Opinion Questions, directs the lieutenant governor to present an opinion question to the legal voters of the state to determine whether the voters support an increase in the motor and special fuel tax rates by an equivalent of 10 cents per gallon for public education and local roads; and
- directs the lieutenant governor to submit the opinion question on the ballot for the 2018 regular general election.

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### Elections

HB 35 Municipal Alternate Voting Methods Pilot Project

Roberts, M.

This bill creates a pilot project to permit a municipality to conduct nonpartisan races using instant runoff voting.

This bill:

- defines terms;
- establishes a pilot project for a municipality to conduct certain nonpartisan municipal races by instant runoff voting;
- establishes a process for a municipality to opt in to the pilot project;
- establishes requirements and procedures for conducting an election under the pilot program, including the completion of ballots, the counting of votes, recount provisions, resolving a tie, and canvassing;
- provides a sunset date for the pilot project; and
- makes technical and conforming changes.

HB 218 Modifications to Election Law

Chavez-Houck, R.

This bill amends provisions of the Election Code.

This bill:

- amends definitions;
- provides that an otherwise eligible voter may register to vote, and vote, by casting a provisional ballot on election day or during the early voting period;
- amends provisions relating to voter registration deadlines and the information provided to applicants for voter registration;
- changes the deadline for filing an absentee ballot application and for casting an absentee ballot in person;
- amends provisions for removing a voter from the absentee ballot list;
- requires the lieutenant governor to report to the Government Operations Interim Committee regarding implementation of the provisions of this bill;
- simplifies the process by which an individual may register to vote when the individual applies for or renews the individual's driver license or state identification card;
- allows an individual to register as an absentee voter when the individual applies for or renews the individual's driver license or state identification card;
- allows any individual to request that the individual's voter registration record be classified as a private record;
- allows certain information in a driver license or state identification card application form to be used for voter registration purposes;
- amends provisions relating to the process by which a voter may request that the voter's voter registration record be classified as a private record;
- requires a county clerk to send certain information to an individual who registers to vote;
- provides certain requirements for conducting an election by absentee ballot;
- requires a county that conducts an election by absentee ballot to provide a certain number of polling places on the date of an election; and
- makes technical and conforming changes.

### Energy

HB 422 Natural Gas Infrastructure Amendments

Noel, M.

This bill enacts provisions relating to natural gas infrastructure.

This bill:

- modifies provisions relating to requests for approval of an energy utility's resource decision;
- includes a project for rural gas infrastructure development as a resource decision that a gas corporation may request approval of from the Public Service Commission;
- provides requirements related to a request for approval of rural gas infrastructure development; and
- authorizes the Public Service Commission to spread rural gas infrastructure development costs to the larger customer base and to approve the inclusion of rural gas infrastructure development costs within a gas corporation's base rates under certain circumstances.

SB 141 Electric Energy Amendments

Bramble, C.

This bill modifies provisions relating to electric energy.

This bill:

- modifies the periods during which installation of a residential photovoltaic energy system qualifies for a specified tax credit;
- modifies a provision relating to a corporate income tax credit for the installation of a residential energy system; and
- provides for the repeal of provisions relating to net metering of electricity.

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### Government Purchasing

SB 139 Public-Private Partnership Amendments

Harper, W.

This bill modifies and enacts provisions relating to public-private partnerships.

This bill:

- provides a process for a person to submit to a procurement unit an unsolicited proposal for a public-private partnership, including: requirements for an unsolicited proposal; a process for considering and evaluating unsolicited proposals; and limitations on a procurement unit's awarding a contract pursuant to an unsolicited proposal; and
- makes technical and conforming changes.

### Health

HB 19 Health Insurance Right to Shop Amendments

Thurston, N.

This bill amends provisions regarding the development of a program to reward enrollees for selecting high-quality and low-cost health care providers.

This bill:

- defines terms;
- amends the inducements provisions of the Insurance Code;
- permits a health insurer to develop and implement a savings reward program for enrollees; and
- requires the Public Employees' Benefit and Insurance Program to implement a savings reward program.

HB 472 Medicaid Expansion Revisions

Spendlove, R.

This bill amends the state Medicaid program to permit an expansion of Medicaid eligibility under certain conditions.

This bill:

- requires the Department of Health to submit a waiver request to the federal government by January 1, 2019, to: provide Medicaid benefits to eligible individuals who are below 95% of the federal poverty level; offer services to Medicaid enrollees through the Medicaid managed care organizations; obtain maximum federal financial participation for the new Medicaid enrollees; require certain qualified adults to meet a work activity requirement; and obtain options for flexibility on enrollment;
- makes changes to the inpatient hospital assessment;
- creates a new Medicaid expansion hospital assessment;
- amends the sunset date for the inpatient hospital assessment and creates a sunset date for the Medicaid expansion hospital assessment; and
- makes technical changes.

SB 181 Infertility Insurance Coverage Pilot Program

Escamilla, L.

This bill amends provisions of the Public Employees' Benefit and Insurance Program Act.

This bill:

- requires the Public Employees' Health Plan to create a 3-year pilot program to cover a portion of the cost of using an assisted reproductive technology; and
- creates a sunset date for the provisions of this bill.

SB 184 Pharmacist Dispensing Authority Amendments

Weiler, T.

This bill permits a pharmacist to dispense a self-administered hormonal contraceptive under a standing prescription drug order.

This bill:

- authorizes the use of a standing prescription drug order issued by a physician to dispense a self-administered hormonal contraceptive to a patient who is 18 years old or older;
- creates standards and procedures that a pharmacist must follow when prescribing a self-administered hormonal contraceptive;
- limits liability for physicians who issue a standing prescription drug order for a self-administered hormonal contraceptive; and
- specifies that the prescribing or dispensing of a self-administered hormonal contraceptive by a pharmacist is not unprofessional or unlawful conduct.

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### SB 208 Pharmacy Benefits Manager or Coordinator Amendments

Vickers, E.

This bill amends the Pharmacy Practice Act.

This bill:

- defines terms;
- requires a pharmacy service entity that uses direct or indirect remuneration to report certain information to pharmacies or the pharmacies' pharmacy services administration organization; and
- prohibits a pharmacy benefits manager or coordinator from preventing a pharmacist from disclosing cost information to a patient.

### SB 223 Utah Health Care Malpractice Act Amendments

Hemmert, D.

This bill amends provisions of the Utah Health Care Malpractice Act.

This bill:

- requires a health care provider that signs an affidavit of merit to provide certain information to the Division of Occupational and Professional Licensing;
- requires the Division of Occupational and Professional Licensing to request and compile certain information related to a request for a medical liability pre-litigation panel review;
- amends the elements of a nonplaintiff cause of action; and
- makes technical changes.

### SCR 4 Concurrent Resolution on Deaths from Opioid-induced Postoperative Respiratory Depression

Van Tassell, K.

This concurrent resolution of the Legislature and the Governor recognizes the devastating effects of the sudden death of Utah residents from opioid-induced postoperative respiratory depression, urges further study of this issue, and encourages physicians to prescribe in-home monitoring devices where appropriate for patients who are discharged with opioids after surgery.

This resolution:

- recognizes the effects of sudden death from opioid-induced postoperative respiratory depression;
- urges the Department of Health, hospitals, practitioners, and academics to further study this issue; and
- encourages physicians to prescribe in-home monitoring devices where appropriate for patients who are discharged with opioids after surgery.

## Higher Education

### HB 300 Higher Education Modifications

Peterson, V.

This bill amends provisions related to higher education.

This bill:

- defines terms, including defining the term "UTech" to mean the Utah System of Technical Colleges;
- permits the governor to remove, for cause, certain members of:
  - the State Board of Regents;
  - the Utah System of Technical Colleges Board of Trustees;
  - an institution of higher education board of trustees; and
  - a technical college board of directors;
- amends provisions related to the role of a technical college board of directors in relation to a technical college president;
- amends the membership of a technical college board of directors;
- creates a term limit for a member of a technical college board of directors;
- provides that the State Board of Regents may make policies regarding tuition waivers;
- enacts provisions related to the Higher Education Strategic Planning Commission, including:
  - creating the commission;
  - describing the membership of the commission; and
  - enacting powers and duties of the commission; and
- makes technical and conforming changes.

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### Homeless Persons

HB 462 Homeless Services Amendments Eliason, S.

This bill amends provisions related to the Housing and Community Development Division.

This bill:

- defines terms;
- amends provisions related to how money in the Olene Walker Housing Loan Fund may be used;
- amends provisions related to how money in the Homeless to Housing Reform Restricted Account may be used;
- amends reporting requirements of the Housing and Community Development Division; and
- makes technical changes.

SB 235 Homeless Shelter Funding Amendments Davis, G.

This bill creates the Homeless Shelter Cities Mitigation Restricted Account and authorizes the use of the restricted account's funds.

This bill:

- allows redevelopment agencies to transfer funds to a county or municipality under certain circumstances;
- modifies the membership of the Homeless Coordinating Committee;
- defines terms;
- creates an application process for certain municipalities with homeless shelters to obtain Homeless Shelter Cities Mitigation Restricted Account funds to employ and equip additional personnel to provide public safety services;
- creates a grant program with funds from the Homeless Shelter Cities Mitigation Restricted Account for a municipality with a homeless shelter to pay for programs to mitigate the impact of the homeless shelter and for the Department of Public Safety to employ additional personnel to provide public safety;
- requires the State Tax Commission to deposit a percentage of a county's or municipality's local option sales and use tax revenue into the Homeless Shelter Cities Mitigation Restricted Account;
- directs the Department of Workforce Services on how to disburse funds from the Homeless Shelter Cities Mitigation Restricted Account; and
- makes technical changes.

### Human Services

HB 14 Substance Abuse Treatment Facility Patient Brokering Hutchings, E.

This bill makes remuneration for the referral of an individual for substance use disorder treatment an unlawful act.

This bill:

- makes remuneration for the referral of an individual for substance use disorder treatment a third degree felony;
- specifies permissible exceptions;
- defines terms; and
- makes technical changes.

HB 343 Youth and Child Welfare Amendments Brooks, W.

This bill amends provisions relating to the welfare of children and minors.

This bill:

- amends and defines terms;
- amends the definition of sexual abuse;
- amends provisions related to runaway children;
- requires a court or the Division of Child and Family Services to take into consideration a child's wishes for placement; and
- makes technical changes.

HB 468 Residential Vocational and Life Skills Program Amendments Ray, P.

This bill creates a registration process for a residential, vocational and life skills program.

This bill:

- defines terms;
- creates a registration process within the Department of Commerce for a residential, vocational and life skills program;
- regulates the operations of a residential, vocational and life skills program; and
- makes technical corrections.

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- SB 222 Toxicology Amendments Davis, G.
- This bill makes remuneration for the referral of an individual for substance use disorder treatment an unlawful act.
- This bill:
- makes remuneration for the referral of an individual, including an individual's clinical sample, for substance use disorder treatment a third degree felony;
  - specifies permissible exceptions; and
  - coordinates with H.B. 14, Substance Abuse Treatment Facility Patient Brokering.

### Judiciary

- HB 43 Blood Testing Amendments Hall, C.
- This bill addresses provisions related to testing for law enforcement purposes.
- This bill:
- outlines the circumstances under which a peace officer may obtain a blood draw; and
  - makes technical changes.

- HB 132 Juvenile Justice Modifications Snow, V. L.
- This bill addresses treatment of minors who commit offenses or truancy.
- This bill:
- expands the uses of appropriations for the Enhancement for At-Risk Students Program;
  - modifies provisions related to responses to school-based behavior;
  - clarifies when a prosecutor may file a petition or review a referral;
  - addresses adjudication of jurisdiction by juvenile court, including addressing suspended custody orders;
  - addresses the inquiry a prosecutor shall conduct before filing a petition;
  - addresses victim related issues;
  - creates a sunset review for certain provisions; and
  - makes technical changes.

- SB 187 Parent Time Amendments Escamilla, L.
- This bill addresses parent time.
- This bill:
- outlines remedies for noncompliance with a parent-time order; and
  - makes technical and conforming changes.

### Land Use

- HB 372 Point of the Mountain State Land Authority Snow, V. L.
- This bill enacts provisions relating to the development of state land in the point of the mountain area.
- This bill:
- creates the Point of the Mountain State Land Authority and provides for its purposes, authority, duties, and governance;
  - requires the authority to plan, manage, and implement the development of point of the mountain state land;
  - provides for the membership, authority, and responsibilities of a board to conduct the business and affairs of the authority;
  - requires the authority to adopt a budget and imposes reporting and audit requirements; and
  - provides for authority dissolution.

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SB 234 Utah Inland Port Authority Stevenson, J.

This bill enacts and modifies provisions related to the Utah Inland Port Authority.

This bill:

- creates the Utah Inland Port Authority;
- establishes the duties, responsibilities, and powers of the Utah Inland Port Authority;
- establishes a board to govern the port authority and provides for the board membership, terms, and responsibilities, and provides limits on board members;
- requires the port authority board to hire an executive director, and provides limits on the executive director;
- defines land that is under the jurisdiction of the port authority;
- authorizes the port authority to work to establish an inland port and a foreign trade zone;
- authorizes the port authority to adopt a project area plan and budget and to issue bonds;
- authorizes the port authority to receive tax differential funds;
- requires the port authority to prepare and adopt a budget and provides a process for preparing, adopting, and amending a budget; and
- requires the port authority to comply with certain audit and reporting requirements.

### Law Enforcement and Criminal Justice

HB 13 Public Safety Peer Counseling Provisions Perry, L.

This bill creates provisions for peer support and counseling services within public safety agencies.

This bill:

- defines terms;
- provides for the creation of teams to provide peer support and counseling services within public safety agencies;
- requires that members of the peer support team receive training in accordance with POST guidelines for law enforcement officers, the State Fire Marshal's Office for firefighters, and the Health Department for all other first responders; and
- prohibits the release of information obtained through peer counseling except in specified circumstances.

HB 248 Compensatory Service in Lieu of Fine Amendments King, Brian S.

This bill allows a defendant the option of performing compensatory service in lieu of a fine for a conviction of an infraction or misdemeanor.

This bill:

- defines "compensatory service";
- requires that a court provide a person convicted of an infraction, class B, or class C misdemeanor with the option to perform compensatory service in lieu of paying a fine; and
- sets reporting requirements.

HB 269 Identity Theft Paraphernalia Provisions Arent, P.

This bill amends provisions of the Utah Criminal Code relating to forgery and identity fraud.

This bill:

- defines terms;
- modifies the elements of a financial transaction card offense;
- increases the penalty for unlawful possession of the financial transaction card information of a certain number of individuals;
- increases the penalty for unlawful possession of the identifying documents of a certain number of individuals; and
- makes technical changes.

SB 57 Police Service Animal Amendments Iwamoto, J.

This bill provides penalties for injuring or killing a police animal.

This bill:

- makes it a second degree felony to intentionally or knowingly cause death to a police service canine; and
- makes it a third degree felony to intentionally or knowingly injure a police service canine.



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HB 272 Utah Lake Amendments

McKell, M.

This bill enacts provisions dealing with restoring Utah Lake.

This bill:

- contains legislative findings on the condition of Utah Lake;
- authorizes the Division of Forestry, Fire, and State Lands to dispose of state land in exchange for the execution of a project for the comprehensive restoration of Utah Lake; and
- provides for land transferred to a private party to become subject to applicable land use provisions of state law.

### Political Subdivisions (Local Issues)

HB 38 Fireworks Restrictions

Dunnigan, J.

This bill amends provisions related to the permissible discharge of fireworks.

This bill:

- amends and clarifies the dates on which a person may legally discharge fireworks;
- increases the criminal fine for discharging fireworks outside of permitted dates and times;
- clarifies when a municipality may prohibit a person from discharging fireworks;
- increases the areas within which a municipality or the state forester may prohibit the discharge of fireworks;
- in certain situations, requires local governments and the state forester to create and provide maps identifying areas in which fireworks are prohibited due to hazardous environmental conditions;
- requires retailers that sell fireworks to display:
  - maps a county provides indicating areas within the county in which fireworks are prohibited due to hazardous environmental conditions; and
  - signs regarding permissible discharge dates and times and certain criminal penalties;
- prohibits the state forester from limiting or restricting the discharge of fireworks within municipal boundaries;
- imposes civil liability when certain fireworks discharge causes a fire; and
- makes technical and conforming changes.

HB 168 Political Subdivision Lien Authority

Webb, R. C.

This bill addresses provisions related to political subdivision lien authority.

This bill:

- defines terms;
- clarifies certain existing grants of political subdivision lien authority to ensure that each grant provides an identifiable effective date, notice mechanism, and enforcement mechanism;
- imposes limits on political subdivision liens;
- provides that certain political subdivision liens are invalid against a subsequent bona fide purchaser if the lien is not recorded or if certain notice is not provided before the purchase;
- prohibits a county treasurer from including an item on the property tax notice unless the item's inclusion is expressly authorized in statute;
- amends the items that a county treasurer is required to include on a property tax notice;
- addresses the priority status of a political subdivision lien listed on the property tax notice;
- allows a tax sale for delinquencies of any item that is statutorily authorized to be included on the property tax notice;
- amends Title 59, Chapter 2, Part 13, Collection of Taxes, to address items listed on the property tax notice; and
- makes technical and conforming changes.

SB 28 Local Government and Limited Purpose Entity Registry

Henderson, D.

This bill provides for the creation of a registry of local government and limited purpose entities.

This bill:

- defines terms;
- requires local government entities and limited purpose entities to register with the lieutenant governor;
- requires the lieutenant governor to:
  - create a registry of local government entities and limited purpose entities;
  - establish registration and renewal fees to create, administer, and maintain the registry; and
  - send certain notices regarding compliance with registry requirements;
- allows the state auditor to:
  - withhold certain state funds and property tax disbursements if an entity does not comply with registry requirements; and
  - prohibit access to certain money if an entity does not comply with registry requirements;
- increases the state auditor's enforcement authority; and
- makes technical and conforming changes.





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SB 202 After School Program Amendments

Escamilla, L.

This bill authorizes a grant program to provide funding for certain programs offered to elementary and secondary students outside of the regular school day.

This bill:

- defines terms;
- creates a grant program to provide funding for certain educational opportunities offered outside of the regular school day;
- requires applicants to the grant program to identify and certify the availability of private matching funds before receiving a grant;
- requires the State Board of Education to work with the Department of Workforce Services to compile data and report on the impact of grant funding; and
- grants rulemaking authority.

### Retirement

SB 21 Public Safety and Firefighter Retirement Death Benefit Amendments

Mayne, K.

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions relating to retirement death benefits for certain public safety service employees and firefighter service employees.

This bill:

- amends the death benefits payable to a member of Division A or Division B in the Public Safety Contributory Retirement Act;
- amends the death benefits payable to a member of Division B in the Public Safety Noncontributory Retirement Act;
- amends the death benefits payable to a member of the Firefighters' Retirement Act; and
- makes technical changes.

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### Revenue and Taxation

HB 293 Tax Rebalancing Revisions

Last, B.

This bill amends and enacts provisions related to state and local taxes and revenues.

This bill:

- amends and enacts defined terms for the Minimum School Program;
  - amends for a five-year period the calculation of the minimum basic local amount and minimum basic tax rate;
  - establishes the weighted pupil unit value tax rate;
  - establishes the equity pupil tax rate;
  - directs the Division of Finance to deposit an amount equal to the proceeds from:
    - the equity pupil tax rate into the Local Levy Growth Account; and
    - the weighted pupil unit value tax rate into the Teacher and Student Success Account;
  - directs the Legislature to annually appropriate money from the Local Levy Growth Account to guarantee local levy increments;
  - directs the State Board of Education to use the appropriation to increase:
    - the number of guaranteed local levy increments to 20, giving first priority to guaranteed voted local levy increments and second priority to guaranteed board local levy increments; and
    - the guaranteed amount for each local levy increment per weighted pupil unit after increasing the number of guaranteed local levy increments;
  - directs a local school board to use funds received from the state local levy guarantee programs for public education purposes;
  - creates the Local Levy Growth Account;
  - creates the Teacher and Student Success Account;
  - modifies the property tax rate cap for the school board local levy to subject all school districts to the same rate cap;
  - repeals the following outdated levies prohibited since January 1, 2012:
    - the board-approved leeway;
    - the capital outlay levy;
    - the additional levy for debt service, school sites, buildings, buses, textbooks, and supplies; and
    - the board leeway for reading improvement;
  - repeals outdated language, including language related to school capital outlay in counties of the first class repealed December 31, 2016;
  - modifies the definition of "certified revenue levy" in the Property Tax Act;
  - modifies the homeowner's and renter's credits;
  - modifies provisions governing notice requirements for a proposed tax increase by the state;
  - addresses the apportionment of business income for income tax purposes by:
    - phasing in a requirement that certain taxpayers use only the sales factor to calculate the fraction for apportioning business income to the state;
    - allowing an optional apportionment taxpayer to choose between a single sales factor and an equally weighted method to calculate the fraction for apportioning business income to the state;
- and
- requiring an optional apportionment taxpayer that chooses to apportion business income using the single sales factor method to continue using the single sales factor method of apportionment in subsequent taxable years;
  - provides a method for a taxpayer to determine if the taxpayer is an optional apportionment taxpayer;
  - reduces the state's corporate and individual income tax rates;
  - addresses when an individual is considered to have domicile in this state for purposes of income tax;
  - defines terms;
  - modifies the calculation of the taxpayer tax credit;
  - creates study provisions;
  - provides repeal dates; and
  - makes technical and conforming changes.

### Technology

HB 395 Technology Innovation Amendments

Cutler, B. R.

This bill enacts provisions relating to a technology innovation program.

This bill:

- authorizes the Technology Advisory Board and the Governor's Office of Management and Budget to approve technology innovation proposals submitted by multiple executive branch agencies;
- provides a process for the submission, review, approval, and funding of technology innovation proposals; and
- authorizes the Department of Technology Services to pay expenses of implementing an approved technology innovation proposal.

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### Telecommunications

SB 189 Small Wireless Facilities Deployment Act

Bramble, C.

This bill creates the Small Wireless Facilities Deployment Act.

This bill:

- defines terms;
- permits a wireless provider to deploy a small wireless facility and any associated utility pole within a right-of-way under certain conditions;
- permits an authority to establish a permitting process for the deployment of a small wireless facility and any associated utility pole under certain conditions;
- describes a wireless provider's access to an authority pole within a right-of-way;
- sets rates and fees for the placement of:
  - a small wireless facility; and
  - a utility pole;
- describes the implementation of requirements in relation to agreements and ordinances; and
- permits an authority to adopt indemnification, insurance, or bonding requirements for a small wireless facility permit, under certain conditions.

### Transportation

HB 98 Driving Under the Influence Revisions

Thurston, N.

This bill amends the definitions of "novice licensed driver" and "alcohol restricted driver."

This bill:

- removes the definition of "novice licensed driver"; and
- removes a novice licensed driver from the definition of "alcohol restricted driver."

SB 71 Road Tolls Provisions

Niederhauser, W.

This bill modifies provisions related to the imposition and collection of tolls on certain roads.

This bill:

- allows the Department of Transportation to:
  - mail correspondence to inform the owner of a motor vehicle of an unpaid toll or penalty for failing to pay a toll;
  - impose a penalty for failure to pay a toll;
  - use camera and video technology to monitor a tollway; and
  - request a hold on the registration of a motor vehicle if the owner has failed to pay a toll or penalty associated with the motor vehicle;
- removes certain restrictions on the Department of Transportation's ability to establish a tollway on an existing highway;
- allows the Department of Transportation to establish a tollway on an existing highway if approved by the Transportation Commission;
- requires the Department of Transportation and the Division of Motor Vehicles to share information pertinent to registration and toll enforcement;
- requires the Department of Transportation to make rules related to tollways and the amount of a penalty for failure to pay a toll;
- allows the retention of license plate data for toll and penalty collection purposes; and
- makes technical changes.

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SB 136 Transportation Governance Amendments

Harper, W.

This bill modifies governance of certain public transit districts, amends provisions related to registration fees, modifies taxes related to transportation, modifies the governance of the Department of Transportation, and makes other changes.

This bill:

- amends and enacts provisions to allow local jurisdictions to share property tax revenue for transportation capital development projects;
- defines "large public transit district" and "small public transit district";
- vests in the Legislature the authority to name a large public transit district;
- modifies the makeup of the board of trustees of a large public transit district by:
  - reducing membership from 16 to three;
  - vesting nomination responsibilities in executives of local governments and appointment responsibilities in the governor; and
  - defining responsibilities of the members of the board of trustees;
- requires a large public transit district to have legal counsel from the Utah attorney general, and provides for a transition for an existing large public transit district;
- creates a local advisory board for a large public transit district and defines the membership and duties of a local advisory board;
- requires a large public transit district to transition retirement benefits to fall under the provisions and oversight provided in the Utah State Retirement and Insurance Benefit Act;
- exempts certain meetings of members of the board of trustees of a large public transit district from the Open and Public Meetings Act;
- creates the Transportation and Tax Review Task Force;
- defines "alternative fuel vehicle," "diesel fuel," "electric motor vehicle," "hybrid electric motor vehicle," "motor fuel," "natural gas," and "plug-in hybrid electric motor vehicle";
- modifies provisions imposing registration fees on motor vehicles;
- reduces funds allocated from the General Fund into the Transportation Investment Fund of 2005 and deposits funds from the General Fund into the Transit Transportation Investment Fund;
- creates the "Transit Transportation Investment Fund" within the Transportation Investment Fund of 2005;
- imposes a deadline for certain local governments to impose certain local option sales and use taxes;
- authorizes a new local option sales and use tax for certain counties with public transit services;
- allows a county, city, or town to impose certain local option sales and use taxes without submitting the question to the county's, city's, or town's registered voters;
- allows a city to impose certain local option sales and use taxes not imposed by the county;
- amends provisions related to the expenditure of certain local option sales and use taxes;
- modifies certain responsibilities of the Department of Transportation and the executive director of the Department of Transportation related to supervision and oversight of certain projects and cooperation with other entities involved in a project;
- modifies governance of the Department of Transportation, including:
  - requiring a second deputy director;
  - describing the qualifications for each deputy; and
  - describing the responsibilities of each deputy director;
- creates the Planning and Investment Division within the Department of Transportation;
- modifies requirements for the Department of Transportation to develop statewide strategic initiatives for coordinating and planning multimodal transportation;
- requires the Department of Transportation to study a road user charge and implement a demonstration program;
- requires the Transportation Commission to consider public transit projects in the prioritization process to allocate funds;
- modifies criteria for the Transportation Commission to consider while prioritizing transportation and public transit projects;
- allows corridor preservation funds to be used for public transit district corridors; and
- requires the Department of Transportation to assume responsibilities for review and approval of projects under the requirements of the National Environmental Policy Act of 1969.

## Workforce Services

HB 326 Intergenerational Poverty Initiative

Redd, E.

This bill establishes a pilot program to address intergenerational poverty.

This bill:

- establishes a pilot program in the Department of Workforce Services to address intergenerational poverty; and
- defines terms.

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SB 131 Talent Ready Utah Amendments

Millner, A.

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

This bill:

- defines terms;
- creates the Talent Ready Utah Center within GOED;
- creates the Talent Ready Utah Board within GOED;
- describes the duties of the center and the board; and
- requires that the Department of Workforce Services, the Governor's Office of Economic Development, and the Governor's Office of Management and Budget provide in their annual reports data and metrics that are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement, as determined by the executive directors of the three departments or offices named above.