

**Representative Keven J. Stratton** proposes the following substitute bill:

**LEGISLATIVE OVERSIGHT AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill creates the Joint Committee on Governmental Oversight and addresses the Legislature's constitutional role of oversight.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates the Joint Committee on Governmental Oversight and establishes the committee's membership, duties, authority, and requirements;
- ▶ provides for certain direction or approval to initiate a committee study, investigation, or audit;
- ▶ grants the committee existing legislative investigatory powers;
- ▶ requires the committee to create certain reports;
- ▶ allows the governor, upon recommendation from the committee, to direct an agency to repeal an administrative rule that the agency made;
- ▶ allows for certain referral of a proposed administrative rule to the Legislature for approval before the rule takes effect;
- ▶ establishes sunset dates; and
- ▶ makes conforming changes.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **36-14-2**, as last amended by Laws of Utah 2014, Chapter 339

33 **63G-3-301**, as last amended by Laws of Utah 2017, Chapter 255

34 **63G-6a-204**, as last amended by Laws of Utah 2015, Chapter 218

35 **63I-1-236**, as last amended by Laws of Utah 2017, Chapter 192

36 **63I-1-263**, as last amended by Laws of Utah 2017, Chapters 23, 47, 95, 166, 205, 469,

37 and 470

38 ENACTS:

39 **36-31-101**, Utah Code Annotated 1953

40 **36-31-102**, Utah Code Annotated 1953

41 **36-31-103**, Utah Code Annotated 1953

42 **36-31-104**, Utah Code Annotated 1953

43 **36-31-105**, Utah Code Annotated 1953

44 **36-31-106**, Utah Code Annotated 1953

45 **63G-3-503**, Utah Code Annotated 1953

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

48 Section 1. Section **36-14-2** is amended to read:

49 **36-14-2. Issuers.**

50 (1) Any of the following persons is an issuer, who may issue legislative subpoenas by  
51 following the procedures set forth in this chapter:

52 (a) the speaker of the House of Representatives;

53 (b) the president of the Senate;

54 (c) a chair of any legislative standing committee;

55 (d) a chair of any legislative interim committee;

56 (e) a chair of any special committee established by the Legislative Management

- 57 Committee, the speaker of the House, or the president of the Senate;
- 58 (f) a chair of any subcommittee of the Legislative Management Committee;
- 59 (g) a chair of a special investigative committee;
- 60 (h) a chair of a Senate or House Ethics Committee;
- 61 (i) a chair of the Executive Appropriations Committee as created in [JR3-2-401](#);
- 62 (j) a chair of an appropriations subcommittee as created in [JR3-2-302](#);
- 63 (k) a chair of the Joint Committee on Governmental Oversight created in Section
- 64 [36-31-103](#);
- 65 [~~(k)~~] (l) the director of the Office of Legislative Research and General Counsel;
- 66 [~~(l)~~] (m) the legislative auditor general;
- 67 [~~(m)~~] (n) the director of the Office of Legislative Fiscal Analyst; and
- 68 [~~(n)~~] (o) the legislative general counsel.

69 (2) A legislative body, a legislative office, an issuer, or a legislative staff member  
 70 designated by an issuer may:

- 71 (a) administer an oath or affirmation; and
- 72 (b) take evidence, including testimony.

73 Section 2. Section **36-31-101** is enacted to read:

74 **CHAPTER 31. JOINT COMMITTEE ON GOVERNMENTAL OVERSIGHT**

75 **36-31-101. Title.**

76 This chapter is known as "Joint Committee on Governmental Oversight."

77 Section 3. Section **36-31-102** is enacted to read:

78 **36-31-102. Definitions.**

79 As used in this chapter:

80 (1) "Committee" means the Joint Committee on Governmental Oversight created under

81 Section [36-31-103](#).

82 (2) (a) "State governmental entity" means:

83 (i) an agency, department, division, office, institution, bureau, or any other division of

84 the executive branch of state government; and

85 (ii) an employee of an entity described in Subsection (2)(a)(i) when acting as an

86 employee of that entity.

87 (b) "State governmental entity" does not include:

88 (i) the Legislature or an entity within the legislative branch of state government;  
 89 (ii) the judicial branch of state government or an entity within the judicial branch of  
 90 state government; or

91 (iii) a local entity governed by:

92 (A) Title 10, Utah Municipal Code;

93 (B) Title 11, Cities, Counties, and Local Taxing Units;

93a **H→ (C) Title 17, Counties;**

94 ~~(C)~~ **(D)** ←H Title 17B, Limited Purpose Local Government Entities - Local Districts;

95 **H→** ~~(D)~~ **(E)** ←H Title 17C, Limited Purpose Local Government Entities - Community  
 95a Reinvestment

96 Agency Act; or

97 **H→** ~~(E)~~ **(F)** ←H Title 17D, Limited Purpose Local Government Entities - Other Entities.

98 Section 4. Section **36-31-103** is enacted to read:

99 **36-31-103. Creation of Joint Committee on Governmental Oversight.**

100 (1) There is created the Joint Committee on Governmental Oversight composed of the  
 101 following nine members:

102 (a) six members of the House of Representatives, appointed by the speaker of the  
 103 House, not more than four of whom may be from the same political party; and

104 (b) three members of the Senate, appointed by the president of the Senate, not more  
 105 than two of whom may be from the same political party.

106 (2) The speaker of the House and president of the Senate shall each select a member of  
 107 the committee who will serve as cochair of the committee.

108 (3) The applicable appointing or selecting authority may replace a member of the  
 109 committee, or select a new cochair, at any time.

110 (4) For the purpose of determining a quorum for the conduct of committee business, a  
 111 majority is at least 50% of the committee members from one house of the Legislature and more  
 112 than 50% from the other.

113 (5) Compensation and expenses of a committee member are governed by Section  
 114 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

115 (6) The Office of Legislative Research and General Counsel and the Office of the  
 116 Legislative Auditor General shall jointly provide staff support to the committee.

117 Section 5. Section **36-31-104** is enacted to read:

118 **36-31-104. Initiating a study or investigation.**

119 (1) The committee may study or investigate an issue related to an item described in  
120 Subsection 36-31-105(1) after:

121 (a) receiving an assignment:

122 (i) by resolution from the Legislature;

123 (ii) from the Legislative Management Committee;

124 (iii) from the Legislative Audit Subcommittee; or

125 (iv) from the speaker of the House or president of the Senate; or

126 (b) receiving approval from the Legislative Management Committee of a request that  
127 the committee makes under Subsection (2).

128 (2) The committee may request approval from the Legislative Management Committee  
129 to investigate or study an issue related to an item described in Subsection 36-31-105(1).

130 (3) The committee may hear a report from the Office of the Legislative Auditor  
131 General or the Office of the Utah State Auditor on an audit the respective office completes.

132 Section 6. Section 36-31-105 is enacted to read:

133 **36-31-105. Purpose and powers.**

134 (1) After receiving an assignment or approval described in Subsection 36-31-104(1),  
135 the committee shall fulfill the Legislature's responsibility to ensure the transparency, efficiency,  
136 effectiveness, and accountability of state governmental entities by studying and investigating  
137 the funds, functions, and other duties as prescribed by law of any state governmental entity.

138 (2) Subject to Section 36-31-104, the committee may, in relation to a duty described in  
139 Subsection (1):

140 (a) meet as necessary to accomplish the committee's purpose;

141 (b) perform an investigation or study;

142 (c) recommend that a person that is the subject of the committee's investigation or  
143 study take an action that the committee specifies;

144 (d) issue a legislative subpoena in accordance with Title 36, Chapter 14, Legislative  
145 Subpoena Powers;

146 (e) refer a person to the applicable attorney for possible prosecution;

147 (f) after reviewing an administrative rule, except for an administrative rule described in  
148 Subsection 63G-3-502(2)(b):

149 (i) recommend the rule for repeal and refer the rule to the governor for action in

150 accordance with Section 63G-3-503; or

151 (ii) recommend to the Legislative Management Committee that the Legislative  
152 Management Committee direct the legislative general counsel to initiate litigation to challenge  
153 or enjoin the rule;

154 (g) make a recommendation to the Administrative Rules Review Committee of the  
155 Legislature;

156 (h) open a bill file and recommend legislation for the Legislature's consideration;

157 (i) propose reforms to state law or administrative rules; or

158 (j) take other appropriate action in accordance with applicable law or rule.

159 (3) After the committee recommends a rule for repeal in accordance with Subsection  
160 (2)(g), the committee shall send a letter notifying the governor of the recommendation.

161 (4) After receiving an assignment or approval under Section 36-31-104 to investigate  
162 or study an issue in accordance with Subsection (2)(b), the chairs of the committee may, before  
163 convening a meeting of the committee to discuss the issue:

164 (a) send a written request to the person or entity that the committee is studying or  
165 investigating, or to the person or entity that is responsible for the issue the committee is  
166 studying or investigating, that:

167 (i) describes the scope and reason for the study or investigation; and

168 (ii) requests that the person or entity provide evidence or explanation that might clarify  
169 or resolve the issue before the committee meets to discuss the issue; and

170 (b) decide not to proceed with the study or investigation if the person or entity to whom  
171 the committee sends a request under Subsection (4)(a) provides satisfactory explanation or  
172 evidence to indicate that the study or investigation is not needed.

173 (5) The committee may coordinate with the following regarding an issue the committee  
174 is studying or investigating when the issue is applicable to a matter over which the following  
175 may have jurisdiction:

176 (a) the Administrative Rules Review Committee created under Section 63G-3-501;

177 (b) the Legislative Audit Subcommittee created under Section 36-12-18;

178 (c) the Political Subdivisions Ethics Review Commission created under Section  
179 11-49-201;

180 (d) a local political subdivision ethics commission established under Section

181 [11-49-103](#);

182 (e) the Independent Legislative Ethics Commission; or

183 (f) a legislative standing or interim committee.

184 Section 7. Section **36-31-106** is enacted to read:

185 **36-31-106. Report of committee findings -- Annual report.**

186 (1) For each item the committee studies or investigates under Subsection [36-31-105](#)(1),

187 the committee shall issue a report that:

188 (a) establishes the committee's findings;

189 (b) describes any actions the committee takes; and

190 (c) (i) describes any recommendations the committee makes; or

191 (ii) explains why the committee does not make any recommendations.

192 (2) The committee shall ensure that a recommendation described in Subsection

193 (1)(c)(i):

194 (a) identifies a person that the committee recommends should take the action; and

195 (b) establishes a deadline and method by which the committee requests that the person

196 described in Subsection (2)(a) report to the committee on whether the person has taken the

197 action that the committee recommends.

198 (3) Each year, the committee shall submit a written report to the Legislative

199 Management Committee detailing:

200 (a) the issues the committee investigated or studied since the last annual report the

201 committee submitted to the Legislative Management Committee;

202 (b) any apparent violations of law, ordinance, or rule that the committee discovers in

203 relation to an issue the committee investigated or studied;

204 (c) any action that the committee takes with regards to an issue the committee

205 investigated or studied; and

206 (d) any other recommendations that the committee makes, including recommendations

207 on proposed legislation.

208 Section 8. Section **63G-3-301** is amended to read:

209 **63G-3-301. Rulemaking procedure.**

210 (1) An agency authorized to make rules is also authorized to amend or repeal those

211 rules.

212 (2) Except as provided in Sections [63G-3-303](#) and [63G-3-304](#), and except for a rule the  
213 governor directs an agency to repeal under Section [63G-3-503](#), when making, amending, or  
214 repealing a rule agencies shall comply with:

- 215 (a) the requirements of this section;
- 216 (b) consistent procedures required by other statutes;
- 217 (c) applicable federal mandates; and
- 218 (d) rules made by the department to implement this chapter.

219 (3) Subject to the requirements of this chapter, each agency shall develop and use  
220 flexible approaches in drafting rules that meet the needs of the agency and that involve persons  
221 affected by the agency's rules.

222 (4) (a) Each agency shall file its proposed rule and rule analysis with the office.

223 (b) Rule amendments shall be marked with new language underlined and deleted  
224 language struck out.

225 (c) (i) The office shall publish the information required under Subsection (8) on the  
226 rule analysis and the text of the proposed rule in the next issue of the bulletin.

227 (ii) For rule amendments, only the section or subsection of the rule being amended  
228 need be printed.

229 (iii) If the executive director or the executive director's designee determines that the  
230 rule is too long to publish, the office shall publish the rule analysis and shall publish the rule by  
231 reference to a copy on file with the office.

232 (5) Before filing a rule with the office, the agency shall conduct a thorough analysis,  
233 consistent with the criteria established by the Governor's Office of Management and Budget, of  
234 the fiscal impact a rule may have on businesses, which criteria may include:

235 (a) the type of industries that will be impacted by the rule, and for each identified  
236 industry, an estimate of the total number of businesses within the industry, and an estimate of  
237 the number of those businesses that are small businesses;

238 (b) the individual fiscal impact that would incur to a typical business for a one-year  
239 period;

240 (c) the aggregated total fiscal impact that would incur to all businesses within the state  
241 for a one-year period;

242 (d) the total cost that would incur to all impacted entities over a five-year period; and

- 243 (e) the department head's comments on the analysis.
- 244 (6) If the agency reasonably expects that a proposed rule will have a measurable  
245 negative fiscal impact on small businesses, the agency shall consider, as allowed by federal  
246 law, each of the following methods of reducing the impact of the rule on small businesses:
- 247 (a) establishing less stringent compliance or reporting requirements for small  
248 businesses;
- 249 (b) establishing less stringent schedules or deadlines for compliance or reporting  
250 requirements for small businesses;
- 251 (c) consolidating or simplifying compliance or reporting requirements for small  
252 businesses;
- 253 (d) establishing performance standards for small businesses to replace design or  
254 operational standards required in the proposed rule; and
- 255 (e) exempting small businesses from all or any part of the requirements contained in  
256 the proposed rule.
- 257 (7) If during the public comment period an agency receives comment that the proposed  
258 rule will cost small business more than one day's annual average gross receipts, and the agency  
259 had not previously performed the analysis in Subsection (6), the agency shall perform the  
260 analysis described in Subsection (6).
- 261 (8) The rule analysis shall contain:
- 262 (a) a summary of the rule or change;
- 263 (b) the purpose of the rule or reason for the change;
- 264 (c) the statutory authority or federal requirement for the rule;
- 265 (d) the anticipated cost or savings to:
- 266 (i) the state budget;
- 267 (ii) local governments;
- 268 (iii) small businesses; and
- 269 (iv) persons other than small businesses, businesses, or local governmental entities;
- 270 (e) the compliance cost for affected persons;
- 271 (f) how interested persons may review the full text of the rule;
- 272 (g) how interested persons may present their views on the rule;
- 273 (h) the time and place of any scheduled public hearing;

274 (i) the name and telephone number of an agency employee who may be contacted  
275 about the rule;

276 (j) the name of the agency head or designee who authorized the rule;

277 (k) the ~~[date]~~ day on which the rule may become effective ~~[following the public~~  
278 ~~comment period]~~;

279 (l) the agency's analysis on the fiscal impact of the rule as required under Subsection  
280 (5);

281 (m) any additional comments the department head may choose to submit regarding the  
282 fiscal impact the rule may have on businesses; and

283 (n) if applicable, a summary of the agency's efforts to comply with the requirements of  
284 Subsection (6).

285 (9) (a) For a rule being repealed and reenacted, the rule analysis shall contain a  
286 summary that generally includes the following:

287 (i) a summary of substantive provisions in the repealed rule which are eliminated from  
288 the enacted rule; and

289 (ii) a summary of new substantive provisions appearing only in the enacted rule.

290 (b) The summary required under this Subsection (9) is to aid in review and may not be  
291 used to contest any rule on the ground of noncompliance with the procedural requirements of  
292 this chapter.

293 (10) ~~[A]~~ The agency shall mail a copy of the rule analysis ~~[shall be mailed]~~ to:

294 (a) each currently seated legislator who sponsored the legislation that delegated the  
295 rulemaking authority to the agency upon which the agency relies to make the rule;

296 (b) the current members of a legislative committee that, based on the subject matter of  
297 the proposed rule and in the determination of the agency, should consider the proposed rule;

298 (c) all persons who have made timely request of the agency for advance notice of its  
299 rulemaking proceedings; and [to]

300 (d) any other person who, by statutory or federal mandate or in the judgment of the  
301 agency, should also receive notice.

302 (11) (a) Following the publication date, the agency shall allow at least 30 days for  
303 public comment on the rule.

304 (b) The agency shall review and evaluate all public comments submitted in writing

305 within the time period under Subsection (11)(a) or presented at public hearings conducted by  
306 the agency within the time period under Subsection (11)(a).

307 (12) Within seven calendar days after the day on which an agency completes the public  
308 comment period for a proposed rule, or, if the agency makes a change to the proposed rule  
309 under Section 63G-3-303, within seven calendar days after the day on which the agency makes  
310 the change, the agency shall submit the final text of the proposed rule to:

311 (a) the Office of Legislative Research and General Counsel;

312 (b) the governor; and

313 (c) the office.

314 ~~[(12)]~~ (13) (a) Except as provided in Sections 63G-3-303 and 63G-3-304 or Subsection  
315 (13)(b), a proposed rule becomes effective on any date specified by the agency that is no fewer  
316 than seven calendar days after the [close of the public comment period] agency submits the  
317 final text of the rule under Subsection [(11)] (12), nor more than 120 days after the publication  
318 date.

319 (b) If the governor, the agency making the rule, or the office makes a request for  
320 legislative approval of a rule in accordance with Subsection (14)(a), the proposed rule becomes  
321 effective in accordance with Subsection (14)(c).

322 ~~[(b)]~~ (c) The agency shall provide notice of the rule's effective date to the office in the  
323 form [required by] the department requires.

324 ~~[(c) The notice of effective date may not provide for an effective date prior to the date~~  
325 ~~it is received by the office.]~~

326 (d) The office shall publish notice of the effective date of the rule in the next issue of  
327 the bulletin.

328 (e) A proposed rule lapses if a notice of effective date or a change to a proposed rule is  
329 not filed with the office within 120 days of publication.

330 (14) (a) After the agency submits a proposed rule under Subsection (12) and before the  
331 rule takes effect, the governor, the agency making the rule, or the office may make a request to  
332 the Joint Committee on Governmental Oversight for legislative approval of a rule.

333 (b) If a request is made under Subsection (14)(a), the rule may not take effect until:

334 (i) (A) the Legislature, through a concurrent resolution and without amendment,  
335 approves the proposed rule before the end of the earlier of the next special session of the

336 Legislature for which the governor's call lists the proposed rule for the Legislature's  
337 consideration or annual general session of the Legislature; and  
338 (B) the governor signs the concurrent resolution; or  
339 (ii) for a rule for which the office makes a request described in Subsection (14)(a), the  
340 head of the agency that proposes the rule:  
341 (A) finds a clear and convincing need for the rule to take expedited effect without the  
342 Legislature's and governor's approval under Subsection (14)(b)(i);  
343 (B) creates a written statement detailing the head's finding under Subsection  
344 (14)(b)(ii)(A);  
345 (C) posts the statement described in Subsection (14)(b)(ii)(B) on the agency's website  
346 in a conspicuous location; and  
347 (D) submits the statement described in Subsection (14)(b)(ii)(B) to the Office of  
348 Legislative Research and General Counsel, the governor, and the office.  
349 (c) (i) If the Legislature and governor approve the proposed rule under Subsection  
350 (14)(b)(i), the rule takes effect on the later of the effective date:  
351 (A) of the concurrent resolution approving the proposed rule; or  
352 (B) established in the proposed rule.  
353 (ii) If the head of the agency bypasses legislative and gubernatorial approval by  
354 complying with Subsection (14)(b)(ii), the rule takes effect:  
355 (A) if the effective date established in the proposed rule falls after the day on which the  
356 head of the agency bypasses approval, on the established effective date; or  
357 (B) if the effective date established in the proposed rule falls before the day on which  
358 the head of the agency bypasses approval, an effective date that the head of the agency  
359 establishes in the written statement described in Subsection (14)(b)(ii).  
360 ~~[(13)]~~ (15) (a) As used in this Subsection ~~[(13)]~~ (15), "initiate rulemaking proceedings"  
361 means the filing, for the purposes of publication in accordance with Subsection (4), of an  
362 agency's proposed rule that is required by state statute.  
363 (b) A state agency shall initiate rulemaking proceedings no later than 180 days after the  
364 effective date of the statutory provision that specifically requires the rulemaking, except under  
365 Subsection ~~[(13)]~~ (15)(c).  
366 (c) When a statute is enacted that requires agency rulemaking and the affected agency

367 already has rules in place that meet the statutory requirement, the agency shall submit the rules  
368 to the Administrative Rules Review Committee for review within 60 days after the statute  
369 requiring the rulemaking takes effect.

370 (d) If a state agency does not initiate rulemaking proceedings in accordance with the  
371 time requirements in Subsection [~~(13)~~] (15)(b), the state agency shall appear before the  
372 legislative Administrative Rules Review Committee and provide the reasons for the delay.

373 Section 9. Section **63G-3-503** is enacted to read:

374 **Part 5. Oversight**

375 **63G-3-503. Repeal of rule referred by oversight committee.**

376 (1) (a) If the Joint Committee on Governmental Oversight recommends the repeal of an  
377 administrative rule under Subsection 36-31-105(2)(g), the governor may direct an agency to  
378 repeal the administrative rule in accordance with this section.

379 (b) Nothing in this section prohibits the governor from independently recommending  
380 that an agency repeal an administrative rule.

381 (2) Within 45 days after the day on which the governor receives a letter from the Joint  
382 Committee on Governmental Oversight recommending the repeal of an administrative rule in  
383 accordance with Subsection 36-31-105(3), after completing a review of the rule, the governor  
384 may direct the agency that made the rule to repeal the rule.

385 (3) Notwithstanding Subsection (2), the governor may direct the agency to establish a  
386 delayed effective date for the repeal of an administrative rule of up to 60 days after the day on  
387 which the governor directs the agency to execute the repeal if a delayed effective date is  
388 necessary to allow a state agency or a person that the rule effects time to prepare for the rule's  
389 repeal.

390 Section 10. Section **63G-6a-204** is amended to read:

391 **63G-6a-204. Applicability of rules and regulations of Utah State Procurement**  
392 **Policy Board and State Building Board -- Report to interim committee.**

393 (1) Except as provided in Subsection (2), rules made by the board under this chapter  
394 shall govern all procurement units for which the board is the applicable rulemaking authority.

395 (2) The building board rules governing procurement of construction, design  
396 professional services, and leases apply to the procurement of construction, design professional  
397 services, and leases of real property by the Division of Facilities Construction and

398 Management.

399 (3) An applicable rulemaking authority may make its own rules, consistent with this  
400 chapter, governing procurement by a person over which the applicable rulemaking authority  
401 has rulemaking authority.

402 (4) The board shall make a report on or before July 1 of each year to a legislative  
403 interim committee, designated by the Legislative Management Committee created under  
404 Section 36-12-6, on the establishment, implementation, and enforcement of the rules made  
405 under Section 63G-6a-203.

406 (5) Notwithstanding Subsection 63G-3-301[~~(13)~~](15)(b), an applicable rulemaking  
407 authority is required to initiate rulemaking proceedings, for rules required to be made under  
408 this chapter, on or before:

409 (a) May 13, 2014, if the applicable rulemaking authority is the board; or

410 (b) January 1, 2015, for each other applicable rulemaking authority.

411 Section 11. Section 63I-1-236 is amended to read:

412 **63I-1-236. Repeal dates, Title 36.**

413 (1) Section 36-12-20 is repealed June 30, 2018.

414 (2) Sections 36-26-101 through 36-26-104 are repealed December 31, 2027.

415 (3) On June 30, 2023:

416 (a) Title 36, Chapter 31, Joint Committee on Governmental Oversight, is repealed; and

417 (b) Subsection 36-14-2(1)(k) is repealed and the remaining subsections are renumbered

418 accordingly.

419 Section 12. Section 63I-1-263 is amended to read:

420 **63I-1-263. Repeal dates, Titles 63A to 63N.**

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

422 (2) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

423 (3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July

424 1, 2018.

425 (4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is

426 repealed November 30, 2019.

427 (5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,

428 2020.

429 (6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is  
430 repealed July 1, 2021.

431 (7) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed July 1,  
432 2018.

433 (8) On June 30, 2023:

434 (a) in Subsection 63G-3-301(2) the language that states "and except for a rule the  
435 governor directs an agency to repeal under Section 63G-3-503," is repealed;

436 (b) Subsection 63G-3-301(8)(k) is amended to read "(8)(k) the date on which the rule  
437 may become effective following the public comment period;";

438 (c) Subsection 63G-3-301(10) is amended to read "(10) The agency shall mail a copy  
439 of the rule analysis to all persons who have made timely request of the agency for advance  
440 notice of its rulemaking proceedings and to any other person who, by statutory or federal  
441 mandate or in the judgment of the agency, should also receive notice.";

442 (d) Subsection 63G-3-301(12) is amended to read:

443 "(12) (a) Except as provided in Sections 63G-3-303 and 63G-3-304, a proposed rule  
444 becomes effective on any date specified by the agency that is no fewer than seven calendar days  
445 after the close of the public comment period under Subsection (11), nor more than 120 days  
446 after the publication date;

447 (b) The agency shall provide notice of the rule's effective date to the office in the form  
448 the department requires.

449 (c) The notice of effective date may not provide for an effective date prior to the date  
450 the office receives the notice.

451 (d) The office shall publish notice of the effective date of the rule in the next issue of  
452 the bulletin.

453 (e) A proposed rule lapses if a notice of effective date or a change to a proposed rule is  
454 not filed with the office within 120 days of publication.";

455 (e) Subsections 63G-3-301(13) and (14) are repealed and the remaining subsections are  
456 renumbered accordingly; and

457 (f) Section 63G-3-503 is repealed.

458 [~~8~~] (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July  
459 1, 2023.

460           ~~[(9)]~~ (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed  
461 July 1, 2020.

462           ~~[(10)]~~ (11) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,  
463 2026.

464           ~~[(11)]~~ (12) On July 1, 2025:

465           (a) in Subsection ~~17-27a-404~~(3)(c)(ii), the language that states "the Resource  
466 Development Coordinating Committee," is repealed;

467           (b) Subsection ~~23-14-21~~(2)(c) is amended to read "(c) provide notification of proposed  
468 sites for the transplant of species to local government officials having jurisdiction over areas  
469 that may be affected by a transplant.";

470           (c) in Subsection ~~23-14-21~~(3), the language that states "and the Resource Development  
471 Coordinating Committee" is repealed;

472           (d) in Subsection ~~23-21-2.3~~(1), the language that states "the Resource Development  
473 Coordinating Committee created in Section ~~63J-4-501~~ and" is repealed;

474           (e) in Subsection ~~23-21-2.3~~(2), the language that states "the Resource Development  
475 Coordinating Committee and" is repealed;

476           (f) Subsection ~~63J-4-102~~(1) is repealed and the remaining subsections are renumbered  
477 accordingly;

478           (g) Subsections ~~63J-4-401~~(5)(a) and (c) are repealed;

479           (h) Subsection ~~63J-4-401~~(5)(b) is renumbered to Subsection ~~63J-4-401~~(5)(a) and the  
480 word "and" is inserted immediately after the semicolon;

481           (i) Subsection ~~63J-4-401~~(5)(d) is renumbered to Subsection ~~63J-4-401~~(5)(b);

482           (j) Sections ~~63J-4-501~~, ~~63J-4-502~~, ~~63J-4-503~~, ~~63J-4-504~~, and ~~63J-4-505~~ are repealed;  
483 and

484           (k) Subsection ~~63J-4-603~~(1)(e)(iv) is repealed and the remaining subsections are  
485 renumbered accordingly.

486           ~~[(12)]~~ (13) (a) Subsection ~~63J-1-602.4~~(15) is repealed July 1, 2022.

487           (b) When repealing Subsection ~~63J-1-602.4~~(15), the Office of Legislative Research and  
488 General Counsel shall, in addition to the office's authority under Subsection ~~36-12-12~~(3), make  
489 necessary changes to subsection numbering and cross references.

490           ~~[(13)]~~ (14) The Crime Victim Reparations and Assistance Board, created in Section

491 [63M-7-504](#), is repealed July 1, 2027.

492 ~~[(14)]~~ [\(15\)](#) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,  
493 2027.

494 ~~[(15)]~~ [\(16\)](#) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

495 ~~[(16)]~~ [\(17\)](#) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,  
496 is repealed January 1, 2021.

497 (b) Subject to Subsection ~~[(16)]~~ [\(17\)](#)(c), Sections [59-7-610](#) and [59-10-1007](#) regarding  
498 tax credits for certain persons in recycling market development zones, are repealed for taxable  
499 years beginning on or after January 1, 2021.

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

501 (i) for the purchase price of machinery or equipment described in Section [59-7-610](#) or  
502 [59-10-1007](#), if the machinery or equipment is purchased on or after January 1, 2021; or

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

505 (d) Notwithstanding Subsections ~~[(16)]~~ [\(17\)](#)(b) and (c), a person may carry forward a  
506 tax credit in accordance with Section [59-7-610](#) or [59-10-1007](#) if:

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

508 (ii) (A) for the purchase price of machinery or equipment described in Section  
509 [59-7-610](#) or [59-10-1007](#), the machinery or equipment is purchased on or before December 31,  
510 2020; or

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

513 ~~[(17)]~~ [\(18\)](#) Section [63N-2-512](#) is repealed on July 1, 2021.

514 ~~[(18)]~~ [\(19\)](#) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed  
515 January 1, 2021.

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

518 (c) Notwithstanding Subsection ~~[(18)]~~ [\(19\)](#)(b), an entity may carry forward a tax credit  
519 in accordance with Section [59-9-107](#) if:

520 (i) the person is entitled to a tax credit under Section [59-9-107](#) on or before December  
521 31, 2020; and

522 (ii) the qualified equity investment that is the basis of the tax credit is certified under  
523 Section [63N-2-603](#) on or before December 31, 2023.

524 [~~19~~] [\(20\)](#) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant  
525 Program, is repealed January 1, 2023.

526 [~~20~~] [\(21\)](#) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed  
527 July 1, 2018.

528 [~~21~~] [\(22\)](#) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is  
529 repealed July 1, 2018.