

1                                   **UTAH ATHLETIC COMMISSION AMENDMENTS**

2   2018 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Mike Schultz**

5                                   Senate Sponsor: Howard A. Stephenson

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7 **LONG TITLE**

8 **General Description:**

9                   This bill modifies provisions related to the Pete Suazo Utah Athletic Commission.

10 **Highlighted Provisions:**

11                   This bill:

- 12                   ▶ modifies provisions related to removing a member of the Pete Suazo Utah Athletic
- 13 Commission; and
- 14                   ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16                   None

17 **Other Special Clauses:**

18                   This bill provides a special effective date.

19 **Utah Code Sections Affected:**

20 AMENDS:

21                   **63N-10-201**, as renumbered and amended by Laws of Utah 2015, Chapter 283

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

24                   Section 1. Section **63N-10-201** is amended to read:

25                   **63N-10-201. Commission -- Creation -- Appointments -- Terms -- Expenses --**

26 **Quorum.**

27                   (1) There is created within the office the Pete Suazo Utah Athletic Commission

28 consisting of five members.

29 (2) (a) The governor shall appoint three commission members.

30 (b) The president of the Senate and the speaker of the House of Representatives shall  
31 each appoint one commission member.

32 (c) The commission members may not be licensees under this chapter.

33 ~~[(d) A member of the commission serving on June 30, 2009, shall continue as a~~  
34 ~~member of the commission until the expiration of the member's term then existing, or until the~~  
35 ~~expiration of any subsequent term to which the member is appointed.]~~

36 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the  
37 governor, president, or speaker, respectively, shall appoint each new member or reappointed  
38 member to a four-year term.

39 (b) The governor shall, at the time of appointment or reappointment, adjust the length  
40 of the governor's appointees' terms to ensure that the terms of members are staggered so that  
41 approximately half of the commission is appointed every two years.

42 (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
43 appointed for the unexpired term.

44 ~~[(d) If a commission member fails or refuses to fulfill the responsibilities and duties of~~  
45 ~~a commission member, including the attendance at commission meetings, the governor,~~  
46 ~~president, or speaker, respectively, with the approval of the commission, may remove the~~  
47 ~~commission member and replace the member in accordance with this section.]~~

48 (d) A commission member may be removed for any reason and replaced in accordance  
49 with this section by:

50 (i) the governor, for a commission member appointed by the governor;

51 (ii) the president of the Senate, for a commission member appointed by the president of  
52 the Senate; or

53 (iii) the speaker of the House of Representatives, for a commission member appointed  
54 by the speaker of the House of Representatives.

55 (4) (a) A majority of the commission members constitutes a quorum.

- 56 (b) A majority of a quorum is sufficient authority for the commission to act.
- 57 (5) A member may not receive compensation or benefits for the member's service, but
- 58 may receive per diem and travel expenses in accordance with:
- 59 (a) Section 63A-3-106;
- 60 (b) Section 63A-3-107; and
- 61 (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 62 (6) The commission shall annually designate one of its members to serve as chair for a
- 63 one-year period.

64 Section 2. **Effective date.**

65 If approved by two-thirds of all the members elected to each house, this bill takes effect  
66 upon approval by the governor, or the day following the constitutional time limit of Utah  
67 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
68 the date of veto override.