

1 **AMENDMENT TO CONSTITUTIONAL AND FEDERALISM**

2 **DEFENSE ACT REPEALER**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ken Ivory**

6 Senate Sponsor: Lincoln Fillmore

7

LONG TITLE

8 **General Description:**

9 This bill amends a provision relating to the constitutional and Federalism Defense Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ extends the repeal date for the Constitutional and Federalism Defense Act.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **63I-1-263**, as last amended by Laws of Utah 2017, Chapters 23, 47, 95, 166, 205, 469,
20 and 470

21

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

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

23 **63I-1-263. Repeal dates, Titles 63A to 63N.**

24 (1) Subsection **63A-5-104**(4)(h) is repealed on July 1, 2024.

25 (2) Section **63A-5-603**, State Facility Energy Efficiency Fund, is repealed July 1, 2023.



28 (3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
29 1, [~~2018~~] 2028.

30 (4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is
31 repealed November 30, 2019.

32 (5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,
33 2020.

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35 repealed July 1, 2021.

36 (7) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed July 1,
37 2018.

38 (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
39 2023.

40 (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
41 2020.

42 (10) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

43 (11) On July 1, 2025:

44 (a) in Subsection [17-27a-404\(3\)\(c\)\(ii\)](#), the language that states "the Resource
45 Development Coordinating Committee," is repealed;

46 (b) Subsection [23-14-21\(2\)\(c\)](#) is amended to read "(c) provide notification of proposed
47 sites for the transplant of species to local government officials having jurisdiction over areas
48 that may be affected by a transplant.";

49 (c) in Subsection [23-14-21\(3\)](#), the language that states "and the Resource Development
50 Coordinating Committee" is repealed;

51 (d) in Subsection [23-21-2.3\(1\)](#), the language that states "the Resource Development
52 Coordinating Committee created in Section [63J-4-501](#) and" is repealed;

53 (e) in Subsection [23-21-2.3\(2\)](#), the language that states "the Resource Development
54 Coordinating Committee and" is repealed;

55 (f) Subsection [63J-4-102\(1\)](#) is repealed and the remaining subsections are renumbered
56 accordingly;

57 (g) Subsections [63J-4-401\(5\)\(a\)](#) and (c) are repealed;

58 (h) Subsection [63J-4-401\(5\)\(b\)](#) is renumbered to Subsection [63J-4-401\(5\)\(a\)](#) and the

59 word "and" is inserted immediately after the semicolon;

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

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

62 and

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

65 (12) (a) Subsection 63J-1-602.4(15) is repealed July 1, 2022.

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

69 (13) The Crime Victim Reparations and Assistance Board, created in Section
70 63M-7-504, is repealed July 1, 2027.

71 (14) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2027.

72 (15) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

73 (16) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is
74 repealed January 1, 2021.

75 (b) Subject to Subsection (16)(c), Sections 59-7-610 and 59-10-1007 regarding tax
76 credits for certain persons in recycling market development zones, are repealed for taxable
77 years beginning on or after January 1, 2021.

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

79 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
80 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

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

83 (d) Notwithstanding Subsections (16)(b) and (c), a person may carry forward a tax
84 credit in accordance with Section 59-7-610 or 59-10-1007 if:

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

86 (ii) (A) for the purchase price of machinery or equipment described in Section
87 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
88 2020; or

89 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the

90 expenditure is made on or before December 31, 2020.

91 (17) Section 63N-2-512 is repealed on July 1, 2021.

92 (18) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
93 January 1, 2021.

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

96 (c) Notwithstanding Subsection (18)(b), an entity may carry forward a tax credit in
97 accordance with Section 59-9-107 if:

98 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
99 31, 2020; and

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

102 (19) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
103 is repealed January 1, 2023.

104 (20) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed July
105 1, 2018.

106 (21) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is repealed
107 July 1, 2018.

Legislative Review Note
Office of Legislative Research and General Counsel