

## HB0150S01 compared with HB0150

~~{deleted text}~~ shows text that was in HB0150 but was deleted in HB0150S01.

Inserted text shows text that was not in HB0150 but was inserted into HB0150S01.

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

Representative Bruce R. Cutler proposes the following substitute bill:

### SINGLE ~~{SIGN-ON}~~SIGN-ON DATABASE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bruce R. Cutler**

Senate Sponsor: ~~{\_\_\_\_\_}~~Curtis S. Bramble

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#### LONG TITLE

##### General Description:

This bill modifies provisions relating to the single sign-on database.

##### Highlighted Provisions:

This bill:

- ▶ ~~{provides for the Division of Corporations and Commercial Code to charge business entities}~~requires the Department of Commerce to include in its fees a single sign-on ~~{fee and establishes the amount of the}~~ fee;
- ▶ creates the Single Sign-On Expendable Special Revenue Fund into which all single sign-on fees are to be deposited;
- ▶ authorizes the ~~{Department}~~use of ~~{Technology Services to use}~~ money in the Single Sign-On Expendable Special Revenue Fund to pay for the design, creation, and operation of the single sign-on web portal;

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- ▶ modifies reporting requirements applicable to the Department of Technology Services;
- ▶ requires the Department of Commerce to report on Single Sign-On Expendable Special Revenue Fund revenues and expenditures to the Public Utilities, Energy, and Technology Interim Committee; and
- ▶ requires the Public Utilities, Energy, and Technology Interim Committee to review the single sign-on fee.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

AMENDS:

13-1-2, as last amended by Laws of Utah 2017, Chapter 139

63F-3-103, as enacted by Laws of Utah 2016, Chapter 259

63F-3-104, as enacted by Laws of Utah 2016, Chapter 259

~~ENACTS:~~

~~13-1a-10, Utah Code Annotated 1953~~

~~63F-3-105, Utah Code Annotated 1953~~

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

Section 1. Section 13-1-2 is amended to read:

**13-1-2. Creation and functions of department -- Divisions created -- Fees --**

### Commerce Service Account.

- (1) (a) There is created the Department of Commerce.
- (b) The department shall execute and administer state laws regulating business activities and occupations affecting the public interest.
- (2) Within the department the following divisions are created:
  - (a) the Division of Occupational and Professional Licensing;
  - (b) the Division of Real Estate;
  - (c) the Division of Securities;

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- (d) the Division of Public Utilities;
- (e) the Division of Consumer Protection; and
- (f) the Division of Corporations and Commercial Code.

(3) (a) Unless otherwise provided by statute, the department may adopt a schedule of fees assessed for services provided by the department by following the procedures and requirements of Section 63J-1-504.

(b) The department shall submit each fee established in this manner to the Legislature for its approval as part of the department's annual appropriations request.

(c) (i) There is created a restricted account within the General Fund known as the "Commerce Service Account."

(ii) The restricted account created in Subsection (3)(c)(i) consists of fees collected by each division and by the department.

(iii) The undesignated account balance may not exceed \$1,000,000 at the end of each fiscal year.

(iv) At the end of each fiscal year, the director of the Division of Finance shall transfer into the General Fund any undesignated funds in the account that exceed the amount necessary to maintain the undesignated account balance at \$1,000,000.

(d) The department may not charge or collect a fee or expend money from the restricted account without approval by the Legislature.

~~{~~ ~~Section 1. Section 13-1a-10 is enacted to read:~~

~~—~~ ~~13-1a-10. Single sign-on fee.~~

~~}~~ ~~(4) (a) As used in this {section} Subsection (4):~~

~~(a) (i) "Business entity" means a sole proprietorship, partnership, limited partnership, limited liability company, corporation, or other entity or association used to carry on a business for profit.~~

~~(b) (ii) "Fund" means the Single Sign-On Expendable Special Revenue Fund, created in Subsection (4)(c).~~

~~(iii) "Renewal fee" means a fee that the {division} Division of Corporations and Commercial Code, established in Section 13-1a-1, is authorized or required to charge a business entity in connection with the business entity's {filing of organizational documents with the division.~~

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~~(c) "Organizational documents" means documents that a business entity is required to file with the division periodically to renew the business entity's periodic renewal of its status with the ~~division~~ Division of Corporations and Commercial Code.~~

~~(~~d~~iv) "Single sign-on fee" means a fee described in Subsection (~~2~~4)(b) to ~~fund~~ pay for the establishment and maintenance of ~~a~~ the single sign-on web portal, as defined in Section 63F-3-102.~~

~~(2) In addition to any filing fee that the division charges a business entity, the division shall charge a business entity filing organizational documents with the division.~~

~~(v) "Single sign-on web portal" means the web portal described in Subsection 63F-3-103(2).~~

~~(b) (i) The schedule of fees adopted by the department under Subsection (3) shall include a single sign-on fee ~~in the amount of \$5.00.~~~~

~~(3) All, not to exceed \$5, as part of a renewal fee.~~

~~(ii) The department shall deposit all single sign-on fee revenue ~~that~~ into the ~~division~~ receives shall be deposited into ~~fund.~~~~

~~(c) (i) There is created the Single Sign-On Expendable Special Revenue Fund.~~

~~(ii) The fund consists of:~~

~~(A) money that the department collects from the single sign-on fee; and~~

~~(B) money that the Legislature appropriates to the fund.~~

~~(d) Money in the fund is nonlapsing.~~

~~(e) The department shall use the money in the fund to pay for costs:~~

~~(i) to design, create, operate, and maintain the single sign-on web portal; and~~

~~(ii) incurred by:~~

~~(A) the Department of Technology Services, created in Section ~~63F-3-105;~~ 63F-1-103; or~~

~~(B) a third-party vendor working under a contract with the Department of Technology Services.~~

~~(f) The department shall report:~~

~~(i) on fund revenues and expenditures;~~

~~(ii) to the Public Utilities, Energy, and Technology Interim Committee of the Legislature; and~~

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(iii) annually and at any other time requested by the committee.

Section 2. Section **63F-3-103** is amended to read:

### **63F-3-103. Single sign-on database -- Creation.**

(1) The department shall, in consultation with the entities described in Subsection (4), design and create a prototype of a single database, and associated data entry screens, that stores business data agreed upon by the entities described in Subsection (4) that is:

- (a) secure;
- (b) centralized; and
- (c) interconnected.

(2) The department shall create a web portal that allows a person doing business in the state to access, at a single point of entry, all relevant state-collected business data about the person, including information related to:

- (a) business registration;
- (b) workers' compensation;
- (c) tax liability and payment; and
- (d) other information collected by the state that the department determines is relevant

to a person doing business in the state.

(3) The department shall develop the business database and the single sign-on web portal:

- (a) using an open platform that:
  - (i) facilitates participation in the database and web portal by a state entity; and
  - (ii) allows for optional participation by a political subdivision of the state; and
- (b) in a manner that anticipates expanding the database and web portal to include:
  - (i) a database for data collected by the state on an individual; and
  - (ii) a web portal for an individual to access all relevant data collected by the state on

the individual.

(4) In developing the business database and the single sign-on web portal, the department shall consult with:

- (a) the Department of Commerce;
- (b) the State Tax Commission;
- (c) the Labor Commission;

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- (d) the Department of Workforce Services;
- (e) the Governor's Office of Management and Budget;
- (f) the Utah League of Cities and Towns;
- (g) the Utah Association of Counties; and
- (h) the business community that is likely to use the business database and single sign-on web portal.

(5) The department shall ensure that the single sign-on web portal is fully operational no later than May 1, 2021.

Section 3. Section 63F-3-104 is amended to read:

### **63F-3-104. Report.**

(1) The department shall report to the Public Utilities, Energy, and Technology Interim Committee:

~~[(1)]~~ (a) no later than November 30, 2016, with an initial design and prototype of the business database and the single sign-on web portal, together with a minimum two-year plan, including projected cost, for the initial implementation phase of the project; and

~~[(2)]~~ (b) before November 30 of each year beginning in 2017 ~~[until the development of the business database and the single sign-on web portal is complete,];~~

(i) regarding the progress the department has made in developing the business database and the single sign-on web portal~~[-]~~ and, once that development is complete, regarding the operation of the single sign-on web portal; and

(ii) ~~f on the amount of money being deposited into and spent from the Single Sign-On Expendable Special Revenue Fund, created in Section 63F-1-305, and~~ whether the department recommends any change to the single sign-on fee being charged under Section ~~{13-1a-10}~~ 13-1-2.

(2) The Public Utilities, Energy, and Technology Interim Committee shall annually:

(a) review the single sign-on fee being charged under Section ~~{13-1a-10}~~ 13-1-2;

(b) determine whether the revenue from the single sign-on fee is adequate for designing and developing and then, once developed, operating and maintaining the single sign-on web portal; and

(c) make any recommendation to the Legislature that the committee considers appropriate concerning the single sign-on fee.~~f~~

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~~Section 4. Section 63F-3-105 is enacted to read:~~

~~63F-3-105. Single Sign-On Expendable Special Revenue Fund.~~

~~(1) As used in this section:~~

~~(a) "Division" means the Division of Corporations and Commercial Code created in Section 13-1a-1.~~

~~(b) "Fund" means the Single Sign-On Expendable Special Revenue Fund created in this section.~~

~~(c) "Single sign-on fee" means the same as that term is defined in Section 13-1a-10.~~

~~(2) There is created the Single Sign-On Expendable Special Revenue Fund.~~

~~(3) The fund consists of:~~

~~(a) revenue that the division receives from charging the single sign-on fee; and~~

~~(b) money that the Legislature appropriates to the fund.~~

~~(4) The department shall use money in the fund to design, create, and operate the single sign-on web portal.~~

~~Section 5}~~

### Section 4. Effective date.

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

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Legislative Review Note

Office of Legislative Research and General Counsel}