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OVERSIGHT COMMITTEE CREATION

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Joint Committee on Governmental Oversight and establishes provisions related to the oversight of an administrative rule.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Joint Committee on Governmental Oversight and establishes the committee's membership;
- ▶ establishes that the purpose of the Joint Committee on Governmental Oversight is to increase the transparency, efficiency, effectiveness, and accountability of state and local governmental entities;
- ▶ establishes powers and requirements for the committee;
- ▶ grants the Joint Committee on Governmental Oversight investigatory powers;
- ▶ requires the governor, upon recommendation from the committee, to repeal an administrative rule unless certain conditions are met;
- ▶ requires a proposed administrative rule to be approved by the Legislature and governor through a concurrent resolution before taking effect;
- ▶ establishes sunset dates; and
- ▶ makes conforming changes.

Money Appropriated in this Bill:



28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **36-14-2**, as last amended by Laws of Utah 2014, Chapter 339

34 **63G-3-301**, as last amended by Laws of Utah 2017, Chapter 255

35 **63G-6a-204**, as last amended by Laws of Utah 2015, Chapter 218

36 **63I-1-236**, as last amended by Laws of Utah 2017, Chapter 192

37 **63I-1-263**, as last amended by Laws of Utah 2017, Chapters 23, 47, 95, 166, 205, 469,

38 and 470

39 ENACTS:

40 **36-31-101**, Utah Code Annotated 1953

41 **36-31-102**, Utah Code Annotated 1953

42 **36-31-103**, Utah Code Annotated 1953

43 **36-31-104**, Utah Code Annotated 1953

44 **63G-3-503**, Utah Code Annotated 1953



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

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

48 **36-14-2. Issuers.**

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

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

52 (b) the president of the Senate;

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

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

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

56 Committee, the speaker of the House, or the president of the Senate;

57 (f) a chair of any subcommittee of the Legislative Management Committee;

58 (g) a chair of a special investigative committee;

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

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

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

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

73 **CHAPTER 31. JOINT COMMITTEE ON GOVERNMENTAL OVERSIGHT**
 74 **36-31-101. Title.**

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

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

77 **36-31-102. Definitions.**

78 As used in this chapter:

79 (1) "Committee" means the Joint Committee on Governmental Oversight created under
 80 Section [36-31-103](#).

81 (2) (a) "Local governmental entity" means the following, or any of the following
 82 department, division, office, institution, bureau, governing board, or committee:

- 83 (i) a county;
- 84 (ii) a city;
- 85 (iii) a town;
- 86 (iv) a metro township;
- 87 (v) a local district governed by Title 17B, Limited Purpose Local Government Entities

88 - Local Districts;

89 (vi) a special service district governed by Title 17D, Chapter 1, Special Service District

90 Act;

91 (vii) an interlocal entity or a joint or cooperative undertaking, governed by Title 11,
92 Chapter 13, Interlocal Cooperation Act;

93 (viii) a community reinvestment agency governed by Title 17C, Limited Purpose Local
94 Government Entities - Community Reinvestment Agency Act;

95 (ix) a local building authority governed by Title 17D, Chapter 2, Local Building
96 Authority Act;

97 (x) a conservation district governed by Title 17D, Chapter 3, Conservation District
98 Act;

99 (xi) a school district;

100 (xii) a local school board;

101 (xiii) a public school;

102 (xiv) any other political subdivision of the state or an organization within a political
103 subdivision of the state; and

104 (xv) an employee of an entity described in Subsections (2)(a)(i) through (xiv) when
105 acting as an employee of that entity.

106 (b) "Local governmental entity" does not include:

107 (i) the Legislature or an entity within the legislative branch of state government;

108 (ii) the judicial branch of state government or an entity within the judicial branch of
109 state government; or

110 (iii) a justice court.

111 (3) (a) "State governmental entity" means the following, or any of the following
112 department, division, office, institution, bureau, governing board, or committee:

113 (i) an agency, department, division, office, institution, bureau, or any other division of
114 the executive branch of state government;

115 (ii) an executive branch board, commission, task force, committee, or council;

116 (iii) an independent entity, as that term is defined in Section [63E-1-102](#);

117 (iv) a public corporation;

118 (v) the State Board of Education;

119 (vi) the State Charter School Board;

120 (vii) a charter school governing board;

121 (viii) a charter school;
122 (ix) an association, as that term is defined in Section 53A-1-1601;
123 (x) the Utah School Boards Association governed by Title 53A, Chapter 5, Utah
124 School Boards Association;
125 (xi) the Utah Schools for the Deaf and the Blind;
126 (xii) the State Board of Regents;
127 (xiii) the Utah System of Technical Colleges Board of Trustees;
128 (xiv) an institution within the state system of higher education described in Section
129 53B-1-102; and
130 (xv) an employee of an entity described in Subsections (3)(a)(i) through (xiv) when
131 acting as an employee of that entity.

132 (b) "State governmental entity" does not include:
133 (i) the Legislature or an entity within the legislative branch of state government; or
134 (ii) the judicial branch of state government or an entity within the judicial branch of
135 state government.

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

137 **36-31-103. Creation of Joint Committee on Governmental Oversight.**

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

140 (a) six members of the House of Representatives:

141 (i) four of whom the speaker of the House shall appoint; and

142 (ii) two of whom the House minority leader shall appoint; and

143 (b) three members of the Senate:

144 (i) two of whom the president of the Senate shall appoint; and

145 (ii) one of whom the Senate minority leader shall appoint.

146 (2) (a) The speaker of the House and president of the Senate shall each select a member
147 of the committee who will serve as chair and vice chair of the committee in accordance with
148 Subsection (2)(b).

149 (b) (i) The member appointed by the speaker of the House under Subsection (2)(a)
150 shall serve as chair of the committee in an even-numbered year and vice chair of the committee
151 in an odd-numbered year.

152 (ii) The member appointed by the president of the Senate under Subsection (2)(a) shall
153 serve as chair of the committee in an odd-numbered year and vice chair of the committee in an
154 even-numbered year.

155 (3) The applicable appointing or selecting authority may replace a member of the
156 committee, or select a new chair or vice chair, at any time.

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

160 (5) Compensation and expenses of a committee member are governed by Section
161 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

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

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

165 **36-31-104. Purpose and powers.**

166 (1) The committee shall increase the transparency, efficiency, effectiveness, and
167 accountability of state governmental entities and local governmental entities by:

168 (a) investigating waste, fraud, misconduct, or abuse by a state governmental entity or a
169 local governmental entity;

170 (b) investigating the accounting, expenditure, and handling of a state governmental
171 entity's or a local governmental entity's funds;

172 (c) studying a state governmental entity's or a local governmental entity's application,
173 administration, or execution of a law that the Legislature passes;

174 (d) investigating whether a state governmental entity or a local governmental entity
175 complies with an applicable state law or administrative rule;

176 (e) investigating whether a state governmental entity creates and implements an
177 administrative rule in accordance with law;

178 (f) investigating an action that a local governmental entity or state government entity
179 takes to determine whether the entity takes the action in accordance with best practices and the
180 best interest of the citizens that the entity serves; and

181 (g) proposing reforms to state law or administrative rules pursuant to an objective
182 described in this section.

- 183 (2) The committee may:
184 (a) meet as many times as necessary to accomplish the committee's purpose;
185 (b) perform an investigation, audit, or study in relation to a duty described in
186 Subsection (1);
187 (c) in accordance with Title 36, Chapter 14, Legislative Subpoena Powers:
188 (i) issue a subpoena;
189 (ii) compel the attendance of witnesses; or
190 (iii) compel a person to produce evidence or testimony;
191 (d) refer a person to the applicable county attorney for possible prosecution;
192 (e) by a vote of seven committee members, recommend an administrative rule, except
193 for an administrative rule described in Subsection [63G-3-502\(2\)\(b\)](#), for repeal and refer the
194 administrative rule to the governor for review in accordance with Section [63G-3-503](#);
195 (f) make a recommendation to the Administrative Rules Review Committee of the
196 Legislature;
197 (g) open a bill file and recommend legislation for the Legislature's consideration; and
198 (h) take other appropriate action in accordance with applicable law or rule in relation to
199 a duty described in Subsection (1).
200 (3) The committee shall:
201 (a) submit a written report each year to the Legislative Management Committee
202 detailing:
203 (i) the issues the committee investigated or studied since the last report the committee
204 submitted to the Legislative Management Committee;
205 (ii) any apparent violations of state or local law, ordinance, or rule that the committee
206 discovers in relation to an issue described in Subsection (3)(a)(i);
207 (iii) any action that the committee takes with regards to an issue described in
208 Subsection (3)(a)(i); and
209 (iv) any other recommendations that the committee makes, including recommendations
210 on proposed legislation; and
211 (b) after taking an action described in Subsection (2)(e), send a letter to the governor
212 describing the action taken by the committee.

213 Section 6. Section **63G-3-301** is amended to read:

214 **63G-3-301. Rulemaking procedure.**

215 (1) An agency authorized to make rules is also authorized to amend or repeal those
216 rules.

217 (2) Except as provided in Sections [63G-3-303](#) and [63G-3-304](#), and except for a rule the
218 governor repeals under Section [63G-3-503](#), when making, amending, or repealing a rule
219 agencies shall comply with:

- 220 (a) the requirements of this section;
- 221 (b) consistent procedures required by other statutes;
- 222 (c) applicable federal mandates; and
- 223 (d) rules made by the department to implement this chapter.

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

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

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

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

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

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

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

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

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

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

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

248 (e) the department head's comments on the analysis.

249 (6) If the agency reasonably expects that a proposed rule will have a measurable
250 negative fiscal impact on small businesses, the agency shall consider, as allowed by federal
251 law, each of the following methods of reducing the impact of the rule on small businesses:

252 (a) establishing less stringent compliance or reporting requirements for small
253 businesses;

254 (b) establishing less stringent schedules or deadlines for compliance or reporting
255 requirements for small businesses;

256 (c) consolidating or simplifying compliance or reporting requirements for small
257 businesses;

258 (d) establishing performance standards for small businesses to replace design or
259 operational standards required in the proposed rule; and

260 (e) exempting small businesses from all or any part of the requirements contained in
261 the proposed rule.

262 (7) If during the public comment period an agency receives comment that the proposed
263 rule will cost small business more than one day's annual average gross receipts, and the agency
264 had not previously performed the analysis in Subsection (6), the agency shall perform the
265 analysis described in Subsection (6).

266 (8) The rule analysis shall contain:

267 (a) a summary of the rule or change;

268 (b) the purpose of the rule or reason for the change;

269 (c) the statutory authority or federal requirement for the rule;

270 (d) the anticipated cost or savings to:

271 (i) the state budget;

272 (ii) local governments;

273 (iii) small businesses; and

274 (iv) persons other than small businesses, businesses, or local governmental entities;

275 (e) the compliance cost for affected persons;

- 276 (f) how interested persons may review the full text of the rule;
- 277 (g) how interested persons may present their views on the rule;
- 278 (h) the time and place of any scheduled public hearing;
- 279 (i) the name and telephone number of an agency employee who may be contacted
- 280 about the rule;
- 281 (j) the name of the agency head or designee who authorized the rule;
- 282 (k) the ~~[date]~~ day on which the rule may become effective following ~~[the public~~
- 283 ~~comment period]~~ legislative approval;
- 284 (l) the agency's analysis on the fiscal impact of the rule as required under Subsection
- 285 (5);
- 286 (m) any additional comments the department head may choose to submit regarding the
- 287 fiscal impact the rule may have on businesses; and
- 288 (n) if applicable, a summary of the agency's efforts to comply with the requirements of
- 289 Subsection (6).
- 290 (9) (a) For a rule being repealed and reenacted, the rule analysis shall contain a
- 291 summary that generally includes the following:
- 292 (i) a summary of substantive provisions in the repealed rule which are eliminated from
- 293 the enacted rule; and
- 294 (ii) a summary of new substantive provisions appearing only in the enacted rule.
- 295 (b) The summary required under this Subsection (9) is to aid in review and may not be
- 296 used to contest any rule on the ground of noncompliance with the procedural requirements of
- 297 this chapter.
- 298 (10) A copy of the rule analysis shall be mailed to all persons who have made timely
- 299 request of the agency for advance notice of its rulemaking proceedings and to any other person
- 300 who, by statutory or federal mandate or in the judgment of the agency, should also receive
- 301 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) (a) Except as provided in Sections [63G-3-303](#) and [63G-3-304](#), a proposed rule
308 becomes effective on ~~[any date specified by the agency that is no fewer than seven calendar~~
309 ~~days after the close of the public comment period under Subsection (11), nor more than 120~~
310 ~~days after the publication date.];~~

311 (i) the effective date of the concurrent resolution described in Subsection (13); or
312 (ii) a special effective date established in the rule in accordance with Subsection
313 (12)(c).

314 (b) The agency shall provide notice of the rule's effective date to the office in the form
315 required by the department.

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

318 (c) A special effective date for a rule may not be:

319 (i) before the rule is approved by the Legislature and governor under Subsection (13);
320 or

321 (ii) more than 45 days after the effective date of the concurrent resolution described in
322 Subsection (13).

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

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

327 (13) (a) Within seven calendar days after the day on which an agency completes the
328 public comment period for a proposed rule, or, if the agency makes a change to the proposed
329 rule under Section [63G-3-303](#), within seven calendar days after the day on which the agency
330 makes the change, the agency shall submit the final text of the proposed rule to:

331 (i) the Office of Legislative Research and General Counsel;

332 (ii) the governor; and

333 (iii) the office.

334 (b) After the agency submits a proposed rule to the Office of Legislative Research and
335 General Counsel under Subsection (13)(a), the Legislature may, through a concurrent
336 resolution and without amendment, vote on the approval of the proposed rule before the end of
337 the earlier of the next:

338 (i) special session of the Legislature for which the governor's call lists the proposed
 339 rule for the Legislature's consideration; or

340 (ii) annual general session of the Legislature.

341 (c) A proposed rule takes effect on the later of the effective date:

342 (i) of the concurrent resolution approving the proposed rule; or

343 (ii) established in the proposed rule.

344 (d) If the Legislature and governor do not approve a proposed rule through a concurrent
 345 resolution under this Subsection (13), the proposed rule does not take effect.

346 ~~[(13)]~~ (14) (a) As used in this Subsection ~~[(13)]~~ (14), "initiate rulemaking proceedings"
 347 means the filing, for the purposes of publication in accordance with Subsection (4), of an
 348 agency's proposed rule that is required by state statute.

349 (b) A state agency shall initiate rulemaking proceedings no later than 180 days after the
 350 effective date of the statutory provision that specifically requires the rulemaking, except under
 351 Subsection ~~[(13)]~~ (14)(c).

352 (c) When a statute is enacted that requires agency rulemaking and the affected agency
 353 already has rules in place that meet the statutory requirement, the agency shall submit the rules
 354 to the Administrative Rules Review Committee for review within 60 days after the statute
 355 requiring the rulemaking takes effect.

356 (d) If a state agency does not initiate rulemaking proceedings in accordance with the
 357 time requirements in Subsection ~~[(13)]~~ (14)(b), the state agency shall appear before the
 358 legislative Administrative Rules Review Committee and provide the reasons for the delay.

359 Section 7. Section **63G-3-503** is enacted to read:

360 **Part 5. Oversight**

361 **63G-3-503. Governor's repeal of rule referred by oversight committee.**

362 (1) The governor may repeal an administrative rule in accordance with this section.

363 (2) Within 45 days after the day on which the governor receives a letter described in

364 Subsection [36-31-104](#)(3)(b) from the Joint Committee on Governmental Oversight

365 recommending the repeal of an administrative rule, the governor shall repeal the administrative
 366 rule unless, after completing a review of the rule, the governor determines that the rule:

367 (a) is necessary to the discharge of the duties of the agency that made the rule; and

368 (b) is not contrary to or outside the scope of the legislative grant of authority

369 underlying the rule.

370 (3) Notwithstanding Subsection (2), the governor may establish a delayed effective
371 date for the repeal of an administrative rule of up to 60 days after the day on which the
372 governor executes the repeal if a delayed effective date is necessary to allow a state agency or a
373 person affected by the rule time to prepare for the rule's repeal.

374 (4) After taking an action under Subsection (2) or (3), the governor shall:

375 (a) create a written statement that:

376 (i) describes the governor's action; and

377 (ii) provides reasons why the repealed rule does not meet the standards described in
378 Subsection (2);

379 (b) immediately publish the statement on the governor's website; and

380 (c) immediately send the statement to:

381 (i) the office;

382 (ii) the state agency that made the repealed rule; and

383 (iii) the Joint Committee on Governmental Oversight.

384 Section 8. Section **63G-6a-204** is amended to read:

385 **63G-6a-204. Applicability of rules and regulations of Utah State Procurement**
386 **Policy Board and State Building Board -- Report to interim committee.**

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

389 (2) The building board rules governing procurement of construction, design
390 professional services, and leases apply to the procurement of construction, design professional
391 services, and leases of real property by the Division of Facilities Construction and
392 Management.

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

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

400 (5) Notwithstanding Subsection [63G-3-301](#)~~[(13)]~~[\(14\)](#)(b), an applicable rulemaking
401 authority is required to initiate rulemaking proceedings, for rules required to be made under
402 this chapter, on or before:

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

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

405 Section 9. Section **63I-1-236** is amended to read:

406 **63I-1-236. Repeal dates, Title 36.**

407 (1) Section [36-12-20](#) is repealed June 30, 2018.

408 (2) Sections [36-26-101](#) through [36-26-104](#) are repealed December 31, 2027.

409 (3) On June 30, 2023:

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

411 (b) Subsection [36-14-2](#)(1)(k) is repealed and the remaining subsections are renumbered

412 accordingly.

413 Section 10. Section **63I-1-263** is amended to read:

414 **63I-1-263. Repeal dates, Titles 63A to 63N.**

415 (1) Subsection [63A-5-104](#)(4)(h) is repealed on July 1, 2024.

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

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

418 1, 2018.

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

420 repealed November 30, 2019.

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

422 2020.

423 (6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is

424 repealed July 1, 2021.

425 (7) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed July 1,

426 2018.

427 (8) On June 30, 2023:

428 (a) in Subsection [63G-3-301](#)(2) the language that states "and except for a rule the

429 governor repeals under Section [63G-3-503](#)," is repealed;

430 (b) Subsection [63G-3-301](#)(8)(k) is amended to read "(8)(k) the date on which the rule

431 may become effective following the public comment period;";

432 (c) Subsection 63G-3-301(12)(a) is amended to read "(12)(a) Except as provided in
433 Sections 63G-3-303 and 63G-3-304, a proposed rule becomes effective on a date specified by
434 the agency that is no fewer than seven calendar days after the close of the public comment
435 period under Subsection (11), and no more than 120 days after the rule's publication date.";

436 (d) Subsection 63G-3-301(12)(c) is amended to read "(12)(c) The notice of effective
437 date for a rule may not provide for an effective date that is before the day on which the office
438 receives the rule.";

439 (e) Subsection 63G-3-301(13) is repealed and the remaining subsections are
440 renumbered accordingly; and

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

442 [~~8~~] (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July
443 1, 2023.

444 [~~9~~] (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
445 July 1, 2020.

446 [~~10~~] (11) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
447 2026.

448 [~~11~~] (12) On July 1, 2025:

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

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

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

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

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

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

- 462 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;
- 463 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
- 464 word "and" is inserted immediately after the semicolon;
- 465 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);
- 466 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;
- 467 and
- 468 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
- 469 renumbered accordingly.

470 ~~[(12)]~~ (13) (a) Subsection 63J-1-602.4(15) is repealed July 1, 2022.

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

474 ~~[(13)]~~ (14) The Crime Victim Reparations and Assistance Board, created in Section
475 63M-7-504, is repealed July 1, 2027.

476 ~~[(14)]~~ (15) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
477 2027.

478 ~~[(15)]~~ (16) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

479 ~~[(16)]~~ (17) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
480 is repealed January 1, 2021.

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

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

485 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
486 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

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

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

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

492 (ii) (A) for the purchase price of machinery or equipment described in Section

493 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
494 2020; or

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

497 ~~[(17)]~~ (18) Section 63N-2-512 is repealed on July 1, 2021.

498 ~~[(18)]~~ (19) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
499 January 1, 2021.

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

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

504 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
505 31, 2020; and

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

508 ~~[(19)]~~ (20) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant
509 Program, is repealed January 1, 2023.

510 ~~[(20)]~~ (21) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed
511 July 1, 2018.

512 ~~[(21)]~~ (22) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is
513 repealed July 1, 2018.