

BOARDS AND COMMISSIONS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: Daniel Hemmert

LONG TITLE

General Description:

This bill addresses provisions related to certain boards and commissions.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires each executive branch board or commission to submit an annual report to the governor's office and requires the governor's office to provide a summary report to the Legislature;
- ▶ requires each legislative branch board or commission to submit an annual report to the Office of Legislative Research and General Counsel and requires the Office of Legislative Research and General Counsel to provide a summary report to the Legislature;
- ▶ requires the governor to review and provide certain recommendations regarding each newly created board or commission;
- ▶ requires the Government Operations Interim Committee to receive and consider taking action on recommendations made by the governor;
- ▶ repeals the following entities and provisions related to the following entities:
 - the Advisory Board on Children's Justice;
 - the American Indian-Alaskan Native Education Commission;
 - the Board of Juvenile Justice Services;
 - the Commission on Civic and Character Education;

- 29 • the Economic Development Legislative Liaison Committee;
- 30 • the Free Market Protection and Privatization Board;
- 31 • the Governing Board of a Utah Interlocal Entity for Alternative Fuel Vehicles or
- 32 Facilities;
- 33 • the Judicial Rules Review Committee;
- 34 • the Legislative IT Steering Committee;
- 35 • the Online Court Assistance Program Policy Board;
- 36 • the Prison Development Commission;
- 37 • the State Council on Military Children;
- 38 • the Technology Advisory Board;
- 39 • the Towing Advisory Board; and
- 40 • the Utah Tax Review Commission;
- 41 ▶ combines the Commission for the Stewardship of Public Lands, the Commission on
- 42 Federalism, and the Federal Funds Commission into the Federalism Commission
- 43 and provides that the Federalism Commission subsumes the responsibilities of those
- 44 entities;
- 45 ▶ eliminates the Utah Futures Steering Committee and transfers responsibility for the
- 46 Utah Futures program to the Talent Ready Utah Board;
- 47 ▶ removes some legislators from the Native American Legislative Liaison Committee;
- 48 ▶ removes all legislators from the following:
- 49 • the Utah Commission on Aging;
- 50 • the Utah State Scenic Byway Committee; and
- 51 • the Utah Substance Use and Mental Health Advisory Council;
- 52 ▶ prohibits a legislator from being appointed to the following:
- 53 • the Committee on Children and Family Law;
- 54 • the Employability to Careers Program Board;
- 55 • the Governor's Child and Family Cabinet Council;

- 56 • the School Readiness Board;
- 57 • the Utah Commission on Literacy;
- 58 • the Utah Communications Authority Board;
- 59 • the Utah Developmental Disabilities Council;
- 60 • the Utah Lake Commission Governing Board;
- 61 • the Utah Multicultural Commission; and
- 62 • the Utah Science, Technology, and Research Initiative Governing Authority
- 63 Board;
- 64 ▶ adds a sunset date to the following entities and provisions related to the following
- 65 entities:
- 66 • the Air Quality Policy Advisory Board;
- 67 • the Criminal Code Evaluation Task Force;
- 68 • the Legislative Process Committee;
- 69 • the Legislative Water Development Commission;
- 70 • the Native American Legislative Liaison Committee;
- 71 • the Point of the Mountain State Land Authority Board;
- 72 • the School Safety and Crisis Line Commission;
- 73 • the Spinal Cord and Brain Injury Rehabilitation Fund Advisory Committee;
- 74 • the Standards Review Committee;
- 75 • the Talent Ready Utah Board;
- 76 • the Utah Seismic Safety Commission;
- 77 • the Utah State Scenic Byway Committee;
- 78 • the Utah Substance Use and Mental Health Advisory Council;
- 79 • the Utah Transparency Advisory Board;
- 80 • the Veterans and Military Affairs Commission; and
- 81 • the Women in the Economy Commission;
- 82 ▶ modifies sunset provisions related to the following:

- 83 • the Mental Health Crisis Line Commission; and
- 84 • the Utah Commission on Aging;
- 85 ▶ adds a sunset date to the legislative membership of the following entities:
- 86 • the Pete Suazo Athletic Commission; and
- 87 • the Utah State Fair Corporation Board of Directors;
- 88 ▶ adds provisions to automatically repeal the following:
- 89 • the Clean Air Act Compliance Advisory Panel;
- 90 • the Employability to Careers Program Board;
- 91 • the Road Usage Charge Advisory Committee; and
- 92 • the State Fair Park Committee;
- 93 ▶ repeals obsolete provisions; and
- 94 ▶ makes technical and conforming changes.

95 Money Appropriated in this Bill:

96 None

97 Other Special Clauses:

98 This bill provides a special effective date.

99 This bill provides coordination clauses.

100 Utah Code Sections Affected:

101 AMENDS:

102 **9-9-104.6**, as last amended by Laws of Utah 2018, Chapter 415

103 **9-9-408**, as enacted by Laws of Utah 2017, Chapter 88

104 **35A-3-209**, as renumbered and amended by Laws of Utah 2018, Chapter 389

105 **36-22-1**, as last amended by Laws of Utah 2014, Chapter 387

106 **40-6-16**, as last amended by Laws of Utah 2016, Chapter 317

107 **52-4-103**, as amended by Statewide Initiative -- Proposition 4, Nov. 6, 2018

108 **53F-5-601**, as renumbered and amended by Laws of Utah 2018, Chapter 2

109 **53F-5-602**, as renumbered and amended by Laws of Utah 2018, Chapter 2

- 110 [53F-5-604](#), as renumbered and amended by Laws of Utah 2018, Chapter 2
- 111 [53G-10-204](#), as renumbered and amended by Laws of Utah 2018, Chapter 3
- 112 [54-1-13](#), as last amended by Laws of Utah 2016, Chapter 13
- 113 [62A-1-105](#), as last amended by Laws of Utah 2016, Chapter 300
- 114 [62A-1-107](#), as last amended by Laws of Utah 2016, Chapter 300
- 115 [62A-1-109](#), as enacted by Laws of Utah 1988, Chapter 1
- 116 [62A-7-101](#), as last amended by Laws of Utah 2017, Chapter 330
- 117 [62A-7-102](#), as last amended by Laws of Utah 2008, Chapter 3
- 118 [62A-7-103](#), as last amended by Laws of Utah 1992, Chapter 104
- 119 [62A-7-104](#), as last amended by Laws of Utah 2017, Chapters 282 and 330
- 120 [62A-7-106.5](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
- 121 [62A-7-201](#), as last amended by Laws of Utah 2017, Chapter 330
- 122 [62A-7-401.5](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
- 123 [62A-7-501](#), as last amended by Laws of Utah 2017, Chapter 330
- 124 [62A-7-502](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
- 125 [62A-7-506](#), as last amended by Laws of Utah 2017, Chapter 330
- 126 [62A-7-601](#), as last amended by Laws of Utah 2017, Chapter 330
- 127 [62A-7-701](#), as last amended by Laws of Utah 2017, Chapter 330
- 128 [63A-5-225](#), as enacted by Laws of Utah 2015, Chapter 182
- 129 [63B-25-101](#), as last amended by Laws of Utah 2018, Chapter 280
- 130 [63C-4a-101](#), as enacted by Laws of Utah 2013, Chapter 101
- 131 [63C-4a-102](#), as enacted by Laws of Utah 2013, Chapter 101
- 132 [63C-4a-301](#), as enacted by Laws of Utah 2013, Chapter 101
- 133 [63C-4a-302](#), as last amended by Laws of Utah 2014, Chapter 387
- 134 [63C-4a-303](#), as last amended by Laws of Utah 2018, Chapters 81 and 338
- 135 [63C-4a-306](#), as enacted by Laws of Utah 2014, Chapter 221
- 136 [63C-4a-307](#), as enacted by Laws of Utah 2018, Chapter 338

- 137 **63F-1-102**, as last amended by Laws of Utah 2017, Chapter 238
- 138 **63F-1-203**, as last amended by Laws of Utah 2017, Chapter 238
- 139 **63F-1-303**, as last amended by Laws of Utah 2012, Chapter 369
- 140 **63F-4-201**, as enacted by Laws of Utah 2018, Chapter 144
- 141 **63F-4-202**, as enacted by Laws of Utah 2018, Chapter 144
- 142 **63H-7a-203**, as last amended by Laws of Utah 2017, Chapter 430
- 143 **63I-1-209**, as last amended by Laws of Utah 2014, Chapter 117
- 144 **63I-1-211**, as enacted by Laws of Utah 2011, Second Special Session, Chapter 1
- 145 **63I-1-219**, as last amended by Laws of Utah 2018, Chapter 31
- 146 **63I-1-223**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 147 **63I-1-226**, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1
- 148 **63I-1-232**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 149 **63I-1-235**, as last amended by Laws of Utah 2018, Chapters 232 and 392
- 150 **63I-1-236**, as last amended by Laws of Utah 2018, Chapters 33, 170, and 342
- 151 **63I-1-241**, as last amended by Laws of Utah 2015, Chapter 109
- 152 **63I-1-251**, as enacted by Laws of Utah 2015, Chapter 275
- 153 **63I-1-253**, as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and
- 154 453
- 155 **63I-1-262**, as last amended by Laws of Utah 2018, Chapters 74, 220, 281, and 347
- 156 **63I-1-263**, as last amended by Laws of Utah 2018, Chapters 85, 144, 182, 261, 321,
- 157 338, 340, 347, 369, 428, 430, and 469
- 158 **63I-1-267**, as last amended by Laws of Utah 2017, Chapter 192
- 159 **63I-1-272**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 160 **63I-1-273**, as last amended by Laws of Utah 2018, Chapters 344 and 418
- 161 **63I-2-219**, as last amended by Laws of Utah 2018, Chapters 241 and 281
- 162 **63I-2-263**, as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469
- 163 **63I-2-272**, as last amended by Laws of Utah 2017, Chapter 427

- 164 **63J-4-606**, as last amended by Laws of Utah 2014, Chapter 319
- 165 **63J-4-607**, as last amended by Laws of Utah 2018, Chapter 411
- 166 **63J-4-702**, as enacted by Laws of Utah 2017, Chapter 253
- 167 **63L-10-102**, as enacted by Laws of Utah 2018, Chapter 411
- 168 **63L-10-103**, as enacted by Laws of Utah 2018, Chapter 411
- 169 **63L-10-104**, as enacted by Laws of Utah 2018, Chapter 411
- 170 **63M-2-301**, as last amended by Laws of Utah 2016, Chapter 240
- 171 **63M-7-301**, as last amended by Laws of Utah 2018, Chapter 414
- 172 **63M-7-302**, as last amended by Laws of Utah 2016, Chapter 158
- 173 **63M-7-601**, as last amended by Laws of Utah 2016, Chapter 32
- 174 **63M-11-201**, as last amended by Laws of Utah 2017, Chapter 95
- 175 **63M-11-206**, as last amended by Laws of Utah 2014, Chapter 387
- 176 **63N-1-201**, as last amended by Laws of Utah 2017, Chapters 277 and 310
- 177 **67-1-2.5**, as last amended by Laws of Utah 2002, Chapter 176
- 178 **67-5b-102**, as last amended by Laws of Utah 2018, Chapters 94 and 200
- 179 **67-5b-105**, as last amended by Laws of Utah 2016, Chapter 290
- 180 **72-4-302**, as last amended by Laws of Utah 2015, Chapter 258
- 181 **73-10g-105**, as last amended by Laws of Utah 2016, Chapter 309
- 182 **78A-2-501**, as last amended by Laws of Utah 2017, Chapter 115

183 ENACTS:

- 184 **36-12-21**, Utah Code Annotated 1953
- 185 **36-12-22**, Utah Code Annotated 1953
- 186 **53E-3-920.1**, Utah Code Annotated 1953
- 187 **63I-1-204**, Utah Code Annotated 1953

188 RENUMBERS AND AMENDS:

- 189 **63C-4a-308**, (Renumbered from 63C-4b-104, as enacted by Laws of Utah 2016,
- 190 Chapter 408)

191 **63C-4a-309**, (Renumbered from 63C-14-301, as last amended by Laws of Utah 2018,
192 Chapter 81)

193 **63C-4a-404**, (Renumbered from 63C-4b-105, as enacted by Laws of Utah 2016,
194 Chapter 408)

195 **63C-4a-405**, (Renumbered from 63C-4b-106, as enacted by Laws of Utah 2016,
196 Chapter 408)

197 **63N-12-505**, (Renumbered from 53B-17-108, as last amended by Laws of Utah 2017,
198 Chapter 370)

199 REPEALS:

200 **10-1-119**, as last amended by Laws of Utah 2014, Chapter 189

201 **11-13-224**, as last amended by Laws of Utah 2015, Chapter 265

202 **17-50-107**, as last amended by Laws of Utah 2013, Chapter 325

203 **36-20-1**, as last amended by Laws of Utah 2008, Chapter 3

204 **36-20-2**, as last amended by Laws of Utah 2010, Chapter 324

205 **36-20-3**, as enacted by Laws of Utah 1993, Chapter 282

206 **36-20-4**, as enacted by Laws of Utah 1993, Chapter 282

207 **36-20-5**, as enacted by Laws of Utah 1993, Chapter 282

208 **36-20-6**, as last amended by Laws of Utah 1996, Chapter 36

209 **36-20-7**, as enacted by Laws of Utah 1993, Chapter 282

210 **36-20-8**, as enacted by Laws of Utah 1993, Chapter 282

211 **36-30-101**, as enacted by Laws of Utah 2017, Chapter 277

212 **36-30-102**, as enacted by Laws of Utah 2017, Chapter 277

213 **36-30-201**, as enacted by Laws of Utah 2017, Chapter 277

214 **36-30-202**, as enacted by Laws of Utah 2017, Chapter 277

215 **36-30-203**, as enacted by Laws of Utah 2017, Chapter 277

216 **53E-3-920**, as last amended by Laws of Utah 2018, Chapter 39 and renumbered and
217 amended by Laws of Utah 2018, Chapter 1

- 218 **53E-10-401**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 219 **53E-10-402**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 220 **53E-10-403**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 221 **53E-10-404**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 222 **53E-10-405**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 223 **53E-10-406**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 224 **53E-10-407**, as enacted by Laws of Utah 2018, Chapter 1
- 225 **59-1-901**, as last amended by Laws of Utah 2007, Chapter 288
- 226 **59-1-902**, as enacted by Laws of Utah 1990, Chapter 237
- 227 **59-1-903**, as last amended by Laws of Utah 2011, Chapter 384
- 228 **59-1-904**, as last amended by Laws of Utah 2011, Chapter 384
- 229 **59-1-905**, as last amended by Laws of Utah 2014, Chapter 387
- 230 **59-1-907**, as enacted by Laws of Utah 1990, Chapter 237
- 231 **59-1-908**, as enacted by Laws of Utah 1990, Chapter 237
- 232 **63C-4b-101**, as enacted by Laws of Utah 2016, Chapter 408
- 233 **63C-4b-102**, as enacted by Laws of Utah 2016, Chapter 408
- 234 **63C-4b-103**, as enacted by Laws of Utah 2016, Chapter 408
- 235 **63C-4b-107**, as enacted by Laws of Utah 2016, Chapter 408
- 236 **63C-14-101**, as enacted by Laws of Utah 2013, Chapter 62
- 237 **63C-14-102**, as enacted by Laws of Utah 2013, Chapter 62
- 238 **63C-14-201**, as enacted by Laws of Utah 2013, Chapter 62
- 239 **63C-14-202**, as last amended by Laws of Utah 2014, Chapter 387
- 240 **63C-14-302**, as last amended by Laws of Utah 2015, Chapter 409
- 241 **63C-16-101**, as enacted by Laws of Utah 2015, Chapter 182
- 242 **63C-16-102**, as enacted by Laws of Utah 2015, Chapter 182
- 243 **63C-16-201**, as enacted by Laws of Utah 2015, Chapter 182
- 244 **63C-16-202**, as enacted by Laws of Utah 2015, Chapter 182

- 245 **63C-16-203**, as enacted by Laws of Utah 2015, Chapter 182
- 246 **63C-16-204**, as enacted by Laws of Utah 2015, Chapter 182
- 247 **63F-1-202**, as last amended by Laws of Utah 2017, Chapter 238
- 248 **63I-4a-101**, as renumbered and amended by Laws of Utah 2013, Chapter 325
- 249 **63I-4a-102**, as last amended by Laws of Utah 2018, Chapter 415
- 250 **63I-4a-201**, as enacted by Laws of Utah 2013, Chapter 325
- 251 **63I-4a-202**, as last amended by Laws of Utah 2014, Chapters 189 and 387
- 252 **63I-4a-203**, as last amended by Laws of Utah 2018, Chapter 81
- 253 **63I-4a-204**, as enacted by Laws of Utah 2013, Chapter 325
- 254 **63I-4a-205**, as renumbered and amended by Laws of Utah 2013, Chapter 325
- 255 **63I-4a-301**, as enacted by Laws of Utah 2013, Chapter 325
- 256 **63I-4a-302**, as renumbered and amended by Laws of Utah 2013, Chapter 325
- 257 **63I-4a-303**, as last amended by Laws of Utah 2013, Chapter 310 and renumbered and
- 258 amended by Laws of Utah 2013, Chapter 325
- 259 **63I-4a-304**, as renumbered and amended by Laws of Utah 2013, Chapter 325
- 260 **63I-4a-401**, as enacted by Laws of Utah 2013, Chapter 325
- 261 **63I-4a-402**, as renumbered and amended by Laws of Utah 2013, Chapter 325
- 262 **67-1a-10**, as last amended by Laws of Utah 2014, Chapter 387
- 263 **67-1a-11**, as last amended by Laws of Utah 2018, Chapter 415
- 264 **67-5b-106**, as last amended by Laws of Utah 2016, Chapter 290
- 265 **72-9-606**, as enacted by Laws of Utah 2017, Chapter 298
- 266 **78A-2-502**, as last amended by Laws of Utah 2017, Chapter 115
- 267 **Utah Code Sections Affected by Coordination Clause:**
- 268 **53G-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 269 **63I-1-253**, as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and
- 270 453
- 271 **63I-1-226**, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1

272 [63I-1-262](#), as last amended by Laws of Utah 2018, Chapters 74, 220, 281, and 347

273 [63I-1-263](#), as last amended by Laws of Utah 2018, Chapters 85, 144, 182, 261, 321,
274 338, 340, 347, 369, 428, 430, and 469

275 [63I-2-226](#), as last amended by Laws of Utah 2018, Chapters 38 and 281

276

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

278 Section 1. Section **9-9-104.6** is amended to read:

279 **9-9-104.6. Participation of state agencies in meetings with tribal leaders --**
280 **Contact information.**

281 (1) For at least three of the joint meetings described in Subsection [9-9-104.5\(2\)\(a\)](#), the
282 division shall coordinate with representatives of tribal governments and the entities listed in
283 Subsection (2) to provide for the broadest participation possible in the joint meetings.

284 (2) The following may participate in all meetings described in Subsection (1):

285 (a) the chairs of the Native American Legislative Liaison Committee created in Section
286 [36-22-1](#);

287 (b) the governor or the governor's designee;

288 (c) (i) the American Indian-Alaskan Native Health Liaison appointed in accordance
289 with Section [26-7-2.5](#); or

290 (ii) if the American Indian-Alaskan Native Health Liaison is not appointed, a
291 representative of the Department of Health appointed by the executive director of the
292 Department of Health;

293 (d) the American Indian-Alaskan Native Public Education Liaison appointed in
294 accordance with Section [~~53E-10-402~~] [53F-5-604](#); and

295 (e) a representative appointed by the chief administrative officer of the following:

296 (i) the Department of Human Services;

297 (ii) the Department of Natural Resources;

298 (iii) the Department of Workforce Services;

- 299 (iv) the Governor's Office of Economic Development;
- 300 (v) the State Board of Education; and
- 301 (vi) the State Board of Regents.
- 302 (3) (a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:
- 303 (i) designate the name of a contact person for that agency that can assist in coordinating
- 304 the efforts of state and tribal governments in meeting the needs of the Native Americans
- 305 residing in the state; and
- 306 (ii) notify the division:
- 307 (A) who is the designated contact person described in Subsection (3)(a)(i); and
- 308 (B) of any change in who is the designated contact person described in Subsection
- 309 (3)(a)(i).
- 310 (b) This Subsection (3) applies to:
- 311 (i) the Department of Agriculture and Food;
- 312 (ii) the Department of Heritage and Arts;
- 313 (iii) the Department of Corrections;
- 314 (iv) the Department of Environmental Quality;
- 315 (v) the Department of Public Safety;
- 316 (vi) the Department of Transportation;
- 317 (vii) the Office of the Attorney General;
- 318 (viii) the State Tax Commission; and
- 319 (ix) any agency described in Subsections (2)(c) through (e).
- 320 (c) At the request of the division, a contact person listed in Subsection (3)(b) may
- 321 participate in a meeting described in Subsection (1).
- 322 (4) (a) A participant under this section who is not a legislator may not receive
- 323 compensation or benefits for the participant's service, but may receive per diem and travel
- 324 expenses as allowed in:
- 325 (i) Section [63A-3-106](#);

326 (ii) Section 63A-3-107; and
327 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
328 63A-3-107.

329 (b) Compensation and expenses of a participant who is a legislator are governed by
330 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
331 Section 2. Section 9-9-408 is amended to read:

332 **9-9-408. Burial of ancient Native American remains in state parks.**

333 (1) As used in this section:

334 (a) "Ancient Native American remains" means ancient human remains, as defined in
335 Section 9-8-302, that are Native American remains, as defined in Section 9-9-402.

336 (b) "Antiquities Section" means the Antiquities Section of the Division of State History
337 created in Section 9-8-304.

338 (2) (a) The division, the Antiquities Section, and the Division of Parks and Recreation
339 shall cooperate in a study of the feasibility of burying ancient Native American remains in state
340 parks.

341 (b) The study shall include:

342 (i) the process and criteria for determining which state parks would have land sufficient
343 and appropriate to reserve a portion of the land for the burial of ancient Native American
344 remains;

345 (ii) the process for burying the ancient Native American remains on the lands within
346 state parks, including the responsibilities of state agencies and the assurance of cultural
347 sensitivity;

348 (iii) how to keep a record of the locations in which specific ancient Native American
349 remains are buried;

350 (iv) how to account for the costs of:

351 (A) burying the ancient Native American remains on lands found within state parks;

352 and

- 353 (B) securing and maintaining burial sites in state parks; and
- 354 (v) any issues related to burying ancient Native American remains in state parks.

355 ~~[(3) The division, the Antiquities Section, and the Division of Parks and Recreation~~
356 ~~shall report to the Native American Legislative Liaison Committee by no later than November~~
357 ~~1, 2017, regarding the study required by Subsection (2).]~~

358 Section 3. Section 35A-3-209 is amended to read:

359 **35A-3-209. Establishment of the School Readiness Board -- Membership --**
360 **Program intermediary -- Funding prioritization.**

361 (1) The terms defined in Section 53F-6-301 apply to this section.

362 (2) There is created the School Readiness Board within the Department of Workforce
363 Services composed of:

364 (a) the director of the Department of Workforces Services or the director's designee;

365 (b) one member appointed by the State Board of Education;

366 (c) one member appointed by the chair of the State Charter School Board;

367 (d) one member, appointed by the speaker of the House of Representatives, who:

368 (i) has research experience in the area of early childhood development, including
369 special education~~[, appointed by the speaker of the House of Representatives];~~ and

370 (ii) is not a legislator; and

371 (e) one member, appointed by the president of the Senate, who:

372 (i) (A) has expertise in pay for success programs; or

373 ~~[(ii)]~~ (B) represents a financial institution that has experience managing a portfolio that
374 meets the requirements of the Community Reinvestment Act, 12 U.S.C. Sec. 2901 et seq~~[-];~~

375 and

376 (ii) is not a legislator.

377 (3) (a) A member described in Subsection (2)(c), (d), or (e) shall serve for a term of
378 two years.

379 (b) If a vacancy occurs for a member described in Subsection (2)(c), (d), or (e), the

380 person appointing the member shall appoint a replacement to serve the remainder of the
381 member's term.

382 (4) A member may not receive compensation or benefits for the member's service.

383 (5) The department shall provide staff support to the board.

384 (6) (a) The board members shall elect a chair of the board from the board's
385 membership.

386 (b) The board shall meet upon the call of the chair or a majority of the board members.

387 (7) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and subject to
388 Subsection (8), the board shall:

389 (a) select a program intermediary that:

390 (i) is a nonprofit entity; and

391 (ii) has experience:

392 (A) developing and executing contracts;

393 (B) structuring the terms and conditions of a pay for success program;

394 (C) coordinating the funding and management of a pay for success program; and

395 (D) raising private investment capital necessary to fund program services related to a
396 pay for success program; and

397 (b) enter into a contract with the program intermediary.

398 (8) The board may not enter into a contract described in Subsection (7) without the
399 consent of the department regarding:

400 (a) the program intermediary selected; and

401 (b) the terms of the contract.

402 (9) A contract described in Subsection (7)(b) shall:

403 (a) require the program intermediary to:

404 (i) seek out participants for results-based contracts;

405 (ii) advise the board on results-based contracts; and

406 (iii) make recommendations directly to the board on:

407 (A) when to enter a results-based contract; and
408 (B) the terms of a results-based contract; and
409 (b) include a provision that the program intermediary is not eligible to receive or view
410 personally identifiable student data of eligible students funded under the School Readiness
411 Initiative described in this part and Title 53F, Chapter 6, Part 3, School Readiness Initiative.

412 (10) In allocating funding, the board shall:
413 (a) give first priority to a results-based contract described in Subsection 53F-6-309(3)
414 to fund a high quality school readiness program directly;
415 (b) give second priority to a results-based contract that includes an investor; and
416 (c) give third priority to a grant described in Section 53F-6-305.

417 (11) Other powers and duties of the board are described in Title 53F, Chapter 6, Part 3,
418 School Readiness Initiative.

419 Section 4. Section 36-12-21 is enacted to read:

420 **36-12-21. Legislators serving in organizations without legislative sanction --**
421 **Prohibited participation.**

422 (1) The Legislative IT Steering Committee created by the Legislative Management
423 Committee on July 17, 2007, is dissolved.

424 (2) (a) Except as provided in Subsection (2)(b):

425 (i) a legislator may not serve on:

426 (A) the Committee on Children and Family Law created under Judicial Rule 1-205;

427 (B) the Governor's Child and Family Cabinet Council created under Executive Order
428 2007-0005;

429 (C) the Utah Commission on Literacy created under Executive Order 2004-0011;

430 (D) the Utah Developmental Disabilities Council created under Executive Order
431 2006-0001; or

432 (E) the Utah Multicultural Commission created under Executive Order EO/007/2013;

433 and

434 (ii) the speaker of the House of Representatives or the president of the Senate may not
435 appoint a legislator, and a legislator may not serve in the legislator's capacity as a legislator, on
436 the Utah Lake Commission.

437 (b) The Legislative Management Committee may, on a case-by-case basis, approve:

438 (i) a legislator to serve on an entity described in Subsection (2)(a)(i); or

439 (ii) an action that is otherwise prohibited under Subsection (2)(a)(ii).

440 Section 5. Section 36-12-22 is enacted to read:

441 **36-12-22. Review of legislative workload -- Reports from committees with**
442 **legislators.**

443 (1) As used in this section:

444 (a) "Legislative board or commission" means a board, commission, council,
445 committee, working group, task force, study group, advisory group, or other body:

446 (i) with a defined, limited membership;

447 (ii) that has a member who is required to be:

448 (A) a member of the Legislature; or

449 (B) appointed by a member of the Legislature; and

450 (iii) that has operated or is intended to operate for more than six months.

451 (b) "Legislative board or commission" does not include:

452 (i) a standing, ethics, interim, appropriations, confirmation, or rules committee of the
453 Legislature;

454 (ii) the Legislative Management Committee or a subcommittee of the Legislative
455 Management Committee; or

456 (iii) an organization that is prohibited from having a member that is a member of the
457 Legislature.

458 (2) (a) Before September 1 of each year, each legislative board or commission shall
459 prepare and submit to the Office of Legislative Research and General Counsel an annual report
460 that includes:

- 461 (i) the name of the legislative board or commission;
462 (ii) a description of the legislative board's or commission's official function and
463 purpose;
464 (iii) the total number of members of the legislative board or commission;
465 (iv) the number of the legislative board's or commission's members who are legislators;
466 (v) the compensation, if any, paid to the members of the legislative board or
467 commission;
468 (vi) a description of the actual work performed by the legislative board or commission
469 since the last report the legislative board or commission submitted to the Office of Legislative
470 Research and General Counsel under this section;
471 (vii) a description of actions taken by the legislative board or commission since the last
472 report the legislative board or commission submitted to the Office of Legislative Research and
473 General Counsel under this section;
474 (viii) recommendations on whether any statutory, rule, or other changes are needed to
475 make the legislative board or commission more effective; and
476 (ix) an indication of whether the legislative board or commission should continue to
477 exist.
478 (b) The Office of Legislative Research and General Counsel shall compile and post the
479 reports described in Subsection (2)(a) to the Legislature's website before October 1 of each
480 year.
481 (3) (a) The Office of Legislative Research and General Counsel shall prepare an annual
482 report by October 1 of each year that includes, as of September 1 of that year:
483 (i) the total number of legislative boards and commissions that exist in the state;
484 (ii) a summary of the reports submitted to the Office of Legislative Research and
485 General Counsel under Subsection (2), including:
486 (A) a list of each legislative board or commission that submitted a report under
487 Subsection (2);

488 (B) a list of each legislative board or commission that did not submit a report under
 489 Subsection (2);

490 (C) an indication of any recommendations made under Subsection (2)(a)(viii); and

491 (D) a list of any legislative boards or commissions that indicated under Subsection
 492 (2)(a)(ix) that the legislative board or commission should no longer exist.

493 (b) The Office of Legislative Research and General Counsel shall:

494 (i) distribute copies of the report described in Subsection (3)(a) to:

495 (A) the president of the Senate;

496 (B) the speaker of the House;

497 (C) the Legislative Management Committee; and

498 (D) the Government Operations Interim Committee; and

499 (ii) post the report described in Subsection (3)(a) to the Legislature's website.

500 (c) Each year, the Government Operations Interim Committee shall prepare legislation

501 making any changes the committee determines are suitable with respect to the report the

502 committee receives under Subsection (3)(b), including:

503 (i) repealing a legislative board or commission that is no longer functional or

504 necessary; and

505 (ii) making appropriate changes to make a legislative board or commission more

506 effective.

507 Section 6. Section **36-22-1** is amended to read:

508 **36-22-1. Native American Legislative Liaison Committee -- Creation --**

509 **Membership -- Chairs -- Salaries and expenses.**

510 (1) There is created the Native American Legislative Liaison Committee.

511 (2) The committee [~~shall consist of 11~~] consists of eight members:

512 (a) [~~seven~~] five members from the House of Representatives appointed by the speaker,

513 no more than [~~four~~] three of whom [~~shall~~] may be members of the same political party; and

514 (b) [~~four~~] three members of the Senate appointed by the president, no more than two of

515 whom ~~shall~~ may be members of the same political party.

516 (3) The speaker of the House shall select one of the members from the House of
517 Representatives to act as cochair of the committee.

518 (4) The president of the Senate shall select one of the members from the Senate to act
519 as cochair of the committee.

520 (5) Compensation and expenses of a member who is a legislator are governed by
521 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

522 Section 7. Section **40-6-16** is amended to read:

523 **40-6-16. Duties of division.**

524 ~~[(1)]~~ In addition to the duties assigned by the board, the division shall:

525 ~~[(a)]~~ (1) develop and implement an inspection program that will include but not be
526 limited to production data, pre-drilling checks, and site security reviews;

527 ~~[(b)]~~ (2) publish a monthly production report;

528 ~~[(c)]~~ (3) publish a monthly gas processing plant report;

529 ~~[(d)]~~ (4) review and evaluate, prior to a hearing, evidence submitted with the petition to
530 be presented to the board;

531 ~~[(e)]~~ (5) require adequate assurance of approved water rights in accordance with rules
532 and orders enacted under Section [40-6-5](#); and

533 ~~[(f)]~~ (6) notify the county executive of the county in which the drilling will take place
534 in writing of the issuance of a drilling permit.

535 ~~[(2) The director shall, by October 30, 2016, report to the Commission for the
536 Stewardship of Public Lands regarding the division's recommendations for how the state shall
537 deal with oil, gas, and mining issues in the Utah Public Land Management Act.]~~

538 Section 8. Section **52-4-103** is amended to read:

539 **52-4-103. Definitions.**

540 As used in this chapter:

541 (1) "Anchor location" means the physical location from which:

542 (a) an electronic meeting originates; or

543 (b) the participants are connected.

544 (2) "Capitol hill complex" means the grounds and buildings within the area bounded by
545 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake
546 City.

547 (3) (a) "Convening" means the calling together of a public body by a person authorized
548 to do so for the express purpose of discussing or acting upon a subject over which that public
549 body has jurisdiction or advisory power.

550 (b) "Convening" does not include the initiation of a routine conversation between
551 members of a board of trustees of a large public transit district if the members involved in the
552 conversation do not, during the conversation, take a tentative or final vote on the matter that is
553 the subject of the conversation.

554 (4) "Electronic meeting" means a public meeting convened or conducted by means of a
555 conference using electronic communications.

556 (5) "Electronic message" means a communication transmitted electronically, including:

557 (a) electronic mail;

558 (b) instant messaging;

559 (c) electronic chat;

560 (d) text messaging, as that term is defined in Section [76-4-401](#); or

561 (e) any other method that conveys a message or facilitates communication
562 electronically.

563 (6) (a) "Meeting" means the convening of a public body or a specified body, with a
564 quorum present, including a workshop or an executive session, whether in person or by means
565 of electronic communications, for the purpose of discussing, receiving comments from the
566 public about, or acting upon a matter over which the public body or specific body has
567 jurisdiction or advisory power.

568 (b) "Meeting" does not mean:

- 569 (i) a chance gathering or social gathering;
- 570 (ii) a convening of the State Tax Commission to consider a confidential tax matter in
571 accordance with Section 59-1-405; or
- 572 (iii) a convening of a three-member board of trustees of a large public transit district as
573 defined in Section 17B-2a-802 if:
- 574 (A) the board members do not, during the conversation, take a tentative or final vote on
575 the matter that is the subject of the conversation; or
- 576 (B) the conversation pertains only to day-to-day management and operation of the
577 public transit district.
- 578 (c) "Meeting" does not mean the convening of a public body that has both legislative
579 and executive responsibilities if:
- 580 (i) no public funds are appropriated for expenditure during the time the public body is
581 convened; and
- 582 (ii) the public body is convened solely for the discussion or implementation of
583 administrative or operational matters:
- 584 (A) for which no formal action by the public body is required; or
- 585 (B) that would not come before the public body for discussion or action.
- 586 (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the
587 public statements of each member of the public body who is participating in a meeting.
- 588 (8) "Participate" means the ability to communicate with all of the members of a public
589 body, either verbally or electronically, so that each member of the public body can hear or
590 observe the communication.
- 591 (9) (a) "Public body" means:
- 592 (i) any administrative, advisory, executive, or legislative body of the state or its
593 political subdivisions that:
- 594 (A) is created by the Utah Constitution, statute, rule, ordinance, or resolution;
- 595 (B) consists of two or more persons;

596 (C) expends, disburses, or is supported in whole or in part by tax revenue; and
 597 (D) is vested with the authority to make decisions regarding the public's business; or
 598 (ii) any administrative, advisory, executive, or policymaking body of an association, as

599 that term is defined in Section 53G-7-1101, that:

600 (A) consists of two or more persons;

601 (B) expends, disburses, or is supported in whole or in part by dues paid by a public
 602 school or whose employees participate in a benefit or program described in Title 49, Utah State
 603 Retirement and Insurance Benefit Act; and

604 (C) is vested with authority to make decisions regarding the participation of a public
 605 school or student in an interscholastic activity, as that term is defined in Section 53G-7-1101.

606 (b) "Public body" includes:

607 (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined in
 608 Section 11-13-103;

609 (ii) a governmental nonprofit corporation as that term is defined in Section 11-13a-102;

610 and

611 (iii) the Utah Independent Redistricting Commission.

612 (c) "Public body" does not include:

613 (i) a political party, a political group, or a political caucus;

614 (ii) a conference committee, a rules committee, or a sifting committee of the
 615 Legislature;

616 (iii) a school community council or charter trust land council, as that term is defined in
 617 Section 53G-7-1203;

618 [~~(iv) the Economic Development Legislative Liaison Committee created in Section~~
 619 ~~36-30-201;~~]

620 [~~(v)~~] (iv) a taxed interlocal entity, as that term is defined in Section 11-13-602; or

621 [~~(vi)~~] (v) the following Legislative Management subcommittees, which are established
 622 in Section 36-12-8, when meeting for the purpose of selecting or evaluating a candidate to

623 recommend for employment, except that the meeting in which a subcommittee votes to
624 recommend that a candidate be employed shall be subject to the provisions of this act:

- 625 (A) the Research and General Counsel Subcommittee;
- 626 (B) the Budget Subcommittee; and
- 627 (C) the Audit Subcommittee.

628 (10) "Public statement" means a statement made in the ordinary course of business of
629 the public body with the intent that all other members of the public body receive it.

630 (11) (a) "Quorum" means a simple majority of the membership of a public body, unless
631 otherwise defined by applicable law.

632 (b) "Quorum" does not include a meeting of two elected officials by themselves when
633 no action, either formal or informal, is taken on a subject over which these elected officials
634 have advisory power.

635 (12) "Recording" means an audio, or an audio and video, record of the proceedings of a
636 meeting that can be used to review the proceedings of the meeting.

637 (13) "Specified body":

638 (a) means an administrative, advisory, executive, or legislative body that:

- 639 (i) is not a public body;
- 640 (ii) consists of three or more members; and
- 641 (iii) includes at least one member who is:

642 (A) a legislator; and

643 (B) officially appointed to the body by the president of the Senate, speaker of the
644 House of Representatives, or governor; and

645 (b) does not include a body listed in Subsection (9)(c)(ii) or (9)(c)(vi).

646 (14) "Transmit" means to send, convey, or communicate an electronic message by
647 electronic means.

648 Section 9. Section **53E-3-920.1** is enacted to read:

649 **53E-3-920.1. State council -- Creation.**

650 The State Board of Education shall create a state council described in Section
651 53E-3-909 to accomplish the duties described in Section 53E-3-909.

652 Section 10. Section **53F-5-601** is amended to read:

653 **53F-5-601. Definitions.**

654 ~~[(1) The terms defined in Section 53E-10-401 apply to this section.]~~

655 ~~[(2)]~~ As used in this part:

656 ~~[(a)]~~ (1) "American Indian and Alaskan Native concentrated school" means a school
657 where at least 29% of ~~[its]~~ the school's students are American Indian or Alaskan Native.

658 ~~[(b)]~~ (2) "Board" means the State Board of Education.

659 (3) "Native American Legislative Liaison Committee" means the committee created in
660 Section 36-22-1.

661 (4) "State plan" means the state plan adopted under Laws of Utah 2015, Chapter 53,
662 Section 7.

663 ~~[(c)]~~ (5) "Teacher" means an individual employed by a school district or charter school
664 who is required to hold an educator license issued by the board and who has an assignment to
665 teach in a classroom.

666 Section 11. Section **53F-5-602** is amended to read:

667 **53F-5-602. Pilot programs created.**

668 (1) (a) In addition to the state plan ~~[described in Title 53E, Chapter 10, Part 4,~~
669 ~~American Indian-Alaskan Native Education State Plan]~~ adopted under Laws of Utah 2015,
670 Chapter 53, Section 7, beginning with fiscal year 2016-2017, there is created a five-year pilot
671 program administered by the board to provide grants targeted to address the needs of American
672 Indian and Alaskan Native students.

673 (b) The pilot program shall consist of a grant program to school districts and charter
674 schools to be used to fund stipends, recruitment, retention, and professional development of
675 teachers who teach in American Indian and Alaskan Native concentrated schools.

676 (2) (a) Beginning with fiscal year 2017-2018, there is created a four-year pilot program

677 administered by the board to provide grants targeted to address the needs of American Indian
678 and Alaskan Native students.

679 (b) The pilot program shall consist of a grant program to school districts and charter
680 schools to be used to fund stipends, recruitment, retention, and professional development of
681 teachers who teach in American Indian and Alaskan Native concentrated schools.

682 (c) In determining grant recipients under this Subsection (2), the board shall give
683 priority to American Indian and Alaskan Native concentrated schools located in a county of the
684 fourth, fifth, or sixth class with significant populations of American Indians and Alaskan
685 Natives.

686 (3) Up to 3% of the money appropriated to a grant program under this part may be used
687 by the board for costs in implementing the pilot program.

688 Section 12. Section **53F-5-604** is amended to read:

689 **53F-5-604. Liaison -- Reporting -- Meeting.**

690 (1) Subject to budget constraints, the superintendent of public instruction appointed
691 under Section [53E-3-301](#) shall appoint an individual as the American Indian-Alaskan Native
692 Public Education Liaison.

693 [~~(1)~~] (2) The liaison shall:

694 (a) work under the direction of the superintendent in the development and
695 implementation of the state plan; and

696 (b) annually report to the Native American Legislative Liaison Committee created
697 under Section [36-22-1](#) during the term of a pilot program under this part regarding:

698 [~~(a)~~] (i) what entities receive a grant under this part;

699 [~~(b)~~] (ii) the effectiveness of the expenditures of grant money; and

700 [~~(c)~~] (iii) recommendations, if any, for additional legislative action.

701 [~~(2)~~] (3) The Native American Legislative Liaison Committee shall annually schedule
702 at least one meeting at which education is discussed with selected stakeholders.

703 Section 13. Section **53G-10-204** is amended to read:

704 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
705 **Elements -- Reporting requirements.**

706 (1) As used in this section:

707 (a) "Character education" means reaffirming values and qualities of character which
708 promote an upright and desirable citizenry.

709 (b) "Civic education" means the cultivation of informed, responsible participation in
710 political life by competent citizens committed to the fundamental values and principles of
711 representative democracy in Utah and the United States.

712 (c) "Values" means time-established principles or standards of worth.

713 (2) The Legislature recognizes that:

714 (a) Civic and character education are fundamental elements of the public education
715 system's core mission as originally intended and established under Article X of the Utah
716 Constitution;

717 (b) Civic and character education are fundamental elements of the constitutional
718 responsibility of public education and shall be a continuing emphasis and focus in public
719 schools;

720 (c) the cultivation of a continuing understanding and appreciation of a constitutional
721 republic and principles of representative democracy in Utah and the United States among
722 succeeding generations of educated and responsible citizens is important to the nation and
723 state;

724 (d) the primary responsibility for the education of children within the state resides with
725 their parents or guardians and that the role of state and local governments is to support and
726 assist parents in fulfilling that responsibility;

727 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
728 informed and responsible citizens who are deeply attached to essential democratic values and
729 institutions; and

730 (f) the happiness and security of American society relies upon the public virtue of its

731 citizens which requires a united commitment to a moral social order where self-interests are
732 willingly subordinated to the greater common good.

733 (3) Through an integrated curriculum, students shall be taught in connection with
734 regular school work:

735 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

736 (b) respect for and an understanding of the Declaration of Independence and the
737 constitutions of the United States and of the state of Utah;

738 (c) Utah history, including territorial and preterritorial development to the present;

739 (d) the essentials and benefits of the free enterprise system;

740 (e) respect for parents, home, and family;

741 (f) the dignity and necessity of honest labor; and

742 (g) other skills, habits, and qualities of character which will promote an upright and
743 desirable citizenry and better prepare students to recognize and accept responsibility for
744 preserving and defending the blessings of liberty inherited from prior generations and secured
745 by the constitution.

746 (4) Local school boards and school administrators may provide training, direction, and
747 encouragement, as needed, to accomplish the intent and requirements of this section and to
748 effectively emphasize civic and character education in the course of regular instruction in the
749 public schools.

750 (5) Civic and character education in public schools are:

751 (a) not intended to be separate programs in need of special funding or added specialists
752 to be accomplished; and

753 (b) core principles which reflect the shared values of the citizens of Utah and the
754 founding principles upon which representative democracy in the United States and the state of
755 Utah are based.

756 ~~[(6) To assist the Commission on Civic and Character Education in fulfilling the~~
757 ~~commission's duties under Section 67-1a-11, by December 30 of each year, each school district~~

758 ~~and the State Charter School Board shall submit to the lieutenant governor and the commission~~
759 ~~a report summarizing how civic and character education are achieved in the school district or~~
760 ~~charter schools through an integrated school curriculum and in the regular course of school~~
761 ~~work as provided in this section.]~~

762 ~~[(7)]~~ (6) Each year, the State Board of Education shall report to the Education Interim
763 Committee, on or before the October meeting, the methods used, and the results being
764 achieved, to instruct and prepare students to become informed and responsible citizens through
765 an integrated curriculum taught in connection with regular school work as required in this
766 section.

767 Section 14. Section ~~54-1-13~~ is amended to read:

768 **54-1-13. Commission exploration and development of cleaner air options.**

769 ~~[(1)]~~ The commission shall immediately initiate and conduct proceedings to explore
770 and develop options and opportunities for advancing and promoting measures designed to
771 result in cleaner air in the state through the enhanced use of alternative fuel vehicles, including:

772 ~~[(a)]~~ (1) consideration of the role that gas corporations should play in the enhancement
773 and expansion of the infrastructure and maintenance and other facilities for alternative fuel
774 vehicles;

775 ~~[(b)]~~ (2) the potential funding options available to pay for the enhancement and
776 expansion of infrastructure and facilities for alternative fuel vehicles;

777 ~~[(c)]~~ (3) the role local government, including any local government entity established
778 for the purpose of facilitating conversion to alternative fuel vehicles and of promoting the
779 enhancement and expansion of the infrastructure and facilities for those vehicles, can or should
780 play; and

781 ~~[(d)]~~ (4) the most effective ways to overcome any obstacles to converting to alternative
782 fuel vehicles and to enhancing and expanding the infrastructure and facilities for alternative
783 fuel vehicles.

784 ~~[(2) As soon as an interlocal entity described in Subsection 11-13-224(2) is created, the~~

785 commission shall seek, encourage, and accept the interlocal entity's participation in the
786 commission's proceedings under this section.]

787 [~~(3) By September 30, 2013, the commission and the interlocal entity described in~~
788 ~~Subsection 11-13-224(2) shall report to the governor, the Legislative Management Committee,~~
789 ~~and the Public Utilities, Energy, and Technology Interim Committee:]~~

790 [~~(a) the results of the commission proceedings under Subsection (1), and]~~

791 [~~(b) recommendations for specific actions to implement mechanisms to provide~~
792 ~~funding for the enhancement and expansion of the infrastructure and facilities for alternative~~
793 ~~fuel vehicles.]~~

794 Section 15. Section **62A-1-105** is amended to read:

795 **62A-1-105. Creation of boards, divisions, and offices.**

796 (1) The following policymaking boards are created within the Department of Human
797 Services:

798 (a) the Board of Aging and Adult Services;

799 [~~(b) the Board of Juvenile Justice Services;]~~ and

800 [~~(c)] (b) the Utah State Developmental Center Board.~~

801 (2) The following divisions are created within the Department of Human Services:

802 (a) the Division of Aging and Adult Services;

803 (b) the Division of Child and Family Services;

804 (c) the Division of Services for People with Disabilities;

805 (d) the Division of Substance Abuse and Mental Health; and

806 (e) the Division of Juvenile Justice Services.

807 (3) The following offices are created within the Department of Human Services:

808 (a) the Office of Licensing;

809 (b) the Office of Public Guardian; and

810 (c) the Office of Recovery Services.

811 Section 16. Section **62A-1-107** is amended to read:

812 **62A-1-107. Board of Aging and Adult Services -- Members, appointment, terms,**
813 **vacancies, chairperson, compensation, meetings, quorum.**

814 (1) [~~(a) This section applies only to the~~] The Board of Aging and Adult Services [~~and~~
815 ~~the Board of Juvenile Justice Services~~] described in [~~Subsections~~] Subsection 62A-1-105(1)(a)
816 [~~and (b). (b) Each board~~] shall have seven members who are appointed by the governor with
817 the consent of the Senate.

818 (2) (a) Except as required by Subsection (2)(b), each member shall be appointed for a
819 term of four years, and is eligible for one reappointment.

820 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the
821 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
822 board members are staggered so that approximately half of the board is appointed every two
823 years.

824 (c) Board members shall continue in office until the expiration of their terms and until
825 their successors are appointed, which may not exceed 90 days after the formal expiration of a
826 term.

827 (d) When a vacancy occurs in the membership for any reason, the replacement shall be
828 appointed for the unexpired term.

829 (3) No more than four members of [~~any~~] the board may be from the same political
830 party. [~~Each~~] The board shall have diversity of gender, ethnicity, and culture; and members
831 shall be chosen on the basis of their active interest, experience, and demonstrated ability to deal
832 with issues related to [~~their specific boards~~] the Board of Aging and Adult Services.

833 (4) [~~Each~~] The board shall annually elect a chairperson from [~~its~~] the board's
834 membership. [~~Each~~] The board shall hold meetings at least once every three months. Within
835 budgetary constraints, meetings may be held from time to time on the call of the chairperson or
836 of the majority of the members of [~~any~~] the board. Four members of [~~a~~] the board are
837 necessary to constitute a quorum at any meeting, and, if a quorum exists, the action of the
838 majority of members present shall be the action of the board.

839 (5) A member may not receive compensation or benefits for the member's service, but,
840 at the executive director's discretion, may receive per diem and travel expenses in accordance
841 with:

842 (a) Section 63A-3-106;

843 (b) Section 63A-3-107; and

844 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
845 63A-3-107.

846 (6) ~~[Each]~~ The board shall adopt bylaws governing its activities. Bylaws shall include
847 procedures for removal of a board member who is unable or unwilling to fulfill the
848 requirements of ~~[his]~~ the board member's appointment.

849 (7) The board has program policymaking authority for the division over which ~~[it]~~ the
850 board presides.

851 Section 17. Section 62A-1-109 is amended to read:

852 **62A-1-109. Division directors -- Appointment -- Compensation -- Qualifications.**

853 (1) The chief officer of each division and office enumerated in Section 62A-1-105 shall
854 be a director who shall serve as the executive and administrative head of the division or office.

855 (2) Each division director shall be appointed by the executive director with the
856 concurrence of the division's board, if the division has a board.

857 (3) The director of any division may be removed from that position at the will of the
858 executive director after consultation with that division's board, if the division has a board.

859 (4) Each office director shall be appointed by the executive director.

860 (5) Directors of divisions and offices shall receive compensation as provided by Title
861 67, Chapter 19, Utah State Personnel Management Act.

862 (6) The director of each division and office shall be experienced in administration and
863 possess such additional qualifications as determined by the executive director, and as provided
864 by law.

865 Section 18. Section 62A-7-101 is amended to read:

866 **62A-7-101. Definitions.**

867 As used in this chapter:

868 (1) "Authority" means the Youth Parole Authority, established in accordance with
869 Section [62A-7-501](#).

870 ~~[(2) "Board" means the Board of Juvenile Justice Services established in accordance~~
871 ~~with Section [62A-1-105](#).]~~

872 ~~[(3)]~~ (2) "Community-based program" means a nonsecure residential or nonresidential
873 program designated to supervise and rehabilitate youth offenders in accordance with
874 Subsection [78A-6-117\(2\)](#) that prioritizes the least restrictive nonresidential setting, consistent
875 with public safety, and designated or operated by or under contract with the division.

876 ~~[(4)]~~ (3) "Control" means the authority to detain, restrict, and supervise a youth in a
877 manner consistent with public safety and the well being of the youth and division employees.

878 ~~[(5)]~~ (4) "Court" means the juvenile court.

879 ~~[(6)]~~ (5) "Delinquent act" is an act which would constitute a felony or a misdemeanor if
880 committed by an adult.

881 ~~[(7)]~~ (6) "Detention" means secure detention or home detention.

882 ~~[(8)]~~ (7) "Detention center" means a facility established in accordance with Title 62A,
883 Chapter 7, Part 2, Detention Facilities.

884 ~~[(9)]~~ (8) "Director" means the director of the Division of Juvenile Justice Services.

885 ~~[(10)]~~ (9) "Discharge" means a written order of the Youth Parole Authority that
886 removes a youth offender from its jurisdiction.

887 ~~[(11)]~~ (10) "Division" means the Division of Juvenile Justice Services.

888 ~~[(12)]~~ (11) "Home detention" means predispositional placement of a child in the child's
889 home or a surrogate home with the consent of the child's parent, guardian, or custodian for
890 conduct by a child who is alleged to have committed a delinquent act or postdispositional
891 placement pursuant to Subsection [78A-6-117\(2\)\(f\)](#) or [78A-6-1101\(3\)](#).

892 ~~[(13)]~~ (12) "Observation and assessment program" means a nonresidential service

893 program operated or purchased by the division that is responsible only for diagnostic
894 assessment of minors, including for substance use disorder, mental health, psychological, and
895 sexual behavior risk assessments.

896 ~~[(14)]~~ (13) "Parole" means a conditional release of a youth offender from residency in a
897 secure facility to live outside that facility under the supervision of the Division of Juvenile
898 Justice Services or other person designated by the division.

899 ~~[(15)]~~ (14) "Performance-based contracting" means a system of contracting with
900 service providers for the provision of residential or nonresidential services that:

901 (a) provides incentives for the implementation of evidence-based juvenile justice
902 programs or programs rated as effective for reducing recidivism by a standardized tool pursuant
903 to Section 63M-7-208; and

904 (b) provides a premium rate allocation for a minor who receives the evidence-based
905 dosage of treatment and successfully completes the program within three months.

906 ~~[(16)]~~ (15) "Receiving center" means a nonsecure, nonresidential program established
907 by the division or under contract with the division that is responsible for juveniles taken into
908 custody by a law enforcement officer for status offenses, infractions, or delinquent acts.

909 ~~[(17)]~~ (16) "Rescission" means a written order of the Youth Parole Authority that
910 rescinds a parole date.

911 ~~[(18)]~~ (17) "Revocation of parole" means a written order of the Youth Parole Authority
912 that terminates parole supervision of a youth offender and directs return of the youth offender
913 to the custody of a secure facility after a hearing and a determination that there has been a
914 violation of law or of a condition of parole that warrants a return to a secure facility in
915 accordance with Section 62A-7-504.

916 ~~[(19)]~~ (18) "Runaway" means a youth who willfully leaves the residence of a parent or
917 guardian without the permission of the parent or guardian.

918 ~~[(20)]~~ (19) "Secure detention" means predisposition placement in a facility operated by
919 or under contract with the division, for conduct by a child who is alleged to have committed a

920 delinquent act.

921 ~~[(21)]~~ (20) "Secure facility" means any facility operated by or under contract with the
922 division, that provides 24-hour supervision and confinement for youth offenders committed to
923 the division for custody and rehabilitation.

924 ~~[(22)]~~ (21) "Shelter" means the temporary care of children in physically unrestricted
925 facilities pending court disposition or transfer to another jurisdiction.

926 ~~[(23)]~~ (22) (a) "Temporary custody" means control and responsibility of
927 nonadjudicated youth until the youth can be released to the parent, guardian, a responsible
928 adult, or to an appropriate agency.

929 (b) "Temporary custody" does not include a placement in a secure facility, including
930 secure detention, or a residential community-based program operated or contracted by the
931 division, except pursuant to Subsection 78A-6-117(2).

932 ~~[(24)]~~ (23) "Termination" means a written order of the Youth Parole Authority that
933 terminates a youth offender from parole.

934 ~~[(25)]~~ (24) "Ungovernable" means a youth in conflict with a parent or guardian, and the
935 conflict:

936 (a) results in behavior that is beyond the control or ability of the youth, or the parent or
937 guardian, to manage effectively;

938 (b) poses a threat to the safety or well-being of the youth, the family, or others; or

939 (c) results in the situations in both Subsections ~~[(25)]~~ (24)(a) and (b).

940 ~~[(26)]~~ (25) "Work program" means a nonresidential public or private service work
941 project established and administered by the division for youth offenders for the purpose of
942 rehabilitation, education, and restitution to victims.

943 ~~[(27)]~~ (26) "Youth offender" means a person 12 years of age or older, and who has not
944 reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and
945 jurisdiction of the division, for confinement in a secure facility or supervision in the
946 community, following adjudication for a delinquent act which would constitute a felony or

947 misdemeanor if committed by an adult in accordance with Section [78A-6-117](#).

948 ~~[(28)]~~ (27) (a) "Youth services" means services provided in an effort to resolve family
949 conflict:

950 (i) for families in crisis when a minor is ungovernable or runaway; or

951 (ii) involving a minor and the minor's parent or guardian.

952 (b) These services include efforts to:

953 (i) resolve family conflict;

954 (ii) maintain or reunite minors with their families; and

955 (iii) divert minors from entering or escalating in the juvenile justice system.

956 (c) The services may provide:

957 (i) crisis intervention;

958 (ii) short-term shelter;

959 (iii) time out placement; and

960 (iv) family counseling.

961 Section 19. Section **62A-7-102** is amended to read:

962 **62A-7-102. Creation of division -- Jurisdiction.**

963 (1) There is created the Division of Juvenile Justice Services within the department,
964 under the administration and supervision of the executive director~~[-and under the policy~~
965 ~~direction of the board]~~.

966 (2) The division has jurisdiction over all youth committed to ~~[it pursuant to]~~ the
967 division under Section [78A-6-117](#).

968 Section 20. Section **62A-7-103** is amended to read:

969 **62A-7-103. Division director -- Qualifications -- Responsibility.**

970 (1) The director of the division shall be appointed by the executive director ~~[with the~~
971 ~~concurrence of the board]~~.

972 (2) The director shall have a bachelor's degree from an accredited university or college,
973 be experienced in administration, and be knowledgeable in youth corrections.

974 (3) The director is the administrative head of the division.

975 Section 21. Section **62A-7-104** is amended to read:

976 **62A-7-104. Division responsibilities.**

977 (1) The division is responsible for all youth offenders committed to the division by
978 juvenile courts for secure confinement or supervision and treatment in the community in
979 accordance with Section **78A-6-117**.

980 (2) The division shall:

981 (a) establish and administer a continuum of community, secure, and nonsecure
982 programs for all youth offenders committed to the division;

983 (b) establish and maintain all detention and secure facilities and set minimum standards
984 for those facilities;

985 (c) establish and operate prevention and early intervention youth services programs for
986 nonadjudicated youth placed with the division; and

987 (d) establish observation and assessment programs necessary to serve youth offenders
988 in a nonresidential setting under Subsection **78A-6-117(2)(e)**.

989 (3) The division shall place youth offenders committed to it in the most appropriate
990 program for supervision and treatment.

991 (4) In any order committing a youth offender to the division, the juvenile court shall
992 find whether the youth offender is being committed for secure confinement under Subsection
993 **78A-6-117(2)(c)**, or placement in a community-based program under Subsection
994 **78A-6-117(2)(c)**, and specify the criteria under Subsection **78A-6-117(2)(c)** or (d) underlying
995 the commitment. The division shall place the youth offender in the most appropriate program
996 within the category specified by the court.

997 (5) The division shall employ staff necessary to:

998 (a) supervise and control youth offenders in secure facilities or in the community;

999 (b) supervise and coordinate treatment of youth offenders committed to the division for
1000 placement in community-based programs; and

1001 (c) control and supervise adjudicated and nonadjudicated youth placed with the
1002 division for temporary services in receiving centers, youth services, and other programs
1003 established by the division.

1004 (6) (a) Youth in the custody or temporary custody of the division are controlled or
1005 detained in a manner consistent with public safety and rules made by the division. In the event
1006 of an unauthorized leave from a secure facility, detention center, community-based program,
1007 receiving center, home, or any other designated placement, division employees have the
1008 authority and duty to locate and apprehend the youth, or to initiate action with local law
1009 enforcement agencies for assistance.

1010 (b) A rule made by the division under this Subsection (6) may not permit secure
1011 detention based solely on the existence of multiple status offenses, misdemeanors, or
1012 infractions alleged in the same criminal episode.

1013 (7) The division shall establish and operate compensatory-service work programs for
1014 youth offenders committed to the division by the juvenile court. The compensatory-service
1015 work program may not be residential and shall:

1016 (a) provide labor to help in the operation, repair, and maintenance of public facilities,
1017 parks, highways, and other programs designated by the division;

1018 (b) provide educational and prevocational programs in cooperation with the State
1019 Board of Education for youth offenders placed in the program; and

1020 (c) provide counseling to youth offenders.

1021 (8) The division shall establish minimum standards for the operation of all private
1022 residential and nonresidential rehabilitation facilities that provide services to juveniles who
1023 have committed a delinquent act or infraction in this state or in any other state.

1024 (9) [~~In accordance with policies established by the board, the~~] The division shall
1025 provide regular training for staff of secure facilities, detention staff, case management staff, and
1026 staff of the community-based programs.

1027 (10) (a) The division is authorized to employ special function officers, as defined in

1028 Section 53-13-105, to locate and apprehend minors who have absconded from division
1029 custody, transport minors taken into custody pursuant to division policy, investigate cases, and
1030 carry out other duties as assigned by the division.

1031 (b) Special function officers may be employed through contract with the Department of
1032 Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.

1033 (11) The division shall designate employees to obtain the saliva DNA specimens
1034 required under Section 53-10-403. The division shall ensure that the designated employees
1035 receive appropriate training and that the specimens are obtained in accordance with accepted
1036 protocol.

1037 (12) The division shall register with the Department of Corrections any person who:

1038 (a) has been adjudicated delinquent based on an offense listed in Subsection
1039 77-41-102(17)(a) or 77-43-102(2);

1040 (b) has been committed to the division for secure confinement; and

1041 (c) remains in the division's custody 30 days before the person's 21st birthday.

1042 (13) The division shall ensure that a program delivered to a youth offender under this
1043 section is evidence based in accordance with Section 63M-7-208.

1044 Section 22. Section 62A-7-106.5 is amended to read:

1045 **62A-7-106.5. Annual review of programs and facilities.**

1046 (1) (a) The division shall annually review all programs and facilities that provide
1047 services to juveniles who have committed a delinquent act, in this state or in any other state,
1048 which would constitute a felony or misdemeanor if committed by an adult, and license those
1049 programs and facilities that are in compliance with standards [~~approved by the board~~]
1050 established by the division. The division shall provide written reviews to the managers of
1051 those programs and facilities.

1052 (b) [~~Based upon policies established by the board, programs~~] Programs or facilities that
1053 are unable or unwilling to comply with the [~~approved~~] standards established by the division
1054 may not be licensed.

1055 (2) Any private facility or program providing services under this chapter that willfully
1056 fails to comply with the standards established by the division is guilty of a class B
1057 misdemeanor.

1058 Section 23. Section **62A-7-201** is amended to read:

1059 **62A-7-201. Confinement -- Facilities -- Restrictions.**

1060 (1) Children under 18 years of age, who are apprehended by any officer or brought
1061 before any court for examination under any provision of state law, may not be confined in jails,
1062 lockups, or cells used for persons 18 years of age or older who are charged with crime, or in
1063 secure postadjudication correctional facilities operated by the division, except as provided in
1064 Subsection (2)[;] or other specific statute[~~; or in conformance with standards approved by the~~
1065 ~~board~~].

1066 (2) (a) Children charged with crimes under Section [78A-6-701](#), as a serious youth
1067 offender under Section [78A-6-702](#) and bound over to the jurisdiction of the district court, or
1068 certified to stand trial as an adult pursuant to Section [78A-6-703](#), if detained, shall be detained
1069 as provided in these sections.

1070 (b) Children detained in adult facilities under Section [78A-6-702](#) or [78A-6-703](#) before
1071 a hearing before a magistrate, or under Subsection [78A-6-113\(3\)](#), may only be held in certified
1072 juvenile detention accommodations in accordance with rules made by the Commission on
1073 Criminal and Juvenile Justice. Those rules shall include standards for acceptable sight and
1074 sound separation from adult inmates. The Commission on Criminal and Juvenile Justice
1075 certifies facilities that are in compliance with the Commission on Criminal and Juvenile
1076 Justice's standards. This Subsection (2)(b) does not apply to juveniles held in an adult
1077 detention facility in accordance with Subsection (2)(a).

1078 (3) In areas of low density population, the Commission on Criminal and Juvenile
1079 Justice may, by rule, approve juvenile holding accommodations within adult facilities that have
1080 acceptable sight and sound separation. Those facilities shall be used only for short-term
1081 holding purposes, with a maximum confinement of six hours, for children alleged to have

1082 committed an act which would be a criminal offense if committed by an adult. Acceptable
1083 short-term holding purposes are: identification, notification of juvenile court officials,
1084 processing, and allowance of adequate time for evaluation of needs and circumstances
1085 regarding release or transfer to a shelter or detention facility. This Subsection (3) does not
1086 apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).

1087 (4) Children who are alleged to have committed an act that would be a criminal offense
1088 if committed by an adult, may be detained in holding rooms in local law enforcement agency
1089 facilities for a maximum of two hours, for identification or interrogation, or while awaiting
1090 release to a parent or other responsible adult. Those rooms shall be certified by the
1091 Commission on Criminal and Juvenile Justice, according to the Commission on Criminal and
1092 Juvenile Justice's rules. Those rules shall include provisions for constant supervision and for
1093 sight and sound separation from adult inmates.

1094 (5) Willful failure to comply with this section is a class B misdemeanor.

1095 (6) (a) The division is responsible for the custody and detention of children under 18
1096 years of age who require detention care before trial or examination, or while awaiting
1097 assignment to a home or facility, as a dispositional placement under Subsection
1098 [78A-6-117\(2\)\(f\)\(i\)](#), and of youth offenders under Subsection [62A-7-504\(9\)](#). This Subsection
1099 (6)(a) does not apply to juveniles held in an adult detention facility in accordance with
1100 Subsection (2)(a).

1101 (b) (i) The Commission on Criminal and Juvenile Justice shall provide standards for
1102 custody or detention under Subsections (2)(b), (3), and (4).

1103 (ii) The division shall determine and set standards for conditions of care and
1104 confinement of children in detention facilities.

1105 (c) All other custody or detention shall be provided by the division, or by contract with
1106 a public or private agency willing to undertake temporary custody or detention upon agreed
1107 terms, or in suitable premises distinct and separate from the general jails, lockups, or cells used
1108 in law enforcement and corrections systems. This Subsection (6)(c) does not apply to juveniles

1109 held in an adult detention facility in accordance with Subsection (2)(a).

1110 Section 24. Section **62A-7-401.5** is amended to read:

1111 **62A-7-401.5. Secure facilities.**

1112 (1) The division shall maintain and operate secure facilities for the custody and
1113 rehabilitation of youth offenders who pose a danger of serious bodily harm to others, who
1114 cannot be controlled in a less secure setting, or who have engaged in a pattern of conduct
1115 characterized by persistent and serious criminal offenses which, as demonstrated through the
1116 use of other alternatives, cannot be controlled in a less secure setting.

1117 (2) The director shall appoint an administrator for each secure facility. An
1118 administrator of a secure facility shall have experience in social work, law, criminology,
1119 corrections, or a related field, and also in administration.

1120 (3) (a) The division, in cooperation with the State Board of Education, shall provide
1121 instruction, or make instruction available, to youth offenders in secure facilities. The
1122 instruction shall be appropriate to the age, needs, and range of abilities of the youth offender.

1123 (b) An assessment shall be made of each youth offender by the appropriate secure
1124 facility to determine the offender's abilities, possible learning disabilities, interests, attitudes,
1125 and other attributes related to appropriate educational programs.

1126 (c) Prevocational education shall be provided to acquaint youth offenders with
1127 vocations, and vocational requirements and opportunities.

1128 (4) The division shall place youth offenders who have been committed to the division
1129 for secure confinement and rehabilitation in a secure facility, operated by the division or by a
1130 private entity, that is appropriate to ensure that humane care and rehabilitation opportunities are
1131 afforded to the youth offender.

1132 (5) The division shall adopt~~[, subject to approval by the board,]~~ standards, policies, and
1133 procedures for the regulation and operation of secure facilities, consistent with state and federal
1134 law.

1135 Section 25. Section **62A-7-501** is amended to read:

1136 **62A-7-501. Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.**

1137 (1) There is created within the division a Youth Parole Authority.

1138 (2) (a) The authority is composed of 10 part-time members and five pro tempore
1139 members who are residents of this state. No more than three pro tempore members may serve
1140 on the authority at any one time.

1141 (b) Throughout this section, the term "member" refers to both part-time and pro
1142 tempore members of the Youth Parole Authority.

1143 (3) (a) Except as required by Subsection (3)(b), members shall be appointed to
1144 four-year terms by the governor with the consent of the Senate.

1145 (b) The governor shall, at the time of appointment or reappointment, adjust the length
1146 of terms to ensure that the terms of authority members are staggered so that approximately half
1147 of the authority is appointed every two years.

1148 (4) Each member shall have training or experience in social work, law, juvenile or
1149 criminal justice, or related behavioral sciences.

1150 (5) When a vacancy occurs in the membership for any reason, the replacement member
1151 shall be appointed for the unexpired term.

1152 (6) During the tenure of the member's appointment, a member may not:

1153 (a) be an employee of the department, other than in the member's capacity as a member
1154 of the authority;

1155 (b) hold any public office;

1156 (c) hold any position in the state's juvenile justice system; or

1157 (d) be an employee, officer, advisor, policy board member, or subcontractor of any
1158 juvenile justice agency or its contractor.

1159 (7) In extraordinary circumstances or when a regular member is absent or otherwise
1160 unavailable, the chair may assign a pro tempore member to act in the absent member's place.

1161 (8) A member may not receive compensation or benefits for the member's service, but
1162 may receive per diem and travel expenses in accordance with:

- 1163 (a) Section 63A-3-106;
- 1164 (b) Section 63A-3-107; and
- 1165 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
- 1166 63A-3-107.
- 1167 (9) The authority shall determine appropriate parole dates for youth offenders[~~based~~
- 1168 ~~on guidelines established by the board and~~] in accordance with Section 62A-7-404. [~~The board~~
- 1169 ~~shall review and update policy guidelines annually.~~]
- 1170 (10) Youth offenders may be paroled to their own homes, to an independent living
- 1171 program contracted or operated by the division, to an approved independent living setting, or to
- 1172 other appropriate residences of qualifying relatives or guardians, but shall remain on parole
- 1173 until parole is terminated by the authority in accordance with Section 62A-7-404.
- 1174 (11) The division's case management staff shall implement parole release plans and
- 1175 shall supervise youth offenders while on parole.
- 1176 (12) The division shall permit the authority to have reasonable access to youth
- 1177 offenders in secure facilities and shall furnish all pertinent data requested by the authority in
- 1178 matters of parole, revocation, and termination.
- 1179 Section 26. Section 62A-7-502 is amended to read:
- 1180 **62A-7-502. Youth Parole Authority -- Parole procedures.**
- 1181 (1) The authority has responsibility for parole release, rescission, revocation, and
- 1182 termination for youth offenders who have been committed to the division for secure
- 1183 confinement. The authority shall determine when and under what conditions youth offenders
- 1184 who have been committed to a secure facility are eligible for parole.
- 1185 (2) Each youth offender shall be served with notice of parole hearings, and has the
- 1186 right to personally appear before the authority for parole consideration.
- 1187 (3) Orders and decisions of the authority shall be in writing, and each youth offender
- 1188 shall be provided written notice of the authority's reasoning and decision in [~~his~~] the youth
- 1189 offender's case.

1190 (4) The authority shall establish policies and procedures~~[, subject to board approval,]~~
1191 for the authority's governance, meetings, hearings, the conduct of proceedings before it, the
1192 parole of youth offenders, and the general conditions under which parole may be granted,
1193 rescinded, revoked, modified, and terminated.

1194 Section 27. Section **62A-7-506** is amended to read:

1195 **62A-7-506. Discharge of youth offender.**

1196 (1) A youth offender may be discharged from the jurisdiction of the division at any
1197 time, by written order of the Youth Parole Authority, upon a finding that no further purpose
1198 would be served by secure confinement or supervision in a community setting.

1199 (2) ~~[Discharge of a]~~ A youth offender shall be discharged in accordance with ~~[policies~~
1200 ~~approved by the board and]~~ Section **62A-7-404**.

1201 (3) Discharge of a youth offender is a complete release of all penalties incurred by
1202 adjudication of the offense for which the youth offender was committed.

1203 Section 28. Section **62A-7-601** is amended to read:

1204 **62A-7-601. Youth services for prevention and early intervention -- Program**
1205 **standards -- Program services.**

1206 (1) The division shall establish and operate prevention and early intervention youth
1207 services programs.

1208 (2) The division shall adopt ~~[with the approval of the board]~~ statewide policies and
1209 procedures, including minimum standards for the organization and operation of youth services
1210 programs.

1211 (3) The division shall establish housing, programs, and procedures to ensure that youth
1212 who are receiving services under this section and who are not in the custody of the division are
1213 served separately from youth who are in custody of the division.

1214 (4) The division may enter into contracts with state and local governmental entities and
1215 private providers to provide the youth services.

1216 (5) The division shall establish and administer juvenile receiving centers and other

1217 programs to provide temporary custody, care, risk-needs assessments, evaluations, and control
1218 for nonadjudicated and adjudicated youth placed with the division.

1219 (6) The division shall prioritize use of evidence-based juvenile justice programs and
1220 practices.

1221 Section 29. Section **62A-7-701** is amended to read:

1222 **62A-7-701. Community-based programs.**

1223 (1) (a) The division shall operate residential and nonresidential community-based
1224 programs to provide care, treatment, and supervision for youth offenders committed to the
1225 division by juvenile courts.

1226 (b) The division shall operate or contract for nonresidential community-based
1227 programs and independent living programs to provide care, treatment, and supervision of
1228 paroled youth offenders.

1229 (2) The division shall adopt~~[, with the approval of the board,]~~ minimum standards for
1230 the organization and operation of community-based corrections programs for youth offenders.

1231 (3) The division shall place youth offenders committed to it for community-based
1232 programs in the most appropriate program based upon the division's evaluation of the youth
1233 offender's needs and the division's available resources in accordance with Sections [62A-7-404](#)
1234 and [78A-6-117](#).

1235 Section 30. Section **63A-5-225** is amended to read:

1236 **63A-5-225. Development of new correctional facilities.**

1237 (1) As used in this section:

1238 [~~(a) "Commission" means the Prison Development Commission, created in Section~~
1239 [63C-16-201](#).]

1240 (a) "Committee" means the Legislative Management Committee created in Section
1241 [36-12-6](#).

1242 (b) "New correctional facilities" means a new prison and related facilities to be
1243 constructed to replace the state prison located in Draper.

1244 (c) "Prison project" means all aspects of a project for the design and construction of
1245 new correctional facilities on the selected site, including:

1246 (i) the acquisition of land, interests in land, easements, or rights-of-way;

1247 (ii) site improvement; and

1248 (iii) the acquisition, construction, equipping, or furnishing of facilities, structures,
1249 infrastructure, roads, parking facilities, utilities, and improvements, whether on or off the
1250 selected site, that are necessary, incidental, or convenient to the development of new
1251 correctional facilities on the selected site.

1252 (d) "Selected site" means ~~[the same as that term is defined in Section 63C-16-102]~~ the
1253 site selected under Subsection 63C-15-203(2) as the site for new correctional facilities.

1254 (2) In consultation with the ~~[commission]~~ committee, the division shall oversee the
1255 prison project, as provided in this section.

1256 (3) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this
1257 section, the division shall:

1258 (i) enter into contracts with persons providing professional and construction services
1259 for the prison project;

1260 ~~[(ii) in determining contract types for the prison project, consult with and consider~~
1261 ~~recommendations from the commission or the commission's designee;]~~

1262 ~~[(iii)]~~ (ii) provide reports to the ~~[commission]~~ committee regarding the prison project,
1263 as requested by the commission; and

1264 ~~[(iv)]~~ (iii) consider input from the ~~[commission]~~ committee on the prison project,
1265 subject to Subsection (3)(b).

1266 (b) The division may not consult with or receive input from the ~~[commission]~~
1267 committee regarding:

1268 (i) the evaluation of proposals from persons seeking to provide professional and
1269 construction services for the prison project; or

1270 (ii) the selection of persons to provide professional and construction services for the

1271 prison project.

1272 (c) A contract with a project manager or person with a comparable position on the
1273 prison project shall include a provision that requires the project manager or other person to
1274 provide reports to the [~~commission~~] committee regarding the prison project, as requested by the
1275 [~~commission~~] committee.

1276 (4) All contracts associated with the design or construction of new correctional
1277 facilities shall be awarded and managed by the division in accordance with Title 63G, Chapter
1278 6a, Utah Procurement Code, and this section.

1279 (5) The division shall coordinate with the Department of Corrections, created in
1280 Section [64-13-2](#), and the State Commission on Criminal and Juvenile Justice, created in
1281 Section [63M-7-201](#), during the prison project to help ensure that the design and construction of
1282 new correctional facilities are conducive to and consistent with, and help to implement any
1283 reforms of or changes to, the state's corrections system and corrections programs.

1284 (6) (a) There is created within the General Fund a restricted account known as the
1285 "Prison Development Restricted Account."

1286 (b) The account created in Subsection (6)(a) is funded by legislative appropriations.

1287 (c) (i) The account shall earn interest or other earnings.

1288 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1289 investment of account funds into the account.

1290 (d) Upon appropriation from the Legislature, money from the account shall be used to
1291 fund the Prison Project Fund created in Subsection (7).

1292 (7) (a) There is created a capital projects fund known as the "Prison Project Fund."

1293 (b) The fund consists of:

1294 (i) money appropriated to the fund by the Legislature; and

1295 (ii) proceeds from the issuance of bonds authorized in Section [63B-25-101](#) to provide
1296 funding for the prison project.

1297 (c) (i) The fund shall earn interest or other earnings.

1298 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1299 investment of fund money into the fund.

1300 (d) Money in the fund shall be used by the division to fund the prison project.

1301 Section 31. Section **63B-25-101** is amended to read:

1302 **63B-25-101. General obligation bonds for prison project -- Maximum amount --**
1303 **Use of proceeds.**

1304 (1) As used in this section:

1305 (a) "Prison project" means the same as that term is defined in Section [~~63C-16-102~~]
1306 [63A-5-225](#).

1307 (b) "Prison project fund" means the capital projects fund created in Subsection
1308 [63A-5-225](#)(7).

1309 (2) The commission may issue general obligation bonds as provided in this section.

1310 (3) (a) The total amount of bonds to be issued under this section may not exceed
1311 \$570,000,000 for acquisition and construction proceeds, plus additional amounts necessary to
1312 pay costs of issuance, to pay capitalized interest, and to fund any existing debt service reserve
1313 requirements, with the total amount of the bonds not to exceed \$575,700,000.

1314 (b) The maturity of bonds issued under this section may not exceed 10 years.

1315 (4) The commission shall ensure that proceeds from the issuance of bonds under this
1316 section are deposited into the Prison Project Fund for use by the division to pay all or part of
1317 the cost of the prison project, including:

1318 (a) interest estimated to accrue on the bonds authorized in this section until the
1319 completion of construction of the prison project, plus a period of 12 months after the end of
1320 construction; and

1321 (b) all related engineering, architectural, and legal fees.

1322 (5) (a) The division may enter into agreements related to the prison project before the
1323 receipt of proceeds of bonds issued under this section.

1324 (b) The division shall make those expenditures from unexpended and unencumbered

1325 building funds already appropriated to the Prison Project Fund.

1326 (c) The division shall reimburse the Prison Project Fund upon receipt of the proceeds
1327 of bonds issued under this chapter.

1328 (d) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
1329 expenditures for costs of the prison project.

1330 (6) Before issuing bonds authorized under this section, the commission shall request
1331 and consider a recommendation from the [~~Prison Development Commission~~] Legislative
1332 Management Committee, created in Section [~~63C-16-201~~] 36-12-6, regarding the timing and
1333 amount of the issuance.

1334 Section 32. Section **63C-4a-101** is amended to read:

1335 **63C-4a-101. Title.**

1336 [~~(1)~~] This chapter is known as the "Constitutional and Federalism Defense Act."

1337 [~~(2)~~ This part is known as "General Provisions."]

1338 Section 33. Section **63C-4a-102** is amended to read:

1339 **63C-4a-102. Definitions.**

1340 As used in this chapter:

1341 (1) "Account" means the Constitutional Defense Restricted Account, created in Section
1342 63C-4a-402.

1343 (2) "Commission" means the [~~Commission on~~] Federalism Commission, created in
1344 Section 63C-4a-302.

1345 (3) "Constitutional defense plan" means a plan that outlines actions and expenditures to
1346 fulfill the duties of the commission and the council.

1347 (4) "Council" means the Constitutional Defense Council, created in Section
1348 63C-4a-202.

1349 (5) "Federal governmental entity" means:

1350 (a) the president of the United States;

1351 (b) the United States Congress;

1352 (c) a United States agency; or
 1353 (d) an employee or official appointed by the president of the United States.
 1354 (6) "Federal issue" means a matter relating to the federal government's dealings with
 1355 the state, including a matter described in Section 63C-4a-309.

1356 ~~[(6)]~~ (7) "Federal law" means:
 1357 (a) an executive order by the president of the United States;
 1358 (b) a statute passed by the United States Congress;
 1359 (c) a regulation adopted by a United States agency; or
 1360 (d) a policy statement, order, guidance, or action by:
 1361 (i) a United States agency; or
 1362 (ii) an employee or official appointed by the president of the United States.

1363 ~~[(7)]~~ (8) "R.S. 2477" means Revised Statute 2477, codified as 43 U.S.C. Section 932.

1364 ~~[(8)]~~ (9) "R.S. 2477 plan" means a guiding document that:
 1365 (a) is developed jointly by the Utah Association of Counties and the state;
 1366 (b) is approved by the council; and
 1367 (c) presents the broad framework of a proposed working relationship between the state
 1368 and participating counties collectively for the purpose of asserting, defending, or litigating state
 1369 and local government rights under R.S. 2477.

1370 ~~[(9)]~~ (10) "United States agency" means a department, agency, authority, commission,
 1371 council, board, office, bureau, or other administrative unit of the executive branch of the
 1372 United States government.

1373 Section 34. Section **63C-4a-301** is amended to read:

1374 **63C-4a-301. Title.**

1375 This part is known as "~~Commission on~~ Federalism Commission."

1376 Section 35. Section **63C-4a-302** is amended to read:

1377 **63C-4a-302. Creation of Federalism Commission -- Membership -- Meetings --**
 1378 **Staff -- Expenses.**

1379 (1) There is created the [~~Commission on~~] Federalism Commission, comprised of the
1380 following [~~seven~~] nine members:

1381 (a) the president of the Senate or the president of the Senate's designee who shall serve
1382 as cochair of the commission;

1383 (b) [~~another member~~] two other members of the Senate, appointed by the president of
1384 the Senate;

1385 (c) the speaker of the House or the speaker of the House's designee who shall serve as
1386 cochair of the commission;

1387 (d) [~~two~~] three other members of the House, appointed by the speaker of the House;

1388 (e) the minority leader of the Senate or the minority leader of the Senate's designee;

1389 and

1390 (f) the minority leader of the House or the minority leader of the House's designee.

1391 (2) (a) A majority of the members of the commission constitute a quorum of the
1392 commission.

1393 (b) Action by a majority of the members of a quorum constitutes action by the
1394 commission.

1395 (3) The commission [~~shall meet six~~] may meet up to nine times each year, unless
1396 additional meetings are approved by the Legislative Management Committee.

1397 (4) The Office of Legislative Research and General Counsel shall provide staff support
1398 to the commission.

1399 (5) Compensation and expenses of a member of the commission who is a legislator are
1400 governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and
1401 Expenses.

1402 (6) Nothing in this section prohibits the commission from closing a meeting under
1403 Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the commission from
1404 complying with Title 63G, Chapter 2, Government Records Access and Management Act.

1405 (7) The commission may, in the commission's discretion, elect to succeed to the

1406 position of any of the following under a contract that any of the following are party to, subject
 1407 to applicable contractual provisions:

- 1408 (a) the Commission on Federalism;
- 1409 (b) the Commission for the Stewardship of Public Lands; and
- 1410 (c) the Federal Funds Commission.

1411 Section 36. Section **63C-4a-303** is amended to read:

1412 **63C-4a-303. Federalism Commission to evaluate federal law -- Curriculum on**
 1413 **federalism.**

1414 (1) In accordance with Section **63C-4a-304**, the commission may evaluate a federal
 1415 law:

- 1416 (a) as agreed by a majority of the commission; or
- 1417 (b) submitted to the commission by a council member.

1418 (2) The commission may request information regarding a federal law under evaluation
 1419 from a United States senator or representative elected from the state.

1420 (3) If the commission finds that a federal law is not authorized by the United States
 1421 Constitution or violates the principle of federalism as described in Subsection **63C-4a-304(2)**, a
 1422 commission cochair may:

- 1423 (a) request from a United States senator or representative elected from the state:
- 1424 (i) information about the federal law; or
- 1425 (ii) assistance in communicating with a federal governmental entity regarding the
 1426 federal law;

1427 (b) (i) give written notice of an evaluation made under Subsection (1) to the federal
 1428 governmental entity responsible for adopting or administering the federal law; and

1429 (ii) request a response by a specific date to the evaluation from the federal
 1430 governmental entity; and

1431 (c) request a meeting, conducted in person or by electronic means, with the federal
 1432 governmental entity, a representative from another state, or a United States Senator or

1433 Representative elected from the state to discuss the evaluation of federal law and any possible
1434 remedy.

1435 (4) The commission may recommend to the governor that the governor call a special
1436 session of the Legislature to give the Legislature an opportunity to respond to the commission's
1437 evaluation of a federal law.

1438 (5) A commission cochair may coordinate the evaluation of and response to federal law
1439 with another state as provided in Section [63C-4a-305](#).

1440 ~~[(6) Each year, the commission shall submit a report by electronic mail to the~~
1441 ~~Legislative Management Committee and the Government Operations Interim Committee that~~
1442 ~~summarizes:]~~

1443 ~~[(a) action taken by the commission in accordance with this section; and]~~

1444 ~~[(b) action taken by, or communication received from, any of the following in response~~
1445 ~~to a request or inquiry made, or other action taken, by the commission:]~~

1446 ~~[(i) a United States senator or representative elected from the state;]~~

1447 ~~[(ii) a representative of another state; or]~~

1448 ~~[(iii) a federal entity, official, or employee.]~~

1449 ~~[(7)]~~ (6) The commission shall keep a current list on the Legislature's website of:

1450 (a) a federal law that the commission evaluates under Subsection (1);

1451 (b) an action taken by a cochair of the commission under Subsection (3);

1452 (c) any coordination undertaken with another state under Section [63C-4a-305](#); and

1453 (d) any response received from a federal government entity that was requested under
1454 Subsection (3).

1455 ~~[(8)]~~ (7) The commission shall develop curriculum for a seminar on the principles of
1456 federalism. The curriculum shall be available to the general public and include:

1457 (a) fundamental principles of federalism;

1458 (b) the sovereignty, supremacy, and jurisdiction of the individual states, including their
1459 police powers;

- 1460 (c) the history and practical implementation of the Tenth Amendment to the United
 1461 States Constitution;
- 1462 (d) the authority and limits on the authority of the federal government as found in the
 1463 United States Constitution;
- 1464 (e) the relationship between the state and federal governments;
- 1465 (f) methods of evaluating a federal law in the context of the principles of federalism;
- 1466 (g) how and when challenges should be made to a federal law or regulation on the basis
 1467 of federalism;
- 1468 (h) the separate and independent powers of the state that serve as a check on the federal
 1469 government;
- 1470 (i) first amendment rights and freedoms contained therein; and
- 1471 (j) any other issues relating to federalism the commission considers necessary.
- 1472 ~~[(9)]~~ (8) The commission may apply for and receive grants, and receive private
 1473 donations to assist in funding the creation, enhancement, and dissemination of the curriculum.
- 1474 ~~[(10) Before the final meeting of 2019, the commission shall conduct the activities~~
 1475 ~~described in Section [63C-4a-307](#).]~~
- 1476 (9) The commission shall submit a report on or before November 30 of each year to the
 1477 Government Operations Interim Committee and the Natural Resources, Agriculture, and
 1478 Environment Interim Committee that:
- 1479 (a) describes any action taken by the commission under Section [63C-4a-303](#); and
 1480 (b) includes any proposed legislation the commission recommends.
- 1481 Section 37. Section **63C-4a-306** is amended to read:
- 1482 **63C-4a-306. Course on federalism required.**
- 1483 (1) This section ~~[shall apply]~~ applies to:
- 1484 (a) all political subdivisions of the state;
- 1485 (b) all agencies of the state;
- 1486 (c) the Attorney General's office; and

1487 (d) the Office of Legislative Research and General Counsel.

1488 (2) [~~Beginning January 1, 2015, an~~] An employing entity listed in Subsection (1) shall
1489 appoint at least one designee to which all questions and inquiries regarding federalism shall be
1490 directed. The designee shall be required to attend a seminar on the principles of federalism
1491 developed pursuant to Subsection ~~63C-4a-303[(8)]~~(7) at least once in every two-year period.

1492 (3) The designee may complete the requirements of this section by attending a seminar
1493 in person or online.

1494 Section 38. Section ~~63C-4a-307~~ is amended to read:

1495 **63C-4a-307. Commission to evaluate foregone property tax -- Evaluation**
1496 **procedures.**

1497 (1) As used in this section:

1498 (a) (i) "Federally controlled land" means any land within the exterior boundaries of the
1499 state that is controlled by the United States government for the entire taxable year.

1500 (ii) "Federally controlled land" does not include:

1501 (A) a military installation;

1502 (B) a federal enclave as described in United States Constitution, Article I, Section 8,
1503 clause 17; or

1504 (C) land owned by an Indian tribe as described in 18 U.S.C. Sec. 1151.

1505 (b) (i) "Payments in lieu of tax" means payments made by the federal government to a
1506 county, municipality, or school district of the state.

1507 (ii) "Payments in lieu of tax" includes a payment under:

1508 (A) the in lieu of property taxes program, 31 U.S.C. Sec. 6901, et seq., commonly
1509 referred to as PILT; and

1510 (B) the impact aid program, 20 U.S.C. Sec. 7701, et seq.

1511 (2) (a) The commission shall hold a hearing regarding the impact on the state from the
1512 failure of the federal government to make payments in lieu of tax that are equivalent to the
1513 property tax revenue that the state would generate but for federally controlled land.

1514 (b) The commission shall invite and accept testimony on the information described in
1515 Subsection (2)(a) and the impact on the ability and the duty of the state to fund education and
1516 to protect and promote the health, safety, and welfare of the state, the state's political
1517 subdivisions, and the residents of the state from the following:

- 1518 (i) representatives from:
 - 1519 (A) the office of each United States senator or representative elected from the state;
 - 1520 (B) any federal government entity administering the payments in lieu of tax;
 - 1521 (C) the Legislative Management Committee;
 - 1522 (D) the Office of the Governor;
 - 1523 (E) the Office of the Attorney General;
 - 1524 (F) the State Tax Commission;
 - 1525 (G) the Public Lands Policy Coordinating Office, created in Section [63J-4-602](#);
 - 1526 (H) the school districts;
 - 1527 (I) the association of school districts;
 - 1528 (J) the superintendents' association;
 - 1529 (K) the charter schools;
 - 1530 (L) school community councils;
 - 1531 (M) the counties;
 - 1532 (N) the municipalities; and
 - 1533 (O) nonpartisan entities serving state governments;
- 1534 (ii) other states' officials or agencies; and
- 1535 (iii) other interested individuals or entities.

1536 (3) In accordance with this part, the commission may engage each United States
1537 senator or representative elected from the state in coordinating with the federal government to
1538 secure payments in lieu of tax that are equivalent to the property tax revenue the state would
1539 generate but for federally controlled land.

1540 (4) The commission shall communicate the information received during the hearing

1541 described in Subsection (2) and any action taken under Subsection (3) to the individuals and
1542 entities described in Subsection (2)(b).

1543 (5) The commission shall conduct the activities described in this section before the
1544 commission's final meeting in 2019.

1545 Section 39. Section **63C-4a-308**, which is renumbered from Section 63C-4b-104 is
1546 renumbered and amended to read:

1547 ~~[63C-4b-104].~~ **63C-4a-308.** **Commission duties with regards to federal**
1548 **lands.**

1549 [(+)] The commission shall:

1550 [~~a~~] ~~convene at least eight times each year;~~

1551 [~~b~~] (1) review and make recommendations on the transfer of federally controlled
1552 public lands to the state;

1553 [~~c~~] (2) review and make recommendations regarding the state's sovereign right to
1554 protect the health, safety, and welfare of its citizens as it relates to public lands, including
1555 recommendations concerning the use of funds in the account created in Section [~~63C-4b-105~~]
1556 [63C-4a-404](#);

1557 [~~d~~] (3) study and evaluate the recommendations of the public lands transfer study and
1558 economic analysis conducted by the Public Lands Policy Coordinating Office in accordance
1559 with Section [63J-4-606](#);

1560 [~~e~~] (4) coordinate with and report on the efforts of the executive branch, the counties
1561 and political subdivisions of the state, the state congressional delegation, western governors,
1562 other states, and other stakeholders concerning the transfer of federally controlled public lands
1563 to the state including convening working groups, such as a working group composed of
1564 members of the Utah Association of Counties;

1565 [~~f~~] (5) study and make recommendations regarding the appropriate designation of
1566 public lands transferred to the state, including stewardship of the land and appropriate uses of
1567 the land;

1568 ~~[(g)]~~ (6) study and make recommendations regarding the use of funds received by the
 1569 state from the public lands transferred to the state; and

1570 ~~[(h)]~~ (7) receive reports from and make recommendations to the attorney general, the
 1571 Legislature, and other stakeholders involved in litigation on behalf of the state's interest in the
 1572 transfer of public lands to the state, regarding:

1573 ~~[(i)]~~ (a) preparation for potential litigation;

1574 ~~[(ii)]~~ (b) selection of outside legal counsel;

1575 ~~[(iii)]~~ (c) ongoing legal strategy for the transfer of public lands; and

1576 ~~[(iv)]~~ (d) use of money:

1577 ~~[(A)]~~ (i) appropriated by the Legislature for the purpose of securing the transfer of
 1578 public lands to the state under Section ~~[63C-4b-105]~~ 63C-4a-404; and

1579 ~~[(B)]~~ (ii) disbursed from the Public Lands Litigation Expendable Special Revenue
 1580 Fund created in Section ~~[63C-4b-106]~~ 63C-4a-405.

1581 ~~[(2) The commission shall prepare an annual report, including any proposed~~
 1582 ~~legislation, and present the report to the Natural Resources, Agriculture, and Environment~~
 1583 ~~Interim Committee on or before November 30, 2016, and on or before November 30 each year~~
 1584 ~~thereafter.]~~

1585 Section 40. Section **63C-4a-309**, which is renumbered from Section 63C-14-301 is
 1586 renumbered and amended to read:

1587 ~~[63C-14-301].~~ 63C-4a-309. Commission duties in relation to federal funds.

1588 ~~[(1)]~~ Until November 30, 2019, the commission shall:

1589 ~~[(a)]~~ (1) study and assess:

1590 ~~[(i)]~~ (a) the financial stability of the federal government;

1591 ~~[(ii)]~~ (b) the level of dependency that the state and local governments have on the
 1592 receipt of federal funds;

1593 ~~[(iii)]~~ (c) the risk that the state and local governments in the state will experience a
 1594 reduction in the amount or value of federal funds they receive, in both the near and distant

1595 future;

1596 ~~[(iv)]~~ (d) the likely and potential impact on the state and its citizens from a reduction in
1597 the amount or value of federal funds received by the state and by local governments in the
1598 state, in both the near and distant future; and

1599 ~~[(v)]~~ (e) the likely and potential national impact from a reduction in the amount or
1600 value of federal funds paid to the states, in both the near and distant future; and

1601 ~~[(b)]~~ (2) make recommendations to the governor and Legislature on methods to:

1602 ~~[(i)]~~ (a) avoid or minimize the risk of a reduction in the amount or value of federal
1603 funds by the state and by local governments in the state;

1604 ~~[(ii)]~~ (b) reduce the dependency of the state and of local governments in the state on
1605 federal funds; and

1606 ~~[(iii)]~~ (c) prepare for and respond to a reduction in the amount or value of federal funds
1607 by the state and by local governments in the state.

1608 ~~[(2) After November 30, 2019, the commission shall study, assess, and provide
1609 recommendations on any federal issue that the governor, the Legislature through a joint
1610 resolution of the Legislature, or the Legislative Management Committee directs the
1611 commission to study, assess, and make recommendations on.]~~

1612 ~~[(3) The commission shall present a report to the Government Operations Interim
1613 Committee of the Legislature each year on the commission's findings and recommendations.]~~

1614 Section 41. Section ~~63C-4a-404~~, which is renumbered from Section 63C-4b-105 is
1615 renumbered and amended to read:

1616 ~~[63C-4b-105].~~ **63C-4a-404. Creation of Public Lands Litigation Restricted**
1617 **Account -- Sources of funds -- Uses of funds -- Reports.**

1618 (1) There is created a restricted account within the General Fund known as the Public
1619 Lands Litigation Restricted Account.

1620 (2) The account created in Subsection (1) consists of money from the following
1621 revenue sources:

1622 (a) money received by the commission from other state agencies; and
1623 (b) appropriations made by the Legislature.
1624 (3) The Legislature may annually appropriate money from the account for the purposes
1625 of asserting, defending, or litigating state and local government rights to the disposition and use
1626 of federal lands within the state as those rights are granted by the United States Constitution,
1627 the Utah Enabling Act, and other applicable law.

1628 (4) (a) Any entity that receives money from the account shall, before disbursing the
1629 money to another person for the purposes described in Subsection (3), or before spending the
1630 money appropriated, report to the commission regarding:

- 1631 (i) the amount of the disbursement;
- 1632 (ii) who will receive the disbursement; and
- 1633 (iii) the planned use for the disbursement.

1634 (b) The commission may, upon receiving the report under Subsection (4)(a):

- 1635 (i) advise the Legislature and the entity of the commission finding that the
1636 disbursement is consistent with the purposes in Subsection (3); or
- 1637 (ii) advise the Legislature and the entity of the commission finding that the
1638 disbursement is not consistent with the purposes in Subsection (3).

1639 Section 42. Section ~~63C-4a-405~~, which is renumbered from Section 63C-4b-106 is
1640 renumbered and amended to read:

1641 ~~[63C-4b-106]~~. 63C-4a-405. **Public Lands Litigation Expendable Special**
1642 **Revenue Fund -- Creation -- Source of funds -- Use of funds -- Reports.**

1643 (1) There is created an expendable special revenue fund known as the Public Lands
1644 Litigation Expendable Special Revenue Fund.

1645 (2) The fund shall consist of gifts, grants, donations, or any other conveyance of money
1646 that may be made to the fund from private sources and other states.

1647 (3) The fund shall be administered by the Division of Finance in accordance with
1648 Subsection (4).

1649 (4) (a) The fund may be used only for the purpose of asserting, defending, or litigating
1650 state and local government rights to the disposition and use of federal lands within the state as
1651 those rights are granted by the United States Constitution, the Utah Enabling Act, and other
1652 applicable law.

1653 (b) Before each disbursement from the fund, the Division of Finance shall report to the
1654 commission regarding:

- 1655 (i) the sources of the money in the fund;
- 1656 (ii) who will receive the disbursement;
- 1657 (iii) the planned use of the disbursement; and
- 1658 (iv) the amount of the disbursement.

1659 (c) The commission may, upon receiving the report under Subsection (4)(b):

- 1660 (i) advise the Legislature and the Division of Finance of the commission finding that
1661 the disbursement is consistent with the purposes in Subsection (4)(a); or
- 1662 (ii) advise the Legislature and the Division of Finance of the commission finding that
1663 the disbursement is not consistent with the purposes in Subsection (4)(a).

1664 Section 43. Section **63F-1-102** is amended to read:

1665 **63F-1-102. Definitions.**

1666 As used in this title:

1667 [~~(1)~~] "~~Board~~" means the ~~Technology Advisory Board created in Section 63F-1-202.~~]

1668 [~~(2)~~] (1) "Chief information officer" means the chief information officer appointed
1669 under Section 63F-1-201.

1670 [~~(3)~~] (2) "Data center" means a centralized repository for the storage, management, and
1671 dissemination of data.

1672 [~~(4)~~] (3) "Department" means the Department of Technology Services.

1673 [~~(5)~~] (4) "Enterprise architecture" means:

- 1674 (a) information technology that can be applied across state government; and
- 1675 (b) support for information technology that can be applied across state government,

1676 including:

- 1677 (i) technical support;
- 1678 (ii) master software licenses; and
- 1679 (iii) hardware and software standards.

1680 ~~[(6)]~~ (5) (a) ~~[Except as provided in Subsection (6)(b), "executive]~~ "Executive branch
1681 agency" means an agency or administrative subunit of state government.

1682 (b) "Executive branch agency" does not include:

- 1683 (i) the legislative branch;
- 1684 (ii) the judicial branch;
- 1685 (iii) the State Board of Education;
- 1686 (iv) the Board of Regents;
- 1687 (v) institutions of higher education;
- 1688 (vi) independent entities as defined in Section 63E-1-102; and
- 1689 (vii) elective constitutional offices of the executive department which includes:
 - 1690 (A) the state auditor;
 - 1691 (B) the state treasurer; and
 - 1692 (C) the attorney general.

1693 ~~[(7)]~~ (6) "Executive branch strategic plan" means the executive branch strategic plan
1694 created under Section 63F-1-203.

1695 ~~[(8)]~~ (7) "Individual with a disability" means an individual with a condition that meets
1696 the definition of "disability" in 42 U.S.C. Sec. 12102.

1697 ~~[(9)]~~ (8) "Information technology" means all computerized and auxiliary automated
1698 information handling, including:

- 1699 (a) systems design and analysis;
- 1700 (b) acquisition, storage, and conversion of data;
- 1701 (c) computer programming;
- 1702 (d) information storage and retrieval;

- 1703 (e) voice, video, and data communications;
- 1704 (f) requisite systems controls;
- 1705 (g) simulation; and
- 1706 (h) all related interactions between people and machines.

1707 [~~(10)~~] (9) "State information architecture" means a logically consistent set of
1708 principles, policies, and standards that guide the engineering of state government's information
1709 technology and infrastructure in a way that ensures alignment with state government's business
1710 and service needs.

1711 Section 44. Section **63F-1-203** is amended to read:

1712 **63F-1-203. Executive branch information technology strategic plan.**

1713 (1) In accordance with this section, the chief information officer shall prepare an
1714 executive branch information technology strategic plan:

1715 (a) that complies with this chapter; and

1716 (b) that includes:

1717 (i) a strategic plan for the:

1718 (A) interchange of information related to information technology between executive
1719 branch agencies;

1720 (B) coordination between executive branch agencies in the development and
1721 maintenance of information technology and information systems, including the coordination of
1722 agency information technology plans described in Section [63F-1-204](#); and

1723 (C) protection of the privacy of individuals who use state information technology or
1724 information systems, including the implementation of industry best practices for data and
1725 system security;

1726 (ii) priorities for the development and implementation of information technology or
1727 information systems including priorities determined on the basis of:

1728 (A) the importance of the information technology or information system; and

1729 (B) the time sequencing of the information technology or information system; and

1730 (iii) maximizing the use of existing state information technology resources.

1731 (2) In the development of the executive branch strategic plan, the chief information
1732 officer shall consult with~~[(a)]~~ all cabinet level officials~~[, and]~~.
1733 ~~[(b) the advisory board created in Section 63F-1-202.]~~

1734 (3) (a) Unless withdrawn by the chief information officer or the governor in accordance
1735 with Subsection (3)(b), the executive branch strategic plan takes effect 30 days after the day on
1736 which the executive branch strategic plan is submitted to:

1737 (i) the governor; and

1738 (ii) the Public Utilities, Energy, and Technology Interim Committee.

1739 (b) The chief information officer or the governor may withdraw the executive branch
1740 strategic plan submitted under Subsection (3)(a) if the governor or chief information officer
1741 determines that the executive branch strategic plan:

1742 (i) should be modified; or

1743 (ii) for any other reason should not take effect.

1744 (c) The Public Utilities, Energy, and Technology Interim Committee may make
1745 recommendations to the governor and to the chief information officer if the commission
1746 determines that the executive branch strategic plan should be modified or for any other reason
1747 should not take effect.

1748 (d) Modifications adopted by the chief information officer shall be resubmitted to the
1749 governor and the Public Utilities, Energy, and Technology Interim Committee for their review
1750 or approval as provided in Subsections (3)(a) and (b).

1751 (4) (a) The chief information officer shall, on or before January 1, 2014, and each year
1752 thereafter, modify the executive branch information technology strategic plan to incorporate
1753 security standards that:

1754 (i) are identified as industry best practices in accordance with Subsections
1755 [63F-1-104](#)(3) and (4); and

1756 (ii) can be implemented within the budget of the department or the executive branch

1757 agencies.

1758 (b) The chief information officer shall inform the speaker of the House of
1759 Representatives and the president of the Senate on or before January 1 of each year if best
1760 practices identified in Subsection (4)(a)(i) are not adopted due to budget issues considered
1761 under Subsection (4)(a)(ii).

1762 (5) Each executive branch agency shall implement the executive branch strategic plan
1763 by adopting an agency information technology plan in accordance with Section 63F-1-204.

1764 Section 45. Section 63F-1-303 is amended to read:

1765 **63F-1-303. Executive branch agencies -- Subscription by institutions.**

1766 (1) An executive branch agency in accordance with its agency information technology
1767 plan approved by the chief information officer shall:

1768 (a) subscribe to the information technology services provided by the department; or

1769 (b) contract with one or more alternate private providers of information technology
1770 services if the chief information officer determines that the purchase of the services from a
1771 private provider will:

1772 (i) result in:

1773 (A) cost savings;

1774 (B) increased efficiency; or

1775 (C) improved quality of services; and

1776 (ii) not impair the interoperability of the state's information technology services.

1777 (2) An institution of higher education may subscribe to the services provided by the
1778 department if:

1779 (a) the president of the institution recommends that the institution subscribe to the
1780 services of the department; and

1781 (b) the Board of Regents determines that subscription to the services of the department
1782 will result in cost savings or increased efficiency to the institution.

1783 (3) The following may subscribe to information technology services by requesting that

1784 the services be provided from the department:

1785 (a) the legislative branch;

1786 (b) the judicial branch;

1787 (c) the State Board of Education;

1788 (d) a political subdivision of the state;

1789 (e) an agency of the federal government;

1790 (f) an independent entity as defined in Section 63E-1-102; and

1791 (g) an elective constitutional officer of the executive department as defined in

1792 Subsection 63F-1-102~~(6)(b)~~(5)(b)(vii).

1793 Section 46. Section 63F-4-201 is amended to read:

1794 **63F-4-201. Submitting a technology proposal -- Review process.**

1795 (1) Multiple executive branch agencies may jointly submit to the chief information
1796 officer a technology proposal, on a form or in a format specified by the department.

1797 (2) The chief information officer shall transmit to the review board each technology
1798 proposal the chief information officer determines meets the form or format requirements of the
1799 department.

1800 (3) The review board shall:

1801 (a) conduct a technical review of a technology proposal transmitted by the chief
1802 information officer;

1803 (b) determine whether the technology proposal merits further review and consideration
1804 ~~[by the board]~~ by the chief information officer, based on the technology proposal's likelihood
1805 to:

1806 (i) be capable of being implemented effectively; and

1807 (ii) result in greater efficiency in a government process or a cost saving in the delivery
1808 of a government service, or both; and

1809 (c) transmit a technology proposal to the ~~[board]~~ chief information officer and to the
1810 governor's budget office, if the review board determines that the technology proposal merits

1811 further review and consideration ~~[by the board]~~ by the chief information officer.

1812 Section 47. Section **63F-4-202** is amended to read:

1813 **63F-4-202. Chief information officer review and approval of technology**
1814 **proposals.**

1815 (1) The ~~[board]~~ chief information officer shall review and evaluate each technology
1816 proposal that the review board transmits to the ~~[board]~~ chief information officer.

1817 (2) The ~~[board]~~ chief information officer may approve and recommend that the
1818 department provide funding from legislative appropriations for a technology proposal if, after
1819 the ~~[board's]~~ chief information officer's review and evaluation of the technology proposal:

1820 (a) the ~~[board]~~ chief information officer determines that there is a reasonably good
1821 likelihood that the technology proposal:

1822 (i) is capable of being implemented effectively; and

1823 (ii) will result in greater efficiency in a government process or a cost saving in the
1824 delivery of a government service, or both; and

1825 (b) the ~~[board]~~ chief information officer receives approval from the governor's budget
1826 office for the technology proposal.

1827 (3) The ~~[board]~~ chief information officer may:

1828 (a) prioritize multiple approved technology proposals based on their relative likelihood
1829 of achieving the goals described in Subsection (2); and

1830 (b) recommend funding based on the ~~[board's]~~ chief information officer's prioritization
1831 under Subsection (3)(a).

1832 (4) The department shall:

1833 (a) track the implementation and success of a technology proposal approved by the
1834 ~~[board]~~ chief information officer;

1835 (b) evaluate the level of the technology proposal's implementation effectiveness and
1836 whether the implementation results in greater efficiency in a government process or a cost
1837 saving in the delivery of a government service, or both; and

- 1838 (c) report the results of the department's tracking and evaluation:
- 1839 (i) to the [~~board~~] chief information officer, as frequently as the [~~board~~] chief
- 1840 information officer requests; and
- 1841 (ii) at least annually to the Public Utilities, Energy, and Technology Interim
- 1842 Committee.
- 1843 (5) The department may~~[, upon recommendation by the board,]~~ expend money
- 1844 appropriated by the Legislature to pay for expenses incurred by executive branch agencies in
- 1845 implementing a technology proposal that the [~~board~~] chief information officer has approved.
- 1846 Section 48. Section **63H-7a-203** is amended to read:
- 1847 **63H-7a-203. Board established -- Terms -- Vacancies.**
- 1848 (1) There is created the Utah Communications Authority Board.
- 1849 (2) The board shall consist of nine board members as follows:
- 1850 (a) three individuals appointed by the governor with the advice and consent of the
- 1851 Senate;
- 1852 (b) one individual who is not a legislator appointed by the speaker of the House of
- 1853 Representatives;
- 1854 (c) one individual who is not a legislator appointed by the president of the Senate;
- 1855 (d) two individuals nominated by an association that represents cities and towns in the
- 1856 state and appointed by the governor with the advice and consent of the Senate; and
- 1857 (e) two individuals nominated by an association that represents counties in the state
- 1858 and appointed by the governor with the advice and consent of the Senate.
- 1859 (3) Subject to this section, an individual is eligible for appointment under Subsection
- 1860 (2) if the individual has knowledge of at least one of the following:
- 1861 (a) law enforcement;
- 1862 (b) public safety;
- 1863 (c) fire service;
- 1864 (d) telecommunications;

- 1865 (e) finance;
- 1866 (f) management; and
- 1867 (g) government.
- 1868 (4) An individual may not serve as a board member if the individual is a current public
- 1869 safety communications network:
- 1870 (a) user; or
- 1871 (b) vendor.
- 1872 (5) (a) (i) Five of the board members appointed under Subsection (2) shall serve an
- 1873 initial term of two years and four of the board members appointed under Subsection (2) shall
- 1874 serve an initial term of four years.
- 1875 (ii) Successor board members shall each serve a term of four years.
- 1876 (b) (i) The governor may remove a board member with cause.
- 1877 (ii) If the governor removes a board member the entity that appointed the board
- 1878 member under Subsection (2) shall appoint a replacement board member in the same manner as
- 1879 described in Subsection (2).
- 1880 (6) (a) The governor shall, after consultation with the board, appoint a board member
- 1881 as chair of the board with the advice and consent of the Senate.
- 1882 (b) The chair shall serve a two-year term.
- 1883 (7) The board shall meet on an as-needed basis and as provided in the bylaws.
- 1884 (8) (a) The board shall elect one of the board members to serve as vice chair.
- 1885 (b) (i) The board may elect a secretary and treasurer who are not members of the board.
- 1886 (ii) If the board elects a secretary or treasurer who is not a member of the board, the
- 1887 secretary or treasurer does not have voting power.
- 1888 (c) A separate individual shall hold the offices of chair, vice chair, secretary, and
- 1889 treasurer.
- 1890 (9) Each board member, including the chair, has one vote.
- 1891 (10) A vote of a majority of the board members is necessary to take action on behalf of

1892 the board.

1893 (11) A board member may not receive compensation for the member's service on the
1894 board, but may, in accordance with rules adopted by the board in accordance with Title 63G,
1895 Chapter 3, Utah Administrative Rulemaking Act, receive:

1896 (a) a per diem at the rate established under Section [63A-3-106](#); and

1897 (b) travel expenses at the rate established under Section [63A-3-107](#).

1898 Section 49. Section **63I-1-204** is enacted to read:

1899 **63I-1-204. Repeal dates, Title 4.**

1900 Subsection [4-41a-105\(2\)\(e\)\(i\)](#), related to the Native American Legislative Liaison
1901 Committee, is repealed July 1, 2022.

1902 Section 50. Section **63I-1-209** is amended to read:

1903 **63I-1-209. Repeal dates, Title 9.**

1904 (1) In relation to the Native American Legislative Liaison Committee, on July 1, 2022:

1905 (a) Subsection [9-9-104.6\(2\)\(a\)](#) is repealed;

1906 (b) Subsection [9-9-104.6\(4\)\(a\)](#), the language that states "who is not a legislator" is
1907 repealed; and

1908 (c) Subsection [9-9-104.6\(4\)\(b\)](#), related to compensation of legislative members, is
1909 repealed.

1910 (2) In relation to the American Indian and Alaska Native Education State Plan Pilot
1911 Program, on July 1, 2022:

1912 (a) Subsection [26-7-2.5\(4\)](#), related to the American Indian-Alaskan Native Public
1913 Education Liaison, is repealed; and

1914 (b) Subsection [9-9-104.6\(2\)\(d\)](#) is repealed.

1915 Section 51. Section **63I-1-211** is amended to read:

1916 **63I-1-211. Repeal dates, Title 11.**

1917 (1) Section [11-14-308](#) is repealed December 31, 2020.

1918 (2) Title 11, Chapter 59, Point of the Mountain State Land Authority Act, is repealed

1919 January 1, 2029.

1920 Section 52. Section **63I-1-219** is amended to read:

1921 **63I-1-219. Repeal dates, Title 19.**

1922 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2019.

1923 (2) Section 19-2a-102 is repealed July 1, 2021.

1924 [~~(2)~~] (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2019.

1925 [~~(3)~~] (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2019.

1926 [~~(4)~~] (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
1927 2019.

1928 [~~(5)~~] (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed
1929 July 1, 2020.

1930 [~~(6)~~] (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
1931 2028.

1932 [~~(7)~~] (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1,
1933 2026.

1934 [~~(8)~~] (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1,
1935 2019.

1936 [~~(9)~~] (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1,
1937 2020.

1938 [~~(10)~~] (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July
1939 1, 2027.

1940 Section 53. Section **63I-1-223** is amended to read:

1941 **63I-1-223. Repeal dates, Title 23.**

1942 Subsection 23-13-12.5(2)(f)(i), related to the Native American Legislative Liaison
1943 Committee, is repealed July 1, 2022.

1944 Section 54. Section **63I-1-226** is amended to read:

1945 **63I-1-226. Repeal dates, Title 26.**

- 1946 (1) Section [26-1-40](#) is repealed July 1, 2019.
- 1947 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
 1948 1, 2025.
- 1949 (3) Section [26-10-11](#) is repealed July 1, 2020.
- 1950 (4) Subsection [26-18-417\(3\)](#) is repealed July 1, 2020.
- 1951 (5) Subsection [26-18-418\(2\)](#), the language that states "and the Mental Health Crisis
 1952 Line Commission created in Section [63C-18-202](#)" is repealed July 1, 2023.
- 1953 [~~(5)~~] (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
 1954 2024.
- 1955 [~~(6)~~] (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
 1956 2024.
- 1957 [~~(7)~~] (8) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
 1958 repealed July 1, 2024.
- 1959 [~~(8)~~] (9) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,
 1960 2019.
- 1961 (10) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund, is
 1962 repealed January 1, 2023.
- 1963 [~~(9)~~] (11) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed January 1,
 1964 2019.
- 1965 (12) Subsection [26-61a-108\(2\)\(e\)\(i\)](#), related to the Native American Legislative
 1966 Liaison Committee, is repealed July 1, 2022.
- 1967 [~~(10)~~] (13) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
 1968 repealed July 1, 2026.
- 1969 Section 55. Section **63I-1-232** is amended to read:
 1970 **63I-1-232. Repeal dates, Title 32A.**
- 1971 In relation to the Utah Substance Use and Mental Health Advisory Council, on January
 1972 1, 2023:

- 1973 (1) Subsection 32B-2-306(1)(a) is repealed;
- 1974 (2) Subsection 32B-2-306(4), the language that states "advisory council" is repealed
- 1975 and replaced with "department";
- 1976 (3) Subsections 32B-2-306(4)(b) and (e) are repealed;
- 1977 (4) Subsection 32B-2-306(5)(a), the language that states "in cooperation with the
- 1978 advisory council" is repealed;
- 1979 (5) Subsection 32B-2-306(5)(b) is amended to read:
- 1980 "(b) The department shall:
- 1981 (i) prepare a plan detailing the intended use of the money appropriated under this
- 1982 section; and
- 1983 (ii) conduct the media and education campaign in accordance with the guidelines
- 1984 created by the department under Subsection (4)(c).";
- 1985 (6) Subsection 32B-2-402(1)(b) is repealed;
- 1986 (7) Sections 32B-2-404 and 32B-2-405, the language that states "advisory council" is
- 1987 repealed and replaced with "department";
- 1988 (8) Subsection 32B-2-405(2), the language that states "by a majority vote" is repealed;
- 1989 and
- 1990 (9) Subsection 32B-2-405(4)(a)(i), the language that states "majority vote of" is
- 1991 repealed.
- 1992 Section 56. Section **63I-1-235** is amended to read:
- 1993 **63I-1-235. Repeal dates, Title 35A.**
- 1994 (1) Subsection 35A-1-109(4)(c), related to the Talent Ready Utah Board, is repealed
- 1995 January 1, 2023.
- 1996 [~~(1)~~] (2) Subsection 35A-4-312(5)(p) is repealed July 1, 2019.
- 1997 [~~(2)~~] (3) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is
- 1998 repealed July 1, 2023.
- 1999 [~~(3)~~] (4) Section 35A-9-501 is repealed January 1, 2021.

- 2000 (5) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
- 2001 January 1, 2025.
- 2002 Section 57. Section **63I-1-236** is amended to read:
- 2003 **63I-1-236. Repeal dates, Title 36.**
- 2004 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2023.
- 2005 ~~[(+)]~~ (2) Section 36-12-20 is repealed June 30, 2023.
- 2006 (3) Title 36, Chapter 22, Native American Legislative Liaison Committee, is repealed
- 2007 July 1, 2022.
- 2008 (4) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed
- 2009 January 1, 2025.
- 2010 (5) Section 36-29-105 is repealed on December 31, 2020.
- 2011 ~~[(2)]~~ (6) Title 36, Chapter 31, Martha Hughes Cannon Capitol Statue Oversight
- 2012 Committee, is repealed January 1, 2021.
- 2013 Section 58. Section **63I-1-241** is amended to read:
- 2014 **63I-1-241. Repeal dates, Title 41.**
- 2015 (1) Subsection 41-1a-1201(9), related to the Spinal Cord and Brain Injury
- 2016 Rehabilitation Fund, is repealed January 1, 2023.
- 2017 (2) Subsection 41-6a-1406(6)(b)(iii), related to the Spinal Cord and Brain Injury
- 2018 Rehabilitation Fund, is repealed January 1, 2023.
- 2019 (3) Subsection 41-12a-806(5) is repealed on July 1, 2020.
- 2020 (4) Subsection 41-22-8(3), related to the Spinal Cord and Brain Injury Rehabilitation
- 2021 Fund, is repealed January 1, 2023.
- 2022 Section 59. Section **63I-1-251** is amended to read:
- 2023 **63I-1-251. Repeal dates, Title 51.**
- 2024 (1) Subsection 51-2a-202(3) is repealed on June 30, 2020.
- 2025 (2) Subsections 51-10-201(5)(iv) and 51-10-204(1)(k)(i)(C), related to the Native
- 2026 American Legislative Liaison Committee, are repealed July 1, 2022.

- 2027 Section 60. Section **63I-1-253** is amended to read:
- 2028 **63I-1-253. Repeal dates, Titles 53 through 53G.**
- 2029 The following provisions are repealed on the following dates:
- 2030 (1) Subsection **53-10-202**(18) is repealed July 1, 2018.
- 2031 (2) Section **53-10-202.1** is repealed July 1, 2018.
- 2032 (3) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 2033 (4) Section **53B-18-1501** is repealed July 1, 2021.
- 2034 (5) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 2035 (6) Section **53B-24-402**, Rural residency training program, is repealed July 1, 2020.
- 2036 (7) Subsection **53C-3-203**(4)(b)(vii), which provides for the distribution of money
- 2037 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
- 2038 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.
- 2039 (8) Section **53E-3-515** is repealed January 1, 2023.
- 2040 (9) In relation to a standards review committee, on January 1, 2023:
- 2041 (a) in Subsection **53E-4-202**(8), the language that states "by a standards review
- 2042 committee and the recommendations of a standards review committee established under
- 2043 Section **53E-4-203**" is repealed; and
- 2044 (b) Section **53E-4-203** is repealed.
- 2045 (10) (a) Sections **53E-10-503** and **53E-10-504** are repealed January 1, 2023.
- 2046 (b) Subsection **53E-10-501**(1), related to the School Safety and Crisis Line
- 2047 Commission, is repealed January 1, 2023.
- 2048 [~~9~~] (11) Section **53F-2-514** is repealed July 1, 2020.
- 2049 [~~10~~] (12) Section **53F-5-203** is repealed July 1, 2019.
- 2050 [~~11~~] (13) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
- 2051 Education State Plan Pilot Program, is repealed July 1, 2022.
- 2052 [~~12~~] (14) Section **53F-6-201** is repealed July 1, 2019.
- 2053 [~~13~~] (15) Section **53F-9-501** is repealed January 1, 2023.

- 2054 (16) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
2055 Commission, are repealed January 1, 2025.
- 2056 [~~14~~] (17) Subsection 53G-8-211(4) is repealed July 1, 2020.
- 2057 Section 61. Section **63I-1-262** is amended to read:
- 2058 **63I-1-262. Repeal dates, Title 62A.**
- 2059 (1) Subsections 62A-1-120(8)(g), (h), and (i) are repealed July 1, 2023.
- 2060 (2) Section 62A-3-209 is repealed July 1, 2023.
- 2061 (3) Section 62A-4a-202.9 is repealed December 31, 2019.
- 2062 (4) Section 62A-4a-213 is repealed July 1, 2019.
- 2063 (5) Section 62A-15-114 is repealed December 31, 2021.
- 2064 (6) Subsections 62A-15-116(1) and (4), the language that states "In consultation with
2065 the Crisis Line Commission, established in Section 53E-10-503," is repealed January 1, 2023.
- 2066 (7) Subsections 62A-15-1100(1) and 62A-15-1101(8), in relation to the Utah
2067 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.
- 2068 [~~6~~] (8) Subsection 62A-15-1101(7) is repealed July 1, 2018.
- 2069 (9) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:
- 2070 (a) Subsections 62A-15-1301(1) and 62A-15-1401(1) are repealed;
- 2071 (b) Subsection 62A-15-1302(1)(b), the language that states "in consultation with the
2072 commission" is repealed;
- 2073 (c) Section 62A-15-1303, the language that states "In consultation with the
2074 commission," is repealed; and
- 2075 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations
2076 from the commission," is repealed.
- 2077 Section 62. Section **63I-1-263** is amended to read:
- 2078 **63I-1-263. Repeal dates, Titles 63A to 63N.**
- 2079 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 2080 (a) Section 63A-3-403 is repealed;

- 2081 (b) Subsection 63A-3-401(1) is repealed;
- 2082 (c) Subsection 63A-3-402(2)(c), the language that states "using criteria established by
- 2083 the board" is repealed;
- 2084 (d) Subsections 63A-3-404(1) and (2), the language that states "After consultation with
- 2085 the board, and" is repealed; and
- 2086 (e) Subsection 63A-3-404(1)(b), the language that states "using the standards provided
- 2087 in Subsection 63A-3-403(3)(c)" is repealed.
- 2088 [(1)] (2) Subsection 63A-5-104(4)(h) is repealed on July 1, 2024.
- 2089 [(2)] (3) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1,
- 2090 2023.
- 2091 [(3)] (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed
- 2092 July 1, 2028.
- 2093 [~~(4)~~] Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is
- 2094 ~~repealed November 30, 2019.]~~
- 2095 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
- 2096 2025.
- 2097 [(5)] (6) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July
- 2098 1, 2020.
- 2099 [(6)] (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act,
- 2100 is repealed July 1, 2021.
- 2101 [(7)] (8) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed
- 2102 July 1, 2023.
- 2103 [(8)] (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July
- 2104 1, 2025.
- 2105 [(9)] (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
- 2106 July 1, 2020.
- 2107 (11) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:

- 2108 (a) Subsection 63H-6-104(2)(c), related to a Senate appointment, is repealed;
- 2109 (b) Subsection 63H-6-104(2)(d), related to a House appointment, is repealed;
- 2110 (c) in Subsection 63H-6-104(2)(e), the language that states ", of whom only one may
2111 be a legislator, in accordance with Subsection (3)(e)," is repealed;
- 2112 (d) Subsection 63H-6-104(3)(a)(i) is amended to read:
- 2113 "(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under
2114 Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the
2115 year that the board member was appointed.";
- 2116 (e) in Subsections 63H-6-104(3)(a)(ii), (c)(ii), and (d), the language that states "the
2117 president of the Senate, the speaker of the House, the governor," is repealed and replaced with
2118 "the governor"; and
- 2119 (f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is
2120 repealed.
- 2121 ~~[(10)]~~ (12) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
2122 2026.
- 2123 ~~[(11)]~~ (13) On July 1, 2025:
- 2124 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
2125 Development Coordinating Committee," is repealed;
- 2126 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
2127 sites for the transplant of species to local government officials having jurisdiction over areas
2128 that may be affected by a transplant.";
- 2129 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
2130 Coordinating Committee" is repealed;
- 2131 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
2132 Coordinating Committee created in Section 63J-4-501 and" is repealed;
- 2133 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
2134 Coordinating Committee and" is repealed;

2135 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
2136 accordingly;

2137 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;

2138 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
2139 word "and" is inserted immediately after the semicolon;

2140 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

2141 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;

2142 and

2143 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
2144 renumbered accordingly.

2145 ~~[(12)]~~ (14) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is
2146 repealed July 1, 2026.

2147 ~~[(13)]~~ (15) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah
2148 Marriage Commission, is repealed July 1, 2023.

2149 ~~[(14)]~~ (16) (a) Subsection 63J-1-602.1(51), relating to the Utah Statewide Radio
2150 System Restricted Account, is repealed July 1, 2022.

2151 (b) When repealing Subsection 63J-1-602.1(51), the Office of Legislative Research and
2152 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
2153 necessary changes to subsection numbering and cross references.

2154 (17) Subsection 63J-1-602.2(23), related to the Utah Seismic Safety Commission, is
2155 repealed January 1, 2025.

2156 (18) Subsection 63J-4-708(1), in relation to the Talent Ready Utah Board, on January
2157 1, 2023, is amended to read:

2158 "(1) On or before October 1, the board shall provide an annual written report to the
2159 Social Services Appropriations Subcommittee and the Economic Development and Workforce
2160 Services Interim Committee."

2161 (19) In relation to the Utah Substance Use and Mental Health Advisory Council, on

2162 January 1, 2023:

2163 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
2164 repealed;

2165 (b) Section 63M-7-305, the language that states "council" is replaced with
2166 "commission";

2167 (c) Subsection 63M-7-305(1) is repealed and replaced with:

2168 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2169 (d) Subsection 63M-7-305(2) is repealed and replaced with:

2170 "(2) The commission shall:

2171 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
2172 Drug-Related Offenses Reform Act; and

2173 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
2174 Subsections 77-18-1(5)(b)(iii) and (iv)."

2175 [~~(15)~~] (20) The Crime Victim Reparations and Assistance Board, created in Section
2176 63M-7-504, is repealed July 1, 2027.

2177 [~~(16)~~] (21) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
2178 [~~2027~~] 2021.

2179 (22) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed
2180 on January 1, 2023.

2181 [~~(17)~~] (23) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2182 [~~(18)~~] (24) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
2183 is repealed January 1, 2021.

2184 (b) Subject to Subsection [~~(18)~~] (24)(c), Sections 59-7-610 and 59-10-1007 regarding
2185 tax credits for certain persons in recycling market development zones, are repealed for taxable
2186 years beginning on or after January 1, 2021.

2187 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

2188 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or

2189 [59-10-1007](#), if the machinery or equipment is purchased on or after January 1, 2021; or
2190 (ii) for an expenditure described in Subsection [59-7-610\(1\)\(b\)](#) or [59-10-1007\(1\)\(b\)](#), if
2191 the expenditure is made on or after January 1, 2021.

2192 (d) Notwithstanding Subsections [~~(18)~~] [\(24\)](#)(b) and (c), a person may carry forward a
2193 tax credit in accordance with Section [59-7-610](#) or [59-10-1007](#) if:

2194 (i) the person is entitled to a tax credit under Section [59-7-610](#) or [59-10-1007](#); and
2195 (ii) (A) for the purchase price of machinery or equipment described in Section
2196 [59-7-610](#) or [59-10-1007](#), the machinery or equipment is purchased on or before December 31,
2197 2020; or
2198 (B) for an expenditure described in Subsection [59-7-610\(1\)\(b\)](#) or [59-10-1007\(1\)\(b\)](#), the
2199 expenditure is made on or before December 31, 2020.

2200 [~~(19)~~] [\(25\)](#) Section [63N-2-512](#) is repealed on July 1, 2021.
2201 [~~(20)~~] [\(26\)](#) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
2202 January 1, 2021.

2203 (b) Section [59-9-107](#) regarding tax credits against premium taxes is repealed for
2204 calendar years beginning on or after January 1, 2021.

2205 (c) Notwithstanding Subsection [~~(20)~~] [\(26\)](#)(b), an entity may carry forward a tax credit
2206 in accordance with Section [59-9-107](#) if:

2207 (i) the person is entitled to a tax credit under Section [59-9-107](#) on or before December
2208 31, 2020; and
2209 (ii) the qualified equity investment that is the basis of the tax credit is certified under
2210 Section [63N-2-603](#) on or before December 31, 2023.

2211 [~~(21)~~] [\(27\)](#) Subsections [63N-3-109\(2\)\(f\)](#) and [63N-3-109\(2\)\(g\)\(i\)\(C\)](#) are repealed July 1,
2212 2023.

2213 [~~(22)~~] [\(28\)](#) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is
2214 repealed July 1, 2023.

2215 [~~(23)~~] [\(29\)](#) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant

2216 Program, is repealed January 1, 2023.

2217 (30) In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:

2218 (a) Subsection 63N-10-201(2)(a) is amended to read:

2219 "(2)(a) The governor shall appoint five commission members with the advice and

2220 consent of the Senate.";

2221 (b) Subsection 63N-10-201(2)(b), related to legislative appointments, is repealed;

2222 (c) in Subsection 63N-10-201(3)(a), the language that states ", president, or speaker,

2223 respectively," is repealed; and

2224 (d) Subsection 63N-10-201(3)(d) is amended to read:

2225 "(d) The governor may remove a commission member for any reason and replace the

2226 commission member in accordance with this section.".

2227 (31) In relation to the Talent Ready Utah Board, on January 1, 2023:

2228 (a) Subsection 63N-12-202(17) is repealed;

2229 (b) in Subsection 63N-12-214(2), the language that states "Talent Ready Utah," is

2230 repealed; and

2231 (c) in Subsection 63N-12-214(5), the language that states "representatives of Talent

2232 Ready Utah," is repealed.

2233 ~~[(24)]~~ (32) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is

2234 repealed July 1, 2018.

2235 (33) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,

2236 2023.

2237 Section 63. Section **63I-1-267** is amended to read:

2238 **63I-1-267. Repeal dates, Title 67.**

2239 [(+)] Section **67-1-15** is repealed December 31, 2027.

2240 ~~[(2) Sections **67-1a-10** and **67-1a-11** creating the Commission on Civic and Character~~

2241 ~~Education and establishing its duties are repealed on July 1, 2021.]~~

2242 Section 64. Section **63I-1-272** is amended to read:

2243 **63I-1-272. Repeal dates, Title 72.**
2244 Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January 2,
2245 2025.
2246 Section 65. Section **63I-1-273** is amended to read:
2247 **63I-1-273. Repeal dates, Title 73.**
2248 (1) The instream flow water right for trout habitat established in Subsection **73-3-30(3)**
2249 is repealed December 31, 2019.
2250 (2) In relation to the Legislative Water Development Commission, on January 1, 2021:
2251 (a) in Subsection **73-10g-105(3)**, the language that states "and in consultation with the
2252 State Water Development Commission created in Section **73-27-102"** is repealed;
2253 (b) Subsection **73-10g-203(4)(a)** is repealed; and
2254 (c) Title 73, Chapter 27, State Water Development Commission, is repealed.
2255 Section 66. Section **63I-2-219** is amended to read:
2256 **63I-2-219. Repeal dates -- Title 19.**
2257 (1) (a) Subsection **19-1-108(3)(a)** is repealed on June 30, 2019.
2258 (b) When repealing Subsection **19-1-108(3)(a)**, the Office of Legislative Research and
2259 General Counsel shall, in addition to its authority under Subsection **36-12-12(3)**, make
2260 necessary changes to subsection numbering and cross references.
2261 (2) Subsections **19-2-109.2(2)** through (10), related to the Compliance Advisory Panel,
2262 are repealed July 1, 2021.
2263 [~~(2)~~] (3) Section **19-6-126** is repealed on January 1, 2020.
2264 Section 67. Section **63I-2-263** is amended to read:
2265 **63I-2-263. Repeal dates, Title 63A to Title 63N.**
2266 (1) On July 1, 2020:
2267 (a) Subsection **63A-3-403(5)(a)(i)** is repealed; and
2268 (b) in Subsection **63A-3-403(5)(a)(ii)**, the language that states "appointed on or after
2269 May 8, 2018," is repealed.

2270 (2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.

2271 [~~2~~] (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is

2272 repealed July 1, 2020.

2273 (4) In relation to the State Fair Park Committee, on January 1, 2021:

2274 (a) Section 63H-6-104.5 is repealed; and

2275 (b) Subsections 63H-6-104(8) and (9) are repealed.

2276 [~~3~~] (5) Section 63H-7a-303 is repealed on July 1, 2022.

2277 [~~4~~] (6) On July 1, 2019:

2278 (a) in Subsection 63J-1-206(2)(c)(i), the language that states " Subsection(2)(c)(ii) and"

2279 is repealed; and

2280 (b) Subsection 63J-1-206(2)(c)(ii) is repealed.

2281 (7) In relation to the Employability to Careers Program Board, on July 1, 2022:

2282 (a) Subsection 63J-1-602.1(52) is repealed;

2283 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

2284 and

2285 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

2286 [~~5~~] (8) Section 63J-4-708 is repealed January 1, 2023.

2287 [~~6~~] (9) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.

2288 [~~7~~] (10) Section 63N-3-110 is repealed July 1, 2020.

2289 Section 68. Section 63I-2-272 is amended to read:

2290 **63I-2-272. Repeal dates -- Title 72.**

2291 (1) Subsections 72-1-213(2) and (3)(a)(i), related to the Road Usage Charge Advisory

2292 Committee, are repealed January 1, 2022.

2293 [~~+~~] (2) On July 1, 2018:

2294 (a) in Subsection 72-2-108(2), the language that states "and except as provided in

2295 Subsection (10)" is repealed;

2296 (b) in Subsection 72-2-108(4)(c)(ii)(A), the language that states ", excluding any

2297 amounts appropriated as additional support for class B and class C roads under Subsection
2298 (10)," is repealed; and

2299 (c) Subsection 72-2-108(10) is repealed.

2300 ~~[(2)]~~ (3) Section 72-3-113 is repealed January 1, 2020.

2301 ~~[(3)]~~ (4) Section 72-15-101 is repealed on March 31, 2018.

2302 Section 69. Section 63J-4-606 is amended to read:

2303 **63J-4-606. Public lands transfer study and economic analysis -- Report.**

2304 (1) As used in this section:

2305 (a) "Public lands" ~~[is as]~~ means the same as that term is defined in Section 63L-6-102.

2306 (b) "Transfer of public lands" means the transfer of public lands from federal

2307 ownership to state ownership.

2308 ~~[(2) (a) The coordinator and the office shall:]~~

2309 ~~[(i) conduct a study and economic analysis of the ramifications and economic impacts~~
2310 ~~of the transfer of public lands;]~~

2311 ~~[(ii) during the study and economic analysis, consult with county representatives on an~~
2312 ~~ongoing basis regarding how to consider and incorporate county land use plans and planning~~
2313 ~~processes into the analysis; and]~~

2314 ~~[(iii) on an ongoing basis, report on the progress and findings of the study to the~~
2315 ~~Commission for the Stewardship of Public Lands.]~~

2316 ~~[(b) The study and economic analysis shall:]~~

2317 ~~[(i) inventory public lands;]~~

2318 ~~[(ii) examine public lands:]~~

2319 ~~[(A) ownership;]~~

2320 ~~[(B) management;]~~

2321 ~~[(C) jurisdiction;]~~

2322 ~~[(D) resource characteristics;]~~

2323 ~~[(E) federal management requirements related to national forests, national recreation~~

2324 ~~areas, or other public lands administered by the United States; and]~~
2325 ~~[(F) current and potential future uses and ways that socioeconomic conditions are~~
2326 ~~influenced by those uses;]~~
2327 ~~[(iii) determine:]~~
2328 ~~[(A) public lands' ongoing and deferred maintenance costs, revenue production, and~~
2329 ~~funding sources;]~~
2330 ~~[(B) whether historical federal funding levels have been sufficient to manage, maintain,~~
2331 ~~preserve, and restore public lands and whether that funding level is likely to continue;]~~
2332 ~~[(C) the amount of public lands revenue paid to state, county, and local governments~~
2333 ~~and other recipients designated by law from payments in lieu of taxes, timber receipts, secure~~
2334 ~~rural school receipts, severance taxes, and mineral lease royalties;]~~
2335 ~~[(D) historical trends of the revenue sources listed in Subsection (2)(b)(iii)(C);]~~
2336 ~~[(E) ways that the payments listed in Subsection (2)(b)(iii)(C) can be maintained or~~
2337 ~~replaced following the transfer of public lands; and]~~
2338 ~~[(F) ways that, following the transfer of public lands, revenue from public lands can be~~
2339 ~~increased while mitigating environmental impact;]~~
2340 ~~[(iv) identify:]~~
2341 ~~[(A) existing oil and gas, mining, grazing, hunting, fishing, recreation, and other rights~~
2342 ~~and interests on public lands;]~~
2343 ~~[(B) the economic impact of those rights and interests on state, county, and local~~
2344 ~~economies;]~~
2345 ~~[(C) actions necessary to secure, preserve, and protect those rights and interests; and]~~
2346 ~~[(D) how those rights and interests may be affected in the event the federal government~~
2347 ~~does not complete the transfer of public lands;]~~
2348 ~~[(v) evaluate the impact of federal land ownership on:]~~
2349 ~~[(A) the Utah School and Institutional Trust Lands Administration's ability to~~
2350 ~~administer trust lands for the benefit of Utah schoolchildren;]~~

- 2351 ~~[(B) the state's ability to fund education; and]~~
- 2352 ~~[(C) state and local government tax bases;]~~
- 2353 ~~[(vi) identify a process for the state to:]~~
- 2354 ~~[(A) transfer and receive title to public lands from the United States;]~~
- 2355 ~~[(B) utilize state agencies with jurisdiction over land, natural resources, environmental~~
- 2356 ~~quality, and water to facilitate the transfer of public lands;]~~
- 2357 ~~[(C) create a permanent state framework to oversee the transfer of public lands;]~~
- 2358 ~~[(D) transition to state ownership and management of public lands using existing state~~
- 2359 ~~and local government resources; and]~~
- 2360 ~~[(E) indemnify political subdivisions of the state for actions taken in connection with~~
- 2361 ~~the transfer of public lands;]~~
- 2362 ~~[(vii) examine ways that multiple use of public lands through tourism and outdoor~~
- 2363 ~~recreation contributes to:]~~
- 2364 ~~[(A) the economic growth of state and local economies; and]~~
- 2365 ~~[(B) the quality of life of Utah citizens;]~~
- 2366 ~~[(viii) using theoretical modeling of various levels of land transfer, usage, and~~
- 2367 ~~development, evaluate the potential economic impact of the transfer of public lands on state,~~
- 2368 ~~county, and local governments; and]~~
- 2369 ~~[(ix) recommend the optimal use of public lands following the transfer of public lands.]~~
- 2370 (2) The coordinator and the office shall, on an ongoing basis, report to the Federalism
- 2371 Commission regarding the ramifications and economic impacts of the transfer of public lands.
- 2372 (3) The coordinator and office shall:
- 2373 (a) on an ongoing basis, discuss issues related to the transfer of public lands with:
- 2374 (i) the School and Institutional Trust Lands Administration;
- 2375 (ii) local governments;
- 2376 (iii) water managers;
- 2377 (iv) environmental advocates;

2378 (v) outdoor recreation advocates;
2379 (vi) nonconventional and renewable energy producers;
2380 (vii) tourism representatives;
2381 (viii) wilderness advocates;
2382 (ix) ranchers and agriculture advocates;
2383 (x) oil, gas, and mining producers;
2384 (xi) fishing, hunting, and other wildlife interests;
2385 (xii) timber producers;
2386 (xiii) other interested parties; and
2387 [~~(xiv) the Commission for the Stewardship of Public Lands; and]~~
2388 (xiv) the Federalism Commission; and
2389 (b) develop ways to obtain input from Utah citizens regarding the transfer of public
2390 lands and the future care and use of public lands.
2391 [~~(4) The coordinator may contract with another state agency or private entity to assist~~
2392 ~~the coordinator and office with the study and economic analysis required by Subsection (2)(a).]~~
2393 [~~(5) The coordinator shall submit a final report on the study and economic analysis~~
2394 ~~described in Subsection (2)(a), including proposed legislation and recommendations, to the~~
2395 ~~governor, the Natural Resources, Agriculture, and Environment Interim Committee, and the~~
2396 ~~Commission for the Stewardship of Public Lands before November 30, 2014.]~~
2397 Section 70. Section **63J-4-607** is amended to read:
2398 **63J-4-607. Resource management plan administration.**
2399 (1) The office shall consult with the [~~Commission for the Stewardship of Public Lands]~~
2400 Federalism Commission before expending funds appropriated by the Legislature for the
2401 implementation of this section.
2402 (2) To the extent that the Legislature appropriates sufficient funding, the office may
2403 procure the services of a non-public entity in accordance with Title 63G, Chapter 6a, Utah
2404 Procurement Code, to assist the office with the office's responsibilities described in Subsection

- 2405 (3).
- 2406 (3) The office shall:
- 2407 (a) assist each county with the creation of the county's resource management plan by:
- 2408 (i) consulting with the county on policy and legal issues related to the county's resource
- 2409 management plan; and
- 2410 (ii) helping the county ensure that the county's resource management plan meets the
- 2411 requirements of Subsection [17-27a-401\(3\)](#);
- 2412 (b) promote quality standards among all counties' resource management plans; and
- 2413 (c) upon submission by a county, review and verify the county's:
- 2414 (i) estimated cost for creating a resource management plan; and
- 2415 (ii) actual cost for creating a resource management plan.
- 2416 (4) (a) A county shall cooperate with the office, or an entity procured by the office
- 2417 under Subsection (2), with regards to the office's responsibilities under Subsection (3).
- 2418 (b) To the extent that the Legislature appropriates sufficient funding, the office may, in
- 2419 accordance with Subsection (4)(c), provide funding to a county before the county completes a
- 2420 resource management plan.
- 2421 (c) The office may provide pre-completion funding described in Subsection (4)(b):
- 2422 (i) after:
- 2423 (A) the county submits an estimated cost for completing the resource management plan
- 2424 to the office; and
- 2425 (B) the office reviews and verifies the estimated cost in accordance with Subsection
- 2426 (3)(c)(i); and
- 2427 (ii) in an amount up to:
- 2428 (A) 50% of the estimated cost of completing the resource management plan, verified
- 2429 by the office; or
- 2430 (B) \$25,000, if the amount described in Subsection (4)(c)(i)(A) is greater than \$25,000.
- 2431 (d) To the extent that the Legislature appropriates sufficient funding, the office shall

2432 provide funding to a county in the amount described in Subsection (4)(e) after:

2433 (i) a county's resource management plan:

2434 (A) meets the requirements described in Subsection 17-27a-401(3); and

2435 (B) is adopted under Subsection 17-27a-404(6)(d);

2436 (ii) the county submits the actual cost of completing the resource management plan to

2437 the office; and

2438 (iii) the office reviews and verifies the actual cost in accordance with Subsection

2439 (3)(c)(ii).

2440 (e) The office shall provide funding to a county under Subsection (4)(d) in an amount

2441 equal to the difference between:

2442 (i) the lesser of:

2443 (A) the actual cost of completing the resource management plan, verified by the office;

2444 or

2445 (B) \$50,000; and

2446 (ii) the amount of any pre-completion funding that the county received under

2447 Subsections (4)(b) and (c).

2448 (5) To the extent that the Legislature appropriates sufficient funding, after the deadline

2449 established in Subsection 17-27a-404(6)(d) for a county to adopt a resource management plan,

2450 the office shall:

2451 (a) obtain a copy of each county's resource management plan;

2452 (b) create a statewide resource management plan that:

2453 (i) meets the same requirements described in Subsection 17-27a-401(3); and

2454 (ii) to the extent reasonably possible, coordinates and is consistent with any resource

2455 management plan or land use plan established under Chapter 8, State of Utah Resource

2456 Management Plan for Federal Lands; and

2457 (c) submit a copy of the statewide resource management plan to the [~~Commission for~~

2458 ~~the Stewardship of Public Lands]~~ Federalism Commission for review.

2459 (6) Following review of the statewide resource management plan, the [~~Commission for~~
2460 ~~the Stewardship of Public Lands~~] Federalism Commission shall prepare a concurrent resolution
2461 approving the statewide resource management plan for consideration during the 2018 General
2462 Session.

2463 (7) To the extent that the Legislature appropriates sufficient funding, the office shall
2464 provide legal support to a county that becomes involved in litigation with the federal
2465 government over the requirements of Subsection 17-27a-405(3).

2466 (8) After the statewide resource management plan is approved, as described in
2467 Subsection (6), and to the extent that the Legislature appropriates sufficient funding, the office
2468 shall monitor the implementation of the statewide resource management plan at the federal,
2469 state, and local levels.

2470 Section 71. Section **63J-4-702** is amended to read:

2471 **63J-4-702. Employability to Careers Program Board.**

2472 (1) There is created within the office the Employability to Careers Program Board
2473 composed of the following members:

2474 (a) the executive director of the Department of Workforce Services or the executive
2475 director's designee;

2476 (b) the executive director of the Department of Human Services or the executive
2477 director's designee; and

2478 (c) three members appointed by the governor with the consent of the Senate as follows:

2479 (i) one member from the private or nonprofit sector with expertise in finance;

2480 (ii) one member who is not a legislator from the private or nonprofit sector chosen
2481 from among two individuals recommended by the president of the Senate; and

2482 (iii) one member who is not a legislator from the private or nonprofit sector chosen
2483 from among two individuals recommended by the speaker of the House of Representatives.

2484 (2) (a) An appointed member of the board shall serve for a term of three years, but may
2485 be reappointed for one additional term.

2486 (b) If a vacancy occurs in the board for any reason, the governor with the consent of the
2487 Senate shall appoint a replacement to serve the remainder of the board member's term.

2488 (3) The board shall elect a chair from among the board's membership.

2489 (4) The board shall meet at least quarterly upon the call of the chair.

2490 (5) Four members of the board constitute a quorum.

2491 (6) Action by a majority present constitutes the action of the board.

2492 (7) A board member may not receive compensation or benefits for the member's
2493 service, but a member may receive per diem and travel expenses in accordance with:

2494 (a) Section 63A-3-106;

2495 (b) Section 63A-3-107; and

2496 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
2497 63A-3-107.

2498 (8) The office shall provide staff support to the board.

2499 Section 72. Section 63L-10-102 is amended to read:

2500 **63L-10-102. Definitions.**

2501 As used in this chapter:

2502 (1) "Commission" means the [~~Commission for the Stewardship of Public Lands~~]
2503 Federalism Commission.

2504 (2) "Office" means the Public Lands Policy Coordinating Office established in Section
2505 63J-4-602.

2506 (3) "Plan" means the statewide resource management plan, created pursuant to Section
2507 63J-4-607 and adopted in Section 63L-10-103.

2508 (4) "Public lands" means:

2509 (a) land other than a national park that is managed by the United States Parks Service;

2510 (b) land that is managed by the United States Forest Service; and

2511 (c) land that is managed by the Bureau of Land Management.

2512 Section 73. Section 63L-10-103 is amended to read:

2513 **63L-10-103. Statewide resource management plan adopted.**

2514 (1) The statewide resource management plan, dated January 2, 2018, and on file with
2515 the office, is hereby adopted.

2516 (2) The office shall, to the extent possible and as funding allows, monitor federal, state,
2517 and local government compliance with the plan.

2518 (3) If the office modifies the plan, the office shall notify the commission of the
2519 modification and the office's reasoning for the modification within 30 days of the day on which
2520 the modification is made.

2521 (4) (a) The commission may request additional information of the office regarding any
2522 modifications to the plan, as described in Subsection (3).

2523 (b) The office shall promptly respond to any request for additional information, as
2524 described in Subsection (4)(a).

2525 (c) The commission may make a recommendation that the Legislature approve a
2526 modification or disapprove a modification, or the commission may decline to take action.

2527 (5) The office shall annually:

2528 (a) prepare a report detailing what changes, if any, are recommended for the plan and
2529 deliver the report to the commission [~~by October 31~~] August 31; and

2530 (b) report on the implementation of the plan at the federal, state, and local levels to the
2531 commission [~~by October 31~~] August 31.

2532 (6) If the commission makes a recommendation that the Legislature approve a
2533 modification, the commission shall prepare a bill in anticipation of the annual general session
2534 of the Legislature to implement the change.

2535 Section 74. Section **63L-10-104** is amended to read:

2536 **63L-10-104. Policy statement.**

2537 (1) Except as provided in Subsection (2), state agencies and political subdivisions shall
2538 refer to and substantially conform with the statewide resource management plan when making
2539 plans for public lands or other public resources in the state.

2540 (2) (a) The office shall, as funding allows, maintain a record of all state agency and
2541 political subdivision resource management plans and relevant documentation.

2542 (b) On an ongoing basis, state agencies and political subdivisions shall keep the office
2543 informed of any substantive modifications to their resource management plans.

2544 (c) On or before [~~October~~] August 31 of each year, the office shall provide a report to
2545 the commission that includes the following:

2546 (i) any modifications to the state agency or political subdivision resource management
2547 plans that are inconsistent with the statewide resource management plan;

2548 (ii) a recommendation as to how an inconsistency identified under Subsection (2)(c)(i),
2549 if any, should be addressed; and

2550 (iii) a recommendation:

2551 (A) as to whether the statewide resource management plan should be modified to
2552 address any inconsistency identified under Subsection (2)(c)(i); or

2553 (B) on any other modification to the statewide resource management plan the office
2554 determines is necessary.

2555 (3) (a) Subject to Subsection (3)(b), nothing in this section preempts the authority
2556 granted to a political subdivision under:

2557 (i) Title 10, Chapter 8, Powers and Duties of Municipalities, or Title 10, Chapter 9a,
2558 Municipal Land Use, Development, and Management Act; or

2559 (ii) Title 17, Chapter 27a, County Land Use, Development, and Management Act.

2560 (b) Federal regulations state that, when state and local government policies, plans, and
2561 programs conflict, those of higher authority will normally be followed.

2562 Section 75. Section **63M-2-301** is amended to read:

2563 **63M-2-301. The Utah Science Technology and Research Initiative -- Governing**
2564 **authority -- Executive director.**

2565 (1) There is created the Utah Science Technology and Research Initiative.

2566 (2) To oversee USTAR, there is created the Utah Science Technology and Research

2567 Governing Authority consisting of:

- 2568 (a) the state treasurer or the state treasurer's designee;
- 2569 (b) the executive director of the Governor's Office of Economic Development;
- 2570 (c) three members appointed by the governor, with the consent of the Senate;
- 2571 (d) two members who are not legislators appointed by the president of the Senate;
- 2572 (e) two members who are not legislators appointed by the speaker of the House of

2573 Representatives; and

- 2574 (f) one member appointed by the commissioner of higher education.

2575 (3) (a) The eight appointed members under Subsections (2)(c) through (f) shall serve
2576 four-year staggered terms.

- 2577 (b) An appointed member under Subsection (2)(c), (d), (e), or (f):

2578 (i) may not serve more than two full consecutive terms; and

2579 (ii) may be removed from the governing authority for any reason before the member's
2580 term is completed:

2581 (A) at the discretion of the original appointing authority; and

2582 (B) after the original appointing authority consults with the governing authority.

2583 (4) A vacancy on the governing authority in an appointed position under Subsection
2584 (2)(c), (d), (e), or (f) shall be filled for the unexpired term by the appointing authority in the
2585 same manner as the original appointment.

2586 (5) (a) Except as provided in Subsection (5)(b), the governor, with the consent of the
2587 Senate, shall select the chair of the governing authority to serve a one-year term.

2588 (b) The governor may extend the term of a sitting chair of the governing authority
2589 without the consent of the Senate.

2590 (c) The executive director of the Governor's Office of Economic Development shall
2591 serve as the vice chair of the governing authority.

2592 (6) The governing authority shall meet at least six times each year and may meet more
2593 frequently at the request of a majority of the members of the governing authority.

- 2594 (7) Five members of the governing authority are a quorum.
- 2595 (8) A member of the governing authority may not receive compensation or benefits for
 2596 the member's service, but may receive per diem and travel expenses as allowed in:
- 2597 (a) Section 63A-3-106;
- 2598 (b) Section 63A-3-107; and
- 2599 (c) rules made by the Division of Finance:
- 2600 (i) pursuant to Sections 63A-3-106 and 63A-3-107; and
- 2601 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 2602 (9) (a) After consultation with the governing authority, the governor, with the consent
 2603 of the Senate, shall appoint a full-time executive director to provide staff support for the
 2604 governing authority.
- 2605 (b) The executive director is an at-will employee who may be terminated with or
 2606 without cause by:
- 2607 (i) the governor; or
- 2608 (ii) majority vote of the governing authority.
- 2609 Section 76. Section 63M-7-301 is amended to read:
- 2610 **63M-7-301. Definitions -- Creation of council -- Membership -- Terms.**
- 2611 (1) (a) As used in this part, "council" means the Utah Substance Use and Mental Health
 2612 Advisory Council created in this section.
- 2613 (b) There is created within the governor's office the Utah Substance Use and Mental
 2614 Health Advisory Council.
- 2615 (2) The council shall be comprised of the following voting members:
- 2616 (a) the attorney general or the attorney general's designee;
- 2617 (b) an elected county official appointed by the Utah Association of Counties;
- 2618 (c) the commissioner of public safety or the commissioner's designee;
- 2619 (d) the director of the Division of Substance Abuse and Mental Health or the director's
 2620 designee;

- 2621 (e) the state superintendent of public instruction or the superintendent's designee;
- 2622 (f) the executive director of the Department of Health or the executive director's
- 2623 designee;
- 2624 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
- 2625 executive director's designee;
- 2626 (h) the executive director of the Department of Corrections or the executive director's
- 2627 designee;
- 2628 (i) the director of the Division of Juvenile Justice Services or the director's designee;
- 2629 (j) the director of the Division of Child and Family Services or the director's designee;
- 2630 (k) the chair of the Board of Pardons and Parole or the chair's designee;
- 2631 (l) the director of the Office of Multicultural Affairs or the director's designee;
- 2632 (m) the director of the Division of Indian Affairs or the director's designee;
- 2633 (n) the state court administrator or the state court administrator's designee;
- 2634 (o) a district court judge who presides over a drug court and who is appointed by the
- 2635 chief justice of the Utah Supreme Court;
- 2636 (p) a district court judge who presides over a mental health court and who is appointed
- 2637 by the chief justice of the Utah Supreme Court;
- 2638 (q) a juvenile court judge who presides over a drug court and who is appointed by the
- 2639 chief justice of the Utah Supreme Court;
- 2640 (r) a prosecutor appointed by the Statewide Association of Prosecutors;
- 2641 (s) the chair or co-chair of each committee established by the council;
- 2642 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under
- 2643 Subsection [62A-15-11\(2\)\(b\)](#);
- 2644 [~~(u) the following members appointed to serve four-year terms:~~]
- 2645 [~~(i) a member of the House of Representatives appointed by the speaker of the House~~
- 2646 ~~of Representatives;~~]
- 2647 [~~(ii) a member of the Senate appointed by the president of the Senate; and]~~

2648 [~~(iii)~~] (u) a representative appointed by the Utah League of Cities and Towns to serve a
2649 four-year term;

2650 (v) the following members appointed by the governor to serve four-year terms:

2651 (i) one resident of the state who has been personally affected by a substance use or
2652 mental health disorder; and

2653 (ii) one citizen representative; and

2654 (w) in addition to the voting members described in Subsections (2)(a) through (v), the
2655 following voting members appointed by a majority of the members described in Subsections
2656 (2)(a) through (v) to serve four-year terms:

2657 (i) one resident of the state who represents a statewide advocacy organization for
2658 recovery from substance use disorders;

2659 (ii) one resident of the state who represents a statewide advocacy organization for
2660 recovery from mental illness;

2661 (iii) one resident of the state who represents prevention professionals;

2662 (iv) one resident of the state who represents treatment professionals;

2663 (v) one resident of the state who represents the physical health care field;

2664 (vi) one resident of the state who is a criminal defense attorney;

2665 (vii) one resident of the state who is a military servicemember or military veteran under
2666 Section [53B-8-102](#);

2667 (viii) one resident of the state who represents local law enforcement agencies; and

2668 (ix) one representative of private service providers that serve youth with substance use
2669 disorders or mental health disorders.

2670 (3) An individual other than an individual described in Subsection (2) may not be
2671 appointed as a voting member of the council.

2672 Section 77. Section **63M-7-302** is amended to read:

2673 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**

2674 (1) The Utah Substance Use and Mental Health Advisory Council shall annually select

2675 one of its members to serve as chair and one of its members to serve as vice chair.

2676 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
2677 appointed for the unexpired term in the same manner as the position was originally filled.

2678 (3) A majority of the members of the council constitutes a quorum.

2679 (4) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits
2680 for the member's service, but may receive per diem and travel expenses as allowed in:

2681 ~~[(i)]~~ (a) Section 63A-3-106;

2682 ~~[(ii)]~~ (b) Section 63A-3-107; and

2683 ~~[(iii)]~~ (c) rules made by the Division of Finance according to Sections 63A-3-106 and
2684 63A-3-107.

2685 ~~[(b) Compensation and expenses of a member who is a legislator are governed by~~
2686 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

2687 (5) The council may establish committees as needed to assist in accomplishing its
2688 duties under Section 63M-7-303.

2689 Section 78. Section 63M-7-601 is amended to read:

2690 **63M-7-601. Creation -- Members -- Chair.**

2691 (1) There is created within the governor's office the Utah Council on Victims of Crime.

2692 (2) The Utah Council on Victims of Crime shall be composed of 25 voting members as
2693 follows:

2694 (a) a representative of the Commission on Criminal and Juvenile Justice appointed by
2695 the executive director;

2696 (b) a representative of the Department of Corrections appointed by the executive
2697 director;

2698 (c) a representative of the Board of Pardons and Parole appointed by the chair;

2699 (d) a representative of the Department of Public Safety appointed by the commissioner;

2700 (e) a representative of the Division of Juvenile Justice Services appointed by the
2701 director;

2702 (f) a representative of the Utah Office for Victims of Crime appointed by the director;

2703 (g) a representative of the Office of the Attorney General appointed by the attorney
2704 general;

2705 (h) a representative of the United States Attorney for the district of Utah appointed by
2706 the United States Attorney;

2707 (i) a representative of Utah's Native American community appointed by the director of
2708 the Division of Indian Affairs after input from federally recognized tribes in Utah;

2709 (j) a professional or volunteer working in the area of violence against women and
2710 families appointed by the governor;

2711 (k) the chair of each judicial district's victims' rights committee;

2712 (l) the following members appointed to serve four-year terms:

2713 (i) a representative of the Statewide Association of Public Attorneys appointed by that
2714 association;

2715 (ii) a representative of the Utah Chiefs of Police Association appointed by the president
2716 of that association;

2717 (iii) a representative of the Utah Sheriffs' Association appointed by the president of that
2718 association;

2719 (iv) a representative of a Children's Justice Center appointed by the ~~[Advisory Board~~
2720 ~~on Children's Justice]~~ attorney general; and

2721 (v) a citizen representative appointed by the governor; and

2722 (m) the following members appointed by the members in Subsections (2)(a) through
2723 (2)(k) to serve four-year terms:

2724 (i) an individual who works professionally with victims of crime; and

2725 (ii) a victim of crime.

2726 (3) The council shall annually elect one member to serve as chair.

2727 Section 79. Section **63M-11-201** is amended to read:

2728 **63M-11-201. Composition -- Appointments -- Terms -- Removal.**

2729 (1) The commission shall be composed of ~~[22]~~ 20 voting members as follows:
2730 ~~[(a) one senator, appointed by the president of the Senate;]~~
2731 ~~[(b) one representative, appointed by the speaker of the House of Representatives;]~~
2732 ~~[(c)]~~ (a) the executive director of the Department of Health;
2733 ~~[(d)]~~ (b) the executive director of the Department of Human Services;
2734 ~~[(e)]~~ (c) the executive director of the Governor's Office of Economic Development;
2735 ~~[(f)]~~ (d) the executive director of the Department of Workforce Services; and
2736 ~~[(g)]~~ (e) 16 voting members, appointed by the governor, representing each of the
2737 following:
2738 (i) the Utah Association of Area Agencies on Aging;
2739 (ii) higher education in Utah;
2740 (iii) the business community;
2741 (iv) the Utah Association of Counties;
2742 (v) the Utah League of Cities and Towns;
2743 (vi) charitable organizations;
2744 (vii) the health care provider industry;
2745 (viii) financial institutions;
2746 (ix) the legal profession;
2747 (x) the public safety sector;
2748 (xi) public transportation;
2749 (xii) ethnic minorities;
2750 (xiii) the industry that provides long-term care for the elderly;
2751 (xiv) organizations or associations that advocate for the aging population;
2752 (xv) the Alzheimer's Association; and
2753 (xvi) the general public.
2754 (2) (a) A member appointed under Subsection (1)~~[(g)]~~(e) shall serve a two-year term.
2755 (b) Notwithstanding the term requirements of Subsection (2)(a), the governor may

2756 adjust the length of the initial commission members' terms to ensure that the terms are
2757 staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are
2758 appointed each year.

2759 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
2760 under Subsection (1)~~(g)~~(e), the governor shall appoint a person to fill the vacancy for the
2761 unexpired term of the commission member being replaced.

2762 (d) Members appointed under Subsection (1)~~(g)~~(e) may be removed by the governor
2763 for cause.

2764 (e) A member appointed under Subsection (1)~~(g)~~(e) shall be removed from the
2765 commission and replaced by the governor if the member is absent for three consecutive
2766 meetings of the commission without being excused by the chair of the commission.

2767 (3) In appointing the members under Subsection (1)~~(g)~~(e), the governor shall:

2768 (a) take into account the geographical makeup of the commission; and

2769 (b) strive to appoint members who are knowledgeable or have an interest in issues
2770 relating to the aging population.

2771 Section 80. Section **63M-11-206** is amended to read:

2772 **63M-11-206. Members serve without pay -- Reimbursement for expenses.**

2773 ~~[(1)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits for
2774 the member's service, but may receive per diem and travel expenses as allowed in:

2775 ~~[(a)]~~ (1) Section [63A-3-106](#);

2776 ~~[(b)]~~ (2) Section [63A-3-107](#); and

2777 ~~[(c)]~~ (3) rules made by the Division of Finance according to Sections [63A-3-106](#) and
2778 [63A-3-107](#).

2779 ~~[(2) Compensation and expenses of a member who is a legislator are governed by~~
2780 ~~Section [36-2-2](#) and Legislative Joint Rules, Title JR5, Legislative Compensation and~~
2781 ~~Expenses:]~~

2782 Section 81. Section **63N-1-201** is amended to read:

- 2783 **63N-1-201. Creation of office -- Responsibilities.**
- 2784 (1) There is created the Governor's Office of Economic Development.
- 2785 (2) The office is:
- 2786 (a) responsible for economic development and economic development planning in the
- 2787 state; and
- 2788 (b) the industrial promotion authority of the state.
- 2789 (3) The office shall:
- 2790 (a) administer and coordinate state and federal economic development grant programs;
- 2791 (b) promote and encourage the economic, commercial, financial, industrial,
- 2792 agricultural, and civic welfare of the state;
- 2793 (c) promote and encourage the employment of workers in the state and the purchase of
- 2794 goods and services produced in the state by local businesses;
- 2795 (d) act to create, develop, attract, and retain business, industry, and commerce in the
- 2796 state;
- 2797 (e) act to enhance the state's economy;
- 2798 (f) administer programs over which the office is given administrative supervision by
- 2799 the governor;
- 2800 (g) submit an annual written report as described in Section [63N-1-301](#); and
- 2801 ~~[(h) comply with the requirements of Section [36-30-202](#); and]~~
- 2802 ~~[(i)]~~ (h) perform other duties as provided by the Legislature.
- 2803 (4) In order to perform its duties under this title, the office may:
- 2804 (a) enter into a contract or agreement with, or make a grant to, a public or private
- 2805 entity, including a municipality, if the contract or agreement is not in violation of state statute
- 2806 or other applicable law;
- 2807 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
- 2808 private source for any lawful purpose that is in the state's best interest; and
- 2809 (c) solicit and accept a contribution of money, services, or facilities from a public or

2810 private donor, but may not use the contribution for publicizing the exclusive interest of the
2811 donor.

2812 (5) Money received under Subsection (4)(c) shall be deposited in the General Fund as
2813 dedicated credits of the office.

2814 (6) (a) The office shall obtain the advice of the board before implementing a change to
2815 a policy, priority, or objective under which the office operates.

2816 (b) Subsection (6)(a) does not apply to the routine administration by the office of
2817 money or services related to the assistance, retention, or recruitment of business, industry, or
2818 commerce in the state.

2819 Section 82. Section **63N-12-505**, which is renumbered from Section 53B-17-108 is
2820 renumbered and amended to read:

2821 ~~[53B-17-108].~~ **63N-12-505. Utah Futures.**

2822 (1) As used in this section:

2823 (a) "Education provider" means:

- 2824 (i) a Utah institution of higher education as defined in Section [53B-2-101](#); or
- 2825 (ii) a nonprofit Utah provider of postsecondary education.

2826 (b) "Student user" means:

- 2827 (i) a Utah student in kindergarten through grade 12;
- 2828 (ii) a Utah post secondary education student;
- 2829 (iii) a parent or guardian of a Utah public education student; or
- 2830 (iv) a Utah potential post secondary education student.

2831 (c) "Utah Futures" means a career planning program developed and administered by
2832 the ~~[Utah Futures Steering Committee]~~ talent ready board.

2833 ~~[(d) "Utah Futures Steering Committee" means a committee of members designated by~~
2834 ~~the governor to administer and manage Utah Futures.]~~

2835 (2) The ~~[Utah Futures Steering Committee]~~ talent ready board shall ensure, as funding
2836 allows and is feasible, that Utah Futures will:

- 2837 (a) allow a student user to:
- 2838 (i) access, subject to Subsection (3), information about an education provider or a
- 2839 scholarship provider;
- 2840 (ii) access information about different career opportunities and understand the related
- 2841 educational requirements to enter that career;
- 2842 (iii) access information about education providers;
- 2843 (iv) access up to date information about entrance requirements to education providers;
- 2844 (v) apply for entrance to multiple schools without having to fully replicate the
- 2845 application process;
- 2846 (vi) apply for loans, scholarships, or grants from multiple education providers in one
- 2847 location without having to fully replicate the application process for multiple education
- 2848 providers; and
- 2849 (vii) research open jobs from different companies within the user's career interest and
- 2850 apply for those jobs without having to leave the website to do so;
- 2851 (b) allow all users to:
- 2852 (i) access information about different career opportunities and understand the related
- 2853 educational requirements to enter that career;
- 2854 (ii) access information about education providers;
- 2855 (iii) access up-to-date information about entrance requirements to education providers;
- 2856 (iv) apply for entrance to multiple schools without having to fully replicate the
- 2857 application process;
- 2858 (v) apply for loans, scholarships, or grants from multiple education providers in one
- 2859 location without having to fully replicate the application process for multiple education
- 2860 providers; and
- 2861 (vi) research open jobs from different companies within the user's career interest and
- 2862 apply for those jobs without having to leave the website to do so;
- 2863 (c) allow an education provider to:

2864 (i) request that Utah Futures send information to student users who are interested in
2865 various educational opportunities;

2866 (ii) promote the education provider's programs and schools to student users; and

2867 (iii) connect with student users within the Utah Futures website;

2868 (d) allow a Utah business to:

2869 (i) request that Utah Futures send information to student users who are pursuing
2870 educational opportunities that are consistent with jobs the Utah business is trying to fill now or
2871 in the future; and

2872 (ii) market jobs and communicate with student users through the Utah Futures website
2873 as allowed by law;

2874 (e) provide analysis and reporting on student user interests and education paths within
2875 the education system; and

2876 (f) allow all users of the Utah Futures' system to communicate and interact through
2877 social networking tools within the Utah Futures website as allowed by law.

2878 (3) A student may access information described in Subsection (2)(a)(i) only if Utah
2879 Futures obtains written consent:

2880 (a) of a student's parent or legal guardian through the student's school or LEA; or

2881 (b) for a student who is age 18 or older or an emancipated minor, from the student.

2882 (4) The [~~Utah Futures Steering Committee~~] talent ready board:

2883 (a) may charge a fee to a Utah business for services provided by Utah Futures under
2884 this section; and

2885 (b) shall establish a fee described in Subsection (4)(a) in accordance with Section

2886 [63J-1-504](#).

2887 Section 83. Section **67-1-2.5** is amended to read:

2888 **67-1-2.5. Executive boards -- Database -- Governor's review of new boards.**

2889 (1) As used in this section[~~,"executive board"~~]:

2890 (a) "Administrator" means the boards and commissions administrator designated under

2891 Subsection (2).

2892 (b) "Executive board" means any executive branch board, commission, council,
2893 committee, working group, task force, study group, advisory group, or other body with a
2894 defined limited membership that is created to operate for more than six months by the
2895 constitution, by statute, by executive order, by the governor, lieutenant governor, attorney
2896 general, state auditor, or state treasurer or by the head of a department, division, or other
2897 administrative subunit of the executive branch of state government.

2898 (2) (a) Before September 1 of the calendar year following the year in which the
2899 Legislature creates a new executive board, the governor shall:

2900 (i) review the executive board to evaluate:

2901 (A) whether the executive board accomplishes a substantial governmental interest; and

2902 (B) whether it is necessary for the executive board to remain in statute;

2903 (ii) in the governor's review under Subsection (2)(a)(i), consider:

2904 (A) the funding required for the executive board;

2905 (B) the staffing resources required for the executive board;

2906 (C) the time members of the executive board are required to commit to serve on the
2907 executive board; and

2908 (D) whether the responsibilities of the executive board could reasonably be
2909 accomplished through an existing entity or without statutory direction; and

2910 (iii) submit a report to the Government Operations Interim Committee recommending
2911 that the Legislature:

2912 (A) repeal the executive board;

2913 (B) add a sunset provision or future repeal date to the executive board;

2914 (C) make other changes to make the executive board more efficient; or

2915 (D) make no changes to the executive board.

2916 (b) In conducting the evaluation and making the report described in Subsection (2)(a),
2917 the governor shall give deference to:

2918 (i) reducing the size of government; and
2919 (ii) making governmental programs more efficient and effective.
2920 (c) Upon receipt of a report from the governor under Subsection (2)(a)(iii), the
2921 Government Operations Interim Committee shall vote on whether to address the
2922 recommendations made by the governor in the report and prepare legislation accordingly.
2923 [~~(2)~~] (3) (a) The governor shall designate [~~a person from his~~] a board and commissions
2924 administrator from the governor's staff to maintain a computerized [data base] database
2925 containing information about all executive boards.
2926 [~~(3)~~] (b) The [~~person designated to maintain the data base~~] administrator shall ensure
2927 that the [data base] database contains:
2928 [~~(a)~~] (i) the name of each executive board;
2929 [~~(b)~~] (ii) the statutory or constitutional authority for the creation of the executive board;
2930 [~~(c)~~] (iii) the sunset date on which each executive board's statutory authority expires;
2931 [~~(d)~~] (iv) the state officer or department and division of state government under whose
2932 jurisdiction the executive board operates or with which the executive board is affiliated, if any;
2933 [~~(e)~~] (v) the name, address, gender, telephone number, and county of each [~~person~~]
2934 individual currently serving on the executive board, along with a notation of all vacant or
2935 unfilled positions;
2936 [~~(f)~~] (vi) the title of the position held by the person who appointed each member of the
2937 executive board;
2938 [~~(g)~~] (vii) the length of the term to which each member of the executive board was
2939 appointed and the month and year that each executive board member's term expires;
2940 [~~(h)~~] (viii) whether or not members appointed to the executive board require consent of
2941 the Senate;
2942 [~~(i)~~] (ix) the organization, interest group, profession, local government entity, or
2943 geographic area that [the person] an individual appointed to an executive board represents, if
2944 any;

2945 ~~[(j)]~~ (x) the ~~[person's]~~ party affiliation of an individual appointed to an executive board,
2946 if the statute or executive order creating the position requires representation from political
2947 parties;

2948 ~~[(k)]~~ (xi) whether ~~[the]~~ each executive board is a policy board or an advisory board;

2949 ~~[(l)]~~ (xii) whether ~~[or not]~~ the executive board has or exercises rulemaking authority;
2950 and

2951 ~~[(m)]~~ (xiii) any compensation and expense reimbursement that members of the
2952 executive board are authorized to receive.

2953 ~~[(4) The person designated to maintain the data base shall:]~~

2954 (4) The administrator shall place the following on the governor's website:

2955 (a) ~~[make]~~ the information contained in the ~~[data base available to the public upon~~
2956 ~~request; and]~~ database;

2957 ~~[(b) cooperate with other entities of state government to publish the data or useful~~
2958 ~~summaries of the data.]~~

2959 (b) each report the administrator receives under Subsection (5); and

2960 (c) the summary report described in Subsection (6).

2961 (5) (a) Before August 1 of each year, each executive board shall prepare and submit to
2962 the administrator an annual report that includes:

2963 (i) the name of the executive board;

2964 (ii) a description of the executive board's official function and purpose;

2965 (iii) a description of the actual work performed by the executive board since the last
2966 report the executive board submitted to the administrator under this Subsection (5);

2967 (iv) a description of actions taken by the executive board since the last report the
2968 executive board submitted to the administrator under this Subsection (5);

2969 (v) recommendations on whether any statutory, rule, or other changes are needed to
2970 make the executive board more effective; and

2971 (vi) an indication of whether the executive board should continue to exist.

2972 **(b) The administrator shall compile and post the reports described in Subsection (5)(a)**
 2973 **to the governor's website before September 1 of each year.**

2974 **(c) An executive board is not required to submit a report under this Subsection (5) if**
 2975 **the executive board:**

2976 **(i) is also a legislative board under Section 36-12-22; and**

2977 **(ii) submits a report under Section 36-12-22.**

2978 ~~[(5)]~~ **(6) (a) The [person designated to maintain the data base] administrator shall**
 2979 **prepare, publish, and distribute an annual report by [December] September 1 of each year that**
 2980 **includes[, as of November 1]:**

2981 **(i) as of August 1 of that year:**

2982 ~~[(i)]~~ **(A) the total number of executive boards;**

2983 ~~[(ii)]~~ **(B) the name of each of those executive boards and the state officer or department**
 2984 **and division of state government under whose jurisdiction the executive board operates or with**
 2985 **which the executive board is affiliated, if any;**

2986 ~~[(iii)]~~ **(C) for each state officer and each department and division, the total number of**
 2987 **executive boards under the jurisdiction of or affiliated with that officer, department, and**
 2988 **division;**

2989 ~~[(iv)]~~ **(D) the total number of members for each of those executive boards;**

2990 ~~[(v)]~~ **(E) whether or not some or all of the members of each of those executive boards**
 2991 **are approved by the Senate;**

2992 ~~[(vi)]~~ **(F) whether each board is a policymaking board or an advisory board and the**
 2993 **total number of policy boards and the total number of advisory boards; and**

2994 ~~[(vii)]~~ **(G) the compensation, if any, paid to the members of each of those executive**
 2995 **boards[-]; and**

2996 **(ii) a summary of the reports submitted to the administrator under Subsection (5),**
 2997 **including:**

2998 **(A) a list of each executive board that submitted a report under Subsection (5);**

2999 (B) a list of each executive board that did not submit a report under Subsection (5);
3000 (C) an indication of any recommendations made under Subsection (5)(a)(v); and
3001 (D) a list of any executive boards that indicated under Subsection (5)(a)(vi) that the
3002 executive board should no longer exist.

3003 (b) The ~~[person designated to maintain the data bases]~~ administrator shall distribute
3004 copies of the report described in Subsection (6)(a) to:

3005 (i) the governor;

3006 (ii) the president of the Senate;

3007 (iii) the speaker of the House;

3008 (iv) the Office of Legislative Research and General Counsel; ~~[and]~~

3009 (v) the Government Operations Interim Committee; and

3010 ~~[(v)]~~ (vi) any other persons who request a copy of the annual report.

3011 (c) Each year, the Government Operations Interim Committee shall prepare legislation
3012 making any changes the committee determines are suitable with respect to the report the
3013 committee receives under Subsection (6)(b), including:

3014 (i) repealing an executive board that is no longer functional or necessary; and

3015 (ii) making appropriate changes to make an executive board more effective.

3016 Section 84. Section **67-5b-102** is amended to read:

3017 **67-5b-102. Children's Justice Center -- Requirements of center -- Purposes of**
3018 **center.**

3019 (1) (a) There is established the Children's Justice Center Program to provide a
3020 comprehensive, multidisciplinary, intergovernmental response to child abuse victims in a
3021 facility known as a Children's Justice Center.

3022 (b) The attorney general shall administer the program.

3023 (c) The attorney general shall:

3024 (i) allocate the funds appropriated by a line item pursuant to Section **67-5b-103**;

3025 (ii) administer applications for state and federal grants and subgrants;

- 3026 ~~[(iii) staff the Advisory Board on Children's Justice;]~~
3027 (iii) maintain an advisory board that is associated with the program to comply with
3028 requirements of grants that are associated with the program;
3029 (iv) assist in the development of new centers;
3030 (v) coordinate services between centers;
3031 (vi) contract with counties and other entities for the provision of services;
3032 (vii) (A) provide training, technical assistance, and evaluation to centers; and
3033 (B) ensure that any training described in Subsection (1)(c)(vii)(A) complies with Title
3034 63G, Chapter 22, State Training and Certification Requirements; and
3035 (viii) provide other services to comply with established minimum practice standards as
3036 required to maintain the state's and centers' eligibility for grants and subgrants.
3037 (2) (a) The attorney general shall establish Children's Justice Centers, satellite offices,
3038 or multidisciplinary teams in Beaver County, Box Elder County, Cache County, Carbon
3039 County, Davis County, Duchesne County, Emery County, Grand County, Iron County, Juab
3040 County, Kane County, Salt Lake County, San Juan County, Sanpete County, Sevier County,
3041 Summit County, Tooele County, Uintah County, Utah County, Wasatch County, Washington
3042 County, and Weber County.
3043 (b) The attorney general may establish other centers, satellites, or multidisciplinary
3044 teams within a county and in other counties of the state.
3045 (3) The attorney general and each center shall:
3046 (a) coordinate the activities of the public agencies involved in the investigation and
3047 prosecution of child abuse cases and the delivery of services to child abuse victims and child
3048 abuse victims' families;
3049 (b) provide a neutral, child-friendly program, where interviews are conducted and
3050 services are provided to facilitate the effective and appropriate disposition of child abuse cases
3051 in juvenile, civil, and criminal court proceedings;
3052 (c) facilitate a process for interviews of child abuse victims to be conducted in a

3053 professional and neutral manner;

3054 (d) obtain reliable and admissible information that can be used effectively in child
3055 abuse cases in the state;

3056 (e) maintain a multidisciplinary team that includes representatives of public agencies
3057 involved in the investigation and prosecution of child abuse cases and in the delivery of
3058 services to child abuse victims and child abuse victims' families;

3059 (f) hold regularly scheduled case reviews with the multidisciplinary team;

3060 (g) coordinate and track:

3061 (i) investigation of the alleged offense; and

3062 (ii) preparation of prosecution;

3063 (h) maintain a working protocol that addresses the center's procedures for conducting
3064 forensic interviews and case reviews, and for ensuring a child abuse victim's access to medical
3065 and mental health services;

3066 (i) maintain a system to track the status of cases and the provision of services to child
3067 abuse victims and child abuse victims' families;

3068 (j) provide training for professionals involved in the investigation and prosecution of
3069 child abuse cases and in the provision of related treatment and services;

3070 (k) enhance community understanding of child abuse cases; and

3071 (l) provide as many services as possible that are required for the thorough and effective
3072 investigation of child abuse cases.

3073 (4) To assist a center in fulfilling the requirements and statewide purposes as provided
3074 in Subsection (3), each center may obtain access to any relevant juvenile court legal records
3075 and adult court legal records, unless sealed by the court.

3076 Section 85. Section **67-5b-105** is amended to read:

3077 **67-5b-105. Local advisory boards -- Membership.**

3078 (1) The cooperating public agencies and other persons shall make up each center's local
3079 advisory board, which shall be composed of the following people from the county or area:

- 3080 (a) the local center director or the director's designee;
- 3081 (b) a district attorney or county attorney having criminal jurisdiction or any designee;
- 3082 (c) a representative of the attorney general's office, designated by the attorney general;
- 3083 (d) at least one official from a local law enforcement agency or the local law
- 3084 enforcement agency's designee;
- 3085 (e) the county executive or the county executive's designee;
- 3086 (f) a licensed nurse practitioner or physician;
- 3087 (g) a licensed mental health professional;
- 3088 (h) a criminal defense attorney;
- 3089 (i) at least four members of the community at large [~~provided, however, that the~~
- 3090 ~~Advisory Board on Children's Justice may authorize fewer members, although not less than~~
- 3091 ~~two, if the local advisory board so requests~~];
- 3092 (j) a guardian ad litem or representative of the Office of Guardian Ad Litem,
- 3093 designated by the director;
- 3094 (k) a representative of the Division of Child and Family Services within the
- 3095 Department of Human Services, designated by the employee of the division who has
- 3096 supervisory responsibility for the county served by the center;
- 3097 (l) if a center serves more than one county, one representative from each county served,
- 3098 appointed by the county executive; and
- 3099 (m) additional members appointed as needed by the county executive.
- 3100 (2) The members on each local advisory board who serve due to public office as
- 3101 provided in Subsections (1)(b) through (e) shall select the remaining members. The members
- 3102 on each local advisory board shall select a chair of the local advisory board.
- 3103 (3) The local advisory board may not supersede the authority of the contracting county
- 3104 as designated in Section [67-5b-104](#).
- 3105 (4) Appointees and designees shall serve a term or terms as designated in the bylaws of
- 3106 the local advisory board.

3107 Section 86. Section **72-4-302** is amended to read:

3108 **72-4-302. Utah State Scenic Byway Committee -- Creation -- Membership --**
3109 **Meetings -- Expenses.**

3110 (1) There is created the Utah State Scenic Byway Committee.

3111 (2) (a) The committee shall consist of the following [~~15~~] 13 members:

3112 (i) a representative from each of the following entities appointed by the governor:

3113 (A) the Governor's Office of Economic Development;

3114 (B) the Utah Department of Transportation;

3115 (C) the Department of Heritage and Arts;

3116 (D) the Division of Parks and Recreation;

3117 (E) the Federal Highway Administration;

3118 (F) the National Park Service;

3119 (G) the National Forest Service; and

3120 (H) the Bureau of Land Management;

3121 (ii) one local government tourism representative appointed by the governor;

3122 (iii) a representative from the private business sector appointed by the governor; and

3123 (iv) three local elected officials from a county, city, or town within the state appointed
3124 by the governor[;].

3125 [~~(v) a member from the House of Representatives appointed by the speaker of the~~
3126 ~~House of Representatives; and]~~

3127 [~~(vi) a member from the Senate appointed by the president of the Senate.]~~

3128 (b) Except as provided in Subsection (2)(c), the members appointed in this Subsection
3129 (2) shall be appointed for a four-year term of office.

3130 (c) The governor shall, at the time of appointment or reappointment for appointments
3131 made under Subsection (2)(a)(i), (ii), (iii), or (iv) adjust the length of terms to ensure that the
3132 terms of committee members are staggered so that approximately half of the committee is
3133 appointed every two years.

3134 ~~[(d) (i) The appointments made under Subsections (2)(a)(v) and (vi) by the speaker of~~
3135 ~~the House and the president of the Senate may not be from the same political party.]~~

3136 ~~[(ii) The speaker of the House and the president of the Senate shall alternate the~~
3137 ~~appointments made under Subsections (2)(a)(v) and (vi) as follows:]~~

3138 ~~[(A) if the speaker appoints a member under Subsection (2)(a)(v), the next appointment~~
3139 ~~made by the speaker following the expiration of the existing member's four-year term of office~~
3140 ~~shall be from a different political party; and]~~

3141 ~~[(B) if the president appoints a member under Subsection (2)(a)(vi), the next~~
3142 ~~appointment made by the president following the expiration of the existing member's four-year~~
3143 ~~term of office shall be from a different political party.]~~

3144 (3) (a) The representative from the Governor's Office of Economic Development shall
3145 chair the committee.

3146 (b) The members appointed under Subsections (2)(a)(i)(E) through (H) serve as
3147 nonvoting, ex officio members of the committee.

3148 (4) The Governor's Office of Economic Development and the department shall provide
3149 staff support to the committee.

3150 (5) (a) The chair may call a meeting of the committee only with the concurrence of the
3151 department.

3152 (b) A majority of the voting members of the committee constitute a quorum.

3153 (c) Action by a majority vote of a quorum of the committee constitutes action by the
3154 committee.

3155 (6) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits
3156 for the member's service, but may receive per diem and travel expenses as allowed in:

3157 ~~[(i)]~~ (a) Section [63A-3-106](#);

3158 ~~[(ii)]~~ (b) Section [63A-3-107](#); and

3159 ~~[(iii)]~~ (c) rules made by the Division of Finance according to Sections [63A-3-106](#) and
3160 [63A-3-107](#).

3161 ~~[(b) Compensation and expenses of a member who is a legislator are governed by~~
3162 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

3163 Section 87. Section **73-10g-105** is amended to read:

3164 **73-10g-105. Loans -- Rulemaking.**

3165 (1) (a) The division and the board shall make rules, in accordance with Title 63G,
3166 Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from available
3167 funds to repair, replace, or improve underfunded federal water infrastructure projects.

3168 (b) Subject to Chapter 26, Bear River Development Act, and Chapter 28, Lake Powell
3169 Pipeline Development Act, the division and the board shall make rules, in accordance with
3170 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from
3171 available funds to develop the state's undeveloped share of the Bear and Colorado rivers.

3172 (2) The rules described in Subsection (1) shall:

3173 (a) specify the amount of money that may be loaned;

3174 (b) specify the criteria the division and the board shall consider in prioritizing and
3175 awarding loans;

3176 (c) specify the minimum qualifications for an individual who, or entity that, receives a
3177 loan, including the amount of cost-sharing to be the responsibility of the individual or entity
3178 applying for a loan;

3179 (d) specify the terms of the loan, including the terms of repayment; and

3180 (e) require all applicants for a loan to apply on forms provided by the division and in a
3181 manner required by the division.

3182 (3) The division and the board shall, in making the rules described in Subsection (1)
3183 and in consultation with the State Water Development Commission created in Section
3184 **73-27-102**:

3185 (a) establish criteria for better water data and data reporting;

3186 (b) establish new conservation targets based on the data described in Subsection (3)(a);

3187 (c) institute a process for the independent verification of the data described in

3188 Subsection (3)(a);

3189 (d) establish a plan for an independent review of:

3190 (i) the proposed construction plan for an applicant's qualifying water infrastructure
3191 project; and

3192 (ii) the applicant's plan to repay the loan for the construction of the proposed water
3193 infrastructure project;

3194 (e) invite and recommend public involvement; and

3195 (f) set appropriate financing and repayment terms.

3196 ~~[(4)(a) The division, board, and State Water Development Commission shall, no later~~
3197 ~~than October 30, 2016, report to the Natural Resources, Agriculture, and Environment Interim~~
3198 ~~Committee and Legislative Management Committee on the rules established pursuant to~~
3199 ~~Subsections (1) and (3).]~~

3200 ~~[(b) After October 30, 2016, the]~~

3201 (4) The division and the board shall provide regular updates to the Legislative
3202 Management Committee on the progress made under this section, including whether the
3203 division and board intend to issue a request for proposals.

3204 Section 88. Section **78A-2-501** is amended to read:

3205 **78A-2-501. Definitions -- Online Court Assistance Program -- Purpose of**
3206 **program -- Online Court Assistance Account -- User's fee.**

3207 (1) As used in this part:

3208 (a) "Account" means the Online Court Assistance Account created in this section.

3209 ~~[(b) "Board" means the Online Court Assistance Program Policy Board created in~~
3210 ~~Section **78A-2-502**.]~~

3211 ~~[(c)]~~ (b) "Program" means the Online Court Assistance Program created in this section.

3212 (2) There is created the "Online Court Assistance Program" administered by the
3213 Administrative Office of the Courts to provide the public with information about civil
3214 procedures and to assist the public in preparing and filing civil pleadings and other papers in:

- 3215 (a) uncontested divorces;
- 3216 (b) enforcement of orders in the divorce decree;
- 3217 (c) landlord and tenant actions;
- 3218 (d) guardianship actions; and
- 3219 (e) other types of proceedings approved by the board.
- 3220 (3) The purpose of the program shall be to:
- 3221 (a) minimize the costs of civil litigation;
- 3222 (b) improve access to the courts; and
- 3223 (c) provide for informed use of the courts and the law by pro se litigants.
- 3224 (4) (a) An additional \$20 shall be added to the filing fee established by Sections
- 3225 [78A-2-301](#) and [78A-2-301.5](#) if a person files a complaint, petition, answer, or response
- 3226 prepared through the program. There shall be no fee for using the program or for papers filed
- 3227 subsequent to the initial pleading.
- 3228 (b) There is created within the General Fund a restricted account known as the Online
- 3229 Court Assistance Account. The fees collected under this Subsection (4) shall be deposited in
- 3230 the restricted account and appropriated by the Legislature to the Administrative Office of the
- 3231 Courts to develop, operate, and maintain the program and to support the use of the program
- 3232 through education of the public.
- 3233 (5) The Administrative Office of the Courts shall provide on the front page of the
- 3234 program website a listing of all forms and proceedings available to all pro se litigants within
- 3235 the program.
- 3236 **Section 89. Repealer.**
- 3237 This bill repeals:
- 3238 Section [10-1-119](#), **Inventory of competitive activities.**
- 3239 Section [11-13-224](#), **Utah interlocal entity for alternative fuel vehicles and facilities.**
- 3240 Section [17-50-107](#), **Inventory of competitive activities.**
- 3241 Section [36-20-1](#), **Definitions.**

- 3242 Section **36-20-2**, **Judicial Rules Review Committee.**
- 3243 Section **36-20-3**, **Submission of court rules or proposals for court rules.**
- 3244 Section **36-20-4**, **Review of rules -- Criteria.**
- 3245 Section **36-20-5**, **Committee review -- Fiscal analyst -- Powers of committee.**
- 3246 Section **36-20-6**, **Findings -- Report -- Distribution of copies.**
- 3247 Section **36-20-7**, **Court rules or proposals for court rules -- Publication in bulletin.**
- 3248 Section **36-20-8**, **Duties of staff.**
- 3249 Section **36-30-101**, **Title.**
- 3250 Section **36-30-102**, **Definitions.**
- 3251 Section **36-30-201**, **Economic Development Legislative Liaison Committee --**
- 3252 **Creation -- Membership -- Chairs -- Per diem and expenses.**
- 3253 Section **36-30-202**, **Duties -- Confidential information -- Records.**
- 3254 Section **36-30-203**, **Staff support.**
- 3255 Section **53E-3-920**, **Creation of State Council on Military Children.**
- 3256 Section **53E-10-401**, **Definitions.**
- 3257 Section **53E-10-402**, **American Indian-Alaskan Native Public Education Liaison.**
- 3258 Section **53E-10-403**, **Commission created.**
- 3259 Section **53E-10-404**, **Duties of the commission.**
- 3260 Section **53E-10-405**, **Adoption of state plan.**
- 3261 Section **53E-10-406**, **Changes to state plan.**
- 3262 Section **53E-10-407**, **Pilot program.**
- 3263 Section **59-1-901**, **Creation -- Members -- Terms.**
- 3264 Section **59-1-902**, **Organization -- Vacancies.**
- 3265 Section **59-1-903**, **Duties.**
- 3266 Section **59-1-904**, **Public hearings.**
- 3267 Section **59-1-905**, **Per diem and travel expenses.**
- 3268 Section **59-1-907**, **Staff.**

- 3269 Section 59-1-908, Reports.
- 3270 Section 63C-4b-101, Title.
- 3271 Section 63C-4b-102, Definitions.
- 3272 Section 63C-4b-103, Commission for the Stewardship of Public Lands -- Creation
- 3273 -- Membership -- Interim rules followed -- Compensation -- Staff.
- 3274 Section 63C-4b-107, Repeal of commission.
- 3275 Section 63C-14-101, Title.
- 3276 Section 63C-14-102, Definitions.
- 3277 Section 63C-14-201, Creation of Federal Funds Commission -- Membership --
- 3278 Chairs.
- 3279 Section 63C-14-202, Terms of commission members -- Removal -- Vacancies --
- 3280 Salaries and expenses.
- 3281 Section 63C-14-302, Commission meetings -- Quorum -- Bylaws -- Staff support.
- 3282 Section 63C-16-101, Title.
- 3283 Section 63C-16-102, Definitions.
- 3284 Section 63C-16-201, Commission created -- Membership -- Cochairs -- Removal --
- 3285 Vacancy.
- 3286 Section 63C-16-202, Quorum and voting requirements -- Bylaws -- Per diem and
- 3287 expenses -- Staff.
- 3288 Section 63C-16-203, Commission duties and responsibilities.
- 3289 Section 63C-16-204, Other agencies' cooperation and actions.
- 3290 Section 63F-1-202, Technology Advisory Board -- Membership -- Duties.
- 3291 Section 63I-4a-101, Title.
- 3292 Section 63I-4a-102, Definitions.
- 3293 Section 63I-4a-201, Title.
- 3294 Section 63I-4a-202, Free Market Protection and Privatization Board -- Created --
- 3295 Membership -- Operations -- Expenses.

- 3296 Section [63I-4a-203](#), **Free Market Protection and Privatization Board -- Duties.**
- 3297 Section [63I-4a-204](#), **Staff support -- Assistance to an agency or local entity.**
- 3298 Section [63I-4a-205](#), **Board accounting method.**
- 3299 Section [63I-4a-301](#), **Title.**
- 3300 Section [63I-4a-302](#), **Board to create inventory.**
- 3301 Section [63I-4a-303](#), **Governor to require review of commercial activities.**
- 3302 Section [63I-4a-304](#), **Duties of the Governor's Office of Management and Budget.**
- 3303 Section [63I-4a-401](#), **Title.**
- 3304 Section [63I-4a-402](#), **Government immunity.**
- 3305 Section [67-1a-10](#), **Commission on Civic and Character Education -- Membership --**
- 3306 **Chair -- Expenses.**
- 3307 Section [67-1a-11](#), **Commission on Civic and Character Education -- Duties and**
- 3308 **responsibilities.**
- 3309 Section [67-5b-106](#), **Advisory Board on Children's Justice -- Membership -- Terms**
- 3310 **-- Duties -- Authority.**
- 3311 Section [72-9-606](#), **Towing Advisory Board created -- Appointment -- Terms --**
- 3312 **Meetings -- Per diem and expenses -- Duties.**
- 3313 Section [78A-2-502](#), **Creation of policy board -- Membership -- Terms -- Chair --**
- 3314 **Quorum -- Expenses.**
- 3315 Section 90. **Effective date.**
- 3316 This bill takes effect May 14, 2019, except that the amendments to Section [63N-12-505](#)
- 3317 take effect July 1, 2020.
- 3318 Section 91. **Coordinating H.B. 387 with H.B. 140 -- Substantive amendments.**
- 3319 If this H.B. 387 and H.B. 140, Civic and Character Education Reports Amendments,
- 3320 both pass and become law, it is the intent of the Legislature that the Office of Legislative
- 3321 Research and General Counsel shall prepare the Utah Code database for publication by
- 3322 amending Subsection [53G-10-204](#)(7) to read:

3323 "(7) Each year, the [State Board of Education] state board shall report to the Education
3324 Interim Committee[~~, on or before the October meeting,~~] the methods used, and the results
3325 being achieved, to instruct and prepare students to become informed and responsible citizens
3326 through an integrated curriculum taught in connection with regular school work as required in
3327 this section.".

3328 Section 92. **Coordinating H.B. 387 with H.B. 373 -- Substantive amendments.**

3329 If this H.B. 387 and H.B. 373, Student Support Amendments, both pass and become
3330 law, it is the intent of the Legislature that the Office of Legislative Research and General
3331 Counsel shall prepare the Utah Code database for publication by:

3332 (1) amending Subsection 63I-1-253(10) in this bill to read:

3333 "(10) In relation to the SafeUT and School Safety Commission, on January 1, 2023:

3334 (a) Subsection 53B-17-1201(1) is repealed;

3335 (b) Section 53B-17-1203 is repealed;

3336 (c) Subsection 53B-17-1204(2) is repealed;

3337 (d) Subsection 53B-17-1204(4)(a), the language that states "in accordance with the
3338 method described in Subsection (4)(c)" is repealed; and

3339 (e) Subsection 53B-17-1204(4)(c) is repealed."; and

3340 (2) amending Subsection 63I-1-262(5) in this bill to read:

3341 "(5) Subsections 62A-15-116(1) and (4), the language that states "In consultation with
3342 the SafeUT and School Safety Commission, established in Section 53B-17-1203," is repealed
3343 January 1, 2023.".

3344 Section 93. **Coordinating H.B. 387 with H.B. 461 -- Substantive and technical**
3345 **amendments -- Omitting substantive changes.**

3346 If this H.B. 387 and H.B. 461, Pediatric Neuro-Rehabilitation Fund, both pass and
3347 become law, it is the intent of the Legislature that the Office of Legislative Research and
3348 General Counsel shall prepare the Utah Code database as follows:

3349 (1) amend Subsection 63I-1-226(10) in this bill to read:

3350 "(10) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
3351 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2023."; and

3352 (2) not make the changes in H.B. 461 to Section 631-2-226.

3353 Section 94. **Coordinating H.B. 387 with S.B. 172 -- Technical amendments --**
3354 **Changing technical cross references.**

3355 If this H.B. 387 and S.B. 172, Economic Development Amendments, both pass and
3356 become law, it is the intent of the Legislature that the Office of Legislative Research and
3357 General Counsel, in preparing the Utah Code database for publication:

3358 (1) change the references in Subsection 631-1-263(30) of this bill from Section
3359 63N-10-201 to Section 53-19-201; and

3360 (2) amend Subsection 631-1-263(31) of this bill to read as follows:

3361 "(30) In relation to the Talent Ready Utah Board, on January 1, 2023:

3362 (a) Subsection 9-20-102(16) is repealed;

3363 (b) in Subsection 9-20-115(2), the language that states "Talent Ready Utah," is
3364 repealed; and

3365 (c) in Subsection 9-20-115(5), the language that states "representatives of Talent Ready
3366 Utah," is repealed."