

Representative John Knotwell proposes the following substitute bill:

BOARDS AND COMMISSIONS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: _____

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 Council to provide a summary report to the Legislature;
- ▶ 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 Clean Air Act Compliance Advisory Panel;
 - the Commission on Civic and Character Education;



- 26 • the Data Security Management Council;
- 27 • the Economic Development Legislative Liaison Committee;
- 28 • the Free Market Protection and Privatization Board;
- 29 • the Governing Board of a Utah Interlocal Entity for Alternative Fuel Vehicles or
- 30 Facilities;
- 31 • the Judicial Rules Review Committee;
- 32 • the Legislative IT Steering Committee;
- 33 • the Online Court Assistance Program Policy Board;
- 34 • the Prison Development Commission;
- 35 • the State Council on Military Children;
- 36 • the Technology Advisory Board;
- 37 • the Towing Advisory Board; and
- 38 • the Utah Marriage Commission;
- 39 ▶ combines the Commission for the Stewardship of Public Lands, the Commission on
- 40 Federalism, and the Federal Funds Commission into the Federalism Commission
- 41 and provides that the Federalism Commission subsumes the responsibilities of those
- 42 entities;
- 43 ▶ removes some legislators from the following:
- 44 • the Air Quality Policy Advisory Board;
- 45 • the Native American Legislative Liaison Committee; and
- 46 • the Sentencing Commission;
- 47 ▶ removes all legislators from the following:
- 48 • the Spinal Cord and Brain Injury Rehabilitation Fund Advisory Committee;
- 49 • the Utah Commission on Aging; and
- 50 • the Utah Substance Use and Mental Health Advisory Council;
- 51 ▶ prohibits a legislator from being appointed to the following:
- 52 • the Committee on Children and Family Law;
- 53 • the Governor's Child and Family Cabinet Council;
- 54 • the School Readiness Board;
- 55 • the Utah Commission on Literacy;
- 56 • the Utah Communications Authority Board;

- 57 • the Utah Developmental Disabilities Council;
- 58 • the Utah Lake Commission Governing Board;
- 59 • the Utah Multicultural Commission;
- 60 • the Utah Science, Technology, and Research Initiative Governing Authority
- 61 Board; and
- 62 • the Wasatch Front Regional Council;
- 63 ▶ adds a sunset date to the following entities and provisions related to the following
- 64 entities:
- 65 • the Criminal Code Evaluation Task Force;
- 66 • the Employability to Careers Program Board;
- 67 • the Legislative Process Committee;
- 68 • the Legislative Water Development Commission;
- 69 • the Native American Legislative Liaison Committee;
- 70 • the Point of the Mountain State Land Authority Board;
- 71 • the Road Usage Charge Advisory Committee;
- 72 • the School Safety and Crisis Line Commission;
- 73 • the Standards Review Committee;
- 74 • the Talent Ready Utah Board;
- 75 • the Utah Seismic Safety Commission;
- 76 • the Utah State Scenic Byway Committee;
- 77 • the Utah Tax Review Commission;
- 78 • the Utah Transparency Advisory Board;
- 79 • the Veterans and Military Affairs Commission; and
- 80 • the Women in the Economy Commission;
- 81 ▶ modifies sunset provisions related to the Mental Health and Crisis Line
- 82 Commission;
- 83 ▶ adds a sunset date to the legislative membership of the following entities:
- 84 • the Pete Suazo Athletic Commission; and
- 85 • the Utah State Fair Corporation Board of Directors;
- 86 ▶ adds a provision to automatically repeal the State Fair Park Committee;
- 87 ▶ repeals obsolete provisions; and

88 ▶ makes technical and conforming changes.

89 **Money Appropriated in this Bill:**

90 None

91 **Other Special Clauses:**

92 None

93 **Utah Code Sections Affected:**

94 AMENDS:

95 **9-9-104.6**, as last amended by Laws of Utah 2018, Chapter 415

96 **9-9-408**, as enacted by Laws of Utah 2017, Chapter 88

97 **17-16-21**, as last amended by Laws of Utah 2018, Chapter 347

98 **19-2-109.1**, as last amended by Laws of Utah 2015, Chapter 154

99 **19-2a-102**, as renumbered and amended by Laws of Utah 2018, Chapter 120

100 **26-54-103**, as last amended by Laws of Utah 2017, Chapter 261

101 **30-1-34**, as last amended by Laws of Utah 2018, Chapter 347

102 **30-1-36**, as last amended by Laws of Utah 2018, Chapter 347

103 **35A-3-209**, as renumbered and amended by Laws of Utah 2018, Chapter 389

104 **36-22-1**, as last amended by Laws of Utah 2014, Chapter 387

105 **40-6-16**, as last amended by Laws of Utah 2016, Chapter 317

106 **52-4-103**, as amended by Statewide Initiative -- Proposition 4, Nov. 6, 2018

107 **53F-5-601**, as renumbered and amended by Laws of Utah 2018, Chapter 2

108 **53F-5-602**, as renumbered and amended by Laws of Utah 2018, Chapter 2

109 **53F-5-604**, as renumbered and amended by Laws of Utah 2018, Chapter 2

110 **53G-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 3

111 **54-1-13**, as last amended by Laws of Utah 2016, Chapter 13

112 **62A-1-105**, as last amended by Laws of Utah 2016, Chapter 300

113 **62A-1-107**, as last amended by Laws of Utah 2016, Chapter 300

114 **62A-7-101**, as last amended by Laws of Utah 2017, Chapter 330

115 **62A-7-102**, as last amended by Laws of Utah 2008, Chapter 3

116 **62A-7-103**, as last amended by Laws of Utah 1992, Chapter 104

117 **62A-7-104**, as last amended by Laws of Utah 2017, Chapters 282 and 330

118 **62A-7-106.5**, as renumbered and amended by Laws of Utah 2005, Chapter 13

- 119 [62A-7-201](#), as last amended by Laws of Utah 2017, Chapter 330
- 120 [62A-7-401.5](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
- 121 [62A-7-501](#), as last amended by Laws of Utah 2017, Chapter 330
- 122 [62A-7-502](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
- 123 [62A-7-506](#), as last amended by Laws of Utah 2017, Chapter 330
- 124 [62A-7-601](#), as last amended by Laws of Utah 2017, Chapter 330
- 125 [62A-7-701](#), as last amended by Laws of Utah 2017, Chapter 330
- 126 [63A-5-225](#), as enacted by Laws of Utah 2015, Chapter 182
- 127 [63B-25-101](#), as last amended by Laws of Utah 2018, Chapter 280
- 128 [63C-4a-101](#), as enacted by Laws of Utah 2013, Chapter 101
- 129 [63C-4a-102](#), as enacted by Laws of Utah 2013, Chapter 101
- 130 [63C-4a-301](#), as enacted by Laws of Utah 2013, Chapter 101
- 131 [63C-4a-302](#), as last amended by Laws of Utah 2014, Chapter 387
- 132 [63C-4a-303](#), as last amended by Laws of Utah 2018, Chapters 81 and 338
- 133 [63C-4a-306](#), as enacted by Laws of Utah 2014, Chapter 221
- 134 [63C-4a-307](#), as enacted by Laws of Utah 2018, Chapter 338
- 135 [63F-1-102](#), as last amended by Laws of Utah 2017, Chapter 238
- 136 [63F-1-203](#), as last amended by Laws of Utah 2017, Chapter 238
- 137 [63F-1-303](#), as last amended by Laws of Utah 2012, Chapter 369
- 138 [63F-4-201](#), as enacted by Laws of Utah 2018, Chapter 144
- 139 [63F-4-202](#), as enacted by Laws of Utah 2018, Chapter 144
- 140 [63H-7a-203](#), as last amended by Laws of Utah 2017, Chapter 430
- 141 [63I-1-209](#), as last amended by Laws of Utah 2014, Chapter 117
- 142 [63I-1-211](#), as enacted by Laws of Utah 2011, Second Special Session, Chapter 1
- 143 [63I-1-223](#), as renumbered and amended by Laws of Utah 2008, Chapter 382
- 144 [63I-1-226](#), as last amended by Laws of Utah 2018, Third Special Session, Chapter 1
- 145 [63I-1-235](#), as last amended by Laws of Utah 2018, Chapters 232 and 392
- 146 [63I-1-236](#), as last amended by Laws of Utah 2018, Chapters 33, 170, and 342
- 147 [63I-1-251](#), as enacted by Laws of Utah 2015, Chapter 275
- 148 [63I-1-253](#), as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and
- 149 453

- 150 **63I-1-259**, as last amended by Laws of Utah 2018, Chapter 281
- 151 **63I-1-262**, as last amended by Laws of Utah 2018, Chapters 74, 220, 281, and 347
- 152 **63I-1-263**, as last amended by Laws of Utah 2018, Chapters 85, 144, 182, 261, 321,
- 153 338, 340, 347, 369, 428, 430, and 469
- 154 **63I-1-267**, as last amended by Laws of Utah 2017, Chapter 192
- 155 **63I-1-272**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 156 **63I-1-273**, as last amended by Laws of Utah 2018, Chapters 344 and 418
- 157 **63I-2-263**, as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469
- 158 **63J-1-602.2**, as repealed and reenacted by Laws of Utah 2018, Chapter 469
- 159 **63J-4-606**, as last amended by Laws of Utah 2014, Chapter 319
- 160 **63J-4-607**, as last amended by Laws of Utah 2018, Chapter 411
- 161 **63L-10-102**, as enacted by Laws of Utah 2018, Chapter 411
- 162 **63L-10-103**, as enacted by Laws of Utah 2018, Chapter 411
- 163 **63L-10-104**, as enacted by Laws of Utah 2018, Chapter 411
- 164 **63M-2-301**, as last amended by Laws of Utah 2016, Chapter 240
- 165 **63M-7-301**, as last amended by Laws of Utah 2018, Chapter 414
- 166 **63M-7-302**, as last amended by Laws of Utah 2016, Chapter 158
- 167 **63M-7-401**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 168 **63M-7-601**, as last amended by Laws of Utah 2016, Chapter 32
- 169 **63M-11-201**, as last amended by Laws of Utah 2017, Chapter 95
- 170 **63M-11-206**, as last amended by Laws of Utah 2014, Chapter 387
- 171 **63N-1-201**, as last amended by Laws of Utah 2017, Chapters 277 and 310
- 172 **67-1-2.5**, as last amended by Laws of Utah 2002, Chapter 176
- 173 **67-5b-102**, as last amended by Laws of Utah 2018, Chapters 94 and 200
- 174 **67-5b-105**, as last amended by Laws of Utah 2016, Chapter 290
- 175 **73-10g-105**, as last amended by Laws of Utah 2016, Chapter 309
- 176 **78A-2-501**, as last amended by Laws of Utah 2017, Chapter 115
- 177 ENACTS:
- 178 **36-12-21**, Utah Code Annotated 1953
- 179 **36-12-22**, Utah Code Annotated 1953
- 180 **53E-3-920.1**, Utah Code Annotated 1953

181 **63I-1-204**, Utah Code Annotated 1953
182 RENUMBERS AND AMENDS:
183 **63C-4a-308**, (Renumbered from 63C-4b-104, as enacted by Laws of Utah 2016,
184 Chapter 408)
185 **63C-4a-309**, (Renumbered from 63C-14-301, as last amended by Laws of Utah 2018,
186 Chapter 81)
187 **63C-4a-404**, (Renumbered from 63C-4b-105, as enacted by Laws of Utah 2016,
188 Chapter 408)
189 **63C-4a-405**, (Renumbered from 63C-4b-106, as enacted by Laws of Utah 2016,
190 Chapter 408)
191 REPEALS:
192 **10-1-119**, as last amended by Laws of Utah 2014, Chapter 189
193 **11-13-224**, as last amended by Laws of Utah 2015, Chapter 265
194 **17-50-107**, as last amended by Laws of Utah 2013, Chapter 325
195 **19-2-109.2**, as last amended by Laws of Utah 2015, Chapter 154
196 **36-20-1**, as last amended by Laws of Utah 2008, Chapter 3
197 **36-20-2**, as last amended by Laws of Utah 2010, Chapter 324
198 **36-20-3**, as enacted by Laws of Utah 1993, Chapter 282
199 **36-20-4**, as enacted by Laws of Utah 1993, Chapter 282
200 **36-20-5**, as enacted by Laws of Utah 1993, Chapter 282
201 **36-20-6**, as last amended by Laws of Utah 1996, Chapter 36
202 **36-20-7**, as enacted by Laws of Utah 1993, Chapter 282
203 **36-20-8**, as enacted by Laws of Utah 1993, Chapter 282
204 **36-30-101**, as enacted by Laws of Utah 2017, Chapter 277
205 **36-30-102**, as enacted by Laws of Utah 2017, Chapter 277
206 **36-30-201**, as enacted by Laws of Utah 2017, Chapter 277
207 **36-30-202**, as enacted by Laws of Utah 2017, Chapter 277
208 **36-30-203**, as enacted by Laws of Utah 2017, Chapter 277
209 **53E-3-920**, as last amended by Laws of Utah 2018, Chapter 39 and renumbered and
210 amended by Laws of Utah 2018, Chapter 1
211 **53E-10-401**, as renumbered and amended by Laws of Utah 2018, Chapter 1

- 212 [53E-10-402](#), as renumbered and amended by Laws of Utah 2018, Chapter 1
- 213 [53E-10-403](#), as renumbered and amended by Laws of Utah 2018, Chapter 1
- 214 [53E-10-404](#), as renumbered and amended by Laws of Utah 2018, Chapter 1
- 215 [53E-10-405](#), as renumbered and amended by Laws of Utah 2018, Chapter 1
- 216 [53E-10-406](#), as renumbered and amended by Laws of Utah 2018, Chapter 1
- 217 [53E-10-407](#), as enacted by Laws of Utah 2018, Chapter 1
- 218 [62A-1-120](#), as last amended by Laws of Utah 2018, Chapter 347
- 219 [63C-4b-101](#), as enacted by Laws of Utah 2016, Chapter 408
- 220 [63C-4b-102](#), as enacted by Laws of Utah 2016, Chapter 408
- 221 [63C-4b-103](#), as enacted by Laws of Utah 2016, Chapter 408
- 222 [63C-4b-107](#), as enacted by Laws of Utah 2016, Chapter 408
- 223 [63C-14-101](#), as enacted by Laws of Utah 2013, Chapter 62
- 224 [63C-14-102](#), as enacted by Laws of Utah 2013, Chapter 62
- 225 [63C-14-201](#), as enacted by Laws of Utah 2013, Chapter 62
- 226 [63C-14-202](#), as last amended by Laws of Utah 2014, Chapter 387
- 227 [63C-14-302](#), as last amended by Laws of Utah 2015, Chapter 409
- 228 [63C-16-101](#), as enacted by Laws of Utah 2015, Chapter 182
- 229 [63C-16-102](#), as enacted by Laws of Utah 2015, Chapter 182
- 230 [63C-16-201](#), as enacted by Laws of Utah 2015, Chapter 182
- 231 [63C-16-202](#), as enacted by Laws of Utah 2015, Chapter 182
- 232 [63C-16-203](#), as enacted by Laws of Utah 2015, Chapter 182
- 233 [63C-16-204](#), as enacted by Laws of Utah 2015, Chapter 182
- 234 [63F-1-202](#), as last amended by Laws of Utah 2017, Chapter 238
- 235 [63F-2-101](#), as enacted by Laws of Utah 2015, Chapter 371
- 236 [63F-2-102](#), as last amended by Laws of Utah 2018, Chapter 81
- 237 [63F-2-103](#), as last amended by Laws of Utah 2016, Chapter 13
- 238 [63I-4a-101](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 239 [63I-4a-102](#), as last amended by Laws of Utah 2018, Chapter 415
- 240 [63I-4a-201](#), as enacted by Laws of Utah 2013, Chapter 325
- 241 [63I-4a-202](#), as last amended by Laws of Utah 2014, Chapters 189 and 387
- 242 [63I-4a-203](#), as last amended by Laws of Utah 2018, Chapter 81

- 243 [63I-4a-204](#), as enacted by Laws of Utah 2013, Chapter 325
- 244 [63I-4a-205](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 245 [63I-4a-301](#), as enacted by Laws of Utah 2013, Chapter 325
- 246 [63I-4a-302](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 247 [63I-4a-303](#), as last amended by Laws of Utah 2013, Chapter 310 and renumbered and
- 248 amended by Laws of Utah 2013, Chapter 325
- 249 [63I-4a-304](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 250 [63I-4a-401](#), as enacted by Laws of Utah 2013, Chapter 325
- 251 [63I-4a-402](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 252 [67-1a-10](#), as last amended by Laws of Utah 2014, Chapter 387
- 253 [67-1a-11](#), as last amended by Laws of Utah 2018, Chapter 415
- 254 [67-5b-106](#), as last amended by Laws of Utah 2016, Chapter 290
- 255 [72-9-606](#), as enacted by Laws of Utah 2017, Chapter 298
- 256 [78A-2-502](#), as last amended by Laws of Utah 2017, Chapter 115

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

259 Section 1. Section [9-9-104.6](#) is amended to read:

260 **9-9-104.6. Participation of state agencies in meetings with tribal leaders --**

261 **Contact information.**

262 (1) For at least three of the joint meetings described in Subsection [9-9-104.5\(2\)\(a\)](#), the

263 division shall coordinate with representatives of tribal governments and the entities listed in

264 Subsection (2) to provide for the broadest participation possible in the joint meetings.

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

266 (a) the chairs of the Native American Legislative Liaison Committee created in Section

267 [36-22-1](#);

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

269 (c) (i) the American Indian-Alaskan Native Health Liaison appointed in accordance

270 with Section [26-7-2.5](#); or

271 (ii) if the American Indian-Alaskan Native Health Liaison is not appointed, a

272 representative of the Department of Health appointed by the executive director of the

273 Department of Health;

274 (d) the American Indian-Alaskan Native Public Education Liaison appointed in
275 accordance with Section [~~53E-10-402~~] 53F-5-604; and
276 (e) a representative appointed by the chief administrative officer of the following:
277 (i) the Department of Human Services;
278 (ii) the Department of Natural Resources;
279 (iii) the Department of Workforce Services;
280 (iv) the Governor's Office of Economic Development;
281 (v) the State Board of Education; and
282 (vi) the State Board of Regents.
283 (3) (a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:
284 (i) designate the name of a contact person for that agency that can assist in coordinating
285 the efforts of state and tribal governments in meeting the needs of the Native Americans
286 residing in the state; and
287 (ii) notify the division:
288 (A) who is the designated contact person described in Subsection (3)(a)(i); and
289 (B) of any change in who is the designated contact person described in Subsection
290 (3)(a)(i).
291 (b) This Subsection (3) applies to:
292 (i) the Department of Agriculture and Food;
293 (ii) the Department of Heritage and Arts;
294 (iii) the Department of Corrections;
295 (iv) the Department of Environmental Quality;
296 (v) the Department of Public Safety;
297 (vi) the Department of Transportation;
298 (vii) the Office of the Attorney General;
299 (viii) the State Tax Commission; and
300 (ix) any agency described in Subsections (2)(c) through (e).
301 (c) At the request of the division, a contact person listed in Subsection (3)(b) may
302 participate in a meeting described in Subsection (1).
303 (4) (a) A participant under this section who is not a legislator may not receive
304 compensation or benefits for the participant's service, but may receive per diem and travel

305 expenses as allowed in:

- 306 (i) Section 63A-3-106;
- 307 (ii) Section 63A-3-107; and
- 308 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
- 309 63A-3-107.

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

313 **9-9-408. Burial of ancient Native American remains in state parks.**

314 (1) As used in this section:

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

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

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

322 (b) The study shall include:

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

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

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

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

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

333 and

334 (B) securing and maintaining burial sites in state parks; and

335 (v) any issues related to burying ancient Native American remains in state parks.

336 ~~[(3) The division, the Antiquities Section, and the Division of Parks and Recreation~~
337 ~~shall report to the Native American Legislative Liaison Committee by no later than November~~
338 ~~1, 2017, regarding the study required by Subsection (2).]~~

339 Section 3. Section **17-16-21** is amended to read:

340 **17-16-21. Fees of county officers.**

341 (1) As used in this section, "county officer" means a county officer enumerated in
342 Section **17-53-101** except a county recorder, a county constable, or a county sheriff.

343 (2) (a) A county officer shall collect, in advance, for exclusive county use and benefit:

344 (i) a fee established by the county legislative body under Section **17-53-211**; and

345 (ii) any other fee authorized or required by law.

346 (b) As long as the Children's Legal Defense Account is authorized by Section
347 **51-9-408**, the county clerk shall:

348 (i) assess \$10 in addition to whatever fee for a marriage license is established under
349 authority of this section; and

350 (ii) transmit \$10 from each marriage license fee to the Division of Finance for deposit
351 in the Children's Legal Defense Account.

352 (c) (i) As long as the Division of Child and Family Services, created in Section
353 **62A-4a-103**, has the responsibility under Section **62A-4a-105** to provide services, including
354 temporary shelter, for victims of domestic violence, the county clerk shall:

355 (A) collect \$10 in addition to whatever fee for a marriage license is established under
356 authority of this section and in addition to the amount described in Subsection (2)(b), if an
357 applicant chooses, as provided in Subsection (2)(c)(ii), to pay the additional \$10; and

358 (B) to the extent actually paid, transmit \$10 from each marriage license fee to the
359 Division of Finance for distribution to the Division of Child and Family Services for the
360 operation of shelters for victims of domestic violence.

361 (ii) (A) The county clerk shall provide a method for an applicant for a marriage license
362 to choose to pay the additional \$10 referred to in Subsection (2)(c)(i).

363 (B) An applicant for a marriage license may choose not to pay the additional \$10
364 referred to in Subsection (2)(c)(i) without affecting the applicant's ability to be issued a
365 marriage license.

366 (d) If a county operates an online marriage application system, the county clerk of that

367 county:

368 (i) may assess \$20 in addition to the other fees for a marriage license established under
369 this section;

370 (ii) except as provided in Subsection (2)(d)(iii), shall transmit \$20 from the marriage
371 license fee to the state treasurer for deposit [~~annually as follows:~~] into the General Fund; and

372 [~~(A) the first \$400,000 shall accrue to the Utah Marriage Commission, created in~~
373 ~~Section 62A-1-120, as dedicated credits for the operation of the Utah Marriage Commission;~~
374 ~~and]~~

375 [~~(B) proceeds in excess of \$400,000 shall be deposited into the General Fund; and]~~

376 (iii) may not transmit \$20 from the marriage license fee to the state treasurer under this
377 Subsection (2)(d) if both individuals seeking the marriage license certify that they have
378 completed premarital counseling or education in accordance with Section 30-1-34.

379 (3) This section does not apply to a fee currently being assessed by the state but
380 collected by a county officer.

381 Section 4. Section **19-2-109.1** is amended to read:

382 **19-2-109.1. Operating permit required -- Emissions fee -- Implementation.**

383 (1) As used in this section and [~~Sections 19-2-109.2 and~~] Section 19-2-109.3:

384 (a) "1990 Clean Air Act" means the federal Clean Air Act as amended in 1990.

385 (b) "EPA" means the federal Environmental Protection Agency.

386 (c) "Operating permit" means a permit issued by the director to sources of air pollution
387 that meet the requirements of Titles IV and V of the 1990 Clean Air Act.

388 (d) "Program" means the air pollution operating permit program established under this
389 section to comply with Title V of the 1990 Clean Air Act.

390 (e) "Regulated pollutant" means the same as that term is defined in Title V of the 1990
391 Clean Air Act and implementing federal regulations.

392 (2) A person may not operate a source of air pollution required to have a permit under
393 Title V of the 1990 Clean Air Act without having obtained an operating permit from the
394 director under procedures the board establishes by rule.

395 (3) (a) Operating permits issued under this section shall be for a period of five years
396 unless the director makes a written finding, after public comment and hearing, and based on
397 substantial evidence in the record, that an operating permit term of less than five years is

398 necessary to protect the public health and the environment of the state.

399 (b) The director may issue, modify, or renew an operating permit only after providing
400 public notice, an opportunity for public comment, and an opportunity for a public hearing.

401 (c) The director shall, in conformity with the 1990 Clean Air Act and implementing
402 federal regulations, revise the conditions of issued operating permits to incorporate applicable
403 federal regulations in conformity with Section 502(b)(9) of the 1990 Clean Air Act, if the
404 remaining period of the permit is three or more years.

405 (d) The director may terminate, modify, revoke, or reissue an operating permit for
406 cause.

407 (4) (a) The board shall establish a proposed annual emissions fee that conforms with
408 Title V of the 1990 Clean Air Act for each ton of regulated pollutant, applicable to all sources
409 required to obtain a permit. The emissions fee established under this section is in addition to
410 fees assessed under Section 19-2-108 for issuance of an approval order.

411 (b) In establishing the fee the board shall comply with the provisions of Section
412 63J-1-504 that require a public hearing and require the established fee to be submitted to the
413 Legislature for its approval as part of the department's annual appropriations request.

414 (c) The fee shall cover all reasonable direct and indirect costs required to develop and
415 administer the program [~~and the small business assistance program established under Section~~
416 ~~19-2-109.2~~]. The director shall prepare an annual report of the emissions fees collected and the
417 costs covered by those fees under this Subsection (4).

418 (d) The fee shall be established uniformly for all sources required to obtain an
419 operating permit under the program and for all regulated pollutants.

420 (e) The fee may not be assessed for emissions of any regulated pollutant if the
421 emissions are already accounted for within the emissions of another regulated pollutant.

422 (f) An emissions fee may not be assessed for any amount of a regulated pollutant
423 emitted by any source in excess of 4,000 tons per year of that regulated pollutant.

424 (5) Emissions fees shall be based on actual emissions for a regulated pollutant unless a
425 source elects, prior to the issuance or renewal of a permit, to base the fee during the period of
426 the permit on allowable emissions for that regulated pollutant.

427 (6) If the owner or operator of a source subject to this section fails to timely pay an
428 annual emissions fee, the director may:

429 (a) impose a penalty of not more than 50% of the fee, in addition to the fee, plus
 430 interest on the fee computed at 12% annually; or

431 (b) revoke the operating permit.

432 (7) The owner or operator of a source subject to this section may contest an emissions
 433 fee assessment or associated penalty in an adjudicative hearing under the Title 63G, Chapter 4,
 434 Administrative Procedures Act, and Section 19-1-301, as provided in this Subsection (7).

435 (a) The owner or operator shall pay the fee under protest prior to being entitled to a
 436 hearing. Payment of an emissions fee or penalty under protest is not a waiver of the right to
 437 contest the fee or penalty under this section.

438 (b) A request for a hearing under this Subsection (7) shall be made after payment of the
 439 emissions fee and within six months after the emissions fee was due.

440 (8) To reinstate an operating permit revoked under Subsection (6) the owner or
 441 operator shall pay all outstanding emissions fees, a penalty of not more than 50% of all
 442 outstanding fees, and interest on the outstanding emissions fees computed at 12% annually.

443 (9) All emissions fees and penalties collected by the department under this section shall
 444 be deposited in the General Fund as the Air Pollution Operating Permit Program dedicated
 445 credit to be used solely to pay for the reasonable direct and indirect costs incurred by the
 446 department in developing and administering the program [~~and the small business assistance
 447 program under Section 19-2-109.2~~].

448 (10) Failure of the director to act on an operating permit application or renewal is a
 449 final administrative action only for the purpose of obtaining judicial review by any of the
 450 following persons to require the director to take action on the permit or its renewal without
 451 additional delay:

452 (a) the applicant;

453 (b) a person who participated in the public comment process; or

454 (c) a person who could obtain judicial review of that action under applicable law.

455 Section 5. Section 19-2a-102 is amended to read:

456 **19-2a-102. Air Quality Policy Advisory Board created -- Composition --**

457 **Responsibility -- Terms of office -- Compensation.**

458 (1) There is created the Air Quality Policy Advisory Board consisting of the following
 459 [~~10~~] seven voting members:

- 460 (a) [~~two members~~] one member of the Senate, appointed by the president of the Senate;
- 461 (b) [~~three members~~] one member of the House of Representatives, appointed by the
- 462 speaker of the House of Representatives;
- 463 (c) the director;
- 464 (d) one representative of industry interests, appointed by the president of the Senate;
- 465 (e) one representative of business or economic development interests, appointed by the
- 466 speaker of the House of Representatives, who has expertise in air quality matters;
- 467 (f) one representative of the academic community, appointed by the governor, who has
- 468 expertise in air quality matters; and
- 469 (g) one representative of a nongovernmental organization, appointed by the governor,
- 470 who:
- 471 (i) represents community interests;
- 472 (ii) does not represent industry or business interests; and
- 473 (iii) has expertise in air quality matters.
- 474 (2) The Air Quality Policy Advisory Board shall:
- 475 (a) seek the best available science to identify legislative actions to improve air quality;
- 476 (b) identify and prioritize potential legislation and funding that will improve air
- 477 quality; and
- 478 (c) make recommendations to the Legislature on how to improve air quality in the
- 479 state.
- 480 (3) (a) Except as required by Subsection (3)(b), members appointed under Subsections
- 481 (1)(d), (e), (f), and (g) are appointed to serve four-year terms.
- 482 (b) Notwithstanding the requirements of Subsection (3)(a), the governor, president of
- 483 the Senate, and speaker of the House of Representatives shall, at the time of appointment or
- 484 reappointment, adjust the length of terms to ensure that the terms of members are staggered so
- 485 that approximately half of the advisory board is appointed every two years.
- 486 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
- 487 appointed for the unexpired term.
- 488 (4) The advisory board shall elect one member to serve as chair of the advisory board
- 489 for a term of one year.
- 490 (5) Compensation for a member of the advisory board who is a legislator shall be paid

491 in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator
492 Compensation.

493 (6) A member of the advisory board who is not a legislator may not receive
494 compensation or benefits for the member's service, but may receive per diem and travel
495 expenses in accordance with:

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

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

498 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
499 63A-3-107.

500 (7) The department shall provide staff support for the advisory board.

501 Section 6. Section 26-54-103 is amended to read:

502 **26-54-103. Spinal Cord and Brain Injury Rehabilitation Fund Advisory**

503 **Committee -- Creation -- Membership -- Terms -- Duties.**

504 (1) There is created a Spinal Cord and Brain Injury Rehabilitation Fund Advisory
505 Committee.

506 (2) The advisory committee [~~shall be~~] is composed of [~~eight~~] six members as follows:

507 (a) the executive director of the Department of Health, or the executive director's
508 designee;

509 (b) two survivors, or family members of a survivor of a traumatic brain injury,
510 appointed by the governor;

511 (c) two survivors, or family members of a survivor of a traumatic spinal cord injury,
512 appointed by the governor; and

513 (d) one traumatic brain injury or spinal cord injury professional appointed by the
514 governor who, at the time of appointment and throughout the professional's term on the
515 committee, does not receive a financial benefit from the fund[;].

516 [~~(e) a member of the House of Representatives appointed by the speaker of the House
517 of Representatives; and]~~

518 [~~(f) a member of the Senate appointed by the president of the Senate.]~~

519 (3) (a) The term of advisory committee members shall be four years. If a vacancy
520 occurs in the committee membership for any reason, a replacement shall be appointed for the
521 unexpired term in the same manner as the original appointment.

522 (b) The committee shall elect a chairperson from the membership.
523 (c) A majority of the committee constitutes a quorum at any meeting, and, if a quorum
524 is present at an open meeting, the action of the majority of members shall be the action of the
525 advisory committee.

526 (d) The terms of the advisory committee shall be staggered so that members appointed
527 under Subsections (2)(b) and (d) shall serve an initial two-year term and members appointed
528 under ~~[Subsections (2)(c) and (e)]~~ Subsection (2)(c) shall serve four-year terms. Thereafter,
529 members appointed to the advisory committee shall serve four-year terms.

530 (4) The advisory committee shall comply with the procedures and requirements of:

- 531 (a) Title 52, Chapter 4, Open and Public Meetings Act;
- 532 (b) Title 63G, Chapter 2, Government Records Access and Management Act; and
- 533 (c) Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

534 (5) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits
535 for the member's service, but, at the executive director's discretion, may receive per diem and
536 travel expenses as allowed in:

- 537 ~~[(i)]~~ (a) Section [63A-3-106](#);
- 538 ~~[(ii)]~~ (b) Section [63A-3-107](#); and
- 539 ~~[(iii)]~~ (c) rules adopted by the Division of Finance according to Sections [63A-3-106](#)
540 and [63A-3-107](#).

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

543 (6) The advisory committee shall:
544 (a) adopt rules and procedures in accordance with Title 63G, Chapter 3, Utah
545 Administrative Rulemaking Act, that establish priorities and criteria for the advisory committee
546 to follow in recommending distribution of money from the fund to assist qualified IRC
547 501(c)(3) charitable clinics;

548 (b) identify, evaluate, and review the quality of care available to people with spinal
549 cord and brain injuries through qualified IRC 501(c)(3) charitable clinics;

550 (c) explore, evaluate, and review other possible funding sources and make a
551 recommendation to the Legislature regarding sources that would provide adequate funding for
552 the advisory committee to accomplish its responsibilities under this section; and

553 (d) submit an annual report, not later than November 30 of each year, summarizing the
 554 activities of the advisory committee and making recommendations regarding the ongoing needs
 555 of people with spinal cord or brain injuries to:

- 556 (i) the governor;
- 557 (ii) the Health and Human Services Interim Committee; and
- 558 (iii) the Health and Human Services Appropriations Subcommittee.

559 Section 7. Section **30-1-34** is amended to read:

560 **30-1-34. Completion of counseling or education.**

561 (1) The county clerk of a county that operates an online marriage application system
 562 and issues a marriage license to applicants who certify completion of premarital counseling or
 563 education in accordance with Subsection (2) shall reduce the marriage license fee by \$20.

564 (2) (a) To qualify for the reduced fee under Subsection (1), the applicants shall certify
 565 completion of premarital counseling or education in accordance with this Subsection (2).

566 (b) To complete premarital counseling or education, the applicants:

567 (i) shall obtain the premarital counseling or education from:

568 (A) a licensed or ordained minister or the minister's designee who is trained by the
 569 minister or denomination to conduct premarital counseling or education;

570 (B) an individual licensed under Title 58, Chapter 60, Mental Health Professional
 571 Practice Act;

572 [~~(C) an individual certified by a national organization recognized by the Utah Marriage~~
 573 ~~Commission, created in Section 62A-1-120, as a family life educator;]~~

574 [~~(D)~~] (C) a family and consumer sciences educator; or

575 [~~(E)~~] (D) an individual who is an instructor approved by a premarital education
 576 curriculum that meets the requirements of Subsection (2)(b)(ii) [~~; or~~].

577 [~~(F) an online course approved by the Utah Marriage Commission;]~~

578 (ii) shall receive premarital counseling or education that includes information on
 579 important factors associated with strong and healthy marriages, including:

580 (A) commitment in marriage; and

581 (B) effective communication and problem-solving skills, including avoiding violence
 582 and abuse in the relationship;

583 (iii) shall complete at least three hours of premarital counseling or six hours of

584 premarital education meeting the requirements of this Subsection (2); and

585 (iv) shall complete the premarital counseling or education meeting the requirements of
586 this Subsection (2) not more than one year before but at least 14 days before the day on which
587 the marriage license is issued.

588 (c) Although applicants are encouraged to take the premarital counseling or education
589 together, each applicant may comply with the requirements of this Subsection (2) separately.

590 (3) A provider of premarital counseling or education under this section is encouraged
591 to use research-based relationship inventories.

592 Section 8. Section 30-1-36 is amended to read:

593 **30-1-36. Activities included in premarital counseling or education.**

594 (1) Premarital counseling may include group counseling, individual counseling, and
595 couple counseling.

596 (2) Premarital education may include~~[(a)]~~ a lecture, class, seminar, or workshop
597 provided by a person that meets the requirements of Subsection 30-1-34(2)(b)(i)~~[- or].~~

598 ~~[(b) an online course approved by the Utah Marriage Commission as provided in~~
599 ~~Subsection 30-1-34(2)(b)(i)(F).]~~

600 Section 9. Section 35A-3-209 is amended to read:

601 **35A-3-209. Establishment of the School Readiness Board -- Membership --**
602 **Program intermediary -- Funding prioritization.**

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

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

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

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

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

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

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

612 (ii) is not a legislator; and

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

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

615 [(†)] (B) represents a financial institution that has experience managing a portfolio that
616 meets the requirements of the Community Reinvestment Act, 12 U.S.C. Sec. 2901 et seq[-];
617 and

618 (ii) is not a legislator.

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

621 (b) If a vacancy occurs for a member described in Subsection (2)(c), (d), or (e), the
622 person appointing the member shall appoint a replacement to serve the remainder of the
623 member's term.

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

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

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

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

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

631 (a) select a program intermediary that:

632 (i) is a nonprofit entity; and

633 (ii) has experience:

634 (A) developing and executing contracts;

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

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

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

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

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

642 (a) the program intermediary selected; and

643 (b) the terms of the contract.

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

645 (a) require the program intermediary to:

- 646 (i) seek out participants for results-based contracts;
 647 (ii) advise the board on results-based contracts; and
 648 (iii) make recommendations directly to the board on:
 649 (A) when to enter a results-based contract; and
 650 (B) the terms of a results-based contract; and
 651 (b) include a provision that the program intermediary is not eligible to receive or view
 652 personally identifiable student data of eligible students funded under the School Readiness
 653 Initiative described in this part and Title 53F, Chapter 6, Part 3, School Readiness Initiative.
 654 (10) In allocating funding, the board shall:
 655 (a) give first priority to a results-based contract described in Subsection 53F-6-309(3)
 656 to fund a high quality school readiness program directly;
 657 (b) give second priority to a results-based contract that includes an investor; and
 658 (c) give third priority to a grant described in Section 53F-6-305.
 659 (11) Other powers and duties of the board are described in Title 53F, Chapter 6, Part 3,
 660 School Readiness Initiative.

661 Section 10. Section 36-12-21 is enacted to read:

662 **36-12-21. Legislators serving in organizations without legislative sanction --**

663 **Prohibited participation -- Repealed organizations.**

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

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

667 (i) a legislator may not serve on:

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

669 (B) the Governor's Child and Family Cabinet Council created under Executive Order
 670 2007-0005;

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

672 (D) the Utah Developmental Disabilities Council created under Executive Order
 673 2006-0001; or

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

675 (ii) the speaker of the House of Representatives or the president of the Senate may not
 676 appoint a legislator, and a legislator may not serve in the legislator's capacity as a legislator, on

677 the Utah Lake Commission; and

678 (iii) the chair of the Wasatch Front Regional Council may not appoint a legislator, and
679 a legislator may not serve in the legislator's capacity as a legislator, on the Wasatch Front
680 Regional Council.

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

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

683 (ii) an action that is otherwise prohibited under Subsection (2)(a)(ii) or (iii).

684 Section 11. Section **36-12-22** is enacted to read:

685 **36-12-22. Review of legislative workload -- Reports from committees with**
686 **legislators.**

687 (1) As used in this section:

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

690 (i) with a defined, limited membership;

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

692 (A) a member of the Legislature; or

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

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

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

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

698 (ii) the Legislative Management Committee or a subcommittee of the Legislative
699 Management Committee; or

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

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

705 (i) the name of the legislative board or commission;

706 (ii) a description of the legislative board's or commission's official function and
707 purpose;

708 (iii) the total number of members of the legislative board or commission;
709 (iv) the number of the legislative board's or commission's members who are legislators;
710 (v) the compensation, if any, paid to the members of the legislative board or
711 commission;
712 (vi) a description of the actual work performed by the legislative board or commission
713 since the last report the legislative board or commission submitted to the Office of Legislative
714 Research and General Counsel under this section;
715 (vii) a description of actions taken by the legislative board or commission since the last
716 report the legislative board or commission submitted to the Office of Legislative Research and
717 General Counsel under this section;
718 (viii) recommendations on whether any statutory, rule, or other changes are needed to
719 make the legislative board or commission more effective; and
720 (ix) an indication of whether the legislative board or commission should continue to
721 exist.
722 (b) The Office of Legislative Research and General Counsel shall compile and post the
723 reports described in Subsection (2)(a) to the Legislature's website before October 1 of each
724 year.
725 (3) (a) The Office of Legislative Research and General Counsel shall prepare an annual
726 report by October 1 of each year that includes, as of September 1 of that year:
727 (i) the total number of legislative boards and commissions that exist in the state;
728 (ii) a summary of the reports submitted to the Office of Legislative Research and
729 General Counsel under Subsection (2), including:
730 (A) a list of each legislative board or commission that submitted a report under
731 Subsection (2);
732 (B) a list of each legislative board or commission that did not submit a report under
733 Subsection (2);
734 (C) an indication of any recommendations made under Subsection (2)(a)(viii); and
735 (D) a list of any legislative boards or commissions that indicated under Subsection
736 (2)(a)(ix) that the legislative board or commission should no longer exist.
737 (b) The Office of Legislative Research and General Counsel shall:
738 (i) distribute copies of the report described in Subsection (3)(a) to:

- 739 (A) the president of the Senate;
 740 (B) the speaker of the House;
 741 (C) the Legislative Management Committee; and
 742 (D) the Government Operations Interim Committee; and
 743 (ii) post the report described in Subsection (3)(a) to the Legislature's website.
 744 (c) Each year, the Government Operations Interim Committee shall prepare legislation
 745 making any changes the committee determines are suitable with respect to the report the
 746 committee receives under Subsection (3)(b), including:
 747 (i) repealing a legislative board or commission that is no longer functional or
 748 necessary; and
 749 (ii) making appropriate changes to make a legislative board or commission more
 750 effective.

751 Section 12. Section **36-22-1** is amended to read:

752 **36-22-1. Native American Legislative Liaison Committee -- Creation --**

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

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

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

756 (a) [~~seven~~] five members from the House of Representatives appointed by the speaker,
 757 no more than [~~four~~] three of whom [~~shall~~] may be members of the same political party; and

758 (b) [~~four~~] three members of the Senate appointed by the president, no more than two of
 759 whom [~~shall~~] may be members of the same political party.

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

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

764 (5) Compensation and expenses of a member who is a legislator are governed by
 765 Section **36-2-2** and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

766 Section 13. Section **40-6-16** is amended to read:

767 **40-6-16. Duties of division.**

768 [~~†~~] In addition to the duties assigned by the board, the division shall:

769 [~~†~~] (1) develop and implement an inspection program that will include but not be

770 limited to production data, pre-drilling checks, and site security reviews;

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

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

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

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

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

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

782 Section 14. Section 52-4-103 is amended to read:

783 **52-4-103. Definitions.**

784 As used in this chapter:

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

786 (a) an electronic meeting originates; or

787 (b) the participants are connected.

788 (2) "Capitol hill complex" means the grounds and buildings within the area bounded by
789 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake
790 City.

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

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

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

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

- 801 (a) electronic mail;
- 802 (b) instant messaging;
- 803 (c) electronic chat;
- 804 (d) text messaging, as that term is defined in Section 76-4-401; or
- 805 (e) any other method that conveys a message or facilitates communication
- 806 electronically.

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

812 (b) "Meeting" does not mean:

813 (i) a chance gathering or social gathering;

814 (ii) a convening of the State Tax Commission to consider a confidential tax matter in
815 accordance with Section 59-1-405; or

816 (iii) a convening of a three-member board of trustees of a large public transit district as
817 defined in Section 17B-2a-802 if:

818 (A) the board members do not, during the conversation, take a tentative or final vote on
819 the matter that is the subject of the conversation; or

820 (B) the conversation pertains only to day-to-day management and operation of the
821 public transit district.

822 (c) "Meeting" does not mean the convening of a public body that has both legislative
823 and executive responsibilities if:

824 (i) no public funds are appropriated for expenditure during the time the public body is
825 convened; and

826 (ii) the public body is convened solely for the discussion or implementation of
827 administrative or operational matters:

828 (A) for which no formal action by the public body is required; or

829 (B) that would not come before the public body for discussion or action.

830 (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the
831 public statements of each member of the public body who is participating in a meeting.

832 (8) "Participate" means the ability to communicate with all of the members of a public
833 body, either verbally or electronically, so that each member of the public body can hear or
834 observe the communication.

835 (9) (a) "Public body" means:

836 (i) any administrative, advisory, executive, or legislative body of the state or its
837 political subdivisions that:

838 (A) is created by the Utah Constitution, statute, rule, ordinance, or resolution;

839 (B) consists of two or more persons;

840 (C) expends, disburses, or is supported in whole or in part by tax revenue; and

841 (D) is vested with the authority to make decisions regarding the public's business; or

842 (ii) any administrative, advisory, executive, or policymaking body of an association, as
843 that term is defined in Section [53G-7-1101](#), that:

844 (A) consists of two or more persons;

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

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

850 (b) "Public body" includes:

851 (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined in
852 Section [11-13-103](#);

853 (ii) a governmental nonprofit corporation as that term is defined in Section [11-13a-102](#);
854 and

855 (iii) the Utah Independent Redistricting Commission.

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

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

858 (ii) a conference committee, a rules committee, or a sifting committee of the
859 Legislature;

860 (iii) a school community council or charter trust land council, as that term is defined in
861 Section [53G-7-1203](#);

862 [~~(iv) the Economic Development Legislative Liaison Committee created in Section~~

863 ~~36-30-201;~~]

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

865 [~~(vi)~~] (v) the following Legislative Management subcommittees, which are established

866 in Section 36-12-8, when meeting for the purpose of selecting or evaluating a candidate to

867 recommend for employment, except that the meeting in which a subcommittee votes to

868 recommend that a candidate be employed shall be subject to the provisions of this act:

869 (A) the Research and General Counsel Subcommittee;

870 (B) the Budget Subcommittee; and

871 (C) the Audit Subcommittee.

872 (10) "Public statement" means a statement made in the ordinary course of business of

873 the public body with the intent that all other members of the public body receive it.

874 (11) (a) "Quorum" means a simple majority of the membership of a public body, unless

875 otherwise defined by applicable law.

876 (b) "Quorum" does not include a meeting of two elected officials by themselves when

877 no action, either formal or informal, is taken on a subject over which these elected officials

878 have advisory power.

879 (12) "Recording" means an audio, or an audio and video, record of the proceedings of a

880 meeting that can be used to review the proceedings of the meeting.

881 (13) "Specified body":

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

883 (i) is not a public body;

884 (ii) consists of three or more members; and

885 (iii) includes at least one member who is:

886 (A) a legislator; and

887 (B) officially appointed to the body by the president of the Senate, speaker of the

888 House of Representatives, or governor; and

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

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

891 electronic means.

892 Section 15. Section **53E-3-920.1** is enacted to read:

893 **53E-3-920.1. State council - Creation.**

894 The State Board of Education shall create a state council described in Section
895 53E-3-909 to accomplish the duties described in Section 53E-3-909.

896 Section 16. Section **53F-5-601** is amended to read:

897 **53F-5-601. Definitions.**

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

899 [(2)] As used in this part:

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

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

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

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

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

910 Section 17. Section **53F-5-602** is amended to read:

911 **53F-5-602. Pilot programs created.**

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

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

920 (2) (a) Beginning with fiscal year 2017-2018, there is created a four-year pilot program
921 administered by the board to provide grants targeted to address the needs of American Indian
922 and Alaskan Native students.

923 (b) The pilot program shall consist of a grant program to school districts and charter
924 schools to be used to fund stipends, recruitment, retention, and professional development of

925 teachers who teach in American Indian and Alaskan Native concentrated schools.

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

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

932 Section 18. Section **53F-5-604** is amended to read:

933 **53F-5-604. Liaison -- Reporting -- Meeting.**

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

937 [~~(1)~~] (2) The liaison shall:

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

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

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

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

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

945 [~~(2)~~] (3) The Native American Legislative Liaison Committee shall annually schedule
946 at least one meeting at which education is discussed with selected stakeholders.

947 Section 19. Section **53G-10-204** is amended to read:

948 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
949 **Elements -- Reporting requirements.**

950 (1) As used in this section:

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

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

- 956 (c) "Values" means time-established principles or standards of worth.
957 (2) The Legislature recognizes that:
958 (a) Civic and character education are fundamental elements of the public education
959 system's core mission as originally intended and established under Article X of the Utah
960 Constitution;
961 (b) Civic and character education are fundamental elements of the constitutional
962 responsibility of public education and shall be a continuing emphasis and focus in public
963 schools;
964 (c) the cultivation of a continuing understanding and appreciation of a constitutional
965 republic and principles of representative democracy in Utah and the United States among
966 succeeding generations of educated and responsible citizens is important to the nation and
967 state;
968 (d) the primary responsibility for the education of children within the state resides with
969 their parents or guardians and that the role of state and local governments is to support and
970 assist parents in fulfilling that responsibility;
971 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
972 informed and responsible citizens who are deeply attached to essential democratic values and
973 institutions; and
974 (f) the happiness and security of American society relies upon the public virtue of its
975 citizens which requires a united commitment to a moral social order where self-interests are
976 willingly subordinated to the greater common good.
977 (3) Through an integrated curriculum, students shall be taught in connection with
978 regular school work:
979 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;
980 (b) respect for and an understanding of the Declaration of Independence and the
981 constitutions of the United States and of the state of Utah;
982 (c) Utah history, including territorial and preterritorial development to the present;
983 (d) the essentials and benefits of the free enterprise system;
984 (e) respect for parents, home, and family;
985 (f) the dignity and necessity of honest labor; and
986 (g) other skills, habits, and qualities of character which will promote an upright and

987 desirable citizenry and better prepare students to recognize and accept responsibility for
988 preserving and defending the blessings of liberty inherited from prior generations and secured
989 by the constitution.

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

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

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

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

1000 ~~[(6) To assist the Commission on Civic and Character Education in fulfilling the~~
1001 ~~commission's duties under Section 67-1a-11, by December 30 of each year, each school district~~
1002 ~~and the State Charter School Board shall submit to the lieutenant governor and the commission~~
1003 ~~a report summarizing how civic and character education are achieved in the school district or~~
1004 ~~charter schools through an integrated school curriculum and in the regular course of school~~
1005 ~~work as provided in this section.]~~

1006 [(7)] (6) Each year, the State Board of Education shall report to the Education Interim
1007 Committee, on or before the October meeting, the methods used, and the results being
1008 achieved, to instruct and prepare students to become informed and responsible citizens through
1009 an integrated curriculum taught in connection with regular school work as required in this
1010 section.

1011 Section 20. Section 54-1-13 is amended to read:

1012 **54-1-13. Commission exploration and development of cleaner air options.**

1013 [(1)] The commission shall immediately initiate and conduct proceedings to explore
1014 and develop options and opportunities for advancing and promoting measures designed to
1015 result in cleaner air in the state through the enhanced use of alternative fuel vehicles, including:

1016 [(a)] (1) consideration of the role that gas corporations should play in the enhancement
1017 and expansion of the infrastructure and maintenance and other facilities for alternative fuel

1018 vehicles;

1019 ~~[(b)]~~ (2) the potential funding options available to pay for the enhancement and
1020 expansion of infrastructure and facilities for alternative fuel vehicles;

1021 ~~[(c)]~~ (3) the role local government, including any local government entity established
1022 for the purpose of facilitating conversion to alternative fuel vehicles and of promoting the
1023 enhancement and expansion of the infrastructure and facilities for those vehicles, can or should
1024 play; and

1025 ~~[(d)]~~ (4) the most effective ways to overcome any obstacles to converting to alternative
1026 fuel vehicles and to enhancing and expanding the infrastructure and facilities for alternative
1027 fuel vehicles.

1028 ~~[(2) As soon as an interlocal entity described in Subsection 11-13-224(2) is created, the
1029 commission shall seek, encourage, and accept the interlocal entity's participation in the
1030 commission's proceedings under this section.]~~

1031 ~~[(3) By September 30, 2013, the commission and the interlocal entity described in
1032 Subsection 11-13-224(2) shall report to the governor, the Legislative Management Committee,
1033 and the Public Utilities, Energy, and Technology Interim Committee:]~~

1034 ~~[(a) the results of the commission proceedings under Subsection (1); and]~~

1035 ~~[(b) recommendations for specific actions to implement mechanisms to provide
1036 funding for the enhancement and expansion of the infrastructure and facilities for alternative
1037 fuel vehicles.]~~

1038 Section 21. Section **62A-1-105** is amended to read:

1039 **62A-1-105. Creation of boards, divisions, and offices.**

1040 (1) The following policymaking boards are created within the Department of Human
1041 Services:

1042 (a) the Board of Aging and Adult Services;

1043 ~~[(b) the Board of Juvenile Justice Services;]~~ and

1044 ~~[(c)]~~ (b) the Utah State Developmental Center Board.

1045 (2) The following divisions are created within the Department of Human Services:

1046 (a) the Division of Aging and Adult Services;

1047 (b) the Division of Child and Family Services;

1048 (c) the Division of Services for People with Disabilities;

1049 (d) the Division of Substance Abuse and Mental Health; and

1050 (e) the Division of Juvenile Justice Services.

1051 (3) The following offices are created within the Department of Human Services:

1052 (a) the Office of Licensing;

1053 (b) the Office of Public Guardian; and

1054 (c) the Office of Recovery Services.

1055 Section 22. Section **62A-1-107** is amended to read:

1056 **62A-1-107. Board of Aging and Adult Services -- Members, appointment, terms,**
1057 **vacancies, chairperson, compensation, meetings, quorum.**

1058 (1) [~~(a) This section applies only to the~~] The Board of Aging and Adult Services [~~and~~
1059 ~~the Board of Juvenile Justice Services~~] described in [~~Subsections~~] Subsection 62A-1-105(1)(a)
1060 [~~and (b). (b) Each board~~] shall have seven members who are appointed by the governor with
1061 the consent of the Senate.

1062 (2) (a) Except as required by Subsection (2)(b), each member shall be appointed for a
1063 term of four years, and is eligible for one reappointment.

1064 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the
1065 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
1066 board members are staggered so that approximately half of the board is appointed every two
1067 years.

1068 (c) Board members shall continue in office until the expiration of their terms and until
1069 their successors are appointed, which may not exceed 90 days after the formal expiration of a
1070 term.

1071 (d) When a vacancy occurs in the membership for any reason, the replacement shall be
1072 appointed for the unexpired term.

1073 (3) No more than four members of [~~any~~] the board may be from the same political
1074 party. [~~Each~~] The board shall have diversity of gender, ethnicity, and culture; and members
1075 shall be chosen on the basis of their active interest, experience, and demonstrated ability to deal
1076 with issues related to [~~their specific boards~~] the Board of Aging and Adult Services.

1077 (4) [~~Each~~] The board shall annually elect a chairperson from [~~its~~] the board's
1078 membership. [~~Each~~] The board shall hold meetings at least once every three months. Within
1079 budgetary constraints, meetings may be held from time to time on the call of the chairperson or

1080 of the majority of the members of [~~any~~] the board. Four members of [~~a~~] the board are
1081 necessary to constitute a quorum at any meeting, and, if a quorum exists, the action of the
1082 majority of members present shall be the action of the board.

1083 (5) A member may not receive compensation or benefits for the member's service, but,
1084 at the executive director's discretion, may receive per diem and travel expenses in accordance
1085 with:

1086 (a) Section 63A-3-106;

1087 (b) Section 63A-3-107; and

1088 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
1089 63A-3-107.

1090 (6) [~~Each~~] The board shall adopt bylaws governing its activities. Bylaws shall include
1091 procedures for removal of a board member who is unable or unwilling to fulfill the
1092 requirements of [~~his~~] the board member's appointment.

1093 (7) The board has program policymaking authority for the division over which [~~it~~] the
1094 board presides.

1095 Section 23. Section 62A-7-101 is amended to read:

1096 **62A-7-101. Definitions.**

1097 As used in this chapter:

1098 (1) "Authority" means the Youth Parole Authority, established in accordance with
1099 Section 62A-7-501.

1100 [~~(2) "Board" means the Board of Juvenile Justice Services established in accordance~~
1101 ~~with Section 62A-1-105.]~~

1102 [~~(3)~~] (2) "Community-based program" means a nonsecure residential or nonresidential
1103 program designated to supervise and rehabilitate youth offenders in accordance with
1104 Subsection 78A-6-117(2) that prioritizes the least restrictive nonresidential setting, consistent
1105 with public safety, and designated or operated by or under contract with the division.

1106 [~~(4)~~] (3) "Control" means the authority to detain, restrict, and supervise a youth in a
1107 manner consistent with public safety and the well being of the youth and division employees.

1108 [~~(5)~~] (4) "Court" means the juvenile court.

1109 [~~(6)~~] (5) "Delinquent act" is an act which would constitute a felony or a misdemeanor if
1110 committed by an adult.

- 1111 ~~[(7)]~~ (6) "Detention" means secure detention or home detention.
- 1112 ~~[(8)]~~ (7) "Detention center" means a facility established in accordance with Title 62A,
1113 Chapter 7, Part 2, Detention Facilities.
- 1114 ~~[(9)]~~ (8) "Director" means the director of the Division of Juvenile Justice Services.
- 1115 ~~[(10)]~~ (9) "Discharge" means a written order of the Youth Parole Authority that
1116 removes a youth offender from its jurisdiction.
- 1117 ~~[(11)]~~ (10) "Division" means the Division of Juvenile Justice Services.
- 1118 ~~[(12)]~~ (11) "Home detention" means predispositional placement of a child in the child's
1119 home or a surrogate home with the consent of the child's parent, guardian, or custodian for
1120 conduct by a child who is alleged to have committed a delinquent act or postdispositional
1121 placement pursuant to Subsection [78A-6-117\(2\)\(f\)](#) or [78A-6-1101\(3\)](#).
- 1122 ~~[(13)]~~ (12) "Observation and assessment program" means a nonresidential service
1123 program operated or purchased by the division that is responsible only for diagnostic
1124 assessment of minors, including for substance use disorder, mental health, psychological, and
1125 sexual behavior risk assessments.
- 1126 ~~[(14)]~~ (13) "Parole" means a conditional release of a youth offender from residency in a
1127 secure facility to live outside that facility under the supervision of the Division of Juvenile
1128 Justice Services or other person designated by the division.
- 1129 ~~[(15)]~~ (14) "Performance-based contracting" means a system of contracting with
1130 service providers for the provision of residential or nonresidential services that:
- 1131 (a) provides incentives for the implementation of evidence-based juvenile justice
1132 programs or programs rated as effective for reducing recidivism by a standardized tool pursuant
1133 to Section [63M-7-208](#); and
- 1134 (b) provides a premium rate allocation for a minor who receives the evidence-based
1135 dosage of treatment and successfully completes the program within three months.
- 1136 ~~[(16)]~~ (15) "Receiving center" means a nonsecure, nonresidential program established
1137 by the division or under contract with the division that is responsible for juveniles taken into
1138 custody by a law enforcement officer for status offenses, infractions, or delinquent acts.
- 1139 ~~[(17)]~~ (16) "Rescission" means a written order of the Youth Parole Authority that
1140 rescinds a parole date.
- 1141 ~~[(18)]~~ (17) "Revocation of parole" means a written order of the Youth Parole Authority

1142 that terminates parole supervision of a youth offender and directs return of the youth offender
1143 to the custody of a secure facility after a hearing and a determination that there has been a
1144 violation of law or of a condition of parole that warrants a return to a secure facility in
1145 accordance with Section [62A-7-504](#).

1146 ~~[(19)]~~ [\(18\)](#) "Runaway" means a youth who willfully leaves the residence of a parent or
1147 guardian without the permission of the parent or guardian.

1148 ~~[(20)]~~ [\(19\)](#) "Secure detention" means predisposition placement in a facility operated by
1149 or under contract with the division, for conduct by a child who is alleged to have committed a
1150 delinquent act.

1151 ~~[(21)]~~ [\(20\)](#) "Secure facility" means any facility operated by or under contract with the
1152 division, that provides 24-hour supervision and confinement for youth offenders committed to
1153 the division for custody and rehabilitation.

1154 ~~[(22)]~~ [\(21\)](#) "Shelter" means the temporary care of children in physically unrestricted
1155 facilities pending court disposition or transfer to another jurisdiction.

1156 ~~[(23)]~~ [\(22\)](#) (a) "Temporary custody" means control and responsibility of
1157 nonadjudicated youth until the youth can be released to the parent, guardian, a responsible
1158 adult, or to an appropriate agency.

1159 (b) "Temporary custody" does not include a placement in a secure facility, including
1160 secure detention, or a residential community-based program operated or contracted by the
1161 division, except pursuant to Subsection [78A-6-117\(2\)](#).

1162 ~~[(24)]~~ [\(23\)](#) "Termination" means a written order of the Youth Parole Authority that
1163 terminates a youth offender from parole.

1164 ~~[(25)]~~ [\(24\)](#) "Ungovernable" means a youth in conflict with a parent or guardian, and the
1165 conflict:

1166 (a) results in behavior that is beyond the control or ability of the youth, or the parent or
1167 guardian, to manage effectively;

1168 (b) poses a threat to the safety or well-being of the youth, the family, or others; or

1169 (c) results in the situations in both Subsections ~~[(25)]~~ [\(24\)](#)(a) and (b).

1170 ~~[(26)]~~ [\(25\)](#) "Work program" means a nonresidential public or private service work
1171 project established and administered by the division for youth offenders for the purpose of
1172 rehabilitation, education, and restitution to victims.

1173 [(27)] (26) "Youth offender" means a person 12 years of age or older, and who has not
 1174 reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and
 1175 jurisdiction of the division, for confinement in a secure facility or supervision in the
 1176 community, following adjudication for a delinquent act which would constitute a felony or
 1177 misdemeanor if committed by an adult in accordance with Section 78A-6-117.

1178 [(28)] (27) (a) "Youth services" means services provided in an effort to resolve family
 1179 conflict:

- 1180 (i) for families in crisis when a minor is ungovernable or runaway; or
- 1181 (ii) involving a minor and the minor's parent or guardian.
- 1182 (b) These services include efforts to:
 - 1183 (i) resolve family conflict;
 - 1184 (ii) maintain or reunite minors with their families; and
 - 1185 (iii) divert minors from entering or escalating in the juvenile justice system.
- 1186 (c) The services may provide:
 - 1187 (i) crisis intervention;
 - 1188 (ii) short-term shelter;
 - 1189 (iii) time out placement; and
 - 1190 (iv) family counseling.

1191 Section 24. Section **62A-7-102** is amended to read:

1192 **62A-7-102. Creation of division -- Jurisdiction.**

1193 (1) There is created the Division of Juvenile Justice Services within the department,
 1194 under the administration and supervision of the executive director [~~and under the policy~~
 1195 ~~direction of the board~~].

1196 (2) The division has jurisdiction over all youth committed to [~~it pursuant to~~] the
 1197 division under Section 78A-6-117.

1198 Section 25. Section **62A-7-103** is amended to read:

1199 **62A-7-103. Division director -- Qualifications -- Responsibility.**

1200 (1) The director of the division shall be appointed by the executive director [~~with the~~
 1201 ~~concurrence of the board~~].

1202 (2) The director shall have a bachelor's degree from an accredited university or college,
 1203 be experienced in administration, and be knowledgeable in youth corrections.

1204 (3) The director is the administrative head of the division.

1205 Section 26. Section **62A-7-104** is amended to read:

1206 **62A-7-104. Division responsibilities.**

1207 (1) The division is responsible for all youth offenders committed to the division by
1208 juvenile courts for secure confinement or supervision and treatment in the community in
1209 accordance with Section [78A-6-117](#).

1210 (2) The division shall:

1211 (a) establish and administer a continuum of community, secure, and nonsecure
1212 programs for all youth offenders committed to the division;

1213 (b) establish and maintain all detention and secure facilities and set minimum standards
1214 for those facilities;

1215 (c) establish and operate prevention and early intervention youth services programs for
1216 nonadjudicated youth placed with the division; and

1217 (d) establish observation and assessment programs necessary to serve youth offenders
1218 in a nonresidential setting under Subsection [78A-6-117\(2\)\(e\)](#).

1219 (3) The division shall place youth offenders committed to it in the most appropriate
1220 program for supervision and treatment.

1221 (4) In any order committing a youth offender to the division, the juvenile court shall
1222 find whether the youth offender is being committed for secure confinement under Subsection
1223 [78A-6-117\(2\)\(c\)](#), or placement in a community-based program under Subsection
1224 [78A-6-117\(2\)\(c\)](#), and specify the criteria under Subsection [78A-6-117\(2\)\(c\)](#) or (d) underlying
1225 the commitment. The division shall place the youth offender in the most appropriate program
1226 within the category specified by the court.

1227 (5) The division shall employ staff necessary to:

1228 (a) supervise and control youth offenders in secure facilities or in the community;

1229 (b) supervise and coordinate treatment of youth offenders committed to the division for
1230 placement in community-based programs; and

1231 (c) control and supervise adjudicated and nonadjudicated youth placed with the
1232 division for temporary services in receiving centers, youth services, and other programs
1233 established by the division.

1234 (6) (a) Youth in the custody or temporary custody of the division are controlled or

1235 detained in a manner consistent with public safety and rules made by the division. In the event
1236 of an unauthorized leave from a secure facility, detention center, community-based program,
1237 receiving center, home, or any other designated placement, division employees have the
1238 authority and duty to locate and apprehend the youth, or to initiate action with local law
1239 enforcement agencies for assistance.

1240 (b) A rule made by the division under this Subsection (6) may not permit secure
1241 detention based solely on the existence of multiple status offenses, misdemeanors, or
1242 infractions alleged in the same criminal episode.

1243 (7) The division shall establish and operate compensatory-service work programs for
1244 youth offenders committed to the division by the juvenile court. The compensatory-service
1245 work program may not be residential and shall:

1246 (a) provide labor to help in the operation, repair, and maintenance of public facilities,
1247 parks, highways, and other programs designated by the division;

1248 (b) provide educational and prevocational programs in cooperation with the State
1249 Board of Education for youth offenders placed in the program; and

1250 (c) provide counseling to youth offenders.

1251 (8) The division shall establish minimum standards for the operation of all private
1252 residential and nonresidential rehabilitation facilities that provide services to juveniles who
1253 have committed a delinquent act or infraction in this state or in any other state.

1254 (9) ~~[In accordance with policies established by the board, the]~~ The division shall
1255 provide regular training for staff of secure facilities, detention staff, case management staff, and
1256 staff of the community-based programs.

1257 (10) (a) The division is authorized to employ special function officers, as defined in
1258 Section 53-13-105, to locate and apprehend minors who have absconded from division
1259 custody, transport minors taken into custody pursuant to division policy, investigate cases, and
1260 carry out other duties as assigned by the division.

1261 (b) Special function officers may be employed through contract with the Department of
1262 Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.

1263 (11) The division shall designate employees to obtain the saliva DNA specimens
1264 required under Section 53-10-403. The division shall ensure that the designated employees
1265 receive appropriate training and that the specimens are obtained in accordance with accepted

1266 protocol.

1267 (12) The division shall register with the Department of Corrections any person who:

1268 (a) has been adjudicated delinquent based on an offense listed in Subsection

1269 ~~77-41-102(17)(a) or 77-43-102(2);~~

1270 (b) has been committed to the division for secure confinement; and

1271 (c) remains in the division's custody 30 days before the person's 21st birthday.

1272 (13) The division shall ensure that a program delivered to a youth offender under this
1273 section is evidence based in accordance with Section ~~63M-7-208~~.

1274 Section 27. Section ~~62A-7-106.5~~ is amended to read:

1275 **~~62A-7-106.5. Annual review of programs and facilities.~~**

1276 (1) (a) The division shall annually review all programs and facilities that provide
1277 services to juveniles who have committed a delinquent act, in this state or in any other state,
1278 which would constitute a felony or misdemeanor if committed by an adult, and license those
1279 programs and facilities that are in compliance with standards [~~approved by the board~~]
1280 established by the division. The division shall provide written reviews to the managers of
1281 those programs and facilities.

1282 (b) [~~Based upon policies established by the board, programs~~] Programs or facilities that
1283 are unable or unwilling to comply with the [~~approved~~] standards established by the division
1284 may not be licensed.

1285 (2) Any private facility or program providing services under this chapter that willfully
1286 fails to comply with the standards established by the division is guilty of a class B
1287 misdemeanor.

1288 Section 28. Section ~~62A-7-201~~ is amended to read:

1289 **~~62A-7-201. Confinement -- Facilities -- Restrictions.~~**

1290 (1) Children under 18 years of age, who are apprehended by any officer or brought
1291 before any court for examination under any provision of state law, may not be confined in jails,
1292 lockups, or cells used for persons 18 years of age or older who are charged with crime, or in
1293 secure postadjudication correctional facilities operated by the division, except as provided in
1294 Subsection (2)[;] or other specific statute[~~or in conformance with standards approved by the~~
1295 ~~board~~].

1296 (2) (a) Children charged with crimes under Section ~~78A-6-701~~, as a serious youth

1297 offender under Section 78A-6-702 and bound over to the jurisdiction of the district court, or
1298 certified to stand trial as an adult pursuant to Section 78A-6-703, if detained, shall be detained
1299 as provided in these sections.

1300 (b) Children detained in adult facilities under Section 78A-6-702 or 78A-6-703 before
1301 a hearing before a magistrate, or under Subsection 78A-6-113(3), may only be held in certified
1302 juvenile detention accommodations in accordance with rules made by the Commission on
1303 Criminal and Juvenile Justice. Those rules shall include standards for acceptable sight and
1304 sound separation from adult inmates. The Commission on Criminal and Juvenile Justice
1305 certifies facilities that are in compliance with the Commission on Criminal and Juvenile
1306 Justice's standards. This Subsection (2)(b) does not apply to juveniles held in an adult
1307 detention facility in accordance with Subsection (2)(a).

1308 (3) In areas of low density population, the Commission on Criminal and Juvenile
1309 Justice may, by rule, approve juvenile holding accommodations within adult facilities that have
1310 acceptable sight and sound separation. Those facilities shall be used only for short-term
1311 holding purposes, with a maximum confinement of six hours, for children alleged to have
1312 committed an act which would be a criminal offense if committed by an adult. Acceptable
1313 short-term holding purposes are: identification, notification of juvenile court officials,
1314 processing, and allowance of adequate time for evaluation of needs and circumstances
1315 regarding release or transfer to a shelter or detention facility. This Subsection (3) does not
1316 apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).

1317 (4) Children who are alleged to have committed an act that would be a criminal offense
1318 if committed by an adult, may be detained in holding rooms in local law enforcement agency
1319 facilities for a maximum of two hours, for identification or interrogation, or while awaiting
1320 release to a parent or other responsible adult. Those rooms shall be certified by the
1321 Commission on Criminal and Juvenile Justice, according to the Commission on Criminal and
1322 Juvenile Justice's rules. Those rules shall include provisions for constant supervision and for
1323 sight and sound separation from adult inmates.

1324 (5) Willful failure to comply with this section is a class B misdemeanor.

1325 (6) (a) The division is responsible for the custody and detention of children under 18
1326 years of age who require detention care before trial or examination, or while awaiting
1327 assignment to a home or facility, as a dispositional placement under Subsection

1328 78A-6-117(2)(f)(i), and of youth offenders under Subsection 62A-7-504(9). This Subsection
1329 (6)(a) does not apply to juveniles held in an adult detention facility in accordance with
1330 Subsection (2)(a).

1331 (b) (i) The Commission on Criminal and Juvenile Justice shall provide standards for
1332 custody or detention under Subsections (2)(b), (3), and (4).

1333 (ii) The division shall determine and set standards for conditions of care and
1334 confinement of children in detention facilities.

1335 (c) All other custody or detention shall be provided by the division, or by contract with
1336 a public or private agency willing to undertake temporary custody or detention upon agreed
1337 terms, or in suitable premises distinct and separate from the general jails, lockups, or cells used
1338 in law enforcement and corrections systems. This Subsection (6)(c) does not apply to juveniles
1339 held in an adult detention facility in accordance with Subsection (2)(a).

1340 Section 29. Section 62A-7-401.5 is amended to read:

1341 **62A-7-401.5. Secure facilities.**

1342 (1) The division shall maintain and operate secure facilities for the custody and
1343 rehabilitation of youth offenders who pose a danger of serious bodily harm to others, who
1344 cannot be controlled in a less secure setting, or who have engaged in a pattern of conduct
1345 characterized by persistent and serious criminal offenses which, as demonstrated through the
1346 use of other alternatives, cannot be controlled in a less secure setting.

1347 (2) The director shall appoint an administrator for each secure facility. An
1348 administrator of a secure facility shall have experience in social work, law, criminology,
1349 corrections, or a related field, and also in administration.

1350 (3) (a) The division, in cooperation with the State Board of Education, shall provide
1351 instruction, or make instruction available, to youth offenders in secure facilities. The
1352 instruction shall be appropriate to the age, needs, and range of abilities of the youth offender.

1353 (b) An assessment shall be made of each youth offender by the appropriate secure
1354 facility to determine the offender's abilities, possible learning disabilities, interests, attitudes,
1355 and other attributes related to appropriate educational programs.

1356 (c) Prevocational education shall be provided to acquaint youth offenders with
1357 vocations, and vocational requirements and opportunities.

1358 (4) The division shall place youth offenders who have been committed to the division

1359 for secure confinement and rehabilitation in a secure facility, operated by the division or by a
1360 private entity, that is appropriate to ensure that humane care and rehabilitation opportunities are
1361 afforded to the youth offender.

1362 (5) The division shall adopt~~[, subject to approval by the board,]~~ standards, policies, and
1363 procedures for the regulation and operation of secure facilities, consistent with state and federal
1364 law.

1365 Section 30. Section **62A-7-501** is amended to read:

1366 **62A-7-501. Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.**

1367 (1) There is created within the division a Youth Parole Authority.

1368 (2) (a) The authority is composed of 10 part-time members and five pro tempore
1369 members who are residents of this state. No more than three pro tempore members may serve
1370 on the authority at any one time.

1371 (b) Throughout this section, the term "member" refers to both part-time and pro
1372 tempore members of the Youth Parole Authority.

1373 (3) (a) Except as required by Subsection (3)(b), members shall be appointed to
1374 four-year terms by the governor with the consent of the Senate.

1375 (b) The governor shall, at the time of appointment or reappointment, adjust the length
1376 of terms to ensure that the terms of authority members are staggered so that approximately half
1377 of the authority is appointed every two years.

1378 (4) Each member shall have training or experience in social work, law, juvenile or
1379 criminal justice, or related behavioral sciences.

1380 (5) When a vacancy occurs in the membership for any reason, the replacement member
1381 shall be appointed for the unexpired term.

1382 (6) During the tenure of the member's appointment, a member may not:

1383 (a) be an employee of the department, other than in the member's capacity as a member
1384 of the authority;

1385 (b) hold any public office;

1386 (c) hold any position in the state's juvenile justice system; or

1387 (d) be an employee, officer, advisor, policy board member, or subcontractor of any
1388 juvenile justice agency or its contractor.

1389 (7) In extraordinary circumstances or when a regular member is absent or otherwise

1390 unavailable, the chair may assign a pro tempore member to act in the absent member's place.

1391 (8) A member may not receive compensation or benefits for the member's service, but
1392 may receive per diem and travel expenses in accordance with:

1393 (a) Section 63A-3-106;

1394 (b) Section 63A-3-107; and

1395 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
1396 63A-3-107.

1397 (9) The authority shall determine appropriate parole dates for youth offenders[~~based~~
1398 ~~on guidelines established by the board and~~] in accordance with Section 62A-7-404. [~~The board~~
1399 ~~shall review and update policy guidelines annually.~~]

1400 (10) Youth offenders may be paroled to their own homes, to an independent living
1401 program contracted or operated by the division, to an approved independent living setting, or to
1402 other appropriate residences of qualifying relatives or guardians, but shall remain on parole
1403 until parole is terminated by the authority in accordance with Section 62A-7-404.

1404 (11) The division's case management staff shall implement parole release plans and
1405 shall supervise youth offenders while on parole.

1406 (12) The division shall permit the authority to have reasonable access to youth
1407 offenders in secure facilities and shall furnish all pertinent data requested by the authority in
1408 matters of parole, revocation, and termination.

1409 Section 31. Section 62A-7-502 is amended to read:

1410 **62A-7-502. Youth Parole Authority -- Parole procedures.**

1411 (1) The authority has responsibility for parole release, rescission, revocation, and
1412 termination for youth offenders who have been committed to the division for secure
1413 confinement. The authority shall determine when and under what conditions youth offenders
1414 who have been committed to a secure facility are eligible for parole.

1415 (2) Each youth offender shall be served with notice of parole hearings, and has the
1416 right to personally appear before the authority for parole consideration.

1417 (3) Orders and decisions of the authority shall be in writing, and each youth offender
1418 shall be provided written notice of the authority's reasoning and decision in [~~his~~] the youth
1419 offender's case.

1420 (4) The authority shall establish policies and procedures[~~, subject to board approval,~~]

1421 for the authority's governance, meetings, hearings, the conduct of proceedings before it, the
1422 parole of youth offenders, and the general conditions under which parole may be granted,
1423 rescinded, revoked, modified, and terminated.

1424 Section 32. Section **62A-7-506** is amended to read:

1425 **62A-7-506. Discharge of youth offender.**

1426 (1) A youth offender may be discharged from the jurisdiction of the division at any
1427 time, by written order of the Youth Parole Authority, upon a finding that no further purpose
1428 would be served by secure confinement or supervision in a community setting.

1429 (2) ~~[Discharge of a]~~ A youth offender shall be discharged in accordance with ~~[policies~~
1430 ~~approved by the board and]~~ Section **62A-7-404**.

1431 (3) Discharge of a youth offender is a complete release of all penalties incurred by
1432 adjudication of the offense for which the youth offender was committed.

1433 Section 33. Section **62A-7-601** is amended to read:

1434 **62A-7-601. Youth services for prevention and early intervention -- Program**
1435 **standards -- Program services.**

1436 (1) The division shall establish and operate prevention and early intervention youth
1437 services programs.

1438 (2) The division shall adopt ~~[with the approval of the board]~~ statewide policies and
1439 procedures, including minimum standards for the organization and operation of youth services
1440 programs.

1441 (3) The division shall establish housing, programs, and procedures to ensure that youth
1442 who are receiving services under this section and who are not in the custody of the division are
1443 served separately from youth who are in custody of the division.

1444 (4) The division may enter into contracts with state and local governmental entities and
1445 private providers to provide the youth services.

1446 (5) The division shall establish and administer juvenile receiving centers and other
1447 programs to provide temporary custody, care, risk-needs assessments, evaluations, and control
1448 for nonadjudicated and adjudicated youth placed with the division.

1449 (6) The division shall prioritize use of evidence-based juvenile justice programs and
1450 practices.

1451 Section 34. Section **62A-7-701** is amended to read:

1452 **62A-7-701. Community-based programs.**

1453 (1) (a) The division shall operate residential and nonresidential community-based
1454 programs to provide care, treatment, and supervision for youth offenders committed to the
1455 division by juvenile courts.

1456 (b) The division shall operate or contract for nonresidential community-based
1457 programs and independent living programs to provide care, treatment, and supervision of
1458 paroled youth offenders.

1459 (2) The division shall adopt~~[, with the approval of the board,]~~ minimum standards for
1460 the organization and operation of community-based corrections programs for youth offenders.

1461 (3) The division shall place youth offenders committed to it for community-based
1462 programs in the most appropriate program based upon the division's evaluation of the youth
1463 offender's needs and the division's available resources in accordance with Sections [62A-7-404](#)
1464 and [78A-6-117](#).

1465 Section 35. Section **63A-5-225** is amended to read:

1466 **63A-5-225. Development of new correctional facilities.**

1467 (1) As used in this section:

1468 ~~[(a) "Commission" means the Prison Development Commission, created in Section~~
1469 [63C-16-201](#).]

1470 (a) "Committee" means the Legislative Management Committee created in Section
1471 [36-12-6](#).

1472 (b) "New correctional facilities" means a new prison and related facilities to be
1473 constructed to replace the state prison located in Draper.

1474 (c) "Prison project" means all aspects of a project for the design and construction of
1475 new correctional facilities on the selected site, including:

1476 (i) the acquisition of land, interests in land, easements, or rights-of-way;

1477 (ii) site improvement; and

1478 (iii) the acquisition, construction, equipping, or furnishing of facilities, structures,
1479 infrastructure, roads, parking facilities, utilities, and improvements, whether on or off the
1480 selected site, that are necessary, incidental, or convenient to the development of new
1481 correctional facilities on the selected site.

1482 (d) "Selected site" means ~~[the same as that term is defined in Section [63C-16-102](#)]~~ the

1483 site selected under Subsection 63C-15-203(2) as the site for new correctional facilities.

1484 (2) In consultation with the [~~commission~~] committee, the division shall oversee the
1485 prison project, as provided in this section.

1486 (3) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this
1487 section, the division shall:

1488 (i) enter into contracts with persons providing professional and construction services
1489 for the prison project;

1490 [~~(ii) in determining contract types for the prison project, consult with and consider~~
1491 ~~recommendations from the commission or the commission's designee;]~~

1492 [(~~iii~~)] (ii) provide reports to the [~~commission~~] committee regarding the prison project,
1493 as requested by the commission; and

1494 [(~~iv~~)] (iii) consider input from the [~~commission~~] committee on the prison project,
1495 subject to Subsection (3)(b).

1496 (b) The division may not consult with or receive input from the [~~commission~~]
1497 committee regarding:

1498 (i) the evaluation of proposals from persons seeking to provide professional and
1499 construction services for the prison project; or

1500 (ii) the selection of persons to provide professional and construction services for the
1501 prison project.

1502 (c) A contract with a project manager or person with a comparable position on the
1503 prison project shall include a provision that requires the project manager or other person to
1504 provide reports to the [~~commission~~] committee regarding the prison project, as requested by the
1505 [~~commission~~] committee.

1506 (4) All contracts associated with the design or construction of new correctional
1507 facilities shall be awarded and managed by the division in accordance with Title 63G, Chapter
1508 6a, Utah Procurement Code, and this section.

1509 (5) The division shall coordinate with the Department of Corrections, created in
1510 Section 64-13-2, and the State Commission on Criminal and Juvenile Justice, created in
1511 Section 63M-7-201, during the prison project to help ensure that the design and construction of
1512 new correctional facilities are conducive to and consistent with, and help to implement any
1513 reforms of or changes to, the state's corrections system and corrections programs.

1514 (6) (a) There is created within the General Fund a restricted account known as the
1515 "Prison Development Restricted Account."

1516 (b) The account created in Subsection (6)(a) is funded by legislative appropriations.

1517 (c) (i) The account shall earn interest or other earnings.

1518 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1519 investment of account funds into the account.

1520 (d) Upon appropriation from the Legislature, money from the account shall be used to
1521 fund the Prison Project Fund created in Subsection (7).

1522 (7) (a) There is created a capital projects fund known as the "Prison Project Fund."

1523 (b) The fund consists of:

1524 (i) money appropriated to the fund by the Legislature; and

1525 (ii) proceeds from the issuance of bonds authorized in Section [63B-25-101](#) to provide
1526 funding for the prison project.

1527 (c) (i) The fund shall earn interest or other earnings.

1528 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1529 investment of fund money into the fund.

1530 (d) Money in the fund shall be used by the division to fund the prison project.

1531 Section 36. Section **63B-25-101** is amended to read:

1532 **63B-25-101. General obligation bonds for prison project -- Maximum amount --**
1533 **Use of proceeds.**

1534 (1) As used in this section:

1535 (a) "Prison project" means the same as that term is defined in Section [~~63C-16-102~~]
1536 [63A-5-225](#).

1537 (b) "Prison project fund" means the capital projects fund created in Subsection
1538 [63A-5-225](#)(7).

1539 (2) The commission may issue general obligation bonds as provided in this section.

1540 (3) (a) The total amount of bonds to be issued under this section may not exceed
1541 \$570,000,000 for acquisition and construction proceeds, plus additional amounts necessary to
1542 pay costs of issuance, to pay capitalized interest, and to fund any existing debt service reserve
1543 requirements, with the total amount of the bonds not to exceed \$575,700,000.

1544 (b) The maturity of bonds issued under this section may not exceed 10 years.

1545 (4) The commission shall ensure that proceeds from the issuance of bonds under this
1546 section are deposited into the Prison Project Fund for use by the division to pay all or part of
1547 the cost of the prison project, including:

1548 (a) interest estimated to accrue on the bonds authorized in this section until the
1549 completion of construction of the prison project, plus a period of 12 months after the end of
1550 construction; and

1551 (b) all related engineering, architectural, and legal fees.

1552 (5) (a) The division may enter into agreements related to the prison project before the
1553 receipt of proceeds of bonds issued under this section.

1554 (b) The division shall make those expenditures from unexpended and unencumbered
1555 building funds already appropriated to the Prison Project Fund.

1556 (c) The division shall reimburse the Prison Project Fund upon receipt of the proceeds
1557 of bonds issued under this chapter.

1558 (d) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
1559 expenditures for costs of the prison project.

1560 (6) Before issuing bonds authorized under this section, the commission shall request
1561 and consider a recommendation from the [~~Prison Development Commission~~] Legislative
1562 Management Committee, created in Section [~~63C-16-201~~] 36-12-6, regarding the timing and
1563 amount of the issuance.

1564 Section 37. Section **63C-4a-101** is amended to read:

1565 **63C-4a-101. Title.**

1566 [(+) This chapter is known as the "Constitutional and Federalism Defense Act."

1567 [(2) This part is known as "General Provisions."]

1568 Section 38. Section **63C-4a-102** is amended to read:

1569 **63C-4a-102. Definitions.**

1570 As used in this chapter:

1571 (1) "Account" means the Constitutional Defense Restricted Account, created in Section
1572 63C-4a-402.

1573 (2) "Commission" means the [~~Commission on~~] Federalism Commission, created in
1574 Section 63C-4a-302.

1575 (3) "Constitutional defense plan" means a plan that outlines actions and expenditures to

1576 fulfill the duties of the commission and the council.

1577 (4) "Council" means the Constitutional Defense Council, created in Section
1578 [63C-4a-202](#).

1579 (5) "Federal governmental entity" means:

1580 (a) the president of the United States;

1581 (b) the United States Congress;

1582 (c) a United States agency; or

1583 (d) an employee or official appointed by the president of the United States.

1584 (6) "Federal issue" means a matter relating to the federal government's dealings with
1585 the state, including a matter described in Section [63C-4a-309](#).

1586 [~~(6)~~] (7) "Federal law" means:

1587 (a) an executive order by the president of the United States;

1588 (b) a statute passed by the United States Congress;

1589 (c) a regulation adopted by a United States agency; or

1590 (d) a policy statement, order, guidance, or action by:

1591 (i) a United States agency; or

1592 (ii) an employee or official appointed by the president of the United States.

1593 [~~(7)~~] (8) "R.S. 2477" means Revised Statute 2477, codified as 43 U.S.C. Section 932.

1594 [~~(8)~~] (9) "R.S. 2477 plan" means a guiding document that:

1595 (a) is developed jointly by the Utah Association of Counties and the state;

1596 (b) is approved by the council; and

1597 (c) presents the broad framework of a proposed working relationship between the state
1598 and participating counties collectively for the purpose of asserting, defending, or litigating state
1599 and local government rights under R.S. 2477.

1600 [~~(9)~~] (10) "United States agency" means a department, agency, authority, commission,
1601 council, board, office, bureau, or other administrative unit of the executive branch of the
1602 United States government.

1603 Section 39. Section **63C-4a-301** is amended to read:

1604 **63C-4a-301. Title.**

1605 This part is known as "[~~Commission on~~] Federalism Commission."

1606 Section 40. Section **63C-4a-302** is amended to read:

1607 **63C-4a-302. Creation of Federalism Commission -- Membership meetings -- Staff**
1608 **-- Expenses.**

1609 (1) There is created the [~~Commission on~~] Federalism Commission, comprised of the
1610 following [~~seven~~] nine members:

1611 (a) the president of the Senate or the president of the Senate's designee who shall serve
1612 as cochair of the commission;

1613 (b) [~~another member~~] two other members of the Senate, appointed by the president of
1614 the Senate;

1615 (c) the speaker of the House or the speaker of the House's designee who shall serve as
1616 cochair of the commission;

1617 (d) [~~two~~] three other members of the House, appointed by the speaker of the House;

1618 (e) the minority leader of the Senate or the minority leader of the Senate's designee;

1619 and

1620 (f) the minority leader of the House or the minority leader of the House's designee.

1621 (2) (a) A majority of the members of the commission constitute a quorum of the
1622 commission.

1623 (b) Action by a majority of the members of a quorum constitutes action by the
1624 commission.

1625 (3) The commission [~~shall meet six~~] may meet up to nine times each year, unless
1626 additional meetings are approved by the Legislative Management Committee.

1627 (4) The Office of Legislative Research and General Counsel shall provide staff support
1628 to the commission.

1629 (5) Compensation and expenses of a member of the commission who is a legislator are
1630 governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and
1631 Expenses.

1632 (6) Nothing in this section prohibits the commission from closing a meeting under
1633 Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the commission from
1634 complying with Title 63G, Chapter 2, Government Records Access and Management Act.

1635 Section 41. Section **63C-4a-303** is amended to read:

1636 **63C-4a-303. Federalism Commission to evaluate federal law -- Curriculum on**
1637 **federalism.**

1638 (1) In accordance with Section 63C-4a-304, the commission may evaluate a federal
1639 law:

1640 (a) as agreed by a majority of the commission; or

1641 (b) submitted to the commission by a council member.

1642 (2) The commission may request information regarding a federal law under evaluation
1643 from a United States senator or representative elected from the state.

1644 (3) If the commission finds that a federal law is not authorized by the United States
1645 Constitution or violates the principle of federalism as described in Subsection 63C-4a-304(2), a
1646 commission cochair may:

1647 (a) request from a United States senator or representative elected from the state:

1648 (i) information about the federal law; or

1649 (ii) assistance in communicating with a federal governmental entity regarding the
1650 federal law;

1651 (b) (i) give written notice of an evaluation made under Subsection (1) to the federal
1652 governmental entity responsible for adopting or administering the federal law; and

1653 (ii) request a response by a specific date to the evaluation from the federal
1654 governmental entity; and

1655 (c) request a meeting, conducted in person or by electronic means, with the federal
1656 governmental entity, a representative from another state, or a United States Senator or
1657 Representative elected from the state to discuss the evaluation of federal law and any possible
1658 remedy.

1659 (4) The commission may recommend to the governor that the governor call a special
1660 session of the Legislature to give the Legislature an opportunity to respond to the commission's
1661 evaluation of a federal law.

1662 (5) A commission cochair may coordinate the evaluation of and response to federal law
1663 with another state as provided in Section 63C-4a-305.

1664 [~~(6) Each year, the commission shall submit a report by electronic mail to the
1665 Legislative Management Committee and the Government Operations Interim Committee that
1666 summarizes:]~~

1667 [~~(a) action taken by the commission in accordance with this section; and]~~

1668 [~~(b) action taken by, or communication received from, any of the following in response~~

1669 to a request or inquiry made, or other action taken, by the commission:]
1670 [~~(i) a United States senator or representative elected from the state;~~]
1671 [~~(ii) a representative of another state; or~~]
1672 [~~(iii) a federal entity, official, or employee.~~]
1673 [~~(7)~~] (6) The commission shall keep a current list on the Legislature's website of:
1674 (a) a federal law that the commission evaluates under Subsection (1);
1675 (b) an action taken by a cochair of the commission under Subsection (3);
1676 (c) any coordination undertaken with another state under Section [63C-4a-305](#); and
1677 (d) any response received from a federal government entity that was requested under
1678 Subsection (3).
1679 [~~(8)~~] (7) The commission shall develop curriculum for a seminar on the principles of
1680 federalism. The curriculum shall be available to the general public and include:
1681 (a) fundamental principles of federalism;
1682 (b) the sovereignty, supremacy, and jurisdiction of the individual states, including their
1683 police powers;
1684 (c) the history and practical implementation of the Tenth Amendment to the United
1685 States Constitution;
1686 (d) the authority and limits on the authority of the federal government as found in the
1687 United States Constitution;
1688 (e) the relationship between the state and federal governments;
1689 (f) methods of evaluating a federal law in the context of the principles of federalism;
1690 (g) how and when challenges should be made to a federal law or regulation on the basis
1691 of federalism;
1692 (h) the separate and independent powers of the state that serve as a check on the federal
1693 government;
1694 (i) first amendment rights and freedoms contained therein; and
1695 (j) any other issues relating to federalism the commission considers necessary.
1696 [~~(9)~~] (8) The commission may apply for and receive grants, and receive private
1697 donations to assist in funding the creation, enhancement, and dissemination of the curriculum.
1698 [~~(10) Before the final meeting of 2019, the commission shall conduct the activities~~
1699 ~~described in Section [63C-4a-307](#).~~]

1700 (9) The commission shall submit a report on or before November 30 of each year to the
1701 Government Operations Interim Committee and the Natural Resources, Agriculture, and
1702 Environment Interim Committee that:

1703 (a) describes any action taken by the commission under Section 63C-4a-303; and

1704 (b) includes any proposed legislation the commission recommends.

1705 Section 42. Section **63C-4a-306** is amended to read:

1706 **63C-4a-306. Course on federalism required.**

1707 (1) This section [~~shall apply~~] applies to:

1708 (a) all political subdivisions of the state;

1709 (b) all agencies of the state;

1710 (c) the Attorney General's office; and

1711 (d) the Office of Legislative Research and General Counsel.

1712 (2) [~~Beginning January 1, 2015, an~~] An employing entity listed in Subsection (1) shall
1713 appoint at least one designee to which all questions and inquiries regarding federalism shall be
1714 directed. The designee shall be required to attend a seminar on the principles of federalism
1715 developed pursuant to Subsection ~~63C-4a-303~~~~(8)~~(7) at least once in every two-year period.

1716 (3) The designee may complete the requirements of this section by attending a seminar
1717 in person or online.

1718 Section 43. Section **63C-4a-307** is amended to read:

1719 **63C-4a-307. Commission to evaluate foregone property tax -- Evaluation**
1720 **procedures.**

1721 (1) As used in this section:

1722 (a) (i) "Federally controlled land" means any land within the exterior boundaries of the
1723 state that is controlled by the United States government for the entire taxable year.

1724 (ii) "Federally controlled land" does not include:

1725 (A) a military installation;

1726 (B) a federal enclave as described in United States Constitution, Article I, Section 8,
1727 clause 17; or

1728 (C) land owned by an Indian tribe as described in 18 U.S.C. Sec. 1151.

1729 (b) (i) "Payments in lieu of tax" means payments made by the federal government to a
1730 county, municipality, or school district of the state.

- 1731 (ii) "Payments in lieu of tax" includes a payment under:
- 1732 (A) the in lieu of property taxes program, 31 U.S.C. Sec. 6901, et seq., commonly
- 1733 referred to as PILT; and
- 1734 (B) the impact aid program, 20 U.S.C. Sec. 7701, et seq.
- 1735 (2) (a) The commission shall hold a hearing regarding the impact on the state from the
- 1736 failure of the federal government to make payments in lieu of tax that are equivalent to the
- 1737 property tax revenue that the state would generate but for federally controlled land.
- 1738 (b) The commission shall invite and accept testimony on the information described in
- 1739 Subsection (2)(a) and the impact on the ability and the duty of the state to fund education and
- 1740 to protect and promote the health, safety, and welfare of the state, the state's political
- 1741 subdivisions, and the residents of the state from the following:
- 1742 (i) representatives from:
- 1743 (A) the office of each United States senator or representative elected from the state;
- 1744 (B) any federal government entity administering the payments in lieu of tax;
- 1745 (C) the Legislative Management Committee;
- 1746 (D) the Office of the Governor;
- 1747 (E) the Office of the Attorney General;
- 1748 (F) the State Tax Commission;
- 1749 (G) the Public Lands Policy Coordinating Office, created in Section [63J-4-602](#);
- 1750 (H) the school districts;
- 1751 (I) the association of school districts;
- 1752 (J) the superintendents' association;
- 1753 (K) the charter schools;
- 1754 (L) school community councils;
- 1755 (M) the counties;
- 1756 (N) the municipalities; and
- 1757 (O) nonpartisan entities serving state governments;
- 1758 (ii) other states' officials or agencies; and
- 1759 (iii) other interested individuals or entities.
- 1760 (3) In accordance with this part, the commission may engage each United States
- 1761 senator or representative elected from the state in coordinating with the federal government to

1762 secure payments in lieu of tax that are equivalent to the property tax revenue the state would
1763 generate but for federally controlled land.

1764 (4) The commission shall communicate the information received during the hearing
1765 described in Subsection (2) and any action taken under Subsection (3) to the individuals and
1766 entities described in Subsection (2)(b).

1767 (5) The commission shall conduct the activities described in this section before the
1768 commission's final meeting in 2019.

1769 Section 44. Section **63C-4a-308**, which is renumbered from Section 63C-4b-104 is
1770 renumbered and amended to read:

1771 ~~63C-4b-104~~. **63C-4a-308. Commission duties with regards to federal**
1772 **lands.**

1773 [(+)] The commission shall:

1774 [(a)] ~~convene at least eight times each year;~~

1775 [(b)] (1) review and make recommendations on the transfer of federally controlled
1776 public lands to the state;

1777 [(c)] (2) review and make recommendations regarding the state's sovereign right to
1778 protect the health, safety, and welfare of its citizens as it relates to public lands, including
1779 recommendations concerning the use of funds in the account created in Section [~~63C-4b-105~~]
1780 [63C-4a-404](#);

1781 [(d)] (3) study and evaluate the recommendations of the public lands transfer study and
1782 economic analysis conducted by the Public Lands Policy Coordinating Office in accordance
1783 with Section [63J-4-606](#);

1784 [(e)] (4) coordinate with and report on the efforts of the executive branch, the counties
1785 and political subdivisions of the state, the state congressional delegation, western governors,
1786 other states, and other stakeholders concerning the transfer of federally controlled public lands
1787 to the state including convening working groups, such as a working group composed of
1788 members of the Utah Association of Counties;

1789 [(f)] (5) study and make recommendations regarding the appropriate designation of
1790 public lands transferred to the state, including stewardship of the land and appropriate uses of
1791 the land;

1792 [(g)] (6) study and make recommendations regarding the use of funds received by the

1793 state from the public lands transferred to the state; and

1794 ~~[(h)]~~ (7) receive reports from and make recommendations to the attorney general, the
1795 Legislature, and other stakeholders involved in litigation on behalf of the state's interest in the
1796 transfer of public lands to the state, regarding:

1797 ~~[(i)]~~ (a) preparation for potential litigation;

1798 ~~[(ii)]~~ (b) selection of outside legal counsel;

1799 ~~[(iii)]~~ (c) ongoing legal strategy for the transfer of public lands; and

1800 ~~[(iv)]~~ (d) use of money:

1801 ~~[(A)]~~ (i) appropriated by the Legislature for the purpose of securing the transfer of
1802 public lands to the state under Section ~~[63C-4b-105]~~ [63C-4a-404](#); and

1803 ~~[(B)]~~ (ii) disbursed from the Public Lands Litigation Expendable Special Revenue
1804 Fund created in Section ~~[63C-4b-106]~~ [63C-4a-405](#).

1805 ~~[(2) The commission shall prepare an annual report, including any proposed
1806 legislation, and present the report to the Natural Resources, Agriculture, and Environment
1807 Interim Committee on or before November 30, 2016, and on or before November 30 each year
1808 thereafter.]~~

1809 Section 45. Section **63C-4a-309**, which is renumbered from Section 63C-14-301 is
1810 renumbered and amended to read:

1811 ~~[63C-14-301].~~ **63C-4a-309. Commission duties in relation to federal funds.**

1812 ~~[(1)]~~ Until November 30, 2019, the commission shall:

1813 ~~[(a)]~~ (1) study and assess:

1814 ~~[(i)]~~ (a) the financial stability of the federal government;

1815 ~~[(ii)]~~ (b) the level of dependency that the state and local governments have on the
1816 receipt of federal funds;

1817 ~~[(iii)]~~ (c) the risk that the state and local governments in the state will experience a
1818 reduction in the amount or value of federal funds they receive, in both the near and distant
1819 future;

1820 ~~[(iv)]~~ (d) the likely and potential impact on the state and its citizens from a reduction in
1821 the amount or value of federal funds received by the state and by local governments in the
1822 state, in both the near and distant future; and

1823 ~~[(v)]~~ (e) the likely and potential national impact from a reduction in the amount or

1824 value of federal funds paid to the states, in both the near and distant future; and
1825 [(b)] (2) make recommendations to the governor and Legislature on methods to:
1826 [(i)] (a) avoid or minimize the risk of a reduction in the amount or value of federal
1827 funds by the state and by local governments in the state;
1828 [(ii)] (b) reduce the dependency of the state and of local governments in the state on
1829 federal funds; and
1830 [(iii)] (c) prepare for and respond to a reduction in the amount or value of federal funds
1831 by the state and by local governments in the state.

1832 ~~[(2) After November 30, 2019, the commission shall study, assess, and provide~~
1833 ~~recommendations on any federal issue that the governor, the Legislature through a joint~~
1834 ~~resolution of the Legislature, or the Legislative Management Committee directs the~~
1835 ~~commission to study, assess, and make recommendations on.]~~

1836 ~~[(3) The commission shall present a report to the Government Operations Interim~~
1837 ~~Committee of the Legislature each year on the commission's findings and recommendations.]~~

1838 Section 46. Section **63C-4a-404**, which is renumbered from Section 63C-4b-105 is
1839 renumbered and amended to read:

1840 ~~[63C-4b-105].~~ **63C-4a-404. Creation of Public Lands Litigation Restricted**
1841 **Account -- Sources of funds -- Uses of funds -- Reports.**

1842 (1) There is created a restricted account within the General Fund known as the Public
1843 Lands Litigation Restricted Account.

1844 (2) The account created in Subsection (1) consists of money from the following
1845 revenue sources:

1846 (a) money received by the commission from other state agencies; and
1847 (b) appropriations made by the Legislature.

1848 (3) The Legislature may annually appropriate money from the account for the purposes
1849 of asserting, defending, or litigating state and local government rights to the disposition and use
1850 of federal lands within the state as those rights are granted by the United States Constitution,
1851 the Utah Enabling Act, and other applicable law.

1852 (4) (a) Any entity that receives money from the account shall, before disbursing the
1853 money to another person for the purposes described in Subsection (3), or before spending the
1854 money appropriated, report to the commission regarding:

- 1855 (i) the amount of the disbursement;
- 1856 (ii) who will receive the disbursement; and
- 1857 (iii) the planned use for the disbursement.

1858 (b) The commission may, upon receiving the report under Subsection (4)(a):

1859 (i) advise the Legislature and the entity of the commission finding that the
1860 disbursement is consistent with the purposes in Subsection (3); or

1861 (ii) advise the Legislature and the entity of the commission finding that the
1862 disbursement is not consistent with the purposes in Subsection (3).

1863 Section 47. Section ~~63C-4a-405~~, which is renumbered from Section 63C-4b-106 is
1864 renumbered and amended to read:

1865 ~~[63C-4b-106]~~. **63C-4a-405. Public Lands Litigation Expendable Special**
1866 **Revenue Fund -- Creation -- Source of funds -- Use of funds -- Reports.**

1867 (1) There is created an expendable special revenue fund known as the Public Lands
1868 Litigation Expendable Special Revenue Fund.

1869 (2) The fund shall consist of gifts, grants, donations, or any other conveyance of money
1870 that may be made to the fund from private sources and other states.

1871 (3) The fund shall be administered by the Division of Finance in accordance with
1872 Subsection (4).

1873 (4) (a) The fund may be used only for the purpose of asserting, defending, or litigating
1874 state and local government rights to the disposition and use of federal lands within the state as
1875 those rights are granted by the United States Constitution, the Utah Enabling Act, and other
1876 applicable law.

1877 (b) Before each disbursement from the fund, the Division of Finance shall report to the
1878 commission regarding:

- 1879 (i) the sources of the money in the fund;
- 1880 (ii) who will receive the disbursement;
- 1881 (iii) the planned use of the disbursement; and
- 1882 (iv) the amount of the disbursement.

1883 (c) The commission may, upon receiving the report under Subsection (4)(b):

1884 (i) advise the Legislature and the Division of Finance of the commission finding that
1885 the disbursement is consistent with the purposes in Subsection (4)(a); or

1886 (ii) advise the Legislature and the Division of Finance of the commission finding that
1887 the disbursement is not consistent with the purposes in Subsection (4)(a).

1888 Section 48. Section **63F-1-102** is amended to read:

1889 **63F-1-102. Definitions.**

1890 As used in this title:

1891 [~~(1)~~] "~~Board~~" means the ~~Technology Advisory Board created in Section 63F-1-202;~~

1892 [~~(2)~~] (1) "Chief information officer" means the chief information officer appointed
1893 under Section **63F-1-201**.

1894 [~~(3)~~] (2) "Data center" means a centralized repository for the storage, management, and
1895 dissemination of data.

1896 [~~(4)~~] (3) "Department" means the Department of Technology Services.

1897 [~~(5)~~] (4) "Enterprise architecture" means:

1898 (a) information technology that can be applied across state government; and

1899 (b) support for information technology that can be applied across state government,

1900 including:

1901 (i) technical support;

1902 (ii) master software licenses; and

1903 (iii) hardware and software standards.

1904 [~~(6)~~] (5) (a) [~~Except as provided in Subsection (6)(b), "executive]~~ "Executive branch
1905 agency" means an agency or administrative subunit of state government.

1906 (b) "Executive branch agency" does not include:

1907 (i) the legislative branch;

1908 (ii) the judicial branch;

1909 (iii) the State Board of Education;

1910 (iv) the Board of Regents;

1911 (v) institutions of higher education;

1912 (vi) independent entities as defined in Section **63E-1-102**; and

1913 (vii) elective constitutional offices of the executive department which includes:

1914 (A) the state auditor;

1915 (B) the state treasurer; and

1916 (C) the attorney general.

1917 [~~(7)~~] (6) "Executive branch strategic plan" means the executive branch strategic plan
1918 created under Section 63F-1-203.

1919 [~~(8)~~] (7) "Individual with a disability" means an individual with a condition that meets
1920 the definition of "disability" in 42 U.S.C. Sec. 12102.

1921 [~~(9)~~] (8) "Information technology" means all computerized and auxiliary automated
1922 information handling, including:

1923 (a) systems design and analysis;

1924 (b) acquisition, storage, and conversion of data;

1925 (c) computer programming;

1926 (d) information storage and retrieval;

1927 (e) voice, video, and data communications;

1928 (f) requisite systems controls;

1929 (g) simulation; and

1930 (h) all related interactions between people and machines.

1931 [~~(10)~~] (9) "State information architecture" means a logically consistent set of
1932 principles, policies, and standards that guide the engineering of state government's information
1933 technology and infrastructure in a way that ensures alignment with state government's business
1934 and service needs.

1935 Section 49. Section 63F-1-203 is amended to read:

1936 **63F-1-203. Executive branch information technology strategic plan.**

1937 (1) In accordance with this section, the chief information officer shall prepare an
1938 executive branch information technology strategic plan:

1939 (a) that complies with this chapter; and

1940 (b) that includes:

1941 (i) a strategic plan for the:

1942 (A) interchange of information related to information technology between executive
1943 branch agencies;

1944 (B) coordination between executive branch agencies in the development and
1945 maintenance of information technology and information systems, including the coordination of
1946 agency information technology plans described in Section 63F-1-204; and

1947 (C) protection of the privacy of individuals who use state information technology or

1948 information systems, including the implementation of industry best practices for data and
1949 system security;

1950 (ii) priorities for the development and implementation of information technology or
1951 information systems including priorities determined on the basis of:

1952 (A) the importance of the information technology or information system; and
1953 (B) the time sequencing of the information technology or information system; and
1954 (iii) maximizing the use of existing state information technology resources.

1955 (2) In the development of the executive branch strategic plan, the chief information
1956 officer shall consult with~~[(a)]~~ all cabinet level officials~~[-and]~~.
1957 ~~[(b) the advisory board created in Section 63F-1-202.]~~

1958 (3) (a) Unless withdrawn by the chief information officer or the governor in accordance
1959 with Subsection (3)(b), the executive branch strategic plan takes effect 30 days after the day on
1960 which the executive branch strategic plan is submitted to:

1961 (i) the governor; and
1962 (ii) the Public Utilities, Energy, and Technology Interim Committee.

1963 (b) The chief information officer or the governor may withdraw the executive branch
1964 strategic plan submitted under Subsection (3)(a) if the governor or chief information officer
1965 determines that the executive branch strategic plan:

1966 (i) should be modified; or
1967 (ii) for any other reason should not take effect.

1968 (c) The Public Utilities, Energy, and Technology Interim Committee may make
1969 recommendations to the governor and to the chief information officer if the commission
1970 determines that the executive branch strategic plan should be modified or for any other reason
1971 should not take effect.

1972 (d) Modifications adopted by the chief information officer shall be resubmitted to the
1973 governor and the Public Utilities, Energy, and Technology Interim Committee for their review
1974 or approval as provided in Subsections (3)(a) and (b).

1975 (4) (a) The chief information officer shall, on or before January 1, 2014, and each year
1976 thereafter, modify the executive branch information technology strategic plan to incorporate
1977 security standards that:

1978 (i) are identified as industry best practices in accordance with Subsections

1979 63F-1-104(3) and (4); and

1980 (ii) can be implemented within the budget of the department or the executive branch
1981 agencies.

1982 (b) The chief information officer shall inform the speaker of the House of
1983 Representatives and the president of the Senate on or before January 1 of each year if best
1984 practices identified in Subsection (4)(a)(i) are not adopted due to budget issues considered
1985 under Subsection (4)(a)(ii).

1986 (5) Each executive branch agency shall implement the executive branch strategic plan
1987 by adopting an agency information technology plan in accordance with Section 63F-1-204.

1988 Section 50. Section 63F-1-303 is amended to read:

1989 **63F-1-303. Executive branch agencies -- Subscription by institutions.**

1990 (1) An executive branch agency in accordance with its agency information technology
1991 plan approved by the chief information officer shall:

1992 (a) subscribe to the information technology services provided by the department; or

1993 (b) contract with one or more alternate private providers of information technology
1994 services if the chief information officer determines that the purchase of the services from a
1995 private provider will:

1996 (i) result in:

1997 (A) cost savings;

1998 (B) increased efficiency; or

1999 (C) improved quality of services; and

2000 (ii) not impair the interoperability of the state's information technology services.

2001 (2) An institution of higher education may subscribe to the services provided by the
2002 department if:

2003 (a) the president of the institution recommends that the institution subscribe to the
2004 services of the department; and

2005 (b) the Board of Regents determines that subscription to the services of the department
2006 will result in cost savings or increased efficiency to the institution.

2007 (3) The following may subscribe to information technology services by requesting that
2008 the services be provided from the department:

2009 (a) the legislative branch;

- 2010 (b) the judicial branch;
- 2011 (c) the State Board of Education;
- 2012 (d) a political subdivision of the state;
- 2013 (e) an agency of the federal government;
- 2014 (f) an independent entity as defined in Section 63E-1-102; and
- 2015 (g) an elective constitutional officer of the executive department as defined in
- 2016 Subsection 63F-1-102~~(6)(b)~~(5)(b)(vii).

2017 Section 51. Section 63F-4-201 is amended to read:

2018 **63F-4-201. Submitting a technology proposal -- Review process.**

2019 (1) Multiple executive branch agencies may jointly submit to the chief information
2020 officer a technology proposal, on a form or in a format specified by the department.

2021 (2) The chief information officer shall transmit to the review board each technology
2022 proposal the chief information officer determines meets the form or format requirements of the
2023 department.

2024 (3) The review board shall:

2025 (a) conduct a technical review of a technology proposal transmitted by the chief
2026 information officer;

2027 (b) determine whether the technology proposal merits further review and consideration
2028 ~~[by the board]~~ by the chief information officer, based on the technology proposal's likelihood
2029 to:

2030 (i) be capable of being implemented effectively; and

2031 (ii) result in greater efficiency in a government process or a cost saving in the delivery
2032 of a government service, or both; and

2033 (c) transmit a technology proposal to the ~~[board]~~ chief information officer and to the
2034 governor's budget office, if the review board determines that the technology proposal merits
2035 further review and consideration ~~[by the board]~~ by the chief information officer.

2036 Section 52. Section 63F-4-202 is amended to read:

2037 **63F-4-202. Chief information officer review and approval of technology**
2038 **proposals.**

2039 (1) The ~~[board]~~ chief information officer shall review and evaluate each technology
2040 proposal that the review board transmits to the ~~[board]~~ chief information officer.

2041 (2) The [board] chief information officer may approve and recommend that the
2042 department provide funding from legislative appropriations for a technology proposal if, after
2043 the [board's] chief information officer's review and evaluation of the technology proposal:

2044 (a) the [board] chief information officer determines that there is a reasonably good
2045 likelihood that the technology proposal:

2046 (i) is capable of being implemented effectively; and

2047 (ii) will result in greater efficiency in a government process or a cost saving in the
2048 delivery of a government service, or both; and

2049 (b) the [board] chief information officer receives approval from the governor's budget
2050 office for the technology proposal.

2051 (3) The [board] chief information officer may:

2052 (a) prioritize multiple approved technology proposals based on their relative likelihood
2053 of achieving the goals described in Subsection (2); and

2054 (b) recommend funding based on the [board's] chief information officer's prioritization
2055 under Subsection (3)(a).

2056 (4) The department shall:

2057 (a) track the implementation and success of a technology proposal approved by the
2058 [board] chief information officer;

2059 (b) evaluate the level of the technology proposal's implementation effectiveness and
2060 whether the implementation results in greater efficiency in a government process or a cost
2061 saving in the delivery of a government service, or both; and

2062 (c) report the results of the department's tracking and evaluation:

2063 (i) to the [board] chief information officer, as frequently as the [board] chief
2064 information officer requests; and

2065 (ii) at least annually to the Public Utilities, Energy, and Technology Interim
2066 Committee.

2067 (5) The department may~~[, upon recommendation by the board,]~~ expend money
2068 appropriated by the Legislature to pay for expenses incurred by executive branch agencies in
2069 implementing a technology proposal that the [board] chief information officer has approved.

2070 Section 53. Section **63H-7a-203** is amended to read:

2071 **63H-7a-203. Board established -- Terms -- Vacancies.**

- 2072 (1) There is created the Utah Communications Authority Board.
- 2073 (2) The board shall consist of nine board members as follows:
- 2074 (a) three individuals appointed by the governor with the advice and consent of the
- 2075 Senate;
- 2076 (b) one individual who is not a legislator appointed by the speaker of the House of
- 2077 Representatives;
- 2078 (c) one individual who is not a legislator appointed by the president of the Senate;
- 2079 (d) two individuals nominated by an association that represents cities and towns in the
- 2080 state and appointed by the governor with the advice and consent of the Senate; and
- 2081 (e) two individuals nominated by an association that represents counties in the state
- 2082 and appointed by the governor with the advice and consent of the Senate.
- 2083 (3) Subject to this section, an individual is eligible for appointment under Subsection
- 2084 (2) if the individual has knowledge of at least one of the following:
- 2085 (a) law enforcement;
- 2086 (b) public safety;
- 2087 (c) fire service;
- 2088 (d) telecommunications;
- 2089 (e) finance;
- 2090 (f) management; and
- 2091 (g) government.
- 2092 (4) An individual may not serve as a board member if the individual is a current public
- 2093 safety communications network:
- 2094 (a) user; or
- 2095 (b) vendor.
- 2096 (5) (a) (i) Five of the board members appointed under Subsection (2) shall serve an
- 2097 initial term of two years and four of the board members appointed under Subsection (2) shall
- 2098 serve an initial term of four years.
- 2099 (ii) Successor board members shall each serve a term of four years.
- 2100 (b) (i) The governor may remove a board member with cause.
- 2101 (ii) If the governor removes a board member the entity that appointed the board
- 2102 member under Subsection (2) shall appoint a replacement board member in the same manner as

2103 described in Subsection (2).

2104 (6) (a) The governor shall, after consultation with the board, appoint a board member
2105 as chair of the board with the advice and consent of the Senate.

2106 (b) The chair shall serve a two-year term.

2107 (7) The board shall meet on an as-needed basis and as provided in the bylaws.

2108 (8) (a) The board shall elect one of the board members to serve as vice chair.

2109 (b) (i) The board may elect a secretary and treasurer who are not members of the board.

2110 (ii) If the board elects a secretary or treasurer who is not a member of the board, the
2111 secretary or treasurer does not have voting power.

2112 (c) A separate individual shall hold the offices of chair, vice chair, secretary, and
2113 treasurer.

2114 (9) Each board member, including the chair, has one vote.

2115 (10) A vote of a majority of the board members is necessary to take action on behalf of
2116 the board.

2117 (11) A board member may not receive compensation for the member's service on the
2118 board, but may, in accordance with rules adopted by the board in accordance with Title 63G,
2119 Chapter 3, Utah Administrative Rulemaking Act, receive:

2120 (a) a per diem at the rate established under Section [63A-3-106](#); and

2121 (b) travel expenses at the rate established under Section [63A-3-107](#).

2122 Section 54. Section **63I-1-204** is enacted to read:

2123 **63I-1-204. Repeal dates, Title 4.**

2124 Subsection [4-41a-105\(2\)\(e\)\(i\)](#), related to the Native American Legislative Liaison
2125 Committee, is repealed July 1, 2022.

2126 Section 55. Section **63I-1-209** is amended to read:

2127 **63I-1-209. Repeal dates, Title 9.**

2128 (1) In relation to the Native American Legislative Liaison Committee, on July 1, 2022:

2129 (a) Subsection [9-9-104.6\(2\)\(a\)](#) is repealed;

2130 (b) Subsection [9-9-104.6\(4\)\(a\)](#), the language that states "who is not a legislator" is
2131 repealed; and

2132 (c) Subsection [9-9-104.6\(4\)\(b\)](#), related to compensation of legislative members, is
2133 repealed.

- 2134 (2) In relation to the American Indian and Alaska Native Education State Plan Pilot
2135 Program, on July 1, 2022:
- 2136 (a) Subsection 26-7-2.5(4), related to the American Indian-Alaskan Native Public
2137 Education Liaison, is repealed; and
- 2138 (b) Subsection 9-9-104.6(2)(d) is repealed.
- 2139 Section 56. Section **63I-1-211** is amended to read:
- 2140 **63I-1-211. Repeal dates, Title 11.**
- 2141 (1) Section 11-14-308 is repealed December 31, 2020.
- 2142 (2) Title 11, Chapter 59, Point of the Mountain State Land Authority Act, is repealed
2143 January 1, 2029.
- 2144 Section 57. Section **63I-1-223** is amended to read:
- 2145 **63I-1-223. Repeal dates, Title 23.**
- 2146 Subsection 23-13-12.5(2)(f)(i), related to the Native American Legislative Liaison
2147 Committee, is repealed July 1, 2022.
- 2148 Section 58. Section **63I-1-226** is amended to read:
- 2149 **63I-1-226. Repeal dates, Title 26.**
- 2150 (1) Section 26-1-40 is repealed July 1, 2019.
- 2151 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
2152 1, 2025.
- 2153 (3) Section 26-10-11 is repealed July 1, 2020.
- 2154 (4) Subsection 26-18-417(3) is repealed July 1, 2020.
- 2155 (5) Subsection 26-18-418(2), the language that states "and the Mental Health Crisis
2156 Line Commission created in Section 63C-18-202" is repealed July 1, 2023.
- 2157 [~~5~~] (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
2158 2024.
- 2159 [~~6~~] (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
2160 2024.
- 2161 [~~7~~] (8) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
2162 repealed July 1, 2024.
- 2163 [~~8~~] (9) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,
2164 2019.

2165 ~~[(9)]~~ (10) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed January 1,
2166 2019.

2167 (11) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative Liaison
2168 Committee, is repealed July 1, 2022.

2169 ~~[(10)]~~ (12) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
2170 repealed July 1, 2026.

2171 Section 59. Section **63I-1-235** is amended to read:

2172 **63I-1-235. Repeal dates, Title 35A.**

2173 (1) Subsection 35A-1-109(4)(c), related to the Talent Ready Utah Board, is repealed
2174 January 1, 2023.

2175 ~~[(1)]~~ (2) Subsection 35A-4-312(5)(p) is repealed July 1, 2019.

2176 ~~[(2)]~~ (3) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is
2177 repealed July 1, 2023.

2178 ~~[(3)]~~ (4) Section 35A-9-501 is repealed January 1, 2021.

2179 (5) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
2180 January 1, 2025.

2181 Section 60. Section **63I-1-236** is amended to read:

2182 **63I-1-236. Repeal dates, Title 36.**

2183 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2023.

2184 ~~[(1)]~~ (2) Section 36-12-20 is repealed June 30, 2023.

2185 (3) Title 36, Chapter 22, Native American Legislative Liaison Committee, is repealed
2186 July 1, 2022.

2187 (4) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed
2188 January 1, 2025.

2189 (5) Section 36-29-105 is repealed December 31, 2020.

2190 ~~[(2)]~~ (6) Title 36, Chapter 31, Martha Hughes Cannon Capitol Statue Oversight
2191 Committee, is repealed January 1, 2021.

2192 Section 61. Section **63I-1-251** is amended to read:

2193 **63I-1-251. Repeal dates, Title 51.**

2194 (1) Subsection 51-2a-202(3) is repealed on June 30, 2020.

2195 (2) Subsections 51-10-201(5)(iv) and 51-10-204(1)(k)(i)(C), related to the Native

- 2196 American Legislative Liaison Committee, are repealed July 1, 2022.
- 2197 Section 62. Section **63I-1-253** is amended to read:
- 2198 **63I-1-253. Repeal dates, Titles 53 through 53G.**
- 2199 The following provisions are repealed on the following dates:
- 2200 (1) Subsection **53-10-202**(18) is repealed July 1, 2018.
- 2201 (2) Section **53-10-202.1** is repealed July 1, 2018.
- 2202 (3) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 2203 (4) Section **53B-18-1501** is repealed July 1, 2021.
- 2204 (5) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 2205 (6) Section **53B-24-402**, Rural residency training program, is repealed July 1, 2020.
- 2206 (7) Subsection **53C-3-203**(4)(b)(vii), which provides for the distribution of money
- 2207 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
- 2208 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.
- 2209 (8) Section **53E-3-515** is repealed January 1, 2023.
- 2210 (9) In relation to a standards review committee, on January 1, 2023:
- 2211 (a) in Subsection **53E-4-202**(8), the language that states "by a standards review
- 2212 committee and the recommendations of a standards review committee established under
- 2213 Section **53E-4-203**" is repealed; and
- 2214 (b) Section **53E-4-203** is repealed.
- 2215 (10) (a) Sections **53E-10-504** and **53E-10-505** are repealed January 1, 2023.
- 2216 (b) Subsection **53E-10-501**(1), related to the School Safety and Crisis Line
- 2217 Commission, is repealed January 1, 2023.
- 2218 [~~9~~] (11) Section **53F-2-514** is repealed July 1, 2020.
- 2219 [~~10~~] (12) Section **53F-5-203** is repealed July 1, 2019.
- 2220 [~~11~~] (13) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
- 2221 Education State Plan Pilot Program, is repealed July 1, 2022.
- 2222 [~~12~~] (14) Section **53F-6-201** is repealed July 1, 2019.
- 2223 [~~13~~] (15) Section **53F-9-501** is repealed January 1, 2023.
- 2224 (16) Subsections **53G-4-608**(2)(b) and (4)(b), related to the Utah Seismic Safety
- 2225 Commission, are repealed January 1, 2025.
- 2226 [~~14~~] (17) Subsection **53G-8-211**(4) is repealed July 1, 2020.

- 2227 Section 63. Section **63I-1-259** is amended to read:
- 2228 **63I-1-259. Repeal dates, Title 59.**
- 2229 (1) Section [59-1-213.1](#) is repealed on May 9, 2019.
- 2230 (2) Section [59-1-213.2](#) is repealed on May 9, 2019.
- 2231 (3) Subsection [59-1-405\(1\)\(g\)](#) is repealed on May 9, 2019.
- 2232 (4) Subsection [59-1-405\(2\)\(b\)](#) is repealed on May 9, 2019.
- 2233 (5) Title 59, Chapter 1, Part 9, Utah Tax Review Commission, is repealed January 1,
- 2234 2025.
- 2235 ~~[(5)]~~ (6) Section [59-7-618](#) is repealed July 1, 2020.
- 2236 ~~[(6)]~~ (7) Section [59-9-102.5](#) is repealed December 31, 2020.
- 2237 ~~[(7)]~~ (8) Section [59-10-1033](#) is repealed July 1, 2020.
- 2238 ~~[(8)]~~ (9) Subsection [59-12-2219\(13\)](#) is repealed on June 30, 2020.
- 2239 ~~[(9)]~~ (10) Title 59, Chapter 28, State Transient Room Tax Act, is repealed on January
- 2240 1, 2023.
- 2241 Section 64. Section **63I-1-262** is amended to read:
- 2242 **63I-1-262. Repeal dates, Title 62A.**
- 2243 ~~[(1) Subsections [62A-1-120\(8\)\(g\)](#), [\(h\)](#), and [\(i\)](#) are repealed July 1, 2023.]~~
- 2244 ~~[(2)]~~ (1) Section [62A-3-209](#) is repealed July 1, 2023.
- 2245 ~~[(3)]~~ (2) Section [62A-4a-202.9](#) is repealed December 31, 2019.
- 2246 ~~[(4)]~~ (3) Section [62A-4a-213](#) is repealed July 1, 2019.
- 2247 ~~[(5)]~~ (4) Section [62A-15-114](#) is repealed December 31, 2021.
- 2248 (5) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:
- 2249 (a) Subsections [62A-15-1301\(1\)](#) and [62A-15-1401\(1\)](#) are repealed;
- 2250 (b) Subsection [62A-15-1302\(1\)\(b\)](#), the language that states "in consultation with the
- 2251 commission" is repealed;
- 2252 (c) Section [62A-15-1303](#), the language that states "In consultation with the
- 2253 commission," is repealed; and
- 2254 (d) Subsection [62A-15-1402\(2\)\(a\)](#), the language that states "With recommendations
- 2255 from the commission," is repealed.
- 2256 (6) Subsection [62A-15-1101\(7\)](#) is repealed July 1, 2018.
- 2257 Section 65. Section **63I-1-263** is amended to read:

- 2258 **63I-1-263. Repeal dates, Titles 63A to 63N.**
- 2259 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 2260 (a) Section 63A-3-403 is repealed;
- 2261 (b) Subsection 63A-3-401(1) is repealed;
- 2262 (c) Subsection 63A-3-402(2)(c), the language that states "using criteria established by
- 2263 the board" is repealed;
- 2264 (d) Subsections 63A-3-404(1) and (2), the language that states "After consultation with
- 2265 the board, and" is repealed; and
- 2266 (e) Subsection 63A-3-404(1)(b), the language that states "using the standards provided
- 2267 in Subsection 63A-3-403(3)(c)" is repealed.
- 2268 ~~[(1)]~~ (2) Subsection 63A-5-104(4)(h) is repealed on July 1, 2024.
- 2269 ~~[(2)]~~ (3) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1,
- 2270 2023.
- 2271 ~~[(3)]~~ (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed
- 2272 July 1, 2028.
- 2273 ~~[(4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is~~
- 2274 ~~repealed November 30, 2019.]~~
- 2275 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
- 2276 2025.
- 2277 ~~[(5)]~~ (6) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July
- 2278 1, 2020.
- 2279 ~~[(6)]~~ (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act,
- 2280 is repealed July 1, 2021.
- 2281 ~~[(7)]~~ (8) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed
- 2282 July 1, 2023.
- 2283 ~~[(8)]~~ (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July
- 2284 1, 2025.
- 2285 ~~[(9)]~~ (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
- 2286 July 1, 2020.
- 2287 (11) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:
- 2288 (a) Subsection 63H-6-104(2)(c), related to a Senate appointment, is repealed;

- 2289 (b) Subsection 63H-6-104(2)(d), related to a House appointment, is repealed;
- 2290 (c) in Subsection 63H-6-104(2)(e), the language that states ", of whom only one may
- 2291 be a legislator, in accordance with Subsection (3)(e)," is repealed;
- 2292 (d) Subsection 63H-6-104(3)(a)(i) is amended to read:
- 2293 "(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under
- 2294 Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the
- 2295 year that the board member was appointed.";
- 2296 (e) in Subsections 63H-6-104(3)(a)(ii), (c)(ii), and (d), the language that states "the
- 2297 president of the Senate, the speaker of the House, the governor," is repealed and replaced with
- 2298 "the governor"; and
- 2299 (f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is
- 2300 repealed.
- 2301 ~~[(H)]~~ (12) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
- 2302 2026.
- 2303 ~~[(H)]~~ (13) On July 1, 2025:
- 2304 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
- 2305 Development Coordinating Committee," is repealed;
- 2306 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
- 2307 sites for the transplant of species to local government officials having jurisdiction over areas
- 2308 that may be affected by a transplant.";
- 2309 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
- 2310 Coordinating Committee" is repealed;
- 2311 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
- 2312 Coordinating Committee created in Section 63J-4-501 and" is repealed;
- 2313 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
- 2314 Coordinating Committee and" is repealed;
- 2315 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
- 2316 accordingly;
- 2317 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;
- 2318 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
- 2319 word "and" is inserted immediately after the semicolon;

2320 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);
2321 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;

2322 and

2323 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
2324 renumbered accordingly.

2325 ~~[(12)]~~ (14) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is
2326 repealed July 1, 2026.

2327 ~~[(13) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah Marriage
2328 Commission, is repealed July 1, 2023.]~~

2329 ~~[(14)]~~ (15) (a) Subsection 63J-1-602.1(51), relating to the Utah Statewide Radio
2330 System Restricted Account, is repealed July 1, 2022.

2331 (b) When repealing Subsection 63J-1-602.1(51), the Office of Legislative Research and
2332 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
2333 necessary changes to subsection numbering and cross references.

2334 (16) Subsection 63J-1-602.2(23), related to the Utah Seismic Safety Commission, is
2335 repealed January 1, 2025.

2336 (17) In relation to the Employability to Careers Program Board, on January 1, 2023:

2337 (a) Subsection 63J-1-602.1(52) is repealed;

2338 (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

2339 and

2340 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

2341 (18) Subsection 63J-4-708(1), in relation to the Talent Ready Utah Board, on January
2342 1, 2023, is amended to read:

2343 "(1) On or before October 1, the board shall provide an annual written report to the
2344 Social Services Appropriations Subcommittee and the Economic Development and Workforce
2345 Services Interim Committee."

2346 ~~[(15)]~~ (19) The Crime Victim Reparations and Assistance Board, created in Section
2347 63M-7-504, is repealed July 1, 2027.

2348 ~~[(16)]~~ (20) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
2349 2027.

2350 (21) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed

2351 on January 1, 2023.

2352 [~~(17)~~] (22) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2353 [~~(18)~~] (23) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
2354 is repealed January 1, 2021.

2355 (b) Subject to Subsection [~~(18)~~] (23)(c), Sections 59-7-610 and 59-10-1007 regarding
2356 tax credits for certain persons in recycling market development zones, are repealed for taxable
2357 years beginning on or after January 1, 2021.

2358 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

2359 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
2360 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

2361 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
2362 the expenditure is made on or after January 1, 2021.

2363 (d) Notwithstanding Subsections [~~(18)~~] (23)(b) and (c), a person may carry forward a
2364 tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

2365 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

2366 (ii) (A) for the purchase price of machinery or equipment described in Section
2367 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
2368 2020; or

2369 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
2370 expenditure is made on or before December 31, 2020.

2371 [~~(19)~~] (24) Section 63N-2-512 is repealed on July 1, 2021.

2372 [~~(20)~~] (25) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
2373 January 1, 2021.

2374 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
2375 calendar years beginning on or after January 1, 2021.

2376 (c) Notwithstanding Subsection [~~(20)~~] (25)(b), an entity may carry forward a tax credit
2377 in accordance with Section 59-9-107 if:

2378 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
2379 31, 2020; and

2380 (ii) the qualified equity investment that is the basis of the tax credit is certified under
2381 Section 63N-2-603 on or before December 31, 2023.

2382 [(21)] (26) Subsections [63N-3-109\(2\)\(f\)](#) and [63N-3-109\(2\)\(g\)\(i\)\(C\)](#) are repealed July 1,
2383 2023.

2384 [(22)] (27) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is
2385 repealed July 1, 2023.

2386 [(23)] (28) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant
2387 Program, is repealed January 1, 2023.

2388 (29) In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:

2389 (a) Subsection [63N-10-201\(2\)\(a\)](#) is amended to read:

2390 "(2)(a) The governor shall appoint five commission members with the advice and
2391 consent of the Senate.";

2392 (b) Subsection [63N-10-201\(2\)\(b\)](#), related to legislative appointments, is repealed;

2393 (c) in Subsection [63N-10-201\(3\)\(a\)](#), the language that states ", president, or speaker,
2394 respectively," is repealed; and

2395 (d) Subsection [63N-10-201\(3\)\(d\)](#) is amended to read:

2396 "(d) The governor may remove a commission member for any reason and replace the
2397 commission member in accordance with this section.".

2398 (30) In relation to the Talent Ready Utah Board, on January 1, 2023:

2399 (a) Subsection [63N-12-202\(17\)](#) is repealed;

2400 (b) in Subsection [63N-12-214\(2\)](#), the language that states "Talent Ready Utah," is
2401 repealed; and

2402 (c) in Subsection [63N-12-214\(5\)](#), the language that states "representatives of Talent
2403 Ready Utah," is repealed.

2404 [(24)] (31) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is
2405 repealed July 1, 2018.

2406 (32) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,
2407 2023.

2408 Section 66. Section **63I-1-267** is amended to read:

2409 **63I-1-267. Repeal dates, Title 67.**

2410 [(1)] Section [67-1-15](#) is repealed December 31, 2027.

2411 ~~[(2) Sections [67-1a-10](#) and [67-1a-11](#) creating the Commission on Civic and Character~~
2412 ~~Education and establishing its duties are repealed on July 1, 2021.]~~

2413 Section 67. Section **63I-1-272** is amended to read:

2414 **63I-1-272. Repeal dates, Title 72.**

2415 (1) Subsections **72-1-213**(2) and (3)(a)(i), in relation to the Road Usage Charge
 2416 Advisory Committee, are repealed January 1, 2023.

2417 (2) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January
 2418 2, 2025.

2419 Section 68. Section **63I-1-273** is amended to read:

2420 **63I-1-273. Repeal dates, Title 73.**

2421 (1) The instream flow water right for trout habitat established in Subsection **73-3-30**(3)
 2422 is repealed December 31, 2019.

2423 (2) In relation to the Legislative Water Development Commission, on January 1, 2021:

2424 (a) in Subsection **73-10g-105**(3), the language that states "and in consultation with the
 2425 State Water Development Commission created in Section **73-27-102**" is repealed;

2426 (b) Subsection **73-10g-203**(4)(a) is repealed; and

2427 (c) Title 73, Chapter 27, State Water Development Commission, is repealed.

2428 Section 69. Section **63I-2-263** is amended to read:

2429 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

2430 (1) On July 1, 2020:

2431 (a) Subsection **63A-3-403**(5)(a)(i) is repealed; and

2432 (b) in Subsection **63A-3-403**(5)(a)(ii), the language that states "appointed on or after
 2433 May 8, 2018," is repealed.

2434 (2) Sections **63C-4a-307** and **63C-4a-309** are repealed January 1, 2020.

2435 [~~(2)~~] (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
 2436 repealed July 1, 2020.

2437 (4) In relation to the State Fair Park Committee, on January 1, 2021:

2438 (a) Section **63H-6-104.5** is repealed; and

2439 (b) Subsections **63H-6-104**(8) and (9) are repealed.

2440 [~~(3)~~] (5) Section **63H-7a-303** is repealed on July 1, 2022.

2441 [~~(4)~~] (6) On July 1, 2019:

2442 (a) in Subsection **63J-1-206**(2)(c)(i), the language that states " Subsection(2)(c)(ii) and"
 2443 is repealed; and

- 2444 (b) Subsection [63J-1-206\(2\)\(c\)\(ii\)](#) is repealed.
- 2445 [~~5~~] (7) Section [63J-4-708](#) is repealed January 1, 2023.
- 2446 [~~6~~] (8) Subsection [63N-3-109\(2\)\(f\)\(i\)\(B\)](#) is repealed July 1, 2020.
- 2447 [~~7~~] (9) Section [63N-3-110](#) is repealed July 1, 2020.
- 2448 Section 70. Section **63J-1-602.2** is amended to read:
- 2449 **63J-1-602.2. List of nonlapsing appropriations to programs.**
- 2450 Appropriations made to the following programs are nonlapsing:
- 2451 (1) The Legislature and its committees.
- 2452 (2) The Percent-for-Art Program created in Section [9-6-404](#).
- 2453 (3) The LeRay McAllister Critical Land Conservation Program created in Section
- 2454 [11-38-301](#).
- 2455 [~~4~~] ~~Dedicated credits accrued to the Utah Marriage Commission as provided under~~
- 2456 ~~Subsection [17-16-21\(2\)\(d\)\(ii\)](#).~~
- 2457 [~~5~~] (4) The Division of Wildlife Resources for the appraisal and purchase of lands
- 2458 under the Pelican Management Act, as provided in Section [23-21a-6](#).
- 2459 [~~6~~] (5) The primary care grant program created in Section [26-10b-102](#).
- 2460 [~~7~~] (6) Sanctions collected as dedicated credits from Medicaid provider under
- 2461 Subsection [26-18-3\(7\)](#).
- 2462 [~~8~~] (7) The Utah Health Care Workforce Financial Assistance Program created in
- 2463 Section [26-46-102](#).
- 2464 [~~9~~] (8) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).
- 2465 [~~10~~] (9) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
- 2466 [~~11~~] (10) Funds that the Department of Alcoholic Beverage Control retains in
- 2467 accordance with Subsection [32B-2-301\(7\)\(a\)\(ii\)](#) or (b).
- 2468 [~~12~~] (11) The General Assistance program administered by the Department of
- 2469 Workforce Services, as provided in Section [35A-3-401](#).
- 2470 [~~13~~] (12) A new program or agency that is designated as nonlapsing under Section
- 2471 [36-24-101](#).
- 2472 [~~14~~] (13) The Utah National Guard, created in Title 39, Militia and Armories.
- 2473 [~~15~~] (14) The State Tax Commission under Section [41-1a-1201](#) for the:
- 2474 (a) purchase and distribution of license plates and decals; and

- 2475 (b) administration and enforcement of motor vehicle registration requirements.
- 2476 [~~(16)~~] (15) The Search and Rescue Financial Assistance Program, as provided in
2477 Section [53-2a-1102](#).
- 2478 [~~(17)~~] (16) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).
- 2479 [~~(18)~~] (17) The State Board of Regents for teacher preparation programs, as provided
2480 in Section [53B-6-104](#).
- 2481 [~~(19)~~] (18) The Medical Education Program administered by the Medical Education
2482 Council, as provided in Section [53B-24-202](#).
- 2483 [~~(20)~~] (19) The State Board of Education, as provided in Section [53F-2-205](#).
- 2484 [~~(21)~~] (20) The Division of Services for People with Disabilities, as provided in
2485 Section [62A-5-102](#).
- 2486 [~~(22)~~] (21) The Division of Fleet Operations for the purpose of upgrading underground
2487 storage tanks under Section [63A-9-401](#).
- 2488 [~~(23)~~] (22) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).
- 2489 [~~(24)~~] (23) Appropriations to the Department of Technology Services for technology
2490 innovation as provided under Section [63F-4-202](#).
- 2491 [~~(25)~~] (24) The Office of Administrative Rules for publishing, as provided in Section
2492 [63G-3-402](#).
- 2493 [~~(26)~~] (25) The Utah Science Technology and Research Initiative created in Section
2494 [63M-2-301](#).
- 2495 [~~(27)~~] (26) The Governor's Office of Economic Development to fund the Enterprise
2496 Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 2497 [~~(28)~~] (27) Appropriations to fund the Governor's Office of Economic Development's
2498 Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
2499 Employment Expansion Program.
- 2500 [~~(29)~~] (28) The Department of Human Resource Management user training program, as
2501 provided in Section [67-19-6](#).
- 2502 [~~(30)~~] (29) The University of Utah Poison Control Center program, as provided in
2503 Section [69-2-5.5](#).
- 2504 [~~(31)~~] (30) A public safety answering point's emergency telecommunications service
2505 fund, as provided in Section [69-2-301](#).

2506 ~~[(32)]~~ (31) The Traffic Noise Abatement Program created in Section 72-6-112.

2507 ~~[(33)]~~ (32) The Judicial Council for compensation for special prosecutors, as provided

2508 in Section 77-10a-19.

2509 ~~[(34)]~~ (33) A state rehabilitative employment program, as provided in Section

2510 78A-6-210.

2511 ~~[(35)]~~ (34) The Utah Geological Survey, as provided in Section 79-3-401.

2512 ~~[(36)]~~ (35) The Bonneville Shoreline Trail Program created under Section 79-5-503.

2513 ~~[(37)]~~ (36) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,

2514 and 78B-6-144.5.

2515 ~~[(38)]~~ (37) Indigent defense as provided in Title 77, Chapter 32, Part 8, Utah Indigent

2516 Defense Commission.

2517 Section 71. Section 63J-4-606 is amended to read:

2518 **63J-4-606. Public lands transfer study and economic analysis -- Report.**

2519 (1) As used in this section:

2520 (a) "Public lands" ~~[is as]~~ means the same as that term is defined in Section 63L-6-102.

2521 (b) "Transfer of public lands" means the transfer of public lands from federal

2522 ownership to state ownership.

2523 ~~[(2)(a) The coordinator and the office shall:]~~

2524 ~~[(i) conduct a study and economic analysis of the ramifications and economic impacts~~

2525 ~~of the transfer of public lands;]~~

2526 ~~[(ii) during the study and economic analysis, consult with county representatives on an~~

2527 ~~ongoing basis regarding how to consider and incorporate county land use plans and planning~~

2528 ~~processes into the analysis; and]~~

2529 ~~[(iii) on an ongoing basis, report on the progress and findings of the study to the~~

2530 ~~Commission for the Stewardship of Public Lands.]]~~

2531 ~~[(b) The study and economic analysis shall:]~~

2532 ~~[(i) inventory public lands;]~~

2533 ~~[(ii) examine public lands':]~~

2534 ~~[(A) ownership;]~~

2535 ~~[(B) management;]~~

2536 ~~[(C) jurisdiction;]~~

2537 ~~[(D) resource characteristics;]~~
2538 ~~[(E) federal management requirements related to national forests, national recreation~~
2539 ~~areas, or other public lands administered by the United States; and]~~
2540 ~~[(F) current and potential future uses and ways that socioeconomic conditions are~~
2541 ~~influenced by those uses;]~~
2542 ~~[(iii) determine;]~~
2543 ~~[(A) public lands' ongoing and deferred maintenance costs, revenue production, and~~
2544 ~~funding sources;]~~
2545 ~~[(B) whether historical federal funding levels have been sufficient to manage, maintain,~~
2546 ~~preserve, and restore public lands and whether that funding level is likely to continue;]~~
2547 ~~[(C) the amount of public lands revenue paid to state, county, and local governments~~
2548 ~~and other recipients designated by law from payments in lieu of taxes, timber receipts, secure~~
2549 ~~rural school receipts, severance taxes, and mineral lease royalties;]~~
2550 ~~[(D) historical trends of the revenue sources listed in Subsection (2)(b)(iii)(C);]~~
2551 ~~[(E) ways that the payments listed in Subsection (2)(b)(iii)(C) can be maintained or~~
2552 ~~replaced following the transfer of public lands; and]~~
2553 ~~[(F) ways that, following the transfer of public lands, revenue from public lands can be~~
2554 ~~increased while mitigating environmental impact;]~~
2555 ~~[(iv) identify;]~~
2556 ~~[(A) existing oil and gas, mining, grazing, hunting, fishing, recreation, and other rights~~
2557 ~~and interests on public lands;]~~
2558 ~~[(B) the economic impact of those rights and interests on state, county, and local~~
2559 ~~economies;]~~
2560 ~~[(C) actions necessary to secure, preserve, and protect those rights and interests; and]~~
2561 ~~[(D) how those rights and interests may be affected in the event the federal government~~
2562 ~~does not complete the transfer of public lands;]~~
2563 ~~[(v) evaluate the impact of federal land ownership on;]~~
2564 ~~[(A) the Utah School and Institutional Trust Lands Administration's ability to~~
2565 ~~administer trust lands for the benefit of Utah schoolchildren;]~~
2566 ~~[(B) the state's ability to fund education; and]~~
2567 ~~[(C) state and local government tax bases;]~~

- 2568 ~~[(vi) identify a process for the state to:]~~
- 2569 ~~[(A) transfer and receive title to public lands from the United States;]~~
- 2570 ~~[(B) utilize state agencies with jurisdiction over land, natural resources, environmental~~
- 2571 ~~quality, and water to facilitate the transfer of public lands;]~~
- 2572 ~~[(C) create a permanent state framework to oversee the transfer of public lands;]~~
- 2573 ~~[(D) transition to state ownership and management of public lands using existing state~~
- 2574 ~~and local government resources; and]~~
- 2575 ~~[(E) indemnify political subdivisions of the state for actions taken in connection with~~
- 2576 ~~the transfer of public lands;]~~
- 2577 ~~[(vii) examine ways that multiple use of public lands through tourism and outdoor~~
- 2578 ~~recreation contributes to:]~~
- 2579 ~~[(A) the economic growth of state and local economies; and]~~
- 2580 ~~[(B) the quality of life of Utah citizens;]~~
- 2581 ~~[(viii) using theoretical modeling of various levels of land transfer, usage, and~~
- 2582 ~~development, evaluate the potential economic impact of the transfer of public lands on state,~~
- 2583 ~~county, and local governments; and]~~
- 2584 ~~[(ix) recommend the optimal use of public lands following the transfer of public lands.]~~
- 2585 (2) The coordinator and the office shall, on an ongoing basis, report to the Federalism
- 2586 Commission regarding the ramifications and economic impacts of the transfer of public lands.
- 2587 (3) The coordinator and office shall:
- 2588 (a) on an ongoing basis, discuss issues related to the transfer of public lands with:
- 2589 (i) the School and Institutional Trust Lands Administration;
- 2590 (ii) local governments;
- 2591 (iii) water managers;
- 2592 (iv) environmental advocates;
- 2593 (v) outdoor recreation advocates;
- 2594 (vi) nonconventional and renewable energy producers;
- 2595 (vii) tourism representatives;
- 2596 (viii) wilderness advocates;
- 2597 (ix) ranchers and agriculture advocates;
- 2598 (x) oil, gas, and mining producers;

2599 (xi) fishing, hunting, and other wildlife interests;

2600 (xii) timber producers;

2601 (xiii) other interested parties; and

2602 [~~(xiv) the Commission for the Stewardship of Public Lands; and]~~

2603 (xiv) the Federalism Commission; and

2604 (b) develop ways to obtain input from Utah citizens regarding the transfer of public
2605 lands and the future care and use of public lands.

2606 [~~(4) The coordinator may contract with another state agency or private entity to assist
2607 the coordinator and office with the study and economic analysis required by Subsection (2)(a).]~~

2608 [~~(5) The coordinator shall submit a final report on the study and economic analysis
2609 described in Subsection (2)(a), including proposed legislation and recommendations, to the
2610 governor, the Natural Resources, Agriculture, and Environment Interim Committee, and the
2611 Commission for the Stewardship of Public Lands before November 30, 2014.]~~

2612 Section 72. Section **63J-4-607** is amended to read:

2613 **63J-4-607. Resource management plan administration.**

2614 (1) The office shall consult with the [~~Commission for the Stewardship of Public Lands]~~
2615 Federalism Commission before expending funds appropriated by the Legislature for the
2616 implementation of this section.

2617 (2) To the extent that the Legislature appropriates sufficient funding, the office may
2618 procure the services of a non-public entity in accordance with Title 63G, Chapter 6a, Utah
2619 Procurement Code, to assist the office with the office's responsibilities described in Subsection
2620 (3).

2621 (3) The office shall:

2622 (a) assist each county with the creation of the county's resource management plan by:

2623 (i) consulting with the county on policy and legal issues related to the county's resource
2624 management plan; and

2625 (ii) helping the county ensure that the county's resource management plan meets the
2626 requirements of Subsection [17-27a-401\(3\)](#);

2627 (b) promote quality standards among all counties' resource management plans; and

2628 (c) upon submission by a county, review and verify the county's:

2629 (i) estimated cost for creating a resource management plan; and

2630 (ii) actual cost for creating a resource management plan.

2631 (4) (a) A county shall cooperate with the office, or an entity procured by the office
2632 under Subsection (2), with regards to the office's responsibilities under Subsection (3).

2633 (b) To the extent that the Legislature appropriates sufficient funding, the office may, in
2634 accordance with Subsection (4)(c), provide funding to a county before the county completes a
2635 resource management plan.

2636 (c) The office may provide pre-completion funding described in Subsection (4)(b):

2637 (i) after:

2638 (A) the county submits an estimated cost for completing the resource management plan
2639 to the office; and

2640 (B) the office reviews and verifies the estimated cost in accordance with Subsection
2641 (3)(c)(i); and

2642 (ii) in an amount up to:

2643 (A) 50% of the estimated cost of completing the resource management plan, verified
2644 by the office; or

2645 (B) \$25,000, if the amount described in Subsection (4)(c)(i)(A) is greater than \$25,000.

2646 (d) To the extent that the Legislature appropriates sufficient funding, the office shall
2647 provide funding to a county in the amount described in Subsection (4)(e) after:

2648 (i) a county's resource management plan:

2649 (A) meets the requirements described in Subsection 17-27a-401(3); and

2650 (B) is adopted under Subsection 17-27a-404(6)(d);

2651 (ii) the county submits the actual cost of completing the resource management plan to
2652 the office; and

2653 (iii) the office reviews and verifies the actual cost in accordance with Subsection
2654 (3)(c)(ii).

2655 (e) The office shall provide funding to a county under Subsection (4)(d) in an amount
2656 equal to the difference between:

2657 (i) the lesser of:

2658 (A) the actual cost of completing the resource management plan, verified by the office;
2659 or

2660 (B) \$50,000; and

2661 (ii) the amount of any pre-completion funding that the county received under
2662 Subsections (4)(b) and (c).

2663 (5) To the extent that the Legislature appropriates sufficient funding, after the deadline
2664 established in Subsection 17-27a-404(6)(d) for a county to adopt a resource management plan,
2665 the office shall:

2666 (a) obtain a copy of each county's resource management plan;

2667 (b) create a statewide resource management plan that:

2668 (i) meets the same requirements described in Subsection 17-27a-401(3); and

2669 (ii) to the extent reasonably possible, coordinates and is consistent with any resource
2670 management plan or land use plan established under Chapter 8, State of Utah Resource
2671 Management Plan for Federal Lands; and

2672 (c) submit a copy of the statewide resource management plan to the [~~Commission for~~
2673 ~~the Stewardship of Public Lands~~] Federalism Commission for review.

2674 (6) Following review of the statewide resource management plan, the [~~Commission for~~
2675 ~~the Stewardship of Public Lands~~] Federalism Commission shall prepare a concurrent resolution
2676 approving the statewide resource management plan for consideration during the 2018 General
2677 Session.

2678 (7) To the extent that the Legislature appropriates sufficient funding, the office shall
2679 provide legal support to a county that becomes involved in litigation with the federal
2680 government over the requirements of Subsection 17-27a-405(3).

2681 (8) After the statewide resource management plan is approved, as described in
2682 Subsection (6), and to the extent that the Legislature appropriates sufficient funding, the office
2683 shall monitor the implementation of the statewide resource management plan at the federal,
2684 state, and local levels.

2685 Section 73. Section **63L-10-102** is amended to read:

2686 **63L-10-102. Definitions.**

2687 As used in this chapter:

2688 (1) "Commission" means the [~~Commission for the Stewardship of Public Lands~~]
2689 Federalism Commission.

2690 (2) "Office" means the Public Lands Policy Coordinating Office established in Section
2691 63J-4-602.

2692 (3) "Plan" means the statewide resource management plan, created pursuant to Section
2693 63J-4-607 and adopted in Section 63L-10-103.

2694 (4) "Public lands" means:

2695 (a) land other than a national park that is managed by the United States Parks Service;

2696 (b) land that is managed by the United States Forest Service; and

2697 (c) land that is managed by the Bureau of Land Management.

2698 Section 74. Section 63L-10-103 is amended to read:

2699 **63L-10-103. Statewide resource management plan adopted.**

2700 (1) The statewide resource management plan, dated January 2, 2018, and on file with
2701 the office, is hereby adopted.

2702 (2) The office shall, to the extent possible and as funding allows, monitor federal, state,
2703 and local government compliance with the plan.

2704 (3) If the office modifies the plan, the office shall notify the commission of the
2705 modification and the office's reasoning for the modification within 30 days of the day on which
2706 the modification is made.

2707 (4) (a) The commission may request additional information of the office regarding any
2708 modifications to the plan, as described in Subsection (3).

2709 (b) The office shall promptly respond to any request for additional information, as
2710 described in Subsection (4)(a).

2711 (c) The commission may make a recommendation that the Legislature approve a
2712 modification or disapprove a modification, or the commission may decline to take action.

2713 (5) The office shall annually:

2714 (a) prepare a report detailing what changes, if any, are recommended for the plan and
2715 deliver the report to the commission [~~by October 31~~] August 31; and

2716 (b) report on the implementation of the plan at the federal, state, and local levels to the
2717 commission [~~by October 31~~] August 31.

2718 (6) If the commission makes a recommendation that the Legislature approve a
2719 modification, the commission shall prepare a bill in anticipation of the annual general session
2720 of the Legislature to implement the change.

2721 Section 75. Section 63L-10-104 is amended to read:

2722 **63L-10-104. Policy statement.**

2723 (1) Except as provided in Subsection (2), state agencies and political subdivisions shall
2724 refer to and substantially conform with the statewide resource management plan when making
2725 plans for public lands or other public resources in the state.

2726 (2) (a) The office shall, as funding allows, maintain a record of all state agency and
2727 political subdivision resource management plans and relevant documentation.

2728 (b) On an ongoing basis, state agencies and political subdivisions shall keep the office
2729 informed of any substantive modifications to their resource management plans.

2730 (c) On or before [~~October~~] August 31 of each year, the office shall provide a report to
2731 the commission that includes the following:

2732 (i) any modifications to the state agency or political subdivision resource management
2733 plans that are inconsistent with the statewide resource management plan;

2734 (ii) a recommendation as to how an inconsistency identified under Subsection (2)(c)(i),
2735 if any, should be addressed; and

2736 (iii) a recommendation:

2737 (A) as to whether the statewide resource management plan should be modified to
2738 address any inconsistency identified under Subsection (2)(c)(i); or

2739 (B) on any other modification to the statewide resource management plan the office
2740 determines is necessary.

2741 (3) (a) Subject to Subsection (3)(b), nothing in this section preempts the authority
2742 granted to a political subdivision under:

2743 (i) Title 10, Chapter 8, Powers and Duties of Municipalities, or Title 10, Chapter 9a,
2744 Municipal Land Use, Development, and Management Act; or

2745 (ii) Title 17, Chapter 27a, County Land Use, Development, and Management Act.

2746 (b) Federal regulations state that, when state and local government policies, plans, and
2747 programs conflict, those of higher authority will normally be followed.

2748 Section 76. Section **63M-2-301** is amended to read:

2749 **63M-2-301. The Utah Science Technology and Research Initiative -- Governing**
2750 **authority -- Executive director.**

2751 (1) There is created the Utah Science Technology and Research Initiative.

2752 (2) To oversee USTAR, there is created the Utah Science Technology and Research
2753 Governing Authority consisting of:

- 2754 (a) the state treasurer or the state treasurer's designee;
- 2755 (b) the executive director of the Governor's Office of Economic Development;
- 2756 (c) three members appointed by the governor, with the consent of the Senate;
- 2757 (d) two members who are not legislators appointed by the president of the Senate;
- 2758 (e) two members who are not legislators appointed by the speaker of the House of
- 2759 Representatives; and
- 2760 (f) one member appointed by the commissioner of higher education.
- 2761 (3) (a) The eight appointed members under Subsections (2)(c) through (f) shall serve
- 2762 four-year staggered terms.
- 2763 (b) An appointed member under Subsection (2)(c), (d), (e), or (f):
- 2764 (i) may not serve more than two full consecutive terms; and
- 2765 (ii) may be removed from the governing authority for any reason before the member's
- 2766 term is completed:
- 2767 (A) at the discretion of the original appointing authority; and
- 2768 (B) after the original appointing authority consults with the governing authority.
- 2769 (4) A vacancy on the governing authority in an appointed position under Subsection
- 2770 (2)(c), (d), (e), or (f) shall be filled for the unexpired term by the appointing authority in the
- 2771 same manner as the original appointment.
- 2772 (5) (a) Except as provided in Subsection (5)(b), the governor, with the consent of the
- 2773 Senate, shall select the chair of the governing authority to serve a one-year term.
- 2774 (b) The governor may extend the term of a sitting chair of the governing authority
- 2775 without the consent of the Senate.
- 2776 (c) The executive director of the Governor's Office of Economic Development shall
- 2777 serve as the vice chair of the governing authority.
- 2778 (6) The governing authority shall meet at least six times each year and may meet more
- 2779 frequently at the request of a majority of the members of the governing authority.
- 2780 (7) Five members of the governing authority are a quorum.
- 2781 (8) A member of the governing authority may not receive compensation or benefits for
- 2782 the member's service, but may receive per diem and travel expenses as allowed in:
- 2783 (a) Section [63A-3-106](#);
- 2784 (b) Section [63A-3-107](#); and

2785 (c) rules made by the Division of Finance:
2786 (i) pursuant to Sections 63A-3-106 and 63A-3-107; and
2787 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
2788 (9) (a) After consultation with the governing authority, the governor, with the consent
2789 of the Senate, shall appoint a full-time executive director to provide staff support for the
2790 governing authority.

2791 (b) The executive director is an at-will employee who may be terminated with or
2792 without cause by:

- 2793 (i) the governor; or
- 2794 (ii) majority vote of the governing authority.

2795 Section 77. Section 63M-7-301 is amended to read:

2796 **63M-7-301. Definitions -- Creation of council -- Membership -- Terms.**

2797 (1) (a) As used in this part, "council" means the Utah Substance Use and Mental Health
2798 Advisory Council created in this section.

2799 (b) There is created within the governor's office the Utah Substance Use and Mental
2800 Health Advisory Council.

2801 (2) The council shall be comprised of the following voting members:

- 2802 (a) the attorney general or the attorney general's designee;
- 2803 (b) an elected county official appointed by the Utah Association of Counties;
- 2804 (c) the commissioner of public safety or the commissioner's designee;
- 2805 (d) the director of the Division of Substance Abuse and Mental Health or the director's
2806 designee;
- 2807 (e) the state superintendent of public instruction or the superintendent's designee;
- 2808 (f) the executive director of the Department of Health or the executive director's
2809 designee;
- 2810 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
2811 executive director's designee;
- 2812 (h) the executive director of the Department of Corrections or the executive director's
2813 designee;
- 2814 (i) the director of the Division of Juvenile Justice Services or the director's designee;
- 2815 (j) the director of the Division of Child and Family Services or the director's designee;

- 2816 (k) the chair of the Board of Pardons and Parole or the chair's designee;
- 2817 (l) the director of the Office of Multicultural Affairs or the director's designee;
- 2818 (m) the director of the Division of Indian Affairs or the director's designee;
- 2819 (n) the state court administrator or the state court administrator's designee;
- 2820 (o) a district court judge who presides over a drug court and who is appointed by the
- 2821 chief justice of the Utah Supreme Court;
- 2822 (p) a district court judge who presides over a mental health court and who is appointed
- 2823 by the chief justice of the Utah Supreme Court;
- 2824 (q) a juvenile court judge who presides over a drug court and who is appointed by the
- 2825 chief justice of the Utah Supreme Court;
- 2826 (r) a prosecutor appointed by the Statewide Association of Prosecutors;
- 2827 (s) the chair or co-chair of each committee established by the council;
- 2828 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under
- 2829 Subsection [62A-15-11\(2\)\(b\)](#);
- 2830 ~~[(u) the following members appointed to serve four-year terms:]~~
- 2831 ~~[(i) a member of the House of Representatives appointed by the speaker of the House~~
- 2832 ~~of Representatives;]~~
- 2833 ~~[(ii) a member of the Senate appointed by the president of the Senate; and]~~
- 2834 ~~[(iii)]~~ (u) a representative appointed by the Utah League of Cities and Towns to serve a
- 2835 four-year term;
- 2836 (v) the following members appointed by the governor to serve four-year terms:
- 2837 (i) one resident of the state who has been personally affected by a substance use or
- 2838 mental health disorder; and
- 2839 (ii) one citizen representative; and
- 2840 (w) in addition to the voting members described in Subsections (2)(a) through (v), the
- 2841 following voting members appointed by a majority of the members described in Subsections
- 2842 (2)(a) through (v) to serve four-year terms:
- 2843 (i) one resident of the state who represents a statewide advocacy organization for
- 2844 recovery from substance use disorders;
- 2845 (ii) one resident of the state who represents a statewide advocacy organization for
- 2846 recovery from mental illness;

- 2847 (iii) one resident of the state who represents prevention professionals;
 2848 (iv) one resident of the state who represents treatment professionals;
 2849 (v) one resident of the state who represents the physical health care field;
 2850 (vi) one resident of the state who is a criminal defense attorney;
 2851 (vii) one resident of the state who is a military servicemember or military veteran under

2852 Section [53B-8-102](#);

- 2853 (viii) one resident of the state who represents local law enforcement agencies; and
 2854 (ix) one representative of private service providers that serve youth with substance use
 2855 disorders or mental health disorders.

2856 (3) An individual other than an individual described in Subsection (2) may not be
 2857 appointed as a voting member of the council.

2858 Section 78. Section **63M-7-302** is amended to read:

2859 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**

2860 (1) The Utah Substance Use and Mental Health Advisory Council shall annually select
 2861 one of its members to serve as chair and one of its members to serve as vice chair.

2862 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
 2863 appointed for the unexpired term in the same manner as the position was originally filled.

2864 (3) A majority of the members of the council constitutes a quorum.

2865 (4) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits
 2866 for the member's service, but may receive per diem and travel expenses as allowed in:

2867 ~~[(i)]~~ (a) Section [63A-3-106](#);

2868 ~~[(ii)]~~ (b) Section [63A-3-107](#); and

2869 ~~[(iii)]~~ (c) rules made by the Division of Finance according to Sections [63A-3-106](#) and
 2870 [63A-3-107](#).

2871 ~~[(b) Compensation and expenses of a member who is a legislator are governed by~~
 2872 ~~Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

2873 (5) The council may establish committees as needed to assist in accomplishing its
 2874 duties under Section [63M-7-303](#).

2875 Section 79. Section **63M-7-401** is amended to read:

2876 **63M-7-401. Creation -- Members -- Appointment -- Qualifications.**

2877 (1) There is created a state commission to be known as the Sentencing Commission

2878 composed of [27] 25 members. The commission shall develop by-laws and rules in
2879 compliance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and elect its
2880 officers.

2881 (2) The commission's members shall be:

2882 (a) [~~two members~~] one member of the House of Representatives, appointed by the
2883 speaker of the House [~~and not of the same political party~~];

2884 (b) [~~two members~~] one member of the Senate, appointed by the president of the Senate
2885 [~~and not of the same political party~~];

2886 (c) the executive director of the Department of Corrections or a designee appointed by
2887 the executive director;

2888 (d) the director of the Division of Juvenile Justice Services or a designee appointed by
2889 the director;

2890 (e) the executive director of the Commission on Criminal and Juvenile Justice or a
2891 designee appointed by the executive director;

2892 (f) the chair of the Board of Pardons and Parole or a designee appointed by the chair;

2893 (g) the chair of the Youth Parole Authority or a designee appointed by the chair;

2894 (h) two trial judges and an appellate judge appointed by the chair of the Judicial
2895 Council;

2896 (i) two juvenile court judges designated by the chair of the Judicial Council;

2897 (j) an attorney in private practice who is a member of the Utah State Bar, experienced
2898 in criminal defense, and appointed by the Utah Bar Commission;

2899 (k) an attorney who is a member of the Utah State Bar, experienced in the defense of
2900 minors in juvenile court, and appointed by the Utah Bar Commission;

2901 (l) the director of Salt Lake Legal Defenders or a designee appointed by the director;

2902 (m) the attorney general or a designee appointed by the attorney general;

2903 (n) a criminal prosecutor appointed by the Statewide Association of Public Attorneys;

2904 (o) a juvenile court prosecutor appointed by the Statewide Association of Public
2905 Attorneys;

2906 (p) a representative of the Utah Sheriff's Association appointed by the governor;

2907 (q) a chief of police appointed by the governor;

2908 (r) a licensed professional appointed by the governor who assists in the rehabilitation

2909 of adult offenders;

2910 (s) a licensed professional appointed by the governor who assists in the rehabilitation
2911 of juvenile offenders;

2912 (t) two members from the public appointed by the governor who exhibit sensitivity to
2913 the concerns of victims of crime and the ethnic composition of the population; and

2914 (u) one member from the public at large appointed by the governor.

2915 Section 80. Section **63M-7-601** is amended to read:

2916 **63M-7-601. Creation -- Members -- Chair.**

2917 (1) There is created within the governor's office the Utah Council on Victims of Crime.

2918 (2) The Utah Council on Victims of Crime shall be composed of 25 voting members as
2919 follows:

2920 (a) a representative of the Commission on Criminal and Juvenile Justice appointed by
2921 the executive director;

2922 (b) a representative of the Department of Corrections appointed by the executive
2923 director;

2924 (c) a representative of the Board of Pardons and Parole appointed by the chair;

2925 (d) a representative of the Department of Public Safety appointed by the commissioner;

2926 (e) a representative of the Division of Juvenile Justice Services appointed by the
2927 director;

2928 (f) a representative of the Utah Office for Victims of Crime appointed by the director;

2929 (g) a representative of the Office of the Attorney General appointed by the attorney
2930 general;

2931 (h) a representative of the United States Attorney for the district of Utah appointed by
2932 the United States Attorney;

2933 (i) a representative of Utah's Native American community appointed by the director of
2934 the Division of Indian Affairs after input from federally recognized tribes in Utah;

2935 (j) a professional or volunteer working in the area of violence against women and
2936 families appointed by the governor;

2937 (k) the chair of each judicial district's victims' rights committee;

2938 (l) the following members appointed to serve four-year terms:

2939 (i) a representative of the Statewide Association of Public Attorneys appointed by that

2940 association;

2941 (ii) a representative of the Utah Chiefs of Police Association appointed by the president
2942 of that association;

2943 (iii) a representative of the Utah Sheriffs' Association appointed by the president of that
2944 association;

2945 (iv) a representative of a Children's Justice Center appointed by the [~~Advisory Board~~
2946 ~~on Children's Justice~~] attorney general; and

2947 (v) a citizen representative appointed by the governor; and

2948 (m) the following members appointed by the members in Subsections (2)(a) through
2949 (2)(k) to serve four-year terms:

2950 (i) an individual who works professionally with victims of crime; and

2951 (ii) a victim of crime.

2952 (3) The council shall annually elect one member to serve as chair.

2953 Section 81. Section **63M-11-201** is amended to read:

2954 **63M-11-201. Composition -- Appointments -- Terms -- Removal.**

2955 (1) The commission shall be composed of [~~22~~] 20 voting members as follows:

2956 [~~(a) one senator, appointed by the president of the Senate;~~]

2957 [~~(b) one representative, appointed by the speaker of the House of Representatives;~~]

2958 [~~(c)~~] (a) the executive director of the Department of Health;

2959 [~~(d)~~] (b) the executive director of the Department of Human Services;

2960 [~~(e)~~] (c) the executive director of the Governor's Office of Economic Development;

2961 [~~(f)~~] (d) the executive director of the Department of Workforce Services; and

2962 [~~(g)~~] (e) 16 voting members, appointed by the governor, representing each of the
2963 following:

2964 (i) the Utah Association of Area Agencies on Aging;

2965 (ii) higher education in Utah;

2966 (iii) the business community;

2967 (iv) the Utah Association of Counties;

2968 (v) the Utah League of Cities and Towns;

2969 (vi) charitable organizations;

2970 (vii) the health care provider industry;

- 2971 (viii) financial institutions;
- 2972 (ix) the legal profession;
- 2973 (x) the public safety sector;
- 2974 (xi) public transportation;
- 2975 (xii) ethnic minorities;
- 2976 (xiii) the industry that provides long-term care for the elderly;
- 2977 (xiv) organizations or associations that advocate for the aging population;
- 2978 (xv) the Alzheimer's Association; and
- 2979 (xvi) the general public.
- 2980 (2) (a) A member appointed under Subsection (1)~~(g)~~(e) shall serve a two-year term.
- 2981 (b) Notwithstanding the term requirements of Subsection (2)(a), the governor may
- 2982 adjust the length of the initial commission members' terms to ensure that the terms are
- 2983 staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are
- 2984 appointed each year.
- 2985 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
- 2986 under Subsection (1)~~(g)~~(e), the governor shall appoint a person to fill the vacancy for the
- 2987 unexpired term of the commission member being replaced.
- 2988 (d) Members appointed under Subsection (1)~~(g)~~(e) may be removed by the governor
- 2989 for cause.
- 2990 (e) A member appointed under Subsection (1)~~(g)~~(e) shall be removed from the
- 2991 commission and replaced by the governor if the member is absent for three consecutive
- 2992 meetings of the commission without being excused by the chair of the commission.
- 2993 (3) In appointing the members under Subsection (1)~~(g)~~(e), the governor shall:
- 2994 (a) take into account the geographical makeup of the commission; and
- 2995 (b) strive to appoint members who are knowledgeable or have an interest in issues
- 2996 relating to the aging population.
- 2997 Section 82. Section **63M-11-206** is amended to read:
- 2998 **63M-11-206. Members serve without pay -- Reimbursement for expenses.**
- 2999 ~~(+)~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits for
- 3000 the member's service, but may receive per diem and travel expenses as allowed in:
- 3001 ~~(+)~~ (1) Section [63A-3-106](#);

3002 ~~[(b)]~~ (2) Section [63A-3-107](#); and
3003 ~~[(c)]~~ (3) rules made by the Division of Finance according to Sections [63A-3-106](#) and
3004 [63A-3-107](#).

3005 ~~[(2) Compensation and expenses of a member who is a legislator are governed by~~
3006 ~~Section [36-2-2](#) and Legislative Joint Rules, Title JR5, Legislative Compensation and~~
3007 ~~Expenses.]~~

3008 Section 83. Section **63N-1-201** is amended to read:
3009 **63N-1-201. Creation of office -- Responsibilities.**

3010 (1) There is created the Governor's Office of Economic Development.

3011 (2) The office is:

3012 (a) responsible for economic development and economic development planning in the
3013 state; and

3014 (b) the industrial promotion authority of the state.

3015 (3) The office shall:

3016 (a) administer and coordinate state and federal economic development grant programs;

3017 (b) promote and encourage the economic, commercial, financial, industrial,
3018 agricultural, and civic welfare of the state;

3019 (c) promote and encourage the employment of workers in the state and the purchase of
3020 goods and services produced in the state by local businesses;

3021 (d) act to create, develop, attract, and retain business, industry, and commerce in the
3022 state;

3023 (e) act to enhance the state's economy;

3024 (f) administer programs over which the office is given administrative supervision by
3025 the governor;

3026 (g) submit an annual written report as described in Section [63N-1-301](#); and

3027 ~~[(h) comply with the requirements of Section [36-30-202](#); and]~~

3028 ~~[(i)]~~ (h) perform other duties as provided by the Legislature.

3029 (4) In order to perform its duties under this title, the office may:

3030 (a) enter into a contract or agreement with, or make a grant to, a public or private
3031 entity, including a municipality, if the contract or agreement is not in violation of state statute
3032 or other applicable law;

3033 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
3034 private source for any lawful purpose that is in the state's best interest; and

3035 (c) solicit and accept a contribution of money, services, or facilities from a public or
3036 private donor, but may not use the contribution for publicizing the exclusive interest of the
3037 donor.

3038 (5) Money received under Subsection (4)(c) shall be deposited in the General Fund as
3039 dedicated credits of the office.

3040 (6) (a) The office shall obtain the advice of the board before implementing a change to
3041 a policy, priority, or objective under which the office operates.

3042 (b) Subsection (6)(a) does not apply to the routine administration by the office of
3043 money or services related to the assistance, retention, or recruitment of business, industry, or
3044 commerce in the state.

3045 Section 84. Section **67-1-2.5** is amended to read:

3046 **67-1-2.5. Database for executive boards.**

3047 (1) As used in this section [~~,"executive board"~~]:

3048 (a) "Administrator" means the boards and commissions administrator designated under
3049 Subsection (2).

3050 (b) "Executive board" means any executive branch board, commission, council,
3051 committee, working group, task force, study group, advisory group, or other body with a
3052 defined limited membership that is created to operate for more than six months by the
3053 constitution, by statute, by executive order, by the governor, lieutenant governor, attorney
3054 general, state auditor, or state treasurer or by the head of a department, division, or other
3055 administrative subunit of the executive branch of state government.

3056 (2) The governor shall designate [~~a person from his~~] a board and commissions
3057 administrator from the governor's staff to maintain a computerized [~~data base~~] database
3058 containing information about all executive boards.

3059 (3) The [~~person designated to maintain the data base~~] administrator shall ensure that
3060 the [~~data base~~] database contains:

3061 (a) the name of each executive board;

3062 (b) the statutory or constitutional authority for the creation of the executive board;

3063 (c) the sunset date on which each executive board's statutory authority expires;

3064 (d) the state officer or department and division of state government under whose
3065 jurisdiction the executive board operates or with which the executive board is affiliated, if any;

3066 (e) the name, address, gender, telephone number, and county of each [person]
3067 individual currently serving on the executive board, along with a notation of all vacant or
3068 unfilled positions;

3069 (f) the title of the position held by the person who appointed each member of the
3070 executive board;

3071 (g) the length of the term to which each member of the executive board was appointed
3072 and the month and year that each executive board member's term expires;

3073 (h) whether or not members appointed to the executive board require consent of the
3074 Senate;

3075 (i) the organization, interest group, profession, local government entity, or geographic
3076 area that [~~the person~~] an individual appointed to an executive board represents, if any;

3077 (j) the [person's] party affiliation of an individual appointed to an executive board, if
3078 the statute or executive order creating the position requires representation from political
3079 parties;

3080 (k) whether [~~the~~] each executive board is a policy board or an advisory board;

3081 (l) whether [~~or not~~] the executive board has or exercises rulemaking authority; and

3082 (m) any compensation and expense reimbursement that members of the executive
3083 board are authorized to receive.

3084 [~~(4) The person designated to maintain the data base shall:]~~

3085 (4) The administrator shall place the following on the governor's website:

3086 (a) [~~make~~] the information contained in the [~~data base available to the public upon~~
3087 ~~request; and~~] database;

3088 [~~(b) cooperate with other entities of state government to publish the data or useful~~
3089 ~~summaries of the data.]~~

3090 (b) each report the administrator receives under Subsection (5); and

3091 (c) the summary report described in Subsection (6).

3092 (5) (a) Before September 1 of each year, each executive board shall prepare and submit
3093 to the administrator an annual report that includes:

3094 (i) the name of the executive board;

3095 (ii) a description of the executive board's official function and purpose;
 3096 (iii) a description of the actual work performed by the executive board since the last
 3097 report the executive board submitted to the administrator under this Subsection (5);
 3098 (iv) a description of actions taken by the executive board since the last report the
 3099 executive board submitted to the administrator under this Subsection (5);
 3100 (v) recommendations on whether any statutory, rule, or other changes are needed to
 3101 make the executive board more effective; and
 3102 (vi) an indication of whether the executive board should continue to exist.
 3103 (b) The administrator shall compile and post the reports described in Subsection (5)(a)
 3104 to the governor's website before October 1 of each year.
 3105 (c) An executive board is not required to submit a report under this Subsection (5) if
 3106 the executive board:
 3107 (i) is also a legislative board under Section 36-12-22; and
 3108 (ii) submits a report under Section 36-12-22.
 3109 ~~[(5)]~~ (6) (a) The [person designated to maintain the data base] administrator shall
 3110 prepare, publish, and distribute an annual report by [December] October 1 of each year that
 3111 includes[~~, as of November 1~~];
 3112 (i) as of September 1 of that year:
 3113 ~~[(i)]~~ (A) the total number of executive boards;
 3114 ~~[(ii)]~~ (B) the name of each of those executive boards and the state officer or department
 3115 and division of state government under whose jurisdiction the executive board operates or with
 3116 which the executive board is affiliated, if any;
 3117 ~~[(iii)]~~ (C) for each state officer and each department and division, the total number of
 3118 executive boards under the jurisdiction of or affiliated with that officer, department, and
 3119 division;
 3120 ~~[(iv)]~~ (D) the total number of members for each of those executive boards;
 3121 ~~[(v)]~~ (E) whether or not some or all of the members of each of those executive boards
 3122 are approved by the Senate;
 3123 ~~[(vi)]~~ (F) whether each board is a policymaking board or an advisory board and the
 3124 total number of policy boards and the total number of advisory boards; and
 3125 ~~[(vii)]~~ (G) the compensation, if any, paid to the members of each of those executive

- 3126 boards[-]; and
- 3127 (ii) a summary of the reports submitted to the administrator under Subsection (5),
- 3128 including:
- 3129 (A) a list of each executive board that submitted a report under Subsection (5);
- 3130 (B) a list of each executive board that did not submit a report under Subsection (5);
- 3131 (C) an indication of any recommendations made under Subsection (5)(a)(v); and
- 3132 (D) a list of any executive boards that indicated under Subsection (5)(a)(vi) that the
- 3133 executive board should no longer exist.
- 3134 (b) The [~~person designated to maintain the data bases~~] administrator shall distribute
- 3135 copies of the report described in Subsection (6)(a) to:
- 3136 (i) the governor;
- 3137 (ii) the president of the Senate;
- 3138 (iii) the speaker of the House;
- 3139 (iv) the Office of Legislative Research and General Counsel; [~~and~~]
- 3140 (v) the Government Operations Interim Committee; and
- 3141 [(+)] (vi) any other persons who request a copy of the annual report.
- 3142 (c) Each year, the Government Operations Interim Committee shall prepare legislation
- 3143 making any changes the committee determines are suitable with respect to the report the
- 3144 committee receives under Subsection (6)(b), including:
- 3145 (i) repealing an executive board that is no longer functional or necessary; and
- 3146 (ii) making appropriate changes to make an executive board more effective.
- 3147 Section 85. Section **67-5b-102** is amended to read:
- 3148 **67-5b-102. Children's Justice Center -- Requirements of center -- Purposes of**
- 3149 **center.**
- 3150 (1) (a) There is established the Children's Justice Center Program to provide a
- 3151 comprehensive, multidisciplinary, intergovernmental response to child abuse victims in a
- 3152 facility known as a Children's Justice Center.
- 3153 (b) The attorney general shall administer the program.
- 3154 (c) The attorney general shall:
- 3155 (i) allocate the funds appropriated by a line item pursuant to Section [67-5b-103](#);
- 3156 (ii) administer applications for state and federal grants and subgrants;

- 3157 ~~[(iii) staff the Advisory Board on Children's Justice;]~~
3158 (iii) maintain an advisory board that is associated with the program to comply with
3159 requirements of grants that are associated with the program;
3160 (iv) assist in the development of new centers;
3161 (v) coordinate services between centers;
3162 (vi) contract with counties and other entities for the provision of services;
3163 (vii) (A) provide training, technical assistance, and evaluation to centers; and
3164 (B) ensure that any training described in Subsection (1)(c)(vii)(A) complies with Title
3165 63G, Chapter 22, State Training and Certification Requirements; and
3166 (viii) provide other services to comply with established minimum practice standards as
3167 required to maintain the state's and centers' eligibility for grants and subgrants.
3168 (2) (a) The attorney general shall establish Children's Justice Centers, satellite offices,
3169 or multidisciplinary teams in Beaver County, Box Elder County, Cache County, Carbon
3170 County, Davis County, Duchesne County, Emery County, Grand County, Iron County, Juab
3171 County, Kane County, Salt Lake County, San Juan County, Sanpete County, Sevier County,
3172 Summit County, Tooele County, Uintah County, Utah County, Wasatch County, Washington
3173 County, and Weber County.
3174 (b) The attorney general may establish other centers, satellites, or multidisciplinary
3175 teams within a county and in other counties of the state.
3176 (3) The attorney general and each center shall:
3177 (a) coordinate the activities of the public agencies involved in the investigation and
3178 prosecution of child abuse cases and the delivery of services to child abuse victims and child
3179 abuse victims' families;
3180 (b) provide a neutral, child-friendly program, where interviews are conducted and
3181 services are provided to facilitate the effective and appropriate disposition of child abuse cases
3182 in juvenile, civil, and criminal court proceedings;
3183 (c) facilitate a process for interviews of child abuse victims to be conducted in a
3184 professional and neutral manner;
3185 (d) obtain reliable and admissible information that can be used effectively in child
3186 abuse cases in the state;
3187 (e) maintain a multidisciplinary team that includes representatives of public agencies

3188 involved in the investigation and prosecution of child abuse cases and in the delivery of
3189 services to child abuse victims and child abuse victims' families;
3190 (f) hold regularly scheduled case reviews with the multidisciplinary team;
3191 (g) coordinate and track:
3192 (i) investigation of the alleged offense; and
3193 (ii) preparation of prosecution;
3194 (h) maintain a working protocol that addresses the center's procedures for conducting
3195 forensic interviews and case reviews, and for ensuring a child abuse victim's access to medical
3196 and mental health services;
3197 (i) maintain a system to track the status of cases and the provision of services to child
3198 abuse victims and child abuse victims' families;
3199 (j) provide training for professionals involved in the investigation and prosecution of
3200 child abuse cases and in the provision of related treatment and services;
3201 (k) enhance community understanding of child abuse cases; and
3202 (l) provide as many services as possible that are required for the thorough and effective
3203 investigation of child abuse cases.

3204 (4) To assist a center in fulfilling the requirements and statewide purposes as provided
3205 in Subsection (3), each center may obtain access to any relevant juvenile court legal records
3206 and adult court legal records, unless sealed by the court.

3207 Section 86. Section **67-5b-105** is amended to read:

3208 **67-5b-105. Local advisory boards -- Membership.**

3209 (1) The cooperating public agencies and other persons shall make up each center's local
3210 advisory board, which shall be composed of the following people from the county or area:

- 3211 (a) the local center director or the director's designee;
- 3212 (b) a district attorney or county attorney having criminal jurisdiction or any designee;
- 3213 (c) a representative of the attorney general's office, designated by the attorney general;
- 3214 (d) at least one official from a local law enforcement agency or the local law
3215 enforcement agency's designee;
- 3216 (e) the county executive or the county executive's designee;
- 3217 (f) a licensed nurse practitioner or physician;
- 3218 (g) a licensed mental health professional;

3219 (h) a criminal defense attorney;

3220 (i) at least four members of the community at large [~~provided, however, that the~~
3221 ~~Advisory Board on Children's Justice may authorize fewer members, although not less than~~
3222 ~~two, if the local advisory board so requests~~];

3223 (j) a guardian ad litem or representative of the Office of Guardian Ad Litem,
3224 designated by the director;

3225 (k) a representative of the Division of Child and Family Services within the
3226 Department of Human Services, designated by the employee of the division who has
3227 supervisory responsibility for the county served by the center;

3228 (l) if a center serves more than one county, one representative from each county served,
3229 appointed by the county executive; and

3230 (m) additional members appointed as needed by the county executive.

3231 (2) The members on each local advisory board who serve due to public office as
3232 provided in Subsections (1)(b) through (e) shall select the remaining members. The members
3233 on each local advisory board shall select a chair of the local advisory board.

3234 (3) The local advisory board may not supersede the authority of the contracting county
3235 as designated in Section [67-5b-104](#).

3236 (4) Appointees and designees shall serve a term or terms as designated in the bylaws of
3237 the local advisory board.

3238 Section 87. Section **73-10g-105** is amended to read:

3239 **73-10g-105. Loans -- Rulemaking.**

3240 (1) (a) The division and the board shall make rules, in accordance with Title 63G,
3241 Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from available
3242 funds to repair, replace, or improve underfunded federal water infrastructure projects.

3243 (b) Subject to Chapter 26, Bear River Development Act, and Chapter 28, Lake Powell
3244 Pipeline Development Act, the division and the board shall make rules, in accordance with
3245 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from
3246 available funds to develop the state's undeveloped share of the Bear and Colorado rivers.

3247 (2) The rules described in Subsection (1) shall:

3248 (a) specify the amount of money that may be loaned;

3249 (b) specify the criteria the division and the board shall consider in prioritizing and

3250 awarding loans;

3251 (c) specify the minimum qualifications for an individual who, or entity that, receives a
3252 loan, including the amount of cost-sharing to be the responsibility of the individual or entity
3253 applying for a loan;

3254 (d) specify the terms of the loan, including the terms of repayment; and

3255 (e) require all applicants for a loan to apply on forms provided by the division and in a
3256 manner required by the division.

3257 (3) The division and the board shall, in making the rules described in Subsection (1)
3258 and in consultation with the State Water Development Commission created in Section
3259 73-27-102:

3260 (a) establish criteria for better water data and data reporting;

3261 (b) establish new conservation targets based on the data described in Subsection (3)(a);

3262 (c) institute a process for the independent verification of the data described in
3263 Subsection (3)(a);

3264 (d) establish a plan for an independent review of:

3265 (i) the proposed construction plan for an applicant's qualifying water infrastructure
3266 project; and

3267 (ii) the applicant's plan to repay the loan for the construction of the proposed water
3268 infrastructure project;

3269 (e) invite and recommend public involvement; and

3270 (f) set appropriate financing and repayment terms.

3271 [~~(4) (a) The division, board, and State Water Development Commission shall, no later
3272 than October 30, 2016, report to the Natural Resources, Agriculture, and Environment Interim
3273 Committee and Legislative Management Committee on the rules established pursuant to
3274 Subsections (1) and (3).]~~

3275 [~~(b) After October 30, 2016, the]~~

3276 (4) The division and the board shall provide regular updates to the Legislative
3277 Management Committee on the progress made under this section, including whether the
3278 division and board intend to issue a request for proposals.

3279 Section 88. Section 78A-2-501 is amended to read:

3280 **78A-2-501. Definitions -- Online Court Assistance Program -- Purpose of**

3281 **program -- Online Court Assistance Account -- User's fee.**

3282 (1) As used in this part:

3283 (a) "Account" means the Online Court Assistance Account created in this section.

3284 ~~[(b) "Board" means the Online Court Assistance Program Policy Board created in~~

3285 ~~Section 78A-2-502.]~~

3286 ~~[(c)]~~ (b) "Program" means the Online Court Assistance Program created in this section.

3287 (2) There is created the "Online Court Assistance Program" administered by the

3288 Administrative Office of the Courts to provide the public with information about civil

3289 procedures and to assist the public in preparing and filing civil pleadings and other papers in:

3290 (a) uncontested divorces;

3291 (b) enforcement of orders in the divorce decree;

3292 (c) landlord and tenant actions;

3293 (d) guardianship actions; and

3294 (e) other types of proceedings approved by the board.

3295 (3) The purpose of the program shall be to:

3296 (a) minimize the costs of civil litigation;

3297 (b) improve access to the courts; and

3298 (c) provide for informed use of the courts and the law by pro se litigants.

3299 (4) (a) An additional \$20 shall be added to the filing fee established by Sections

3300 [78A-2-301](#) and [78A-2-301.5](#) if a person files a complaint, petition, answer, or response

3301 prepared through the program. There shall be no fee for using the program or for papers filed

3302 subsequent to the initial pleading.

3303 (b) There is created within the General Fund a restricted account known as the Online

3304 Court Assistance Account. The fees collected under this Subsection (4) shall be deposited in

3305 the restricted account and appropriated by the Legislature to the Administrative Office of the

3306 Courts to develop, operate, and maintain the program and to support the use of the program

3307 through education of the public.

3308 (5) The Administrative Office of the Courts shall provide on the front page of the

3309 program website a listing of all forms and proceedings available to all pro se litigants within

3310 the program.

3311 **Section 89. Repealer.**

- 3312 This bill repeals:
- 3313 Section **10-1-119**, Inventory of competitive activities.
- 3314 Section **11-13-224**, Utah interlocal entity for alternative fuel vehicles and facilities.
- 3315 Section **17-50-107**, Inventory of competitive activities.
- 3316 Section **19-2-109.2**, Small business assistance program.
- 3317 Section **36-20-1**, Definitions.
- 3318 Section **36-20-2**, Judicial Rules Review Committee.
- 3319 Section **36-20-3**, Submission of court rules or proposals for court rules.
- 3320 Section **36-20-4**, Review of rules -- Criteria.
- 3321 Section **36-20-5**, Committee review -- Fiscal analyst -- Powers of committee.
- 3322 Section **36-20-6**, Findings -- Report -- Distribution of copies.
- 3323 Section **36-20-7**, Court rules or proposals for court rules -- Publication in bulletin.
- 3324 Section **36-20-8**, Duties of staff.
- 3325 Section **36-30-101**, Title.
- 3326 Section **36-30-102**, Definitions.
- 3327 Section **36-30-201**, Economic Development Legislative Liaison Committee --
- 3328 **Creation -- Membership -- Chairs -- Per diem and expenses.**
- 3329 Section **36-30-202**, Duties -- Confidential information -- Records.
- 3330 Section **36-30-203**, Staff support.
- 3331 Section **53E-3-920**, Creation of State Council on Military Children.
- 3332 Section **53E-10-401**, Definitions.
- 3333 Section **53E-10-402**, American Indian-Alaskan Native Public Education Liaison.
- 3334 Section **53E-10-403**, Commission created.
- 3335 Section **53E-10-404**, Duties of the commission.
- 3336 Section **53E-10-405**, Adoption of state plan.
- 3337 Section **53E-10-406**, Changes to state plan.
- 3338 Section **53E-10-407**, Pilot program.
- 3339 Section **62A-1-120**, Utah Marriage Commission.
- 3340 Section **63C-4b-101**, Title.
- 3341 Section **63C-4b-102**, Definitions.
- 3342 Section **63C-4b-103**, Commission for the Stewardship of Public Lands -- Creation

- 3343 -- **Membership -- Interim rules followed -- Compensation -- Staff.**
- 3344 Section **63C-4b-107**, Repeal of commission.
- 3345 Section **63C-14-101**, Title.
- 3346 Section **63C-14-102**, Definitions.
- 3347 Section **63C-14-201**, Creation of Federal Funds Commission -- Membership --
- 3348 **Chairs.**
- 3349 Section **63C-14-202**, Terms of commission members -- Removal -- Vacancies --
- 3350 **Salaries and expenses.**
- 3351 Section **63C-14-302**, Commission meetings -- Quorum -- Bylaws -- Staff support.
- 3352 Section **63C-16-101**, Title.
- 3353 Section **63C-16-102**, Definitions.
- 3354 Section **63C-16-201**, Commission created -- Membership -- Cochairs -- Removal --
- 3355 **Vacancy.**
- 3356 Section **63C-16-202**, Quorum and voting requirements -- Bylaws -- Per diem and
- 3357 **expenses -- Staff.**
- 3358 Section **63C-16-203**, Commission duties and responsibilities.
- 3359 Section **63C-16-204**, Other agencies' cooperation and actions.
- 3360 Section **63F-1-202**, Technology Advisory Board -- Membership -- Duties.
- 3361 Section **63F-2-101**, Title.
- 3362 Section **63F-2-102**, Data Security Management Council -- Membership -- Duties.
- 3363 Section **63F-2-103**, Data Security Management Council -- Report to Legislature --
- 3364 **Recommendations.**
- 3365 Section **63I-4a-101**, Title.
- 3366 Section **63I-4a-102**, Definitions.
- 3367 Section **63I-4a-201**, Title.
- 3368 Section **63I-4a-202**, Free Market Protection and Privatization Board -- Created --
- 3369 **Membership -- Operations -- Expenses.**
- 3370 Section **63I-4a-203**, Free Market Protection and Privatization Board -- Duties.
- 3371 Section **63I-4a-204**, Staff support -- Assistance to an agency or local entity.
- 3372 Section **63I-4a-205**, Board accounting method.
- 3373 Section **63I-4a-301**, Title.

- 3374 Section **63I-4a-302**, Board to create inventory.
- 3375 Section **63I-4a-303**, Governor to require review of commercial activities.
- 3376 Section **63I-4a-304**, Duties of the Governor's Office of Management and Budget.
- 3377 Section **63I-4a-401**, Title.
- 3378 Section **63I-4a-402**, Government immunity.
- 3379 Section **67-1a-10**, Commission on Civic and Character Education -- Membership --
- 3380 **Chair -- Expenses.**
- 3381 Section **67-1a-11**, Commission on Civic and Character Education -- Duties and
- 3382 **responsibilities.**
- 3383 Section **67-5b-106**, Advisory Board on Children's Justice -- Membership -- Terms
- 3384 **-- Duties -- Authority.**
- 3385 Section **72-9-606**, Towing Advisory Board created -- Appointment -- Terms --
- 3386 **Meetings -- Per diem and expenses -- Duties.**
- 3387 Section **78A-2-502**, Creation of policy board -- Membership -- Terms -- Chair --
- 3388 **Quorum -- Expenses.**