

Senator Daniel Hemmert proposes the following substitute bill:

BOARDS AND COMMISSIONS AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: Daniel Hemmert

LONG TITLE

General Description:

This bill addresses provisions related to certain boards and commissions.

Highlighted Provisions:

This bill:

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



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

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

- 88 • the Utah State Fair Corporation Board of Directors;
- 89 ▶ Adds provisions to automatically repeal the following:
- 90 • the Clean Air Act Compliance Advisory Panel;
- 91 • the Employability to Careers Program Board;
- 92 • the Road Usage Charge Advisory Committee; and
- 93 • the State Fair Park Committee;
- 94 ▶ repeals obsolete provisions; and
- 95 ▶ makes technical and conforming changes.

96 **Money Appropriated in this Bill:**

97 None

98 **Other Special Clauses:**

99 This bill provides coordination clauses.

100 **Utah Code Sections Affected:**

101 AMENDS:

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

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

104 17-16-21, as last amended by Laws of Utah 2018, Chapter 347

105 26-54-103, as last amended by Laws of Utah 2017, Chapter 261

106 30-1-34, as last amended by Laws of Utah 2018, Chapter 347

107 30-1-36, as last amended by Laws of Utah 2018, Chapter 347

108 35A-3-209, as renumbered and amended by Laws of Utah 2018, Chapter 389

109 36-22-1, as last amended by Laws of Utah 2014, Chapter 387

110 40-6-16, as last amended by Laws of Utah 2016, Chapter 317

111 52-4-103, as amended by Statewide Initiative -- Proposition 4, Nov. 6, 2018

112 53F-5-601, as renumbered and amended by Laws of Utah 2018, Chapter 2

113 53F-5-602, as renumbered and amended by Laws of Utah 2018, Chapter 2

114 53F-5-604, as renumbered and amended by Laws of Utah 2018, Chapter 2

115 53G-10-204, as renumbered and amended by Laws of Utah 2018, Chapter 3

116 54-1-13, as last amended by Laws of Utah 2016, Chapter 13

117 62A-1-105, as last amended by Laws of Utah 2016, Chapter 300

118 62A-1-107, as last amended by Laws of Utah 2016, Chapter 300

119 [62A-1-109](#), as enacted by Laws of Utah 1988, Chapter 1
120 [62A-7-101](#), as last amended by Laws of Utah 2017, Chapter 330
121 [62A-7-102](#), as last amended by Laws of Utah 2008, Chapter 3
122 [62A-7-103](#), as last amended by Laws of Utah 1992, Chapter 104
123 [62A-7-104](#), as last amended by Laws of Utah 2017, Chapters 282 and 330
124 [62A-7-106.5](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
125 [62A-7-201](#), as last amended by Laws of Utah 2017, Chapter 330
126 [62A-7-401.5](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
127 [62A-7-501](#), as last amended by Laws of Utah 2017, Chapter 330
128 [62A-7-502](#), as renumbered and amended by Laws of Utah 2005, Chapter 13
129 [62A-7-506](#), as last amended by Laws of Utah 2017, Chapter 330
130 [62A-7-601](#), as last amended by Laws of Utah 2017, Chapter 330
131 [62A-7-701](#), as last amended by Laws of Utah 2017, Chapter 330
132 [63A-5-225](#), as enacted by Laws of Utah 2015, Chapter 182
133 [63B-25-101](#), as last amended by Laws of Utah 2018, Chapter 280
134 [63C-4a-101](#), as enacted by Laws of Utah 2013, Chapter 101
135 [63C-4a-102](#), as enacted by Laws of Utah 2013, Chapter 101
136 [63C-4a-301](#), as enacted by Laws of Utah 2013, Chapter 101
137 [63C-4a-302](#), as last amended by Laws of Utah 2014, Chapter 387
138 [63C-4a-303](#), as last amended by Laws of Utah 2018, Chapters 81 and 338
139 [63C-4a-306](#), as enacted by Laws of Utah 2014, Chapter 221
140 [63C-4a-307](#), as enacted by Laws of Utah 2018, Chapter 338
141 [63F-1-102](#), as last amended by Laws of Utah 2017, Chapter 238
142 [63F-1-203](#), as last amended by Laws of Utah 2017, Chapter 238
143 [63F-1-303](#), as last amended by Laws of Utah 2012, Chapter 369
144 [63F-4-201](#), as enacted by Laws of Utah 2018, Chapter 144
145 [63F-4-202](#), as enacted by Laws of Utah 2018, Chapter 144
146 [63H-7a-203](#), as last amended by Laws of Utah 2017, Chapter 430
147 [63I-1-209](#), as last amended by Laws of Utah 2014, Chapter 117
148 [63I-1-211](#), as enacted by Laws of Utah 2011, Second Special Session, Chapter 1
149 [63I-1-219](#), as last amended by Laws of Utah 2018, Chapter 31

- 150 [63I-1-223](#), as renumbered and amended by Laws of Utah 2008, Chapter 382
- 151 [63I-1-226](#), as last amended by Laws of Utah 2018, Third Special Session, Chapter 1
- 152 [63I-1-232](#), as renumbered and amended by Laws of Utah 2008, Chapter 382
- 153 [63I-1-235](#), as last amended by Laws of Utah 2018, Chapters 232 and 392
- 154 [63I-1-236](#), as last amended by Laws of Utah 2018, Chapters 33, 170, and 342
- 155 [63I-1-241](#), as last amended by Laws of Utah 2015, Chapter 109
- 156 [63I-1-251](#), as enacted by Laws of Utah 2015, Chapter 275
- 157 [63I-1-253](#), as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and
- 158 453
- 159 [63I-1-262](#), as last amended by Laws of Utah 2018, Chapters 74, 220, 281, and 347
- 160 [63I-1-263](#), as last amended by Laws of Utah 2018, Chapters 85, 144, 182, 261, 321,
- 161 338, 340, 347, 369, 428, 430, and 469
- 162 [63I-1-267](#), as last amended by Laws of Utah 2017, Chapter 192
- 163 [63I-1-272](#), as renumbered and amended by Laws of Utah 2008, Chapter 382
- 164 [63I-1-273](#), as last amended by Laws of Utah 2018, Chapters 344 and 418
- 165 [63I-2-219](#), as last amended by Laws of Utah 2018, Chapters 241 and 281
- 166 [63I-2-263](#), as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469
- 167 [63I-2-272](#), as last amended by Laws of Utah 2017, Chapter 427
- 168 [63J-1-602.2](#), as repealed and reenacted by Laws of Utah 2018, Chapter 469
- 169 [63J-4-606](#), as last amended by Laws of Utah 2014, Chapter 319
- 170 [63J-4-607](#), as last amended by Laws of Utah 2018, Chapter 411
- 171 [63J-4-702](#), as enacted by Laws of Utah 2017, Chapter 253
- 172 [63L-10-102](#), as enacted by Laws of Utah 2018, Chapter 411
- 173 [63L-10-103](#), as enacted by Laws of Utah 2018, Chapter 411
- 174 [63L-10-104](#), as enacted by Laws of Utah 2018, Chapter 411
- 175 [63M-2-301](#), as last amended by Laws of Utah 2016, Chapter 240
- 176 [63M-7-301](#), as last amended by Laws of Utah 2018, Chapter 414
- 177 [63M-7-302](#), as last amended by Laws of Utah 2016, Chapter 158
- 178 [63M-7-601](#), as last amended by Laws of Utah 2016, Chapter 32
- 179 [63M-11-201](#), as last amended by Laws of Utah 2017, Chapter 95
- 180 [63M-11-206](#), as last amended by Laws of Utah 2014, Chapter 387

- 181 **63N-1-201**, as last amended by Laws of Utah 2017, Chapters 277 and 310
- 182 **67-1-2.5**, as last amended by Laws of Utah 2002, Chapter 176
- 183 **67-5b-102**, as last amended by Laws of Utah 2018, Chapters 94 and 200
- 184 **67-5b-105**, as last amended by Laws of Utah 2016, Chapter 290
- 185 **72-4-302**, as last amended by Laws of Utah 2015, Chapter 258
- 186 **73-10g-105**, as last amended by Laws of Utah 2016, Chapter 309
- 187 **78A-2-501**, as last amended by Laws of Utah 2017, Chapter 115

188 ENACTS:

- 189 **36-12-21**, Utah Code Annotated 1953
- 190 **36-12-22**, Utah Code Annotated 1953
- 191 **53E-3-920.1**, Utah Code Annotated 1953
- 192 **63I-1-204**, Utah Code Annotated 1953

193 RENUMBERS AND AMENDS:

- 194 **63C-4a-308**, (Renumbered from 63C-4b-104, as enacted by Laws of Utah 2016,
195 Chapter 408)
- 196 **63C-4a-309**, (Renumbered from 63C-14-301, as last amended by Laws of Utah 2018,
197 Chapter 81)
- 198 **63C-4a-404**, (Renumbered from 63C-4b-105, as enacted by Laws of Utah 2016,
199 Chapter 408)
- 200 **63C-4a-405**, (Renumbered from 63C-4b-106, as enacted by Laws of Utah 2016,
201 Chapter 408)

202 REPEALS:

- 203 **10-1-119**, as last amended by Laws of Utah 2014, Chapter 189
- 204 **11-13-224**, as last amended by Laws of Utah 2015, Chapter 265
- 205 **17-50-107**, as last amended by Laws of Utah 2013, Chapter 325
- 206 **36-20-1**, as last amended by Laws of Utah 2008, Chapter 3
- 207 **36-20-2**, as last amended by Laws of Utah 2010, Chapter 324
- 208 **36-20-3**, as enacted by Laws of Utah 1993, Chapter 282
- 209 **36-20-4**, as enacted by Laws of Utah 1993, Chapter 282
- 210 **36-20-5**, as enacted by Laws of Utah 1993, Chapter 282
- 211 **36-20-6**, as last amended by Laws of Utah 1996, Chapter 36

- 212 **36-20-7**, as enacted by Laws of Utah 1993, Chapter 282
- 213 **36-20-8**, as enacted by Laws of Utah 1993, Chapter 282
- 214 **36-30-101**, as enacted by Laws of Utah 2017, Chapter 277
- 215 **36-30-102**, as enacted by Laws of Utah 2017, Chapter 277
- 216 **36-30-201**, as enacted by Laws of Utah 2017, Chapter 277
- 217 **36-30-202**, as enacted by Laws of Utah 2017, Chapter 277
- 218 **36-30-203**, as enacted by Laws of Utah 2017, Chapter 277
- 219 **53E-3-920**, as last amended by Laws of Utah 2018, Chapter 39 and renumbered and
- 220 amended by Laws of Utah 2018, Chapter 1
- 221 **53E-10-401**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 222 **53E-10-402**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 223 **53E-10-403**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 224 **53E-10-404**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 225 **53E-10-405**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 226 **53E-10-406**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 227 **53E-10-407**, as enacted by Laws of Utah 2018, Chapter 1
- 228 **59-1-901**, as last amended by Laws of Utah 2007, Chapter 288
- 229 **59-1-902**, as enacted by Laws of Utah 1990, Chapter 237
- 230 **59-1-903**, as last amended by Laws of Utah 2011, Chapter 384
- 231 **59-1-904**, as last amended by Laws of Utah 2011, Chapter 384
- 232 **59-1-905**, as last amended by Laws of Utah 2014, Chapter 387
- 233 **59-1-907**, as enacted by Laws of Utah 1990, Chapter 237
- 234 **59-1-908**, as enacted by Laws of Utah 1990, Chapter 237
- 235 **62A-1-120**, as last amended by Laws of Utah 2018, Chapter 347
- 236 **63C-4b-101**, as enacted by Laws of Utah 2016, Chapter 408
- 237 **63C-4b-102**, as enacted by Laws of Utah 2016, Chapter 408
- 238 **63C-4b-103**, as enacted by Laws of Utah 2016, Chapter 408
- 239 **63C-4b-107**, as enacted by Laws of Utah 2016, Chapter 408
- 240 **63C-14-101**, as enacted by Laws of Utah 2013, Chapter 62
- 241 **63C-14-102**, as enacted by Laws of Utah 2013, Chapter 62
- 242 **63C-14-201**, as enacted by Laws of Utah 2013, Chapter 62

- 243 [63C-14-202](#), as last amended by Laws of Utah 2014, Chapter 387
- 244 [63C-14-302](#), as last amended by Laws of Utah 2015, Chapter 409
- 245 [63C-16-101](#), as enacted by Laws of Utah 2015, Chapter 182
- 246 [63C-16-102](#), as enacted by Laws of Utah 2015, Chapter 182
- 247 [63C-16-201](#), as enacted by Laws of Utah 2015, Chapter 182
- 248 [63C-16-202](#), as enacted by Laws of Utah 2015, Chapter 182
- 249 [63C-16-203](#), as enacted by Laws of Utah 2015, Chapter 182
- 250 [63C-16-204](#), as enacted by Laws of Utah 2015, Chapter 182
- 251 [63F-1-202](#), as last amended by Laws of Utah 2017, Chapter 238
- 252 [63F-2-101](#), as enacted by Laws of Utah 2015, Chapter 371
- 253 [63F-2-102](#), as last amended by Laws of Utah 2018, Chapter 81
- 254 [63F-2-103](#), as last amended by Laws of Utah 2016, Chapter 13
- 255 [63I-4a-101](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 256 [63I-4a-102](#), as last amended by Laws of Utah 2018, Chapter 415
- 257 [63I-4a-201](#), as enacted by Laws of Utah 2013, Chapter 325
- 258 [63I-4a-202](#), as last amended by Laws of Utah 2014, Chapters 189 and 387
- 259 [63I-4a-203](#), as last amended by Laws of Utah 2018, Chapter 81
- 260 [63I-4a-204](#), as enacted by Laws of Utah 2013, Chapter 325
- 261 [63I-4a-205](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 262 [63I-4a-301](#), as enacted by Laws of Utah 2013, Chapter 325
- 263 [63I-4a-302](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 264 [63I-4a-303](#), as last amended by Laws of Utah 2013, Chapter 310 and renumbered and
- 265 amended by Laws of Utah 2013, Chapter 325
- 266 [63I-4a-304](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 267 [63I-4a-401](#), as enacted by Laws of Utah 2013, Chapter 325
- 268 [63I-4a-402](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 269 [67-1a-10](#), as last amended by Laws of Utah 2014, Chapter 387
- 270 [67-1a-11](#), as last amended by Laws of Utah 2018, Chapter 415
- 271 [67-5b-106](#), as last amended by Laws of Utah 2016, Chapter 290
- 272 [72-9-606](#), as enacted by Laws of Utah 2017, Chapter 298
- 273 [78A-2-502](#), as last amended by Laws of Utah 2017, Chapter 115

274 **Utah Code Sections Affected by Coordination Clause:**

- 275 [26-54-103](#), as last amended by Laws of Utah 2017, Chapter 261
- 276 [53G-10-204](#), as renumbered and amended by Laws of Utah 2018, Chapter 3
- 277 [63I-1-253](#), as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and
- 278 453
- 279 [63I-1-226](#), as last amended by Laws of Utah 2018, Third Special Session, Chapter 1
- 280 [63I-1-262](#), as last amended by Laws of Utah 2018, Chapters 74, 220, 281, and 347
- 281 [63I-1-263](#), as last amended by Laws of Utah 2018, Chapters 85, 144, 182, 261, 321,
- 282 338, 340, 347, 369, 428, 430, and 469
- 283 [63I-2-226](#), as last amended by Laws of Utah 2018, Chapters 38 and 281
- 284 [63I-2-263](#), as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469

285

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

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

287 **9-9-104.6. Participation of state agencies in meetings with tribal leaders --**

288 **Contact information.**

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

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

293 (a) the chairs of the Native American Legislative Liaison Committee created in Section
294 [36-22-1](#);

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

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

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

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

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

- 305 (i) the Department of Human Services;
 - 306 (ii) the Department of Natural Resources;
 - 307 (iii) the Department of Workforce Services;
 - 308 (iv) the Governor's Office of Economic Development;
 - 309 (v) the State Board of Education; and
 - 310 (vi) the State Board of Regents.
- 311 (3) (a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:
- 312 (i) designate the name of a contact person for that agency that can assist in coordinating
 - 313 the efforts of state and tribal governments in meeting the needs of the Native Americans
 - 314 residing in the state; and
 - 315 (ii) notify the division:
 - 316 (A) who is the designated contact person described in Subsection (3)(a)(i); and
 - 317 (B) of any change in who is the designated contact person described in Subsection
 - 318 (3)(a)(i).
 - 319 (b) This Subsection (3) applies to:
 - 320 (i) the Department of Agriculture and Food;
 - 321 (ii) the Department of Heritage and Arts;
 - 322 (iii) the Department of Corrections;
 - 323 (iv) the Department of Environmental Quality;
 - 324 (v) the Department of Public Safety;
 - 325 (vi) the Department of Transportation;
 - 326 (vii) the Office of the Attorney General;
 - 327 (viii) the State Tax Commission; and
 - 328 (ix) any agency described in Subsections (2)(c) through (e).
 - 329 (c) At the request of the division, a contact person listed in Subsection (3)(b) may
 - 330 participate in a meeting described in Subsection (1).
 - 331 (4) (a) A participant under this section who is not a legislator may not receive
 - 332 compensation or benefits for the participant's service, but may receive per diem and travel
 - 333 expenses as allowed in:
 - 334 (i) Section [63A-3-106](#);
 - 335 (ii) Section [63A-3-107](#); and

336 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
337 63A-3-107.

338 (b) Compensation and expenses of a participant who is a legislator are governed by
339 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

340 Section 2. Section 9-9-408 is amended to read:

341 **9-9-408. Burial of ancient Native American remains in state parks.**

342 (1) As used in this section:

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

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

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

350 (b) The study shall include:

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

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

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

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

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

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

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

364 ~~[(3) The division, the Antiquities Section, and the Division of Parks and Recreation~~
365 ~~shall report to the Native American Legislative Liaison Committee by no later than November~~
366 ~~1, 2017, regarding the study required by Subsection (2).]~~

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

368 **17-16-21. Fees of county officers.**

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

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

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

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

374 (b) As long as the Children's Legal Defense Account is authorized by Section

375 51-9-408, the county clerk shall:

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

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

380 (c) (i) As long as the Division of Child and Family Services, created in Section
381 62A-4a-103, has the responsibility under Section 62A-4a-105 to provide services, including
382 temporary shelter, for victims of domestic violence, the county clerk shall:

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

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

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

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

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

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

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

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

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

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

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

409 Section 4. Section 26-54-103 is amended to read:

410 **26-54-103. Spinal Cord and Brain Injury Rehabilitation Fund Advisory**
411 **Committee -- Creation -- Membership -- Terms -- Duties.**

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

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

415 (a) the executive director of the Department of Health, or the executive director's
416 designee;

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

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

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

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

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

427 (3) (a) The term of advisory committee members shall be four years. If a vacancy
428 occurs in the committee membership for any reason, a replacement shall be appointed for the

429 unexpired term in the same manner as the original appointment.

430 (b) The committee shall elect a chairperson from the membership.

431 (c) A majority of the committee constitutes a quorum at any meeting, and, if a quorum
432 is present at an open meeting, the action of the majority of members shall be the action of the
433 advisory committee.

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

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

439 (a) Title 52, Chapter 4, Open and Public Meetings Act;

440 (b) Title 63G, Chapter 2, Government Records Access and Management Act; and

441 (c) Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

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

445 ~~[(i)]~~ (a) Section 63A-3-106;

446 ~~[(ii)]~~ (b) Section 63A-3-107; and

447 ~~[(iii)]~~ (c) rules adopted by the Division of Finance according to Sections 63A-3-106
448 and 63A-3-107.

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

451 (6) The advisory committee shall:

452 (a) adopt rules and procedures in accordance with Title 63G, Chapter 3, Utah
453 Administrative Rulemaking Act, that establish priorities and criteria for the advisory committee
454 to follow in recommending distribution of money from the fund to assist qualified IRC
455 501(c)(3) charitable clinics;

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

458 (c) explore, evaluate, and review other possible funding sources and make a
459 recommendation to the Legislature regarding sources that would provide adequate funding for

460 the advisory committee to accomplish its responsibilities under this section; and

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

- 464 (i) the governor;
- 465 (ii) the Health and Human Services Interim Committee; and
- 466 (iii) the Health and Human Services Appropriations Subcommittee.

467 Section 5. Section 30-1-34 is amended to read:

468 **30-1-34. Completion of counseling or education.**

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

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

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

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

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

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

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

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

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

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

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

488 (A) commitment in marriage; and

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

491 (iii) shall complete at least three hours of premarital counseling or six hours of
492 premarital education meeting the requirements of this Subsection (2); and

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

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

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

500 Section 6. Section **30-1-36** is amended to read:

501 **30-1-36. Activities included in premarital counseling or education.**

502 (1) Premarital counseling may include group counseling, individual counseling, and
503 couple counseling.

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

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

508 Section 7. Section **35A-3-209** is amended to read:

509 **35A-3-209. Establishment of the School Readiness Board -- Membership --**
510 **Program intermediary -- Funding prioritization.**

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

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

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

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

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

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

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

520 (ii) is not a legislator; and

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

522 (i) (A) has expertise in pay for success programs; or
523 [~~(ii)~~] (B) represents a financial institution that has experience managing a portfolio that
524 meets the requirements of the Community Reinvestment Act, 12 U.S.C. Sec. 2901 et seq[.];
525 and

526 (ii) is not a legislator.

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

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

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

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

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

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

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

539 (a) select a program intermediary that:

540 (i) is a nonprofit entity; and

541 (ii) has experience:

542 (A) developing and executing contracts;

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

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

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

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

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

550 (a) the program intermediary selected; and

551 (b) the terms of the contract.

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

553 (a) require the program intermediary to:

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

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

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

557 (A) when to enter a results-based contract; and

558 (B) the terms of a results-based contract; and

559 (b) include a provision that the program intermediary is not eligible to receive or view

560 personally identifiable student data of eligible students funded under the School Readiness

561 Initiative described in this part and Title 53F, Chapter 6, Part 3, School Readiness Initiative.

562 (10) In allocating funding, the board shall:

563 (a) give first priority to a results-based contract described in Subsection 53F-6-309(3)

564 to fund a high quality school readiness program directly;

565 (b) give second priority to a results-based contract that includes an investor; and

566 (c) give third priority to a grant described in Section 53F-6-305.

567 (11) Other powers and duties of the board are described in Title 53F, Chapter 6, Part 3,

568 School Readiness Initiative.

569 Section 8. Section 36-12-21 is enacted to read:

570 **36-12-21. Legislators serving in organizations without legislative sanction --**

571 **Prohibited participation -- Repealed organizations.**

572 (1) The Legislative IT Steering Committee created by the Legislative Management

573 Committee on July 17, 2007, is dissolved.

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

575 (i) a legislator may not serve on:

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

577 (B) the Governor's Child and Family Cabinet Council created under Executive Order

578 2007-0005;

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

580 (D) the Utah Developmental Disabilities Council created under Executive Order

581 2006-0001; or

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

583 and

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

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

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

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

590 Section 9. Section **36-12-22** is enacted to read:

591 **36-12-22. Review of legislative workload -- Reports from committees with**

592 **legislators.**

593 (1) As used in this section:

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

596 (i) with a defined, limited membership;

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

598 (A) a member of the Legislature; or

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

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

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

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

604 (ii) the Legislative Management Committee or a subcommittee of the Legislative
605 Management Committee; or

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

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

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

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

614 (iii) the total number of members of the legislative board or commission;

615 (iv) the number of the legislative board's or commission's members who are legislators;

616 (v) the compensation, if any, paid to the members of the legislative board or

617 commission;

618 (vi) a description of the actual work performed by the legislative board or commission

619 since the last report the legislative board or commission submitted to the Office of Legislative

620 Research and General Counsel under this section;

621 (vii) a description of actions taken by the legislative board or commission since the last

622 report the legislative board or commission submitted to the Office of Legislative Research and

623 General Counsel under this section;

624 (viii) recommendations on whether any statutory, rule, or other changes are needed to

625 make the legislative board or commission more effective; and

626 (ix) an indication of whether the legislative board or commission should continue to

627 exist.

628 (b) The Office of Legislative Research and General Counsel shall compile and post the

629 reports described in Subsection (2)(a) to the Legislature's website before October 1 of each

630 year.

631 (3) (a) The Office of Legislative Research and General Counsel shall prepare an annual

632 report by October 1 of each year that includes, as of September 1 of that year:

633 (i) the total number of legislative boards and commissions that exist in the state;

634 (ii) a summary of the reports submitted to the Office of Legislative Research and

635 General Counsel under Subsection (2), including:

636 (A) a list of each legislative board or commission that submitted a report under

637 Subsection (2);

638 (B) a list of each legislative board or commission that did not submit a report under

639 Subsection (2);

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

641 (D) a list of any legislative boards or commissions that indicated under Subsection

642 (2)(a)(ix) that the legislative board or commission should no longer exist.

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

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

645 (A) the president of the Senate;

- 646 (B) the speaker of the House;
- 647 (C) the Legislative Management Committee; and
- 648 (D) the Government Operations Interim Committee; and
- 649 (ii) post the report described in Subsection (3)(a) to the Legislature's website.
- 650 (c) Each year, the Government Operations Interim Committee shall prepare legislation
- 651 making any changes the committee determines are suitable with respect to the report the
- 652 committee receives under Subsection (3)(b), including:
- 653 (i) repealing a legislative board or commission that is no longer functional or
- 654 necessary; and
- 655 (ii) making appropriate changes to make a legislative board or commission more
- 656 effective.

657 Section 10. Section **36-22-1** is amended to read:

658 **36-22-1. Native American Legislative Liaison Committee -- Creation --**
659 **Membership -- Chairs -- Salaries and expenses.**

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

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

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

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

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

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

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

672 Section 11. Section **40-6-16** is amended to read:

673 **40-6-16. Duties of division.**

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

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

677 ~~[(b)]~~ (2) publish a monthly production report;
678 ~~[(c)]~~ (3) publish a monthly gas processing plant report;
679 ~~[(d)]~~ (4) review and evaluate, prior to a hearing, evidence submitted with the petition to
680 be presented to the board;

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

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

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

688 Section 12. Section **52-4-103** is amended to read:

689 **52-4-103. Definitions.**

690 As used in this chapter:

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

692 (a) an electronic meeting originates; or

693 (b) the participants are connected.

694 (2) "Capitol hill complex" means the grounds and buildings within the area bounded by
695 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake
696 City.

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

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

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

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

707 (a) electronic mail;

- 708 (b) instant messaging;
- 709 (c) electronic chat;
- 710 (d) text messaging, as that term is defined in Section 76-4-401; or
- 711 (e) any other method that conveys a message or facilitates communication
- 712 electronically.

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

718 (b) "Meeting" does not mean:

719 (i) a chance gathering or social gathering;

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

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

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

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

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

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

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

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

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

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

738 (8) "Participate" means the ability to communicate with all of the members of a public

739 body, either verbally or electronically, so that each member of the public body can hear or
740 observe the communication.

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

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

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

745 (B) consists of two or more persons;

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

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

748 (ii) any administrative, advisory, executive, or policymaking body of an association, as

749 that term is defined in Section [53G-7-1101](#), that:

750 (A) consists of two or more persons;

751 (B) expends, disburses, or is supported in whole or in part by dues paid by a public

752 school or whose employees participate in a benefit or program described in Title 49, Utah State

753 Retirement and Insurance Benefit Act; and

754 (C) is vested with authority to make decisions regarding the participation of a public

755 school or student in an interscholastic activity, as that term is defined in Section [53G-7-1101](#).

756 (b) "Public body" includes:

757 (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined in

758 Section [11-13-103](#);

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

760 and

761 (iii) the Utah Independent Redistricting Commission.

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

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

764 (ii) a conference committee, a rules committee, or a sifting committee of the

765 Legislature;

766 (iii) a school community council or charter trust land council, as that term is defined in

767 Section [53G-7-1203](#);

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

769 ~~[36-30-201](#);~~]

770 [~~(v)~~] (iv) a taxed interlocal entity, as that term is defined in Section 11-13-602; or
771 [~~(vi)~~] (v) the following Legislative Management subcommittees, which are established
772 in Section 36-12-8, when meeting for the purpose of selecting or evaluating a candidate to
773 recommend for employment, except that the meeting in which a subcommittee votes to
774 recommend that a candidate be employed shall be subject to the provisions of this act:

775 (A) the Research and General Counsel Subcommittee;

776 (B) the Budget Subcommittee; and

777 (C) the Audit Subcommittee.

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

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

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

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

787 (13) "Specified body":

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

789 (i) is not a public body;

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

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

792 (A) a legislator; and

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

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

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

798 Section 13. Section **53E-3-920.1** is enacted to read:

799 **53E-3-920.1. State council - Creation.**

800 The State Board of Education shall create a state council described in Section

801 53E-3-909 to accomplish the duties described in Section 53E-3-909.

802 Section 14. Section **53F-5-601** is amended to read:

803 **53F-5-601. Definitions.**

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

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

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

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

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

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

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

816 Section 15. Section **53F-5-602** is amended to read:

817 **53F-5-602. Pilot programs created.**

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

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

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

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

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

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

838 Section 16. Section **53F-5-604** is amended to read:

839 **53F-5-604. Liaison -- Reporting -- Meeting.**

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

843 [~~(1)~~] (2) The liaison shall:

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

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

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

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

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

851 [~~(2)~~] (3) The Native American Legislative Liaison Committee shall annually schedule
852 at least one meeting at which education is discussed with selected stakeholders.

853 Section 17. Section **53G-10-204** is amended to read:

854 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
855 **Elements -- Reporting requirements.**

856 (1) As used in this section:

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

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

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

863 (2) The Legislature recognizes that:

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

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

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

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

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

880 (f) the happiness and security of American society relies upon the public virtue of its
881 citizens which requires a united commitment to a moral social order where self-interests are
882 willingly subordinated to the greater common good.

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

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

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

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

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

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

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

892 (g) other skills, habits, and qualities of character which will promote an upright and
893 desirable citizenry and better prepare students to recognize and accept responsibility for

894 preserving and defending the blessings of liberty inherited from prior generations and secured
895 by the constitution.

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

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

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

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

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

912 [(7)] (6) Each year, the State Board of Education shall report to the Education Interim
913 Committee, on or before the October meeting, the methods used, and the results being
914 achieved, to instruct and prepare students to become informed and responsible citizens through
915 an integrated curriculum taught in connection with regular school work as required in this
916 section.

917 Section 18. Section 54-1-13 is amended to read:

918 **54-1-13. Commission exploration and development of cleaner air options.**

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

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

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

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

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

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

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

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

941 ~~[(b) recommendations for specific actions to implement mechanisms to provide
942 funding for the enhancement and expansion of the infrastructure and facilities for alternative
943 fuel vehicles:]~~

944 Section 19. Section **62A-1-105** is amended to read:

945 **62A-1-105. Creation of boards, divisions, and offices.**

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

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

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

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

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

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

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

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

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

956 (e) the Division of Juvenile Justice Services.

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

958 (a) the Office of Licensing;

959 (b) the Office of Public Guardian; and

960 (c) the Office of Recovery Services.

961 Section 20. Section **62A-1-107** is amended to read:

962 **62A-1-107. Board of Aging and Adult Services -- Members, appointment, terms,**
963 **vacancies, chairperson, compensation, meetings, quorum.**

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

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

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

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

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

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

983 (4) [~~Each~~] The board shall annually elect a chairperson from [~~its~~] the board's
984 membership. [~~Each~~] The board shall hold meetings at least once every three months. Within
985 budgetary constraints, meetings may be held from time to time on the call of the chairperson or
986 of the majority of the members of [~~any~~] the board. Four members of [~~a~~] the board are

987 necessary to constitute a quorum at any meeting, and, if a quorum exists, the action of the
988 majority of members present shall be the action of the board.

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

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

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

994 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
995 63A-3-107.

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

999 (7) The board has program policymaking authority for the division over which ~~[it]~~ the
1000 board presides.

1001 Section 21. Section 62A-1-109 is amended to read:

1002 **62A-1-109. Division directors -- Appointment -- Compensation -- Qualifications.**

1003 (1) The chief officer of each division and office enumerated in Section 62A-1-105 shall
1004 be a director who shall serve as the executive and administrative head of the division or office.

1005 (2) Each division director shall be appointed by the executive director with the
1006 concurrence of the division's board, if the division has a board.

1007 (3) The director of any division may be removed from that position at the will of the
1008 executive director after consultation with that division's board, if the division has a board.

1009 (4) Each office director shall be appointed by the executive director.

1010 (5) Directors of divisions and offices shall receive compensation as provided by Title
1011 67, Chapter 19, Utah State Personnel Management Act.

1012 (6) The director of each division and office shall be experienced in administration and
1013 possess such additional qualifications as determined by the executive director, and as provided
1014 by law.

1015 Section 22. Section 62A-7-101 is amended to read:

1016 **62A-7-101. Definitions.**

1017 As used in this chapter:

1018 (1) "Authority" means the Youth Parole Authority, established in accordance with
1019 Section [62A-7-501](#).

1020 [~~(2)~~] "~~Board~~" means the ~~Board of Juvenile Justice Services~~ established in accordance
1021 with Section ~~[62A-1-105](#)~~;

1022 [~~(3)~~] (2) "Community-based program" means a nonsecure residential or nonresidential
1023 program designated to supervise and rehabilitate youth offenders in accordance with
1024 Subsection [78A-6-117](#)(2) that prioritizes the least restrictive nonresidential setting, consistent
1025 with public safety, and designated or operated by or under contract with the division.

1026 [~~(4)~~] (3) "Control" means the authority to detain, restrict, and supervise a youth in a
1027 manner consistent with public safety and the well being of the youth and division employees.

1028 [~~(5)~~] (4) "Court" means the juvenile court.

1029 [~~(6)~~] (5) "Delinquent act" is an act which would constitute a felony or a misdemeanor if
1030 committed by an adult.

1031 [~~(7)~~] (6) "Detention" means secure detention or home detention.

1032 [~~(8)~~] (7) "Detention center" means a facility established in accordance with Title 62A,
1033 Chapter 7, Part 2, Detention Facilities.

1034 [~~(9)~~] (8) "Director" means the director of the Division of Juvenile Justice Services.

1035 [~~(10)~~] (9) "Discharge" means a written order of the Youth Parole Authority that
1036 removes a youth offender from its jurisdiction.

1037 [~~(11)~~] (10) "Division" means the Division of Juvenile Justice Services.

1038 [~~(12)~~] (11) "Home detention" means predispositional placement of a child in the child's
1039 home or a surrogate home with the consent of the child's parent, guardian, or custodian for
1040 conduct by a child who is alleged to have committed a delinquent act or postdispositional
1041 placement pursuant to Subsection [78A-6-117](#)(2)(f) or [78A-6-1101](#)(3).

1042 [~~(13)~~] (12) "Observation and assessment program" means a nonresidential service
1043 program operated or purchased by the division that is responsible only for diagnostic
1044 assessment of minors, including for substance use disorder, mental health, psychological, and
1045 sexual behavior risk assessments.

1046 [~~(14)~~] (13) "Parole" means a conditional release of a youth offender from residency in a
1047 secure facility to live outside that facility under the supervision of the Division of Juvenile
1048 Justice Services or other person designated by the division.

1049 ~~[(15)]~~ (14) "Performance-based contracting" means a system of contracting with
1050 service providers for the provision of residential or nonresidential services that:

1051 (a) provides incentives for the implementation of evidence-based juvenile justice
1052 programs or programs rated as effective for reducing recidivism by a standardized tool pursuant
1053 to Section [63M-7-208](#); and

1054 (b) provides a premium rate allocation for a minor who receives the evidence-based
1055 dosage of treatment and successfully completes the program within three months.

1056 ~~[(16)]~~ (15) "Receiving center" means a nonsecure, nonresidential program established
1057 by the division or under contract with the division that is responsible for juveniles taken into
1058 custody by a law enforcement officer for status offenses, infractions, or delinquent acts.

1059 ~~[(17)]~~ (16) "Rescission" means a written order of the Youth Parole Authority that
1060 rescinds a parole date.

1061 ~~[(18)]~~ (17) "Revocation of parole" means a written order of the Youth Parole Authority
1062 that terminates parole supervision of a youth offender and directs return of the youth offender
1063 to the custody of a secure facility after a hearing and a determination that there has been a
1064 violation of law or of a condition of parole that warrants a return to a secure facility in
1065 accordance with Section [62A-7-504](#).

1066 ~~[(19)]~~ (18) "Runaway" means a youth who willfully leaves the residence of a parent or
1067 guardian without the permission of the parent or guardian.

1068 ~~[(20)]~~ (19) "Secure detention" means predisposition placement in a facility operated by
1069 or under contract with the division, for conduct by a child who is alleged to have committed a
1070 delinquent act.

1071 ~~[(21)]~~ (20) "Secure facility" means any facility operated by or under contract with the
1072 division, that provides 24-hour supervision and confinement for youth offenders committed to
1073 the division for custody and rehabilitation.

1074 ~~[(22)]~~ (21) "Shelter" means the temporary care of children in physically unrestricted
1075 facilities pending court disposition or transfer to another jurisdiction.

1076 ~~[(23)]~~ (22) (a) "Temporary custody" means control and responsibility of
1077 nonadjudicated youth until the youth can be released to the parent, guardian, a responsible
1078 adult, or to an appropriate agency.

1079 (b) "Temporary custody" does not include a placement in a secure facility, including

1080 secure detention, or a residential community-based program operated or contracted by the
1081 division, except pursuant to Subsection 78A-6-117(2).

1082 [~~(24)~~] (23) "Termination" means a written order of the Youth Parole Authority that
1083 terminates a youth offender from parole.

1084 [~~(25)~~] (24) "Ungovernable" means a youth in conflict with a parent or guardian, and the
1085 conflict:

1086 (a) results in behavior that is beyond the control or ability of the youth, or the parent or
1087 guardian, to manage effectively;

1088 (b) poses a threat to the safety or well-being of the youth, the family, or others; or

1089 (c) results in the situations in both Subsections [~~(25)~~] (24)(a) and (b).

1090 [~~(26)~~] (25) "Work program" means a nonresidential public or private service work
1091 project established and administered by the division for youth offenders for the purpose of
1092 rehabilitation, education, and restitution to victims.

1093 [~~(27)~~] (26) "Youth offender" means a person 12 years of age or older, and who has not
1094 reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and
1095 jurisdiction of the division, for confinement in a secure facility or supervision in the
1096 community, following adjudication for a delinquent act which would constitute a felony or
1097 misdemeanor if committed by an adult in accordance with Section 78A-6-117.

1098 [~~(28)~~] (27) (a) "Youth services" means services provided in an effort to resolve family
1099 conflict:

1100 (i) for families in crisis when a minor is ungovernable or runaway; or

1101 (ii) involving a minor and the minor's parent or guardian.

1102 (b) These services include efforts to:

1103 (i) resolve family conflict;

1104 (ii) maintain or reunite minors with their families; and

1105 (iii) divert minors from entering or escalating in the juvenile justice system.

1106 (c) The services may provide:

1107 (i) crisis intervention;

1108 (ii) short-term shelter;

1109 (iii) time out placement; and

1110 (iv) family counseling.

1111 Section 23. Section **62A-7-102** is amended to read:

1112 **62A-7-102. Creation of division -- Jurisdiction.**

1113 (1) There is created the Division of Juvenile Justice Services within the department,
1114 under the administration and supervision of the executive director[, and under the policy
1115 direction of the board].

1116 (2) The division has jurisdiction over all youth committed to [it pursuant to] the
1117 division under Section [78A-6-117](#).

1118 Section 24. Section **62A-7-103** is amended to read:

1119 **62A-7-103. Division director -- Qualifications -- Responsibility.**

1120 (1) The director of the division shall be appointed by the executive director [~~with the~~
1121 ~~concurrence of the board~~].

1122 (2) The director shall have a bachelor's degree from an accredited university or college,
1123 be experienced in administration, and be knowledgeable in youth corrections.

1124 (3) The director is the administrative head of the division.

1125 Section 25. Section **62A-7-104** is amended to read:

1126 **62A-7-104. Division responsibilities.**

1127 (1) The division is responsible for all youth offenders committed to the division by
1128 juvenile courts for secure confinement or supervision and treatment in the community in
1129 accordance with Section [78A-6-117](#).

1130 (2) The division shall:

1131 (a) establish and administer a continuum of community, secure, and nonsecure
1132 programs for all youth offenders committed to the division;

1133 (b) establish and maintain all detention and secure facilities and set minimum standards
1134 for those facilities;

1135 (c) establish and operate prevention and early intervention youth services programs for
1136 nonadjudicated youth placed with the division; and

1137 (d) establish observation and assessment programs necessary to serve youth offenders
1138 in a nonresidential setting under Subsection [78A-6-117\(2\)\(e\)](#).

1139 (3) The division shall place youth offenders committed to it in the most appropriate
1140 program for supervision and treatment.

1141 (4) In any order committing a youth offender to the division, the juvenile court shall

1142 find whether the youth offender is being committed for secure confinement under Subsection
1143 78A-6-117(2)(c), or placement in a community-based program under Subsection
1144 78A-6-117(2)(c), and specify the criteria under Subsection 78A-6-117(2)(c) or (d) underlying
1145 the commitment. The division shall place the youth offender in the most appropriate program
1146 within the category specified by the court.

1147 (5) The division shall employ staff necessary to:

1148 (a) supervise and control youth offenders in secure facilities or in the community;

1149 (b) supervise and coordinate treatment of youth offenders committed to the division for
1150 placement in community-based programs; and

1151 (c) control and supervise adjudicated and nonadjudicated youth placed with the
1152 division for temporary services in receiving centers, youth services, and other programs
1153 established by the division.

1154 (6) (a) Youth in the custody or temporary custody of the division are controlled or
1155 detained in a manner consistent with public safety and rules made by the division. In the event
1156 of an unauthorized leave from a secure facility, detention center, community-based program,
1157 receiving center, home, or any other designated placement, division employees have the
1158 authority and duty to locate and apprehend the youth, or to initiate action with local law
1159 enforcement agencies for assistance.

1160 (b) A rule made by the division under this Subsection (6) may not permit secure
1161 detention based solely on the existence of multiple status offenses, misdemeanors, or
1162 infractions alleged in the same criminal episode.

1163 (7) The division shall establish and operate compensatory-service work programs for
1164 youth offenders committed to the division by the juvenile court. The compensatory-service
1165 work program may not be residential and shall:

1166 (a) provide labor to help in the operation, repair, and maintenance of public facilities,
1167 parks, highways, and other programs designated by the division;

1168 (b) provide educational and prevocational programs in cooperation with the State
1169 Board of Education for youth offenders placed in the program; and

1170 (c) provide counseling to youth offenders.

1171 (8) The division shall establish minimum standards for the operation of all private
1172 residential and nonresidential rehabilitation facilities that provide services to juveniles who

1173 have committed a delinquent act or infraction in this state or in any other state.

1174 (9) [~~In accordance with policies established by the board, the~~] The division shall
1175 provide regular training for staff of secure facilities, detention staff, case management staff, and
1176 staff of the community-based programs.

1177 (10) (a) The division is authorized to employ special function officers, as defined in
1178 Section [53-13-105](#), to locate and apprehend minors who have absconded from division
1179 custody, transport minors taken into custody pursuant to division policy, investigate cases, and
1180 carry out other duties as assigned by the division.

1181 (b) Special function officers may be employed through contract with the Department of
1182 Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.

1183 (11) The division shall designate employees to obtain the saliva DNA specimens
1184 required under Section [53-10-403](#). The division shall ensure that the designated employees
1185 receive appropriate training and that the specimens are obtained in accordance with accepted
1186 protocol.

1187 (12) The division shall register with the Department of Corrections any person who:

1188 (a) has been adjudicated delinquent based on an offense listed in Subsection
1189 [77-41-102\(17\)\(a\)](#) or [77-43-102\(2\)](#);

1190 (b) has been committed to the division for secure confinement; and

1191 (c) remains in the division's custody 30 days before the person's 21st birthday.

1192 (13) The division shall ensure that a program delivered to a youth offender under this
1193 section is evidence based in accordance with Section [63M-7-208](#).

1194 Section 26. Section [62A-7-106.5](#) is amended to read:

1195 **[62A-7-106.5. Annual review of programs and facilities.](#)**

1196 (1) (a) The division shall annually review all programs and facilities that provide
1197 services to juveniles who have committed a delinquent act, in this state or in any other state,
1198 which would constitute a felony or misdemeanor if committed by an adult, and license those
1199 programs and facilities that are in compliance with standards [~~approved by the board~~]
1200 established by the division. The division shall provide written reviews to the managers of
1201 those programs and facilities.

1202 (b) [~~Based upon policies established by the board, programs~~] Programs or facilities that
1203 are unable or unwilling to comply with the [~~approved~~] standards established by the division

1204 may not be licensed.

1205 (2) Any private facility or program providing services under this chapter that willfully
1206 fails to comply with the standards established by the division is guilty of a class B
1207 misdemeanor.

1208 Section 27. Section **62A-7-201** is amended to read:

1209 **62A-7-201. Confinement -- Facilities -- Restrictions.**

1210 (1) Children under 18 years of age, who are apprehended by any officer or brought
1211 before any court for examination under any provision of state law, may not be confined in jails,
1212 lockups, or cells used for persons 18 years of age or older who are charged with crime, or in
1213 secure postadjudication correctional facilities operated by the division, except as provided in
1214 Subsection (2)[;] or other specific statute[, ~~or in conformance with standards approved by the~~
1215 ~~board~~].

1216 (2) (a) Children charged with crimes under Section [78A-6-701](#), as a serious youth
1217 offender under Section [78A-6-702](#) and bound over to the jurisdiction of the district court, or
1218 certified to stand trial as an adult pursuant to Section [78A-6-703](#), if detained, shall be detained
1219 as provided in these sections.

1220 (b) Children detained in adult facilities under Section [78A-6-702](#) or [78A-6-703](#) before
1221 a hearing before a magistrate, or under Subsection [78A-6-113](#)(3), may only be held in certified
1222 juvenile detention accommodations in accordance with rules made by the Commission on
1223 Criminal and Juvenile Justice. Those rules shall include standards for acceptable sight and
1224 sound separation from adult inmates. The Commission on Criminal and Juvenile Justice
1225 certifies facilities that are in compliance with the Commission on Criminal and Juvenile
1226 Justice's standards. This Subsection (2)(b) does not apply to juveniles held in an adult
1227 detention facility in accordance with Subsection (2)(a).

1228 (3) In areas of low density population, the Commission on Criminal and Juvenile
1229 Justice may, by rule, approve juvenile holding accommodations within adult facilities that have
1230 acceptable sight and sound separation. Those facilities shall be used only for short-term
1231 holding purposes, with a maximum confinement of six hours, for children alleged to have
1232 committed an act which would be a criminal offense if committed by an adult. Acceptable
1233 short-term holding purposes are: identification, notification of juvenile court officials,
1234 processing, and allowance of adequate time for evaluation of needs and circumstances

1235 regarding release or transfer to a shelter or detention facility. This Subsection (3) does not
1236 apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).

1237 (4) Children who are alleged to have committed an act that would be a criminal offense
1238 if committed by an adult, may be detained in holding rooms in local law enforcement agency
1239 facilities for a maximum of two hours, for identification or interrogation, or while awaiting
1240 release to a parent or other responsible adult. Those rooms shall be certified by the
1241 Commission on Criminal and Juvenile Justice, according to the Commission on Criminal and
1242 Juvenile Justice's rules. Those rules shall include provisions for constant supervision and for
1243 sight and sound separation from adult inmates.

1244 (5) Willful failure to comply with this section is a class B misdemeanor.

1245 (6) (a) The division is responsible for the custody and detention of children under 18
1246 years of age who require detention care before trial or examination, or while awaiting
1247 assignment to a home or facility, as a dispositional placement under Subsection
1248 78A-6-117(2)(f)(i), and of youth offenders under Subsection 62A-7-504(9). This Subsection
1249 (6)(a) does not apply to juveniles held in an adult detention facility in accordance with
1250 Subsection (2)(a).

1251 (b) (i) The Commission on Criminal and Juvenile Justice shall provide standards for
1252 custody or detention under Subsections (2)(b), (3), and (4).

1253 (ii) The division shall determine and set standards for conditions of care and
1254 confinement of children in detention facilities.

1255 (c) All other custody or detention shall be provided by the division, or by contract with
1256 a public or private agency willing to undertake temporary custody or detention upon agreed
1257 terms, or in suitable premises distinct and separate from the general jails, lockups, or cells used
1258 in law enforcement and corrections systems. This Subsection (6)(c) does not apply to juveniles
1259 held in an adult detention facility in accordance with Subsection (2)(a).

1260 Section 28. Section 62A-7-401.5 is amended to read:

1261 **62A-7-401.5. Secure facilities.**

1262 (1) The division shall maintain and operate secure facilities for the custody and
1263 rehabilitation of youth offenders who pose a danger of serious bodily harm to others, who
1264 cannot be controlled in a less secure setting, or who have engaged in a pattern of conduct
1265 characterized by persistent and serious criminal offenses which, as demonstrated through the

1266 use of other alternatives, cannot be controlled in a less secure setting.

1267 (2) The director shall appoint an administrator for each secure facility. An
1268 administrator of a secure facility shall have experience in social work, law, criminology,
1269 corrections, or a related field, and also in administration.

1270 (3) (a) The division, in cooperation with the State Board of Education, shall provide
1271 instruction, or make instruction available, to youth offenders in secure facilities. The
1272 instruction shall be appropriate to the age, needs, and range of abilities of the youth offender.

1273 (b) An assessment shall be made of each youth offender by the appropriate secure
1274 facility to determine the offender's abilities, possible learning disabilities, interests, attitudes,
1275 and other attributes related to appropriate educational programs.

1276 (c) Prevocational education shall be provided to acquaint youth offenders with
1277 vocations, and vocational requirements and opportunities.

1278 (4) The division shall place youth offenders who have been committed to the division
1279 for secure confinement and rehabilitation in a secure facility, operated by the division or by a
1280 private entity, that is appropriate to ensure that humane care and rehabilitation opportunities are
1281 afforded to the youth offender.

1282 (5) The division shall adopt~~[, subject to approval by the board,]~~ standards, policies, and
1283 procedures for the regulation and operation of secure facilities, consistent with state and federal
1284 law.

1285 Section 29. Section **62A-7-501** is amended to read:

1286 **62A-7-501. Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.**

1287 (1) There is created within the division a Youth Parole Authority.

1288 (2) (a) The authority is composed of 10 part-time members and five pro tempore
1289 members who are residents of this state. No more than three pro tempore members may serve
1290 on the authority at any one time.

1291 (b) Throughout this section, the term "member" refers to both part-time and pro
1292 tempore members of the Youth Parole Authority.

1293 (3) (a) Except as required by Subsection (3)(b), members shall be appointed to
1294 four-year terms by the governor with the consent of the Senate.

1295 (b) The governor shall, at the time of appointment or reappointment, adjust the length
1296 of terms to ensure that the terms of authority members are staggered so that approximately half

1297 of the authority is appointed every two years.

1298 (4) Each member shall have training or experience in social work, law, juvenile or
1299 criminal justice, or related behavioral sciences.

1300 (5) When a vacancy occurs in the membership for any reason, the replacement member
1301 shall be appointed for the unexpired term.

1302 (6) During the tenure of the member's appointment, a member may not:

1303 (a) be an employee of the department, other than in the member's capacity as a member
1304 of the authority;

1305 (b) hold any public office;

1306 (c) hold any position in the state's juvenile justice system; or

1307 (d) be an employee, officer, advisor, policy board member, or subcontractor of any
1308 juvenile justice agency or its contractor.

1309 (7) In extraordinary circumstances or when a regular member is absent or otherwise
1310 unavailable, the chair may assign a pro tempore member to act in the absent member's place.

1311 (8) A member may not receive compensation or benefits for the member's service, but
1312 may receive per diem and travel expenses in accordance with:

1313 (a) Section 63A-3-106;

1314 (b) Section 63A-3-107; and

1315 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
1316 63A-3-107.

1317 (9) The authority shall determine appropriate parole dates for youth offenders [~~based~~
1318 ~~on guidelines established by the board and~~] in accordance with Section 62A-7-404. [~~The board~~
1319 ~~shall review and update policy guidelines annually.~~]

1320 (10) Youth offenders may be paroled to their own homes, to an independent living
1321 program contracted or operated by the division, to an approved independent living setting, or to
1322 other appropriate residences of qualifying relatives or guardians, but shall remain on parole
1323 until parole is terminated by the authority in accordance with Section 62A-7-404.

1324 (11) The division's case management staff shall implement parole release plans and
1325 shall supervise youth offenders while on parole.

1326 (12) The division shall permit the authority to have reasonable access to youth
1327 offenders in secure facilities and shall furnish all pertinent data requested by the authority in

1328 matters of parole, revocation, and termination.

1329 Section 30. Section **62A-7-502** is amended to read:

1330 **62A-7-502. Youth Parole Authority -- Parole procedures.**

1331 (1) The authority has responsibility for parole release, rescission, revocation, and
1332 termination for youth offenders who have been committed to the division for secure
1333 confinement. The authority shall determine when and under what conditions youth offenders
1334 who have been committed to a secure facility are eligible for parole.

1335 (2) Each youth offender shall be served with notice of parole hearings, and has the
1336 right to personally appear before the authority for parole consideration.

1337 (3) Orders and decisions of the authority shall be in writing, and each youth offender
1338 shall be provided written notice of the authority's reasoning and decision in ~~[his]~~ the youth
1339 offender's case.

1340 (4) The authority shall establish policies and procedures~~[, subject to board approval,]~~
1341 for the authority's governance, meetings, hearings, the conduct of proceedings before it, the
1342 parole of youth offenders, and the general conditions under which parole may be granted,
1343 rescinded, revoked, modified, and terminated.

1344 Section 31. Section **62A-7-506** is amended to read:

1345 **62A-7-506. Discharge of youth offender.**

1346 (1) A youth offender may be discharged from the jurisdiction of the division at any
1347 time, by written order of the Youth Parole Authority, upon a finding that no further purpose
1348 would be served by secure confinement or supervision in a community setting.

1349 (2) ~~[Discharge of a]~~ A youth offender shall be discharged in accordance with ~~[policies~~
1350 ~~approved by the board and]~~ Section **62A-7-404**.

1351 (3) Discharge of a youth offender is a complete release of all penalties incurred by
1352 adjudication of the offense for which the youth offender was committed.

1353 Section 32. Section **62A-7-601** is amended to read:

1354 **62A-7-601. Youth services for prevention and early intervention -- Program**
1355 **standards -- Program services.**

1356 (1) The division shall establish and operate prevention and early intervention youth
1357 services programs.

1358 (2) The division shall adopt ~~[with the approval of the board]~~ statewide policies and

1359 procedures, including minimum standards for the organization and operation of youth services
1360 programs.

1361 (3) The division shall establish housing, programs, and procedures to ensure that youth
1362 who are receiving services under this section and who are not in the custody of the division are
1363 served separately from youth who are in custody of the division.

1364 (4) The division may enter into contracts with state and local governmental entities and
1365 private providers to provide the youth services.

1366 (5) The division shall establish and administer juvenile receiving centers and other
1367 programs to provide temporary custody, care, risk-needs assessments, evaluations, and control
1368 for nonadjudicated and adjudicated youth placed with the division.

1369 (6) The division shall prioritize use of evidence-based juvenile justice programs and
1370 practices.

1371 Section 33. Section **62A-7-701** is amended to read:

1372 **62A-7-701. Community-based programs.**

1373 (1) (a) The division shall operate residential and nonresidential community-based
1374 programs to provide care, treatment, and supervision for youth offenders committed to the
1375 division by juvenile courts.

1376 (b) The division shall operate or contract for nonresidential community-based
1377 programs and independent living programs to provide care, treatment, and supervision of
1378 paroled youth offenders.

1379 (2) The division shall adopt~~[, with the approval of the board,]~~ minimum standards for
1380 the organization and operation of community-based corrections programs for youth offenders.

1381 (3) The division shall place youth offenders committed to it for community-based
1382 programs in the most appropriate program based upon the division's evaluation of the youth
1383 offender's needs and the division's available resources in accordance with Sections [62A-7-404](#)
1384 and [78A-6-117](#).

1385 Section 34. Section **63A-5-225** is amended to read:

1386 **63A-5-225. Development of new correctional facilities.**

1387 (1) As used in this section:

1388 [~~(a) "Commission" means the Prison Development Commission, created in Section~~
1389 [63C-16-201](#).]

1390 (a) "Committee" means the Legislative Management Committee created in Section
1391 36-12-6.

1392 (b) "New correctional facilities" means a new prison and related facilities to be
1393 constructed to replace the state prison located in Draper.

1394 (c) "Prison project" means all aspects of a project for the design and construction of
1395 new correctional facilities on the selected site, including:

1396 (i) the acquisition of land, interests in land, easements, or rights-of-way;

1397 (ii) site improvement; and

1398 (iii) the acquisition, construction, equipping, or furnishing of facilities, structures,
1399 infrastructure, roads, parking facilities, utilities, and improvements, whether on or off the
1400 selected site, that are necessary, incidental, or convenient to the development of new
1401 correctional facilities on the selected site.

1402 (d) "Selected site" means ~~[the same as that term is defined in Section 63C-16-102]~~ the
1403 site selected under Subsection 63C-15-203(2) as the site for new correctional facilities.

1404 (2) In consultation with the ~~[commission]~~ committee, the division shall oversee the
1405 prison project, as provided in this section.

1406 (3) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, and this
1407 section, the division shall:

1408 (i) enter into contracts with persons providing professional and construction services
1409 for the prison project;

1410 ~~[(ii) in determining contract types for the prison project, consult with and consider~~
1411 ~~recommendations from the commission or the commission's designee;]~~

1412 ~~[(iii)]~~ (ii) provide reports to the ~~[commission]~~ committee regarding the prison project,
1413 as requested by the commission; and

1414 ~~[(iv)]~~ (iii) consider input from the ~~[commission]~~ committee on the prison project,
1415 subject to Subsection (3)(b).

1416 (b) The division may not consult with or receive input from the ~~[commission]~~
1417 committee regarding:

1418 (i) the evaluation of proposals from persons seeking to provide professional and
1419 construction services for the prison project; or

1420 (ii) the selection of persons to provide professional and construction services for the

1421 prison project.

1422 (c) A contract with a project manager or person with a comparable position on the
1423 prison project shall include a provision that requires the project manager or other person to
1424 provide reports to the [~~commission~~] committee regarding the prison project, as requested by the
1425 [~~commission~~] committee.

1426 (4) All contracts associated with the design or construction of new correctional
1427 facilities shall be awarded and managed by the division in accordance with Title 63G, Chapter
1428 6a, Utah Procurement Code, and this section.

1429 (5) The division shall coordinate with the Department of Corrections, created in
1430 Section [64-13-2](#), and the State Commission on Criminal and Juvenile Justice, created in
1431 Section [63M-7-201](#), during the prison project to help ensure that the design and construction of
1432 new correctional facilities are conducive to and consistent with, and help to implement any
1433 reforms of or changes to, the state's corrections system and corrections programs.

1434 (6) (a) There is created within the General Fund a restricted account known as the
1435 "Prison Development Restricted Account."

1436 (b) The account created in Subsection (6)(a) is funded by legislative appropriations.

1437 (c) (i) The account shall earn interest or other earnings.

1438 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1439 investment of account funds into the account.

1440 (d) Upon appropriation from the Legislature, money from the account shall be used to
1441 fund the Prison Project Fund created in Subsection (7).

1442 (7) (a) There is created a capital projects fund known as the "Prison Project Fund."

1443 (b) The fund consists of:

1444 (i) money appropriated to the fund by the Legislature; and

1445 (ii) proceeds from the issuance of bonds authorized in Section [63B-25-101](#) to provide
1446 funding for the prison project.

1447 (c) (i) The fund shall earn interest or other earnings.

1448 (ii) The Division of Finance shall deposit interest or other earnings derived from the
1449 investment of fund money into the fund.

1450 (d) Money in the fund shall be used by the division to fund the prison project.

1451 Section 35. Section [63B-25-101](#) is amended to read:

1452 **63B-25-101. General obligation bonds for prison project -- Maximum amount --**

1453 **Use of proceeds.**

1454 (1) As used in this section:

1455 (a) "Prison project" means the same as that term is defined in Section [~~63C-16-102~~]

1456 [63A-5-225](#).

1457 (b) "Prison project fund" means the capital projects fund created in Subsection

1458 [63A-5-225](#)(7).

1459 (2) The commission may issue general obligation bonds as provided in this section.

1460 (3) (a) The total amount of bonds to be issued under this section may not exceed
1461 \$570,000,000 for acquisition and construction proceeds, plus additional amounts necessary to
1462 pay costs of issuance, to pay capitalized interest, and to fund any existing debt service reserve
1463 requirements, with the total amount of the bonds not to exceed \$575,700,000.

1464 (b) The maturity of bonds issued under this section may not exceed 10 years.

1465 (4) The commission shall ensure that proceeds from the issuance of bonds under this
1466 section are deposited into the Prison Project Fund for use by the division to pay all or part of
1467 the cost of the prison project, including:

1468 (a) interest estimated to accrue on the bonds authorized in this section until the
1469 completion of construction of the prison project, plus a period of 12 months after the end of
1470 construction; and

1471 (b) all related engineering, architectural, and legal fees.

1472 (5) (a) The division may enter into agreements related to the prison project before the
1473 receipt of proceeds of bonds issued under this section.

1474 (b) The division shall make those expenditures from unexpended and unencumbered
1475 building funds already appropriated to the Prison Project Fund.

1476 (c) The division shall reimburse the Prison Project Fund upon receipt of the proceeds
1477 of bonds issued under this chapter.

1478 (d) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
1479 expenditures for costs of the prison project.

1480 (6) Before issuing bonds authorized under this section, the commission shall request
1481 and consider a recommendation from the [~~Prison Development Commission~~] Legislative
1482 Management Committee, created in Section [~~63C-16-201~~] [36-12-6](#), regarding the timing and

1483 amount of the issuance.

1484 Section 36. Section **63C-4a-101** is amended to read:

1485 **63C-4a-101. Title.**

1486 [(1)] This chapter is known as the "Constitutional and Federalism Defense Act."

1487 [~~(2)~~] ~~This part is known as "General Provisions."~~

1488 Section 37. Section **63C-4a-102** is amended to read:

1489 **63C-4a-102. Definitions.**

1490 As used in this chapter:

1491 (1) "Account" means the Constitutional Defense Restricted Account, created in Section
1492 [63C-4a-402](#).

1493 (2) "Commission" means the [~~Commission on~~] Federalism Commission, created in
1494 Section [63C-4a-302](#).

1495 (3) "Constitutional defense plan" means a plan that outlines actions and expenditures to
1496 fulfill the duties of the commission and the council.

1497 (4) "Council" means the Constitutional Defense Council, created in Section
1498 [63C-4a-202](#).

1499 (5) "Federal governmental entity" means:

1500 (a) the president of the United States;

1501 (b) the United States Congress;

1502 (c) a United States agency; or

1503 (d) an employee or official appointed by the president of the United States.

1504 (6) "Federal issue" means a matter relating to the federal government's dealings with
1505 the state, including a matter described in Section [63C-4a-309](#).

1506 [(6)] (7) "Federal law" means:

1507 (a) an executive order by the president of the United States;

1508 (b) a statute passed by the United States Congress;

1509 (c) a regulation adopted by a United States agency; or

1510 (d) a policy statement, order, guidance, or action by:

1511 (i) a United States agency; or

1512 (ii) an employee or official appointed by the president of the United States.

1513 [(7)] (8) "R.S. 2477" means Revised Statute 2477, codified as 43 U.S.C. Section 932.

1514 [(8)] (9) "R.S. 2477 plan" means a guiding document that:

1515 (a) is developed jointly by the Utah Association of Counties and the state;

1516 (b) is approved by the council; and

1517 (c) presents the broad framework of a proposed working relationship between the state
1518 and participating counties collectively for the purpose of asserting, defending, or litigating state
1519 and local government rights under R.S. 2477.

1520 [(9)] (10) "United States agency" means a department, agency, authority, commission,
1521 council, board, office, bureau, or other administrative unit of the executive branch of the
1522 United States government.

1523 Section 38. Section **63C-4a-301** is amended to read:

1524 **63C-4a-301. Title.**

1525 This part is known as "[~~Commission on~~] Federalism Commission."

1526 Section 39. Section **63C-4a-302** is amended to read:

1527 **63C-4a-302. Creation of Federalism Commission -- Membership meetings -- Staff**
1528 **-- Expenses.**

1529 (1) There is created the [~~Commission on~~] Federalism Commission, comprised of the
1530 following [~~seven~~] nine members:

1531 (a) the president of the Senate or the president of the Senate's designee who shall serve
1532 as cochair of the commission;

1533 (b) [~~another member~~] two other members of the Senate, appointed by the president of
1534 the Senate;

1535 (c) the speaker of the House or the speaker of the House's designee who shall serve as
1536 cochair of the commission;

1537 (d) [~~two~~] three other members of the House, appointed by the speaker of the House;

1538 (e) the minority leader of the Senate or the minority leader of the Senate's designee;

1539 and

1540 (f) the minority leader of the House or the minority leader of the House's designee.

1541 (2) (a) A majority of the members of the commission constitute a quorum of the
1542 commission.

1543 (b) Action by a majority of the members of a quorum constitutes action by the
1544 commission.

1545 (3) The commission [~~shall meet six~~] may meet up to nine times each year, unless
1546 additional meetings are approved by the Legislative Management Committee.

1547 (4) The Office of Legislative Research and General Counsel shall provide staff support
1548 to the commission.

1549 (5) Compensation and expenses of a member of the commission who is a legislator are
1550 governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and
1551 Expenses.

1552 (6) Nothing in this section prohibits the commission from closing a meeting under
1553 Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the commission from
1554 complying with Title 63G, Chapter 2, Government Records Access and Management Act.

1555 (7) The commission may, in the commission's discretion, elect to succeed to the
1556 position of any of the following under a contract that any of the following are party to, subject
1557 to applicable contractual provisions:

1558 (a) the Commission on Federalism;

1559 (b) the Commission for the Stewardship of Public Lands; and

1560 (c) the Federal Funds Commission.

1561 Section 40. Section **63C-4a-303** is amended to read:

1562 **63C-4a-303. Federalism Commission to evaluate federal law -- Curriculum on**
1563 **federalism.**

1564 (1) In accordance with Section [63C-4a-304](#), the commission may evaluate a federal
1565 law:

1566 (a) as agreed by a majority of the commission; or

1567 (b) submitted to the commission by a council member.

1568 (2) The commission may request information regarding a federal law under evaluation
1569 from a United States senator or representative elected from the state.

1570 (3) If the commission finds that a federal law is not authorized by the United States
1571 Constitution or violates the principle of federalism as described in Subsection [63C-4a-304\(2\)](#), a
1572 commission cochair may:

1573 (a) request from a United States senator or representative elected from the state:

1574 (i) information about the federal law; or

1575 (ii) assistance in communicating with a federal governmental entity regarding the

1576 federal law;

1577 (b) (i) give written notice of an evaluation made under Subsection (1) to the federal
1578 governmental entity responsible for adopting or administering the federal law; and

1579 (ii) request a response by a specific date to the evaluation from the federal
1580 governmental entity; and

1581 (c) request a meeting, conducted in person or by electronic means, with the federal
1582 governmental entity, a representative from another state, or a United States Senator or
1583 Representative elected from the state to discuss the evaluation of federal law and any possible
1584 remedy.

1585 (4) The commission may recommend to the governor that the governor call a special
1586 session of the Legislature to give the Legislature an opportunity to respond to the commission's
1587 evaluation of a federal law.

1588 (5) A commission cochair may coordinate the evaluation of and response to federal law
1589 with another state as provided in Section [63C-4a-305](#).

1590 [~~(6) Each year, the commission shall submit a report by electronic mail to the~~
1591 ~~Legislative Management Committee and the Government Operations Interim Committee that~~
1592 ~~summarizes:]~~

1593 [~~(a) action taken by the commission in accordance with this section; and]~~

1594 [~~(b) action taken by, or communication received from, any of the following in response~~
1595 ~~to a request or inquiry made, or other action taken, by the commission:]~~

1596 [~~(i) a United States senator or representative elected from the state;]~~

1597 [~~(ii) a representative of another state; or]~~

1598 [~~(iii) a federal entity, official, or employee.]~~

1599 [~~(7)~~] (6) The commission shall keep a current list on the Legislature's website of:

1600 (a) a federal law that the commission evaluates under Subsection (1);

1601 (b) an action taken by a cochair of the commission under Subsection (3);

1602 (c) any coordination undertaken with another state under Section [63C-4a-305](#); and

1603 (d) any response received from a federal government entity that was requested under
1604 Subsection (3).

1605 [~~(8)~~] (7) The commission shall develop curriculum for a seminar on the principles of
1606 federalism. The curriculum shall be available to the general public and include:

- 1607 (a) fundamental principles of federalism;
- 1608 (b) the sovereignty, supremacy, and jurisdiction of the individual states, including their
- 1609 police powers;
- 1610 (c) the history and practical implementation of the Tenth Amendment to the United
- 1611 States Constitution;
- 1612 (d) the authority and limits on the authority of the federal government as found in the
- 1613 United States Constitution;
- 1614 (e) the relationship between the state and federal governments;
- 1615 (f) methods of evaluating a federal law in the context of the principles of federalism;
- 1616 (g) how and when challenges should be made to a federal law or regulation on the basis
- 1617 of federalism;
- 1618 (h) the separate and independent powers of the state that serve as a check on the federal
- 1619 government;
- 1620 (i) first amendment rights and freedoms contained therein; and
- 1621 (j) any other issues relating to federalism the commission considers necessary.
- 1622 ~~[(9)]~~ (8) The commission may apply for and receive grants, and receive private
- 1623 donations to assist in funding the creation, enhancement, and dissemination of the curriculum.
- 1624 ~~[(10) Before the final meeting of 2019, the commission shall conduct the activities~~
- 1625 ~~described in Section [63C-4a-307](#).]~~
- 1626 (9) The commission shall submit a report on or before November 30 of each year to the
- 1627 Government Operations Interim Committee and the Natural Resources, Agriculture, and
- 1628 Environment Interim Committee that:
- 1629 (a) describes any action taken by the commission under Section [63C-4a-303](#); and
- 1630 (b) includes any proposed legislation the commission recommends.
- 1631 Section 41. Section **63C-4a-306** is amended to read:
- 1632 **63C-4a-306. Course on federalism required.**
- 1633 (1) This section ~~[shall apply]~~ applies to:
- 1634 (a) all political subdivisions of the state;
- 1635 (b) all agencies of the state;
- 1636 (c) the Attorney General's office; and
- 1637 (d) the Office of Legislative Research and General Counsel.

1638 (2) [~~Beginning January 1, 2015, an~~] An employing entity listed in Subsection (1) shall
1639 appoint at least one designee to which all questions and inquiries regarding federalism shall be
1640 directed. The designee shall be required to attend a seminar on the principles of federalism
1641 developed pursuant to Subsection ~~63C-4a-303~~~~(8)~~(7) at least once in every two-year period.

1642 (3) The designee may complete the requirements of this section by attending a seminar
1643 in person or online.

1644 Section 42. Section ~~63C-4a-307~~ is amended to read:

1645 **63C-4a-307. Commission to evaluate foregone property tax -- Evaluation**
1646 **procedures.**

1647 (1) As used in this section:

1648 (a) (i) "Federally controlled land" means any land within the exterior boundaries of the
1649 state that is controlled by the United States government for the entire taxable year.

1650 (ii) "Federally controlled land" does not include:

1651 (A) a military installation;

1652 (B) a federal enclave as described in United States Constitution, Article I, Section 8,
1653 clause 17; or

1654 (C) land owned by an Indian tribe as described in 18 U.S.C. Sec. 1151.

1655 (b) (i) "Payments in lieu of tax" means payments made by the federal government to a
1656 county, municipality, or school district of the state.

1657 (ii) "Payments in lieu of tax" includes a payment under:

1658 (A) the in lieu of property taxes program, 31 U.S.C. Sec. 6901, et seq., commonly
1659 referred to as PILT; and

1660 (B) the impact aid program, 20 U.S.C. Sec. 7701, et seq.

1661 (2) (a) The commission shall hold a hearing regarding the impact on the state from the
1662 failure of the federal government to make payments in lieu of tax that are equivalent to the
1663 property tax revenue that the state would generate but for federally controlled land.

1664 (b) The commission shall invite and accept testimony on the information described in
1665 Subsection (2)(a) and the impact on the ability and the duty of the state to fund education and
1666 to protect and promote the health, safety, and welfare of the state, the state's political
1667 subdivisions, and the residents of the state from the following:

1668 (i) representatives from:

- 1669 (A) the office of each United States senator or representative elected from the state;
 1670 (B) any federal government entity administering the payments in lieu of tax;
 1671 (C) the Legislative Management Committee;
 1672 (D) the Office of the Governor;
 1673 (E) the Office of the Attorney General;
 1674 (F) the State Tax Commission;
 1675 (G) the Public Lands Policy Coordinating Office, created in Section [63J-4-602](#);
 1676 (H) the school districts;
 1677 (I) the association of school districts;
 1678 (J) the superintendents' association;
 1679 (K) the charter schools;
 1680 (L) school community councils;
 1681 (M) the counties;
 1682 (N) the municipalities; and
 1683 (O) nonpartisan entities serving state governments;
 1684 (ii) other states' officials or agencies; and
 1685 (iii) other interested individuals or entities.
- 1686 (3) In accordance with this part, the commission may engage each United States
 1687 senator or representative elected from the state in coordinating with the federal government to
 1688 secure payments in lieu of tax that are equivalent to the property tax revenue the state would
 1689 generate but for federally controlled land.
- 1690 (4) The commission shall communicate the information received during the hearing
 1691 described in Subsection (2) and any action taken under Subsection (3) to the individuals and
 1692 entities described in Subsection (2)(b).
- 1693 (5) The commission shall conduct the activities described in this section before the
 1694 commission's final meeting in 2019.
- 1695 Section 43. Section **63C-4a-308**, which is renumbered from Section 63C-4b-104 is
 1696 renumbered and amended to read:
- 1697 ~~**[63C-4b-104].**~~ **63C-4a-308. Commission duties with regards to federal**
 1698 **lands.**
- 1699 ~~(+)~~ The commission shall:

1700 ~~[(a)]~~ ~~convene at least eight times each year;~~
1701 ~~[(b)]~~ (1) review and make recommendations on the transfer of federally controlled
1702 public lands to the state;
1703 ~~[(c)]~~ (2) review and make recommendations regarding the state's sovereign right to
1704 protect the health, safety, and welfare of its citizens as it relates to public lands, including
1705 recommendations concerning the use of funds in the account created in Section [~~63C-4b-105~~]
1706 [63C-4a-404](#);
1707 ~~[(d)]~~ (3) study and evaluate the recommendations of the public lands transfer study and
1708 economic analysis conducted by the Public Lands Policy Coordinating Office in accordance
1709 with Section [63J-4-606](#);
1710 ~~[(e)]~~ (4) coordinate with and report on the efforts of the executive branch, the counties
1711 and political subdivisions of the state, the state congressional delegation, western governors,
1712 other states, and other stakeholders concerning the transfer of federally controlled public lands
1713 to the state including convening working groups, such as a working group composed of
1714 members of the Utah Association of Counties;
1715 ~~[(f)]~~ (5) study and make recommendations regarding the appropriate designation of
1716 public lands transferred to the state, including stewardship of the land and appropriate uses of
1717 the land;
1718 ~~[(g)]~~ (6) study and make recommendations regarding the use of funds received by the
1719 state from the public lands transferred to the state; and
1720 ~~[(h)]~~ (7) receive reports from and make recommendations to the attorney general, the
1721 Legislature, and other stakeholders involved in litigation on behalf of the state's interest in the
1722 transfer of public lands to the state, regarding:
1723 ~~[(i)]~~ (a) preparation for potential litigation;
1724 ~~[(ii)]~~ (b) selection of outside legal counsel;
1725 ~~[(iii)]~~ (c) ongoing legal strategy for the transfer of public lands; and
1726 ~~[(iv)]~~ (d) use of money:
1727 ~~[(A)]~~ (i) appropriated by the Legislature for the purpose of securing the transfer of
1728 public lands to the state under Section [~~63C-4b-105~~] [63C-4a-404](#); and
1729 ~~[(B)]~~ (ii) disbursed from the Public Lands Litigation Expendable Special Revenue
1730 Fund created in Section [~~63C-4b-106~~] [63C-4a-405](#).

1731 ~~[(2) The commission shall prepare an annual report, including any proposed~~
 1732 ~~legislation, and present the report to the Natural Resources, Agriculture, and Environment~~
 1733 ~~Interim Committee on or before November 30, 2016, and on or before November 30 each year~~
 1734 ~~thereafter.]~~

1735 Section 44. Section ~~63C-4a-309~~, which is renumbered from Section 63C-14-301 is
 1736 renumbered and amended to read:

1737 ~~[63C-14-301].~~ **63C-4a-309. Commission duties in relation to federal funds.**

1738 ~~[(+)]~~ Until November 30, 2019, the commission shall:

1739 ~~[(a)]~~ (1) study and assess:

1740 ~~[(i)]~~ (a) the financial stability of the federal government;

1741 ~~[(ii)]~~ (b) the level of dependency that the state and local governments have on the
 1742 receipt of federal funds;

1743 ~~[(iii)]~~ (c) the risk that the state and local governments in the state will experience a
 1744 reduction in the amount or value of federal funds they receive, in both the near and distant
 1745 future;

1746 ~~[(iv)]~~ (d) the likely and potential impact on the state and its citizens from a reduction in
 1747 the amount or value of federal funds received by the state and by local governments in the
 1748 state, in both the near and distant future; and

1749 ~~[(v)]~~ (e) the likely and potential national impact from a reduction in the amount or
 1750 value of federal funds paid to the states, in both the near and distant future; and

1751 ~~[(b)]~~ (2) make recommendations to the governor and Legislature on methods to:

1752 ~~[(i)]~~ (a) avoid or minimize the risk of a reduction in the amount or value of federal
 1753 funds by the state and by local governments in the state;

1754 ~~[(ii)]~~ (b) reduce the dependency of the state and of local governments in the state on
 1755 federal funds; and

1756 ~~[(iii)]~~ (c) prepare for and respond to a reduction in the amount or value of federal funds
 1757 by the state and by local governments in the state.

1758 ~~[(2) After November 30, 2019, the commission shall study, assess, and provide~~
 1759 ~~recommendations on any federal issue that the governor, the Legislature through a joint~~
 1760 ~~resolution of the Legislature, or the Legislative Management Committee directs the~~
 1761 ~~commission to study, assess, and make recommendations on.]~~

1762 [~~(3) The commission shall present a report to the Government Operations Interim~~
1763 ~~Committee of the Legislature each year on the commission's findings and recommendations.]~~

1764 Section 45. Section **63C-4a-404**, which is renumbered from Section 63C-4b-105 is
1765 renumbered and amended to read:

1766 ~~[63C-4b-105].~~ **63C-4a-404. Creation of Public Lands Litigation Restricted**
1767 **Account -- Sources of funds -- Uses of funds -- Reports.**

1768 (1) There is created a restricted account within the General Fund known as the Public
1769 Lands Litigation Restricted Account.

1770 (2) The account created in Subsection (1) consists of money from the following
1771 revenue sources:

- 1772 (a) money received by the commission from other state agencies; and
- 1773 (b) appropriations made by the Legislature.

1774 (3) The Legislature may annually appropriate money from the account for the purposes
1775 of asserting, defending, or litigating state and local government rights to the disposition and use
1776 of federal lands within the state as those rights are granted by the United States Constitution,
1777 the Utah Enabling Act, and other applicable law.

1778 (4) (a) Any entity that receives money from the account shall, before disbursing the
1779 money to another person for the purposes described in Subsection (3), or before spending the
1780 money appropriated, report to the commission regarding:

- 1781 (i) the amount of the disbursement;
- 1782 (ii) who will receive the disbursement; and
- 1783 (iii) the planned use for the disbursement.

1784 (b) The commission may, upon receiving the report under Subsection (4)(a):

- 1785 (i) advise the Legislature and the entity of the commission finding that the
1786 disbursement is consistent with the purposes in Subsection (3); or
- 1787 (ii) advise the Legislature and the entity of the commission finding that the
1788 disbursement is not consistent with the purposes in Subsection (3).

1789 Section 46. Section **63C-4a-405**, which is renumbered from Section 63C-4b-106 is
1790 renumbered and amended to read:

1791 ~~[63C-4b-106].~~ **63C-4a-405. Public Lands Litigation Expendable Special**
1792 **Revenue Fund -- Creation -- Source of funds -- Use of funds -- Reports.**

1793 (1) There is created an expendable special revenue fund known as the Public Lands
1794 Litigation Expendable Special Revenue Fund.

1795 (2) The fund shall consist of gifts, grants, donations, or any other conveyance of money
1796 that may be made to the fund from private sources and other states.

1797 (3) The fund shall be administered by the Division of Finance in accordance with
1798 Subsection (4).

1799 (4) (a) The fund may be used only for the purpose of asserting, defending, or litigating
1800 state and local government rights to the disposition and use of federal lands within the state as
1801 those rights are granted by the United States Constitution, the Utah Enabling Act, and other
1802 applicable law.

1803 (b) Before each disbursement from the fund, the Division of Finance shall report to the
1804 commission regarding:

- 1805 (i) the sources of the money in the fund;
- 1806 (ii) who will receive the disbursement;
- 1807 (iii) the planned use of the disbursement; and
- 1808 (iv) the amount of the disbursement.

1809 (c) The commission may, upon receiving the report under Subsection (4)(b):

- 1810 (i) advise the Legislature and the Division of Finance of the commission finding that
1811 the disbursement is consistent with the purposes in Subsection (4)(a); or
- 1812 (ii) advise the Legislature and the Division of Finance of the commission finding that
1813 the disbursement is not consistent with the purposes in Subsection (4)(a).

1814 Section 47. Section **63F-1-102** is amended to read:

1815 **63F-1-102. Definitions.**

1816 As used in this title:

1817 [~~(1) "Board" means the Technology Advisory Board created in Section 63F-1-202.~~]

1818 [~~(2)~~] (1) "Chief information officer" means the chief information officer appointed
1819 under Section 63F-1-201.

1820 [~~(3)~~] (2) "Data center" means a centralized repository for the storage, management, and
1821 dissemination of data.

1822 [~~(4)~~] (3) "Department" means the Department of Technology Services.

1823 [~~(5)~~] (4) "Enterprise architecture" means:

- 1824 (a) information technology that can be applied across state government; and
- 1825 (b) support for information technology that can be applied across state government,
- 1826 including:
- 1827 (i) technical support;
- 1828 (ii) master software licenses; and
- 1829 (iii) hardware and software standards.
- 1830 ~~[(6)]~~ (5) (a) ~~[Except as provided in Subsection (6)(b), "executive]~~ "Executive branch
- 1831 agency" means an agency or administrative subunit of state government.
- 1832 (b) "Executive branch agency" does not include:
- 1833 (i) the legislative branch;
- 1834 (ii) the judicial branch;
- 1835 (iii) the State Board of Education;
- 1836 (iv) the Board of Regents;
- 1837 (v) institutions of higher education;
- 1838 (vi) independent entities as defined in Section [63E-1-102](#); and
- 1839 (vii) elective constitutional offices of the executive department which includes:
- 1840 (A) the state auditor;
- 1841 (B) the state treasurer; and
- 1842 (C) the attorney general.
- 1843 ~~[(7)]~~ (6) "Executive branch strategic plan" means the executive branch strategic plan
- 1844 created under Section [63F-1-203](#).
- 1845 ~~[(8)]~~ (7) "Individual with a disability" means an individual with a condition that meets
- 1846 the definition of "disability" in 42 U.S.C. Sec. 12102.
- 1847 ~~[(9)]~~ (8) "Information technology" means all computerized and auxiliary automated
- 1848 information handling, including:
- 1849 (a) systems design and analysis;
- 1850 (b) acquisition, storage, and conversion of data;
- 1851 (c) computer programming;
- 1852 (d) information storage and retrieval;
- 1853 (e) voice, video, and data communications;
- 1854 (f) requisite systems controls;

1855 (g) simulation; and

1856 (h) all related interactions between people and machines.

1857 ~~[(10)]~~ (9) "State information architecture" means a logically consistent set of

1858 principles, policies, and standards that guide the engineering of state government's information

1859 technology and infrastructure in a way that ensures alignment with state government's business

1860 and service needs.

1861 Section 48. Section **63F-1-203** is amended to read:

1862 **63F-1-203. Executive branch information technology strategic plan.**

1863 (1) In accordance with this section, the chief information officer shall prepare an
1864 executive branch information technology strategic plan:

1865 (a) that complies with this chapter; and

1866 (b) that includes:

1867 (i) a strategic plan for the:

1868 (A) interchange of information related to information technology between executive
1869 branch agencies;

1870 (B) coordination between executive branch agencies in the development and
1871 maintenance of information technology and information systems, including the coordination of
1872 agency information technology plans described in Section [63F-1-204](#); and

1873 (C) protection of the privacy of individuals who use state information technology or
1874 information systems, including the implementation of industry best practices for data and
1875 system security;

1876 (ii) priorities for the development and implementation of information technology or
1877 information systems including priorities determined on the basis of:

1878 (A) the importance of the information technology or information system; and

1879 (B) the time sequencing of the information technology or information system; and

1880 (iii) maximizing the use of existing state information technology resources.

1881 (2) In the development of the executive branch strategic plan, the chief information
1882 officer shall consult with ~~[(a)]~~ all cabinet level officials ~~[- and]~~.

1883 ~~[(b) the advisory board created in Section [63F-1-202](#).]~~

1884 (3) (a) Unless withdrawn by the chief information officer or the governor in accordance
1885 with Subsection (3)(b), the executive branch strategic plan takes effect 30 days after the day on

1886 which the executive branch strategic plan is submitted to:

1887 (i) the governor; and

1888 (ii) the Public Utilities, Energy, and Technology Interim Committee.

1889 (b) The chief information officer or the governor may withdraw the executive branch
1890 strategic plan submitted under Subsection (3)(a) if the governor or chief information officer
1891 determines that the executive branch strategic plan:

1892 (i) should be modified; or

1893 (ii) for any other reason should not take effect.

1894 (c) The Public Utilities, Energy, and Technology Interim Committee may make
1895 recommendations to the governor and to the chief information officer if the commission
1896 determines that the executive branch strategic plan should be modified or for any other reason
1897 should not take effect.

1898 (d) Modifications adopted by the chief information officer shall be resubmitted to the
1899 governor and the Public Utilities, Energy, and Technology Interim Committee for their review
1900 or approval as provided in Subsections (3)(a) and (b).

1901 (4) (a) The chief information officer shall, on or before January 1, 2014, and each year
1902 thereafter, modify the executive branch information technology strategic plan to incorporate
1903 security standards that:

1904 (i) are identified as industry best practices in accordance with Subsections
1905 [63F-1-104](#)(3) and (4); and

1906 (ii) can be implemented within the budget of the department or the executive branch
1907 agencies.

1908 (b) The chief information officer shall inform the speaker of the House of
1909 Representatives and the president of the Senate on or before January 1 of each year if best
1910 practices identified in Subsection (4)(a)(i) are not adopted due to budget issues considered
1911 under Subsection (4)(a)(ii).

1912 (5) Each executive branch agency shall implement the executive branch strategic plan
1913 by adopting an agency information technology plan in accordance with Section [63F-1-204](#).

1914 Section 49. Section [63F-1-303](#) is amended to read:

1915 **63F-1-303. Executive branch agencies -- Subscription by institutions.**

1916 (1) An executive branch agency in accordance with its agency information technology

1917 plan approved by the chief information officer shall:

1918 (a) subscribe to the information technology services provided by the department; or

1919 (b) contract with one or more alternate private providers of information technology

1920 services if the chief information officer determines that the purchase of the services from a

1921 private provider will:

1922 (i) result in:

1923 (A) cost savings;

1924 (B) increased efficiency; or

1925 (C) improved quality of services; and

1926 (ii) not impair the interoperability of the state's information technology services.

1927 (2) An institution of higher education may subscribe to the services provided by the

1928 department if:

1929 (a) the president of the institution recommends that the institution subscribe to the

1930 services of the department; and

1931 (b) the Board of Regents determines that subscription to the services of the department

1932 will result in cost savings or increased efficiency to the institution.

1933 (3) The following may subscribe to information technology services by requesting that

1934 the services be provided from the department:

1935 (a) the legislative branch;

1936 (b) the judicial branch;

1937 (c) the State Board of Education;

1938 (d) a political subdivision of the state;

1939 (e) an agency of the federal government;

1940 (f) an independent entity as defined in Section 63E-1-102; and

1941 (g) an elective constitutional officer of the executive department as defined in

1942 Subsection 63F-1-102[(6)(b)](5)(b)(vii).

1943 Section 50. Section 63F-4-201 is amended to read:

1944 **63F-4-201. Submitting a technology proposal -- Review process.**

1945 (1) Multiple executive branch agencies may jointly submit to the chief information
1946 officer a technology proposal, on a form or in a format specified by the department.

1947 (2) The chief information officer shall transmit to the review board each technology

1948 proposal the chief information officer determines meets the form or format requirements of the
1949 department.

1950 (3) The review board shall:

1951 (a) conduct a technical review of a technology proposal transmitted by the chief
1952 information officer;

1953 (b) determine whether the technology proposal merits further review and consideration
1954 [~~by the board~~] by the chief information officer, based on the technology proposal's likelihood
1955 to:

1956 (i) be capable of being implemented effectively; and

1957 (ii) result in greater efficiency in a government process or a cost saving in the delivery
1958 of a government service, or both; and

1959 (c) transmit a technology proposal to the [~~board~~] chief information officer and to the
1960 governor's budget office, if the review board determines that the technology proposal merits
1961 further review and consideration [~~by the board~~] by the chief information officer.

1962 Section 51. Section **63F-4-202** is amended to read:

1963 **63F-4-202. Chief information officer review and approval of technology**
1964 **proposals.**

1965 (1) The [~~board~~] chief information officer shall review and evaluate each technology
1966 proposal that the review board transmits to the [~~board~~] chief information officer.

1967 (2) The [~~board~~] chief information officer may approve and recommend that the
1968 department provide funding from legislative appropriations for a technology proposal if, after
1969 the [~~board's~~] chief information officer's review and evaluation of the technology proposal:

1970 (a) the [~~board~~] chief information officer determines that there is a reasonably good
1971 likelihood that the technology proposal:

1972 (i) is capable of being implemented effectively; and

1973 (ii) will result in greater efficiency in a government process or a cost saving in the
1974 delivery of a government service, or both; and

1975 (b) the [~~board~~] chief information officer receives approval from the governor's budget
1976 office for the technology proposal.

1977 (3) The [~~board~~] chief information officer may:

1978 (a) prioritize multiple approved technology proposals based on their relative likelihood

1979 of achieving the goals described in Subsection (2); and

1980 (b) recommend funding based on the ~~[board's]~~ chief information officer's prioritization
1981 under Subsection (3)(a).

1982 (4) The department shall:

1983 (a) track the implementation and success of a technology proposal approved by the
1984 ~~[board]~~ chief information officer;

1985 (b) evaluate the level of the technology proposal's implementation effectiveness and
1986 whether the implementation results in greater efficiency in a government process or a cost
1987 saving in the delivery of a government service, or both; and

1988 (c) report the results of the department's tracking and evaluation:

1989 (i) to the ~~[board]~~ chief information officer, as frequently as the ~~[board]~~ chief
1990 information officer requests; and

1991 (ii) at least annually to the Public Utilities, Energy, and Technology Interim
1992 Committee.

1993 (5) The department may~~[-upon recommendation by the board,]~~ expend money
1994 appropriated by the Legislature to pay for expenses incurred by executive branch agencies in
1995 implementing a technology proposal that the ~~[board]~~ chief information officer has approved.

1996 Section 52. Section **63H-7a-203** is amended to read:

1997 **63H-7a-203. Board established -- Terms -- Vacancies.**

1998 (1) There is created the Utah Communications Authority Board.

1999 (2) The board shall consist of nine board members as follows:

2000 (a) three individuals appointed by the governor with the advice and consent of the
2001 Senate;

2002 (b) one individual who is not a legislator appointed by the speaker of the House of
2003 Representatives;

2004 (c) one individual who is not a legislator appointed by the president of the Senate;

2005 (d) two individuals nominated by an association that represents cities and towns in the
2006 state and appointed by the governor with the advice and consent of the Senate; and

2007 (e) two individuals nominated by an association that represents counties in the state
2008 and appointed by the governor with the advice and consent of the Senate.

2009 (3) Subject to this section, an individual is eligible for appointment under Subsection

2010 (2) if the individual has knowledge of at least one of the following:

2011 (a) law enforcement;

2012 (b) public safety;

2013 (c) fire service;

2014 (d) telecommunications;

2015 (e) finance;

2016 (f) management; and

2017 (g) government.

2018 (4) An individual may not serve as a board member if the individual is a current public
2019 safety communications network:

2020 (a) user; or

2021 (b) vendor.

2022 (5) (a) (i) Five of the board members appointed under Subsection (2) shall serve an
2023 initial term of two years and four of the board members appointed under Subsection (2) shall
2024 serve an initial term of four years.

2025 (ii) Successor board members shall each serve a term of four years.

2026 (b) (i) The governor may remove a board member with cause.

2027 (ii) If the governor removes a board member the entity that appointed the board
2028 member under Subsection (2) shall appoint a replacement board member in the same manner as
2029 described in Subsection (2).

2030 (6) (a) The governor shall, after consultation with the board, appoint a board member
2031 as chair of the board with the advice and consent of the Senate.

2032 (b) The chair shall serve a two-year term.

2033 (7) The board shall meet on an as-needed basis and as provided in the bylaws.

2034 (8) (a) The board shall elect one of the board members to serve as vice chair.

2035 (b) (i) The board may elect a secretary and treasurer who are not members of the board.

2036 (ii) If the board elects a secretary or treasurer who is not a member of the board, the
2037 secretary or treasurer does not have voting power.

2038 (c) A separate individual shall hold the offices of chair, vice chair, secretary, and
2039 treasurer.

2040 (9) Each board member, including the chair, has one vote.

2041 (10) A vote of a majority of the board members is necessary to take action on behalf of
2042 the board.

2043 (11) A board member may not receive compensation for the member's service on the
2044 board, but may, in accordance with rules adopted by the board in accordance with Title 63G,
2045 Chapter 3, Utah Administrative Rulemaking Act, receive:

2046 (a) a per diem at the rate established under Section [63A-3-106](#); and

2047 (b) travel expenses at the rate established under Section [63A-3-107](#).

2048 Section 53. Section **63I-1-204** is enacted to read:

2049 **63I-1-204. Repeal dates, Title 4.**

2050 Subsection [4-41a-105\(2\)\(e\)\(i\)](#), related to the Native American Legislative Liaison
2051 Committee, is repealed July 1, 2022.

2052 Section 54. Section **63I-1-209** is amended to read:

2053 **63I-1-209. Repeal dates, Title 9.**

2054 (1) In relation to the Native American Legislative Liaison Committee, on July 1, 2022:

2055 (a) Subsection [9-9-104.6\(2\)\(a\)](#) is repealed;

2056 (b) Subsection [9-9-104.6\(4\)\(a\)](#), the language that states "who is not a legislator" is
2057 repealed; and

2058 (c) Subsection [9-9-104.6\(4\)\(b\)](#), related to compensation of legislative members, is
2059 repealed.

2060 (2) In relation to the American Indian and Alaska Native Education State Plan Pilot
2061 Program, on July 1, 2022:

2062 (a) Subsection [26-7-2.5\(4\)](#), related to the American Indian-Alaskan Native Public
2063 Education Liaison, is repealed; and

2064 (b) Subsection [9-9-104.6\(2\)\(d\)](#) is repealed.

2065 Section 55. Section **63I-1-211** is amended to read:

2066 **63I-1-211. Repeal dates, Title 11.**

2067 (1) Section [11-14-308](#) is repealed December 31, 2020.

2068 (2) Title 11, Chapter 59, Point of the Mountain State Land Authority Act, is repealed
2069 January 1, 2029.

2070 Section 56. Section **63I-1-219** is amended to read:

2071 **63I-1-219. Repeal dates, Title 19.**

- 2072 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2019.
- 2073 (2) Section [19-2a-102](#) is repealed July 1, 2021.
- 2074 [~~2~~] (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2019.
- 2075 [~~3~~] (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2019.
- 2076 [~~4~~] (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
- 2077 2019.
- 2078 [~~5~~] (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed
- 2079 July 1, 2020.
- 2080 [~~6~~] (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
- 2081 2028.
- 2082 [~~7~~] (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1,
- 2083 2026.
- 2084 [~~8~~] (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1,
- 2085 2019.
- 2086 [~~9~~] (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1,
- 2087 2020.
- 2088 [~~10~~] (11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July
- 2089 1, 2027.
- 2090 Section 57. Section **63I-1-223** is amended to read:
- 2091 **63I-1-223. Repeal dates, Title 23.**
- 2092 Subsection [23-13-12.5\(2\)\(f\)\(i\)](#), related to the Native American Legislative Liaison
- 2093 Committee, is repealed July 1, 2022.
- 2094 Section 58. Section **63I-1-226** is amended to read:
- 2095 **63I-1-226. Repeal dates, Title 26.**
- 2096 (1) Section [26-1-40](#) is repealed July 1, 2019.
- 2097 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
- 2098 1, 2025.
- 2099 (3) Section [26-10-11](#) is repealed July 1, 2020.
- 2100 (4) Subsection [26-18-417\(3\)](#) is repealed July 1, 2020.
- 2101 (5) Subsection [26-18-418\(2\)](#), the language that states "and the Mental Health Crisis
- 2102 Line Commission created in Section [63C-18-202](#)" is repealed July 1, 2023.

2103 [~~(5)~~] (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
2104 2024.

2105 [~~(6)~~] (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
2106 2024.

2107 [~~(7)~~] (8) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
2108 repealed July 1, 2024.

2109 [~~(8)~~] (9) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,
2110 2019.

2111 (10) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund, is
2112 repealed January 1, 2023.

2113 [~~(9)~~] (11) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed January 1,
2114 2019.

2115 (12) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative
2116 Liaison Committee, is repealed July 1, 2022.

2117 [~~(10)~~] (13) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
2118 repealed July 1, 2026.

2119 Section 59. Section **63I-1-232** is amended to read:

2120 **63I-1-232. Repeal dates, Title 32A.**

2121 In relation to the Utah Substance Use and Mental Health Advisory Council, on January
2122 1, 2023:

2123 (1) Subsection 32B-2-306(1)(a) is repealed;

2124 (2) Subsection 32B-2-306(4), the language that states "advisory council" is repealed
2125 and replaced with "department";

2126 (3) Subsections 32B-2-306(4)(b) and (e) are repealed;

2127 (4) Subsection 32B-2-306(5)(a), the language that states "in cooperation with the
2128 advisory council" is repealed;

2129 (5) Subsection 32B-2-306(5)(b) is amended to read:

2130 "(b) The department shall:

2131 (i) prepare a plan detailing the intended use of the money appropriated under this
2132 section; and

2133 (ii) conduct the media and education campaign in accordance with the guidelines

2134 created by the department under Subsection (4)(c).";

2135 (6) Subsection 32B-2-402(1)(b) is repealed;

2136 (7) Sections 32B-2-404 and 32B-2-405, the language that states "advisory council" is
2137 repealed and replaced with "department";

2138 (8) Subsection 32B-2-405(2), the language that states "by a majority vote" is repealed;
2139 and

2140 (9) Subsection 32B-2-405(4)(a)(i), the language that states "majority vote of" is
2141 repealed.

2142 Section 60. Section **63I-1-235** is amended to read:

2143 **63I-1-235. Repeal dates, Title 35A.**

2144 (1) Subsection 35A-1-109(4)(c), related to the Talent Ready Utah Board, is repealed
2145 January 1, 2023.

2146 ~~[(+)]~~ (2) Subsection 35A-4-312(5)(p) is repealed July 1, 2019.

2147 ~~[(2)]~~ (3) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is
2148 repealed July 1, 2023.

2149 ~~[(3)]~~ (4) Section 35A-9-501 is repealed January 1, 2021.

2150 (5) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed
2151 January 1, 2025.

2152 Section 61. Section **63I-1-236** is amended to read:

2153 **63I-1-236. Repeal dates, Title 36.**

2154 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2023.

2155 ~~[(+)]~~ (2) Section 36-12-20 is repealed June 30, 2023.

2156 (3) Title 36, Chapter 22, Native American Legislative Liaison Committee, is repealed
2157 July 1, 2022.

2158 (4) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed
2159 January 1, 2025.

2160 (5) Section 36-29-105 is repealed on December 31, 2020.

2161 ~~[(2)]~~ (6) Title 36, Chapter 31, Martha Hughes Cannon Capitol Statue Oversight
2162 Committee, is repealed January 1, 2021.

2163 Section 62. Section **63I-1-241** is amended to read:

2164 **63I-1-241. Repeal dates, Title 41.**

- 2165 (1) Subsection [41-1a-1201\(9\)](#), related to the Spinal Cord and Brain Injury
2166 Rehabilitation Fund, is repealed January 1, 2023.
- 2167 (2) Subsection [41-6a-1406\(6\)\(b\)\(iii\)](#), related to the Spinal Cord and Brain Injury
2168 Rehabilitation Fund, is repealed January 1, 2023.
- 2169 (3) Subsection [41-12a-806\(5\)](#) is repealed on July 1, 2020.
- 2170 (4) Subsection [41-22-8\(3\)](#), related to the Spinal Cord and Brain Injury Rehabilitation
2171 Fund, is repealed January 1, 2023.
- 2172 Section 63. Section **63I-1-251** is amended to read:
2173 **63I-1-251. Repeal dates, Title 51.**
- 2174 (1) Subsection [51-2a-202\(3\)](#) is repealed on June 30, 2020.
- 2175 (2) Subsections [51-10-201\(5\)\(iv\)](#) and [51-10-204\(1\)\(k\)\(i\)\(C\)](#), related to the Native
2176 American Legislative Liaison Committee, are repealed July 1, 2022.
- 2177 Section 64. Section **63I-1-253** is amended to read:
2178 **63I-1-253. Repeal dates, Titles 53 through 53G.**
- 2179 The following provisions are repealed on the following dates:
- 2180 (1) Subsection [53-10-202\(18\)](#) is repealed July 1, 2018.
- 2181 (2) Section [53-10-202.1](#) is repealed July 1, 2018.
- 2182 (3) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 2183 (4) Section [53B-18-1501](#) is repealed July 1, 2021.
- 2184 (5) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 2185 (6) Section [53B-24-402](#), Rural residency training program, is repealed July 1, 2020.
- 2186 (7) Subsection [53C-3-203\(4\)\(b\)\(vii\)](#), which provides for the distribution of money
2187 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
2188 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.
- 2189 (8) Section [53E-3-515](#) is repealed January 1, 2023.
- 2190 (9) In relation to a standards review committee, on January 1, 2023:
- 2191 (a) in Subsection [53E-4-202\(8\)](#), the language that states "by a standards review
2192 committee and the recommendations of a standards review committee established under
2193 Section [53E-4-203](#)" is repealed; and
- 2194 (b) Section [53E-4-203](#) is repealed.
- 2195 (10) (a) Sections [53E-10-503](#) and [53E-10-504](#) are repealed January 1, 2023.

2196 (b) Subsection 53E-10-501(1), related to the School Safety and Crisis Line
2197 Commission, is repealed January 1, 2023.

2198 ~~[(9)]~~ (11) Section 53F-2-514 is repealed July 1, 2020.

2199 ~~[(10)]~~ (12) Section 53F-5-203 is repealed July 1, 2019.

2200 ~~[(11)]~~ (13) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
2201 Education State Plan Pilot Program, is repealed July 1, 2022.

2202 ~~[(12)]~~ (14) Section 53F-6-201 is repealed July 1, 2019.

2203 ~~[(13)]~~ (15) Section 53F-9-501 is repealed January 1, 2023.

2204 (16) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
2205 Commission, are repealed January 1, 2025.

2206 ~~[(14)]~~ (17) Subsection 53G-8-211(4) is repealed July 1, 2020.

2207 Section 65. Section 63I-1-262 is amended to read:

2208 **63I-1-262. Repeal dates, Title 62A.**

2209 ~~[(1) Subsections 62A-1-120(8)(g), (h), and (i) are repealed July 1, 2023.]~~

2210 ~~[(2)]~~ (1) Section 62A-3-209 is repealed July 1, 2023.

2211 ~~[(3)]~~ (2) Section 62A-4a-202.9 is repealed December 31, 2019.

2212 ~~[(4)]~~ (3) Section 62A-4a-213 is repealed July 1, 2019.

2213 ~~[(5)]~~ (4) Section 62A-15-114 is repealed December 31, 2021.

2214 (5) Subsections 62A-15-116(1) and (4), the language that states "In consultation with
2215 the Crisis Line Commission, established in Section 53E-10-503," is repealed January 1, 2023.

2216 (6) Subsections 62A-15-1100(1) and 62A-15-1101(8), in relation to the Utah
2217 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.

2218 ~~[(6)]~~ (7) Subsection 62A-15-1101(7) is repealed July 1, 2018.

2219 (8) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:

2220 (a) Subsections 62A-15-1301(1) and 62A-15-1401(1) are repealed;

2221 (b) Subsection 62A-15-1302(1)(b), the language that states "in consultation with the
2222 commission" is repealed;

2223 (c) Section 62A-15-1303, the language that states "In consultation with the
2224 commission," is repealed; and

2225 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations
2226 from the commission," is repealed.

- 2227 Section 66. Section **63I-1-263** is amended to read:
- 2228 **63I-1-263. Repeal dates, Titles 63A to 63N.**
- 2229 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 2230 (a) Section [63A-3-403](#) is repealed;
- 2231 (b) Subsection [63A-3-401](#)(1) is repealed;
- 2232 (c) Subsection [63A-3-402](#)(2)(c), the language that states "using criteria established by
- 2233 the board" is repealed;
- 2234 (d) Subsections [63A-3-404](#)(1) and (2), the language that states "After consultation with
- 2235 the board, and" is repealed; and
- 2236 (e) Subsection [63A-3-404](#)(1)(b), the language that states "using the standards provided
- 2237 in Subsection [63A-3-403](#)(3)(c)" is repealed.
- 2238 ~~[(1)]~~ (2) Subsection [63A-5-104](#)(4)(h) is repealed on July 1, 2024.
- 2239 ~~[(2)]~~ (3) Section [63A-5-603](#), State Facility Energy Efficiency Fund, is repealed July 1,
- 2240 2023.
- 2241 ~~[(3)]~~ (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed
- 2242 July 1, 2028.
- 2243 ~~[(4)]~~ (5) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is
- 2244 ~~repealed November 30, 2019.]~~
- 2245 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
- 2246 2025.
- 2247 ~~[(5)]~~ (6) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July
- 2248 1, 2020.
- 2249 ~~[(6)]~~ (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act,
- 2250 is repealed July 1, 2021.
- 2251 ~~[(7)]~~ (8) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed
- 2252 July 1, 2023.
- 2253 ~~[(8)]~~ (9) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July
- 2254 1, 2025.
- 2255 ~~[(9)]~~ (10) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
- 2256 July 1, 2020.
- 2257 (11) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:

- 2258 (a) Subsection 63H-6-104(2)(c), related to a Senate appointment, is repealed;
- 2259 (b) Subsection 63H-6-104(2)(d), related to a House appointment, is repealed;
- 2260 (c) in Subsection 63H-6-104(2)(e), the language that states ", of whom only one may
- 2261 be a legislator, in accordance with Subsection (3)(e)," is repealed;
- 2262 (d) Subsection 63H-6-104(3)(a)(i) is amended to read:
- 2263 "(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under
- 2264 Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the
- 2265 year that the board member was appointed.";
- 2266 (e) in Subsections 63H-6-104(3)(a)(ii), (c)(ii), and (d), the language that states "the
- 2267 president of the Senate, the speaker of the House, the governor," is repealed and replaced with
- 2268 "the governor"; and
- 2269 (f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is
- 2270 repealed.
- 2271 ~~[(+H)]~~ (12) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
- 2272 2026.
- 2273 ~~[(+H)]~~ (13) On July 1, 2025:
- 2274 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
- 2275 Development Coordinating Committee," is repealed;
- 2276 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
- 2277 sites for the transplant of species to local government officials having jurisdiction over areas
- 2278 that may be affected by a transplant.";
- 2279 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
- 2280 Coordinating Committee" is repealed;
- 2281 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
- 2282 Coordinating Committee created in Section 63J-4-501 and" is repealed;
- 2283 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
- 2284 Coordinating Committee and" is repealed;
- 2285 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
- 2286 accordingly;
- 2287 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;
- 2288 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the

2289 word "and" is inserted immediately after the semicolon;

2290 (i) Subsection [63J-4-401\(5\)\(d\)](#) is renumbered to Subsection [63J-4-401\(5\)\(b\)](#);

2291 (j) Sections [63J-4-501](#), [63J-4-502](#), [63J-4-503](#), [63J-4-504](#), and [63J-4-505](#) are repealed;

2292 and

2293 (k) Subsection [63J-4-603\(1\)\(e\)\(iv\)](#) is repealed and the remaining subsections are
2294 renumbered accordingly.

2295 ~~[(12)]~~ (14) Subsection [63J-1-602.1\(13\)](#), Nurse Home Visiting Restricted Account is
2296 repealed July 1, 2026.

2297 ~~[(13)]~~ Subsection [63J-1-602.2\(4\)](#), referring to dedicated credits to the Utah Marriage
2298 Commission, is repealed July 1, 2023.]

2299 ~~[(14)]~~ (15) (a) Subsection [63J-1-602.1\(51\)](#), relating to the Utah Statewide Radio
2300 System Restricted Account, is repealed July 1, 2022.

2301 (b) When repealing Subsection [63J-1-602.1\(51\)](#), the Office of Legislative Research and
2302 General Counsel shall, in addition to the office's authority under Subsection [36-12-12\(3\)](#), make
2303 necessary changes to subsection numbering and cross references.

2304 (16) Subsection [63J-1-602.2\(23\)](#), related to the Utah Seismic Safety Commission, is
2305 repealed January 1, 2025.

2306 (17) Subsection [63J-4-708\(1\)](#), in relation to the Talent Ready Utah Board, on January
2307 1, 2023, is amended to read:

2308 "(1) On or before October 1, the board shall provide an annual written report to the
2309 Social Services Appropriations Subcommittee and the Economic Development and Workforce
2310 Services Interim Committee."

2311 (18) In relation to the Utah Substance Use and Mental Health Advisory Council, on
2312 January 1, 2023:

2313 (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are
2314 repealed;

2315 (b) Section [63M-7-305](#), the language that states "council" is replaced with
2316 "commission";

2317 (c) Subsection [63M-7-305\(1\)](#) is repealed and replaced with:

2318 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2319 (d) Subsection [63M-7-305\(2\)](#) is repealed and replaced with:

2320 "(2) The commission shall:
2321 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
2322 Drug-Related Offenses Reform Act; and
2323 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
2324 Subsections 77-18-1(5)(b)(iii) and (iv)."
2325 [~~15~~] (19) The Crime Victim Reparations and Assistance Board, created in Section
2326 63M-7-504, is repealed July 1, 2027.
2327 [~~16~~] (20) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
2328 [~~2027~~] 2021.
2329 (21) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed
2330 on January 1, 2023.
2331 [~~17~~] (22) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
2332 [~~18~~] (23) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
2333 is repealed January 1, 2021.
2334 (b) Subject to Subsection [~~18~~] (23)(c), Sections 59-7-610 and 59-10-1007 regarding
2335 tax credits for certain persons in recycling market development zones, are repealed for taxable
2336 years beginning on or after January 1, 2021.
2337 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:
2338 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
2339 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or
2340 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
2341 the expenditure is made on or after January 1, 2021.
2342 (d) Notwithstanding Subsections [~~18~~] (23)(b) and (c), a person may carry forward a
2343 tax credit in accordance with Section 59-7-610 or 59-10-1007 if:
2344 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and
2345 (ii) (A) for the purchase price of machinery or equipment described in Section
2346 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
2347 2020; or
2348 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
2349 expenditure is made on or before December 31, 2020.
2350 [~~19~~] (24) Section 63N-2-512 is repealed on July 1, 2021.

2351 ~~[(20)]~~ (25) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
2352 January 1, 2021.

2353 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
2354 calendar years beginning on or after January 1, 2021.

2355 (c) Notwithstanding Subsection ~~[(20)]~~ (25)(b), an entity may carry forward a tax credit
2356 in accordance with Section 59-9-107 if:

2357 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
2358 31, 2020; and

2359 (ii) the qualified equity investment that is the basis of the tax credit is certified under
2360 Section 63N-2-603 on or before December 31, 2023.

2361 ~~[(21)]~~ (26) Subsections 63N-3-109(2)(f) and 63N-3-109(2)(g)(i)(C) are repealed July 1,
2362 2023.

2363 ~~[(22)]~~ (27) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is
2364 repealed July 1, 2023.

2365 ~~[(23)]~~ (28) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant
2366 Program, is repealed January 1, 2023.

2367 (29) In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:

2368 (a) Subsection 63N-10-201(2)(a) is amended to read:

2369 "(2)(a) The governor shall appoint five commission members with the advice and
2370 consent of the Senate.";

2371 (b) Subsection 63N-10-201(2)(b), related to legislative appointments, is repealed;

2372 (c) in Subsection 63N-10-201(3)(a), the language that states ", president, or speaker,
2373 respectively," is repealed; and

2374 (d) Subsection 63N-10-201(3)(d) is amended to read:

2375 "(d) The governor may remove a commission member for any reason and replace the
2376 commission member in accordance with this section."

2377 (30) In relation to the Talent Ready Utah Board, on January 1, 2023:

2378 (a) Subsection 63N-12-202(17) is repealed;

2379 (b) in Subsection 63N-12-214(2), the language that states "Talent Ready Utah," is
2380 repealed; and

2381 (c) in Subsection 63N-12-214(5), the language that states "representatives of Talent

2382 Ready Utah," is repealed.

2383 [~~24~~] (31) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is
2384 repealed July 1, 2018.

2385 (32) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,
2386 2023.

2387 Section 67. Section **63I-1-267** is amended to read:

2388 **63I-1-267. Repeal dates, Title 67.**

2389 [(+)] Section **67-1-15** is repealed December 31, 2027.

2390 [~~2~~] Sections **67-1a-10** and **67-1a-11** creating the Commission on Civic and Character
2391 Education and establishing its duties are repealed on July 1, 2021.]

2392 Section 68. Section **63I-1-272** is amended to read:

2393 **63I-1-272. Repeal dates, Title 72.**

2394 Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January 2,
2395 2025.

2396 Section 69. Section **63I-1-273** is amended to read:

2397 **63I-1-273. Repeal dates, Title 73.**

2398 (1) The instream flow water right for trout habitat established in Subsection **73-3-30(3)**
2399 is repealed December 31, 2019.

2400 (2) In relation to the Legislative Water Development Commission, on January 1, 2021:

2401 (a) in Subsection **73-10g-105(3)**, the language that states "and in consultation with the
2402 State Water Development Commission created in Section **73-27-102"** is repealed;

2403 (b) Subsection **73-10g-203(4)(a)** is repealed; and

2404 (c) Title 73, Chapter 27, State Water Development Commission, is repealed.

2405 Section 70. Section **63I-2-219** is amended to read:

2406 **63I-2-219. Repeal dates -- Title 19.**

2407 (1) (a) Subsection **19-1-108(3)(a)** is repealed on June 30, 2019.

2408 (b) When repealing Subsection **19-1-108(3)(a)**, the Office of Legislative Research and
2409 General Counsel shall, in addition to its authority under Subsection **36-12-12(3)**, make
2410 necessary changes to subsection numbering and cross references.

2411 (2) Subsections **19-2-109.2(2)** through (10), related to the Compliance Advisory Panel,
2412 are repealed July 1, 2021.

- 2413 [~~2~~] (3) Section [19-6-126](#) is repealed on January 1, 2020.
- 2414 Section 71. Section **63I-2-263** is amended to read:
- 2415 **63I-2-263. Repeal dates, Title 63A to Title 63N.**
- 2416 (1) On July 1, 2020:
- 2417 (a) Subsection [63A-3-403\(5\)\(a\)\(i\)](#) is repealed; and
- 2418 (b) in Subsection [63A-3-403\(5\)\(a\)\(ii\)](#), the language that states "appointed on or after
- 2419 May 8, 2018," is repealed.
- 2420 (2) Sections [63C-4a-307](#) and [63C-4a-309](#) are repealed January 1, 2020.
- 2421 [~~2~~] (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
- 2422 repealed July 1, 2020.
- 2423 (4) In relation to the State Fair Park Committee, on January 1, 2021:
- 2424 (a) Section [63H-6-104.5](#) is repealed; and
- 2425 (b) Subsections [63H-6-104\(8\)](#) and (9) are repealed.
- 2426 [~~3~~] (5) Section [63H-7a-303](#) is repealed on July 1, 2022.
- 2427 [~~4~~] (6) On July 1, 2019:
- 2428 (a) in Subsection [63J-1-206\(2\)\(c\)\(i\)](#), the language that states " Subsection(2)(c)(ii) and"
- 2429 is repealed; and
- 2430 (b) Subsection [63J-1-206\(2\)\(c\)\(ii\)](#) is repealed.
- 2431 (7) In relation to the Employability to Careers Program Board, on July 1, 2022:
- 2432 (a) Subsection [63J-1-602.1\(52\)](#) is repealed;
- 2433 (b) Subsection [63J-4-301\(1\)\(h\)](#), related to the review of data and metrics, is repealed;
- 2434 and
- 2435 (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.
- 2436 [~~5~~] (8) Section [63J-4-708](#) is repealed January 1, 2023.
- 2437 [~~6~~] (9) Subsection [63N-3-109\(2\)\(f\)\(i\)\(B\)](#) is repealed July 1, 2020.
- 2438 [~~7~~] (10) Section [63N-3-110](#) is repealed July 1, 2020.
- 2439 Section 72. Section **63I-2-272** is amended to read:
- 2440 **63I-2-272. Repeal dates -- Title 72.**
- 2441 (1) Subsections [72-1-213\(2\)](#) and (3)(a)(i), related to the Road Usage Charge Advisory
- 2442 Committee, are repealed January 1, 2022.
- 2443 [~~+~~] (2) On July 1, 2018:

2444 (a) in Subsection 72-2-108(2), the language that states "and except as provided in
2445 Subsection (10)" is repealed;

2446 (b) in Subsection 72-2-108(4)(c)(ii)(A), the language that states ", excluding any
2447 amounts appropriated as additional support for class B and class C roads under Subsection
2448 (10)," is repealed; and

2449 (c) Subsection 72-2-108(10) is repealed.

2450 ~~[(2)]~~ (3) Section 72-3-113 is repealed January 1, 2020.

2451 ~~[(3)]~~ (4) Section 72-15-101 is repealed on March 31, 2018.

2452 Section 73. Section 63J-1-602.2 is amended to read:

2453 **63J-1-602.2. List of nonlapsing appropriations to programs.**

2454 Appropriations made to the following programs are nonlapsing:

2455 (1) The Legislature and its committees.

2456 (2) The Percent-for-Art Program created in Section 9-6-404.

2457 (3) The LeRay McAllister Critical Land Conservation Program created in Section
2458 11-38-301.

2459 ~~[(4) Dedicated credits accrued to the Utah Marriage Commission as provided under
2460 Subsection 17-16-21(2)(d)(ii):]~~

2461 ~~[(5)]~~ (4) The Division of Wildlife Resources for the appraisal and purchase of lands
2462 under the Pelican Management Act, as provided in Section 23-21a-6.

2463 ~~[(6)]~~ (5) The primary care grant program created in Section 26-10b-102.

2464 ~~[(7)]~~ (6) Sanctions collected as dedicated credits from Medicaid provider under
2465 Subsection 26-18-3(7).

2466 ~~[(8)]~~ (7) The Utah Health Care Workforce Financial Assistance Program created in
2467 Section 26-46-102.

2468 ~~[(9)]~~ (8) The Rural Physician Loan Repayment Program created in Section 26-46a-103.

2469 ~~[(10)]~~ (9) The Opiate Overdose Outreach Pilot Program created in Section 26-55-107.

2470 ~~[(11)]~~ (10) Funds that the Department of Alcoholic Beverage Control retains in
2471 accordance with Subsection 32B-2-301(7)(a)(ii) or (b).

2472 ~~[(12)]~~ (11) The General Assistance program administered by the Department of
2473 Workforce Services, as provided in Section 35A-3-401.

2474 ~~[(13)]~~ (12) A new program or agency that is designated as nonlapsing under Section

- 2475 36-24-101.
- 2476 [~~(14)~~] (13) The Utah National Guard, created in Title 39, Militia and Armories.
- 2477 [~~(15)~~] (14) The State Tax Commission under Section 41-1a-1201 for the:
- 2478 (a) purchase and distribution of license plates and decals; and
- 2479 (b) administration and enforcement of motor vehicle registration requirements.
- 2480 [~~(16)~~] (15) The Search and Rescue Financial Assistance Program, as provided in
- 2481 Section 53-2a-1102.
- 2482 [~~(17)~~] (16) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 2483 [~~(18)~~] (17) The State Board of Regents for teacher preparation programs, as provided
- 2484 in Section 53B-6-104.
- 2485 [~~(19)~~] (18) The Medical Education Program administered by the Medical Education
- 2486 Council, as provided in Section 53B-24-202.
- 2487 [~~(20)~~] (19) The State Board of Education, as provided in Section 53F-2-205.
- 2488 [~~(21)~~] (20) The Division of Services for People with Disabilities, as provided in
- 2489 Section 62A-5-102.
- 2490 [~~(22)~~] (21) The Division of Fleet Operations for the purpose of upgrading underground
- 2491 storage tanks under Section 63A-9-401.
- 2492 [~~(23)~~] (22) The Utah Seismic Safety Commission, as provided in Section 63C-6-104.
- 2493 [~~(24)~~] (23) Appropriations to the Department of Technology Services for technology
- 2494 innovation as provided under Section 63F-4-202.
- 2495 [~~(25)~~] (24) The Office of Administrative Rules for publishing, as provided in Section
- 2496 63G-3-402.
- 2497 [~~(26)~~] (25) The Utah Science Technology and Research Initiative created in Section
- 2498 63M-2-301.
- 2499 [~~(27)~~] (26) The Governor's Office of Economic Development to fund the Enterprise
- 2500 Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 2501 [~~(28)~~] (27) Appropriations to fund the Governor's Office of Economic Development's
- 2502 Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
- 2503 Employment Expansion Program.
- 2504 [~~(29)~~] (28) The Department of Human Resource Management user training program, as
- 2505 provided in Section 67-19-6.

2506 ~~[(30)]~~ (29) The University of Utah Poison Control Center program, as provided in
2507 Section [69-2-5.5](#).

2508 ~~[(31)]~~ (30) A public safety answering point's emergency telecommunications service
2509 fund, as provided in Section [69-2-301](#).

2510 ~~[(32)]~~ (31) The Traffic Noise Abatement Program created in Section [72-6-112](#).

2511 ~~[(33)]~~ (32) The Judicial Council for compensation for special prosecutors, as provided
2512 in Section [77-10a-19](#).

2513 ~~[(34)]~~ (33) A state rehabilitative employment program, as provided in Section
2514 [78A-6-210](#).

2515 ~~[(35)]~~ (34) The Utah Geological Survey, as provided in Section [79-3-401](#).

2516 ~~[(36)]~~ (35) The Bonneville Shoreline Trail Program created under Section [79-5-503](#).

2517 ~~[(37)]~~ (36) Adoption document access as provided in Sections [78B-6-141](#), [78B-6-144](#),
2518 and [78B-6-144.5](#).

2519 ~~[(38)]~~ (37) Indigent defense as provided in Title 77, Chapter 32, Part 8, Utah Indigent
2520 Defense Commission.

2521 Section 74. Section **63J-4-606** is amended to read:

2522 **63J-4-606. Public lands transfer study and economic analysis -- Report.**

2523 (1) As used in this section:

2524 (a) "Public lands" ~~[is as]~~ means the same as that term is defined in Section [63L-6-102](#).

2525 (b) "Transfer of public lands" means the transfer of public lands from federal
2526 ownership to state ownership.

2527 ~~[(2)(a) The coordinator and the office shall:]~~

2528 ~~[(i) conduct a study and economic analysis of the ramifications and economic impacts~~
2529 ~~of the transfer of public lands;]~~

2530 ~~[(ii) during the study and economic analysis, consult with county representatives on an~~
2531 ~~ongoing basis regarding how to consider and incorporate county land use plans and planning~~
2532 ~~processes into the analysis; and]~~

2533 ~~[(iii) on an ongoing basis, report on the progress and findings of the study to the~~
2534 ~~Commission for the Stewardship of Public Lands.]~~

2535 ~~[(b) The study and economic analysis shall:]~~

2536 ~~[(i) inventory public lands;]~~

- 2537 ~~[(ii) examine public lands:]~~
- 2538 ~~[(A) ownership;]~~
- 2539 ~~[(B) management;]~~
- 2540 ~~[(C) jurisdiction;]~~
- 2541 ~~[(D) resource characteristics;]~~
- 2542 ~~[(E) federal management requirements related to national forests, national recreation~~
- 2543 ~~areas, or other public lands administered by the United States; and]~~
- 2544 ~~[(F) current and potential future uses and ways that socioeconomic conditions are~~
- 2545 ~~influenced by those uses;]~~
- 2546 ~~[(iii) determine:]~~
- 2547 ~~[(A) public lands' ongoing and deferred maintenance costs, revenue production, and~~
- 2548 ~~funding sources;]~~
- 2549 ~~[(B) whether historical federal funding levels have been sufficient to manage, maintain,~~
- 2550 ~~preserve, and restore public lands and whether that funding level is likely to continue;]~~
- 2551 ~~[(C) the amount of public lands revenue paid to state, county, and local governments~~
- 2552 ~~and other recipients designated by law from payments in lieu of taxes, timber receipts, secure~~
- 2553 ~~rural school receipts, severance taxes, and mineral lease royalties;]~~
- 2554 ~~[(D) historical trends of the revenue sources listed in Subsection (2)(b)(iii)(C);]~~
- 2555 ~~[(E) ways that the payments listed in Subsection (2)(b)(iii)(C) can be maintained or~~
- 2556 ~~replaced following the transfer of public lands; and]~~
- 2557 ~~[(F) ways that, following the transfer of public lands, revenue from public lands can be~~
- 2558 ~~increased while mitigating environmental impact;]~~
- 2559 ~~[(iv) identify:]~~
- 2560 ~~[(A) existing oil and gas, mining, grazing, hunting, fishing, recreation, and other rights~~
- 2561 ~~and interests on public lands;]~~
- 2562 ~~[(B) the economic impact of those rights and interests on state, county, and local~~
- 2563 ~~economies;]~~
- 2564 ~~[(C) actions necessary to secure, preserve, and protect those rights and interests; and]~~
- 2565 ~~[(D) how those rights and interests may be affected in the event the federal government~~
- 2566 ~~does not complete the transfer of public lands;]~~
- 2567 ~~[(v) evaluate the impact of federal land ownership on:]~~

2568 ~~[(A) the Utah School and Institutional Trust Lands Administration's ability to~~
2569 ~~administer trust lands for the benefit of Utah schoolchildren;]~~
2570 ~~[(B) the state's ability to fund education; and]~~
2571 ~~[(C) state and local government tax bases;]~~
2572 ~~[(vi) identify a process for the state to:]~~
2573 ~~[(A) transfer and receive title to public lands from the United States;]~~
2574 ~~[(B) utilize state agencies with jurisdiction over land, natural resources, environmental~~
2575 ~~quality, and water to facilitate the transfer of public lands;]~~
2576 ~~[(C) create a permanent state framework to oversee the transfer of public lands;]~~
2577 ~~[(D) transition to state ownership and management of public lands using existing state~~
2578 ~~and local government resources; and]~~
2579 ~~[(E) indemnify political subdivisions of the state for actions taken in connection with~~
2580 ~~the transfer of public lands;]~~
2581 ~~[(vii) examine ways that multiple use of public lands through tourism and outdoor~~
2582 ~~recreation contributes to:]~~
2583 ~~[(A) the economic growth of state and local economies; and]~~
2584 ~~[(B) the quality of life of Utah citizens;]~~
2585 ~~[(viii) using theoretical modeling of various levels of land transfer, usage, and~~
2586 ~~development, evaluate the potential economic impact of the transfer of public lands on state,~~
2587 ~~county, and local governments; and]~~
2588 ~~[(ix) recommend the optimal use of public lands following the transfer of public lands.]~~
2589 (2) The coordinator and the office shall, on an ongoing basis, report to the Federalism
2590 Commission regarding the ramifications and economic impacts of the transfer of public lands.
2591 (3) The coordinator and office shall:
2592 (a) on an ongoing basis, discuss issues related to the transfer of public lands with:
2593 (i) the School and Institutional Trust Lands Administration;
2594 (ii) local governments;
2595 (iii) water managers;
2596 (iv) environmental advocates;
2597 (v) outdoor recreation advocates;
2598 (vi) nonconventional and renewable energy producers;

- 2599 (vii) tourism representatives;
- 2600 (viii) wilderness advocates;
- 2601 (ix) ranchers and agriculture advocates;
- 2602 (x) oil, gas, and mining producers;
- 2603 (xi) fishing, hunting, and other wildlife interests;
- 2604 (xii) timber producers;
- 2605 (xiii) other interested parties; and
- 2606 [~~(xiv) the Commission for the Stewardship of Public Lands; and]~~

2607 (xiv) the Federalism Commission; and

2608 (b) develop ways to obtain input from Utah citizens regarding the transfer of public
2609 lands and the future care and use of public lands.

2610 [~~(4) The coordinator may contract with another state agency or private entity to assist~~
2611 ~~the coordinator and office with the study and economic analysis required by Subsection (2)(a).]~~

2612 [~~(5) The coordinator shall submit a final report on the study and economic analysis~~
2613 ~~described in Subsection (2)(a), including proposed legislation and recommendations, to the~~
2614 ~~governor, the Natural Resources, Agriculture, and Environment Interim Committee, and the~~
2615 ~~Commission for the Stewardship of Public Lands before November 30, 2014.]~~

2616 Section 75. Section **63J-4-607** is amended to read:

2617 **63J-4-607. Resource management plan administration.**

2618 (1) The office shall consult with the [~~Commission for the Stewardship of Public Lands]~~
2619 Federalism Commission before expending funds appropriated by the Legislature for the
2620 implementation of this section.

2621 (2) To the extent that the Legislature appropriates sufficient funding, the office may
2622 procure the services of a non-public entity in accordance with Title 63G, Chapter 6a, Utah
2623 Procurement Code, to assist the office with the office's responsibilities described in Subsection
2624 (3).

2625 (3) The office shall:

2626 (a) assist each county with the creation of the county's resource management plan by:

2627 (i) consulting with the county on policy and legal issues related to the county's resource
2628 management plan; and

2629 (ii) helping the county ensure that the county's resource management plan meets the

2630 requirements of Subsection 17-27a-401(3);

2631 (b) promote quality standards among all counties' resource management plans; and

2632 (c) upon submission by a county, review and verify the county's:

2633 (i) estimated cost for creating a resource management plan; and

2634 (ii) actual cost for creating a resource management plan.

2635 (4) (a) A county shall cooperate with the office, or an entity procured by the office

2636 under Subsection (2), with regards to the office's responsibilities under Subsection (3).

2637 (b) To the extent that the Legislature appropriates sufficient funding, the office may, in

2638 accordance with Subsection (4)(c), provide funding to a county before the county completes a

2639 resource management plan.

2640 (c) The office may provide pre-completion funding described in Subsection (4)(b):

2641 (i) after:

2642 (A) the county submits an estimated cost for completing the resource management plan

2643 to the office; and

2644 (B) the office reviews and verifies the estimated cost in accordance with Subsection

2645 (3)(c)(i); and

2646 (ii) in an amount up to:

2647 (A) 50% of the estimated cost of completing the resource management plan, verified

2648 by the office; or

2649 (B) \$25,000, if the amount described in Subsection (4)(c)(i)(A) is greater than \$25,000.

2650 (d) To the extent that the Legislature appropriates sufficient funding, the office shall

2651 provide funding to a county in the amount described in Subsection (4)(e) after:

2652 (i) a county's resource management plan:

2653 (A) meets the requirements described in Subsection 17-27a-401(3); and

2654 (B) is adopted under Subsection 17-27a-404(6)(d);

2655 (ii) the county submits the actual cost of completing the resource management plan to

2656 the office; and

2657 (iii) the office reviews and verifies the actual cost in accordance with Subsection

2658 (3)(c)(ii).

2659 (e) The office shall provide funding to a county under Subsection (4)(d) in an amount

2660 equal to the difference between:

2661 (i) the lesser of:
2662 (A) the actual cost of completing the resource management plan, verified by the office;
2663 or
2664 (B) \$50,000; and
2665 (ii) the amount of any pre-completion funding that the county received under
2666 Subsections (4)(b) and (c).

2667 (5) To the extent that the Legislature appropriates sufficient funding, after the deadline
2668 established in Subsection 17-27a-404(6)(d) for a county to adopt a resource management plan,
2669 the office shall:

2670 (a) obtain a copy of each county's resource management plan;
2671 (b) create a statewide resource management plan that:
2672 (i) meets the same requirements described in Subsection 17-27a-401(3); and
2673 (ii) to the extent reasonably possible, coordinates and is consistent with any resource
2674 management plan or land use plan established under Chapter 8, State of Utah Resource
2675 Management Plan for Federal Lands; and

2676 (c) submit a copy of the statewide resource management plan to the [~~Commission for~~
2677 ~~the Stewardship of Public Lands~~] Federalism Commission for review.

2678 (6) Following review of the statewide resource management plan, the [~~Commission for~~
2679 ~~the Stewardship of Public Lands~~] Federalism Commission shall prepare a concurrent resolution
2680 approving the statewide resource management plan for consideration during the 2018 General
2681 Session.

2682 (7) To the extent that the Legislature appropriates sufficient funding, the office shall
2683 provide legal support to a county that becomes involved in litigation with the federal
2684 government over the requirements of Subsection 17-27a-405(3).

2685 (8) After the statewide resource management plan is approved, as described in
2686 Subsection (6), and to the extent that the Legislature appropriates sufficient funding, the office
2687 shall monitor the implementation of the statewide resource management plan at the federal,
2688 state, and local levels.

2689 Section 76. Section **63J-4-702** is amended to read:

2690 **63J-4-702. Employability to Careers Program Board.**

2691 (1) There is created within the office the Employability to Careers Program Board

2692 composed of the following members:

2693 (a) the executive director of the Department of Workforce Services or the executive
2694 director's designee;

2695 (b) the executive director of the Department of Human Services or the executive
2696 director's designee; and

2697 (c) three members appointed by the governor with the consent of the Senate as follows:

2698 (i) one member from the private or nonprofit sector with expertise in finance;

2699 (ii) one member who is not a legislator from the private or nonprofit sector chosen

2700 from among two individuals recommended by the president of the Senate; and

2701 (iii) one member who is not a legislator from the private or nonprofit sector chosen

2702 from among two individuals recommended by the speaker of the House of Representatives.

2703 (2) (a) An appointed member of the board shall serve for a term of three years, but may
2704 be reappointed for one additional term.

2705 (b) If a vacancy occurs in the board for any reason, the governor with the consent of the
2706 Senate shall appoint a replacement to serve the remainder of the board member's term.

2707 (3) The board shall elect a chair from among the board's membership.

2708 (4) The board shall meet at least quarterly upon the call of the chair.

2709 (5) Four members of the board constitute a quorum.

2710 (6) Action by a majority present constitutes the action of the board.

2711 (7) A board member may not receive compensation or benefits for the member's
2712 service, but a member may receive per diem and travel expenses in accordance with:

2713 (a) Section [63A-3-106](#);

2714 (b) Section [63A-3-107](#); and

2715 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
2716 [63A-3-107](#).

2717 (8) The office shall provide staff support to the board.

2718 Section 77. Section **63L-10-102** is amended to read:

2719 **63L-10-102. Definitions.**

2720 As used in this chapter:

2721 (1) "Commission" means the [~~Commission for the Stewardship of Public Lands~~]

2722 Federalism Commission.

2723 (2) "Office" means the Public Lands Policy Coordinating Office established in Section
2724 63J-4-602.

2725 (3) "Plan" means the statewide resource management plan, created pursuant to Section
2726 63J-4-607 and adopted in Section 63L-10-103.

2727 (4) "Public lands" means:

2728 (a) land other than a national park that is managed by the United States Parks Service;

2729 (b) land that is managed by the United States Forest Service; and

2730 (c) land that is managed by the Bureau of Land Management.

2731 Section 78. Section 63L-10-103 is amended to read:

2732 **63L-10-103. Statewide resource management plan adopted.**

2733 (1) The statewide resource management plan, dated January 2, 2018, and on file with
2734 the office, is hereby adopted.

2735 (2) The office shall, to the extent possible and as funding allows, monitor federal, state,
2736 and local government compliance with the plan.

2737 (3) If the office modifies the plan, the office shall notify the commission of the
2738 modification and the office's reasoning for the modification within 30 days of the day on which
2739 the modification is made.

2740 (4) (a) The commission may request additional information of the office regarding any
2741 modifications to the plan, as described in Subsection (3).

2742 (b) The office shall promptly respond to any request for additional information, as
2743 described in Subsection (4)(a).

2744 (c) The commission may make a recommendation that the Legislature approve a
2745 modification or disapprove a modification, or the commission may decline to take action.

2746 (5) The office shall annually:

2747 (a) prepare a report detailing what changes, if any, are recommended for the plan and
2748 deliver the report to the commission [~~by October 31~~] August 31; and

2749 (b) report on the implementation of the plan at the federal, state, and local levels to the
2750 commission [~~by October 31~~] August 31.

2751 (6) If the commission makes a recommendation that the Legislature approve a
2752 modification, the commission shall prepare a bill in anticipation of the annual general session
2753 of the Legislature to implement the change.

2754 Section 79. Section **63L-10-104** is amended to read:

2755 **63L-10-104. Policy statement.**

2756 (1) Except as provided in Subsection (2), state agencies and political subdivisions shall
2757 refer to and substantially conform with the statewide resource management plan when making
2758 plans for public lands or other public resources in the state.

2759 (2) (a) The office shall, as funding allows, maintain a record of all state agency and
2760 political subdivision resource management plans and relevant documentation.

2761 (b) On an ongoing basis, state agencies and political subdivisions shall keep the office
2762 informed of any substantive modifications to their resource management plans.

2763 (c) On or before [~~October~~] August 31 of each year, the office shall provide a report to
2764 the commission that includes the following:

2765 (i) any modifications to the state agency or political subdivision resource management
2766 plans that are inconsistent with the statewide resource management plan;

2767 (ii) a recommendation as to how an inconsistency identified under Subsection (2)(c)(i),
2768 if any, should be addressed; and

2769 (iii) a recommendation:

2770 (A) as to whether the statewide resource management plan should be modified to
2771 address any inconsistency identified under Subsection (2)(c)(i); or

2772 (B) on any other modification to the statewide resource management plan the office
2773 determines is necessary.

2774 (3) (a) Subject to Subsection (3)(b), nothing in this section preempts the authority
2775 granted to a political subdivision under:

2776 (i) Title 10, Chapter 8, Powers and Duties of Municipalities, or Title 10, Chapter 9a,
2777 Municipal Land Use, Development, and Management Act; or

2778 (ii) Title 17, Chapter 27a, County Land Use, Development, and Management Act.

2779 (b) Federal regulations state that, when state and local government policies, plans, and
2780 programs conflict, those of higher authority will normally be followed.

2781 Section 80. Section **63M-2-301** is amended to read:

2782 **63M-2-301. The Utah Science Technology and Research Initiative -- Governing**
2783 **authority -- Executive director.**

2784 (1) There is created the Utah Science Technology and Research Initiative.

2785 (2) To oversee USTAR, there is created the Utah Science Technology and Research
2786 Governing Authority consisting of:

- 2787 (a) the state treasurer or the state treasurer's designee;
- 2788 (b) the executive director of the Governor's Office of Economic Development;
- 2789 (c) three members appointed by the governor, with the consent of the Senate;
- 2790 (d) two members who are not legislators appointed by the president of the Senate;
- 2791 (e) two members who are not legislators appointed by the speaker of the House of

2792 Representatives; and

- 2793 (f) one member appointed by the commissioner of higher education.

2794 (3) (a) The eight appointed members under Subsections (2)(c) through (f) shall serve
2795 four-year staggered terms.

- 2796 (b) An appointed member under Subsection (2)(c), (d), (e), or (f):

2797 (i) may not serve more than two full consecutive terms; and

2798 (ii) may be removed from the governing authority for any reason before the member's
2799 term is completed:

- 2800 (A) at the discretion of the original appointing authority; and

2801 (B) after the original appointing authority consults with the governing authority.

2802 (4) A vacancy on the governing authority in an appointed position under Subsection
2803 (2)(c), (d), (e), or (f) shall be filled for the unexpired term by the appointing authority in the
2804 same manner as the original appointment.

2805 (5) (a) Except as provided in Subsection (5)(b), the governor, with the consent of the
2806 Senate, shall select the chair of the governing authority to serve a one-year term.

2807 (b) The governor may extend the term of a sitting chair of the governing authority
2808 without the consent of the Senate.

2809 (c) The executive director of the Governor's Office of Economic Development shall
2810 serve as the vice chair of the governing authority.

2811 (6) The governing authority shall meet at least six times each year and may meet more
2812 frequently at the request of a majority of the members of the governing authority.

2813 (7) Five members of the governing authority are a quorum.

2814 (8) A member of the governing authority may not receive compensation or benefits for
2815 the member's service, but may receive per diem and travel expenses as allowed in:

2816 (a) Section 63A-3-106;
2817 (b) Section 63A-3-107; and
2818 (c) rules made by the Division of Finance:
2819 (i) pursuant to Sections 63A-3-106 and 63A-3-107; and
2820 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
2821 (9) (a) After consultation with the governing authority, the governor, with the consent
2822 of the Senate, shall appoint a full-time executive director to provide staff support for the
2823 governing authority.

2824 (b) The executive director is an at-will employee who may be terminated with or
2825 without cause by:
2826 (i) the governor; or
2827 (ii) majority vote of the governing authority.

2828 Section 81. Section 63M-7-301 is amended to read:

2829 **63M-7-301. Definitions -- Creation of council -- Membership -- Terms.**

2830 (1) (a) As used in this part, "council" means the Utah Substance Use and Mental Health
2831 Advisory Council created in this section.

2832 (b) There is created within the governor's office the Utah Substance Use and Mental
2833 Health Advisory Council.

2834 (2) The council shall be comprised of the following voting members:

- 2835 (a) the attorney general or the attorney general's designee;
- 2836 (b) an elected county official appointed by the Utah Association of Counties;
- 2837 (c) the commissioner of public safety or the commissioner's designee;
- 2838 (d) the director of the Division of Substance Abuse and Mental Health or the director's
2839 designee;
- 2840 (e) the state superintendent of public instruction or the superintendent's designee;
- 2841 (f) the executive director of the Department of Health or the executive director's
2842 designee;
- 2843 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
2844 executive director's designee;
- 2845 (h) the executive director of the Department of Corrections or the executive director's
2846 designee;

- 2847 (i) the director of the Division of Juvenile Justice Services or the director's designee;
- 2848 (j) the director of the Division of Child and Family Services or the director's designee;
- 2849 (k) the chair of the Board of Pardons and Parole or the chair's designee;
- 2850 (l) the director of the Office of Multicultural Affairs or the director's designee;
- 2851 (m) the director of the Division of Indian Affairs or the director's designee;
- 2852 (n) the state court administrator or the state court administrator's designee;
- 2853 (o) a district court judge who presides over a drug court and who is appointed by the
- 2854 chief justice of the Utah Supreme Court;
- 2855 (p) a district court judge who presides over a mental health court and who is appointed
- 2856 by the chief justice of the Utah Supreme Court;
- 2857 (q) a juvenile court judge who presides over a drug court and who is appointed by the
- 2858 chief justice of the Utah Supreme Court;
- 2859 (r) a prosecutor appointed by the Statewide Association of Prosecutors;
- 2860 (s) the chair or co-chair of each committee established by the council;
- 2861 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under
- 2862 Subsection [62A-15-11\(2\)\(b\)](#);
- 2863 ~~[(u) the following members appointed to serve four-year terms:]~~
- 2864 ~~[(i) a member of the House of Representatives appointed by the speaker of the House~~
- 2865 ~~of Representatives;]~~
- 2866 ~~[(ii) a member of the Senate appointed by the president of the Senate; and]~~
- 2867 ~~[(iii)]~~ (u) a representative appointed by the Utah League of Cities and Towns to serve a
- 2868 four-year term;
- 2869 (v) the following members appointed by the governor to serve four-year terms:
- 2870 (i) one resident of the state who has been personally affected by a substance use or
- 2871 mental health disorder; and
- 2872 (ii) one citizen representative; and
- 2873 (w) in addition to the voting members described in Subsections (2)(a) through (v), the
- 2874 following voting members appointed by a majority of the members described in Subsections
- 2875 (2)(a) through (v) to serve four-year terms:
- 2876 (i) one resident of the state who represents a statewide advocacy organization for
- 2877 recovery from substance use disorders;

- 2878 (ii) one resident of the state who represents a statewide advocacy organization for
- 2879 recovery from mental illness;
- 2880 (iii) one resident of the state who represents prevention professionals;
- 2881 (iv) one resident of the state who represents treatment professionals;
- 2882 (v) one resident of the state who represents the physical health care field;
- 2883 (vi) one resident of the state who is a criminal defense attorney;
- 2884 (vii) one resident of the state who is a military servicemember or military veteran under

2885 Section 53B-8-102;

- 2886 (viii) one resident of the state who represents local law enforcement agencies; and
- 2887 (ix) one representative of private service providers that serve youth with substance use
- 2888 disorders or mental health disorders.

2889 (3) An individual other than an individual described in Subsection (2) may not be

2890 appointed as a voting member of the council.

2891 Section 82. Section 63M-7-302 is amended to read:

2892 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**

2893 (1) The Utah Substance Use and Mental Health Advisory Council shall annually select

2894 one of its members to serve as chair and one of its members to serve as vice chair.

2895 (2) When a vacancy occurs in the membership for any reason, the replacement shall be

2896 appointed for the unexpired term in the same manner as the position was originally filled.

2897 (3) A majority of the members of the council constitutes a quorum.

2898 (4) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits

2899 for the member's service, but may receive per diem and travel expenses as allowed in:

2900 ~~[(i)]~~ (a) Section 63A-3-106;

2901 ~~[(ii)]~~ (b) Section 63A-3-107; and

2902 ~~[(iii)]~~ (c) rules made by the Division of Finance according to Sections 63A-3-106 and

2903 63A-3-107.

2904 ~~[(b) Compensation and expenses of a member who is a legislator are governed by~~

2905 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

2906 (5) The council may establish committees as needed to assist in accomplishing its

2907 duties under Section 63M-7-303.

2908 Section 83. Section 63M-7-601 is amended to read:

2909 **63M-7-601. Creation -- Members -- Chair.**

2910 (1) There is created within the governor's office the Utah Council on Victims of Crime.

2911 (2) The Utah Council on Victims of Crime shall be composed of 25 voting members as
2912 follows:2913 (a) a representative of the Commission on Criminal and Juvenile Justice appointed by
2914 the executive director;2915 (b) a representative of the Department of Corrections appointed by the executive
2916 director;

2917 (c) a representative of the Board of Pardons and Parole appointed by the chair;

2918 (d) a representative of the Department of Public Safety appointed by the commissioner;

2919 (e) a representative of the Division of Juvenile Justice Services appointed by the
2920 director;

2921 (f) a representative of the Utah Office for Victims of Crime appointed by the director;

2922 (g) a representative of the Office of the Attorney General appointed by the attorney
2923 general;2924 (h) a representative of the United States Attorney for the district of Utah appointed by
2925 the United States Attorney;2926 (i) a representative of Utah's Native American community appointed by the director of
2927 the Division of Indian Affairs after input from federally recognized tribes in Utah;2928 (j) a professional or volunteer working in the area of violence against women and
2929 families appointed by the governor;

2930 (k) the chair of each judicial district's victims' rights committee;

2931 (l) the following members appointed to serve four-year terms:

2932 (i) a representative of the Statewide Association of Public Attorneys appointed by that
2933 association;2934 (ii) a representative of the Utah Chiefs of Police Association appointed by the president
2935 of that association;2936 (iii) a representative of the Utah Sheriffs' Association appointed by the president of that
2937 association;2938 (iv) a representative of a Children's Justice Center appointed by the ~~[Advisory Board~~
2939 ~~on Children's Justice]~~ attorney general; and

2940 (v) a citizen representative appointed by the governor; and
2941 (m) the following members appointed by the members in Subsections (2)(a) through
2942 (2)(k) to serve four-year terms:

- 2943 (i) an individual who works professionally with victims of crime; and
- 2944 (ii) a victim of crime.
- 2945 (3) The council shall annually elect one member to serve as chair.

2946 Section 84. Section **63M-11-201** is amended to read:

2947 **63M-11-201. Composition -- Appointments -- Terms -- Removal.**

2948 (1) The commission shall be composed of [22] 20 voting members as follows:
2949 [~~(a) one senator, appointed by the president of the Senate;~~]
2950 [~~(b) one representative, appointed by the speaker of the House of Representatives;~~]
2951 [~~(c)~~] (a) the executive director of the Department of Health;
2952 [~~(d)~~] (b) the executive director of the Department of Human Services;
2953 [~~(e)~~] (c) the executive director of the Governor's Office of Economic Development;
2954 [~~(f)~~] (d) the executive director of the Department of Workforce Services; and
2955 [~~(g)~~] (e) 16 voting members, appointed by the governor, representing each of the

2956 following:

- 2957 (i) the Utah Association of Area Agencies on Aging;
- 2958 (ii) higher education in Utah;
- 2959 (iii) the business community;
- 2960 (iv) the Utah Association of Counties;
- 2961 (v) the Utah League of Cities and Towns;
- 2962 (vi) charitable organizations;
- 2963 (vii) the health care provider industry;
- 2964 (viii) financial institutions;
- 2965 (ix) the legal profession;
- 2966 (x) the public safety sector;
- 2967 (xi) public transportation;
- 2968 (xii) ethnic minorities;
- 2969 (xiii) the industry that provides long-term care for the elderly;
- 2970 (xiv) organizations or associations that advocate for the aging population;

2971 (xv) the Alzheimer's Association; and

2972 (xvi) the general public.

2973 (2) (a) A member appointed under Subsection (1)~~[(g)]~~(e) shall serve a two-year term.

2974 (b) Notwithstanding the term requirements of Subsection (2)(a), the governor may
2975 adjust the length of the initial commission members' terms to ensure that the terms are
2976 staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are
2977 appointed each year.

2978 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
2979 under Subsection (1)~~[(g)]~~(e), the governor shall appoint a person to fill the vacancy for the
2980 unexpired term of the commission member being replaced.

2981 (d) Members appointed under Subsection (1)~~[(g)]~~(e) may be removed by the governor
2982 for cause.

2983 (e) A member appointed under Subsection (1)~~[(g)]~~(e) shall be removed from the
2984 commission and replaced by the governor if the member is absent for three consecutive
2985 meetings of the commission without being excused by the chair of the commission.

2986 (3) In appointing the members under Subsection (1)~~[(g)]~~(e), the governor shall:

2987 (a) take into account the geographical makeup of the commission; and

2988 (b) strive to appoint members who are knowledgeable or have an interest in issues
2989 relating to the aging population.

2990 Section 85. Section **63M-11-206** is amended to read:

2991 **63M-11-206. Members serve without pay -- Reimbursement for expenses.**

2992 ~~[(+)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits for
2993 the member's service, but may receive per diem and travel expenses as allowed in:

2994 ~~[(a)]~~ (1) Section [63A-3-106](#);

2995 ~~[(b)]~~ (2) Section [63A-3-107](#); and

2996 ~~[(c)]~~ (3) rules made by the Division of Finance according to Sections [63A-3-106](#) and
2997 [63A-3-107](#).

2998 ~~[(2) Compensation and expenses of a member who is a legislator are governed by~~
2999 ~~Section [36-2-2](#) and Legislative Joint Rules, Title JR5, Legislative Compensation and~~
3000 ~~Expenses.]~~

3001 Section 86. Section **63N-1-201** is amended to read:

3002 **63N-1-201. Creation of office -- Responsibilities.**

3003 (1) There is created the Governor's Office of Economic Development.

3004 (2) The office is:

3005 (a) responsible for economic development and economic development planning in the
3006 state; and

3007 (b) the industrial promotion authority of the state.

3008 (3) The office shall:

3009 (a) administer and coordinate state and federal economic development grant programs;

3010 (b) promote and encourage the economic, commercial, financial, industrial,
3011 agricultural, and civic welfare of the state;

3012 (c) promote and encourage the employment of workers in the state and the purchase of
3013 goods and services produced in the state by local businesses;

3014 (d) act to create, develop, attract, and retain business, industry, and commerce in the
3015 state;

3016 (e) act to enhance the state's economy;

3017 (f) administer programs over which the office is given administrative supervision by
3018 the governor;

3019 (g) submit an annual written report as described in Section [63N-1-301](#); and

3020 [~~(h) comply with the requirements of Section [36-30-202](#); and]~~

3021 [~~(i)~~] (h) perform other duties as provided by the Legislature.

3022 (4) In order to perform its duties under this title, the office may:

3023 (a) enter into a contract or agreement with, or make a grant to, a public or private
3024 entity, including a municipality, if the contract or agreement is not in violation of state statute
3025 or other applicable law;

3026 (b) except as provided in Subsection (4)(c), receive and expend funds from a public or
3027 private source for any lawful purpose that is in the state's best interest; and

3028 (c) solicit and accept a contribution of money, services, or facilities from a public or
3029 private donor, but may not use the contribution for publicizing the exclusive interest of the
3030 donor.

3031 (5) Money received under Subsection (4)(c) shall be deposited in the General Fund as
3032 dedicated credits of the office.

3033 (6) (a) The office shall obtain the advice of the board before implementing a change to
3034 a policy, priority, or objective under which the office operates.

3035 (b) Subsection (6)(a) does not apply to the routine administration by the office of
3036 money or services related to the assistance, retention, or recruitment of business, industry, or
3037 commerce in the state.

3038 Section 87. Section **67-1-2.5** is amended to read:

3039 **67-1-2.5. Executive boards -- Database -- Governor's review of new boards.**

3040 (1) As used in this section[~~-, "executive board"~~]:

3041 (a) "Administrator" means the boards and commissions administrator designated under
3042 Subsection (2).

3043 (b) "Executive board" means any executive branch board, commission, council,
3044 committee, working group, task force, study group, advisory group, or other body with a
3045 defined limited membership that is created to operate for more than six months by the
3046 constitution, by statute, by executive order, by the governor, lieutenant governor, attorney
3047 general, state auditor, or state treasurer or by the head of a department, division, or other
3048 administrative subunit of the executive branch of state government.

3049 (2) (a) Before September 1 of the calendar year following the year in which the
3050 Legislature creates a new executive board, the governor shall:

3051 (i) review the executive board to evaluate:

3052 (A) whether the executive board accomplishes a substantial governmental interest; and

3053 (B) whether it is necessary for the executive board to remain in statute;

3054 (ii) in the governor's review under Subsection (2)(a)(i), consider:

3055 (A) the funding required for the executive board;

3056 (B) the staffing resources required for the executive board;

3057 (C) the time members of the executive board are required to commit to serve on the
3058 executive board; and

3059 (D) whether the responsibilities of the executive board could reasonably be
3060 accomplished through an existing entity or without statutory direction; and

3061 (iii) submit a report to the Government Operations Interim Committee recommending
3062 that the Legislature:

3063 (A) repeal the executive board;

3064 (B) add a sunset provision or future repeal date to the executive board;
3065 (C) make other changes to make the executive board more efficient; or
3066 (D) make no changes to the executive board.
3067 (b) In conducting the evaluation and making the report described in Subsection (2)(a),
3068 the governor shall give deference to:
3069 (i) reducing the size of government; and
3070 (ii) making governmental programs more efficient and effective.
3071 (c) Upon receipt of a report from the governor under Subsection (2)(a)(iii), the
3072 Government Operations Interim Committee shall vote on whether to address the
3073 recommendations made by the governor in the report and prepare legislation accordingly.
3074 ~~[(2)]~~ (3) (a) The governor shall designate [a person from his] a board and commissions
3075 administrator from the governor's staff to maintain a computerized [data base] database
3076 containing information about all executive boards.
3077 ~~[(3)]~~ (b) The [person designated to maintain the data base] administrator shall ensure
3078 that the [data base] database contains:
3079 ~~[(a)]~~ (i) the name of each executive board;
3080 ~~[(b)]~~ (ii) the statutory or constitutional authority for the creation of the executive board;
3081 ~~[(c)]~~ (iii) the sunset date on which each executive board's statutory authority expires;
3082 ~~[(d)]~~ (iv) the state officer or department and division of state government under whose
3083 jurisdiction the executive board operates or with which the executive board is affiliated, if any;
3084 ~~[(e)]~~ (v) the name, address, gender, telephone number, and county of each [person]
3085 individual currently serving on the executive board, along with a notation of all vacant or
3086 unfilled positions;
3087 ~~[(f)]~~ (vi) the title of the position held by the person who appointed each member of the
3088 executive board;
3089 ~~[(g)]~~ (vii) the length of the term to which each member of the executive board was
3090 appointed and the month and year that each executive board member's term expires;
3091 ~~[(h)]~~ (viii) whether or not members appointed to the executive board require consent of
3092 the Senate;
3093 ~~[(i)]~~ (ix) the organization, interest group, profession, local government entity, or
3094 geographic area that [the person] an individual appointed to an executive board represents, if

3095 any;

3096 ~~[(j)]~~ (x) the ~~[person's]~~ party affiliation of an individual appointed to an executive board,

3097 if the statute or executive order creating the position requires representation from political

3098 parties;

3099 ~~[(k)]~~ (xi) whether ~~[the]~~ each executive board is a policy board or an advisory board;

3100 ~~[(l)]~~ (xii) whether ~~[or not]~~ the executive board has or exercises rulemaking authority;

3101 and

3102 ~~[(m)]~~ (xiii) any compensation and expense reimbursement that members of the

3103 executive board are authorized to receive.

3104 ~~[(4) The person designated to maintain the data base shall:]~~

3105 (4) The administrator shall place the following on the governor's website:

3106 (a) ~~[make]~~ the information contained in the ~~[data base available to the public upon~~

3107 ~~request; and]~~ database;

3108 ~~[(b) cooperate with other entities of state government to publish the data or useful~~

3109 ~~summaries of the data.]~~

3110 (b) each report the administrator receives under Subsection (5); and

3111 (c) the summary report described in Subsection (6).

3112 (5) (a) Before August 1 of each year, each executive board shall prepare and submit to

3113 the administrator an annual report that includes:

3114 (i) the name of the executive board;

3115 (ii) a description of the executive board's official function and purpose;

3116 (iii) a description of the actual work performed by the executive board since the last

3117 report the executive board submitted to the administrator under this Subsection (5);

3118 (iv) a description of actions taken by the executive board since the last report the

3119 executive board submitted to the administrator under this Subsection (5);

3120 (v) recommendations on whether any statutory, rule, or other changes are needed to

3121 make the executive board more effective; and

3122 (vi) an indication of whether the executive board should continue to exist.

3123 (b) The administrator shall compile and post the reports described in Subsection (5)(a)

3124 to the governor's website before September 1 of each year.

3125 (c) An executive board is not required to submit a report under this Subsection (5) if

3126 the executive board:

3127 (i) is also a legislative board under Section 36-12-22; and

3128 (ii) submits a report under Section 36-12-22.

3129 ~~[(5)]~~ (6) (a) The ~~[person designated to maintain the data base]~~ administrator shall
3130 prepare, publish, and distribute an annual report by ~~[December]~~ September 1 of each year that
3131 includes~~[, as of November 1]~~:

3132 (i) as of August 1 of that year:

3133 ~~[(i)]~~ (A) the total number of executive boards;

3134 ~~[(ii)]~~ (B) the name of each of those executive boards and the state officer or department
3135 and division of state government under whose jurisdiction the executive board operates or with
3136 which the executive board is affiliated, if any;

3137 ~~[(iii)]~~ (C) for each state officer and each department and division, the total number of
3138 executive boards under the jurisdiction of or affiliated with that officer, department, and
3139 division;

3140 ~~[(iv)]~~ (D) the total number of members for each of those executive boards;

3141 ~~[(v)]~~ (E) whether or not some or all of the members of each of those executive boards
3142 are approved by the Senate;

3143 ~~[(vi)]~~ (F) whether each board is a policymaking board or an advisory board and the
3144 total number of policy boards and the total number of advisory boards; and

3145 ~~[(vii)]~~ (G) the compensation, if any, paid to the members of each of those executive
3146 boards~~[-];~~ and

3147 (ii) a summary of the reports submitted to the administrator under Subsection (5),
3148 including:

3149 (A) a list of each executive board that submitted a report under Subsection (5);

3150 (B) a list of each executive board that did not submit a report under Subsection (5);

3151 (C) an indication of any recommendations made under Subsection (5)(a)(v); and

3152 (D) a list of any executive boards that indicated under Subsection (5)(a)(vi) that the
3153 executive board should no longer exist.

3154 (b) The ~~[person designated to maintain the data bases]~~ administrator shall distribute
3155 copies of the report described in Subsection (6)(a) to:

3156 (i) the governor;

- 3157 (ii) the president of the Senate;
- 3158 (iii) the speaker of the House;
- 3159 (iv) the Office of Legislative Research and General Counsel; [~~and~~]
- 3160 (v) the Government Operations Interim Committee; and
- 3161 [~~(v)~~] (vi) any other persons who request a copy of the annual report.
- 3162 (c) Each year, the Government Operations Interim Committee shall prepare legislation
- 3163 making any changes the committee determines are suitable with respect to the report the
- 3164 committee receives under Subsection (6)(b), including:
- 3165 (i) repealing an executive board that is no longer functional or necessary; and
- 3166 (ii) making appropriate changes to make an executive board more effective.
- 3167 Section 88. Section **67-5b-102** is amended to read:
- 3168 **67-5b-102. Children's Justice Center -- Requirements of center -- Purposes of**
- 3169 **center.**
- 3170 (1) (a) There is established the Children's Justice Center Program to provide a
- 3171 comprehensive, multidisciplinary, intergovernmental response to child abuse victims in a
- 3172 facility known as a Children's Justice Center.
- 3173 (b) The attorney general shall administer the program.
- 3174 (c) The attorney general shall:
- 3175 (i) allocate the funds appropriated by a line item pursuant to Section **67-5b-103**;
- 3176 (ii) administer applications for state and federal grants and subgrants;
- 3177 [~~(iii) staff the Advisory Board on Children's Justice;~~]
- 3178 (iii) maintain an advisory board that is associated with the program to comply with
- 3179 requirements of grants that are associated with the program;
- 3180 (iv) assist in the development of new centers;
- 3181 (v) coordinate services between centers;
- 3182 (vi) contract with counties and other entities for the provision of services;
- 3183 (vii) (A) provide training, technical assistance, and evaluation to centers; and
- 3184 (B) ensure that any training described in Subsection (1)(c)(vii)(A) complies with Title
- 3185 63G, Chapter 22, State Training and Certification Requirements; and
- 3186 (viii) provide other services to comply with established minimum practice standards as
- 3187 required to maintain the state's and centers' eligibility for grants and subgrants.

3188 (2) (a) The attorney general shall establish Children's Justice Centers, satellite offices,
3189 or multidisciplinary teams in Beaver County, Box Elder County, Cache County, Carbon
3190 County, Davis County, Duchesne County, Emery County, Grand County, Iron County, Juab
3191 County, Kane County, Salt Lake County, San Juan County, Sanpete County, Sevier County,
3192 Summit County, Tooele County, Uintah County, Utah County, Wasatch County, Washington
3193 County, and Weber County.

3194 (b) The attorney general may establish other centers, satellites, or multidisciplinary
3195 teams within a county and in other counties of the state.

3196 (3) The attorney general and each center shall:

3197 (a) coordinate the activities of the public agencies involved in the investigation and
3198 prosecution of child abuse cases and the delivery of services to child abuse victims and child
3199 abuse victims' families;

3200 (b) provide a neutral, child-friendly program, where interviews are conducted and
3201 services are provided to facilitate the effective and appropriate disposition of child abuse cases
3202 in juvenile, civil, and criminal court proceedings;

3203 (c) facilitate a process for interviews of child abuse victims to be conducted in a
3204 professional and neutral manner;

3205 (d) obtain reliable and admissible information that can be used effectively in child
3206 abuse cases in the state;

3207 (e) maintain a multidisciplinary team that includes representatives of public agencies
3208 involved in the investigation and prosecution of child abuse cases and in the delivery of
3209 services to child abuse victims and child abuse victims' families;

3210 (f) hold regularly scheduled case reviews with the multidisciplinary team;

3211 (g) coordinate and track:

3212 (i) investigation of the alleged offense; and

3213 (ii) preparation of prosecution;

3214 (h) maintain a working protocol that addresses the center's procedures for conducting
3215 forensic interviews and case reviews, and for ensuring a child abuse victim's access to medical
3216 and mental health services;

3217 (i) maintain a system to track the status of cases and the provision of services to child
3218 abuse victims and child abuse victims' families;

3219 (j) provide training for professionals involved in the investigation and prosecution of
3220 child abuse cases and in the provision of related treatment and services;

3221 (k) enhance community understanding of child abuse cases; and

3222 (l) provide as many services as possible that are required for the thorough and effective
3223 investigation of child abuse cases.

3224 (4) To assist a center in fulfilling the requirements and statewide purposes as provided
3225 in Subsection (3), each center may obtain access to any relevant juvenile court legal records
3226 and adult court legal records, unless sealed by the court.

3227 Section 89. Section **67-5b-105** is amended to read:

3228 **67-5b-105. Local advisory boards -- Membership.**

3229 (1) The cooperating public agencies and other persons shall make up each center's local
3230 advisory board, which shall be composed of the following people from the county or area:

3231 (a) the local center director or the director's designee;

3232 (b) a district attorney or county attorney having criminal jurisdiction or any designee;

3233 (c) a representative of the attorney general's office, designated by the attorney general;

3234 (d) at least one official from a local law enforcement agency or the local law

3235 enforcement agency's designee;

3236 (e) the county executive or the county executive's designee;

3237 (f) a licensed nurse practitioner or physician;

3238 (g) a licensed mental health professional;

3239 (h) a criminal defense attorney;

3240 (i) at least four members of the community at large [~~provided, however, that the~~
3241 ~~Advisory Board on Children's Justice may authorize fewer members, although not less than~~
3242 ~~two, if the local advisory board so requests];~~

3243 (j) a guardian ad litem or representative of the Office of Guardian Ad Litem,
3244 designated by the director;

3245 (k) a representative of the Division of Child and Family Services within the
3246 Department of Human Services, designated by the employee of the division who has
3247 supervisory responsibility for the county served by the center;

3248 (l) if a center serves more than one county, one representative from each county served,
3249 appointed by the county executive; and

3250 (m) additional members appointed as needed by the county executive.

3251 (2) The members on each local advisory board who serve due to public office as
3252 provided in Subsections (1)(b) through (e) shall select the remaining members. The members
3253 on each local advisory board shall select a chair of the local advisory board.

3254 (3) The local advisory board may not supersede the authority of the contracting county
3255 as designated in Section [67-5b-104](#).

3256 (4) Appointees and designees shall serve a term or terms as designated in the bylaws of
3257 the local advisory board.

3258 Section 90. Section **72-4-302** is amended to read:

3259 **72-4-302. Utah State Scenic Byway Committee -- Creation -- Membership --**
3260 **Meetings -- Expenses.**

3261 (1) There is created the Utah State Scenic Byway Committee.

3262 (2) (a) The committee shall consist of the following [~~15~~] 13 members:

3263 (i) a representative from each of the following entities appointed by the governor:

3264 (A) the Governor's Office of Economic Development;

3265 (B) the Utah Department of Transportation;

3266 (C) the Department of Heritage and Arts;

3267 (D) the Division of Parks and Recreation;

3268 (E) the Federal Highway Administration;

3269 (F) the National Park Service;

3270 (G) the National Forest Service; and

3271 (H) the Bureau of Land Management;

3272 (ii) one local government tourism representative appointed by the governor;

3273 (iii) a representative from the private business sector appointed by the governor; and

3274 (iv) three local elected officials from a county, city, or town within the state appointed
3275 by the governor[;].

3276 [~~(v) a member from the House of Representatives appointed by the speaker of the~~
3277 ~~House of Representatives; and]~~

3278 [~~(vi) a member from the Senate appointed by the president of the Senate.]~~

3279 (b) Except as provided in Subsection (2)(c), the members appointed in this Subsection

3280 (2) shall be appointed for a four-year term of office.

3281 (c) The governor shall, at the time of appointment or reappointment for appointments
3282 made under Subsection (2)(a)(i), (ii), (iii), or (iv) adjust the length of terms to ensure that the
3283 terms of committee members are staggered so that approximately half of the committee is
3284 appointed every two years.

3285 ~~[(d)(i) The appointments made under Subsections (2)(a)(v) and (vi) by the speaker of~~
3286 ~~the House and the president of the Senate may not be from the same political party.]~~

3287 ~~[(ii) The speaker of the House and the president of the Senate shall alternate the~~
3288 ~~appointments made under Subsections (2)(a)(v) and (vi) as follows:]~~

3289 ~~[(A) if the speaker appoints a member under Subsection (2)(a)(v), the next appointment~~
3290 ~~made by the speaker following the expiration of the existing member's four-year term of office~~
3291 ~~shall be from a different political party; and]~~

3292 ~~[(B) if the president appoints a member under Subsection (2)(a)(vi), the next~~
3293 ~~appointment made by the president following the expiration of the existing member's four-year~~
3294 ~~term of office shall be from a different political party.]~~

3295 (3) (a) The representative from the Governor's Office of Economic Development shall
3296 chair the committee.

3297 (b) The members appointed under Subsections (2)(a)(i)(E) through (H) serve as
3298 nonvoting, ex officio members of the committee.

3299 (4) The Governor's Office of Economic Development and the department shall provide
3300 staff support to the committee.

3301 (5) (a) The chair may call a meeting of the committee only with the concurrence of the
3302 department.

3303 (b) A majority of the voting members of the committee constitute a quorum.

3304 (c) Action by a majority vote of a quorum of the committee constitutes action by the
3305 committee.

3306 (6) ~~[(a)]~~ A member ~~[who is not a legislator]~~ may not receive compensation or benefits
3307 for the member's service, but may receive per diem and travel expenses as allowed in:

3308 ~~[(i)]~~ (a) Section 63A-3-106;

3309 ~~[(ii)]~~ (b) Section 63A-3-107; and

3310 ~~[(iii)]~~ (c) rules made by the Division of Finance according to Sections 63A-3-106 and
3311 63A-3-107.

3312 ~~[(b) Compensation and expenses of a member who is a legislator are governed by~~
3313 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

3314 Section 91. Section **73-10g-105** is amended to read:

3315 **73-10g-105. Loans -- Rulemaking.**

3316 (1) (a) The division and the board shall make rules, in accordance with Title 63G,
3317 Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from available
3318 funds to repair, replace, or improve underfunded federal water infrastructure projects.

3319 (b) Subject to Chapter 26, Bear River Development Act, and Chapter 28, Lake Powell
3320 Pipeline Development Act, the division and the board shall make rules, in accordance with
3321 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in preparation to make loans from
3322 available funds to develop the state's undeveloped share of the Bear and Colorado rivers.

3323 (2) The rules described in Subsection (1) shall:

3324 (a) specify the amount of money that may be loaned;

3325 (b) specify the criteria the division and the board shall consider in prioritizing and
3326 awarding loans;

3327 (c) specify the minimum qualifications for an individual who, or entity that, receives a
3328 loan, including the amount of cost-sharing to be the responsibility of the individual or entity
3329 applying for a loan;

3330 (d) specify the terms of the loan, including the terms of repayment; and

3331 (e) require all applicants for a loan to apply on forms provided by the division and in a
3332 manner required by the division.

3333 (3) The division and the board shall, in making the rules described in Subsection (1)
3334 and in consultation with the State Water Development Commission created in Section
3335 **73-27-102**:

3336 (a) establish criteria for better water data and data reporting;

3337 (b) establish new conservation targets based on the data described in Subsection (3)(a);

3338 (c) institute a process for the independent verification of the data described in
3339 Subsection (3)(a);

3340 (d) establish a plan for an independent review of:

3341 (i) the proposed construction plan for an applicant's qualifying water infrastructure
3342 project; and

3343 (ii) the applicant's plan to repay the loan for the construction of the proposed water
3344 infrastructure project;

3345 (e) invite and recommend public involvement; and

3346 (f) set appropriate financing and repayment terms.

3347 ~~[(4)(a) The division, board, and State Water Development Commission shall, no later~~
3348 ~~than October 30, 2016, report to the Natural Resources, Agriculture, and Environment Interim~~
3349 ~~Committee and Legislative Management Committee on the rules established pursuant to~~
3350 ~~Subsections (1) and (3).]~~

3351 ~~[(b) After October 30, 2016, the]~~

3352 (4) The division and the board shall provide regular updates to the Legislative
3353 Management Committee on the progress made under this section, including whether the
3354 division and board intend to issue a request for proposals.

3355 Section 92. Section **78A-2-501** is amended to read:

3356 **78A-2-501. Definitions -- Online Court Assistance Program -- Purpose of**
3357 **program -- Online Court Assistance Account -- User's fee.**

3358 (1) As used in this part:

3359 (a) "Account" means the Online Court Assistance Account created in this section.

3360 ~~[(b) "Board" means the Online Court Assistance Program Policy Board created in~~
3361 ~~Section [78A-2-502](#).]~~

3362 ~~[(c)]~~ (b) "Program" means the Online Court Assistance Program created in this section.

3363 (2) There is created the "Online Court Assistance Program" administered by the
3364 Administrative Office of the Courts to provide the public with information about civil
3365 procedures and to assist the public in preparing and filing civil pleadings and other papers in:

3366 (a) uncontested divorces;

3367 (b) enforcement of orders in the divorce decree;

3368 (c) landlord and tenant actions;

3369 (d) guardianship actions; and

3370 (e) other types of proceedings approved by the board.

3371 (3) The purpose of the program shall be to:

3372 (a) minimize the costs of civil litigation;

3373 (b) improve access to the courts; and

3374 (c) provide for informed use of the courts and the law by pro se litigants.

3375 (4) (a) An additional \$20 shall be added to the filing fee established by Sections
3376 78A-2-301 and 78A-2-301.5 if a person files a complaint, petition, answer, or response
3377 prepared through the program. There shall be no fee for using the program or for papers filed
3378 subsequent to the initial pleading.

3379 (b) There is created within the General Fund a restricted account known as the Online
3380 Court Assistance Account. The fees collected under this Subsection (4) shall be deposited in
3381 the restricted account and appropriated by the Legislature to the Administrative Office of the
3382 Courts to develop, operate, and maintain the program and to support the use of the program
3383 through education of the public.

3384 (5) The Administrative Office of the Courts shall provide on the front page of the
3385 program website a listing of all forms and proceedings available to all pro se litigants within
3386 the program.

3387 Section 93. **Repealer.**

3388 This bill repeals:

3389 Section 10-1-119, **Inventory of competitive activities.**

3390 Section 11-13-224, **Utah interlocal entity for alternative fuel vehicles and facilities.**

3391 Section 17-50-107, **Inventory of competitive activities.**

3392 Section 36-20-1, **Definitions.**

3393 Section 36-20-2, **Judicial Rules Review Committee.**

3394 Section 36-20-3, **Submission of court rules or proposals for court rules.**

3395 Section 36-20-4, **Review of rules -- Criteria.**

3396 Section 36-20-5, **Committee review -- Fiscal analyst -- Powers of committee.**

3397 Section 36-20-6, **Findings -- Report -- Distribution of copies.**

3398 Section 36-20-7, **Court rules or proposals for court rules -- Publication in bulletin.**

3399 Section 36-20-8, **Duties of staff.**

3400 Section 36-30-101, **Title.**

3401 Section 36-30-102, **Definitions.**

3402 Section 36-30-201, **Economic Development Legislative Liaison Committee --**

3403 **Creation -- Membership -- Chairs -- Per diem and expenses.**

3404 Section 36-30-202, **Duties -- Confidential information -- Records.**

- 3405 Section **36-30-203**, Staff support.
- 3406 Section **53E-3-920**, Creation of State Council on Military Children.
- 3407 Section **53E-10-401**, Definitions.
- 3408 Section **53E-10-402**, American Indian-Alaskan Native Public Education Liaison.
- 3409 Section **53E-10-403**, Commission created.
- 3410 Section **53E-10-404**, Duties of the commission.
- 3411 Section **53E-10-405**, Adoption of state plan.
- 3412 Section **53E-10-406**, Changes to state plan.
- 3413 Section **53E-10-407**, Pilot program.
- 3414 Section **59-1-901**, Creation -- Members -- Terms.
- 3415 Section **59-1-902**, Organization -- Vacancies.
- 3416 Section **59-1-903**, Duties.
- 3417 Section **59-1-904**, Public hearings.
- 3418 Section **59-1-905**, Per diem and travel expenses.
- 3419 Section **59-1-907**, Staff.
- 3420 Section **59-1-908**, Reports.
- 3421 Section **62A-1-120**, Utah Marriage Commission.
- 3422 Section **63C-4b-101**, Title.
- 3423 Section **63C-4b-102**, Definitions.
- 3424 Section **63C-4b-103**, Commission for the Stewardship of Public Lands -- Creation
- 3425 -- Membership -- Interim rules followed -- Compensation -- Staff.
- 3426 Section **63C-4b-107**, Repeal of commission.
- 3427 Section **63C-14-101**, Title.
- 3428 Section **63C-14-102**, Definitions.
- 3429 Section **63C-14-201**, Creation of Federal Funds Commission -- Membership --
- 3430 **Chairs.**
- 3431 Section **63C-14-202**, Terms of commission members -- Removal -- Vacancies --
- 3432 **Salaries and expenses.**
- 3433 Section **63C-14-302**, Commission meetings -- Quorum -- Bylaws -- Staff support.
- 3434 Section **63C-16-101**, Title.
- 3435 Section **63C-16-102**, Definitions.

3436 Section **63C-16-201**, Commission created -- Membership -- Cochairs -- Removal --
3437 **Vacancy.**

3438 Section **63C-16-202**, Quorum and voting requirements -- Bylaws -- Per diem and
3439 **expenses -- Staff.**

3440 Section **63C-16-203**, Commission duties and responsibilities.

3441 Section **63C-16-204**, Other agencies' cooperation and actions.

3442 Section **63F-1-202**, Technology Advisory Board -- Membership -- Duties.

3443 Section **63F-2-101**, Title.

3444 Section **63F-2-102**, Data Security Management Council -- Membership -- Duties.

3445 Section **63F-2-103**, Data Security Management Council -- Report to Legislature --
3446 **Recommendations.**

3447 Section **63I-4a-101**, Title.

3448 Section **63I-4a-102**, Definitions.

3449 Section **63I-4a-201**, Title.

3450 Section **63I-4a-202**, Free Market Protection and Privatization Board -- Created --
3451 **Membership -- Operations -- Expenses.**

3452 Section **63I-4a-203**, Free Market Protection and Privatization Board -- Duties.

3453 Section **63I-4a-204**, Staff support -- Assistance to an agency or local entity.

3454 Section **63I-4a-205**, Board accounting method.

3455 Section **63I-4a-301**, Title.

3456 Section **63I-4a-302**, Board to create inventory.

3457 Section **63I-4a-303**, Governor to require review of commercial activities.

3458 Section **63I-4a-304**, Duties of the Governor's Office of Management and Budget.

3459 Section **63I-4a-401**, Title.

3460 Section **63I-4a-402**, Government immunity.

3461 Section **67-1a-10**, Commission on Civic and Character Education -- Membership --
3462 **Chair -- Expenses.**

3463 Section **67-1a-11**, Commission on Civic and Character Education -- Duties and
3464 **responsibilities.**

3465 Section **67-5b-106**, Advisory Board on Children's Justice -- Membership -- Terms
3466 **-- Duties -- Authority.**

3467 Section [72-9-606](#), Towing Advisory Board created -- Appointment -- Terms --
 3468 Meetings -- Per diem and expenses -- Duties.

3469 Section [78A-2-502](#), Creation of policy board -- Membership -- Terms -- Chair --
 3470 Quorum -- Expenses.

3471 Section 94. **Coordinating H.B. 387 with H.B. 140 -- Substantive amendments.**

3472 If this H.B. 387 and H.B. 140, Civic and Character Education Reports Amendments,
 3473 both pass and become law, it is the intent of the Legislature that the Office of Legislative
 3474 Research and General Counsel shall prepare the Utah Code database for publication by
 3475 amending Subsection [53G-10-204](#)(7) to read:

3476 "(7) Each year, the [~~State Board of Education~~] state board shall report to the Education
 3477 Interim Committee[~~, on or before the October meeting,~~] the methods used, and the results
 3478 being achieved, to instruct and prepare students to become informed and responsible citizens
 3479 through an integrated curriculum taught in connection with regular school work as required in
 3480 this section."

3481 Section 95. **Coordinating H.B. 387 with H.B. 373 -- Substantive amendments.**

3482 If this H.B. 387 and H.B. 373, Student Support Amendments, both pass and become
 3483 law, it is the intent of the Legislature that the Office of Legislative Research and General
 3484 Counsel shall prepare the Utah Code database for publication by:

3485 (1) amending Subsection [63I-1-253](#)(10) in this bill to read:

3486 "(10) In relation to the SafeUT Commission, on January 1, 2023:

3487 (a) Subsection [53B-17-1201](#)(1) is repealed;

3488 (b) Section [53B-17-1203](#) is repealed;

3489 (c) Subsection [53B-17-1204](#)(2) is repealed;

3490 (d) Subsection [53B-17-1204](#)(4)(a), the language that states "in accordance with the
 3491 method described in Subsection (4)(c)" is repealed; and

3492 (e) Subsection [53B-17-1204](#)(4)(c) is repealed."; and

3493 (2) amending Subsection [63I-1-262](#)(5) in this bill to read:

3494 "(5) Subsections [62A-15-116](#)(1) and (4), the language that states "In consultation with
 3495 the SafeUT Commission, established in Section [53B-17-1203](#)," is repealed January 1, 2023."

3496 Section 96. **Coordinating H.B. 387 with H.B. 461 -- Substantive and technical**
 3497 **amendments -- Omitting substantive changes.**

3498 If this H.B. 387 and H.B. 461, Pediatric Neuro-Rehabilitation Fund, both pass and
3499 become law, it is the intent of the Legislature that the Office of Legislative Research and
3500 General Counsel shall prepare the Utah Code database as follows:

3501 (1) amend Subsection 26-54-103(2) to read:

3502 "(2) The advisory committee ~~shall be~~ is composed of ~~eight~~ 10 members as follows:

3503 (a) the executive director ~~[of the Department of Health]~~, or the executive director's
3504 designee;

3505 (b) two survivors, or family members of a survivor of a traumatic brain injury,
3506 appointed by the governor;

3507 (c) two survivors, or family members of a survivor of a traumatic spinal cord injury,
3508 appointed by the governor;

3509 (d) one traumatic brain injury or spinal cord injury professional appointed by the
3510 governor who, at the time of appointment and throughout the professional's term on the
3511 committee, does not receive a financial benefit from the fund;

3512 ~~[(e) a member of the House of Representatives appointed by the speaker of the House~~
3513 ~~of Representatives; and]~~

3514 ~~[(f) a member of the Senate appointed by the president of the Senate.]~~

3515 (e) two parents of a child with a nonprogressive neurological condition, appointed by
3516 the governor;

3517 (f) a physical therapist licensed under Title 58, Chapter 24b, Physical Therapy Practice
3518 Act, with experience treating brain and spinal cord injuries, appointed by the governor; and

3519 (g) an occupational therapist licensed under Title 58, Chapter 42a, Occupational
3520 Therapy Practice Act, with experience treating brain and spinal cord injuries, appointed by the
3521 governor.";

3522 (2) the amendments to Subsection 26-54-103(3)(d) in H.B. 461 supersede the
3523 amendments to Subsection 26-54-103(3)(d) in this H.B. 387;

3524 (3) amend Subsection 631-1-226(10) in this bill to read:

3525 "(10) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
3526 Pediatric Neuro-Rehabilitation Fund is repealed January 1, 2023."; and

3527 (4) not make the changes in H.B. 461 to Section 631-2-226.

3528 Section 97. **Coordinating H.B. 387 with S.B. 172 -- Technical amendments --**

3529 **Changing technical cross references.**

3530 If this H.B. 387 and S.B. 172, Economic Development Amendments, both pass and
3531 become law, it is the intent of the Legislature that the Office of Legislative Research and
3532 General Counsel, in preparing the Utah Code database for publication:

3533 (1) change the references in Subsection 63I-1-263(29) of this bill from Section
3534 63N-10-201 to Section 53-19-201; and

3535 (2) amend Subsection 63I-1-263(30) of this bill to read as follows:

3536 "(30) In relation to the Talent Ready Utah Board, on January 1, 2023:

3537 (a) Subsection 9-20-102(16) is repealed;

3538 (b) in Subsection 9-20-115(2), the language that states "Talent Ready Utah," is
3539 repealed; and

3540 (c) in Subsection 9-20-115(5), the language that states "representatives of Talent Ready
3541 Utah," is repealed."

3542 Section 98. **Coordinating H.B. 387 with S.B. 219 -- Changing terminology.**

3543 If this H.B. 387 and S.B. 219, Crisis Response Amendments, both pass and become
3544 law, it is the intent of the Legislature that the Office of Legislative Research and General
3545 Counsel, in preparing the Utah Code database for publication, change the terminology in
3546 Sections 63I-1-226, 63I-1-262, and 63I-2-263 from "Mental Health Crisis Line Commission" to
3547 "Mental Health Crisis Response Commission."