

Senator Ann Millner proposes the following substitute bill:

ECONOMIC DEVELOPMENT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to economic development.

Highlighted Provisions:

This bill:

- ▶ moves the STEM Action Center from the Governor's Office of Economic Development to the Department of Heritage and Arts;
- ▶ moves the Pete Suazo Utah Athletic Commission from the Governor's Office of Economic Development to the Department of Public Safety;
- ▶ requires the Governor's Office of Economic Development to develop a written strategic plan;
- ▶ creates the Utah Works Program within the Talent Ready Utah Center and describes the duties associated with the program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center -- Utah Works Program, as a one-time appropriation:
 - from the General Fund, \$4,000,000; and



26 ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center --
27 Utah Works Program, as an ongoing appropriation:
28 • from the General Fund, \$1,000,000.

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **63J-1-602.1**, as last amended by Laws of Utah 2018, Chapters 114, 347, 430 and
34 repealed and reenacted by Laws of Utah 2018, Chapter 469

35 **63N-1-301**, as last amended by Laws of Utah 2018, Chapter 423

36 ENACTS:

37 **63N-12-505**, Utah Code Annotated 1953

38 RENUMBERS AND AMENDS:

39 **9-20-101**, (Renumbered from 63N-12-201, as enacted by Laws of Utah 2015, Chapter
40 283)

41 **9-20-102**, (Renumbered from 63N-12-202, as last amended by Laws of Utah 2018,
42 Chapters 415 and 423)

43 **9-20-103**, (Renumbered from 63N-12-203, as last amended by Laws of Utah 2017,
44 Chapter 382)

45 **9-20-104**, (Renumbered from 63N-12-204, as last amended by Laws of Utah 2017,
46 Chapter 353)

47 **9-20-105**, (Renumbered from 63N-12-204.5, as enacted by Laws of Utah 2017, Chapter
48 353)

49 **9-20-106**, (Renumbered from 63N-12-205, as last amended by Laws of Utah 2016,
50 Chapter 139)

51 **9-20-107**, (Renumbered from 63N-12-206, as renumbered and amended by Laws of
52 Utah 2015, Chapter 283)

53 **9-20-108**, (Renumbered from 63N-12-207, as renumbered and amended by Laws of
54 Utah 2015, Chapter 283)

55 **9-20-109**, (Renumbered from 63N-12-208, as last amended by Laws of Utah 2015,
56 Chapter 292 and renumbered and amended by Laws of Utah 2015, Chapter 283)

- 57 **9-20-110**, (Renumbered from 63N-12-209, as last amended by Laws of Utah 2016,
- 58 Chapter 139)
- 59 **9-20-111**, (Renumbered from 63N-12-210, as last amended by Laws of Utah 2017,
- 60 Chapter 353)
- 61 **9-20-112**, (Renumbered from 63N-12-211, as renumbered and amended by Laws of
- 62 Utah 2015, Chapter 283)
- 63 **9-20-113**, (Renumbered from 63N-12-212, as last amended by Laws of Utah 2017,
- 64 Chapter 382)
- 65 **9-20-114**, (Renumbered from 63N-12-213, as last amended by Laws of Utah 2018,
- 66 Chapter 415)
- 67 **9-20-115**, (Renumbered from 63N-12-214, as enacted by Laws of Utah 2017, Chapter
- 68 219)
- 69 **53-19-101**, (Renumbered from 63N-10-101, as renumbered and amended by Laws of
- 70 Utah 2015, Chapter 283)
- 71 **53-19-102**, (Renumbered from 63N-10-102, as renumbered and amended by Laws of
- 72 Utah 2015, Chapter 283)
- 73 **53-19-201**, (Renumbered from 63N-10-201, as last amended by Laws of Utah 2018,
- 74 Chapter 466)
- 75 **53-19-202**, (Renumbered from 63N-10-202, as renumbered and amended by Laws of
- 76 Utah 2015, Chapter 283)
- 77 **53-19-203**, (Renumbered from 63N-10-203, as renumbered and amended by Laws of
- 78 Utah 2015, Chapter 283)
- 79 **53-19-204**, (Renumbered from 63N-10-204, as renumbered and amended by Laws of
- 80 Utah 2015, Chapter 283)
- 81 **53-19-205**, (Renumbered from 63N-10-205, as renumbered and amended by Laws of
- 82 Utah 2015, Chapter 283)
- 83 **53-19-301**, (Renumbered from 63N-10-301, as renumbered and amended by Laws of
- 84 Utah 2015, Chapter 283)
- 85 **53-19-302**, (Renumbered from 63N-10-302, as renumbered and amended by Laws of
- 86 Utah 2015, Chapter 283)
- 87 **53-19-303**, (Renumbered from 63N-10-303, as renumbered and amended by Laws of

88 Utah 2015, Chapter 283)
89 **53-19-304**, (Renumbered from 63N-10-304, as renumbered and amended by Laws of
90 Utah 2015, Chapter 283)
91 **53-19-305**, (Renumbered from 63N-10-305, as renumbered and amended by Laws of
92 Utah 2015, Chapter 283)
93 **53-19-306**, (Renumbered from 63N-10-306, as renumbered and amended by Laws of
94 Utah 2015, Chapter 283)
95 **53-19-307**, (Renumbered from 63N-10-307, as renumbered and amended by Laws of
96 Utah 2015, Chapter 283)
97 **53-19-308**, (Renumbered from 63N-10-308, as renumbered and amended by Laws of
98 Utah 2015, Chapter 283)
99 **53-19-309**, (Renumbered from 63N-10-309, as renumbered and amended by Laws of
100 Utah 2015, Chapter 283)
101 **53-19-310**, (Renumbered from 63N-10-310, as renumbered and amended by Laws of
102 Utah 2015, Chapter 283)
103 **53-19-311**, (Renumbered from 63N-10-311, as renumbered and amended by Laws of
104 Utah 2015, Chapter 283)
105 **53-19-312**, (Renumbered from 63N-10-312, as renumbered and amended by Laws of
106 Utah 2015, Chapter 283)
107 **53-19-313**, (Renumbered from 63N-10-313, as renumbered and amended by Laws of
108 Utah 2015, Chapter 283)
109 **53-19-314**, (Renumbered from 63N-10-314, as renumbered and amended by Laws of
110 Utah 2015, Chapter 283)
111 **53-19-315**, (Renumbered from 63N-10-315, as renumbered and amended by Laws of
112 Utah 2015, Chapter 283)
113 **53-19-316**, (Renumbered from 63N-10-316, as renumbered and amended by Laws of
114 Utah 2015, Chapter 283)
115 **53-19-317**, (Renumbered from 63N-10-317, as renumbered and amended by Laws of
116 Utah 2015, Chapter 283)
117 **53-19-318**, (Renumbered from 63N-10-318, as renumbered and amended by Laws of
118 Utah 2015, Chapter 283)

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

Section 1. Section **9-20-101**, which is renumbered from Section 63N-12-201 is renumbered and amended to read:

CHAPTER 20. STEM ACTION CENTER

Part 1. STEM Action Center

~~[63N-12-201].~~ **9-20-101. Title.**

This ~~[part]~~ chapter is known as the "STEM Action Center."

Section 2. Section **9-20-102**, which is renumbered from Section 63N-12-202 is renumbered and amended to read:

~~[63N-12-202].~~ **9-20-102. Definitions.**

As used in this ~~[part]~~ chapter:

~~[(1)]~~ "Board" means the STEM Action Center Board created in Section ~~63N-12-203~~.

~~[(2)]~~ (1) "Computing partnerships" means a set of skills, knowledge, and aptitudes used in computer science, information technology, or computer engineering courses and career options.

~~[(3)]~~ (2) "Director" means the director appointed by the STEM board to oversee the administration of the STEM Action Center.

~~[(4)]~~ (3) "Educator" means the same as that term is defined in Section ~~53E-6-102~~.

~~[(5)]~~ (4) "Foundation" means a foundation established as described in Subsections ~~[63N-12-204(3) and (4)]~~ 9-20-104(3) and (4).

~~[(6)]~~ (5) "Fund" means the STEM Action Center Foundation Fund created in Section ~~[63N-12-204.5]~~ 9-20-105.

~~[(7)]~~ (6) "Grant program" means the Computing Partnerships Grants program created in this part.

~~[(8)]~~ (7) "High quality professional development" means professional development that meets high quality standards developed by the State Board of Education.

~~[(9)]~~ (8) "Institution of higher education" means an institution listed in Section ~~53B-1-102~~.

~~[(10)]~~ (9) "K-16" means kindergarten through grade 12 and post-secondary education programs.

150 [~~(11)~~] "~~Office~~" means the ~~Governor's Office of Economic Development~~.]

151 [~~(12)~~] (10) "Provider" means a provider selected on behalf of the STEM board by the
152 staff of the board and the staff of the [~~State Board of Education~~] STEM board:

153 (a) through a request for proposals process; or

154 (b) through a direct award or sole source procurement process for a pilot described in
155 Section [~~63N-12-206~~] 9-20-107.

156 [~~(13)~~] (11) "Review committee" means the committee established under Section
157 [~~63N-12-214~~] 9-20-115.

158 [~~(14)~~] (12) "Stacked credentials" means credentials that:

159 (a) an individual can build upon to access an advanced job or higher wage;

160 (b) are part of a career pathway system;

161 (c) provide a pathway culminating in the equivalent of an associate's or bachelor's
162 degree;

163 (d) facilitate multiple exit and entry points; and

164 (e) recognize sub-goals or momentum points.

165 [~~(15)~~] (13) "STEM" means science, technology, engineering, and mathematics.

166 [~~(16)~~] (14) "STEM Action Center" means the center described in Section [~~63N-12-205~~]
167 9-20-106.

168 (15) "STEM board" means the STEM Action Center Board created in Section
169 9-20-103.

170 [~~(17)~~] (16) "Talent Ready Utah" means the Talent Ready Utah Center created in
171 Section 63N-12-502.

172 Section 3. Section **9-20-103**, which is renumbered from Section 63N-12-203 is
173 renumbered and amended to read:

174 [~~63N-12-203~~]. **9-20-103. STEM Action Center Board creation --**
175 **Membership.**

176 (1) There is created the STEM Action Center Board [~~within the office~~], composed of
177 the following members:

178 (a) six private sector members who represent business, appointed by the governor;

179 (b) the state superintendent of public instruction or the state [~~superintendent of public~~
180 ~~instruction's~~] superintendent's designee;

181 (c) the commissioner of higher education or the [~~commissioner of higher education's~~]
182 commissioner's designee;

183 (d) one member appointed by the governor;

184 (e) a member of the State Board of Education, chosen by the chair of the State Board of
185 Education;

186 (f) the executive director of [~~the office or the executive director's designee~~] the
187 Governor's Office of Economic Development or the executive director's designee;

188 (g) the Utah System of Technical Colleges commissioner of technical education or the
189 [~~Utah System of Technical Colleges commissioner of technical education's~~] commissioner's
190 designee;

191 (h) the executive director of the Department of Workforce Services or the executive
192 [~~director of the Department of Workforce Services'~~] director's designee; and

193 (i) one member who has a degree in engineering and experience working in a
194 government military installation, appointed by the governor.

195 (2) (a) The private sector members appointed by the governor in Subsection (1)(a) shall
196 represent a business or trade association whose primary focus is science, technology, or
197 engineering.

198 (b) Except as required by Subsection (2)(c), members appointed by the governor shall
199 be appointed to four-year terms.

200 (c) The length of terms of the members shall be staggered so that approximately half of
201 the committee is appointed every two years.

202 (d) The members may not serve more than two full consecutive terms except where the
203 governor determines that an additional term is in the best interest of the state.

204 (e) When a vacancy occurs in the membership for any reason, the replacement shall be
205 appointed for the unexpired term.

206 (3) Attendance of a simple majority of the members constitutes a quorum for the
207 transaction of official committee business.

208 (4) Formal action by the [~~committee~~] STEM board requires a majority vote of a
209 quorum.

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

- 212 (a) Section [63A-3-106](#);
- 213 (b) Section [63A-3-107](#); and
- 214 (c) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).
- 215 (6) The governor shall select the chair of the [~~board~~] STEM board to serve a two-year
- 216 term.
- 217 (7) The [~~executive director of the office or the executive director's designee~~] member
- 218 of the State Board of Education chosen by the chair of the State Board of Education shall serve
- 219 as the vice chair of the STEM board.

220 Section 4. Section **9-20-104**, which is renumbered from Section 63N-12-204 is

221 renumbered and amended to read:

222 ~~[63N-12-204]~~. **9-20-104. STEM Action Center Board -- Duties.**

- 223 (1) The STEM board shall:
- 224 (a) establish a STEM Action Center to:
- 225 (i) coordinate STEM activities in the state among the following stakeholders:
- 226 (A) the [~~State Board of Education~~] state board;
- 227 (B) school districts and charter schools;
- 228 (C) the State Board of Regents;
- 229 (D) institutions of higher education;
- 230 (E) parents of home-schooled students;
- 231 (F) other state agencies; and
- 232 (G) business and industry representatives;
- 233 (ii) align public education STEM activities with higher education STEM activities; and
- 234 (iii) create and coordinate best practices among public education and higher education;
- 235 (b) with the consent of the Senate, appoint a director to oversee the administration of
- 236 the STEM Action Center;
- 237 (c) select a physical location for the STEM Action Center;
- 238 (d) strategically engage industry and business entities to cooperate with the STEM
- 239 board:
- 240 (i) to support high quality professional development and provide other assistance for
- 241 educators and students; and
- 242 (ii) to provide private funding and support for the STEM Action Center;

- 243 (e) give direction to the STEM Action Center and the providers selected through a
244 request for proposals process pursuant to this part; and
- 245 (f) work to meet the following expectations:
- 246 (i) that at least 50 educators are implementing best practice learning tools in
247 classrooms;
- 248 (ii) performance change in student achievement in each classroom participating in a
249 STEM Action Center project; and
- 250 (iii) that students from at least 50 schools in the state participate in the STEM
251 competitions, fairs, and camps described in Subsection [~~63N-12-205(2)(d)~~] 9-20-106(2)(d).
- 252 (2) The STEM board may:
- 253 (a) enter into contracts for the purposes of this part;
- 254 (b) apply for, receive, and disburse funds, contributions, or grants from any source for
255 the purposes set forth in this part;
- 256 (c) employ, compensate, and prescribe the duties and powers of individuals necessary
257 to execute the duties and powers of the STEM board;
- 258 (d) prescribe the duties and powers of the STEM Action Center providers; and
- 259 (e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
260 make rules to administer this part.
- 261 (3) The STEM board may establish a foundation to assist in:
- 262 (a) the development and implementation of the programs authorized under this part to
263 promote STEM education; and
- 264 (b) implementation of other STEM education objectives described in this part.
- 265 (4) A foundation established by the STEM board under Subsection (3):
- 266 (a) may solicit and receive contributions from a private organization for STEM
267 education objectives described in this part;
- 268 (b) shall comply with the requirements described in Section [~~63N-12-204.5~~] 9-20-105;
- 269 (c) does not have power or authority to incur contractual obligations or liabilities that
270 constitute a claim against public funds;
- 271 (d) may not exercise executive or administrative authority over the programs or other
272 activities described in this part, except to the extent specifically authorized by the STEM board;
- 273 (e) shall provide the STEM board with information detailing transactions and balances

274 associated with the foundation; and

275 (f) may not:

276 (i) engage in lobbying activities;

277 (ii) attempt to influence legislation; or

278 (iii) participate in any campaign activity for or against:

279 (A) a political candidate; or

280 (B) an initiative, referendum, proposed constitutional amendment, bond, or any other
281 ballot proposition submitted to the voters.

282 Section 5. Section **9-20-105**, which is renumbered from Section 63N-12-204.5 is
283 renumbered and amended to read:

284 ~~[63N-12-204.5].~~ **9-20-105. STEM Action Center Foundation Fund.**

285 (1) There is created an expendable special revenue fund known as the "STEM Action
286 Center Foundation Fund."

287 (2) The director shall administer the fund under the direction of the STEM board.

288 (3) Money may be deposited into the fund from a variety of sources, including
289 transfers, grants, private foundations, individual donors, gifts, bequests, legislative
290 appropriations, and money made available from any other source.

291 (4) Money collected by a foundation described in Subsections ~~[63N-12-204(3)]~~
292 9-20-104(3) and (4) shall be deposited into the fund.

293 (5) Any portion of the fund may be treated as an endowment fund such that the
294 principal of that portion of the fund is held in perpetuity on behalf of the STEM Action Center.

295 (6) The state treasurer shall invest the money in the fund according to the procedures
296 and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest
297 or other earnings derived from those investments shall be deposited into the fund.

298 (7) The director, under the direction of the STEM board, may expend money from the
299 fund for the purposes described in this part.

300 Section 6. Section **9-20-106**, which is renumbered from Section 63N-12-205 is
301 renumbered and amended to read:

302 ~~[63N-12-205].~~ **9-20-106. STEM Action Center.**

303 (1) ~~[As funding allows, the board]~~ The STEM board shall:

304 (a) establish a STEM Action Center;

- 305 (b) ensure that the STEM Action Center:
- 306 (i) is accessible ~~[by]~~ to the public; and
- 307 (ii) includes the components described in Subsection (2);
- 308 (c) work cooperatively with the State Board of Education to:
- 309 (i) further STEM education; and
- 310 (ii) ensure best practices are implemented as described in Sections [~~63N-12-206~~ and
- 311 ~~63N-12-207~~] 9-20-107 and 9-20-108;
- 312 (d) engage private entities to provide financial support or employee time for STEM
- 313 activities in schools in addition to what is currently provided by private entities; and
- 314 (e) work cooperatively with stakeholders to support and promote activities that align
- 315 STEM education and training activities with the employment needs of business and industry in
- 316 the state.
- 317 (2) As funding allows, the director of the STEM Action Center shall:
- 318 (a) support high quality professional development for educators regarding STEM
- 319 education;
- 320 (b) ensure that the STEM Action Center acts as a research and development center for
- 321 STEM education through a request for proposals process described in Section [~~63N-12-206~~
- 322 9-20-107;
- 323 (c) review and acquire STEM education related materials and products for:
- 324 (i) high quality professional development;
- 325 (ii) assessment, data collection, analysis, and reporting; and
- 326 (iii) public school instruction;
- 327 (d) facilitate participation in interscholastic STEM related competitions, fairs, camps,
- 328 and STEM education activities;
- 329 (e) engage private industry in the development and maintenance of the STEM Action
- 330 Center and STEM Action Center projects;
- 331 (f) use resources to bring the latest STEM education learning tools into public
- 332 education classrooms;
- 333 (g) identify at least 10 best practice innovations used in Utah that have resulted in a
- 334 measurable improvement in student performance or outcomes in STEM areas;
- 335 (h) identify best practices being used outside the state and, as appropriate, develop and

336 implement selected practices through a pilot program;

337 (i) identify:

338 (i) learning tools for kindergarten through grade 6 identified as best practices; and

339 (ii) learning tools for grades 7 through 12 identified as best practices;

340 (j) collect data on Utah best practices, including best practices from public education,

341 higher education, the Utah Education and Telehealth Network, and other STEM related

342 entities;

343 (k) keep track of the following items related to best practices described in Subsection

344 (2)(j):

345 (i) how the best practices data are being used; and

346 (ii) how many individuals are using the data, including the demographics of the users,

347 if available;

348 (l) as appropriate, join and participate in a national STEM network;

349 (m) work cooperatively with the State Board of Education to designate schools as

350 STEM schools, where the schools have agreed to adopt a plan of STEM implementation in

351 alignment with criteria set by the State Board of Education and the board;

352 (n) support best methods of high quality professional development for STEM

353 education in kindergarten through grade 12, including methods of high quality professional

354 development that reduce cost and increase effectiveness, to help educators learn how to most

355 effectively implement best practice learning tools in classrooms;

356 (o) recognize achievement in the STEM competitions, fairs, and camps described in

357 Subsection (2)(d);

358 (p) send student results from STEM competitions, fairs, and camps described in

359 Subsection (2)(d) to media and ask the media to report on them;

360 (q) develop and distribute STEM information to parents of students in the state;

361 (r) support targeted high quality professional development for improved instruction in

362 STEM education, including:

363 (i) improved instructional materials that are dynamic and engaging for students;

364 (ii) use of applied instruction; and

365 (iii) introduction of other research-based methods that support student achievement in

366 STEM areas; and

367 (s) ensure that an online college readiness assessment tool be accessible by:

368 (i) public education students; and

369 (ii) higher education students.

370 (3) The STEM board may prescribe other duties for the STEM Action Center in
371 addition to the responsibilities described in this section.

372 (4) (a) The director shall work with an independent evaluator to track and compare the
373 student performance of students participating in a STEM Action Center program to all other
374 similarly situated students in the state, if appropriate, in the following activities:

375 (i) public education high school graduation rates;

376 (ii) the number of students taking a remedial mathematics course at an institution of
377 higher education described in Section 53B-2-101;

378 (iii) the number of students who graduate from a Utah public school and begin a
379 postsecondary education program; and

380 (iv) the number of students, as compared to all similarly situated students, who are
381 performing at grade level in STEM classes.

382 (b) The State Board of Education and the State Board of Regents shall provide
383 information to the STEM board to assist the STEM board in complying with the requirements
384 of Subsection (4)(a) if allowed under federal law.

385 Section 7. Section **9-20-107**, which is renumbered from Section 63N-12-206 is
386 renumbered and amended to read:

387 ~~[63N-12-206]~~. **9-20-107. Acquisition of STEM education related**
388 **instructional technology program -- Research and development of education related**
389 **instructional technology through a pilot program.**

390 (1) For purposes of this section:

391 (a) "Pilot" means a pilot of the program.

392 (b) "Program" means the STEM education related instructional technology program
393 created in Subsection (2).

394 (2) (a) There is created the STEM education related instructional technology program
395 to provide public schools the STEM education related instructional technology described in
396 Subsection (3).

397 (b) On behalf of the STEM board, the staff of the STEM board and the staff of the

398 State Board of Education shall collaborate and may select one or more providers, through a
399 request for proposals process, to provide STEM education related instructional technology to
400 school districts and charter schools.

401 (c) On behalf of the STEM board, the staff of the STEM board and the staff of the
402 State Board of Education shall consider and may accept an offer from a provider in response to
403 the request for proposals described in Subsection (2)(b) even if the provider did not participate
404 in a pilot described in Subsection (5).

405 (3) The STEM education related instructional technology shall:

406 (a) support mathematics instruction for students in:

407 (i) kindergarten through grade 6; or

408 (ii) grades 7 and 8; or

409 (b) support mathematics instruction for secondary students to prepare the secondary
410 students for college mathematics courses.

411 (4) In selecting a provider for STEM education related instructional technology to
412 support mathematics instruction for the students described in Subsection (3)(a), the STEM
413 board shall consider the following criteria:

414 (a) the technology contains individualized instructional support for skills and
415 understanding of the core standards in mathematics;

416 (b) the technology is self-adapting to respond to the needs and progress of the learner;
417 and

418 (c) the technology provides opportunities for frequent, quick, and informal assessments
419 and includes an embedded progress monitoring tool and mechanisms for regular feedback to
420 students and teachers.

421 (5) Before issuing a request for proposals described in Subsection (2), on behalf of the
422 STEM board, the staff of the STEM board and the staff of the State Board of Education shall
423 collaborate and may:

424 (a) conduct a pilot of the program to test and select providers for the program;

425 (b) select at least two providers through a direct award or sole source procurement
426 process for the purpose of conducting the pilot; and

427 (c) select schools to participate in the pilot.

428 (6) (a) A contract with a provider for STEM education related instructional technology

429 may include professional development for full deployment of the STEM education related
430 instructional technology.

431 (b) No more than 10% of the money appropriated for the program may be used to
432 provide professional development related to STEM education related instructional technology
433 in addition to the professional development described in Subsection (6)(a).

434 Section 8. Section **9-20-108**, which is renumbered from Section 63N-12-207 is
435 renumbered and amended to read:

436 ~~[63N-12-207]~~. **9-20-108. Distribution of STEM education instructional**
437 **technology to schools.**

438 (1) Subject to legislative appropriations, on behalf of the STEM board, the staff of the
439 STEM board and the staff of the State Board of Education shall collaborate and shall:

440 (a) distribute STEM education related instructional technology described in Section
441 ~~[63N-12-206]~~ 9-20-107 to school districts and charter schools; and

442 (b) provide related professional development to the school districts and charter schools
443 that receive STEM education related instructional technology.

444 (2) A school district or charter school may apply to the STEM board, through a
445 competitive process, to receive STEM education related instructional technology from the
446 STEM board.

447 (3) A school district or charter school that receives STEM education related
448 instructional technology as described in this section shall provide the school district's or charter
449 school's own computer hardware.

450 Section 9. Section **9-20-109**, which is renumbered from Section 63N-12-208 is
451 renumbered and amended to read:

452 ~~[63N-12-208]~~. **9-20-109. Report to Legislature and the state board.**

453 (1) The STEM board shall report the progress of the STEM Action Center, including
454 the information described in Subsection (2), to the following groups once each year:

455 (a) the Education Interim Committee;

456 (b) the Public Education Appropriations Subcommittee;

457 (c) the State Board of Education; and

458 (d) the ~~[office]~~ department for inclusion in the ~~[office's]~~ department's annual written
459 report described in Section ~~[63N-1-301]~~ 9-1-209.

460 (2) The report described in Subsection (1) shall include information that demonstrates
461 the effectiveness of the program, including:

- 462 (a) the number of educators receiving high quality professional development;
- 463 (b) the number of students receiving services from the STEM Action Center;
- 464 (c) a list of the providers selected pursuant to this part;
- 465 (d) a report on the STEM Action Center's fulfilment of its duties described in Section

466 [~~63N-12-205~~] 9-20-106; and

467 (e) student performance of students participating in a STEM Action Center program as
468 collected in Subsection [~~63N-12-205~~] 9-20-106(4).

469 Section 10. Section **9-20-110**, which is renumbered from Section 63N-12-209 is
470 renumbered and amended to read:

471 ~~[63N-12-209]~~. **9-20-110. STEM education endorsements and incentive**
472 **program.**

473 (1) The State Board of Education shall collaborate with the STEM board and the
474 STEM Action Center to:

- 475 (a) develop STEM education endorsements; and
- 476 (b) create and implement financial incentives for:
 - 477 (i) an educator to earn an elementary or secondary STEM education endorsement
 - 478 described in Subsection (1)(a); and
 - 479 (ii) a school district or a charter school to have STEM endorsed educators on staff.

480 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
481 State Board of Education shall make rules establishing the uses of STEM education
482 endorsements described in Subsection (1), including that:

- 483 (a) an incentive for an educator to take a course leading to a STEM education
484 endorsement may only be given for a course that carries higher-education credit; and
- 485 (b) a school district or a charter school may consider a STEM education endorsement
486 as part of an educator's salary schedule.

487 Section 11. Section **9-20-111**, which is renumbered from Section 63N-12-210 is
488 renumbered and amended to read:

489 ~~[63N-12-210]~~. **9-20-111. Acquisition of STEM education high quality**
490 **professional development.**

491 (1) The STEM Action Center may, through a request for proposals process, select
492 technology providers for the purpose of providing a STEM education high quality professional
493 development application.

494 (2) The high quality professional development application described in Subsection (1)
495 shall:

496 (a) allow the State Board of Education, a school district, or a school to define the
497 application's input and track results of the high quality professional development;

498 (b) allow educators to access automatic tools, resources, and strategies, including
499 instructional materials with integrated STEM content;

500 (c) allow educators to work in online learning communities, including giving and
501 receiving feedback via uploaded video;

502 (d) track and report data on the usage of the components of the application's system
503 and the relationship to improvement in classroom instruction;

504 (e) include video examples of highly effective STEM education teaching that:

505 (i) cover a cross section of grade levels and subjects;

506 (ii) under the direction of the State Board of Education, include videos of highly
507 effective Utah STEM educators; and

508 (iii) contain tools to help educators implement what they have learned; and

509 (f) allow for additional STEM education video content to be added.

510 (3) In addition to the high quality professional development application described in
511 Subsections (1) and (2), the STEM Action Center may create STEM education hybrid or
512 blended high quality professional development that allows for face-to-face applied learning.

513 Section 12. Section **9-20-112**, which is renumbered from Section 63N-12-211 is
514 renumbered and amended to read:

515 ~~**[63N-12-211].**~~ **9-20-112. STEM education middle school applied science**
516 **initiative.**

517 (1) The STEM Action Center shall develop an applied science initiative for students in
518 grades 7 and 8 that includes:

519 (a) a STEM applied science curriculum with instructional materials;

520 (b) STEM hybrid or blended high quality professional development that allows for
521 face-to-face applied learning; and

522 (c) hands-on tools for STEM applied science learning.

523 (2) The STEM Action Center may, through a request for proposals process, select a
524 consultant to assist in developing the initiative described in Subsection (1).

525 Section 13. Section **9-20-113**, which is renumbered from Section 63N-12-212 is
526 renumbered and amended to read:

527 ~~[63N-12-212]~~. **9-20-113. High school STEM education initiative.**

528 (1) Subject to legislative appropriations, after consulting with State Board of Education
529 staff, the STEM Action Center shall award grants to school districts and charter schools to fund
530 STEM related certification for high school students.

531 (2) (a) A school district or charter school may apply for a grant from the STEM Action
532 Center, through a competitive process, to fund the school district's or charter school's STEM
533 related certification training program.

534 (b) A school district's or charter school's STEM related certification training program
535 shall:

536 (i) prepare high school students to be job ready for available STEM related positions of
537 employment; and

538 (ii) when a student completes the program, result in the student gaining an
539 industry-recognized employer STEM related certification.

540 (3) A school district or charter school may partner with one or more of the following to
541 provide a STEM related certification program:

542 (a) a technical college described in Section [53B-2a-105](#);

543 (b) Salt Lake Community College;

544 (c) Snow College;

545 (d) Utah State University Eastern; or

546 (e) a private sector employer.

547 Section 14. Section **9-20-114**, which is renumbered from Section 63N-12-213 is
548 renumbered and amended to read:

549 ~~[63N-12-213]~~. **9-20-114. Computer science initiative for public schools.**

550 (1) As used in this section:

551 (a) "Computational thinking" means the set of problem-solving skills and techniques
552 that software engineers use to write programs that underlie computer applications, including

553 decomposition, pattern recognition, pattern generalization, and algorithm design.

554 (b) "Computer coding" means the process of writing script for a computer program or
555 mobile device.

556 (c) "Educator" means the same as that term is defined in Section [53E-6-102](#).

557 (d) "Endorsement" means a stipulation, authorized by the State Board of Education and
558 appended to a license, that specifies the areas of practice to which the license applies.

559 (e) (i) "Institution of higher education" means the same as that term is defined in
560 Section [53B-3-102](#).

561 (ii) "Institution of higher education" includes a technical college described in Section
562 [53B-2a-105](#).

563 (f) "Employer" means a private employer, public employer, industry association, union,
564 or the military.

565 (g) "License" means the same as that term is defined in Section [53E-6-102](#).

566 (2) Subject to legislative appropriations, on behalf of the STEM board, the staff of the
567 STEM board and the staff of the State Board of Education shall collaborate to develop and
568 implement a computer science initiative for public schools by:

569 (a) creating an online repository that:

570 (i) is available for school districts and charter schools to use as a resource; and

571 (ii) includes high quality computer science instructional resources that are designed to
572 teach students in all grade levels:

573 (A) computational thinking skills; and

574 (B) computer coding skills;

575 (b) providing for professional development on teaching computer science by:

576 (i) including resources for educators related to teaching computational thinking and
577 computer coding in the STEM education high quality professional development application
578 described in Section [~~63N-12-210~~] [9-20-111](#); and

579 (ii) providing statewide or regional professional development institutes; and

580 (c) awarding grants to a school district or charter school, on a competitive basis, that
581 may be used to provide incentives for an educator to earn a computer science endorsement.

582 (3) A school district or charter school may enter into an agreement with one or more of
583 the following entities to jointly apply for a grant under Subsection (2)(c):

- 584 (a) a school district;
- 585 (b) a charter school;
- 586 (c) an employer;
- 587 (d) an institution of higher education; or
- 588 (e) a non-profit organization.

589 (4) To apply for a grant described in Subsection (2)(c), a school district or charter
590 school shall submit a plan to the State Board of Education for the use of the grant, including a
591 statement of purpose that describes the methods the school district or charter school proposes
592 to use to incentivize an educator to earn a computer science endorsement.

593 (5) The ~~[board and the]~~ State Board of Education and the STEM board shall encourage
594 schools to independently pursue computer science and coding initiatives, subject to local
595 school board or charter school governing board approval, based on the unique needs of the
596 school's students.

597 (6) The STEM board shall include information on the status of the computer science
598 initiative in the annual report described in Section ~~[63N-12-208]~~ 9-20-109.

599 Section 15. Section **9-20-115**, which is renumbered from Section 63N-12-214 is
600 renumbered and amended to read:

601 ~~[63N-12-214]~~. **9-20-115. Computing Partnerships Grants program.**

602 (1) There is created the Computing Partnerships Grants program consisting of the
603 grants created in this part to provide for the design and implementation of a comprehensive
604 K-16 computing partnerships program, based upon the following common elements:

- 605 (a) outreach and student engagement;
- 606 (b) courses and content;
- 607 (c) instruction and instructional support;
- 608 (d) work-based learning opportunities;
- 609 (e) student retention;
- 610 (f) industry engagement;
- 611 (g) stacked credentials that allow for multiple exit and entry points;
- 612 (h) competency-based learning strategies; and
- 613 (i) secondary and post-secondary collaborations.

614 (2) The grant program shall incentivize public schools and school districts to work

615 with the STEM Action Center, staff of the State Board of Education, Talent Ready Utah,
616 industry representatives, and secondary partners on the design and implementation of
617 comprehensive K-16 computing partnerships through:

618 (a) leveraging existing resources for content, professional learning, and instruction,
619 including existing career and technical education funds, programs, and initiatives;

620 (b) allowing for the support of professional learning for pre- and in-service educators;

621 (c) supporting activities that promote and enhance access, diversity, and equity;

622 (d) supporting collaborations and partnerships between K-12, institutions of higher
623 education, cultural and community partners, and industry representatives;

624 (e) identifying the appropriate credentials that align with industry needs and providing
625 the credentials in a stacked credentials pathway;

626 (f) implementing a collaborative network that enables sharing and identification of best
627 practices; and

628 (g) providing infrastructure assistance that allows for the support of new courses and
629 the expansion of capacity for existing courses.

630 (3) The grant program shall include the following:

631 (a) rigorous and relevant metrics that are shared by all grant participants; and

632 (b) an evaluation by the STEM Action Center of the grant program that identifies best
633 practices.

634 (4) The STEM Action Center, in consultation with the State Board of Education, shall:

635 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
636 adopt rules:

637 (i) for the administration of the grant program and awarding of grants; and

638 (ii) that define outcome-based measures appropriate to the type of grant awarded under
639 this part;

640 (b) establish a grant application process;

641 (c) in accordance with Subsection (5), establish a review committee to make
642 recommendations for:

643 (i) metrics to analyze the quality of a grant application;

644 (ii) approval of a grant application; and

645 (iii) criteria to establish a requirement for an applicant to demonstrate financial need;

646 and

647 (d) with input from the review committee, adopt metrics to analyze the quality of a
648 grant application.

649 (5) (a) The review committee shall consist of K-16 educators, staff of the State Board
650 of Education, representatives of Talent Ready Utah, post-secondary partners, and industry
651 representatives.

652 (b) The review committee shall:

653 (i) review a grant application submitted;

654 (ii) make recommendations to a grant applicant to modify the grant application, if
655 necessary; and

656 (iii) make recommendations regarding the final disposition of an application.

657 (6) The STEM Action Center shall report annually on the grant program to the State
658 Board of Education and any findings and recommendations on the grant program shall be
659 included in the STEM Action Center annual report to the Education Interim Committee.

660 Section 16. Section **53-19-101**, which is renumbered from Section 63N-10-101 is
661 renumbered and amended to read:

662 **CHAPTER 19. PETE SUAZO UTAH ATHLETIC COMMISSION ACT**
663 **~~[63N-10-101].~~ 53-19-101. Title.**

664 This chapter is known as the "Pete Suazo Utah Athletic Commission Act."

665 Section 17. Section **53-19-102**, which is renumbered from Section 63N-10-102 is
666 renumbered and amended to read:

667 **~~[63N-10-102].~~ 53-19-102. Definitions.**

668 As used in this chapter:

669 (1) "Bodily injury" has the same meaning as defined in Section [76-1-601](#).

670 (2) "Boxing" means the sport of attack and defense using the fist, which is covered by
671 an approved boxing glove.

672 (3) (a) "Club fighting" means any contest of unarmed combat, whether admission is
673 charged or not, where:

674 (i) the rules of the contest are not approved by the commission;

675 (ii) a licensed physician or osteopath approved by the commission is not in attendance;

676 (iii) a correct HIV negative test regarding each contestant has not been provided to the

- 677 commission;
- 678 (iv) the contest is not conducted in accordance with commission rules; or
- 679 (v) the contestants are not matched by the weight standards established in accordance
- 680 with Section [~~63N-10-316~~] [53-19-316](#).
- 681 (b) "Club fighting" does not include sparring if:
- 682 (i) it is conducted for training purposes;
- 683 (ii) no tickets are sold to spectators;
- 684 (iii) no concessions are available for spectators;
- 685 (iv) protective clothing, including protective headgear, a mouthguard, and a protective
- 686 cup, is worn; and
- 687 (v) for boxing, 16 ounce boxing gloves are worn.
- 688 (4) "Commission" means the Pete Suazo Utah Athletic Commission created by this
- 689 chapter.
- 690 (5) "Contest" means a live match, performance, or exhibition involving two or more
- 691 persons engaged in unarmed combat.
- 692 (6) "Contestant" means an individual who participates in a contest.
- 693 (7) "Designated commission member" means a member of the commission designated
- 694 to:
- 695 (a) attend and supervise a particular contest; and
- 696 (b) act on the behalf of the commission at a contest venue.
- 697 (8) "Director" means the director appointed by the commission.
- 698 (9) "Elimination unarmed combat contest" means a contest where:
- 699 (a) a number of contestants participate in a tournament;
- 700 (b) the duration is not more than 48 hours; and
- 701 (c) the loser of each contest is eliminated from further competition.
- 702 (10) "Exhibition" means an engagement in which the participants show or display their
- 703 skills without necessarily striving to win.
- 704 (11) "Judge" means an individual qualified by training or experience to:
- 705 (a) rate the performance of contestants;
- 706 (b) score a contest; and
- 707 (c) determine with other judges whether there is a winner of the contest or whether the

708 contestants performed equally, resulting in a draw.

709 (12) "Licensee" means an individual licensed by the commission to act as a:

710 (a) contestant;

711 (b) judge;

712 (c) manager;

713 (d) promoter;

714 (e) referee;

715 (f) second; or

716 (g) other official established by the commission by rule.

717 (13) "Manager" means an individual who represents a contestant for the purpose of:

718 (a) obtaining a contest for a contestant;

719 (b) negotiating terms and conditions of the contract under which the contestant will

720 engage in a contest; or

721 (c) arranging for a second for the contestant at a contest.

722 (14) "Promoter" means a person who engages in producing or staging contests and

723 promotions.

724 (15) "Promotion" means a single contest or a combination of contests that:

725 (a) occur during the same time and at the same location; and

726 (b) is produced or staged by a promoter.

727 (16) "Purse" means any money, prize, remuneration, or any other valuable

728 consideration a contestant receives or may receive for participation in a contest.

729 (17) "Referee" means an individual qualified by training or experience to act as the

730 official attending a contest at the point of contact between contestants for the purpose of:

731 (a) enforcing the rules relating to the contest;

732 (b) stopping the contest in the event the health, safety, and welfare of a contestant or
733 any other person in attendance at the contest is in jeopardy; and

734 (c) acting as a judge if so designated by the commission.

735 (18) "Round" means one of a number of individual time periods that, taken together,

736 constitute a contest during which contestants are engaged in a form of unarmed combat.

737 (19) "Second" means an individual who attends a contestant at the site of the contest

738 before, during, and after the contest in accordance with contest rules.

739 (20) "Serious bodily injury" has the same meaning as defined in Section 76-1-601.

740 (21) "Total gross receipts" means the amount of the face value of all tickets sold to a
741 particular contest plus any sums received as consideration for holding the contest at a particular
742 location.

743 (22) "Ultimate fighting" means a live contest, whether or not an admission fee is
744 charged, in which:

745 (a) contest rules permit contestants to use a combination of boxing, kicking, wrestling,
746 hitting, punching, or other combative contact techniques;

747 (b) contest rules incorporate a formalized system of combative techniques against
748 which a contestant's performance is judged to determine the prevailing contestant;

749 (c) contest rules divide nonchampionship contests into three equal and specified rounds
750 of no more than five minutes per round with a rest period of one minute between each round;

751 (d) contest rules divide championship contests into five equal and specified rounds of
752 no more than five minutes per round with a rest period of one minute between each round; and

753 (e) contest rules prohibit contestants from:

754 (i) using anything that is not part of the human body, except for boxing gloves, to
755 intentionally inflict serious bodily injury upon an opponent through direct contact or the
756 expulsion of a projectile;

757 (ii) striking a person who demonstrates an inability to protect himself from the
758 advances of an opponent;

759 (iii) biting; or

760 (iv) direct, intentional, and forceful strikes to the eyes, groin area, Adam's apple area of
761 the neck, and the rear area of the head and neck.

762 (23) (a) "Unarmed combat" means boxing or any other form of competition in which a
763 blow is usually struck which may reasonably be expected to inflict bodily injury.

764 (b) "Unarmed combat" does not include a competition or exhibition between
765 participants in which the participants engage in simulated combat for entertainment purposes.

766 (24) "Unlawful conduct" means organizing, promoting, or participating in a contest
767 which involves contestants that are not licensed under this chapter.

768 (25) "Unprofessional conduct" means:

769 (a) entering into a contract for a contest in bad faith;

- 770 (b) participating in any sham or fake contest;
 - 771 (c) participating in a contest pursuant to a collusive understanding or agreement in
772 which the contestant competes in or terminates the contest in a manner that is not based upon
773 honest competition or the honest exhibition of the skill of the contestant;
 - 774 (d) engaging in an act or conduct that is detrimental to a contest, including any foul or
775 unsportsmanlike conduct in connection with a contest;
 - 776 (e) failing to comply with any limitation, restriction, or condition placed on a license;
 - 777 (f) striking of a downed opponent by a contestant while the contestant remains on the
778 contestant's feet, unless the designated commission member or director has exempted the
779 contest and each contestant from the prohibition on striking a downed opponent before the start
780 of the contest;
 - 781 (g) after entering the ring or contest area, penetrating an area within four feet of an
782 opponent by a contestant, manager, or second before the commencement of the contest; or
 - 783 (h) as further defined by rules made by the commission under Title 63G, Chapter 3,
784 Utah Administrative Rulemaking Act.
- 785 (26) "White-collar contest" means a contest conducted at a training facility where no
786 alcohol is served in which:
- 787 (a) for boxing:
 - 788 (i) neither contestant is or has been a licensed contestant in any state or an amateur
789 registered with USA Boxing, Inc.;
 - 790 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;
 - 791 (iii) protective clothing, including protective headgear, a mouthguard, a protective cup,
792 and for a female contestant a chestguard, is worn;
 - 793 (iv) 16 ounce boxing gloves are worn;
 - 794 (v) the contest is no longer than three rounds of no longer than three minutes each;
 - 795 (vi) no winner or loser is declared or recorded; and
 - 796 (vii) the contestants do not compete in a cage; and
 - 797 (b) for ultimate fighting:
 - 798 (i) neither contestant is or has been a licensed contestant in any state or an amateur
799 registered with USA Boxing, Inc.;
 - 800 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;

801 (iii) protective clothing, including a protective mouthguard and a protective cup, is
802 worn;

803 (iv) downward elbow strikes are not allowed;

804 (v) a contestant is not allowed to stand and strike a downed opponent;

805 (vi) a closed-hand blow to the head is not allowed while either contestant is on the
806 ground;

807 (vii) the contest is no longer than three rounds of no longer than three minutes each;
808 and

809 (viii) no winner or loser is declared or recorded.

810 Section 18. Section **53-19-201**, which is renumbered from Section 63N-10-201 is
811 renumbered and amended to read:

812 ~~**[63N-10-201].**~~ **53-19-201. Commission -- Creation -- Appointments --**
813 **Terms -- Expenses -- Quorum.**

814 (1) There is created within the ~~[office]~~ department the Pete Suazo Utah Athletic
815 Commission consisting of five members.

816 (2) (a) The governor shall appoint three commission members.

817 (b) The president of the Senate and the speaker of the House of Representatives shall
818 each appoint one commission member.

819 (c) The commission members may not be licensees under this chapter.

820 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the
821 governor, president, or speaker, respectively, shall appoint each new member or reappointed
822 member to a four-year term.

823 (b) The governor shall, at the time of appointment or reappointment, adjust the length
824 of the governor's appointees' terms to ensure that the terms of members are staggered so that
825 approximately half of the commission is appointed every two years.

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

828 (d) A commission member may be removed for any reason and replaced in accordance
829 with this section by:

830 (i) the governor, for a commission member appointed by the governor;

831 (ii) the president of the Senate, for a commission member appointed by the president of

832 the Senate; or

833 (iii) the speaker of the House of Representatives, for a commission member appointed
834 by the speaker of the House of Representatives.

835 (4) (a) A majority of the commission members constitutes a quorum.

836 (b) A majority of a quorum is sufficient authority for the commission to act.

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

839 (a) Section [63A-3-106](#);

840 (b) Section [63A-3-107](#); and

841 (c) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).

842 (6) The commission shall annually designate one of its members to serve as chair for a
843 one-year period.

844 Section 19. Section **53-19-202**, which is renumbered from Section 63N-10-202 is
845 renumbered and amended to read:

846 ~~[63N-10-202]~~. **53-19-202. Commission powers and duties.**

847 (1) The commission shall:

848 (a) purchase and use a seal;

849 (b) adopt rules for the administration of this chapter in accordance with Title 63G,
850 Chapter 3, Utah Administrative Rulemaking Act;

851 (c) prepare all forms of contracts between sponsors, licensees, promoters, and
852 contestants; and

853 (d) hold hearings relating to matters under its jurisdiction, including violations of this
854 chapter or rules made under this chapter.

855 (2) The commission may subpoena witnesses, take evidence, and require the
856 production of books, papers, documents, records, contracts, recordings, tapes, correspondence,
857 or other information relevant to an investigation if the commission or ~~[its]~~ the commission's
858 designee considers it necessary.

859 Section 20. Section **53-19-203**, which is renumbered from Section 63N-10-203 is
860 renumbered and amended to read:

861 ~~[63N-10-203]~~. **53-19-203. Commission director.**

862 (1) The commission shall employ a director, who may not be a member of the

863 commission, to conduct the commission's business.

864 (2) The director serves at the pleasure of the commission.

865 Section 21. Section **53-19-204**, which is renumbered from Section 63N-10-204 is
866 renumbered and amended to read:

867 ~~**[63N-10-204].**~~ **53-19-204. Inspectors.**

868 (1) The commission may appoint one or more official representatives to be designated
869 as inspectors, who shall serve at the pleasure of the commission.

870 (2) Each inspector must receive from the commission a card authorizing that inspector
871 to act as an inspector for the commission.

872 (3) An inspector may not promote or sponsor any contest.

873 (4) Each inspector may receive a fee approved by the commission for the performance
874 of duties under this chapter.

875 Section 22. Section **53-19-205**, which is renumbered from Section 63N-10-205 is
876 renumbered and amended to read:

877 ~~**[63N-10-205].**~~ **53-19-205. Affiliation with other commissions.**

878 The commission may affiliate with any other state, tribal, or national boxing
879 commission or athletic authority.

880 Section 23. Section **53-19-301**, which is renumbered from Section 63N-10-301 is
881 renumbered and amended to read:

882 ~~**[63N-10-301].**~~ **53-19-301. Licensing.**

883 (1) A license is required for a person to act as or to represent that the person is:

884 (a) a promoter;

885 (b) a manager;

886 (c) a contestant;

887 (d) a second;

888 (e) a referee;

889 (f) a judge; or

890 (g) another official established by the commission by rule.

891 (2) The commission shall issue to a person who qualifies under this chapter a license in
892 the classifications of:

893 (a) promoter;

- 894 (b) manager;
- 895 (c) contestant;
- 896 (d) second;
- 897 (e) referee;
- 898 (f) judge; or
- 899 (g) another official who meets the requirements established by rule under Subsection
- 900 (1)(g).

901 (3) All money collected under this section and Sections [~~63N-10-304, 63N-10-307,~~

902 ~~63N-10-310, and 63N-10-313~~] 53-19-304, 53-19-307, 53-19-310, and 53-19-313 shall be

903 retained as dedicated credits to pay for commission expenses.

- 904 (4) Each applicant for licensure as a promoter shall:
 - 905 (a) submit an application in a form prescribed by the commission;
 - 906 (b) pay the fee determined by the commission under Section 63J-1-504;
 - 907 (c) provide to the commission evidence of financial responsibility, which shall include
 - 908 financial statements and other information that the commission may reasonably require to
 - 909 determine that the applicant or licensee is able to competently perform as and meet the
 - 910 obligations of a promoter in this state;
 - 911 (d) make assurances that the applicant:
 - 912 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
 - 913 respect to the promotions the applicant is promoting;
 - 914 (ii) has not been found in a criminal or civil proceeding to have engaged in or
 - 915 attempted to engage in any fraud or misrepresentation in connection with a contest or any other
 - 916 sporting event; and
 - 917 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
 - 918 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
 - 919 to the regulation of contests in this state or any other jurisdiction;
 - 920 (e) acknowledge in writing to the commission receipt, understanding, and intent to
 - 921 comply with this chapter and the rules made under this chapter; and
 - 922 (f) if requested by the commission or the director, meet with the commission or the
 - 923 director to examine the applicant's qualifications for licensure.

924 (5) Each applicant for licensure as a contestant shall:

- 925 (a) be [~~not less than~~] at least 18 years of age at the time the application is submitted to
926 the commission;
- 927 (b) submit an application in a form prescribed by the commission;
- 928 (c) pay the fee established by the commission under Section 63J-1-504;
- 929 (d) provide a certificate of physical examination, dated not more than 60 days [~~prior to~~]
930 before the date of application for licensure, in a form provided by the commission, completed
931 by a licensed physician and surgeon certifying that the applicant is free from any physical or
932 mental condition that indicates the applicant should not engage in activity as a contestant;
- 933 (e) make assurances that the applicant:
- 934 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
935 respect to a contest in which the applicant will participate;
- 936 (ii) has not been found in a criminal or civil proceeding to have engaged in or
937 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
938 any other sporting event; and
- 939 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
940 to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating
941 to the regulation of contests in this state or any other jurisdiction;
- 942 (f) acknowledge in writing to the commission receipt, understanding, and intent to
943 comply with this chapter and the rules made under this chapter; and
- 944 (g) if requested by the commission or the director, meet with the commission or the
945 director to examine the applicant's qualifications for licensure.
- 946 (6) Each applicant for licensure as a manager or second shall:
- 947 (a) submit an application in a form prescribed by the commission;
- 948 (b) pay a fee determined by the commission under Section 63J-1-504;
- 949 (c) make assurances that the applicant:
- 950 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
951 respect to a contest in which the applicant is participating;
- 952 (ii) has not been found in a criminal or civil proceeding to have engaged in or
953 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
954 any other sporting event; and
- 955 (iii) has not been found in a criminal or civil proceeding to have violated or attempted

956 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
957 to the regulation of contests in this state or any other jurisdiction;

958 (d) acknowledge in writing to the commission receipt, understanding, and intent to
959 comply with this chapter and the rules made under this chapter; and

960 (e) if requested by the commission or director, meet with the commission or the
961 director to examine the applicant's qualifications for licensure.

962 (7) Each applicant for licensure as a referee or judge shall:

963 (a) submit an application in a form prescribed by the commission;

964 (b) pay a fee determined by the commission under Section [63J-1-504](#);

965 (c) make assurances that the applicant:

966 (i) is not engaging in illegal gambling with respect to sporting events or gambling with
967 respect to a contest in which the applicant is participating;

968 (ii) has not been found in a criminal or civil proceeding to have engaged in or
969 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
970 any other sporting event; and

971 (iii) has not been found in a criminal or civil proceeding to have violated or attempted
972 to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating
973 to the regulation of contests in this state or any other jurisdiction;

974 (d) acknowledge in writing to the commission receipt, understanding, and intent to
975 comply with this chapter and the rules made under this chapter;

976 (e) provide evidence satisfactory to the commission that the applicant is qualified by
977 training and experience to competently act as a referee or judge in a contest; and

978 (f) if requested by the commission or the director, meet with the commission or the
979 director to examine the applicant's qualifications for licensure.

980 (8) The commission may make rules concerning the requirements for a license under
981 this chapter, that deny a license to an applicant for the violation of a crime that, in the
982 commission's determination, would have a material affect on the integrity of a contest held
983 under this chapter.

984 (9) (a) A licensee serves at the pleasure, and under the direction, of the commission
985 while participating in any way at a contest.

986 (b) A licensee's license may be suspended, or a fine imposed, if the licensee does not

987 follow the commission's direction at an event or contest.

988 Section 24. Section **53-19-302**, which is renumbered from Section 63N-10-302 is
989 renumbered and amended to read:

990 ~~[63N-10-302]~~. **53-19-302. Term of license -- Expiration -- Renewal.**

991 (1) The commission shall issue each license under this chapter in accordance with a
992 renewal cycle established by rule.

993 (2) At the time of renewal, the licensee shall show satisfactory evidence of compliance
994 with renewal requirements established by rule by the commission.

995 (3) Each license automatically expires on the expiration date shown on the license
996 unless the licensee renews it in accordance with the rules established by the commission.

997 Section 25. Section **53-19-303**, which is renumbered from Section 63N-10-303 is
998 renumbered and amended to read:

999 ~~[63N-10-303]~~. **53-19-303. Grounds for denial of license -- Disciplinary**
1000 **proceedings -- Reinstatement.**

1001 (1) The commission shall refuse to issue a license to an applicant and shall refuse to
1002 renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of
1003 a licensee who does not meet the qualifications for licensure under this chapter.

1004 (2) The commission may refuse to issue a license to an applicant and may refuse to
1005 renew or may revoke, suspend, restrict, place on probation, issue a public or private reprimand
1006 to, or otherwise act upon the license of any licensee if:

1007 (a) the applicant or licensee has engaged in unlawful or unprofessional conduct, as
1008 defined by statute or rule under this chapter;

1009 (b) the applicant or licensee has been determined to be mentally incompetent for any
1010 reason by a court of competent jurisdiction; or

1011 (c) the applicant or licensee is unable to practice the occupation or profession with
1012 reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics,
1013 chemicals, or any other type of material, or as a result of any other mental or physical
1014 condition, when the licensee's condition demonstrates a threat or potential threat to the public
1015 health, safety, or welfare, as determined by a ringside physician or the commission.

1016 (3) Any licensee whose license under this chapter has been suspended, revoked, or
1017 restricted may apply for reinstatement of the license at reasonable intervals and upon

1018 compliance with any conditions imposed upon the licensee by statute, rule, or terms of the
1019 license suspension, revocation, or restriction.

1020 (4) The commission may issue cease and desist orders:

1021 (a) to a licensee or applicant who may be disciplined under Subsection (1) or (2); and

1022 (b) to any person who otherwise violates this chapter or any rules adopted under this
1023 chapter.

1024 (5) (a) The commission may impose an administrative fine for acts of unprofessional or
1025 unlawful conduct under this chapter.

1026 (b) An administrative fine under this Subsection (5) may not [~~exceed~~] be more than
1027 \$2,500 for each separate act of unprofessional or unlawful conduct.

1028 (c) The commission shall comply with Title 63G, Chapter 4, Administrative
1029 Procedures Act, in any action to impose an administrative fine under this chapter.

1030 (d) The imposition of a fine under this Subsection (5) does not affect any other action
1031 the commission or department may take concerning a license issued under this chapter.

1032 (6) (a) The commission may not take disciplinary action against any person for
1033 unlawful or unprofessional conduct under this chapter, unless the commission initiates an
1034 adjudicative proceeding regarding the conduct within four years after the conduct is reported to
1035 the commission, except under Subsection (6)(b).

1036 (b) The commission may not take disciplinary action against any person for unlawful
1037 or unprofessional conduct more than 10 years after the occurrence of the conduct, unless the
1038 proceeding is in response to a civil or criminal judgment or settlement and the proceeding is
1039 initiated within one year following the judgment or settlement.

1040 (7) (a) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, the
1041 following may immediately suspend the license of a licensee at such time and for such period
1042 that the following believes is necessary to protect the health, safety, and welfare of the licensee,
1043 another licensee, or the public:

1044 (i) the commission;

1045 (ii) a designated commission member; or

1046 (iii) if a designated commission member is not present, the director.

1047 (b) The commission shall establish by rule appropriate procedures to invoke the
1048 suspension and to provide a suspended licensee a right to a hearing before the commission with

1049 respect to the suspension within a reasonable time after the suspension.

1050 Section 26. Section **53-19-304**, which is renumbered from Section 63N-10-304 is
1051 renumbered and amended to read:

1052 ~~[63N-10-304]~~. **53-19-304. Additional fees for license of promoter --**
1053 **Dedicated credits -- Promotion of contests -- Annual exemption of showcase event.**

1054 (1) In addition to the payment of any other fees and money due under this chapter,
1055 every promoter shall pay a license fee determined by the commission and established in rule.

1056 (2) License fees collected under this Subsection (2) from professional boxing contests
1057 or exhibitions shall be retained by the commission as a dedicated credit to be used by the
1058 commission to award grants to organizations that promote amateur boxing in the state and
1059 cover commission expenses.

1060 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1061 commission shall adopt rules:

1062 (a) governing the manner in which applications for grants under Subsection (2) may be
1063 submitted to the commission; and

1064 (b) establishing standards for awarding grants under Subsection (2) to organizations
1065 which promote amateur boxing in the state.

1066 (4) (a) For the purpose of creating a greater interest in contests in the state, the
1067 commission may exempt from the payment of license fees under this section one contest or
1068 exhibition in each calendar year, intended as a showcase event.

1069 (b) The commission shall select the contest or exhibition to be exempted based on
1070 factors which include:

1071 (i) attraction of the optimum number of spectators;

1072 (ii) costs of promoting and producing the contest or exhibition;

1073 (iii) ticket pricing;

1074 (iv) committed promotions and advertising of the contest or exhibition;

1075 (v) rankings and quality of the contestants; and

1076 (vi) committed television and other media coverage of the contest or exhibition.

1077 Section 27. Section **53-19-305**, which is renumbered from Section 63N-10-305 is
1078 renumbered and amended to read:

1079 ~~[63N-10-305]~~. **53-19-305. Jurisdiction of commission.**

1080 (1) (a) The commission has the sole authority concerning direction, management,
1081 control, and jurisdiction over all contests or exhibitions of unarmed combat to be conducted,
1082 held, or given within this state.

1083 (b) A contest or exhibition may not be conducted, held, or given within this state
1084 except in accordance with this chapter.

1085 (2) Any contest involving a form of unarmed self-defense must be conducted pursuant
1086 to rules for that form which are approved by the commission before the contest is conducted,
1087 held, or given.

1088 (3) (a) An area not less than six feet from the perimeter of the ring shall be reserved for
1089 the use of:

- 1090 (i) the designated commission member;
- 1091 (ii) other commission members in attendance;
- 1092 (iii) the director;
- 1093 (iv) commission employees;
- 1094 (v) officials;
- 1095 (vi) licensees participating or assisting in the contest; and
- 1096 (vii) others granted credentials by the commission.

1097 (b) The promoter shall provide security at the direction of the commission or
1098 designated commission member to secure the area described in Subsection (3)(a).

1099 (4) The area described in Subsection (3), the area in the dressing rooms, and other
1100 areas considered necessary by the designated commission member for the safety and welfare of
1101 a licensee and the public shall be reserved for the use of:

- 1102 (a) the designated commission member;
- 1103 (b) other commission members in attendance;
- 1104 (c) the director;
- 1105 (d) commission employees;
- 1106 (e) officials;
- 1107 (f) licensees participating or assisting in the contest; and
- 1108 (g) others granted credentials by the commission.

1109 (5) The promoter shall provide security at the direction of the commission or
1110 designated commission member to secure the areas described in Subsections (3) and (4).

1111 (6) (a) The designated commission member may direct the removal from the contest
1112 venue and premises, of any individual whose actions:

1113 (i) are disruptive to the safe conduct of the contest; or

1114 (ii) pose a danger to the safety and welfare of the licensees, the commission, or the
1115 public, as determined by the designated commission member.

1116 (b) The promoter shall provide security at the direction of the commission or
1117 designated commission member to effectuate a removal under Subsection (6)(a).

1118 Section 28. Section **53-19-306**, which is renumbered from Section 63N-10-306 is
1119 renumbered and amended to read:

1120 ~~[63N-10-306].~~ **53-19-306. Club fighting prohibited.**

1121 (1) Club fighting is prohibited.

1122 (2) Any person who publicizes, promotes, conducts, or engages in a club fighting
1123 match is:

1124 (a) guilty of a class A misdemeanor as provided in Section [76-9-705](#); and

1125 (b) subject to license revocation under this chapter.

1126 Section 29. Section **53-19-307**, which is renumbered from Section 63N-10-307 is
1127 renumbered and amended to read:

1128 ~~[63N-10-307].~~ **53-19-307. Approval to hold contest or promotion -- Bond**
1129 **required.**

1130 (1) An application to hold a contest or multiple contests as part of a single promotion
1131 shall be made by a licensed promoter to the commission on forms provided by the commission.

1132 (2) The application shall be accompanied by a contest fee determined by the
1133 commission under Section [63J-1-505](#).

1134 (3) (a) The commission may approve or deny approval to hold a contest or promotion
1135 permitted under this chapter.

1136 (b) Provisional approval under Subsection (3)(a) shall be granted upon a determination
1137 by the commission that:

1138 (i) the promoter of the contest or promotion is properly licensed;

1139 (ii) a bond meeting the requirements of Subsection (6) has been posted by the promoter
1140 of the contest or promotion; and

1141 (iii) the contest or promotion will be held in accordance with this chapter and rules

1142 made under this chapter.

1143 (4) (a) Final approval to hold a contest or promotion may not be granted unless the
1144 commission receives, not less than seven days before the day of the contest with 10 or more
1145 rounds:

1146 (i) proof of a negative HIV test performed not more than 180 days before the day of the
1147 contest for each contestant;

1148 (ii) a copy of each contestant's federal identification card;

1149 (iii) a copy of a signed contract between each contestant and the promoter for the
1150 contest;

1151 (iv) a statement specifying the maximum number of rounds of the contest;

1152 (v) a statement specifying the site, date, and time of weigh-in; and

1153 (vi) the name of the physician selected from among a list of registered and
1154 commission-approved ringside physicians who shall act as ringside physician for the contest.

1155 (b) Notwithstanding Subsection (4)(a), the commission may approve a contest or
1156 promotion if the requirements under Subsection (4)(a) are not met because of unforeseen
1157 circumstances beyond the promoter's control.

1158 (5) Final approval for a contest under 10 rounds in duration may be granted as
1159 determined by the commission after receiving the materials identified in Subsection (4) at a
1160 time determined by the commission.

1161 (6) An applicant shall post a surety bond or cashier's check with the commission in the
1162 greater of \$10,000 or the amount of the purse, providing for forfeiture and disbursement of the
1163 proceeds if the applicant fails to comply with:

1164 (a) the requirements of this chapter; or

1165 (b) rules made under this chapter relating to the promotion or conduct of the contest or
1166 promotion.

1167 Section 30. Section **53-19-308**, which is renumbered from Section 63N-10-308 is
1168 renumbered and amended to read:

1169 ~~**63N-10-308.**~~ **53-19-308. Rules for the conduct of contests.**

1170 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
1171 Administrative Rulemaking Act, for the conduct of contests in the state.

1172 (2) The rules shall include:

1173 (a) authority for:
 1174 (i) stopping contests; and
 1175 (ii) impounding purses with respect to contests when there is a question with respect to
 1176 the contest, contestants, or any other licensee associated with the contest; and

1177 (b) reasonable and necessary provisions to ensure that all obligations of a promoter
 1178 with respect to any promotion or contest are paid in accordance with agreements made by the
 1179 promoter.

1180 (3) (a) The commission may, in its discretion, exempt a contest and each contestant
 1181 from the definition of unprofessional conduct found in Subsection [~~63N-10-102(25)(f)~~]
 1182 53-19-102(25)(f) after:

1183 (i) a promoter requests the exemption; and
 1184 (ii) the commission considers relevant factors, including:
 1185 (A) the experience of the contestants;
 1186 (B) the win and loss records of each contestant;
 1187 (C) each contestant's level of training; and
 1188 (D) any other evidence relevant to the contestants' professionalism and the ability to
 1189 safely conduct the contest.

1190 (b) The commission's hearing of a request for an exemption under this Subsection (3)
 1191 is an informal adjudicative proceeding under Section 63G-4-202.

1192 (c) The commission's decision to grant or deny a request for an exemption under this
 1193 Subsection (3) is not subject to agency review under Section 63G-4-301.

1194 Section 31. Section **53-19-309**, which is renumbered from Section 63N-10-309 is
 1195 renumbered and amended to read:

1196 ~~[63N-10-309]~~. **53-19-309. Medical examinations and drug tests.**

1197 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
 1198 Administrative Rulemaking Act, for medical examinations and drug testing of contestants,
 1199 including provisions under which contestants shall:

1200 (a) produce evidence based upon competent laboratory examination that they are HIV
 1201 negative as a condition of participating as a contestant in any contest;

1202 (b) be subject to random drug testing before or after participation in a contest, and
 1203 sanctions, including barring participation in a contest or withholding a percentage of any purse,

1204 that shall be placed against a contestant testing positive for alcohol or any other drug that in the
1205 opinion of the commission is inconsistent with the safe and competent participation of that
1206 contestant in a contest;

1207 (c) be subject to a medical examination by the ringside physician not more than 30
1208 hours before the contest to identify any physical ailment or communicable disease that, in the
1209 opinion of the commission or designated commission member, are inconsistent with the safe
1210 and competent participation of that contestant in the contest; and

1211 (d) be subject to medical testing for communicable diseases as considered necessary by
1212 the commission to protect the health, safety, and welfare of the licensees and the public.

1213 (2) (a) Medical information concerning a contestant shall be provided by the contestant
1214 or medical professional or laboratory.

1215 (b) A promoter or manager may not provide to or receive from the commission medical
1216 information concerning a contestant.

1217 Section 32. Section **53-19-310**, which is renumbered from Section 63N-10-310 is
1218 renumbered and amended to read:

1219 ~~[63N-10-310]~~. **53-19-310. Contests.**

1220 (1) Except as provided in Section [~~63N-10-317~~] [53-19-317](#), a licensee may not
1221 participate in an unarmed combat contest within a predetermined time after another unarmed
1222 combat contest, as prescribed in rules made by the commission.

1223 (2) During the period of time beginning 60 minutes before the beginning of a contest,
1224 the promoter shall demonstrate the promoter's compliance with the commission's security
1225 requirements to all commission members present at the contest.

1226 (3) The commission shall establish fees in accordance with Section [63J-1-504](#) to be
1227 paid by a promoter for the conduct of each contest or event composed of multiple contests
1228 conducted under this chapter.

1229 Section 33. Section **53-19-311**, which is renumbered from Section 63N-10-311 is
1230 renumbered and amended to read:

1231 ~~[63N-10-311]~~. **53-19-311. Ringside physician.**

1232 (1) The commission shall maintain a list of ringside physicians who hold a Doctor of
1233 Medicine (MD) degree and are registered with the commission as approved to act as a ringside
1234 physician and meet the requirements of Subsection (2).

1235 (2) (a) The commission shall appoint a registered ringside physician to perform the
1236 duties of a ringside physician at each contest held under this chapter.

1237 (b) The promoter of a contest shall pay a fee determined by the commission by rule to
1238 the commission for a ringside physician.

1239 (3) An applicant for registration as a ringside physician shall:

1240 (a) submit an application for registration;

1241 (b) provide the commission with evidence of the applicant's licensure to practice
1242 medicine in the state; and

1243 (c) satisfy minimum qualifications established by the department by rule.

1244 (4) A ringside physician at attendance at a contest:

1245 (a) may stop the contest at any point if the ringside physician determines that a
1246 contestant's physical condition renders the contestant unable to safely continue the contest; and

1247 (b) works under the direction of the commission.

1248 Section 34. Section **53-19-312**, which is renumbered from Section 63N-10-312 is
1249 renumbered and amended to read:

1250 ~~[63N-10-312]~~. **53-19-312. Contracts.**

1251 Before a contest is held, a copy of the signed contract or agreement between the
1252 promoter of the contest and each contestant shall be filed with the commission. Approval of
1253 the contract's terms and conditions shall be obtained from the commission as a condition
1254 precedent to the contest.

1255 Section 35. Section **53-19-313**, which is renumbered from Section 63N-10-313 is
1256 renumbered and amended to read:

1257 ~~[63N-10-313]~~. **53-19-313. Withholding of purse.**

1258 (1) The commission, the director, or any other agent authorized by the commission
1259 may order a promoter to withhold any part of a purse or other money belonging or payable to
1260 any contestant, manager, or second if, in the judgment of the commission, director, or other
1261 agent:

1262 (a) the contestant is not competing honestly or to the best of the contestant's skill and
1263 ability or the contestant otherwise violates any rules adopted by the commission or any of the
1264 provisions of this chapter; or

1265 (b) the manager or second violates any rules adopted by the commission or any of the

1266 provisions of this chapter.

1267 (2) This section does not apply to any contestant in a wrestling exhibition who appears
1268 not to be competing honestly or to the best of the contestant's skill and ability.

1269 (3) Upon the withholding of any part of a purse or other money pursuant to this section,
1270 the commission shall immediately schedule a hearing on the matter, provide adequate notice to
1271 all interested parties, and dispose of the matter as promptly as possible.

1272 (4) If it is determined that a contestant, manager, or second is not entitled to any part of
1273 that person's share of the purse or other money, the promoter shall pay the money over to the
1274 commission.

1275 Section 36. Section **53-19-314**, which is renumbered from Section 63N-10-314 is
1276 renumbered and amended to read:

1277 ~~[63N-10-314].~~ **53-19-314. Penalty for unlawful conduct.**

1278 A person who engages in any act of unlawful conduct, as defined in Section
1279 ~~[63N-10-102]~~ 53-19-102, is guilty of a class A misdemeanor.

1280 Section 37. Section **53-19-315**, which is renumbered from Section 63N-10-315 is
1281 renumbered and amended to read:

1282 ~~[63N-10-315].~~ **53-19-315. Exemptions.**

1283 This chapter does not apply to:

1284 (1) any amateur contest or exhibition of unarmed combat conducted by or participated
1285 in exclusively by:

1286 (a) a school accredited by the Utah Board of Education;

1287 (b) a college or university accredited by the United States Department of Education; or

1288 (c) any association or organization of a school, college, or university described in

1289 Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide
1290 student in the school, college, or university;

1291 (2) any contest or exhibition of unarmed combat conducted in accordance with the
1292 standards and regulations of USA Boxing, Inc.; or

1293 (3) a white-collar contest.

1294 Section 38. Section **53-19-316**, which is renumbered from Section 63N-10-316 is
1295 renumbered and amended to read:

1296 ~~[63N-10-316].~~ **53-19-316. Contest weights and classes -- Matching**

1297 **contestants.**

1298 (1) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
1299 Administrative Rulemaking Act, establishing boxing contest weights and classes consistent
1300 with those adopted by the Association of Boxing Commissions.

1301 (2) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
1302 Administrative Rulemaking Act, establishing contest weights and classes for unarmed combat
1303 that is not boxing.

1304 (3) (a) As to any unarmed combat contest, a contestant may not fight another contestant
1305 who is outside of the contestant's weight classification.

1306 (b) Notwithstanding Subsection (3)(a), the commission may permit a contestant to
1307 fight another contestant who is outside of the contestant's weight classification.

1308 (4) Except as provided in Subsection (3)(b), as to any unarmed combat contest:

1309 (a) a contestant who has contracted to participate in a given weight class may not be
1310 permitted to compete if the contestant is not within that weight class at the weigh-in; and

1311 (b) a contestant may have two hours to attempt to gain or lose not more than three
1312 pounds in order to be reweighed.

1313 (5) (a) As to any unarmed combat contest, the commission may not allow a contest in
1314 which the contestants are not fairly matched.

1315 (b) Factors in determining if contestants are fairly matched include:

1316 (i) the win-loss record of the contestants;

1317 (ii) the weight differential between the contestants;

1318 (iii) the caliber of opponents for each contestant;

1319 (iv) each contestant's number of fights; and

1320 (v) previous suspensions or disciplinary actions of the contestants.

1321 Section 39. Section **53-19-317**, which is renumbered from Section 63N-10-317 is
1322 renumbered and amended to read:

1323 ~~[63N-10-317]~~. **53-19-317. Elimination contests -- Conduct of contests --**

1324 **Applicability of provisions -- Limitations on license -- Duration of contests -- Equipment**

1325 **-- Limitations on contests.**

1326 (1) An elimination unarmed combat contest shall be conducted under the supervision
1327 and authority of the commission.

1328 (2) Except as otherwise provided in this section and except as otherwise provided by
1329 specific statute, the provisions of this chapter pertaining to boxing apply to an elimination
1330 unarmed combat contest.

1331 (3) (a) All contests in an elimination unarmed combat contest shall be no more than
1332 three rounds in duration.

1333 (b) A round of unarmed combat in an elimination unarmed combat contest shall:

1334 (i) be no more than one minute in duration; or

1335 (ii) be up to three minutes in duration if there is only a single round.

1336 (c) A period of rest following a round shall be no more than one minute in duration.

1337 (4) A contestant:

1338 (a) shall wear gloves approved by the commission; and

1339 (b) shall wear headgear approved by the commission, the designated commission
1340 member, or the director if a designated commission member is not present.

1341 (5) A contestant may participate in more than one contest, but may not participate in
1342 more than a total of seven rounds in the entire tournament.

1343 Section 40. Section **53-19-318**, which is renumbered from Section 63N-10-318 is
1344 renumbered and amended to read:

1345 ~~[63N-10-318]~~. **53-19-318. Commission rulemaking.**

1346 The commission may make rules in accordance with Title 63G, Chapter 3, Utah
1347 Administrative Rulemaking Act, governing the conduct of a contest held under this chapter to
1348 protect the health and safety of licensees and members of the public.

1349 Section 41. Section **63J-1-602.1** is amended to read:

1350 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**

1351 Appropriations made from the following accounts or funds are nonlapsing:

1352 (1) The Utah Intracurricular Student Organization Support for Agricultural Education
1353 and Leadership Restricted Account created in Section [4-42-102](#).

1354 (2) The Native American Repatriation Restricted Account created in Section [9-9-407](#).

1355 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
1356 Section [9-18-102](#).

1357 (4) The National Professional Men's Soccer Team Support of Building Communities
1358 Restricted Account created in Section [9-19-102](#).

- 1359 (5) Funds collected for directing and administering the C-PACE district created in
1360 Section [11-42a-302](#).
- 1361 (6) Award money under the State Asset Forfeiture Grant Program, as provided under
1362 Section [24-4-117](#).
- 1363 (7) Funds collected from the program fund for local health department expenses
1364 incurred in responding to a local health emergency under Section [26-1-38](#).
- 1365 (8) Funds collected from the emergency medical services grant program, as provided in
1366 Section [26-8a-207](#).
- 1367 (9) The Prostate Cancer Support Restricted Account created in Section [26-21a-303](#).
- 1368 (10) The Children with Cancer Support Restricted Account created in Section
1369 [26-21a-304](#).
- 1370 (11) State funds for matching federal funds in the Children's Health Insurance Program
1371 as provided in Section [26-40-108](#).
- 1372 (12) The Children with Heart Disease Support Restricted Account created in Section
1373 [26-58-102](#).
- 1374 (13) The Nurse Home Visiting Restricted Account created in Section [26-62-601](#).
- 1375 (14) The Technology Development Restricted Account created in Section [31A-3-104](#).
- 1376 (15) The Criminal Background Check Restricted Account created in Section
1377 [31A-3-105](#).
- 1378 (16) The Captive Insurance Restricted Account created in Section [31A-3-304](#), except
1379 to the extent that Section [31A-3-304](#) makes the money received under that section free revenue.
- 1380 (17) The Title Licensee Enforcement Restricted Account created in Section
1381 [31A-23a-415](#).
- 1382 (18) The Health Insurance Actuarial Review Restricted Account created in Section
1383 [31A-30-115](#).
- 1384 (19) The Insurance Fraud Investigation Restricted Account created in Section
1385 [31A-31-108](#).
- 1386 (20) The Underage Drinking Prevention Media and Education Campaign Restricted
1387 Account created in Section [32B-2-306](#).
- 1388 (21) The School Readiness Restricted Account created in Section [35A-3-210](#).
- 1389 (22) The Youth Development Organization Restricted Account created in Section

- 1390 35A-8-1903.
- 1391 (23) The Youth Character Organization Restricted Account created in Section
- 1392 35A-8-2003.
- 1393 (24) Money received by the Utah State Office of Rehabilitation for the sale of certain
- 1394 products or services, as provided in Section 35A-13-202.
- 1395 (25) The Oil and Gas Conservation Account created in Section 40-6-14.5.
- 1396 (26) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to
- 1397 the Motor Vehicle Division.
- 1398 (27) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account
- 1399 created by Section 41-3-110 to the State Tax Commission.
- 1400 (28) The Utah Law Enforcement Memorial Support Restricted Account created in
- 1401 Section 53-1-120.
- 1402 (29) The State Disaster Recovery Restricted Account to the Division of Emergency
- 1403 Management, as provided in Section 53-2a-603.
- 1404 (30) The Department of Public Safety Restricted Account to the Department of Public
- 1405 Safety, as provided in Section 53-3-106.
- 1406 (31) The Utah Highway Patrol Aero Bureau Restricted Account created in Section
- 1407 53-8-303.
- 1408 (32) The DNA Specimen Restricted Account created in Section 53-10-407.
- 1409 (33) The Canine Body Armor Restricted Account created in Section 53-16-201.
- 1410 (34) A certain portion of money collected for administrative costs under the School
- 1411 Institutional Trust Lands Management Act, as provided under Section 53C-3-202.
- 1412 (35) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5,
- 1413 subject to Subsection 54-5-1.5(4)(d).
- 1414 (36) Certain fines collected by the Division of Occupational and Professional Licensing
- 1415 for violation of unlawful or unprofessional conduct that are used for education and enforcement
- 1416 purposes, as provided in Section 58-17b-505.
- 1417 (37) Certain fines collected by the Division of Occupational and Professional Licensing
- 1418 for use in education and enforcement of the Security Personnel Licensing Act, as provided in
- 1419 Section 58-63-103.
- 1420 (38) The Relative Value Study Restricted Account created in Section 59-9-105.

- 1421 (39) The Cigarette Tax Restricted Account created in Section [59-14-204](#).
- 1422 (40) Funds paid to the Division of Real Estate for the cost of a criminal background
1423 check for a mortgage loan license, as provided in Section [61-2c-202](#).
- 1424 (41) Funds paid to the Division of Real Estate for the cost of a criminal background
1425 check for principal broker, associate broker, and sales agent licenses, as provided in Section
1426 [61-2f-204](#).
- 1427 (42) Certain funds donated to the Department of Human Services, as provided in
1428 Section [62A-1-111](#).
- 1429 (43) The National Professional Men's Basketball Team Support of Women and
1430 Children Issues Restricted Account created in Section [62A-1-202](#).
- 1431 (44) Certain funds donated to the Division of Child and Family Services, as provided
1432 in Section [62A-4a-110](#).
- 1433 (45) The Choose Life Adoption Support Restricted Account created in Section
1434 [62A-4a-608](#).
- 1435 (46) Funds collected by the Office of Administrative Rules for publishing, as provided
1436 in Section [63G-3-402](#).
- 1437 (47) The Immigration Act Restricted Account created in Section [63G-12-103](#).
- 1438 (48) Money received by the military installation development authority, as provided in
1439 Section [63H-1-504](#).
- 1440 (49) The Computer Aided Dispatch Restricted Account created in Section [63H-7a-303](#).
- 1441 (50) The Unified Statewide 911 Emergency Service Account created in Section
1442 [63H-7a-304](#).
- 1443 (51) The Utah Statewide Radio System Restricted Account created in Section
1444 [63H-7a-403](#).
- 1445 (52) The Employability to Careers Program Restricted Account created in Section
1446 [63J-4-703](#).
- 1447 (53) The Motion Picture Incentive Account created in Section [63N-8-103](#).
- 1448 (54) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission,
1449 as provided under Section [~~63N-10-301~~] [53-19-301](#).
- 1450 (55) Funds collected by the housing of state probationary inmates or state parole
1451 inmates, as provided in Subsection [64-13e-104](#)(2).

1452 (56) Certain forestry and fire control funds utilized by the Division of Forestry, Fire,
1453 and State Lands, as provided in Section 65A-8-103.

1454 (57) Certain funds received by the Office of the State Engineer for well drilling fines or
1455 bonds, as provided in Section 73-3-25.

1456 (58) The Water Resources Conservation and Development Fund, as provided in
1457 Section 73-23-2.

1458 (59) Funds donated or paid to a juvenile court by private sources, as provided in
1459 Subsection 78A-6-203(1)(c).

1460 (60) Fees for certificate of admission created under Section 78A-9-102.

1461 (61) Funds collected for adoption document access as provided in Sections 78B-6-141,
1462 78B-6-144, and 78B-6-144.5.

1463 (62) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
1464 Park, Jordan River State Park, and Green River State Park, as provided under Section
1465 79-4-403.

1466 (63) Certain funds received by the Division of Parks and Recreation from the sale or
1467 disposal of buffalo, as provided under Section 79-4-1001.

1468 (64) Funds collected for indigent defense as provided in Title 77, Chapter 32, Part 8,
1469 Utah Indigent Defense Commission.

1470 Section 42. Section 63N-1-301 is amended to read:

1471 **63N-1-301. Annual report -- Content -- Format.**

1472 (1) The office shall prepare and submit to the governor and the Legislature, by October
1473 1 of each year, an annual written report of the operations, activities, programs, and services of
1474 the office, including the divisions, sections, boards, commissions, councils, and committees
1475 established under this title, for the preceding fiscal year.

1476 (2) For each operation, activity, program, or service provided by the office, the annual
1477 report shall include:

1478 (a) a description of the operation, activity, program, or service;

1479 (b) data and metrics:

1480 (i) selected and used by the office to measure progress, performance, effectiveness, and
1481 scope of the operation, activity, program, or service, including summary data; and

1482 (ii) that are consistent and comparable for each state operation, activity, program, or

1483 service that primarily involves employment training or placement as determined by the
1484 executive directors of the office, the Department of Workforce Services, and the Governor's
1485 Office of Management and Budget;

1486 (c) budget data, including the amount and source of funding, expenses, and allocation
1487 of full-time employees for the operation, activity, program, or service;

1488 (d) historical data from previous years for comparison with data reported under
1489 Subsections (2)(b) and (c);

1490 (e) goals, challenges, and achievements related to the operation, activity, program, or
1491 service;

1492 (f) relevant federal and state statutory references and requirements;

1493 (g) contact information of officials knowledgeable and responsible for each operation,
1494 activity, program, or service; and

1495 (h) other information determined by the office that:

1496 (i) may be needed, useful, or of historical significance; or

1497 (ii) promotes accountability and transparency for each operation, activity, program, or
1498 service with the public and elected officials.

1499 (3) The annual report shall be designed to provide clear, accurate, and accessible
1500 information to the public, the governor, and the Legislature.

1501 (4) The office shall:

1502 (a) submit the annual report in accordance with Section [68-3-14](#);

1503 (b) make the annual report, and previous annual reports, accessible to the public by
1504 placing a link to the reports on the office's website; and

1505 (c) provide the data and metrics described in Subsection (2)(b) to the Talent Ready
1506 Utah Board created in Section [63N-12-503](#).

1507 (5) (a) On or before September 1, 2019, the office shall develop a written strategic plan
1508 that contains a coordinated economic development strategy for the state and shall provide the
1509 plan to the president of the Senate, the speaker of the House of Representatives, and the
1510 Economic Development and Workforce Services Interim Committee.

1511 (b) The strategic plan shall include:

1512 (i) recommendations regarding the effectiveness of the state's economic development
1513 incentives and how the incentives could be improved by and coordinated with the participation

1514 of other state agencies;
1515 (ii) recommendations regarding how to align and coordinate economic development
1516 incentives with the state's current and projected workforce, including addressing the workforce
1517 needs for both rural and urban workers;
1518 (iii) recommendations regarding how to monitor the ongoing effectiveness of the state's
1519 economic development incentives.
1520 (c) The office shall obtain information from and cooperate with other state agencies to
1521 complete the strategic plan, including:
1522 (i) the Department of Workforce Services;
1523 (ii) the Office of Energy Development;
1524 (iii) the State Board of Education;
1525 (iv) the State Board of Regents; and
1526 (v) the Utah System of Technical Colleges Board of Trustees.
1527 (d) If contacted by the office, other state agencies, including those described in
1528 Subsection (5)(c), shall share information and cooperate with the office in completing the
1529 strategic plan.
1530 Section 43. Section **63N-12-505** is enacted to read:
1531 **63N-12-505. Utah Works.**
1532 (1) There is created within the center the Utah Works Program.
1533 (2) The program, under the direction of the center and the talent ready board, shall
1534 develop workforce solutions that meet the needs of businesses that are creating jobs and
1535 economic growth in the state by:
1536 (a) partnering with the office, the Department of Workforce Services, the Utah System
1537 of Higher Education, and the Utah System of Technical Colleges;
1538 (b) identifying businesses that have significant hiring demands in the state;
1539 (c) coordinating with the Department of Workforce Services to create effective
1540 recruitment initiatives to attract student participants and business participants to the program;
1541 (d) coordinating with the Utah System of Higher Education and the Utah System of
1542 Technical Colleges to develop educational and training resources to provide student
1543 participants in the program qualifications to be hired by business participants in the program;
1544 and

1545 (e) coordinating with the Board of Education and local education agencies when
1546 appropriate to develop educational and training resources to provide student participants in the
1547 program qualifications to be hired by business participants in the program.

1548 (3) The center shall report the following metrics to the office for inclusion in the
1549 office's annual report described in Section [63N-1-301](#):

1550 (a) the number of students participating in the program;

1551 (b) the number of students who have completed training offered by the program; and

1552 (c) the number of students who have been hired by a business participating in the
1553 program.

1554 Section 44. **Appropriation.**

1555 The following sums of money are appropriated for the fiscal year beginning July 1,
1556 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
1557 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
1558 Act, the Legislature appropriates the following sums of money from the funds or accounts
1559 indicated for the use and support of the government of the state of Utah.

1560 ITEM 1

1561 To Governor's Office of Economic Development -- Talent Ready Utah Center

1562 From General Fund, One-time \$4,000,000

1563 From General Fund \$1,000,000

1564 Schedule of Programs:

1565 Utah Works Program \$5,000,000

1566 Section 45. **Effective date.**

1567 This bill takes effect on July 1, 2019.