

SB0172S02 compared with SB0172S01

~~text~~ shows text that was in SB0172S01 but was deleted in SB0172S02.

Inserted text shows text that was not in SB0172S01 but was inserted into SB0172S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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

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- ▶ 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}~~ one-time appropriation:
 - from the General Fund, \$4,000,000; and
- ▶ to the Governor's Office of Economic Development ~~{--}~~ Talent Ready Utah Center ~~{--}~~ Utah Works Program, as an ongoing appropriation:
 - from the General Fund, \$1,000,000.

Other Special Clauses:

This bill provides a special effective date.

[This bill provides a coordination clause.](#)

Utah Code Sections Affected:

AMENDS:

63J-1-602.1, as last amended by Laws of Utah 2018, Chapters 114, 347, 430 and repealed and reenacted by Laws of Utah 2018, Chapter 469

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

ENACTS:

63N-12-505, Utah Code Annotated 1953

RENUMBERS AND AMENDS:

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

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

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

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

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

9-20-106, (Renumbered from 63N-12-205, as last amended by Laws of Utah 2016,

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Chapter 139)

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

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

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

9-20-110, (Renumbered from 63N-12-209, as last amended by Laws of Utah 2016, Chapter 139)

9-20-111, (Renumbered from 63N-12-210, as last amended by Laws of Utah 2017, Chapter 353)

9-20-112, (Renumbered from 63N-12-211, as renumbered and amended by Laws of Utah 2015, Chapter 283)

9-20-113, (Renumbered from 63N-12-212, as last amended by Laws of Utah 2017, Chapter 382)

9-20-114, (Renumbered from 63N-12-213, as last amended by Laws of Utah 2018, Chapter 415)

9-20-115, (Renumbered from 63N-12-214, as enacted by Laws of Utah 2017, Chapter 219)

53-19-101, (Renumbered from 63N-10-101, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-102, (Renumbered from 63N-10-102, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-201, (Renumbered from 63N-10-201, as last amended by Laws of Utah 2018, Chapter 466)

53-19-202, (Renumbered from 63N-10-202, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-203, (Renumbered from 63N-10-203, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-204, (Renumbered from 63N-10-204, as renumbered and amended by Laws of Utah 2015, Chapter 283)

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- 53-19-205**, (Renumbered from 63N-10-205, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-301**, (Renumbered from 63N-10-301, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-302**, (Renumbered from 63N-10-302, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-303**, (Renumbered from 63N-10-303, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-304**, (Renumbered from 63N-10-304, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-305**, (Renumbered from 63N-10-305, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-306**, (Renumbered from 63N-10-306, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-307**, (Renumbered from 63N-10-307, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-308**, (Renumbered from 63N-10-308, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-309**, (Renumbered from 63N-10-309, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-310**, (Renumbered from 63N-10-310, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-311**, (Renumbered from 63N-10-311, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-312**, (Renumbered from 63N-10-312, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-313**, (Renumbered from 63N-10-313, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-314**, (Renumbered from 63N-10-314, as renumbered and amended by Laws of Utah 2015, Chapter 283)
- 53-19-315**, (Renumbered from 63N-10-315, as renumbered and amended by Laws of

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Utah 2015, Chapter 283)

53-19-316, (Renumbered from 63N-10-316, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-317, (Renumbered from 63N-10-317, as renumbered and amended by Laws of Utah 2015, Chapter 283)

53-19-318, (Renumbered from 63N-10-318, as renumbered and amended by Laws of Utah 2015, Chapter 283)

Utah Code Sections Affected by Coordination Clause:

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

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

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[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.

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

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

(a) through a request for proposals process; or

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

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

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

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

(b) are part of a career pathway system;

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

(d) facilitate multiple exit and entry points; and

(e) recognize sub-goals or momentum points.

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

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

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

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

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

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

Membership.

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

- (a) six private sector members who represent business, appointed by the governor;
- (b) the state superintendent of public instruction or the state [~~superintendent of public instruction's~~] superintendent's designee;
- (c) the commissioner of higher education or the [~~commissioner of higher education's~~] commissioner's designee;
- (d) one member appointed by the governor;
- (e) a member of the State Board of Education, chosen by the chair of the State Board of Education;
- (f) the executive director of [~~the office or the executive director's designee~~] the Governor's Office of Economic Development or the executive director's designee;
- (g) the Utah System of Technical Colleges commissioner of technical education or the [~~Utah System of Technical Colleges commissioner of technical education's~~] commissioner's designee;
- (h) the executive director of the Department of Workforce Services or the executive [~~director of the Department of Workforce Services'~~] director's designee; and
- (i) one member who has a degree in engineering and experience working in a government military installation, appointed by the governor.

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

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

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

(d) The members may not serve more than two full consecutive terms except where the

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governor determines that an additional term is in the best interest of the state.

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

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

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

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

(a) Section 63A-3-106;

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

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

(6) The governor shall select the chair of the [~~board~~] STEM board to serve a two-year term.

(7) The [~~executive director of the office or the executive director's designee~~] member of the State Board of Education chosen by the chair of the State Board of Education shall serve as the vice chair of the STEM board.

Section 4. Section **9-20-104**, which is renumbered from Section 63N-12-204 is renumbered and amended to read:

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

(1) The STEM board shall:

(a) establish a STEM Action Center to:

(i) coordinate STEM activities in the state among the following stakeholders:

(A) the [~~State Board of Education~~] state board;

(B) school districts and charter schools;

(C) the State Board of Regents;

(D) institutions of higher education;

(E) parents of home-schooled students;

(F) other state agencies; and

(G) business and industry representatives;

(ii) align public education STEM activities with higher education STEM activities; and

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(iii) create and coordinate best practices among public education and higher education;
(b) with the consent of the Senate, appoint a director to oversee the administration of the STEM Action Center;

(c) select a physical location for the STEM Action Center;

(d) strategically engage industry and business entities to cooperate with the STEM board:

(i) to support high quality professional development and provide other assistance for educators and students; and

(ii) to provide private funding and support for the STEM Action Center;

(e) give direction to the STEM Action Center and the providers selected through a request for proposals process pursuant to this part; and

(f) work to meet the following expectations:

(i) that at least 50 educators are implementing best practice learning tools in classrooms;

(ii) performance change in student achievement in each classroom participating in a STEM Action Center project; and

(iii) that students from at least 50 schools in the state participate in the STEM competitions, fairs, and camps described in Subsection [~~63N-12-205(2)(d)~~] 9-20-106(2)(d).

(2) The STEM board may:

(a) enter into contracts for the purposes of this part;

(b) apply for, receive, and disburse funds, contributions, or grants from any source for the purposes set forth in this part;

(c) employ, compensate, and prescribe the duties and powers of individuals necessary to execute the duties and powers of the STEM board;

(d) prescribe the duties and powers of the STEM Action Center providers; and

(e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to administer this part.

(3) The STEM board may establish a foundation to assist in:

(a) the development and implementation of the programs authorized under this part to promote STEM education; and

(b) implementation of other STEM education objectives described in this part.

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(4) A foundation established by the STEM board under Subsection (3):

(a) may solicit and receive contributions from a private organization for STEM education objectives described in this part;

(b) shall comply with the requirements described in Section [~~63N-12-204.5~~] 9-20-105;

(c) does not have power or authority to incur contractual obligations or liabilities that constitute a claim against public funds;

(d) may not exercise executive or administrative authority over the programs or other activities described in this part, except to the extent specifically authorized by the STEM board;

(e) shall provide the STEM board with information detailing transactions and balances associated with the foundation; and

(f) may not:

(i) engage in lobbying activities;

(ii) attempt to influence legislation; or

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

(A) a political candidate; or

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

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

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

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

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

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

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

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

(6) The state treasurer shall invest the money in the fund according to the procedures

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and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest or other earnings derived from those investments shall be deposited into the fund.

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

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

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

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

(a) establish a STEM Action Center;

(b) ensure that the STEM Action Center:

(i) is accessible ~~[by]~~ to the public; and

(ii) includes the components described in Subsection (2);

(c) work cooperatively with the State Board of Education to:

(i) further STEM education; and

(ii) ensure best practices are implemented as described in Sections ~~[63N-12-206 and 63N-12-207]~~ 9-20-107 and 9-20-108;

(d) engage private entities to provide financial support or employee time for STEM activities in schools in addition to what is currently provided by private entities; and

(e) work cooperatively with stakeholders to support and promote activities that align STEM education and training activities with the employment needs of business and industry in the state.

(2) As funding allows, the director of the STEM Action Center shall:

(a) support high quality professional development for educators regarding STEM education;

(b) ensure that the STEM Action Center acts as a research and development center for STEM education through a request for proposals process described in Section ~~[63N-12-206]~~ 9-20-107;

(c) review and acquire STEM education related materials and products for:

(i) high quality professional development;

(ii) assessment, data collection, analysis, and reporting; and

(iii) public school instruction;

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(d) facilitate participation in interscholastic STEM related competitions, fairs, camps, and STEM education activities;

(e) engage private industry in the development and maintenance of the STEM Action Center and STEM Action Center projects;

(f) use resources to bring the latest STEM education learning tools into public education classrooms;

(g) identify at least 10 best practice innovations used in Utah that have resulted in a measurable improvement in student performance or outcomes in STEM areas;

(h) identify best practices being used outside the state and, as appropriate, develop and implement selected practices through a pilot program;

(i) identify:

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

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

(j) collect data on Utah best practices, including best practices from public education, higher education, the Utah Education and Telehealth Network, and other STEM related entities;

(k) keep track of the following items related to best practices described in Subsection (2)(j):

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

(ii) how many individuals are using the data, including the demographics of the users, if available;

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

(m) work cooperatively with the State Board of Education to designate schools as STEM schools, where the schools have agreed to adopt a plan of STEM implementation in alignment with criteria set by the State Board of Education and the board;

(n) support best methods of high quality professional development for STEM education in kindergarten through grade 12, including methods of high quality professional development that reduce cost and increase effectiveness, to help educators learn how to most effectively implement best practice learning tools in classrooms;

(o) recognize achievement in the STEM competitions, fairs, and camps described in Subsection (2)(d);

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- (p) send student results from STEM competitions, fairs, and camps described in Subsection (2)(d) to media and ask the media to report on them;
- (q) develop and distribute STEM information to parents of students in the state;
- (r) support targeted high quality professional development for improved instruction in STEM education, including:
 - (i) improved instructional materials that are dynamic and engaging for students;
 - (ii) use of applied instruction; and
 - (iii) introduction of other research-based methods that support student achievement in STEM areas; and
- (s) ensure that an online college readiness assessment tool be accessible by:
 - (i) public education students; and
 - (ii) higher education students.
- (3) The STEM board may prescribe other duties for the STEM Action Center in addition to the responsibilities described in this section.

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

- (i) public education high school graduation rates;
- (ii) the number of students taking a remedial mathematics course at an institution of higher education described in Section 53B-2-101;
- (iii) the number of students who graduate from a Utah public school and begin a postsecondary education program; and
- (iv) the number of students, as compared to all similarly situated students, who are performing at grade level in STEM classes.

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

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

[63N-12-206]. 9-20-107. Acquisition of STEM education related instructional technology program -- Research and development of education related

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instructional technology through a pilot program.

(1) For purposes of this section:

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

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

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

(b) On behalf of the STEM board, the staff of the STEM board and the staff of the State Board of Education shall collaborate and may select one or more providers, through a request for proposals process, to provide STEM education related instructional technology to school districts and charter schools.

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

(3) The STEM education related instructional technology shall:

(a) support mathematics instruction for students in:

(i) kindergarten through grade 6; or

(ii) grades 7 and 8; or

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

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

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

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

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

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students and teachers.

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

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

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

(c) select schools to participate in the pilot.

(6) (a) A contract with a provider for STEM education related instructional technology may include professional development for full deployment of the STEM education related instructional technology.

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

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

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

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

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

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

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

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

Section 9. Section **9-20-109**, which is renumbered from Section 63N-12-208 is

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renumbered and amended to read:

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

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

- (a) the Education Interim Committee;
- (b) the Public Education Appropriations Subcommittee;
- (c) the State Board of Education; and
- (d) the ~~[office]~~ department for inclusion in the ~~[office's]~~ department's annual written report described in Section ~~[63N-1-301]~~ 9-1-209.

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

- (a) the number of educators receiving high quality professional development;
- (b) the number of students receiving services from the STEM Action Center;
- (c) a list of the providers selected pursuant to this part;
- (d) a report on the STEM Action Center's fulfillment of its duties described in Section ~~[63N-12-205]~~ 9-20-106; and
- (e) student performance of students participating in a STEM Action Center program as collected in Subsection ~~[63N-12-205]~~ 9-20-106(4).

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

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

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

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

(2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules establishing the uses of STEM education

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endorsements described in Subsection (1), including that:

(a) an incentive for an educator to take a course leading to a STEM education endorsement may only be given for a course that carries higher-education credit; and

(b) a school district or a charter school may consider a STEM education endorsement as part of an educator's salary schedule.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) a STEM applied science curriculum with instructional materials;
- (b) STEM hybrid or blended high quality professional development that allows for face-to-face applied learning; and
- (c) hands-on tools for STEM applied science learning.

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

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

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

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

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

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

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

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

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

- (a) a technical college described in Section 53B-2a-105;
- (b) Salt Lake Community College;

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- (c) Snow College;
- (d) Utah State University Eastern; or
- (e) a private sector employer.

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

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

(1) As used in this section:

(a) "Computational thinking" means the set of problem-solving skills and techniques that software engineers use to write programs that underlie computer applications, including decomposition, pattern recognition, pattern generalization, and algorithm design.

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

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

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

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

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

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

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

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

(a) creating an online repository that:

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

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

(A) computational thinking skills; and

(B) computer coding skills;

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

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

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

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

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

(a) a school district;

(b) a charter school;

(c) an employer;

(d) an institution of higher education; or

(e) a non-profit organization.

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

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

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

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

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

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

(a) outreach and student engagement;

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- (b) courses and content;
- (c) instruction and instructional support;
- (d) work-based learning opportunities;
- (e) student retention;
- (f) industry engagement;
- (g) stacked credentials that allow for multiple exit and entry points;
- (h) competency-based learning strategies; and
- (i) secondary and post-secondary collaborations.

(2) The grant program shall incentivize public schools and school districts to work with the STEM Action Center, staff of the State Board of Education, Talent Ready Utah, industry representatives, and secondary partners on the design and implementation of comprehensive K-16 computing partnerships through:

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

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

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

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

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

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

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

(3) The grant program shall include the following:

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

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

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

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

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(i) for the administration of the grant program and awarding of grants; and
(ii) that define outcome-based measures appropriate to the type of grant awarded under this part;

(b) establish a grant application process;

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

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

(ii) approval of a grant application; and

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

and

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

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

(b) The review committee shall:

(i) review a grant application submitted;

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

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

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

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

CHAPTER 19. PETE SUAZO UTAH ATHLETIC COMMISSION ACT

[63N-10-101]. **53-19-101. Title.**

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

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

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

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As used in this chapter:

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

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

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

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

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

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

(iv) the contest is not conducted in accordance with commission rules; or

(v) the contestants are not matched by the weight standards established in accordance with Section [~~63N-10-316~~] 53-19-316.

(b) "Club fighting" does not include sparring if:

(i) it is conducted for training purposes;

(ii) no tickets are sold to spectators;

(iii) no concessions are available for spectators;

(iv) protective clothing, including protective headgear, a mouthguard, and a protective cup, is worn; and

(v) for boxing, 16 ounce boxing gloves are worn.

(4) "Commission" means the Pete Suazo Utah Athletic Commission created by this chapter.

(5) "Contest" means a live match, performance, or exhibition involving two or more persons engaged in unarmed combat.

(6) "Contestant" means an individual who participates in a contest.

(7) "Designated commission member" means a member of the commission designated to:

(a) attend and supervise a particular contest; and

(b) act on the behalf of the commission at a contest venue.

(8) "Director" means the director appointed by the commission.

(9) "Elimination unarmed combat contest" means a contest where:

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- (a) a number of contestants participate in a tournament;
- (b) the duration is not more than 48 hours; and
- (c) the loser of each contest is eliminated from further competition.

(10) "Exhibition" means an engagement in which the participants show or display their skills without necessarily striving to win.

(11) "Judge" means an individual qualified by training or experience to:

- (a) rate the performance of contestants;
- (b) score a contest; and
- (c) determine with other judges whether there is a winner of the contest or whether the

contestants performed equally, resulting in a draw.

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

- (a) contestant;
- (b) judge;
- (c) manager;
- (d) promoter;
- (e) referee;
- (f) second; or
- (g) other official established by the commission by rule.

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

- (a) obtaining a contest for a contestant;
- (b) negotiating terms and conditions of the contract under which the contestant will engage in a contest; or
- (c) arranging for a second for the contestant at a contest.

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

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

- (a) occur during the same time and at the same location; and
- (b) is produced or staged by a promoter.

(16) "Purse" means any money, prize, remuneration, or any other valuable consideration a contestant receives or may receive for participation in a contest.

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

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

- (a) enforcing the rules relating to the contest;
- (b) stopping the contest in the event the health, safety, and welfare of a contestant or any other person in attendance at the contest is in jeopardy; and
- (c) acting as a judge if so designated by the commission.

(18) "Round" means one of a number of individual time periods that, taken together, constitute a contest during which contestants are engaged in a form of unarmed combat.

(19) "Second" means an individual who attends a contestant at the site of the contest before, during, and after the contest in accordance with contest rules.

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

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

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

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

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

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

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

(e) contest rules prohibit contestants from:

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

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

(iii) biting; or

(iv) direct, intentional, and forceful strikes to the eyes, groin area, Adam's apple area of

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the neck, and the rear area of the head and neck.

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

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

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

(25) "Unprofessional conduct" means:

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

(b) participating in any sham or fake contest;

(c) participating in a contest pursuant to a collusive understanding or agreement in which the contestant competes in or terminates the contest in a manner that is not based upon honest competition or the honest exhibition of the skill of the contestant;

(d) engaging in an act or conduct that is detrimental to a contest, including any foul or unsportsmanlike conduct in connection with a contest;

(e) failing to comply with any limitation, restriction, or condition placed on a license;

(f) striking of a downed opponent by a contestant while the contestant remains on the contestant's feet, unless the designated commission member or director has exempted the contest and each contestant from the prohibition on striking a downed opponent before the start of the contest;

(g) after entering the ring or contest area, penetrating an area within four feet of an opponent by a contestant, manager, or second before the commencement of the contest; or

(h) as further defined by rules made by the commission under Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(26) "White-collar contest" means a contest conducted at a training facility where no alcohol is served in which:

(a) for boxing:

(i) neither contestant is or has been a licensed contestant in any state or an amateur registered with USA Boxing, Inc.;

(ii) no cash prize, or other prize valued at greater than \$35, is awarded;

(iii) protective clothing, including protective headgear, a mouthguard, a protective cup,

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and for a female contestant a chestguard, is worn;

- (iv) 16 ounce boxing gloves are worn;
- (v) the contest is no longer than three rounds of no longer than three minutes each;
- (vi) no winner or loser is declared or recorded; and
- (vii) the contestants do not compete in a cage; and

(b) for ultimate fighting:

(i) neither contestant is or has been a licensed contestant in any state or an amateur registered with USA Boxing, Inc.;

(ii) no cash prize, or other prize valued at greater than \$35, is awarded;

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

(iv) downward elbow strikes are not allowed;

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

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

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

and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Section 63A-3-106;

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

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

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

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

~~63N-10-202~~. 53-19-202. Commission powers and duties.

(1) The commission shall:

(a) purchase and use a seal;

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

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

(d) hold hearings relating to matters under its jurisdiction, including violations of this

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chapter or rules made under this chapter.

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

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

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

(1) The commission shall employ a director, who may not be a member of the commission, to conduct the commission's business.

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a promoter;

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- (b) a manager;
- (c) a contestant;
- (d) a second;
- (e) a referee;
- (f) a judge; or
- (g) another official established by the commission by rule.

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

- (a) promoter;
- (b) manager;
- (c) contestant;
- (d) second;
- (e) referee;
- (f) judge; or
- (g) another official who meets the requirements established by rule under Subsection

(1)(g).

(3) All money collected under this section and Sections [~~63N-10-304, 63N-10-307, 63N-10-310, and 63N-10-313~~] 53-19-304, 53-19-307, 53-19-310, and 53-19-313 shall be retained as dedicated credits to pay for commission expenses.

(4) Each applicant for licensure as a promoter shall:

- (a) submit an application in a form prescribed by the commission;
- (b) pay the fee determined by the commission under Section 63J-1-504;
- (c) provide to the commission evidence of financial responsibility, which shall include

financial statements and other information that the commission may reasonably require to determine that the applicant or licensee is able to competently perform as and meet the obligations of a promoter in this state;

(d) make assurances that the applicant:

(i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to the promotions the applicant is promoting;

(ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to engage in any fraud or misrepresentation in connection with a contest or any other

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sporting event; and

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

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

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

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

(a) be [~~not less than~~] at least 18 years of age at the time the application is submitted to the commission;

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

(c) pay the fee established by the commission under Section 63J-1-504;

(d) provide a certificate of physical examination, dated not more than 60 days [~~prior to~~] before the date of application for licensure, in a form provided by the commission, completed by a licensed physician and surgeon certifying that the applicant is free from any physical or mental condition that indicates the applicant should not engage in activity as a contestant;

(e) make assurances that the applicant:

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

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

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

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

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

(6) Each applicant for licensure as a manager or second shall:

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- (a) submit an application in a form prescribed by the commission;
 - (b) pay a fee determined by the commission under Section 63J-1-504;
 - (c) make assurances that the applicant:
 - (i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to a contest in which the applicant is participating;
 - (ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or any other sporting event; and
 - (iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;
 - (d) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter; and
 - (e) if requested by the commission or director, meet with the commission or the director to examine the applicant's qualifications for licensure.
- (7) Each applicant for licensure as a referee or judge shall:
- (a) submit an application in a form prescribed by the commission;
 - (b) pay a fee determined by the commission under Section 63J-1-504;
 - (c) make assurances that the applicant:
 - (i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to a contest in which the applicant is participating;
 - (ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or any other sporting event; and
 - (iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;
 - (d) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter;
 - (e) provide evidence satisfactory to the commission that the applicant is qualified by training and experience to competently act as a referee or judge in a contest; and

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

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

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

(b) A licensee's license may be suspended, or a fine imposed, if the licensee does not follow the commission's direction at an event or contest.

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

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

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

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

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

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

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

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

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

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

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

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

(3) Any licensee whose license under this chapter has been suspended, revoked, or restricted may apply for reinstatement of the license at reasonable intervals and upon compliance with any conditions imposed upon the licensee by statute, rule, or terms of the license suspension, revocation, or restriction.

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

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

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

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

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

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

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

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

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

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

- (i) the commission;
- (ii) a designated commission member; or
- (iii) if a designated commission member is not present, the director.

(b) The commission shall establish by rule appropriate procedures to invoke the suspension and to provide a suspended licensee a right to a hearing before the commission with respect to the suspension within a reasonable time after the suspension.

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

~~[63N-10-304].~~ **53-19-304. Additional fees for license of promoter --**

Dedicated credits -- Promotion of contests -- Annual exemption of showcase event.

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

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

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

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

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

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

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

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- (i) attraction of the optimum number of spectators;
- (ii) costs of promoting and producing the contest or exhibition;
- (iii) ticket pricing;
- (iv) committed promotions and advertising of the contest or exhibition;
- (v) rankings and quality of the contestants; and
- (vi) committed television and other media coverage of the contest or exhibition.

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

~~63N-10-305~~. 53-19-305. Jurisdiction of commission.

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

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

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

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

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

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

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

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

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

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

- (i) are disruptive to the safe conduct of the contest; or
- (ii) pose a danger to the safety and welfare of the licensees, the commission, or the public, as determined by the designated commission member.

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

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

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

- (1) Club fighting is prohibited.
- (2) Any person who publicizes, promotes, conducts, or engages in a club fighting match is:

- (a) guilty of a class A misdemeanor as provided in Section 76-9-705; and
- (b) subject to license revocation under this chapter.

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

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

- (1) An application to hold a contest or multiple contests as part of a single promotion shall be made by a licensed promoter to the commission on forms provided by the commission.
- (2) The application shall be accompanied by a contest fee determined by the

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commission under Section 63J-1-505.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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- (a) the requirements of this chapter; or
- (b) rules made under this chapter relating to the promotion or conduct of the contest or promotion.

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

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

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

(2) The rules shall include:

(a) authority for:

(i) stopping contests; and

(ii) impounding purses with respect to contests when there is a question with respect to the contest, contestants, or any other licensee associated with the contest; and

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

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

(i) a promoter requests the exemption; and

(ii) the commission considers relevant factors, including:

(A) the experience of the contestants;

(B) the win and loss records of each contestant;

(C) each contestant's level of training; and

(D) any other evidence relevant to the contestants' professionalism and the ability to safely conduct the contest.

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

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

Section 31. Section **53-19-309**, which is renumbered from Section 63N-10-309 is

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renumbered and amended to read:

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

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

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

(b) be subject to random drug testing before or after participation in a contest, and sanctions, including barring participation in a contest or withholding a percentage of any purse, that shall be placed against a contestant testing positive for alcohol or any other drug that in the opinion of the commission is inconsistent with the safe and competent participation of that contestant in a contest;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) submit an application for registration;

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

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

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

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

(b) works under the direction of the commission.

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

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

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

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

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

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

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

(b) the manager or second violates any rules adopted by the commission or any of the provisions of this chapter.

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

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

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

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

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

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

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

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

This chapter does not apply to:

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

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

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

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(c) any association or organization of a school, college, or university described in Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide student in the school, college, or university;

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

(3) a white-collar contest.

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

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

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

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

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

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

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

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

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

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

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

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

(ii) the weight differential between the contestants;

(iii) the caliber of opponents for each contestant;

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- (iv) each contestant's number of fights; and
- (v) previous suspensions or disciplinary actions of the contestants.

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

~~[63N-10-317].~~ **53-19-317. Elimination contests -- Conduct of contests -- Applicability of provisions -- Limitations on license -- Duration of contests -- Equipment -- Limitations on contests.**

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

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

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

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

- (i) be no more than one minute in duration; or
- (ii) be up to three minutes in duration if there is only a single round.
- (c) A period of rest following a round shall be no more than one minute in duration.

(4) A contestant:

- (a) shall wear gloves approved by the commission; and
- (b) shall wear headgear approved by the commission, the designated commission member, or the director if a designated commission member is not present.

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

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

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

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

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

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

Appropriations made from the following accounts or funds are nonlapsing:

- (1) The Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account created in Section 4-42-102.
- (2) The Native American Repatriation Restricted Account created in Section 9-9-407.
- (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102.
- (4) The National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102.
- (5) Funds collected for directing and administering the C-PACE district created in Section 11-42a-302.
- (6) Award money under the State Asset Forfeiture Grant Program, as provided under Section 24-4-117.
- (7) Funds collected from the program fund for local health department expenses incurred in responding to a local health emergency under Section 26-1-38.
- (8) Funds collected from the emergency medical services grant program, as provided in Section 26-8a-207.
- (9) The Prostate Cancer Support Restricted Account created in Section 26-21a-303.
- (10) The Children with Cancer Support Restricted Account created in Section 26-21a-304.
- (11) State funds for matching federal funds in the Children's Health Insurance Program as provided in Section 26-40-108.
- (12) The Children with Heart Disease Support Restricted Account created in Section 26-58-102.
- (13) The Nurse Home Visiting Restricted Account created in Section 26-62-601.
- (14) The Technology Development Restricted Account created in Section 31A-3-104.
- (15) The Criminal Background Check Restricted Account created in Section 31A-3-105.
- (16) The Captive Insurance Restricted Account created in Section 31A-3-304, except to the extent that Section 31A-3-304 makes the money received under that section free revenue.
- (17) The Title Licensee Enforcement Restricted Account created in Section

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31A-23a-415.

(18) The Health Insurance Actuarial Review Restricted Account created in Section 31A-30-115.

(19) The Insurance Fraud Investigation Restricted Account created in Section 31A-31-108.

(20) The Underage Drinking Prevention Media and Education Campaign Restricted Account created in Section 32B-2-306.

(21) The School Readiness Restricted Account created in Section 35A-3-210.

(22) The Youth Development Organization Restricted Account created in Section 35A-8-1903.

(23) The Youth Character Organization Restricted Account created in Section 35A-8-2003.

(24) Money received by the Utah State Office of Rehabilitation for the sale of certain products or services, as provided in Section 35A-13-202.

(25) The Oil and Gas Conservation Account created in Section 40-6-14.5.

(26) The Electronic Payment Fee Restricted Account created by Section 41-1a-121 to the Motor Vehicle Division.

(27) The Motor Vehicle Enforcement Division Temporary Permit Restricted Account created by Section 41-3-110 to the State Tax Commission.

(28) The Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120.

(29) The State Disaster Recovery Restricted Account to the Division of Emergency Management, as provided in Section 53-2a-603.

(30) The Department of Public Safety Restricted Account to the Department of Public Safety, as provided in Section 53-3-106.

(31) The Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.

(32) The DNA Specimen Restricted Account created in Section 53-10-407.

(33) The Canine Body Armor Restricted Account created in Section 53-16-201.

(34) A certain portion of money collected for administrative costs under the School Institutional Trust Lands Management Act, as provided under Section 53C-3-202.

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(35) The Public Utility Regulatory Restricted Account created in Section 54-5-1.5, subject to Subsection 54-5-1.5(4)(d).

(36) Certain fines collected by the Division of Occupational and Professional Licensing for violation of unlawful or unprofessional conduct that are used for education and enforcement purposes, as provided in Section 58-17b-505.

(37) Certain fines collected by the Division of Occupational and Professional Licensing for use in education and enforcement of the Security Personnel Licensing Act, as provided in Section 58-63-103.

(38) The Relative Value Study Restricted Account created in Section 59-9-105.

(39) The Cigarette Tax Restricted Account created in Section 59-14-204.

(40) Funds paid to the Division of Real Estate for the cost of a criminal background check for a mortgage loan license, as provided in Section 61-2c-202.

(41) Funds paid to the Division of Real Estate for the cost of a criminal background check for principal broker, associate broker, and sales agent licenses, as provided in Section 61-2f-204.

(42) Certain funds donated to the Department of Human Services, as provided in Section 62A-1-111.

(43) The National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 62A-1-202.

(44) Certain funds donated to the Division of Child and Family Services, as provided in Section 62A-4a-110.

(45) The Choose Life Adoption Support Restricted Account created in Section 62A-4a-608.

(46) Funds collected by the Office of Administrative Rules for publishing, as provided in Section 63G-3-402.

(47) The Immigration Act Restricted Account created in Section 63G-12-103.

(48) Money received by the military installation development authority, as provided in Section 63H-1-504.

(49) The Computer Aided Dispatch Restricted Account created in Section 63H-7a-303.

(50) The Unified Statewide 911 Emergency Service Account created in Section 63H-7a-304.

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(51) The Utah Statewide Radio System Restricted Account created in Section 63H-7a-403.

(52) The Employability to Careers Program Restricted Account created in Section 63J-4-703.

(53) The Motion Picture Incentive Account created in Section 63N-8-103.

(54) Certain money payable for expenses of the Pete Suazo Utah Athletic Commission, as provided under Section [~~63N-10-301~~] 53-19-301.

(55) Funds collected by the housing of state probationary inmates or state parole inmates, as provided in Subsection 64-13e-104(2).

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

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

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

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

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

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

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

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

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

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

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

(1) The office shall prepare and submit to the governor and the Legislature, by October 1 of each year, an annual written report of the operations, activities, programs, and services of

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the office, including the divisions, sections, boards, commissions, councils, and committees established under this title, for the preceding fiscal year.

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

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

(b) data and metrics:

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

(ii) that are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement as determined by the executive directors of the office, the Department of Workforce Services, and the Governor's Office of Management and Budget;

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

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

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

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

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

(h) other information determined by the office that:

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

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

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

(4) The office shall:

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

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

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

(5) (a) On or before ~~September~~October 1, 2019, the office shall ~~develop~~:

(i) in consultation with the organizations described in Subsection (5)(c), coordinate the development of a written strategic plan that contains a coordinated economic development strategy for the state; and shall

(ii) provide the strategic plan to the president of the Senate, the speaker of the House of Representatives, and the Economic Development and Workforce Services Interim Committee.

(b) The strategic plan shall ~~include~~:

~~(i)~~:

(i) establish a statewide economic development strategy that consists of a limited set of clear, concise and defined principles and goals;

(ii) recommend targeted economic development policies that will further the implementation of the economic development strategy described in this section;

(iii) identify each of the relevant state-level economic development agencies, including the agencies described in Subsection (5)(c);

(iv) outline the functional role in furthering the state's economic development strategy for each relevant state-level economic development agency;

(v) establish specific principles and make specific recommendations regarding to decrease competition and increase communication and cooperation among state-level economic development agencies, providers and administrators of economic development programs in the state, nonprofit entities that participate in economic development in the state, and local governments;

(vi) recommend a fundamental realignment of economic development programs in the state to ensure each program's purpose is congruent with the mission of the organization within which the program is located;

(vii) address rural economic development by:

(A) establishing goals and principles to ensure the state's economic development strategy works for both urban and rural areas of the state; and

(B) providing recommendations on how existing rural economic development programs should be restructured or realigned;

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(viii) assess the effectiveness of the state's economic development incentives and ~~how the~~ make recommendations regarding:

(A) how incentive policies could be improved; and

(B) how incentives could be ~~improved by and coordinated with the participation of other state agencies;~~

~~— (ii) better coordinated among state-level economic development agencies and local governments;~~

(ix) make recommendations regarding how to align ~~and coordinate~~ the state's economic development ~~incentives with~~ strategy and policies in order to take advantage of the strengths and address the weaknesses of the state's current and projected ~~workforce, including addressing the workforce needs for both rural and urban workers;~~

~~— (iii) urban and rural workforce;~~

(x) make recommendations regarding how to monitor ~~the ongoing effectiveness of the state's~~ and assess whether certain economic development ~~incentives~~ policies further the statewide economic development strategy described in this section, including recommendations on performance metrics to measure results; and

(xi) align the strategic plan with each element of the statewide economic development strategy.

(c) The office shall ~~obtain~~ coordinate the development of the strategic plan by working in coordination with and obtaining information from ~~and cooperate with~~ other state agencies ~~to complete the strategic plan~~, including:

(i) the Department of Workforce Services;

(ii) the Office of Energy Development;

(iii) the State Board of Education;

(iv) the State Board of Regents; and

(v) the Utah System of Technical Colleges Board of Trustees.

(d) If contacted by the office, other state agencies, including those described in Subsection (5)(c), shall, in accordance with state and federal law, share information and cooperate with the office in ~~completing~~ coordinating the development of the strategic plan.

Section 43. Section 63N-12-505 is enacted to read:

63N-12-505. Utah Works.

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(1) There is created within the center the Utah Works Program.

(2) The program, under the direction of the center and the talent ready board, shall develop workforce solutions that meet the needs of businesses that are creating jobs and economic growth in the state by:

(a) partnering with the office, the Department of Workforce Services, the Utah System of Higher Education, and the Utah System of Technical Colleges;

(b) identifying businesses that have significant hiring demands in the state;

(c) coordinating with the Department of Workforce Services to create effective recruitment initiatives to attract student and workforce participants and business participants to the program;

(d) coordinating with the Utah System of Higher Education and the Utah System of Technical Colleges to develop educational and training resources to provide student participants in the program qualifications to be hired by business participants in the program; and

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

(3) The office, in consultation with the talent ready board, may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in accordance with the provisions of this section, make rules regarding the development and administration of the Utah Works Program.

(~~3~~4) The center shall report the following metrics to the office for inclusion in the office's annual report described in Section 63N-1-301:

(a) the number of ~~students participating~~ participants in the program;

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

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

Section 44. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for

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fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

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

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

From General Fund \$1,000,000

Schedule of Programs:

Utah Works Program \$5,000,000

Section 45. **Effective date.**

This bill takes effect on July 1, 2019.

Section 46. **Coordinating S.B. 172 with H.B. 297 -- Substantive amendments.**

If this S.B. 172 and H.B. 297, Long Term Planning Subcommittee, both pass and become law, it is the intent of the Legislature that Subsection 63N-1-301(5)(a)(ii) of this bill be amended to read:

"(ii) provide the strategic plan to the Long Term Planning Subcommittee of the Legislative Management Committee and the Economic Development and Workforce Services Interim Committee."