

Summary of Fifth Special Session Legislation

Version 1: June 16, 2020

The Office of Legislative Research and General Counsel (OLRGC) has compiled summaries of legislation introduced during the Fifth Special Session of the Sixty-Third Utah Legislature. These summaries are intended to be general in nature. Each summary describes the legislation at the time it is numbered and does not address subsequently adopted amendments. To read the legislation in its entirety or review amendments, click on the link provided in this document or visit <https://le.utah.gov>.

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Numbered on June 16, 2020

[H.B. 5001, Data Privacy Amendments](#)

This bill establishes requirements for the collection, use, and retention of certain data in response to the COVID-19 pandemic. The bill prohibits a state agency from collecting or using information about the location of an electronic device to investigate or control COVID-19 without consent. Additionally, the bill prohibits state contractors hired to collect or provide information regarding COVID-19 from selling, offering to sell, or otherwise providing information to any person other than the contracting state agency. Lastly, the bill creates stipulations for contractors regarding retention of personally identifiable information relating to COVID-19 and penalties for misuse of that information.

[H.B. 5002, Open and Public Meetings Act Amendments](#)

This bill permits a public body to hold an electronic meeting without an anchor location if the public body determines that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location.

For electronic meetings held without an anchor location, the bill requires the public body to include the reasons for the health and safety risk determination in the public notice for the meeting and state them at the beginning of the meeting, provide means by which the public may hear, or view and hear, the open portions of the meeting, and provide a means by which the public can provide comments electronically to the public body. The bill also removes the requirement for a posted written notice

at the anchor location, for meetings held without an anchor location.

[H.B. 5003, School District Use of Property Tax Revenue](#)

This bill allows a local school board to use revenue from the capital local levy for operational expenses for the fiscal years beginning on July 1, 2020, and July 1, 2021.

[H.B. 5004, Airport-related Alcohol Modifications](#)

This bill makes three alcohol-related policy changes that are tailored to an airport environment to improve efficiency at the new Salt Lake City International Airport.

- The number of airport lounge licenses is set at 13. Licenses have been tied to the number of people that go through the airport, however, this quota system has been problematic since COVID-19 has reduced ridership.
- A lease agreement in which the lessee is an airport lounge licensee is exempt from percentage lease agreement provisions.
- Permits a central receiving and distribution center at the airport to obtain a liquor transport license to pick up and transport liquor from a state store or package agency, receive, screen and store the product, and deliver it to airport licensees.

[S.B. 5002, Changes to Procurement Code](#)

Clarifies that an evaluation committee may not change its final recommended scores after the evaluation committee has submitted those scores to the procurement unit.

[S.B. 5003, COVID-19 Immunity Provisions](#)

Addresses the relationship between the governmental immunity act and immunity related to exposure to COVID-19.

[S.B. 5004, Municipal Annexation Amendments](#)

This bill reverses a change made by [2020 General Session H.B. 393](#), which took effect on March 24, 2020. Before H.B. 393, an annexation petition in a first-class county could not propose the annexation of an area proposed for incorporation. H.B. 393 extended this prohibition to all counties. This bill reverses the change made in H.B. 393 so that the prohibition against annexing an area proposed for incorporation only applies to first class counties.

[S.B. 5005, Rent and Mortgage Assistance Amendments](#)

This bill modifies the date when the Housing and Community Development Division may begin providing residential housing assistance to state residents financially harmed as a result of the COVID-19 pandemic using \$20 million appropriated by the Legislature to the division from the Coronavirus Relief Fund. The bill removes a provision allowing the division to begin providing assistance August 1, 2020.

The bill also modifies provisions of the COVID-19 Commercial Rental Assistance Program, created by [Third Special Session S.B. 3006, COVID-19 Financial Relief Funding](#), and administered by the Governor's Office of Economic Development. The bill modifies the definition of "business entity," the requirements to receive assistance under the program, and the amounts of rental assistance that may be provided.

[S.B. 5006, Public Safety Worker Protection Amendments](#)

Provides criminal penalties for intentionally coughing on a first responder or correctional facility employee and modifies definitions and procedures to authorize a court to order an individual to submit to medical testing for COVID-19 under certain circumstances.

[S.C.R. 501, Concurrent Resolution Honoring the Graduating Class of 2020](#)

This resolution recognizes and congratulates the students who graduated from high school, colleges, and universities in 2020 during unusual circumstances due to the spread of the novel coronavirus disease 2019 (COVID-19). In addition, the resolution acknowledges the schools, families, and friends who made thoughtful and resourceful efforts to mark the students' achievements through creative graduation ceremonies and other activities.