

26 19-1-207, Utah Code Annotated 1953
27 40-6-22, Utah Code Annotated 1953



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

30 Section 1. Section 19-1-207 is enacted to read:

31 **19-1-207. Regulatory certainty to support economic recovery.**

32 (1) On or before June 30, 2021, the Air Quality Board or the Water Quality Board may
33 not make, amend, or repeal a rule related to air or water quality pursuant to this title, if formal
34 rulemaking was not initiated on or before July 1, 2020, unless the rule constitutes:

35 (a) a state rule related to a federally-delegated program;

36 (b) a rule mandated by statute to be made, amended, or repealed on or before July 1,
37 2020; or

38 (c) subject to Subsection (2), a rule that is necessary because failure to make, amend, or
39 repeal the rule will:

40 (i) cause an imminent peril to the public health, safety, or welfare;

41 (ii) cause an imminent budget reduction because of budget restraints or federal
42 requirements;

43 (iii) place the agency in violation of federal or state law; or

44 (iv) fail to provide regulatory relief.

45 (2) In addition to complying with Title 63G, Chapter 3, Utah Administrative
46 Rulemaking Act, the department shall report to the Administrative Rules Review Committee as
47 to whether the need to act meets the requirements of Subsection (1)(c).

48 (3) On or after the effective date of this bill but on or before June 30, 2021, the Air
49 Quality Board, Division of Air Quality, Water Quality Board, or Division of Water Quality
50 may not impose a new fee or increase a fee related to air or water quality pursuant to this title
51 or rules made under this title.

52 (4) Only the Legislature may extend the time limitations of this section.

53 (5) Notwithstanding the other provisions of this section, this section does not apply to a
54 rule, fee, or fee increase to the extent that the rule, fee, or fee increase applies to an activity in a
55 county of the first or second class.

55a **H→ (6) Notwithstanding the other provisions of this section, the agencies may engage**
55b **with stakeholders in the process of discussing, developing, and drafting a rule, fee, or fee**
55c **increase on or after July 1, 2020, but on or before June 30, 2021. ←H**

56 Section 2. Section 40-6-22 is enacted to read:

57 **40-6-22. Regulatory certainty to support economic recovery.**

58 (1) On or before June 30, 2021, the board or division may not make, amend, or repeal a
 59 rule pursuant to this title, if formal rulemaking was not initiated on or before July 1, 2020,
 60 unless the rule constitutes:

61 (a) a state rule related to a federally-delegated program;

62 (b) a rule mandated by statute to be made, amended, or repealed on or before July 1,
 63 2020; or

64 (c) subject to Subsection (2), a rule that is necessary because failure to make, amend, or
 65 repeal the rule will:

66 (i) cause an imminent peril to the public health, safety, or welfare;

67 (ii) cause an imminent budget reduction because of budget restraints or federal
 68 requirements;

69 (iii) place the agency in violation of federal or state law; or

70 (iv) fail to provide regulatory relief.

71 (2) In addition to complying with Title 63G, Chapter 3, Utah Administrative

72 Rulemaking Act, the board or division shall report to the Administrative Rules Review

73 Committee as to whether the need to act meets the requirements of Subsection (1)(c).

74 (3) On or after the effective date of this bill but on or before June 30, 2021, the board
 75 or division may not impose a new fee or increase a fee pursuant to this title or rules made under
 76 this title.

77 (4) Only the Legislature may extend the time limitations of this section.

78 (5) Notwithstanding the other provisions of this section, this section does not apply to a
 79 rule, fee, or fee increase to the extent that the rule, fee, or fee increase applies to an activity in a
 80 county of the first or second class.

80a **H→ (6) Notwithstanding the other provisions of this section, the agencies may engage**
 80b **with stakeholders in the process of discussing, developing, and drafting a rule, fee, or fee**
 80c **increase on or after July 1, 2020, but on or before June 30, 2021. ←H**

81 **Section 3. Effective date.**

82 If approved by two-thirds of all the members elected to each house, this bill takes effect
 83 upon approval by the governor, or the day following the constitutional time limit of Utah
 84 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
 85 the date of veto override.

86 **Section 4. Revisor instructions.**

87 The Legislature intends that the Office of Legislative Research and General Counsel, in