

1 **UTAH COMMISSION ON AGING AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jani Iwamoto**

5 House Sponsor: Stewart E. Barlow

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to the Utah Commission on Aging.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies the sunset date for the Utah Commission on Aging;
- 13 ▶ modifies the duties and membership of the Utah Commission on Aging; and
- 14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **63I-1-263**, as last amended by Laws of Utah 2020, Chapters 82, 152, 154, 199, 230,
22 303, 322, 336, 354, 360, 375, 405 and last amended by Coordination Clause, Laws
23 of Utah 2020, Chapter 360

24 **63M-11-201**, as last amended by Laws of Utah 2019, Chapter 246

25 **63M-11-203**, as renumbered and amended by Laws of Utah 2008, Chapter 382

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

28 Section 1. Section **63I-1-263** is amended to read:

29 **63I-1-263. Repeal dates, Titles 63A to 63N.**

- 30 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 31 (a) Subsection 63A-1-201(1) is repealed;
- 32 (b) Subsection 63A-1-202(2)(c), the language "using criteria established by the board"
- 33 is repealed;
- 34 (c) Section 63A-1-203 is repealed;
- 35 (d) Subsections 63A-1-204(1) and (2), the language "After consultation with the board,
- 36 and" is repealed; and
- 37 (e) Subsection 63A-1-204(1)(b), the language "using the standards provided in
- 38 Subsection 63A-1-203(3)(c)" is repealed.
- 39 (2) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
- 40 improvement funding, is repealed July 1, 2024.
- 41 (3) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,
- 42 2023.
- 43 (4) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review
- 44 Committee, are repealed July 1, 2023.
- 45 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
- 46 1, 2028.
- 47 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
- 48 2025.
- 49 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
- 50 2024.
- 51 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
- 52 repealed July 1, 2021.
- 53 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
- 54 July 1, 2023.
- 55 (10) Title 63C, Chapter 21, Outdoor Adventure Commission, is repealed July 1, 2025.
- 56 (11) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,
- 57 2025.

58 (12) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities
59 Advisory Board, is repealed July 1, 2026.

60 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
61 2025.

62 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
63 2024.

64 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

65 (16) Subsection 63J-1-602.1~~(14)~~(13), Nurse Home Visiting Restricted Account is
66 repealed July 1, 2026.

67 (17) (a) Subsection 63J-1-602.1~~(58)~~(56), relating to the Utah Statewide Radio System
68 Restricted Account, is repealed July 1, 2022.

69 (b) When repealing Subsection 63J-1-602.1~~(58)~~(56), the Office of Legislative
70 Research and General Counsel shall, in addition to the office's authority under Subsection
71 36-12-12(3), make necessary changes to subsection numbering and cross references.

72 (18) Subsection 63J-1-602.2~~(4)~~(5), referring to dedicated credits to the Utah Marriage
73 Commission, is repealed July 1, 2023.

74 (19) Subsection 63J-1-602.2~~(5)~~(6), referring to the Trip Reduction Program, is
75 repealed July 1, 2022.

76 (20) Subsection 63J-1-602.2(25), related to the Utah Seismic Safety Commission, is
77 repealed January 1, 2025.

78 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
79 repealed July 1, 2027.

80 (22) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory
81 Committee, is repealed on July 1, 2021.

82 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
83 January 1, 2023:

84 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
85 repealed;

- 86 (b) Section 63M-7-305, the language that states "council" is replaced with
87 "commission";
- 88 (c) Subsection 63M-7-305(1) is repealed and replaced with:
89 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
- 90 (d) Subsection 63M-7-305(2) is repealed and replaced with:
91 "(2) The commission shall:
- 92 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
93 Drug-Related Offenses Reform Act; and
- 94 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in
95 Subsections 77-18-1(5)(b)(iii) and (iv).".
- 96 (24) The Crime Victim Reparations and Assistance Board, created in Section
97 63M-7-504, is repealed July 1, 2027.
- 98 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
99 1, 2022.
- 100 (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, [2021]
101 2026.
- 102 (27) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed
103 January 1, 2023.
- 104 (28) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating
105 Council, is repealed July 1, 2024.
- 106 (29) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 107 (30) Section 63N-2-512 is repealed July 1, 2021.
- 108 (31) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
109 January 1, 2021.
- 110 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
111 calendar years beginning on or after January 1, 2021.
- 112 (c) Notwithstanding Subsection (31)(b), an entity may carry forward a tax credit in
113 accordance with Section 59-9-107 if:

114 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
115 31, 2020; and

116 (ii) the qualified equity investment that is the basis of the tax credit is certified under
117 Section 63N-2-603 on or before December 31, 2023.

118 (32) Subsections 63N-3-109(2)(e) and 63N-3-109(2)(f)(i) are repealed July 1, 2023.

119 (33) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
120 July 1, 2023.

121 (34) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,
122 2025.

123 (35) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
124 is repealed January 1, 2023.

125 (36) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1,
126 2023.

127 Section 2. Section 63M-11-201 is amended to read:

128 **63M-11-201. Composition -- Appointments -- Terms -- Removal.**

129 (1) The commission shall be composed of [~~20 voting members as follows~~] the
130 following voting members:

131 (a) the executive director of the Department of Health or the executive director's
132 designee;

133 (b) the executive director of the Department of Human Services or the executive
134 director's designee;

135 (c) the executive director of the Governor's Office of Economic Development or the
136 executive director's designee;

137 (d) the executive director of the Department of Workforce Services or the executive
138 director's designee; and

139 (e) [~~16 voting~~] 20 members, appointed by the governor [~~, representing each of the~~
140 following] in accordance with Subsection (3), including:

141 [~~(i) the Utah Association of Area Agencies on Aging;~~]

- 142 ~~[(ii) higher education in Utah;]~~
 143 ~~[(iii) the business community;]~~
 144 ~~[(iv) the Utah Association of Counties;]~~
 145 ~~[(v) the Utah League of Cities and Towns;]~~
 146 ~~[(vi) charitable organizations;]~~
 147 ~~[(vii) the health care provider industry;]~~
 148 ~~[(viii) financial institutions;]~~
 149 ~~[(ix) the legal profession;]~~
 150 ~~[(x) the public safety sector;]~~
 151 ~~[(xi) public transportation;]~~
 152 ~~[(xii) ethnic minorities;]~~
 153 ~~[(xiii) the industry that provides long-term care for the elderly;]~~
 154 ~~[(xiv) organizations or associations that advocate for the aging population;]~~
 155 ~~[(xv) the Alzheimer's Association; and]~~
 156 ~~[(xvi) the general public.]~~
 157 (i) three members that represent the Utah Association of Areas on Aging, the
 158 Alzheimer's Association, or another organization or association that advocates for the aging
 159 population;
 160 (ii) two members that represent an organization or association that advocates for local
 161 government; and
 162 (iii) two members that represent the general public.
 163 (2) (a) A member appointed under Subsection (1)(e) shall serve a two-year term.
 164 (b) Notwithstanding the term requirements ~~[of]~~ described in Subsection (2)(a), the
 165 governor may adjust the length of the initial commission members' terms to ensure that the
 166 terms are staggered so that approximately ~~[1/2]~~ one-half of the members appointed under
 167 Subsection (1)(e) are appointed each year.
 168 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
 169 under Subsection (1)(e), the governor shall appoint a person to fill the vacancy for the

170 unexpired term of the commission member being replaced.

171 (d) ~~[Members]~~ A member appointed under Subsection (1)(e) may be removed by the
172 governor for cause.

173 (e) A member appointed under Subsection (1)(e) shall be removed from the
174 commission and replaced by the governor if the member is absent for three consecutive
175 meetings of the commission without being excused by the chair of the commission.

176 (3) In appointing the members under Subsection (1)(e), the governor shall:

177 (a) ensure each of the following areas are represented:

178 (i) higher education in Utah;

179 (ii) the business community;

180 (iii) charitable organizations;

181 (iv) the health care provider industry;

182 (v) the industry that provides telehealth services;

183 (vi) the industry that provides data analysis services;

184 (vii) the industry that provides information technology support services;

185 (viii) financial institutions;

186 (ix) the legal profession;

187 (x) the public safety sector;

188 (xi) public transportation;

189 (xii) ethnic minorities; and

190 (xiii) the industry that provides long-term care for the elderly;

191 ~~[(a)]~~ (b) take into account the geographical makeup of the commission; and

192 ~~[(b)]~~ (c) strive to appoint members who:

193 (i) are knowledgeable or have an interest in issues relating to the aging population[-];

194 (ii) provide a balanced representation of urban and rural communities in the state; and

195 (iii) represent the diversity of the population in the state.

196 Section 3. Section **63M-11-203** is amended to read:

197 **63M-11-203. Duties and powers of commission.**

- 198 (1) The commission shall:
- 199 (a) fulfill the commission's purposes [~~as listed~~] described in Section 63M-11-102;
- 200 (b) facilitate the communication and coordination of public and private entities that
- 201 provide services to the aging population;
- 202 (c) study, evaluate, and report on the status and effectiveness of policies, procedures,
- 203 and programs that provide services to the aging population;
- 204 (d) study and evaluate the policies, procedures, and programs implemented by other
- 205 states that address the needs of the aging population;
- 206 (e) facilitate and conduct the research and study of issues related to aging, including
- 207 emerging public health issues with a significant impact on the aging population;
- 208 (f) provide a forum for public comment on issues related to aging;
- 209 (g) provide public information on the aging population and the services available to the
- 210 aging population;
- 211 (h) facilitate the provision of services to the aging population from the public and
- 212 private sectors; and
- 213 (i) encourage state and local governments to analyze, plan, and prepare for the impacts
- 214 of the aging population on services and operations.
- 215 (2) To accomplish [~~its~~] the commission's duties, the commission may:
- 216 (a) request and receive from any state or local governmental agency or institution,
- 217 summary information relating to the aging population, including:
- 218 (i) reports;
- 219 (ii) audits;
- 220 (iii) projections; and
- 221 (iv) statistics;
- 222 (b) apply for and accept grants or donations for uses consistent with the duties of the
- 223 commission from public or private sources; and
- 224 (c) appoint special committees to advise and assist the commission.
- 225 (3) All funds received under Subsection (2)(b) shall be:

- 226 (a) accounted for and expended in compliance with the requirements of federal and
227 state law; and
- 228 (b) continuously available to the commission to carry out the commission's duties.
- 229 (4) (a) [~~Members~~] A member of a special committee described in Subsection (2)(c):
- 230 (i) shall be appointed by the commission;
- 231 (ii) may be:
- 232 (A) [~~members~~] a member of the commission; or
- 233 (B) [~~individuals~~] an individual from the private or public sector; and
- 234 (iii) notwithstanding Section 63M-11-206, shall not receive any reimbursement or pay
235 for any work done in relation to the special committee.
- 236 (b) A special committee described in Subsection (2)(c) shall report to the commission
237 on the progress of the special committee.
- 238 (5) This chapter does not diminish the planning authority conferred on state, regional,
239 and local governments by existing law.