

**Representative Marc K. Roberts** proposes the following substitute bill:

**BOARDS AND COMMISSIONS AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marc K. Roberts**

Senate Sponsor: Daniel W. Thatcher

Cosponsor: Travis M. Seegmiller

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**LONG TITLE**

**General Description:**

This bill repeals, places sunset provisions on, and amends and enacts provisions related to certain boards and commissions.

**Highlighted Provisions:**

This bill:

▶ repeals the following entities and amends provisions related to the following entities:

- the Arts and Culture Business Alliance;
- the Deception Detection Examiners Board;
- the Global Positioning Systems Advisory Committee;
- the Hearing Instrument Specialist Licensing Board;
- the Livestock Market Committee;
- the Motorcycle Rider Education Advisory Committee;
- the Pesticide Committee;
- the Private Aquaculture Advisory Council;
- the Residence Lien Recovery Fund Advisory Board;



- 25                   • the Serious Habitual Offender Comprehensive Action Program Oversight  
26 Committees;  
27                   • the State Advisory Council on Science and Technology;  
28                   • the State Law Library Board of Control;  
29                   • the Survey and Excavation Permit Advisory Committee; and  
30                   • the Veterans Memorial Park Board;  
31           ▶ adds sunset provisions to the following and provisions related to the following:  
32                   • the advisory council for the Utah Schools for the Deaf and Blind;  
33                   • the advisory council for the Division of Services for the Blind and Visually  
34 Impaired;  
35                   • the Agricultural Advisory Board;  
36                   • the Agricultural and Wildlife Damage Prevention Board;  
37                   • the Agricultural Water Optimization Task Force;  
38                   • the Alarm System Security Licensing Board;  
39                   • the Architects Licensing Board;  
40                   • the Board of Bank Advisors;  
41                   • the Board of Credit Union Advisors;  
42                   • the Board of Financial Institutions;  
43                   • the Board of Tourism Development;  
44                   • the Boating Advisory Council;  
45                   • the Charter School Revolving Account Committee;  
46                   • the Child Care Advisory Committee;  
47                   • the Child Support Guidelines Advisory Committee;  
48                   • the Coal Miner Certification Panel;  
49                   • the Committee of Consumer Services;  
50                   • the Concealed Firearms Review Board;  
51                   • the Coordinating Council for Persons with Disabilities;  
52                   • coordinating councils for youth in custody;  
53                   • the Data Security Management Council;  
54                   • the Decision and Action Committee;  
55                   • the Domesticated Elk Act advisory council;

- 56 • the Drug Utilization Review Board;
- 57 • the Early Childhood Utah Advisory Council;
- 58 • the Emergency Management Administration Council;
- 59 • the Employment Advisory Council;
- 60 • the Executive Residence Commission;
- 61 • the Federal Land Application Advisory Committee;
- 62 • the Forensic Mental Health Coordinating Council;
- 63 • the Governor's Committee on Employment of People with Disabilities;
- 64 • the Governor's Economic Development Coordinating Council;
- 65 • the Great Salt Lake Advisory Council;
- 66 • the Heritage Trees Advisory Committee;
- 67 • the Interpreter Certification Board;
- 68 • the Kurt Oscarson Children's Organ Transplant Coordinating Committee;
- 69 • the Land Use and Eminent Domain Advisory Board;
- 70 • the Livestock Brand Board;
- 71 • local advisory boards for the Children's Justice Center Program;
- 72 • market boards of control in the Department of Agriculture;
- 73 • the Medical Education Council;
- 74 • the Motor Vehicle Business Advisory Board;
- 75 • the Motor Vehicle Review Committee;
- 76 • the Museum Services Advisory Board;
- 77 • the Native American Remains Review Committee;
- 78 • the Newborn Hearing Screening Committee;
- 79 • the Off-highway Vehicle Advisory Council;
- 80 • the Pawnshop and Secondhand Merchandise Advisory Board;
- 81 • the Powersport Motor Vehicle Franchise Advisory Board;
- 82 • the Primary Care Grant Committee;
- 83 • the Purchasing from Persons with Disabilities Advisory Board;
- 84 • the Recreational Trails Advisory Council;
- 85 • regional advisory councils for the Wildlife Board;
- 86 • the Residential Child Care Licensing Advisory Committee;

- 87           • the Residential Mortgage Regulatory Commission;
- 88           • the Search and Rescue Advisory Board;
- 89           • the Snake Valley Aquifer Advisory Council;
- 90           • the State Grazing Advisory Board;
- 91           • the State Instructional Materials Commission;
- 92           • the State Rehabilitation Advisory Council;
- 93           • the State of Utah Alice Merrill Horne Art Collection Board;
- 94           • the State Weed Committee;
- 95           • the Technology Initiative Advisory Board;
- 96           • transportation advisory committees;
- 97           • the Traumatic Brain Injury Advisory Committee;
- 98           • the Utah Children's Health Insurance Program Advisory Council;
- 99           • the Utah Commission on Service and Volunteerism;
- 100          • the Utah Council on Victims of Crime;
- 101          • the Utah Electronic Recording Commission;
- 102          • the Utah Health Advisory Council;
- 103          • the Utah Professional Practices Advisory Commission;
- 104          • the Utah Prosecution Council;
- 105          • the Wildlife Board Nominating Committee; and
- 106          • the Workers' Compensation Advisory Council;
- 107          ▶ reinstates the Judicial Rules Review Committee, which was previously repealed,
- 108 and enacts provisions related to the Judicial Rules Review Committee;
- 109          ▶ reinstates and describes the duties of the Economic Development Legislative
- 110 Liaison Committee, which was previously repealed;
- 111          ▶ provides that the Economic Development Legislative Liaison Committee is not a
- 112 public body for purposes of the Open and Public Meetings Act;
- 113          ▶ repeals sunset provisions related to the Utah State Fair Corporation Board of
- 114 Directors;
- 115          ▶ repeals sunset provisions related to the Pete Suazo Utah Athletic Commission;
- 116          ▶ modifies appointments related to:
- 117            • the Committee of Consumer Services;

- 118           • the Health Facility Committee;
- 119           • the Sentencing Commission; and
- 120           • the Utah Seismic Safety Commission;
- 121           ▶ amends provisions related to contributions to the Martha Hughes Cannon Capitol  
122 Statue Oversight Committee;
- 123           ▶ adds provisions to an existing repealer for the Air Ambulance Committee;
- 124           ▶ modifies reporting requirements related to boards and commissions;
- 125           ▶ requires the Utah Public Notice Website and the governor's boards and  
126 commissions database to share certain information;
- 127           ▶ requires the Division of Archives and Records Service to identify and report certain  
128 information;
- 129           ▶ allows an individual to receive notifications regarding vacancies on certain boards  
130 and commissions;
- 131           ▶ provides a portal through which a member of the public may provide feedback on  
132 an appointee or sitting member of certain boards and commissions; and
- 133           ▶ makes technical changes.

134 **Money Appropriated in this Bill:**

135           None

136 **Other Special Clauses:**

137           This bill provides coordination clauses.

138 **Utah Code Sections Affected:**

139 AMENDS:

- 140           4-14-106, as renumbered and amended by Laws of Utah 2017, Chapter 345
- 141           4-30-105, as renumbered and amended by Laws of Utah 2017, Chapter 345
- 142           4-30-106, as renumbered and amended by Laws of Utah 2017, Chapter 345
- 143           4-30-107, as renumbered and amended by Laws of Utah 2017, Chapter 345
- 144           4-37-109, as last amended by Laws of Utah 2017, Chapter 412
- 145           9-6-201, as last amended by Laws of Utah 2017, Chapter 48
- 146           9-6-202, as last amended by Laws of Utah 2015, Chapter 350
- 147           9-6-305, as last amended by Laws of Utah 2018, Chapter 65
- 148           9-6-306, as last amended by Laws of Utah 2018, Chapter 65

- 149 [9-6-806](#), as enacted by Laws of Utah 2015, Chapter 350
- 150 [9-7-302](#), as last amended by Laws of Utah 2008, Chapter 382
- 151 [9-8-305](#), as last amended by Laws of Utah 2008, Chapter 382
- 152 [23-14-3](#), as last amended by Laws of Utah 2017, Chapter 412
- 153 [26-21-3](#), as last amended by Laws of Utah 2011, Chapter 366
- 154 [26-39-200](#), as last amended by Laws of Utah 2019, Chapter 111
- 155 [26-39-201](#), as last amended by Laws of Utah 2014, Chapter 322
- 156 [36-12-22](#), as enacted by Laws of Utah 2019, Chapter 246
- 157 [36-31-104](#), as enacted by Laws of Utah 2018, Chapter 342
- 158 [38-11-102](#), as last amended by Laws of Utah 2018, Chapter 229
- 159 [38-11-201](#), as last amended by Laws of Utah 2018, Chapter 229
- 160 [52-4-103](#), as last amended by Laws of Utah 2019, Chapters 25 and 246
- 161 [53F-9-203](#), as last amended by Laws of Utah 2019, Chapter 186
- 162 [54-10a-202](#), as last amended by Laws of Utah 2010, Chapter 286
- 163 [58-46a-102](#), as last amended by Laws of Utah 2017, Chapter 43
- 164 [58-46a-302](#), as last amended by Laws of Utah 2013, Chapter 87
- 165 [58-46a-302.5](#), as last amended by Laws of Utah 2013, Chapter 87
- 166 [58-46a-303](#), as last amended by Laws of Utah 2001, Chapter 268
- 167 [58-46a-501](#), as last amended by Laws of Utah 2002, Chapter 50
- 168 [58-46a-502](#), as last amended by Laws of Utah 2019, Chapter 349
- 169 [58-55-201](#), as last amended by Laws of Utah 2019, Chapter 215
- 170 [58-64-102](#), as last amended by Laws of Utah 2016, Chapter 201
- 171 [58-64-302](#), as last amended by Laws of Utah 2016, Chapter 201
- 172 [58-64-502](#), as enacted by Laws of Utah 1995, Chapter 215
- 173 [58-64-601](#), as last amended by Laws of Utah 2016, Chapter 201
- 174 [63C-6-101](#), as last amended by Laws of Utah 2011, Chapter 55
- 175 [63F-1-509](#), as last amended by Laws of Utah 2008, Chapter 382
- 176 [63F-1-701](#), as last amended by Laws of Utah 2016, Chapter 233
- 177 [63I-1-204](#), as enacted by Laws of Utah 2019, Chapter 246
- 178 [63I-1-209](#), as last amended by Laws of Utah 2019, Chapter 246
- 179 [63I-1-213](#), as last amended by Laws of Utah 2018, Chapter 111

180           **63I-1-217**, as last amended by Laws of Utah 2018, Chapters 236 and 347  
181           **63I-1-223**, as last amended by Laws of Utah 2019, Chapter 246  
182           **63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and  
183 last amended by Coordination Clause, Laws of Utah 2019, Chapter 246  
184           **63I-1-234**, as last amended by Laws of Utah 2019, Chapter 136  
185           **63I-1-235**, as last amended by Laws of Utah 2019, Chapters 89 and 246  
186           **63I-1-236**, as last amended by Laws of Utah 2019, Chapters 193 and 246  
187           **63I-1-241**, as last amended by Laws of Utah 2019, Chapters 49, 55, and 246  
188           **63I-1-253**, as last amended by Laws of Utah 2019, Chapters 90, 136, 166, 173, 246,  
189 325, 344 and last amended by Coordination Clause, Laws of Utah 2019, Chapter  
190 246  
191           **63I-1-254**, as last amended by Laws of Utah 2019, Chapter 88  
192           **63I-1-258**, as last amended by Laws of Utah 2019, Chapters 67 and 68  
193           **63I-1-261**, as last amended by Laws of Utah 2011, Chapter 199  
194           **63I-1-262**, as last amended by Laws of Utah 2019, Chapters 246, 257, 440 and last  
195 amended by Coordination Clause, Laws of Utah 2019, Chapter 246  
196           **63I-1-263**, as last amended by Laws of Utah 2019, Chapters 89, 246, 311, 414, 468,  
197 469, 482 and last amended by Coordination Clause, Laws of Utah 2019, Chapter  
198 246  
199           **63I-1-267**, as last amended by Laws of Utah 2019, Chapters 246 and 370  
200           **63I-1-272**, as last amended by Laws of Utah 2019, Chapter 246  
201           **63I-1-273**, as last amended by Laws of Utah 2019, Chapters 96 and 246  
202           **63I-1-278**, as last amended by Laws of Utah 2019, Chapters 66 and 136  
203           **63I-2-226**, as last amended by Laws of Utah 2019, Chapters 262, 393, 405 and last  
204 amended by Coordination Clause, Laws of Utah 2019, Chapter 246  
205           **63M-7-402**, as renumbered and amended by Laws of Utah 2008, Chapter 382  
206           **63N-7-103**, as last amended by Laws of Utah 2015, Chapter 301 and renumbered and  
207 amended by Laws of Utah 2015, Chapter 283  
208           **63N-7-301**, as last amended by Laws of Utah 2019, Chapters 136 and 237  
209           **67-1-2.5**, as last amended by Laws of Utah 2019, Chapter 246  
210           **71-7-3**, as last amended by Laws of Utah 2018, Chapter 39

211 ENACTS:

212 **36-32-101**, Utah Code Annotated 1953

213 **36-32-102**, Utah Code Annotated 1953

214 **36-32-201**, Utah Code Annotated 1953

215 **36-32-202**, Utah Code Annotated 1953

216 **36-32-203**, Utah Code Annotated 1953

217 **36-32-204**, Utah Code Annotated 1953

218 **36-32-205**, Utah Code Annotated 1953

219 **36-32-206**, Utah Code Annotated 1953

220 **36-32-207**, Utah Code Annotated 1953

221 **36-33-101**, Utah Code Annotated 1953

222 **36-33-102**, Utah Code Annotated 1953

223 **36-33-103**, Utah Code Annotated 1953

224 **36-33-104**, Utah Code Annotated 1953

225 **36-33-105**, Utah Code Annotated 1953

226 **63I-1-207**, Utah Code Annotated 1953

227 **63I-1-240**, Utah Code Annotated 1953

228 **63I-1-265**, Utah Code Annotated 1953

229 **63I-1-279**, Utah Code Annotated 1953

230 REPEALS:

231 **4-30-103**, as last amended by Laws of Utah 2019, Chapter 156

232 **9-6-801**, as enacted by Laws of Utah 2015, Chapter 350

233 **9-6-802**, as enacted by Laws of Utah 2015, Chapter 350

234 **9-6-803**, as enacted by Laws of Utah 2015, Chapter 350

235 **9-6-804**, as enacted by Laws of Utah 2015, Chapter 350

236 **9-6-805**, as enacted by Laws of Utah 2015, Chapter 350

237 **9-7-301**, as last amended by Laws of Utah 1997, Chapter 10

238 **23-14-2.8**, as enacted by Laws of Utah 2017, Chapter 412

239 **26-39-202**, as last amended by Laws of Utah 2014, Chapter 322

240 **38-11-104**, as last amended by Laws of Utah 2018, Chapter 229

241 **53-3-908**, as last amended by Laws of Utah 2010, Chapters 286 and 324



- 242 **58-46a-201**, as enacted by Laws of Utah 1994, Chapter 28
- 243 **58-64-201**, as enacted by Laws of Utah 1995, Chapter 215
- 244 **63M-3-101**, as enacted by Laws of Utah 2008, Chapter 382
- 245 **63M-3-102**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 246 **63M-3-103**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 247 **63M-3-201**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 248 **63M-3-202**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 249 **63M-10-202**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 250 **71-7-4**, as last amended by Laws of Utah 2018, Chapter 39

**Utah Code Sections Affected by Coordination Clause:**

- 252 **26-21-3**, as last amended by Laws of Utah 2011, Chapter 366
- 253 **63I-1-209**, as last amended by Laws of Utah 2019, Chapter 246

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

Section 1. Section **4-14-106** is amended to read:

**4-14-106. Department authorized to make and enforce rules.**

The department may, by following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules to:

(1) declare as a pest any form of plant or animal life that is injurious to health or the environment, except:

(a) a human being; or

(b) a bacteria, virus, or other microorganism on or in a living person or animal;

(2) establish, in accordance with the regulations issued by the EPA under 7 U.S.C. Sec. 136w(c)(2), whether pesticides registered for special local needs under the authority of 7 U.S.C. Sec. 136v(c) are highly toxic to man;

(3) establish, consistent with EPA regulations, that certain pesticides or quantities of substances contained in these pesticides are injurious to the environment;

(4) adopt a list of "restricted use pesticides" for the state or designated areas within the state if the department determines upon substantial evidence presented at a public hearing ~~and upon recommendation of the pesticide committee~~ that restricted use is necessary to prevent damage to property or to the environment;

273 (5) establish qualifications for a pesticide applicator business; and  
274 (6) adopt any rule, not inconsistent with federal regulations issued under FIFRA,  
275 considered necessary to administer and enforce this chapter, including rules relating to the  
276 sale, distribution, use, and disposition of pesticides if necessary to prevent damage and to  
277 protect the public health.

278 Section 2. Section **4-30-105** is amended to read:

279 **4-30-105. License required -- Application -- Fee -- Expiration -- Renewal.**

280 (1) (a) No person may operate a livestock market in this state without a license issued  
281 by the department.

282 (b) Application for a license shall be made to the department upon forms prescribed  
283 and furnished by the department, and the application shall specify:

284 (i) if the applicant is an individual, the name, address, and date of birth of the  
285 applicant; or

286 (ii) if the applicant is a partnership, corporation, or association, the name, address, and  
287 date of birth of each person who has a financial interest in the applicant and the amount of each  
288 person's interest;

289 (iii) a certified statement of the financial assets and liabilities of the applicant detailing:

290 (A) current assets;

291 (B) current liabilities;

292 (C) long-term assets; and

293 (D) long-term liabilities;

294 (iv) a legal description of the property where the market is proposed to be located, the  
295 property's street address, and a description of the facilities proposed to be used in connection  
296 with the property;

297 (v) a schedule of the charges or fees the applicant proposes to charge for each service  
298 rendered; and

299 (vi) a detailed statement of the trade area proposed to be served by the applicant, the  
300 potential benefits which will be derived by the livestock industry, and the specific services the  
301 applicant intends to render at the livestock market.

302 (2) (a) Upon receipt of a proper application, payment of a license fee in an amount  
303 determined by the department pursuant to Subsection [4-2-103\(2\)](#), [~~and a favorable~~

304 ~~recommendation by the Livestock Market Committee,]~~ the commissioner, if satisfied that the  
305 convenience and necessity of the industry and the public will be served, shall issue a license  
306 allowing the applicant to operate the livestock market proposed in the application valid through  
307 December 31 of the year in which the license is issued, subject to suspension or revocation for  
308 cause.

309 (b) A livestock market license is annually renewable on or before December 31 of each  
310 year upon the payment of an annual license renewal fee in an amount determined by the  
311 department pursuant to Subsection 4-2-103(2).

312 (3) No livestock market original or renewal license may be issued until the applicant  
313 has provided the department with a certified copy of a surety bond filed with the United States  
314 Department of Agriculture as required by the Packers and Stockyards Act, 1921, 7 U.S.C.  
315 Section 181 et seq.

316 Section 3. Section 4-30-106 is amended to read:

317 **4-30-106. Hearing on license application -- Notice of hearing.**

318 (1) Upon the filing of an application, the [~~chairman of the Livestock Market~~  
319 ~~Committee]~~ department shall set a time for hearing on the application in the city or town  
320 nearest the proposed site of the livestock market and cause notice of the time and place of the  
321 hearing together with a copy of the application to be forwarded by mail, not less than 15 days  
322 before the hearing date, to the following:

323 (a) each licensed livestock market operator within the state; and

324 (b) each livestock or other interested association or group of persons in the state that  
325 has filed written notice with the [~~committee]~~ department requesting receipt of notice of such  
326 hearings.

327 (2) Notice of the hearing shall be published 14 days before the scheduled hearing date:

328 (a) in a daily or weekly newspaper of general circulation within the city or town where  
329 the hearing is scheduled; and

330 (b) on the Utah Public Notice Website created in Section 63F-1-701.

331 Section 4. Section 4-30-107 is amended to read:

332 **4-30-107. Guidelines delineated for decision on application.**

333 (1) The [~~Livestock Market Committee]~~ department, in determining whether to  
334 [~~recommend approval or denial of]~~ approve or deny the application, shall consider:

- 335 (a) the applicant's proven or potential ability to comply with the Packers and
- 336 Stockyards Act, 7 U.S.C. Sec. 221 through 229b;
- 337 (b) the financial stability, business integrity, and fiduciary responsibility of the
- 338 applicant;
- 339 (c) the livestock marketing benefits which potentially will be derived from the
- 340 establishment and operation of the public livestock market proposed;
- 341 (d) the need for livestock market services in the trade area proposed;
- 342 (e) the adequacy of the livestock market location and facilities proposed in the
- 343 application, including facilities for health inspection and testing;
- 344 (f) whether the operation of the proposed livestock market is likely to be permanent;
- 345 and
- 346 (g) the economic feasibility of the proposed livestock market based on competent
- 347 evidence.

348 (2) Any interested person may appear at the hearing on the application and give an  
349 opinion or present evidence either for or against granting the application.

350 Section 5. Section 4-37-109 is amended to read:

351 **4-37-109. Department to make rules.**

352 (1) The department shall make rules in accordance with Title 63G, Chapter 3, Utah  
353 Administrative Rulemaking Act:

- 354 (a) specifying procedures for the application and renewal of certificates of registration
- 355 for operating an aquaculture or fee fishing facility; and
- 356 (b) governing the disposal or removal of aquatic animals from an aquaculture or fee
- 357 fishing facility for which the certificate of registration has lapsed or been revoked.

358 (2) (a) The department may make other rules consistent with its responsibilities set  
359 forth in Section 4-37-104.

360 (b) Except as provided by this chapter, the rules authorized by Subsection (2)(a) shall  
361 be consistent with the suggested procedures for the detection and identification of pathogens  
362 published by the American Fisheries Society's Fish Health Section.

363 ~~[(3)(a) The department shall consider the recommendations of the Private Aquaculture~~  
364 ~~Advisory Council established in Section 23-14-2.8 when adopting rules under Subsection (1).]~~

365 ~~[(b) If the Private Aquaculture Advisory Council recommends a position or action to~~

366 the department pursuant to Section ~~23-14-2.8~~ and the department rejects the recommendation,  
367 the department shall provide a written explanation to the council.]

368 Section 6. Section **9-6-201** is amended to read:

369 **9-6-201. Division of Arts and Museums -- Creation -- Powers and duties.**

370 (1) There is created within the department the Division of Arts and Museums under the  
371 administration and general supervision of the executive director or the designee of the  
372 executive director.

373 (2) The division shall be under the policy direction of the board.

374 (3) The division shall advance the interests of the arts, in all their phases, within the  
375 state, and to that end shall:

376 (a) cooperate with and locally sponsor federal agencies and projects directed to similar  
377 undertakings;

378 (b) develop the influence of arts in education;

379 (c) involve the private sector, including businesses, charitable interests, educational  
380 interests, manufacturers, agriculturalists, and industrialists in these endeavors;

381 (d) utilize broadcasting facilities and the power of the press in disseminating  
382 information; and

383 (e) foster, promote, encourage, and facilitate, not only a more general and lively study  
384 of the arts, but take all necessary and useful means to stimulate a more abundant production of  
385 an indigenous art in this state.

386 (4) The board shall set policy to guide the division in accomplishing the purposes set  
387 forth in Subsection (3).

388 (5) [~~Except for arts development projects under Section 9-6-804, the~~] The division may  
389 not grant funds for the support of any arts project under this section unless the project has been  
390 first approved by the board.

391 Section 7. Section **9-6-202** is amended to read:

392 **9-6-202. Division director.**

393 (1) The chief administrative officer of the division shall be a director appointed by the  
394 executive director in consultation with the board and the advisory board.

395 (2) The director shall be a person experienced in administration and knowledgeable  
396 about the arts and museums.

- 397 (3) In addition to the division, the director is the chief administrative officer for:
- 398 (a) the Board of Directors of the Utah Arts Council created in Section 9-6-204;
- 399 (b) the Utah Arts Council created in Section 9-6-301;
- 400 (c) the Office of Museum Services created in Section 9-6-602; and
- 401 (d) the Museum Services Advisory Board created in Section 9-6-604[~~;~~and].
- 402 [~~(e) the Arts and Culture Business Alliance created in Section 9-6-803.~~]

403 Section 8. Section 9-6-305 is amended to read:

404 **9-6-305. Art collection committee.**

405 (1) [~~(a)~~] The board shall appoint a committee of artists or judges of art to take charge  
406 of [~~all works of art acquired under this chapter~~] the Utah Alice Merrill Horne Art Collection.

407 [~~(b) This collection shall be known as the State of Utah Alice Merrill Horne Art~~  
408 ~~Collection.~~]

409 (2) (a) Except as required by Subsection (2)(b), as terms of current committee members  
410 expire, the board shall appoint each new member or reappointed member to a four-year term.

411 (b) Notwithstanding the requirements of Subsection (2)(a), the board shall, at the time  
412 of appointment or reappointment, adjust the length of terms to ensure that the terms of  
413 committee members are staggered so that approximately half of the board is appointed every  
414 two years.

415 (3) When a vacancy occurs in the membership, the replacement shall be appointed for  
416 the unexpired term.

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

- 419 (a) Section 63A-3-106;
- 420 (b) Section 63A-3-107; and
- 421 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
422 63A-3-107.

423 Section 9. Section 9-6-306 is amended to read:

424 **9-6-306. Collection.**

425 (1) (a) There is created the State of Utah Alice Merrill Horne Art Collection.

426 (b) All works of art acquired under this part [shall become] are part of the [State of  
427 ~~Utah Alice Merrill Horne Art Collection]~~ art collection.

428 (2) The art collection shall be held as the property of the state, under control of the  
429 division, and may be loaned in whole or in part for exhibition purposes to different parts of the  
430 state according to rules prescribed by the board.

431 (3) The division shall take every precaution to avoid damage or destruction to the  
432 property of the institute and the art works submitted by exhibitors and shall procure ample  
433 insurance on them.

434 (4) All art works shipped to and from the place of exhibition shall be packed by an  
435 expert packer.

436 Section 10. Section **9-6-806** is amended to read:

437 **9-6-806. Arts and Culture Business Alliance Account -- Funding -- Rulemaking.**

438 (1) As used in this section:

439 (a) "Account" means the Arts and Culture Business Alliance Account created in this  
440 section.

441 (b) (i) "Arts" means the various branches of creative human activity.

442 (ii) "Arts" includes visual arts, film, performing arts, sculpture, literature, music,  
443 theater, dance, digital arts, video-game arts, and cultural vitality.

444 (c) "Development of the arts" means:

445 (i) constructing, expanding, or repairing facilities that house arts presentations;

446 (ii) providing for public information, preservation, or access to the arts; or

447 (iii) supporting the professional development of artists within the state.

448 ~~[(1)]~~ (2) There is created within the General Fund a restricted account known as the  
449 Arts and Culture Business Alliance Account.

450 ~~[(2)]~~ (3) The account shall be administered by the division for the purposes listed in  
451 Subsection ~~[(5)]~~ (6).

452 ~~[(3)]~~ (4) (a) The account shall earn interest.

453 (b) All interest earned on account money shall be deposited into the account.

454 ~~[(4)]~~ (5) The account shall be funded by:

455 (a) appropriations made to the account by the Legislature; and

456 (b) private donations and grants.

457 ~~[(5)]~~ (6) Subject to appropriation, the director shall use account funds to pay for:

458 (a) the statewide advancement and development of the arts ~~[in accordance with the~~

459 ~~recommendation of the alliance~~]; and

460 (b) actual administrative costs associated with administering this ~~[part]~~ section.

461 ~~[(6)]~~ (7) The division shall submit an annual written report to the department that gives  
462 a complete accounting of the use of money from the account for inclusion in the annual report  
463 described in Section 9-1-208.

464 (8) The division shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
465 Rulemaking Act, make rules establishing processes to:

466 (a) accept and consider applications for projects for the development of the arts; and

467 (b) distribute account money under this section.

468 Section 11. Section **9-7-302** is amended to read:

469 **9-7-302. Public access.**

470 ~~[(1)]~~ The public shall have access to the State Law Library.

471 ~~[(2) The board of control may make rules in accordance with Title 63G, Chapter 3,~~  
472 ~~Utah Administrative Rulemaking Act, and not inconsistent with the provisions of this part.]~~

473 Section 12. Section **9-8-305** is amended to read:

474 **9-8-305. Permit required to survey or excavate on state lands -- Public Lands**  
475 **Policy Coordinating Office to issue permits and make rules -- Ownership of collections**  
476 **and resources -- Revocation or suspension of permits -- Criminal penalties.**

477 (1) (a) Except as provided by Subsections (1)(d) and (3)(c), each principal investigator  
478 who wishes to survey or excavate on any lands owned or controlled by the state, its political  
479 subdivisions, or by the School and Institutional Trust Lands Administration shall obtain a  
480 survey or excavation permit from the Public Lands Policy Coordinating Office.

481 (b) A principal investigator who holds a valid permit under this section may allow  
482 other individuals to assist the principal investigator in a survey or excavation if the principal  
483 investigator ensures that all the individuals comply with the law, the rules, the permit, and the  
484 appropriate professional standards.

485 (c) A person, other than a principal investigator, may not survey or excavate on any  
486 lands owned or controlled by the state, its political subdivisions, or by the School and  
487 Institutional Trust Lands Administration unless the person works under the direction of a  
488 principal investigator who holds a valid permit.

489 (d) A permit obtained before July 1, 2006 shall continue until the permit terminates on



490 its own terms.

491 (2) (a) To obtain a survey permit, a principal investigator shall:

492 (i) submit a permit application on a form furnished by the Public Lands Policy  
493 Coordinating Office;

494 (ii) except as provided in Subsection (2)(b), possess a graduate degree in anthropology,  
495 archaeology, or history;

496 (iii) have one year of full-time professional experience or equivalent specialized  
497 training in archaeological research, administration, or management; and

498 (iv) have one year of supervised field and analytical experience in Utah prehistoric or  
499 historic archaeology.

500 (b) In lieu of the graduate degree required by Subsection (2)(a)(ii), a principal  
501 investigator may submit evidence of training and experience equivalent to a graduate degree.

502 (c) Unless the permit is revoked or suspended, a survey permit is valid for the time  
503 period specified in the permit by the Public Lands Policy Coordinating Office, which may not  
504 exceed three years.

505 (3) (a) Except as provided by Subsection (3)(c), to obtain an excavation permit, a  
506 principal investigator shall, in addition to complying with Subsection (2)(a), submit:

507 (i) a research design to the Public Lands Policy Coordinating Office and the Antiquities  
508 Section that:

509 (A) states the questions to be addressed;

510 (B) states the reasons for conducting the work;

511 (C) defines the methods to be used;

512 (D) describes the analysis to be performed;

513 (E) outlines the expected results and the plan for reporting;

514 (F) evaluates expected contributions of the proposed work to archaeological or  
515 anthropological science; and

516 (G) estimates the cost and the time of the work that the principal investigator believes  
517 is necessary to provide the maximum amount of historic, scientific, archaeological,  
518 anthropological, and educational information; and

519 (ii) proof of permission from the landowner to enter the property for the purposes of  
520 the permit.

521 (b) An excavation permit is valid for the amount of time specified in the permit, unless  
522 the permit is revoked according to Subsection (9).

523 (c) The Public Lands Policy Coordinating Office may delegate to an agency the  
524 authority to issue excavation permits if the agency:

525 (i) requests the delegation; and

526 (ii) employs or has a long-term contract with a principal investigator with a valid  
527 survey permit.

528 (d) The Public Lands Policy Coordinating Office shall conduct an independent review  
529 of the delegation authorized by Subsection (3)(c) every three years and may revoke the  
530 delegation at any time without cause.

531 (4) The Public Lands Policy Coordinating Office shall:

532 (a) grant a survey permit to a principal investigator who meets the requirements of this  
533 section; and

534 (b) grant an excavation permit to a principal investigator after approving, in  
535 consultation with the Antiquities Section, the research design for the project[~~;~~and].

536 [~~(c) assemble a committee of qualified individuals to advise the Public Lands Policy  
537 Coordinating Office in its duties under this section.~~]

538 (5) By following the procedures and requirements of Title 63G, Chapter 3, Utah  
539 Administrative Rulemaking Act, the Public Lands Policy Coordinating Office shall, after  
540 consulting with the Antiquities Section, make rules to:

541 (a) establish survey methodology;

542 (b) standardize report and data preparation and submission;

543 (c) require other permit application information that the Public Lands Policy  
544 Coordinating Office finds necessary, including proof of consultation with the appropriate  
545 Native American tribe;

546 (d) establish what training and experience is equivalent to a graduate degree;

547 (e) establish requirements for a person authorized by Subsection (1)(b) to assist the  
548 principal investigator;

549 (f) establish requirements for a principal investigator's employer, if applicable; and

550 (g) establish criteria that, if met, would allow the Public Lands Policy Coordinating  
551 Office to reinstate a suspended permit.

552 (6) Each principal investigator shall submit a summary report of the work for each  
553 project to the Antiquities Section in a form prescribed by a rule established under Subsection  
554 (5)(b), which shall include copies of all:

- 555 (a) site forms;
- 556 (b) data;
- 557 (c) maps;
- 558 (d) drawings;
- 559 (e) photographs; and
- 560 (f) descriptions of specimens.

561 (7) (a) Except as provided in Subsection (7)(c), a person may not remove from Utah  
562 any specimen, site, or portion of any site from lands owned or controlled by the state or its  
563 political subdivisions, other than school and institutional trust lands, without permission from  
564 the Antiquities Section, and prior consultation with the landowner and any other agencies  
565 managing other interests in the land.

566 (b) Except as provided in Subsection (7)(c), a person may not remove from Utah any  
567 specimen, site, or portion of any site from school and institutional trust lands without  
568 permission from the School and Institutional Trust Lands Administration, granted after  
569 consultation with the Antiquities Section.

570 (c) If a specimen, site, or portion of a site is placed in a repository or curation facility, a  
571 person may remove it by following the procedures established by the repository or curation  
572 facility.

573 (8) (a) Collections recovered from school and institutional trust lands are owned by the  
574 respective trust.

575 (b) Collections recovered from lands owned or controlled by the state or its  
576 subdivisions, other than school and institutional trust lands, are owned by the state.

577 (c) Within a reasonable time after the completion of fieldwork, each permit holder  
578 shall deposit all collections at the museum, a curation facility, or a repository.

579 (d) The repository or curation facility for collections from lands owned or controlled by  
580 the state or its subdivisions shall be designated according to the rules made under the authority  
581 of Section [53B-17-603](#).

582 (9) (a) Upon complaint by an agency, the Public Lands Policy Coordinating Office

583 shall investigate a principal investigator and the work conducted under a permit.

584 (b) By following the procedures and requirements of Title 63G, Chapter 4,  
585 Administrative Procedures Act, the Public Lands Policy Coordinating Office may revoke or  
586 suspend a permit if the principal investigator fails to conduct a survey or excavation according  
587 to law, the rules enacted by the Public Lands Policy Coordinating Office, or permit provisions.

588 (10) (a) Any person violating this section is guilty of a class B misdemeanor.

589 (b) A person convicted of violating this section, or found to have violated the rules  
590 authorized by this section, shall, in addition to any other penalties imposed, forfeit all  
591 archaeological resources discovered by or through the person's efforts to the state or the  
592 respective trust.

593 (11) The division may enter into memoranda of agreement to issue project numbers or  
594 to retain other data for federal lands or Native American lands within the state.

595 Section 13. Section **23-14-3** is amended to read:

596 **23-14-3. Powers of division to determine facts -- Policymaking powers of Wildlife**  
597 **Board.**

598 (1) The Division of Wildlife Resources may determine the facts relevant to the wildlife  
599 resources of this state.

600 (2) (a) Upon a determination of these facts, the Wildlife Board shall establish the  
601 policies best designed to accomplish the purposes and fulfill the intent of all laws pertaining to  
602 wildlife and the preservation, protection, conservation, perpetuation, introduction, and  
603 management of wildlife.

604 (b) In establishing policy, the Wildlife Board shall:

605 (i) recognize that wildlife and its habitat are an essential part of a healthy, productive  
606 environment;

607 (ii) recognize the impact of wildlife on [~~man, his~~] humans, human economic activities,  
608 private property rights, and local economies;

609 (iii) seek to balance the habitat requirements of wildlife with the social and economic  
610 activities of man;

611 (iv) recognize the social and economic values of wildlife, including fishing, hunting,  
612 and other uses; and

613 (v) seek to maintain wildlife on a sustainable basis.

614 (c) (i) The Wildlife Board shall consider the recommendations of the regional advisory  
 615 councils established in Section 23-14-2.6 [~~and the Private Aquaculture Advisory Council~~  
 616 ~~established in Section 23-14-2.8~~].

617 (ii) If a regional advisory council [~~or the Private Aquaculture Advisory Council~~]  
 618 recommends a position or action to the Wildlife Board, and the Wildlife Board rejects the  
 619 recommendation, the Wildlife Board shall provide a written explanation to the advisory council  
 620 recommending the opposing position.

621 (3) No authority conferred upon the Wildlife Board by this title shall supersede the  
 622 administrative authority of the executive director of the Department of Natural Resources or  
 623 the director of the Division of Wildlife Resources.

624 Section 14. Section 26-21-3 is amended to read:

625 **26-21-3. Health Facility Committee -- Members -- Terms -- Organization --**

626 **Meetings.**

627 (1) (a) The Health Facility Committee created by Section 26-1-7 consists of [~~15~~] 11  
 628 members appointed by the governor [~~with the consent of the Senate~~] in consultation with the  
 629 executive director.

630 (b) The appointed members shall be knowledgeable about health care facilities and  
 631 issues.

632 (2) The membership of the committee is:

633 (a) one physician, licensed to practice medicine and surgery under Title 58, Chapter 67,  
 634 Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act,  
 635 who is a graduate of a regularly chartered medical school;

636 (b) one hospital administrator;

637 (c) one hospital trustee;

638 (d) one representative of a freestanding ambulatory surgical facility;

639 (e) one representative of an ambulatory surgical facility that is affiliated with a  
 640 hospital;

641 (f) [~~two representatives~~] one representative of the nursing care facility industry;

642 (g) one registered nurse, licensed to practice under Title 58, Chapter 31b, Nurse  
 643 Practice Act;

644 [~~(h) one professional in the field of intellectual disabilities not affiliated with a nursing~~]

645 ~~care facility;~~

646           ~~[(+)]~~ (h) one licensed architect or engineer with expertise in health care facilities;

647           ~~[(+)]~~ (i) ~~[two representatives]~~ one representative of assisted living facilities licensed  
648 under this chapter;

649           ~~[(+)]~~ (j) two consumers, one of whom has an interest in or expertise in geriatric care;  
650 and

651           ~~[(+)]~~ (k) one representative from either a home health care provider or a hospice  
652 provider.

653           ~~[(2)]~~ (3) (a) Except as required by Subsection ~~[(2)]~~ (3)(b), members shall be appointed  
654 for a term of four years.

655           (b) Notwithstanding the requirements of Subsection ~~[(2)]~~ (3)(a), the governor shall, at  
656 the time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
657 committee members are staggered so that approximately half of the committee is appointed  
658 every two years.

659           (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
660 appointed for the unexpired term by the governor, giving consideration to recommendations  
661 made by the committee, with the consent of the Senate.

662           (d) A member may not serve more than two consecutive full terms or 10 consecutive  
663 years, whichever is less. However, a member may continue to serve as a member until ~~[(he)]~~ the  
664 member is replaced.

665           (e) The committee shall annually elect from its membership a chair and vice chair.

666           (f) The committee shall meet at least quarterly, or more frequently as determined by the  
667 chair or five members of the committee.

668           (g) ~~[(Eight)]~~ Six members constitute a quorum. A vote of the majority of the members  
669 present constitutes action of the committee.

670           Section 15. Section **26-39-200** is amended to read:

671           **26-39-200. Child Care Center Licensing Committee.**

672           (1) (a) The Child Care Center Licensing Committee created in Section **26-1-7** shall be  
673 comprised of seven members appointed by the governor and approved by the Senate in  
674 accordance with this subsection.

675           (b) The governor shall appoint three members who:

- 676 (i) have at least five years of experience as an owner in or director of a for profit or  
677 not-for-profit center based child care; and
- 678 (ii) hold an active license as a child care center from the department to provide center  
679 based child care.
- 680 (c) (i) The governor shall appoint one member to represent each of the following:
- 681 (A) a parent with a child in center based child care;
- 682 (B) a child development expert from the state system of higher education;
- 683 (C) except as provided in Subsection (1)(e), a pediatrician licensed in the state; and
- 684 (D) an architect licensed in the state.
- 685 (ii) Except as provided in Subsection (1)(c)(i)(B), a member appointed under  
686 Subsection (1)(c)(i) may not be an employee of the state or a political subdivision of the state.
- 687 (d) At least one member described in Subsection (1)(b) shall at the time of appointment  
688 reside in a county that is not a county of the first class.
- 689 (e) For the appointment described in Subsection (1)(c)(i)(C), the governor may appoint  
690 a health care professional who specializes in pediatric health if:
- 691 (i) the health care professional is licensed under:
- 692 (A) Title 58, Chapter 31b, Nurse Practice Act, as an advanced practice nurse  
693 practitioner; or
- 694 (B) Title 58, Chapter 70a, Utah Physician Assistant Act; and
- 695 (ii) before appointing a health care professional under this Subsection (1)(e), the  
696 governor:
- 697 (A) sends a notice to a professional physician organization in the state regarding the  
698 opening for the appointment described in Subsection (1)(c)(i)(C); and
- 699 (B) receives no applications from a pediatrician who is licensed in the state for the  
700 appointment described in Subsection (1)(c)(i)(C) within 90 days after the day on which the  
701 governor sends the notice described in Subsection (1)(e)(ii)(A).
- 702 (2) (a) Except as required by Subsection (2)(b), as terms of current members expire, the  
703 governor shall appoint each new member or reappointed member to a four-year term ending  
704 June 30.
- 705 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the  
706 time of appointment or reappointment, adjust the length of terms to ensure that the terms of

707 members are staggered so that approximately half of the licensing committee is appointed  
708 every two years.

709 (c) Upon the expiration of the term of a member of the licensing committee, the  
710 member shall continue to hold office until a successor is appointed and qualified.

711 (d) A member may not serve more than two consecutive terms.

712 (e) Members of the licensing committee shall annually select one member to serve as  
713 chair who shall establish the agenda for licensing committee meetings.

714 (3) When a vacancy occurs in the membership for any reason, the governor, with the  
715 consent of the Senate, shall appoint a replacement for the unexpired term.

716 (4) (a) The licensing committee shall meet at least every two months.

717 (b) The director may call additional meetings:

718 (i) at the director's discretion;

719 (ii) upon the request of the chair; or

720 (iii) upon the written request of three or more members.

721 (5) Three members of the licensing committee constitute a quorum for the transaction  
722 of business.

723 (6) A member of the licensing committee may not receive compensation or benefits for  
724 the member's service, but may receive per diem and travel expenses as allowed in:

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

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

727 (c) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and  
728 [63A-3-107](#).

729 Section 16. Section **26-39-201** is amended to read:

730 **26-39-201. Residential Child Care Licensing Advisory Committee.**

731 (1) (a) The Residential Child Care Licensing Advisory Committee created in Section  
732 [26-1-7](#) shall advise the department on rules made by the department under this chapter for  
733 residential child care.

734 (b) The advisory committee shall be composed of the following nine members who  
735 shall be appointed by the executive director:

736 (i) two child care consumers;

737 (ii) three licensed residential child care providers;



738 (iii) one certified residential child care provider;

739 (iv) one individual with expertise in early childhood development; and

740 (v) two health care providers.

741 (2) (a) Members of the advisory committee shall be appointed for four-year terms,

742 except for those members who have been appointed to complete an unexpired term.

743 (b) Appointments and reappointments may be staggered so that 1/4 of the advisory

744 committee changes each year.

745 (c) The advisory committee shall annually elect a [~~chairman~~] chair from its

746 membership.

747 (3) The advisory committee shall meet at least quarterly, or more frequently as

748 determined by the executive director, the [~~chairman~~] chair, or three or more members of the

749 committee.

750 (4) Five members constitute a quorum and a vote of the majority of the members

751 present constitutes an action of the advisory committee.

752 (5) A member of the advisory committee may not receive compensation or benefits for

753 the member's service, but may receive per diem and travel expenses as allowed in:

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

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

756 (c) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and

757 [63A-3-107](#).

758 Section 17. Section **36-12-22** is amended to read:

759 **36-12-22. Reports from legislative boards -- Annual reports -- Preparation of**

760 **legislation.**

761 (1) As used in this section:

762 (a) "Legislative board [~~or commission~~]" means a board, commission, council,

763 committee, working group, task force, study group, advisory group, or other body created in

764 statute or by legislative rule:

765 (i) with a defined, limited membership;

766 [~~(ii) that has a member who is required to be;~~]

767 [~~(A) a member of the Legislature; or~~]

768 [~~(B) appointed by a member of the Legislature; and~~]

769 ~~[(iii)]~~ (ii) that has operated or is intended to operate for more than six months~~[-];~~ and  
770 (iii) (A) that has exclusive or majority legislative membership; or  
771 (B) that receives staff support from a legislative staff office.

772 (b) "Legislative board ~~[or commission]~~" does not include:

773 (i) a standing, ethics, interim, appropriations, confirmation, or rules committee of the  
774 Legislature;

775 (ii) the Legislative Management Committee or a subcommittee of the Legislative  
776 Management Committee; or

777 (iii) an organization that is prohibited from having a member that is a member of the  
778 Legislature.

779 (2) (a) ~~[Before September 1 of each year]~~ Before August 1, once every five years,  
780 beginning in calendar year 2024, each legislative board ~~[or commission]~~ shall prepare and  
781 submit to the Office of Legislative Research and General Counsel ~~[an annual]~~ a report that  
782 includes:

783 (i) the name of the legislative board ~~[or commission];~~

784 (ii) a description of the legislative board's ~~[or commission's]~~ official function and  
785 purpose;

786 ~~[(iii) the total number of members of the legislative board or commission;]~~

787 ~~[(iv) the number of the legislative board's or commission's members who are~~  
788 ~~legislators;]~~

789 ~~[(v) the compensation, if any, paid to the members of the legislative board or~~  
790 ~~commission;]~~

791 ~~[(vi) (iii) a description of [the actual work performed]~~ actions taken by the legislative  
792 board ~~[or commission since the last report the legislative board or commission submitted to the~~  
793 ~~Office of Legislative Research and General Counsel under this section;]~~ in the five previous  
794 fiscal years;

795 ~~[(vii) a description of actions taken by the legislative board or commission since the~~  
796 ~~last report the legislative board or commission submitted to the Office of Legislative Research~~  
797 ~~and General Counsel under this section;]~~

798 ~~[(viii)]~~ (iv) recommendations on whether any statutory, rule, or other changes are  
799 needed to make the legislative board ~~[or commission]~~ more effective; and

800 ~~[(ix)]~~ (v) ~~[an indication of]~~ a recommendation regarding whether the legislative board  
 801 ~~[or commission]~~ should continue to exist.

802 (b) The Office of Legislative Research and General Counsel shall compile and post  
 803 ~~[the reports]~~ each report described in Subsection (2)(a) to the Legislature's website before  
 804 ~~[October]~~ September 1 of ~~[each year]~~ a calendar year in which the Office of Legislative  
 805 Research and General Counsel receives a report described in Subsection (2)(a).

806 ~~[(3) (a) The Office of Legislative Research and General Counsel shall prepare an~~  
 807 ~~annual report by October 1 of each year that includes, as of September 1 of that year:]~~

808 (3) (a) Before September 1 of a calendar year in which the Office of Legislative  
 809 Research and General Counsel receives a report described in Subsection (2)(a), the Office of  
 810 Legislative Research and General Counsel shall prepare a report that includes, as of July 1 of  
 811 that year:

812 (i) the total number of legislative boards ~~[and commissions]~~ that exist ~~[in the state];~~  
 813 and

814 (ii) a summary of the reports submitted to the Office of Legislative Research and  
 815 General Counsel under Subsection (2), including:

816 (A) a list of each legislative board ~~[or commission]~~ that submitted a report under  
 817 Subsection (2);

818 (B) a list of each legislative board ~~[or commission]~~ that did not submit a report under  
 819 Subsection (2);

820 (C) an indication of any recommendations made under Subsection (2)(a)~~[(viii)]~~(iv);  
 821 and

822 (D) a list of any legislative boards ~~[or commissions]~~ that indicated under Subsection  
 823 (2)(a)~~[(ix)]~~(v) that the legislative board ~~[or commission]~~ should no longer exist.

824 (b) The Office of Legislative Research and General Counsel shall:

825 ~~[(i) distribute copies of the report described in Subsection (3)(a) to:]~~

826 (i) in accordance with Section 68-3-14, submit the report described in Subsection (3)(a)  
 827 to:

828 (A) the president of the Senate;

829 (B) the speaker of the House of Representatives; and

830 ~~[(C) the Legislative Management Committee; and]~~

831           ~~[(D)]~~ (C) the Government Operations Interim Committee; and  
832           (ii) post the report described in Subsection (3)(a) to the Legislature's website.  
833           ~~[(c) Each year, the]~~ (4) (a) The Government Operations Interim Committee ~~[shall]~~  
834 may prepare legislation ~~[making any changes the committee determines are suitable with~~  
835 respect to the report the committee receives under Subsection (3)(b), including:] to address a  
836 recommendation regarding:

837           ~~[(i) repealing a legislative board or commission that is no longer functional or~~  
838 necessary; and]  
839           ~~[(ii) making appropriate changes to make a legislative board or commission more~~  
840 effective.]

841           (i) an executive board, as defined in Section 67-1-2.5, included in the report described  
842 in Section 67-1-2.5; or

843           (ii) a legislative board included in the report described in Subsection (3)(a).

844           **(b) If an executive board or a legislative board is assigned to an interim committee for**  
845 review under Title 63I, Chapter 1, Legislative Oversight and Sunset Act, the Government  
846 Operations Interim Committee may coordinate with the interim committee to prepare  
847 legislation described in Subsection (4)(a).

848           Section 18. Section **36-31-104** is amended to read:

849           **36-31-104. Committee duties.**

850           (1) The committee shall:

851           (a) coordinate efforts to place a statue of Martha Hughes Cannon in the National  
852 Statuary Hall in the United States Capitol to replace the statue of Philo Farnsworth;

853           (b) ensure that efforts to place the statue of Martha Hughes Cannon conform with the  
854 requirements of 2 U.S.C. Chapter 30, Subchapter V, Part D, Miscellaneous;

855           (c) represent the state in interactions with the following in relation to the placement of  
856 the statue of Martha Hughes Cannon:

857           (i) the Joint Committee on the Library of Congress described in 2 U.S.C. Sec. 2132;

858           (ii) the architect of the capitol described in 2 U.S.C. Sec. 2132; and

859           (iii) any other federal entity;

860           (d) select a sculptor for the statue of Martha Hughes Cannon;

861           (e) ensure that the statue of Martha Hughes Cannon is created in marble or bronze, as

862 required under 2 U.S.C. Sec. 2131;

863 (f) approve the final design of the statue of Martha Hughes Cannon;

864 (g) ensure that the statue of Martha Hughes Cannon is unveiled in the National  
865 Statuary Hall in August of 2020, in commemoration of the month of the 100th anniversary of  
866 the ratification of the Nineteenth Amendment to the United States Constitution; and

867 (h) determine, in coordination with appropriate community leaders and local elected  
868 officials, an appropriate location for placement of the statue of Philo Farnsworth that is  
869 currently on display in the National Statuary Hall in the United States Capitol.

870 (2) The committee shall facilitate the creation of a nonprofit entity that is exempt from  
871 federal income tax under Section 501(c), Internal Revenue Code, to:

872 (a) collect [~~charitable~~] contributions to cover [~~all~~] costs associated with:

873 (i) the creation and placement of the statue of Martha Hughes Cannon in the National  
874 Statuary Hall in the United States Capitol;

875 (ii) the removal of the statue of Philo Farnsworth that is currently on display in the  
876 National Statuary Hall in the United States Capitol; and

877 (iii) the placement of the statue described in Subsection (2)(a)(ii) for display in a  
878 location designated by the committee under Subsection (1)(h); and

879 (b) comply with the requirements of 2 U.S.C. Sec. 2132 regarding the cost of replacing  
880 a state's statue in the National Statuary Hall[~~; and~~].

881 [~~(c) ensure that no state funds are used for any cost related to an item described in~~  
882 ~~Subsection (2)(a).]~~

883 Section 19. Section **36-32-101** is enacted to read:

884 **CHAPTER 32. JUDICIAL RULES REVIEW COMMITTEE**

885 **Part 1. General Provisions**

886 **36-32-101. Title.**

887 This chapter is known as "Judicial Rules Review Committee."

888 Section 20. Section **36-32-102** is enacted to read:

889 **36-32-102. Definitions.**

890 As used in this chapter:

891 (1) "Advisory committee" means the committee that proposes to the Supreme Court  
892 rules or changes in rules related to:

- 893 (a) civil procedure;
- 894 (b) criminal procedure;
- 895 (c) juvenile procedure;
- 896 (d) appellate procedure;
- 897 (e) evidence; and
- 898 (f) professional conduct.

899 (2) "Committee" means the Judicial Rules Review Committee created in Section  
 900 36-31-201.

901 (3) "Court rule" means any of the following:

- 902 (a) rules of procedure, evidence, or practice for use of the courts of this state;
- 903 (b) rules governing and managing the appellate process adopted by the Supreme Court;

904 or

905 (c) rules adopted by the Judicial Council for the administration of the courts of the  
 906 state.

907 (4) "Judicial Council" means the administrative body of the courts, established in Utah  
 908 Constitution, Article VIII, Sec. 12, and Section 78A-2-104.

909 (5) "Proposal for court rule" means the proposed language in a court rule that is  
 910 submitted to:

- 911 (a) the Judicial Council;
- 912 (b) the advisory committee; or
- 913 (c) the Supreme Court.

914 Section 21. Section **36-32-201** is enacted to read:

**Part 2. Judicial Rules Review Committee**

**36-32-201. Establishment of committee -- Membership -- Duties.**

917 (1) There is created a six member Judicial Rules Review Committee.

918 (2) (a) The committee is comprised of:

919 (i) three members of the Senate, no more than two from the same political party,  
 920 appointed by the president of the Senate; and

921 (ii) three members of the House of Representatives, no more than two from the same  
 922 political party, appointed by the speaker of the House of Representatives.

923 (b) A member shall serve for a two-year term, or until the member's successor is

924 appointed.

925 (c) (i) A vacancy exists when a member:

926 (A) is no longer a member of the Legislature; or

927 (B) resigns from the committee.

928 (ii) The appointing authority shall fill a vacancy.

929 (iii) A member appointed to fill a vacancy shall serve out the unexpired term.

930 (d) The committee may meet as needed:

931 (i) to review:

932 (A) court rules;

933 (B) proposals for court rules; or

934 (C) conflicts between court rules or proposals for court rules and statute or the Utah  
935 Constitution; or

936 (ii) to recommend legislative action related to a review described in Subsection

937 (2)(d)(i).

938 Section 22. Section **36-32-202** is enacted to read:

939 **36-32-202. Submission of court rules or proposals for court rules.**

940 (1) The Supreme Court or the Judicial Council shall submit to the committee and the  
941 governor each court rule, proposal for court rule, and any additional information related to a  
942 court rule or proposal for court rule that the Supreme Court or Judicial Council considers  
943 relevant:

944 (a) when the court rule or proposal for court rule is submitted:

945 (i) to the Judicial Council for consideration or approval for public comment; or

946 (ii) to the Supreme Court by the advisory committee after the advisory committee's  
947 consideration or approval; and

948 (b) when the approved court rule or approved proposal for court rule is made available  
949 to members of the bar and the public for public comment.

950 (2) At the time of submission under Subsection (1), the Supreme Court or Judicial  
951 Council shall provide the committee with the name and contact information of a Supreme  
952 Court advisory committee or Judicial Council employee whom the committee may contact  
953 about the submission.

954 Section 23. Section **36-32-203** is enacted to read:

955 36-32-203. Review of rules -- Criteria.

956 (1) As used in this section, "court rule" means a new court rule, a proposal for court  
957 rule, or an existing court rule.

958 (2) The committee:

959 (a) shall review and evaluate a submission of:

960 (i) a court rule; or

961 (ii) a proposal for court rule; and

962 (b) may review an existing court rule.

963 (3) The committee shall conduct a review of a court rule described in Subsection (2)  
964 based on the following criteria:

965 (a) whether the court rule is authorized by the state constitution or by statute;

966 (b) if authorized by statute, whether the court rule complies with legislative intent;

967 (c) whether the court rule is in conflict with existing statute or governs a policy  
968 expressed in statute;

969 (d) whether the court rule is primarily substantive or procedural in nature;

970 (e) whether the court rule infringes on the powers of the executive or legislative branch  
971 of government;

972 (f) the impact of the court rule on an affected person;

973 (g) the purpose for the court rule, and if applicable, the reason for a change to an  
974 existing court rule;

975 (h) the anticipated cost or savings due to the court rule to:

976 (i) the state budget;

977 (ii) local governments; and

978 (iii) individuals; and

979 (i) the cost to an affected person of complying with the court rule.

980 Section 24. Section **36-32-204** is enacted to read:

981 **36-32-204. Committee review--Fiscal analyst--Powers of committee.**

982 (1) To carry out the committee's duties, the committee may examine issues that the  
983 committee considers necessary in addition to the issues described in this chapter.

984 (2) The committee may request that the Office of the Legislative Fiscal Analyst prepare  
985 a fiscal note on any court rule or proposal for court rule.



986 (3) The committee has the powers granted to a legislative interim committee described  
987 in Section 36-12-11.

988 Section 25. Section **36-32-205** is enacted to read:

989 **36-32-205. Findings--Report--Distribution of report.**

990 (1) The committee may:

991 (a) make an informal recommendation about a court rule or proposal for court rule; or

992 (b) provide written findings of the committee's review of a court rule or proposal for  
993 court rule; and

994 (c) if the committee identifies significant issues, provide written recommendations for:

995 (i) legislative action;

996 (ii) Supreme Court rulemaking action; or

997 (iii) Judicial Council rulemaking action.

998 (2) The committee shall provide to the Supreme Court or the Judicial Council:

999 (a) a copy of the committee's findings or recommendations described in Subsection (1);

1000 and

1001 (b) a request that the Supreme Court or Judicial Council notify the committee of the

1002 Supreme Court or Judicial Council's response.

1003 (3) The committee may prepare a report that includes:

1004 (a) the findings and recommendations made by the committee based on the criteria  
1005 described in Section 36-32-203;

1006 (b) any action taken by the Supreme Court or Judicial Council in response to  
1007 recommendations from the committee; and

1008 (c) any recommendations described in Subsection (1).

1009 (4) The committee shall provide a report described in Subsection (3) to:

1010 (a) the speaker of the House of Representatives;

1011 (b) the president of the Senate;

1012 (c) the chair of the House Judiciary Standing Committee;

1013 (d) the chair of the Senate Judiciary, Law Enforcement, and Criminal Justice Standing  
1014 Committee;

1015 (e) the Judiciary Interim Committee;

1016 (f) the governor;

1017 (g) the Executive Offices and Criminal Justice Appropriations Subcommittee;

1018 (h) the Judicial Council; and

1019 (i) the Supreme Court.

1020 Section 26. Section **36-32-206** is enacted to read:

1021 **36-32-206. Court rules or proposals for court rules--Publication in bulletin.**

1022 When the Supreme Court or Judicial Council submits a court rule or proposal for court

1023 rule for public comment, the Supreme Court or Judicial Council shall submit the court rule or

1024 proposal for court rule to publication houses that publish court rules, proposals to court rules,

1025 case law, or other relevant information for individuals engaged in the legal profession.

1026 Section 27. Section **36-32-207** is enacted to read:

1027 **36-32-207. Duties of staff.**

1028 The Office of Legislative Research and General Counsel shall, when practicable, attend

1029 meetings of the advisory committees of the Supreme Court.

1030 Section 28. Section **36-33-101** is enacted to read:

1031 **CHAPTER 33. ECONOMIC DEVELOPMENT LEGISLATIVE LIAISON**

1032 **COMMITTEE**

1033 **36-33-101. Title.**

1034 This chapter is known as the "Economic Development Legislative Liaison Committee."

1035 Section 29. Section **36-33-102** is enacted to read:

1036 **36-33-102. Definitions.**

1037 (1) "Classification" means the same as that term is defined in Section [63G-2-103](#).

1038 (2) "Committee" means the Economic Development Legislative Liaison Committee

1039 created in this chapter.

1040 (3) "Improper use" means:

1041 (a) to further substantially one's own or another's personal economic interest;

1042 (b) to secure special privileges or exemptions for one's self or another; or

1043 (c) to cause economic injury or damage to:

1044 (i) an individual or business entity; or

1045 (ii) an individual's or a business entity's property, reputation, or business interests.

1046 (4) "Office" means the Governor's Office of Economic Development created in Section

1047 [63N-1-201](#).

1048 (5) "Record" means the same as that term is defined in Section 63G-2-103.

1049 Section 30. Section **36-33-103** is enacted to read:

1050 **36-33-103. Economic Development Legislative Liaison Committee -- Creation --**  
1051 **Membership -- Chairs -- Per diem.**

1052 (1) There is created the Economic Development Legislative Liaison Committee.

1053 (2) The committee membership consists of the following eight members:

1054 (a) four members from the House of Representatives, appointed by the speaker of the  
1055 House of Representatives, with no more than three from the same political party; and

1056 (b) four members from the Senate, appointed by the president of the Senate, with no  
1057 more than three members from the same political party.

1058 (3) Five members of the committee constitute a quorum.

1059 (4) (a) The speaker of the House of Representatives shall designate a member of the  
1060 House of Representatives appointed under Subsection (2)(a) as a cochair of the committee.

1061 (b) The president of the Senate shall designate a member of the Senate appointed under  
1062 Subsection (2)(b) as a cochair of the committee.

1063 (5) A committee member shall receive compensation and expenses as provided by  
1064 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1065 Section 31. Section **36-33-104** is enacted to read:

1066 **36-33-104. Duties -- Confidential information -- Records.**

1067 (1) The committee shall receive reports from the office regarding:

1068 (a) how the office is:

1069 (i) promoting and encouraging economic development in the state; and

1070 (ii) creating, developing, attracting, and retaining business, industry, and commerce in  
1071 the state;

1072 (b) an economic development incentive or program the office administers;

1073 (c) a contract or agreement that the office has entered into with a public or private  
1074 entity;

1075 (d) a grant that the office has made to a public or private entity;

1076 (e) any funds from a public or private source that the office has expended;

1077 (f) any money, services, or facilities the office has solicited or accepted from a public  
1078 or private donor;

- 1079 (g) a policy, priority, or objective under which the office operates; or  
1080 (h) any other economic development related information that the office can provide.  
1081 (2) At the beginning of each meeting, the cochairs of the committee shall inform each  
1082 individual in attendance that there may be:  
1083 (a) restrictions on the disclosure or improper use of information the committee receives  
1084 during the meeting; and  
1085 (b) penalties for not complying with the restrictions on the disclosure or improper use  
1086 of information the committee receives during the meeting.  
1087 (3) (a) Before adjourning a meeting of the committee, the office shall inform the  
1088 committee whether the information the office provides under this section is subject to  
1089 restrictions on the disclosure or improper use of the information.  
1090 (b) The committee shall comply with any restrictions on the disclosure or improper use  
1091 of information.  
1092 (c) An individual may not disclose or improperly use information that is:  
1093 (i) received by the individual at a committee meeting; and  
1094 (ii) determined to be confidential or subject to restrictions on disclosure or improper  
1095 use under Subsection (3)(a).  
1096 (d) An individual who intentionally discloses or improperly uses information described  
1097 under Subsection (3)(c) knowing that the disclosure or improper use is prohibited under this  
1098 section is guilty of a class B misdemeanor.  
1099 (4) (a) The office's sharing of records with the committee is governed by this section  
1100 rather than Section [63G-2-206](#).  
1101 (b) The office shall inform the committee of the office's classification of any record the  
1102 office provides to the committee.  
1103 (c) The committee is subject to the same restrictions on disclosure or use of a record  
1104 the committee receives from the office as the office is subject to.  
1105 (d) An individual that violates the restrictions on disclosure or improper use described  
1106 under Subsection (4)(c) is subject to:  
1107 (i) the applicable penalties provided under Title 63G, Chapter 2, Government Records  
1108 Access and Management Act; and  
1109 (ii) any other applicable penalties provided by law.

1110 (e) A person may not make a request under Title 63G, Chapter 2, Government Records  
 1111 Access and Management Act, or this section, for access to a record in possession of the  
 1112 committee if the committee received the record from the office in accordance with this section.

1113 (5) The committee may not:

1114 (a) request legislation;

1115 (b) recommend legislation;

1116 (c) take a position on a matter of public policy;

1117 (d) except as necessary to obtain the information described in Subsection (1), direct the  
 1118 negotiations, activities, or work of the office; or

1119 (e) require the office to request company-specific tax information from the State Tax  
 1120 Commission.

1121 (6) The committee shall comply with the rules of legislative interim committees unless  
 1122 those rules conflict with this section.

1123 (7) The committee may meet as needed.

1124 Section 32. Section **36-33-105** is enacted to read:

1125 **36-33-105. Staff support.**

1126 The Office of Legislative Research and General Counsel and the Office of the  
 1127 Legislative Fiscal Analyst shall jointly provide staff services to the committee.

1128 Section 33. Section **38-11-102** is amended to read:

1129 **38-11-102. Definitions.**

1130 [~~(1) "Board" means the Residence Lien Recovery Fund Advisory Board established~~  
 1131 ~~under Section **38-11-104**;~~]

1132 [~~(2)~~] (1) "Certificate of compliance" means an order issued by the director to the owner  
 1133 finding that the owner is in compliance with the requirements of Subsections **38-11-204**(4)(a)  
 1134 and (4)(b) and is entitled to protection under Section **38-11-107**.

1135 [~~(3)~~] (2) "Construction on an owner-occupied residence" means designing, engineering,  
 1136 constructing, altering, remodeling, improving, repairing, or maintaining a new or existing  
 1137 residence.

1138 [~~(4)~~] (3) "Department" means the Department of Commerce.

1139 [~~(5)~~] (4) "Director" means the director of the Division of Occupational and  
 1140 Professional Licensing.

1141 [~~(6)~~] (5) "Division" means the Division of Occupational and Professional Licensing.

1142 [~~(7)~~] (6) "Duplex" means a single building having two separate living units.

1143 [~~(8)~~] (7) "Encumbered fund balance" means the aggregate amount of outstanding  
1144 claims against the fund. The remainder of the money in the fund is unencumbered funds.

1145 [~~(9)~~] (8) "Executive director" means the executive director of the Department of  
1146 Commerce.

1147 [~~(10)~~] (9) "Factory built housing" is as defined in Section 15A-1-302.

1148 [~~(11)~~] (10) "Factory built housing retailer" means a person that sells factory built  
1149 housing to consumers.

1150 [~~(12)~~] (11) "Fund" means the Residence Lien Recovery Fund established under Section  
1151 38-11-201.

1152 [~~(13)~~] (12) "Laborer" means a person who provides services at the site of the  
1153 construction on an owner-occupied residence as an employee of an original contractor or other  
1154 qualified beneficiary performing qualified services on the residence.

1155 [~~(14)~~] (13) "Licensee" means any holder of a license issued under Title 58, Chapter 3a,  
1156 Architects Licensing Act; Chapter 22, Professional Engineers and Professional Land Surveyors  
1157 Licensing Act; Chapter 53, Landscape Architects Licensing Act; and Chapter 55, Utah  
1158 Construction Trades Licensing Act.

1159 [~~(15)~~] (14) "Nonpaying party" means the original contractor, subcontractor, or real  
1160 estate developer who has failed to pay the qualified beneficiary making a claim against the  
1161 fund.

1162 [~~(16)~~] (15) "Original contractor" means a person who contracts with the owner of real  
1163 property or the owner's agent to provide services, labor, or material for the construction of an  
1164 owner-occupied residence.

1165 [~~(17)~~] (16) "Owner" means a person who:

1166 (a) contracts with a person who is licensed as a contractor or is exempt from licensure  
1167 under Title 58, Chapter 55, Utah Construction Trades Licensing Act, for the construction on an  
1168 owner-occupied residence upon real property that the person:

1169 (i) owns; or

1170 (ii) purchases after the person enters into a contract described in this Subsection [~~(17)~~]

1171 (16)(a) and before completion of the owner-occupied residence;

1172 (b) contracts with a real estate developer to buy a residence upon completion of the  
1173 construction on the owner-occupied residence; or

1174 (c) purchases a residence from a real estate developer after completion of the  
1175 construction on the owner-occupied residence.

1176 ~~[(18)]~~ (17) "Owner-occupied residence" means a residence that is, or after completion  
1177 of the construction on the residence will be, occupied by the owner or the owner's tenant or  
1178 lessee as a primary or secondary residence within 180 days after the day on which the  
1179 construction on the residence is complete.

1180 ~~[(19)]~~ (18) "Qualified beneficiary" means a person who:

1181 (a) provides qualified services;

1182 (b) pays necessary fees required under this chapter; and

1183 (c) registers with the division:

1184 (i) as a licensed contractor under Subsection 38-11-301(1) or (2), if that person seeks  
1185 recovery from the fund as a licensed contractor; or

1186 (ii) as a person providing qualified services other than as a licensed contractor under  
1187 Subsection 38-11-301(3) if the person seeks recovery from the fund in a capacity other than as  
1188 a licensed contractor.

1189 ~~[(20)]~~ (19) (a) "Qualified services" means the following performed in construction on  
1190 an owner-occupied residence:

1191 (i) contractor services provided by a contractor licensed or exempt from licensure  
1192 under Title 58, Chapter 55, Utah Construction Trades Licensing Act;

1193 (ii) architectural services provided by an architect licensed under Title 58, Chapter 3a,  
1194 Architects Licensing Act;

1195 (iii) engineering and land surveying services provided by a professional engineer or  
1196 land surveyor licensed or exempt from licensure under Title 58, Chapter 22, Professional  
1197 Engineers and Professional Land Surveyors Licensing Act;

1198 (iv) landscape architectural services by a landscape architect licensed or exempt from  
1199 licensure under Title 58, Chapter 53, Landscape Architects Licensing Act;

1200 (v) design and specification services of mechanical or other systems;

1201 (vi) other services related to the design, drawing, surveying, specification, cost  
1202 estimation, or other like professional services;

- 1203 (vii) providing materials, supplies, components, or similar products;
- 1204 (viii) renting equipment or materials;
- 1205 (ix) labor at the site of the construction on the owner-occupied residence; and
- 1206 (x) site preparation, set up, and installation of factory built housing.
- 1207 (b) "Qualified services" does not include the construction of factory built housing in
- 1208 the factory.

1209 ~~[(21)]~~ (20) "Real estate developer" means a person having an ownership interest in real

1210 property who:

1211 (a) contracts with a person who is licensed as a contractor or is exempt from licensure

1212 under Title 58, Chapter 55, Utah Construction Trades Licensing Act, for the construction of a

1213 residence that is offered for sale to the public; or

1214 (b) is a licensed contractor under Title 58, Chapter 55, Utah Construction Trades

1215 Licensing Act, who engages in the construction of a residence that is offered for sale to the

1216 public.

1217 ~~[(22)]~~ (21) (a) "Residence" means an improvement to real property used or occupied,

1218 to be used or occupied as, or in conjunction with:

- 1219 (i) a primary or secondary detached single-family dwelling; or
- 1220 (ii) a multifamily dwelling up to and including duplexes.

1221 (b) "Residence" includes factory built housing.

1222 ~~[(23)]~~ (22) "Subsequent owner" means a person who purchases a residence from an

1223 owner within 180 days after the day on which the construction on the residence is completed.

1224 Section 34. Section **38-11-201** is amended to read:

1225 **38-11-201. Residence Lien Recovery Fund.**

1226 (1) There is created an expendable special revenue fund called the "Residence Lien

1227 Recovery Fund."

1228 (2) The fund shall earn interest.

1229 (3) The division shall employ personnel and resources necessary to administer the fund

1230 and shall use fund money in accordance with Sections [38-11-203](#) and [38-11-204](#) and to pay the

1231 costs charged to the fund by the attorney general.

1232 (4) Costs incurred by the division, on or after May 8, 2018, for administering the fund

1233 may be paid out of fund money in an amount that may be no more than a total of \$300,000 for



1234 the remaining existence of the fund.

1235 (5) (a) The Division of Finance shall report annually to the Legislature[;] and the  
1236 division[~~;~~ ~~and the board~~].

1237 (b) The report shall state:

1238 (i) amounts received by the fund;

1239 (ii) disbursements from the fund;

1240 (iii) interest earned and credited to the fund; and

1241 (iv) the fund balance.

1242 Section 35. Section **52-4-103** is amended to read:

1243 **52-4-103. Definitions.**

1244 As used in this chapter:

1245 (1) "Anchor location" means the physical location from which:

1246 (a) an electronic meeting originates; or

1247 (b) the participants are connected.

1248 (2) "Capitol hill complex" means the grounds and buildings within the area bounded by  
1249 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake  
1250 City.

1251 (3) (a) "Convening" means the calling together of a public body by a person authorized  
1252 to do so for the express purpose of discussing or acting upon a subject over which that public  
1253 body has jurisdiction or advisory power.

1254 (b) "Convening" does not include the initiation of a routine conversation between  
1255 members of a board of trustees of a large public transit district if the members involved in the  
1256 conversation do not, during the conversation, take a tentative or final vote on the matter that is  
1257 the subject of the conversation.

1258 (4) "Electronic meeting" means a public meeting convened or conducted by means of a  
1259 conference using electronic communications.

1260 (5) "Electronic message" means a communication transmitted electronically, including:

1261 (a) electronic mail;

1262 (b) instant messaging;

1263 (c) electronic chat;

1264 (d) text messaging, as that term is defined in Section [76-4-401](#); or

1265 (e) any other method that conveys a message or facilitates communication  
1266 electronically.

1267 (6) (a) "Meeting" means the convening of a public body or a specified body, with a  
1268 quorum present, including a workshop or an executive session, whether in person or by means  
1269 of electronic communications, for the purpose of discussing, receiving comments from the  
1270 public about, or acting upon a matter over which the public body or specific body has  
1271 jurisdiction or advisory power.

1272 (b) "Meeting" does not mean:

1273 (i) a chance gathering or social gathering;

1274 (ii) a convening of the State Tax Commission to consider a confidential tax matter in  
1275 accordance with Section 59-1-405; or

1276 (iii) a convening of a three-member board of trustees of a large public transit district as  
1277 defined in Section 17B-2a-802 if:

1278 (A) the board members do not, during the conversation, take a tentative or final vote on  
1279 the matter that is the subject of the conversation; or

1280 (B) the conversation pertains only to day-to-day management and operation of the  
1281 public transit district.

1282 (c) "Meeting" does not mean the convening of a public body that has both legislative  
1283 and executive responsibilities if:

1284 (i) no public funds are appropriated for expenditure during the time the public body is  
1285 convened; and

1286 (ii) the public body is convened solely for the discussion or implementation of  
1287 administrative or operational matters:

1288 (A) for which no formal action by the public body is required; or

1289 (B) that would not come before the public body for discussion or action.

1290 (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the  
1291 public statements of each member of the public body who is participating in a meeting.

1292 (8) "Participate" means the ability to communicate with all of the members of a public  
1293 body, either verbally or electronically, so that each member of the public body can hear or  
1294 observe the communication.

1295 (9) (a) "Public body" means:

1296 (i) any administrative, advisory, executive, or legislative body of the state or its  
1297 political subdivisions that:

1298 (A) is created by the Utah Constitution, statute, rule, ordinance, or resolution;

1299 (B) consists of two or more persons;

1300 (C) expends, disburses, or is supported in whole or in part by tax revenue; and

1301 (D) is vested with the authority to make decisions regarding the public's business; or

1302 (ii) any administrative, advisory, executive, or policymaking body of an association, as  
1303 that term is defined in Section 53G-7-1101, that:

1304 (A) consists of two or more persons;

1305 (B) expends, disburses, or is supported in whole or in part by dues paid by a public  
1306 school or whose employees participate in a benefit or program described in Title 49, Utah State  
1307 Retirement and Insurance Benefit Act; and

1308 (C) is vested with authority to make decisions regarding the participation of a public  
1309 school or student in an interscholastic activity, as that term is defined in Section 53G-7-1101.

1310 (b) "Public body" includes:

1311 (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined in  
1312 Section 11-13-103;

1313 (ii) a governmental nonprofit corporation as that term is defined in Section 11-13a-102;

1314 and

1315 (iii) the Utah Independent Redistricting Commission.

1316 (c) "Public body" does not include:

1317 (i) a political party, a political group, or a political caucus;

1318 (ii) a conference committee, a rules committee, or a sifting committee of the  
1319 Legislature;

1320 (iii) a school community council or charter trust land council, as that term is defined in  
1321 Section 53G-7-1203;

1322 (iv) a taxed interlocal entity, as that term is defined in Section 11-13-602; [or]

1323 (v) the following Legislative Management subcommittees, which are established in  
1324 Section 36-12-8, when meeting for the purpose of selecting or evaluating a candidate to  
1325 recommend for employment, except that the meeting in which a subcommittee votes to  
1326 recommend that a candidate be employed shall be subject to the provisions of this act:

1327 (A) the Research and General Counsel Subcommittee;

1328 (B) the Budget Subcommittee; and

1329 (C) the Audit Subcommittee[-]; or

1330 (vi) the Economic Development Legislative Liaison Committee created in Section

1331 36-33-103.

1332 (10) "Public statement" means a statement made in the ordinary course of business of  
1333 the public body with the intent that all other members of the public body receive it.

1334 (11) (a) "Quorum" means a simple majority of the membership of a public body, unless  
1335 otherwise defined by applicable law.

1336 (b) "Quorum" does not include a meeting of two elected officials by themselves when  
1337 no action, either formal or informal, is taken.

1338 (12) "Recording" means an audio, or an audio and video, record of the proceedings of a  
1339 meeting that can be used to review the proceedings of the meeting.

1340 (13) "Specified body":

1341 (a) means an administrative, advisory, executive, or legislative body that:

1342 (i) is not a public body;

1343 (ii) consists of three or more members; and

1344 (iii) includes at least one member who is:

1345 (A) a legislator; and

1346 (B) officially appointed to the body by the president of the Senate, speaker of the  
1347 House of Representatives, or governor; and

1348 (b) does not include a body listed in Subsection (9)(c)(ii) or (9)(c)(v).

1349 (14) "Transmit" means to send, convey, or communicate an electronic message by  
1350 electronic means.

1351 Section 36. Section **53F-9-203** is amended to read:

1352 **53F-9-203. Charter School Revolving Account.**

1353 (1) (a) The terms defined in Section **53G-5-102** apply to this section.

1354 (b) As used in this section, "account" means the Charter School Revolving Account.

1355 (2) (a) There is created within the Uniform School Fund a restricted account known as  
1356 the "Charter School Revolving Account" to provide assistance to charter schools to:

1357 (i) meet school building construction and renovation needs; and

1358 (ii) pay for expenses related to the start up of a new charter school or the expansion of  
1359 an existing charter school.

1360 (b) The state board, in consultation with the State Charter School Board, shall  
1361 administer the Charter School Revolving Account in accordance with rules adopted by the state  
1362 board.

1363 (3) The Charter School Revolving Account shall consist of:

1364 (a) money appropriated to the account by the Legislature;

1365 (b) money received from the repayment of loans made from the account; and

1366 (c) interest earned on money in the account.

1367 (4) The state superintendent shall make loans to charter schools from the account to  
1368 pay for the costs of:

1369 (a) planning expenses;

1370 (b) constructing or renovating charter school buildings;

1371 (c) equipment and supplies; or

1372 (d) other start-up or expansion expenses.

1373 (5) Loans to new charter schools or charter schools with urgent facility needs may be  
1374 given priority.

1375 (6) ~~(a)~~ The state board shall ~~[establish a committee to]:~~

1376 ~~[(i)]~~ (a) except as provided in Subsection (7)(a), review requests by charter schools for  
1377 loans under this section; and

1378 ~~[(ii) make recommendations regarding approval or disapproval of the loan applications~~  
1379 ~~to the State Charter School Board and the state board.]~~

1380 (b) in consultation with the State Charter School Board, approve or reject each request.

1381 (7) (a) The state board may establish a committee to:

1382 (i) review requests under Subsection (6)(a); and

1383 (ii) make recommendations to the state board and the State Charter School Board  
1384 regarding the approval or rejection of a request.

1385 (b) (i) A committee established under Subsection ~~[(6)]~~ (7)(a) shall include individuals  
1386 who have expertise or experience in finance, real estate, or charter school administration.

1387 (ii) Of the members appointed to a committee established under Subsection ~~[(6)]~~

1388 (7)(a):

1389 (A) one member shall be nominated by the governor; and

1390 (B) the remaining members shall be selected from a list of nominees submitted by the  
1391 State Charter School Board.

1392 (c) If the committee recommends approval of a loan application under Subsection [~~6~~]  
1393 7(a)(ii), the committee's recommendation shall include:

1394 (i) the recommended amount of the loan;

1395 (ii) the payback schedule; and

1396 (iii) the interest rate to be charged.

1397 (d) A committee member may not:

1398 (i) be a relative, as defined in Section [53G-5-409](#), of a loan applicant; or

1399 (ii) have a pecuniary interest, directly or indirectly, with a loan applicant or any person  
1400 or entity that contracts with a loan applicant.

1401 [~~7~~] 8 A loan under this section may not be made unless the state board, in  
1402 consultation with the State Charter School Board, approves the loan.

1403 [~~8~~] 9 The term of a loan to a charter school under this section may not exceed five  
1404 years.

1405 [~~9~~] 10 The state board may not approve loans to charter schools under this section  
1406 that exceed a total of \$2,000,000 in any fiscal year.

1407 [~~10~~] 11 (a) On March 16, 2011, the assets of the Charter School Building  
1408 Subaccount administered by the state board shall be deposited into the Charter School  
1409 Revolving Account.

1410 (b) Beginning on March 16, 2011, loan payments for loans made from the Charter  
1411 School Building Subaccount shall be deposited into the Charter School Revolving Account.

1412 Section 37. Section **54-10a-202** is amended to read:

1413 **54-10a-202. Committee of Consumer Services.**

1414 (1) (a) There is created within the office a committee known as the "Committee of  
1415 Consumer Services."

1416 (b) A member of the committee shall maintain the member's principal residence within  
1417 Utah.

1418 (2) (a) The governor shall appoint [~~nine~~] five members to the committee subject to  
1419 Subsection (3).

1420 (b) Except as required by Subsection (2)(c), as terms of current committee members  
1421 expire, the governor shall appoint a new member or reappointed member to a four-year term.

1422 (c) Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the  
1423 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
1424 committee members are staggered so that approximately half of the committee is appointed  
1425 every two years.

1426 (d) When a vacancy occurs in the membership for any reason, the governor shall  
1427 appoint a replacement for the unexpired term.

1428 (3) Members of the committee shall represent the following [~~geographic and~~]  
1429 consumer interests:

1430 [~~(a) one member shall be from Salt Lake City, Provo, or Ogden;~~]

1431 [~~(b) one member shall be from a city other than Salt Lake City, Provo, or Ogden;~~]

1432 [~~(c) one member shall be from an unincorporated area of the state;~~]

1433 [~~(d)~~] (a) one member shall be [~~a low-income resident~~] an individual with experience  
1434 and understanding of issues affecting low-income residents;

1435 [~~(e)~~] (b) one member shall be a retired person;

1436 [~~(f)~~] (c) one member shall be [~~a small commercial consumer~~] an individual with  
1437 experience and understanding of issues affecting small commercial consumers;

1438 [~~(g)~~] (d) one member shall be a farmer or rancher who uses electric power to pump  
1439 water in the member's farming or ranching operation; and

1440 [~~(h)~~] (e) one member shall be a residential consumer[~~;~~ and].

1441 [~~(i) one member shall be appointed to provide geographic diversity on the committee to~~  
1442 ~~ensure to the extent possible that all areas of the state are represented.~~]

1443 (4) (a) No more than [~~five~~] three members of the committee [~~shall~~] may be from the  
1444 same political party.

1445 (b) Subject to Subsection (3), for a member of the committee appointed on or after  
1446 May 12, 2009, the governor shall appoint, to the extent possible, an individual with expertise or  
1447 experience in:

1448 (i) public utility matters related to consumers;

1449 (ii) economics;

1450 (iii) accounting;

- 1451 (iv) financing;
- 1452 (v) engineering; or
- 1453 (vi) public utilities law.
- 1454 (5) The governor shall designate one member as chair of the committee.
- 1455 (6) A member may not receive compensation or benefits for the member's service, but
- 1456 may receive per diem and travel expenses in accordance with:
- 1457 (a) Section [63A-3-106](#);
- 1458 (b) Section [63A-3-107](#); and
- 1459 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
- 1460 [63A-3-107](#).
- 1461 (7) (a) The committee may hold monthly meetings.
- 1462 (b) The committee may hold other meetings, at the times and places the chair and a
- 1463 majority of the committee determine.
- 1464 (8) (a) ~~Five~~ Three members of the committee constitute a quorum of the committee.
- 1465 (b) A majority of members voting when a quorum is present constitutes an action of
- 1466 the committee.
- 1467 Section 38. Section **58-46a-102** is amended to read:
- 1468 **58-46a-102. Definitions.**
- 1469 In addition to the definitions in Section [58-1-102](#), as used in this chapter:
- 1470 ~~[(1) "Board" means the Hearing Instrument Specialist Licensing Board created in~~
- 1471 ~~Section [58-46a-201](#).]~~
- 1472 ~~[(2)]~~ (1) "Direct supervision" means that the supervising hearing instrument specialist
- 1473 is present in the same facility as is the person being supervised and is available for immediate
- 1474 in person consultation.
- 1475 ~~[(3)]~~ (2) "Hearing instrument" or "hearing aid" means any device designed or offered to
- 1476 be worn on or by an individual to enhance human hearing, including the device's specialized
- 1477 parts, attachments, or accessories.
- 1478 ~~[(4)]~~ (3) "Hearing instrument intern" means a person licensed under this chapter who is
- 1479 obtaining education and experience in the practice of a hearing instrument specialist under the
- 1480 supervision of a supervising hearing instrument specialist.
- 1481 ~~[(5)]~~ (4) "Indirect supervision" means that the supervising hearing instrument specialist



1482 is not required to be present in the same facility as is the person being supervised, but is  
1483 available for voice to voice contact by telephone, radio, or other means at the initiation of the  
1484 person being supervised.

1485 [6] (5) "Practice of a hearing instrument specialist" means:

1486 (a) establishing a place of business to practice as a hearing instrument specialist;

1487 (b) testing the hearing of a human patient over the age of 17 for the sole purpose of  
1488 determining whether a hearing loss will be sufficiently improved by the use of a hearing  
1489 instrument to justify prescribing and selling the hearing instrument and whether that hearing  
1490 instrument will be in the best interest of the patient;

1491 (c) providing the patient a written statement of prognosis regarding the need for or  
1492 usefulness of a hearing instrument for the patient's condition;

1493 (d) prescribing an appropriate hearing instrument;

1494 (e) making impressions or earmolds for the fitting of a hearing instrument;

1495 (f) sale and professional placement of the hearing instrument on a patient;

1496 (g) evaluating the hearing loss overcome by the installation of the hearing instrument  
1497 and evaluating the hearing recovery against the representations made to the patient by the  
1498 hearing instrument specialist;

1499 (h) necessary intervention to produce satisfactory hearing recovery results from a  
1500 hearing instrument; or

1501 (i) instructing the patient on the use and care of the hearing instrument.

1502 [7] (6) "Supervising hearing instrument specialist" means a hearing instrument  
1503 specialist who:

1504 (a) is licensed by and in good standing with the division;

1505 (b) has practiced full-time as a hearing instrument specialist for not less than two years;

1506 and

1507 (c) is approved as a supervisor by the division [~~in collaboration with the board~~].

1508 [8] (7) "Unlawful conduct" means the same as that term is defined in Section  
1509 58-1-501.

1510 [9] (8) "Unprofessional conduct" means the same as that term is defined in Sections  
1511 58-1-501 and 58-46a-501.

1512 Section 39. Section 58-46a-302 is amended to read:

1513 **58-46a-302. Qualifications for licensure.**

1514 (1) Each applicant for licensure as a hearing instrument specialist shall:  
1515 (a) submit to the division an application in a form prescribed by the division;  
1516 (b) pay a fee as determined by the division pursuant to Section 63J-1-504;  
1517 (c) be of good moral character;  
1518 (d) have qualified for and currently hold board certification by the National Board for  
1519 Certification - Hearing Instrument Sciences, or an equivalent certification approved by the  
1520 division [~~in collaboration with the board~~];

1521 (e) have passed the Utah Law and Rules Examination for Hearing Instrument  
1522 Specialists; and

1523 (f) if the applicant holds a hearing instrument intern license, surrender the hearing  
1524 instrument intern license at the time of licensure as a hearing instrument specialist.

1525 (2) Each applicant for licensure as a hearing instrument intern shall:

1526 (a) submit to the division an application in a form prescribed by the division;

1527 (b) pay a fee as determined by the division pursuant to Section 63J-1-504;

1528 (c) be of good moral character;

1529 (d) have passed the Utah Law and Rules Examination for Hearing Instrument  
1530 Specialists; and

1531 (e) present evidence acceptable to the division [~~and the board~~] that the applicant, when  
1532 licensed, will practice as a hearing instrument intern only under the supervision of a  
1533 supervising hearing instrument specialist in accordance with:

1534 (i) Section 58-46a-302.5; and

1535 (ii) the supervision requirements for obtaining board certification by the National  
1536 Board for Certification - Hearing Instrument Sciences, or an equivalent certification approved  
1537 by the division [~~in collaboration with the board~~].

1538 Section 40. Section 58-46a-302.5 is amended to read:

1539 **58-46a-302.5. Supervision requirements -- Hearing instrument interns.**

1540 (1) A hearing instrument intern shall practice as a hearing instrument intern only under  
1541 the direct supervision of a licensed hearing instrument specialist, until the intern:

1542 (a) receives a passing score on a practical examination demonstrating acceptable skills  
1543 in the area of hearing testing as approved by the division [~~in collaboration with the board~~]; and

1544 (b) completes the National Institute for Hearing instrument studies education and  
1545 examination program, or an equivalent college level program as approved by the division [~~in~~  
1546 ~~collaboration with the board~~].

1547 (2) Upon satisfaction of the direct supervision requirement of Subsection (1) the intern  
1548 shall:

1549 (a) practice as a hearing instrument intern only under the indirect supervision of a  
1550 licensed hearing instrument specialist; and

1551 (b) receive a passing score on the International Licensing Examination of the hearing  
1552 instrument dispenser or other tests approved by the division prior to applying for licensure as a  
1553 hearing instrument specialist.

1554 Section 41. Section **58-46a-303** is amended to read:

1555 **58-46a-303. Term of license -- Expiration -- Renewal of specialist license --**

1556 **Limitation on renewal of intern license.**

1557 (1) The division shall issue each license for a hearing instrument specialist in  
1558 accordance with a two-year renewal cycle established by rule. The division may by rule extend  
1559 or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.

1560 (2) Each license as a hearing instrument intern shall be issued for a term of three years  
1561 and may not be renewed.

1562 (3) At the time of renewal, the licensed hearing instrument specialist shall demonstrate  
1563 satisfactory evidence of each of the following:

1564 (a) current certification by the National Board for Certification Hearing Instrument  
1565 Sciences, or other acceptable certification approved by the division [~~in collaboration with the~~  
1566 ~~board~~];

1567 (b) calibration of all appropriate technical instruments used in practice; and

1568 (c) completion of continuing professional education required in Section **58-46a-304**.

1569 (4) Each license automatically expires on the expiration date shown on the license  
1570 unless renewed by the licensee in accordance with the provisions of Section **58-1-308**, or  
1571 unless surrendered in accordance with the provisions of Section **58-1-306**.

1572 Section 42. Section **58-46a-501** is amended to read:

1573 **58-46a-501. Unprofessional conduct.**

1574 "Unprofessional conduct" includes:

- 1575 (1) testing the hearing of a patient for any purpose other than to determine whether a  
1576 hearing loss will be improved by the use of a hearing instrument;
- 1577 (2) failing to make an appropriate referral to a qualified health care provider with  
1578 respect to a condition detected in a patient examined by a licensee under this chapter if the  
1579 condition is generally recognized in the profession as one that should be referred;
- 1580 (3) designating a hearing instrument for a patient whose hearing will not be sufficiently  
1581 improved to justify prescribing and selling of the hearing instrument;
- 1582 (4) making false, misleading, deceptive, fraudulent, or exaggerated claims with respect  
1583 to practice under this chapter and specifically with respect to the benefits of a hearing  
1584 instrument or the degree to which a hearing instrument will benefit a patient;
- 1585 (5) failing to exercise caution in providing a patient a prognosis to assure the patient is  
1586 not led to expect results that cannot be accurately predicted;
- 1587 (6) failing to provide appropriate follow-up care and consultation with respect to a  
1588 patient to whom a hearing instrument has been prescribed and sold upon being informed by the  
1589 patient that the hearing instrument does not produce the results represented by the licensee;
- 1590 (7) failing to disclose in writing to the patient the charge for all services and hearing  
1591 instruments prescribed and sold to a patient prior to providing the services or hearing  
1592 instrument;
- 1593 (8) failing to refund fees paid by a patient for a hearing instrument and all accessories,  
1594 upon a determination by the division [~~in collaboration with the board~~] that the patient has not  
1595 obtained the recovery of hearing represented by the licensee in writing prior to designation and  
1596 sale of the hearing instrument;
- 1597 (9) paying any professional person any consideration of any kind for referral of a  
1598 patient;
- 1599 (10) failing, when acting as a supervising hearing instrument specialist, to provide  
1600 supervision and training in hearing instrument sciences in accordance with Section  
1601 [58-46a-302.5](#);
- 1602 (11) engaging in the practice as a hearing instrument intern when not under the  
1603 supervision of a supervising hearing instrument specialist in accordance with Section  
1604 [58-46a-302.5](#);
- 1605 (12) failing to describe the circuitry in any advertisement, presentation, purchase, or

1606 trial agreement as being either "digital" or "analog"; or other acceptable terms as determined by  
1607 the division [~~in collaboration with the board~~];

1608 (13) failing to follow the guidelines or policies of the United States Federal Trade  
1609 Commission in any advertisement;

1610 (14) failing to adhere to the rules and regulations prescribed by the United States Food  
1611 and Drug Administration as they pertain to the hearing instrument specialist;

1612 (15) failing to maintain all equipment used in the practice of a hearing instrument  
1613 specialist properly calibrated and in good working condition; and

1614 (16) failing to comply with any of the requirements set forth in Section [58-46a-502](#) or  
1615 [58-46a-503](#).

1616 Section 43. Section **58-46a-502** is amended to read:

1617 **58-46a-502. Additional requirements for practicing as a hearing instrument**  
1618 **specialist.**

1619 A person engaging in the practice of a hearing instrument specialist shall:

1620 (1) have a regular place or places of business from which the person conducts business  
1621 as a hearing instrument specialist and the place or places of business shall be represented to a  
1622 patient and others with whom business is conducted by the street address at which the place of  
1623 business is located;

1624 (2) include in all advertising or other representation the street address at which the  
1625 business is located and the telephone number of the business at that street address;

1626 (3) provide as part of each transaction between a licensee and a patient related to  
1627 testing for hearing loss and selling of a hearing instrument written documentation provided to  
1628 the patient that includes:

1629 (a) identification of all services and products provided to the patient by the hearing  
1630 instrument specialist and the charges for each service or product;

1631 (b) a statement whether any hearing instrument provided to a patient is "new," "used,"  
1632 or "reconditioned" and the terms and conditions of any warranty or guarantee that applies to  
1633 each instrument; and

1634 (c) the identity and license number of each hearing instrument specialist or hearing  
1635 instrument intern who provided services or products to the patient;

1636 (4) before providing services or products to a patient:

1637 (a) advise the patient regarding services and products offered to the patient, including  
1638 the expected results of the services and products;

1639 (b) inform each patient who is being offered a hearing instrument about hearing  
1640 instruments that work with assistive listening systems that are compliant with the ADA  
1641 Standards for Accessible Design adopted by the United States Department of Justice in  
1642 accordance with the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq.; and

1643 (c) obtain written informed consent from the patient regarding offered services,  
1644 products, and the expected results of the services and products in a form approved by the  
1645 division [~~in collaboration with the board~~];

1646 (5) refer all individuals under the age of 18 who seek testing of hearing to a physician  
1647 or surgeon, osteopathic physician, physician assistant, or audiologist, licensed under the  
1648 provisions of this title, and shall dispense a hearing aid to that individual only on prescription  
1649 of a physician or surgeon, osteopathic physician, physician assistant, or audiologist;

1650 (6) obtain the patient's informed consent and agreement to purchase the hearing  
1651 instrument based on that informed consent either by the hearing instrument specialist or the  
1652 hearing instrument intern, before designating an appropriate hearing instrument; and

1653 (7) if a hearing instrument does not substantially enhance the patient's hearing  
1654 consistent with the representations of the hearing instrument specialist at the time informed  
1655 consent was given prior to the sale and fitting of the hearing instrument, provide:

1656 (a) necessary intervention to produce satisfactory hearing recovery results consistent  
1657 with representations made; or

1658 (b) for the refund of fees paid by the patient for the hearing instrument to the hearing  
1659 instrument specialist within a reasonable time after finding that the hearing instrument does not  
1660 substantially enhance the patient's hearing.

1661 Section 44. Section **58-55-201** is amended to read:

1662 **58-55-201. Boards created -- Duties.**

1663 (1) There is created [~~a~~] the Plumbers Licensing Board[~~, an Alarm System Security and~~  
1664 ~~Licensing Board, and an Electricians Licensing Board. Members of the boards shall be~~  
1665 ~~selected to provide representation as follows: (a) The Plumbers Licensing Board consists]~~  
1666 consisting of five members as follows:

1667 [(†)] (a) two members shall be licensed from among the license classifications of

1668 master or journeyman plumber;

1669 ~~[(ii)]~~ (b) two members shall be licensed plumbing contractors; and

1670 ~~[(iii)]~~ (c) one member shall be from the public at large with no history of involvement  
1671 in the construction trades.

1672 ~~[(b)-(i)]~~ (2) (a) ~~[The]~~ There is created the Alarm System Security and Licensing Board  
1673 ~~[consists]~~ consisting of five members as follows:

1674 ~~[(A)]~~ (i) three individuals who are officers or owners of a licensed alarm business;

1675 ~~[(B)]~~ (ii) one individual from among nominees of the Utah Peace Officers Association;

1676 and

1677 ~~[(C)]~~ (iii) one individual representing the general public.

1678 ~~[(ii)]~~ (b) The Alarm System Security and Licensing Board shall designate one of its  
1679 members on a permanent or rotating basis to:

1680 ~~[(A)]~~ (i) assist the division in reviewing complaints concerning the unlawful or  
1681 unprofessional conduct of a licensee; and

1682 ~~[(B)]~~ (ii) advise the division in its investigation of these complaints.

1683 ~~[(iii)]~~ (c) A board member who has, under this Subsection ~~[(1)(b)(iii)]~~ (2)(c), reviewed  
1684 a complaint or advised in its investigation is disqualified from participating with the board  
1685 when the board serves as a presiding officer in an adjudicative proceeding concerning the  
1686 complaint.

1687 ~~[(c)]~~ (3) ~~[The]~~ There is created the Electricians Licensing Board ~~[consists]~~ consisting  
1688 of five members as follows:

1689 ~~[(i)]~~ (a) two members shall be licensed from among the license classifications of  
1690 master or journeyman electrician, of whom one shall represent a union organization and one  
1691 shall be selected having no union affiliation;

1692 ~~[(ii)]~~ (b) two shall be licensed electrical contractors of whom one shall represent a  
1693 union organization and one shall be selected having no union affiliation; and

1694 ~~[(iii)]~~ (c) one member shall be from the public at large with no history of involvement  
1695 in the construction trades or union affiliation.

1696 ~~[(2)]~~ (4) The duties, functions, and responsibilities of each board described in  
1697 Subsections (1) through (3) include the following:

1698 (a) recommending to the commission appropriate rules;

1699 (b) recommending to the commission policy and budgetary matters;  
 1700 (c) approving and establishing a passing score for applicant examinations;  
 1701 (d) overseeing the screening of applicants for licensing, renewal, reinstatement, and  
 1702 relicensure;

1703 (e) assisting the commission in establishing standards of supervision for students or  
 1704 persons in training to become qualified to obtain a license in the occupation or profession [it  
 1705 the board represents; and

1706 (f) acting as presiding officer in conducting hearings associated with the adjudicative  
 1707 proceedings and in issuing recommended orders when so authorized by the commission.

1708 [~~(3)~~] (5) The division<sub>2</sub> in collaboration with the Plumbers Licensing Board and the  
 1709 Electricians Licensing Board<sub>2</sub> shall provide a preliminary report on or before October 1, 2019,  
 1710 and a final written report on or before June 1, 2020, to the Business and Labor Interim  
 1711 Committee and the Occupational and Professional Licensure Review Committee that provides  
 1712 recommendations for consistent educational and training standards for plumber and electrician  
 1713 apprentice programs in the state, including recommendations for education and training  
 1714 provided by all providers, including institutions of higher education and technical colleges.

1715 Section 45. Section **58-64-102** is amended to read:

1716 **58-64-102. Definitions.**

1717 In addition to the definitions in Section 58-1-102, as used in this chapter:

1718 [~~(1)~~] "~~Board~~" means the ~~Deception Detection Examiners Board~~ created in Section  
 1719 ~~58-64-201~~;

1720 [~~(2)~~] (1) "Deception detection examination" means the use of an instrument, or  
 1721 software application designed for detecting deception, on an individual for the purpose of  
 1722 detecting whether that individual is engaged in deception.

1723 [~~(3)~~] (2) "Deception detection examination administrator" means an individual who  
 1724 engages in or represents that the individual is engaged in:

1725 (a) conducting or administering a deception detection examination using a software  
 1726 application designed for detecting deception without intervention from the examination  
 1727 administrator; or

1728 (b) the interpretation of deception detection examination results derived from a  
 1729 software application designed for detecting deception.



1730            [(4)] (3) "Deception detection examiner" means an individual who engages in or  
1731 represents that the individual is engaged in conducting or performing deception detection  
1732 examinations or in the interpretation of deception detection examinations.

1733            [(5)] (4) "Deception detection intern" means an individual who engages in deception  
1734 detection examinations under the supervision and control of a deception detection examiner for  
1735 the purpose of training and qualification as a deception detection examiner.

1736            [(6)] (5) "Instrument" means a polygraph, voice stress analyzer, ocular-motor test, or  
1737 any other device or software application that records the examinee's cardiovascular patterns,  
1738 respiratory patterns, galvanic skin response, cognitive response, eye behavior, memory recall,  
1739 or other physiologic characteristics of the examinee for the purpose of monitoring factors  
1740 relating to whether the examinee is truthful or engaged in deception.

1741            [(7)] (6) "Unlawful conduct" means the same as that term is defined in Sections  
1742 58-1-501 and 58-64-501.

1743            [(8)] (7) "Unprofessional conduct" means the same as that term is defined in Sections  
1744 58-1-501 and 58-64-502 and as may be further defined by rule.

1745            Section 46. Section 58-64-302 is amended to read:

1746            **58-64-302. Qualifications for licensure.**

1747            (1) Each applicant for licensure as a deception detection examiner:

1748            (a) shall submit an application in a form prescribed by the division;

1749            (b) shall pay a fee determined by the department under Section 63J-1-504;

1750            (c) shall be of good moral character in that the applicant has not been convicted of a  
1751 felony, a misdemeanor involving moral turpitude, or any other crime which when considered  
1752 with the duties and responsibilities of a deception detection examiner is considered by the  
1753 division ~~and the board~~ to indicate that the best interests of the public will not be served by  
1754 granting the applicant a license;

1755            (d) may not have been declared by any court of competent jurisdiction incompetent by  
1756 reason of mental defect or disease and not been restored;

1757            (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
1758 dependence;

1759            (f) shall have completed one of the following:

1760            (i) have earned a bachelor's degree from a four year university or college meeting

1761 standards established by the division by rule [~~in collaboration with the board~~];

1762 (ii) have completed not less than 8,000 hours of investigation experience approved by

1763 the division [~~in collaboration with the board~~]; or

1764 (iii) have completed a combination of university or college education and investigation

1765 experience, as defined by rule by the division [~~in collaboration with the board~~] as being

1766 equivalent to the requirements under Subsection (1)(f)(i) or (1)(f)(ii);

1767 (g) shall have successfully completed a training program in deception detection

1768 meeting criteria established by rule by the division [~~in collaboration with the board~~]; and

1769 (h) shall have performed satisfactorily as a licensed deception detection intern for a

1770 period of not less than one year and shall have satisfactorily conducted not less than 100

1771 deception detection examinations under the supervision of a licensed deception detection

1772 examiner.

1773 (2) Each applicant for licensure as a deception detection intern:

1774 (a) shall submit an application in a form prescribed by the division;

1775 (b) shall pay a fee determined by the department under Section [63J-1-504](#);

1776 (c) shall be of good moral character in that the applicant has not been convicted of a

1777 felony, a misdemeanor involving moral turpitude, or any other crime which when considered

1778 with the duties and responsibilities of a deception detection intern is considered by the division

1779 [~~and the board~~] to indicate that the best interests of the public will not be served by granting the

1780 applicant a license;

1781 (d) may not have been declared by any court of competent jurisdiction incompetent by

1782 reason of mental defect or disease and not been restored;

1783 (e) may not be currently suffering from habitual drunkenness or from drug addiction or

1784 dependence;

1785 (f) shall have completed one of the following:

1786 (i) have earned a bachelor's degree from a four year university or college meeting

1787 standards established by the division by rule [~~in collaboration with the board~~];

1788 (ii) have completed not less than 8,000 hours of investigation experience approved by

1789 the division [~~in collaboration with the board~~]; or

1790 (iii) have completed a combination of university or college education and investigation

1791 experience, as defined by rule by the division [~~in collaboration with the board~~] as being

1792 equivalent to the requirements under Subsection (2)(f)(i) or (2)(f)(ii);

1793 (g) shall have successfully completed a training program in deception deception  
1794 meeting criteria established by rule by the division [~~in collaboration with the board~~]; and

1795 (h) shall provide the division with an intern supervision agreement in a form prescribed  
1796 by the division under which:

1797 (i) a licensed deception detection examiner agrees to supervise the intern; and

1798 (ii) the applicant agrees to be supervised by that licensed deception detection examiner.

1799 (3) Each applicant for licensure as a deception detection examination administrator:

1800 (a) shall submit an application in a form prescribed by the division;

1801 (b) shall pay a fee determined by the department under Section 63J-1-504;

1802 (c) shall be of good moral character in that the applicant has not been convicted of a  
1803 felony, a misdemeanor involving moral turpitude, or any other crime that when considered with  
1804 the duties and responsibilities of a deception detection examination administrator is considered  
1805 by the division [~~and the board~~] to indicate that the best interests of the public will not be served  
1806 by granting the applicant a license;

1807 (d) may not have been declared by a court of competent jurisdiction incompetent by  
1808 reason of mental defect or disease and not been restored;

1809 (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
1810 dependence;

1811 (f) shall have earned an associate degree from a state-accredited university or college or  
1812 have an equivalent number of years' work experience; and

1813 (g) shall have successfully completed a training program and have obtained  
1814 certification in deception detection examination administration provided by the manufacturer  
1815 of a scientific or technology-based software application solution that is approved by the  
1816 director.

1817 (4) To determine if an applicant meets the qualifications of Subsection (1)(c), (2)(c), or  
1818 (3)(c) the division shall provide an appropriate number of copies of fingerprint cards to the  
1819 Department of Public Safety with the division's request to:

1820 (a) conduct a search of records of the Department of Public Safety for criminal history  
1821 information relating to each applicant for licensure under this chapter; and

1822 (b) forward to the Federal Bureau of Investigation a fingerprint card of each applicant

1823 requiring a check of records of the F.B.I. for criminal history information under this section.

1824 (5) The Department of Public Safety shall send to the division:

1825 (a) a written record of criminal history, or certification of no criminal history record, as  
1826 contained in the records of the Department of Public Safety in a timely manner after receipt of  
1827 a fingerprint card from the division and a request for review of Department of Public Safety  
1828 records; and

1829 (b) the results of the F.B.I. review concerning an applicant in a timely manner after  
1830 receipt of information from the F.B.I.

1831 (6) (a) The division shall charge each applicant a fee, in accordance with Section  
1832 63J-1-504, equal to the cost of performing the records reviews under this section.

1833 (b) The division shall pay the Department of Public Safety the costs of all records  
1834 reviews, and the Department of Public Safety shall pay the F.B.I. the costs of records reviews  
1835 under this chapter.

1836 (7) Information obtained by the division from the reviews of criminal history records of  
1837 the Department of Public Safety and the F.B.I. shall be used or disseminated by the division  
1838 only for the purpose of determining if an applicant for licensure under this chapter is qualified  
1839 for licensure.

1840 Section 47. Section 58-64-502 is amended to read:

1841 **58-64-502. Unprofessional conduct.**

1842 "Unprofessional conduct" includes:

1843 (1) using any deception detection instrument that does not meet criteria and standards  
1844 established by rule by the division [~~in collaboration with the board~~]; and

1845 (2) using any deception detection instrument that does not make a permanent recording  
1846 as required under Section 58-64-601.

1847 Section 48. Section 58-64-601 is amended to read:

1848 **58-64-601. Deception detection instruments.**

1849 (1) Instruments or software applications used in performing deception detection  
1850 examinations shall be those that are generally recognized in the profession or, if approved by  
1851 the director, those with results published in peer-reviewed, scientific journals generally  
1852 recognized by the scientific community.

1853 (2) An instrument or software application used for deception detection shall have a

1854 permanent recording or written report produced by the instrument or software application for  
1855 objective analysis by the examiner[;] or the division[; or the board].

1856 (3) A written interpretation by an examiner while conducting a deception detection  
1857 examination does not satisfy the requirements of a permanent recording.

1858 Section 49. Section **63C-6-101** is amended to read:

1859 **63C-6-101. Creation of commission -- Membership -- Appointment -- Vacancies.**

1860 (1) There is created the Utah Seismic Safety Commission consisting of 15 members,  
1861 designated as follows:

1862 (a) the director of the Division of Emergency Management or the director's designee;

1863 (b) the director of the Utah Geological Survey or the director's designee;

1864 (c) the director of the University of Utah Seismograph Stations or the director's  
1865 designee;

1866 (d) the executive director of the Utah League of Cities and Towns or the executive  
1867 director's designee;

1868 (e) a representative from the Structural Engineers Association of Utah biannually  
1869 selected by its membership;

1870 (f) the director of the Division of Facilities Construction and Management or the  
1871 director's designee;

1872 (g) the executive director of the Department of Transportation or the director's  
1873 designee;

1874 (h) the State Planning Coordinator or the coordinator's designee;

1875 (i) a representative from the American Institute of Architects, Utah Section;

1876 (j) a representative from the American Society of Civil Engineers, Utah Section;

1877 [~~(k) a member of the House of Representatives appointed biannually by the speaker of~~  
1878 ~~the House;~~]

1879 [~~(l) a member of the Senate appointed biannually by the president of the Senate;~~]

1880 (k) two individuals, appointed by the director of the Division of Emergency  
1881 Management, from earthquake-related organizations that have an interest in reducing  
1882 earthquake-related loss in the state;

1883 [~~(m)~~] (l) the commissioner of the Department of Insurance or the commissioner's  
1884 designee;

1885           ~~[(n)]~~ (m) a representative from the Association of Contingency Planners, Utah Chapter,  
1886 biannually selected by its membership; and

1887           ~~[(o)]~~ (n) a representative from the American Public Works Association, Utah Chapter,  
1888 biannually selected by its membership.

1889           (2) The commission shall annually select one of its members to serve as chair of the  
1890 commission.

1891           (3) When a vacancy occurs in the membership for any reason, the replacement shall be  
1892 appointed for the unexpired term.

1893           Section 50. Section **63F-1-509** is amended to read:

1894           **63F-1-509. Statewide Global Positioning Reference Network created --**

1895 **Rulemaking authority.**

1896           (1) (a) There is created the Statewide Global Positioning Reference Network to  
1897 improve the quality of geographic information system data and the productivity, efficiency, and  
1898 cost-effectiveness of government services.

1899           (b) The network shall provide a system of permanently mounted, fully networked,  
1900 global positioning system base stations that will provide real time radio navigation and  
1901 establish a standard statewide coordinate reference system.

1902           (c) The center shall administer the network.

1903           ~~[(2)(a) There is created the Global Positioning Systems Advisory Committee to advise~~  
1904 ~~the center on implementing and maintaining the network.]~~

1905           ~~[(b) The committee membership shall consist of:]~~

1906           ~~[(i) the center manager or the manager's designee;]~~

1907           ~~[(ii) a representative from the Department of Transportation created by Section~~  
1908 ~~72-1-201 designated by the executive director appointed under Section 72-1-202;]~~

1909           ~~[(iii) the chief information officer or the chief information officer's designee;]~~

1910           ~~[(iv) a representative from the Utah Association of County Surveyors; and]~~

1911           ~~[(v) a representative from the Utah Council of Land Surveyors.]~~

1912           ~~[(c) The representative from the center shall be the chair of the committee.]~~

1913           ~~[(d) The committee shall meet upon the call of the chair or a majority of the committee~~  
1914 ~~members.]~~

1915           ~~[(e) The committee chair shall give reasonable notice to each member prior to any~~

1916 meeting.]

1917 [~~(f)~~ Three members shall constitute a quorum for the transaction of business.]

1918 [~~(g)~~ The center shall provide staff support to the committee.]

1919 [~~(h)~~ Committee members who are state government employees shall receive no

1920 additional compensation for their work on the committee.]

1921 [~~(i)~~ Committee members who are not state government employees shall receive no

1922 compensation or expenses for their work on the committee.]

1923 [~~(j)~~ The committee shall recommend rules to the chief information officer for adoption

1924 under Subsection (3).]

1925 [~~(3)~~] (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

1926 Act, the chief information officer shall make~~[-in consultation with the committee,]~~ rules

1927 providing for operating policies and procedures for the network.

1928 (b) [~~The rules~~] When making rules under this section, the chief information officer  
1929 shall consider:

1930 (i) network development that serves a public purpose;

1931 (ii) increased productivity and efficiency for state agencies; and

1932 (iii) costs and longevity of the network.

1933 Section 51. Section **63F-1-701** is amended to read:

1934 **63F-1-701. Utah Public Notice Website -- Establishment and administration.**

1935 (1) As used in this part:

1936 (a) "Division" means the Division of Archives and Records Service of the Department  
1937 of Administrative Services.

1938 (b) "Executive board" means the same as that term is defined in Section [67-1-2.5](#).

1939 [~~(b)~~] (c) "Public body" [~~has the same meaning as provided under~~] means the same as  
1940 that term is defined in Section [52-4-103](#).

1941 [~~(c)~~] (d) "Public information" means a public body's public notices, minutes, audio  
1942 recordings, and other materials that are required to be posted to the website under Title 52,  
1943 Chapter 4, Open and Public Meetings Act, or other statute or state agency rule.

1944 [~~(d)~~] (e) "Website" means the Utah Public Notice Website created under this section.

1945 (2) There is created the Utah Public Notice Website to be administered by the Division  
1946 of Archives and Records Service.

1947 (3) The website shall consist of an Internet website provided to assist the public to find  
1948 posted public information.

1949 (4) The division, with the technical assistance of the Department of Technology  
1950 Services, shall create the website [~~which~~] that shall:

1951 (a) allow a public body, or other certified entity, to easily post any public information,  
1952 including the contact information required under Subsections [17B-1-303\(9\)](#) and  
1953 [17D-1-106\(1\)\(b\)\(ii\)](#);

1954 (b) allow the public to easily search the public information by:

1955 (i) public body name;

1956 (ii) date of posting of the notice;

1957 (iii) date of any meeting or deadline included as part of the public information; and

1958 (iv) any other criteria approved by the division;

1959 (c) allow the public to easily search and view past, archived public information;

1960 (d) allow [~~a person~~] an individual to subscribe to receive updates and notices

1961 associated with a public body or a particular type of public information;

1962 (e) be easily accessible by the public from the State of Utah home page;

1963 (f) have a unique and simplified website address;

1964 (g) be directly accessible via a link from the main page of the official state website; and

1965 (h) include other links, features, or functionality that will assist the public in obtaining  
1966 and reviewing public information posted on the website, as may be approved by the division.

1967 (5) (a) Subject to Subsection (5)(b), the division and the governor's office shall  
1968 coordinate to ensure that the website, the database described in Section [67-1-2.5](#), and the  
1969 website described in Section [67-1-2.5](#) automatically share appropriate information in order to  
1970 ensure that:

1971 (i) an individual who subscribes to receive information under Subsection (4)(d) for an  
1972 executive board automatically receives notifications of vacancies on the executive board that  
1973 will be publicly filled, including a link to information regarding how an individual may apply  
1974 to fill the vacancy; and

1975 (ii) an individual who accesses an executive board's information on the website has  
1976 access to the following through the website:

1977 (A) the executive board's information in the database, except an individual's physical



1978 address, e-mail address, or phone number; and

1979 (B) the portal described in Section 67-1-2.5 through which an individual may provide  
1980 input on an appointee to, or member of, the executive board.

1981 (b) The division and the governor's office shall comply with Subsection (5)(a) as soon  
1982 as reasonably possible within existing funds appropriated to the division and the governor's  
1983 office.

1984 (6) Before August 1 of each year, the division shall:

1985 (a) identify each executive board that is a public body that did not submit to the  
1986 website a notice of a public meeting during the previous fiscal year; and

1987 (b) report the name of each identified executive board to the governor's boards and  
1988 commissions administrator.

1989 ~~[(5)]~~ (7) The division [shall be] is responsible for:

1990 (a) establishing and maintaining the website, including the provision of equipment,  
1991 resources, and personnel as is necessary;

1992 (b) providing a mechanism for public bodies or other certified entities to have access to  
1993 the website for the purpose of posting and modifying public information; and

1994 (c) maintaining an archive of all public information posted to the website.

1995 ~~[(6) The timing for posting and the content of the public information posted to the~~  
1996 ~~website shall be the responsibility of the public body or other entity posting the public~~  
1997 ~~information.]~~

1998 (8) A public body is responsible for the content the public body is required to post to  
1999 the website and the timing of posting of that information.

2000 Section 52. Section **63I-1-204** is amended to read:

2001 **63I-1-204. Repeal dates, Title 4.**

2002 (1) Section 4-2-108, which creates the Agricultural Advisory Board, is repealed July 1,  
2003 2023.

2004 (2) Section 4-17-104, which creates the State Weed Committee, is repealed July 1,  
2005 2021.

2006 (3) Section 4-20-103, which creates the State Grazing Advisory Board, is repealed July  
2007 1, 2022.

2008 (4) Sections 4-23-104 and 4-23-105, which create the Agricultural and Wildlife

2009 Damage Prevention Board, are repealed July 1, 2024.

2010 (5) Section 4-24-104, which creates the Livestock Brand Board, is repealed July 1,  
2011 2025.

2012 (6) Section 4-35-103, which creates the Decision and Action Committee, is repealed  
2013 July 1, 2026

2014 (7) Section 4-39-104, which creates the Domesticated Elk Act Advisory Council, is  
2015 repealed July 1, 2027

2016 (8) Subsection 4-41a-105(2)(e)(i), related to the Native American Legislative Liaison  
2017 Committee, is repealed July 1, 2022.

2018 Section 53. Section **63I-1-207** is enacted to read:

2019 **63I-1-207. Repeal dates, Title 7.**

2020 (1) Section 7-1-203, which creates the Board of Financial Institutions, is repealed July  
2021 1, 2021.

2022 (2) Section 7-3-40, which creates the Board of Bank Advisors, is repealed July 1, 2022.

2023 (3) Section 7-9-43, which creates the Board of Credit Union Advisors, is repealed July  
2024 1, 2023.

2025 Section 54. Section **63I-1-209** is amended to read:

2026 **63I-1-209. Repeal dates, Title 9.**

2027 (1) Section 9-6-305, which creates the State of Utah Alice Merrill Horne Art  
2028 Collection Committee, is repealed July 1, 2027.

2029 (2) Sections 9-6-604 and 9-6-605, which create the Museum Services Advisory Board,  
2030 are repealed July 1, 2027.

2031 ~~[(1)]~~ (3) In relation to the Native American Legislative Liaison Committee, on July 1,  
2032 2022:

2033 (a) Subsection 9-9-104.6(2)(a) is repealed;

2034 (b) Subsection 9-9-104.6(4)(a), the language that states "who is not a legislator" is  
2035 repealed; and

2036 (c) Subsection 9-9-104.6(4)(b), related to compensation of legislative members, is  
2037 repealed.

2038 ~~[(2) In relation to the American Indian and Alaska Native Education State Plan Pilot~~  
2039 ~~Program, on July 1, 2022:]~~

2040 [(a) Subsection 26-7-2.5(4), related to the American Indian-Alaskan Native Public  
2041 Education Liaison, is repealed; and]

2042 [(b) Subsection 9-9-104.6(2)(d) is repealed.]

2043 (4) Section 9-9-405, which creates the Native American Remains Review Committee,  
2044 is repealed July 1, 2025.

2045 (5) Title 9, Chapter 20, Utah Commission on Service and Volunteerism Act, is  
2046 repealed July 1, 2026.

2047 Section 55. Section **63I-1-213** is amended to read:

2048 **63I-1-213. Repeal dates, Title 13.**

2049 (1) Section 13-32a-112, which creates the Pawnshop and Secondhand Merchandise  
2050 Advisory Board, is repealed July 1, 2027.

2051 (2) Section 13-35-103, which creates the Powersport Motor Vehicle Franchise  
2052 Advisory Board, is repealed July 1, 2022.

2053 (3) Section 13-43-202, which creates the Land Use and Eminent Domain Advisory  
2054 Board, is repealed July 1, 2021.

2055 Section 56. Section **63I-1-217** is amended to read:

2056 **63I-1-217. Repeal dates, Title 17.**

2057 (1) Subsection 17-16-21(2)(d) is repealed July 1, 2023.

2058 (2) Title 17, Chapter 21a, Part 3, Administration and Standards, which creates the Utah  
2059 Electronic Recording Commission, is repealed July 1, 2022.

2060 Section 57. Section **63I-1-223** is amended to read:

2061 **63I-1-223. Repeal dates, Title 23.**

2062 (1) Subsection 23-13-12.5(2)(f)(i), related to the Native American Legislative Liaison  
2063 Committee, is repealed July 1, 2022.

2064 (2) Section 23-14-2.5, which creates the Wildlife Board Nominating Committee, is  
2065 repealed July 1, 2023.

2066 (3) Section 23-14-2.6, which creates regional advisory councils for the Wildlife Board,  
2067 is repealed July 1, 2023

2068 Section 58. Section **63I-1-226** is amended to read:

2069 **63I-1-226. Repeal dates, Title 26.**

2070 (1) Subsection 26-1-7(1)(f), related to the Residential Child Care Licensing Advisory

- 2071 Committee, is repealed July 1, 2024
- 2072 (2) Subsection 26-1-7(1)(h), related to the Primary Care Grant Committee, is repealed
- 2073 July 1, 2025
- 2074 (3) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July
- 2075 1, 2025.
- 2076 [(+) (4) Section 26-1-40 is repealed July 1, 2022.
- 2077 [(2) (5) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed
- 2078 July 1, 2025.
- 2079 (6) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
- 2080 is repealed July 1, 2026
- 2081 [(3) (7) Section 26-10-11 is repealed July 1, 2020.
- 2082 (8) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
- 2083 July 1, 2025
- 2084 (9) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,
- 2085 2027.
- 2086 [(4) (10) Subsection 26-18-417(3) is repealed July 1, 2020.
- 2087 [(5) (11) Subsection 26-18-418(2), the language that states "and the Mental Health
- 2088 Crisis Line Commission created in Section 63C-18-202" is repealed July 1, 2023.
- 2089 [(6) (12) Section 26-18-419.1 is repealed December 31, 2019.
- 2090 (13) Title 26, Chapter 18a, Kurt Oscarson Children's Organ Transplant Coordinating
- 2091 Committee, is repealed July 1, 2021
- 2092 [(7) (14) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
- 2093 2024.
- 2094 [(8) (15) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
- 2095 2024.
- 2096 [(9) (16) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
- 2097 repealed July 1, 2024.
- 2098 [(10) (17) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July
- 2099 1, 2024.
- 2100 (18) Section 26-39-201, which creates the Residential Child Care Licensing Advisory
- 2101 Committee, is repealed July 1, 2024.

2102 (19) Section 26-40-104, which creates the Utah Children's Health Insurance Program  
 2103 Advisory Council, is repealed July 1, 2025.

2104 (20) Section 26-50-202, which creates the Traumatic Brain Injury Advisory  
 2105 Committee, is repealed July 1, 2025.

2106 [~~H~~] (21) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and  
 2107 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, [~~2023~~]2025.

2108 [~~H~~] (22) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative  
 2109 Liaison Committee, is repealed July 1, 2022.

2110 [~~H~~] (23) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is  
 2111 repealed July 1, 2026.

2112 (24) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,  
 2113 2026

2114 Section 59. Section 63I-1-234 is amended to read:

2115 **63I-1-234. Repeal dates, Titles 34 and 34A.**

2116 (1) Subsection 34A-1-202(2)(c)(i), related to the Workers' Compensation Advisory  
 2117 Council, is repealed July 1, 2027.

2118 (2) Subsection 34A-1-202(2)(c)(iii), related to the Coal Miner Certification Panel, is  
 2119 repealed July 1, 2024.

2120 (3) Section 34A-2-107, which creates the Workers' Compensation Advisory Council, is  
 2121 repealed July 1, 2027.

2122 (4) Section 34A-2-202.5 is repealed December 31, 2020.

2123 Section 60. Section 63I-1-235 is amended to read:

2124 **63I-1-235. Repeal dates, Title 35A.**

2125 (1) Subsection 35A-1-109(4)(c), related to the Talent Ready Utah Board, is repealed  
 2126 January 1, 2023.

2127 (2) Subsection 35A-1-202(2)(d), related to the Child Care Advisory Committee, is  
 2128 repealed July 1, 2021.

2129 (3) Section 35A-3-205, which creates the Child Care Advisory Committee, is repealed  
 2130 July 1, 2021.

2131 [~~H~~] (4) Subsection 35A-4-312(5)(p), describing information that may be disclosed to  
 2132 the federal Wage and Hour Division, is repealed July 1, 2022.

2133           (5) Subsection 35A-4-502(5), which creates the Employment Advisory Council, is  
2134 repealed July 1, 2022.

2135           ~~[(3)]~~ (6) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is  
2136 repealed July 1, 2023.

2137           ~~[(4)]~~ (7) Section 35A-9-501 is repealed January 1, 2021.

2138           ~~[(5)]~~ (8) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed  
2139 January 1, 2025.

2140           (9) Sections 35A-13-301 and 35A-13-302, which create the Governor's Committee on  
2141 Employment of People with Disabilities, are repealed July 1, 2023.

2142           (10) Section 35A-13-303, which creates the State Rehabilitation Advisory Council, is  
2143 repealed July 1, 2024

2144           (11) Section 35A-13-404, which creates the advisory council for the Division of  
2145 Services for the Blind and Visually Impaired, is repealed July 1, 2025

2146           (12) Sections 35A-13-603 and 35A-13-604, which create the Interpreter Certification  
2147 Board, are repealed July 1, 2026.

2148           Section 61. Section **63I-1-236** is amended to read:

2149           **63I-1-236. Repeal dates, Title 36.**

2150           (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2023.

2151           (2) Section 36-12-20 is repealed June 30, 2023.

2152           (3) Title 36, Chapter 22, Native American Legislative Liaison Committee, is repealed  
2153 July 1, 2022.

2154           (4) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed  
2155 January 1, 2025.

2156           (5) Section 36-29-105 is repealed on December 31, 2020.

2157           (6) Section 36-29-106 is repealed June 1, 2021.

2158           (7) Title 36, Chapter 31, Martha Hughes Cannon Capitol Statue Oversight Committee,  
2159 is repealed January 1, 2021.

2160           (8) Title 36, Chapter 33, Economic Development Legislative Liaison Committee, is  
2161 repealed July 1, 2023.

2162           Section 62. Section **63I-1-240** is enacted to read:

2163           **63I-1-240. Repeal dates, Title 40.**

2164 Section 40-2-204, which creates the Coal Miner Certification Panel, is repealed July 1,  
 2165 2024.

2166 Section 63. Section **63I-1-241** is amended to read:

2167 **63I-1-241. Repeal dates, Title 41.**

2168 (1) Subsection 41-1a-1201(9), related to the Spinal Cord and Brain Injury  
 2169 Rehabilitation Fund, is repealed January 1, [~~2023~~]2025.

2170 (2) Section 41-3-106, which creates an advisory board related to motor vehicle  
 2171 business regulation, is repealed July 1, 2024.

2172 [~~2~~] (3) The following subsections addressing lane filtering are repealed on July 1,  
 2173 2022:

2174 (a) Subsection 41-6a-102(29);

2175 (b) Subsection 41-6a-704(5); and

2176 (c) Subsection 41-6a-710(1)(c).

2177 [~~3~~] (4) Subsection 41-6a-1406(6)(b)(iii), related to the Spinal Cord and Brain Injury  
 2178 Rehabilitation Fund, is repealed January 1, [~~2023~~]2025.

2179 (5) Subsections 41-22-2(1) and 41-22-10(1)(a), which create the Off-highway Vehicle  
 2180 Advisory Council, are repealed July 1, 2027.

2181 [~~4~~] (6) Subsection 41-22-8(3), related to the Spinal Cord and Brain Injury  
 2182 Rehabilitation Fund, is repealed January 1, [~~2023~~]2025.

2183 Section 64. Section **63I-1-253** is amended to read:

2184 **63I-1-253. Repeal dates, Titles 53 through 53G.**

2185 [~~The following provisions are repealed on the following dates:~~]

2186 (1) Section 53-2a-105, which creates the Emergency Management Administration  
 2187 Council, is repealed July 1, 2021.

2188 (2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory  
 2189 Board, are repealed July 1, 2022.

2190 (3) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed  
 2191 July 1, 2023.

2192 [~~1~~] (4) Subsection 53-6-203(1)(b)(ii), regarding being 19 years old at certification, is  
 2193 repealed July 1, 2022.

2194 [~~2~~] (5) Subsection 53-13-104(6), regarding being 19 years old at certification, is

2195 repealed July 1, 2022.

2196 (6) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is  
2197 repealed July 1, 2024.

2198 ~~[(3)]~~ (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

2199 (8) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is  
2200 repealed January 1, 2025.

2201 ~~[(4)]~~ (9) Section 53B-18-1501 is repealed July 1, 2021.

2202 ~~[(5)]~~ (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,  
2203 2028.

2204 ~~[(6)]~~ (11) Section 53B-24-402, Rural residency training program, is repealed July 1,  
2205 2020.

2206 ~~[(7)]~~ (12) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of  
2207 money from the Land Exchange Distribution Account to the Geological Survey for test wells,  
2208 other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1,  
2209 2020.

2210 ~~[(8)]~~ (13) Section 53E-3-515 is repealed January 1, 2023.

2211 ~~[(9)]~~ (14) In relation to a standards review committee, on January 1, 2023:

2212 (a) in Subsection 53E-4-202(8), the language ~~[that states]~~ "by a standards review  
2213 committee and the recommendations of a standards review committee established under  
2214 Section 53E-4-203" is repealed; and

2215 (b) Section 53E-4-203 is repealed.

2216 ~~[(10) In relation to the SafeUT and School Safety Commission, on January 1, 2023:]~~

2217 ~~[(a) Subsection 53B-17-1201(1) is repealed;]~~

2218 ~~[(b) Section 53B-17-1203 is repealed;]~~

2219 ~~[(c) Subsection 53B-17-1204(2) is repealed;]~~

2220 ~~[(d) Subsection 53B-17-1204(4)(a), the language that states "in accordance with the  
2221 method described in Subsection (4)(c)" is repealed; and]~~

2222 ~~[(e) Subsection 53B-17-1204(4)(c) is repealed.]~~

2223 (15) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in  
2224 custody, are repealed July 1, 2027.

2225 (16) Section 53E-4-402, which creates the State Instructional Materials Commission, is



- 2226 repealed July 1, 2022.
- 2227 (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
- 2228 repealed July 1, 2023.
- 2229 (18) Subsection 53E-8-204(4), which creates the advisory council for the Utah Schools
- 2230 for the Deaf and the Blind, is repealed July 1, 2021.
- 2231 [(11)] (19) Section 53F-2-514 is repealed July 1, 2020.
- 2232 [(12)] (20) Section 53F-5-203 is repealed July 1, 2024.
- 2233 [(13)] (21) Section 53F-5-212 is repealed July 1, 2024.
- 2234 [(14)] (22) Section 53F-5-213 is repealed July 1, 2023.
- 2235 [(15)] (23) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
- 2236 Education State Plan Pilot Program, is repealed July 1, 2022.
- 2237 [(16)] (24) Section 53F-6-201 is repealed July 1, 2019.
- 2238 (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
- 2239 Committee, is repealed July 1, 2024.
- 2240 [(17)] (26) Section 53F-9-501 is repealed January 1, 2023.
- 2241 [(18)] (27) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
- 2242 Commission, are repealed January 1, 2025.
- 2243 [(19)] (28) Subsection 53G-8-211(4), regarding referrals of a minor to court for a class
- 2244 C misdemeanor, is repealed July 1, 2020.
- 2245 Section 65. Section 63I-1-254 is amended to read:
- 2246 **63I-1-254. Repeal dates, Title 54.**
- 2247 (1) Section 54-10a-202, which creates the Committee of Consumer Services, is
- 2248 repealed July 1, 2025.
- 2249 (2) Title 54, Chapter 15, Net Metering of Electricity, is repealed January 1, 2036.
- 2250 Section 66. Section 63I-1-258 is amended to read:
- 2251 **63I-1-258. Repeal dates, Title 58.**
- 2252 (1) Section 58-3a-201, which creates the Architects Licensing Board, is repealed July
- 2253 1, 2026.
- 2254 [(1)] (2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is
- 2255 repealed July 1, 2026.
- 2256 [(2)] (3) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1,

2257 2025.  
2258 [~~(3)~~] (4) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1,  
2259 2028.  
2260 [~~(4)~~] (5) Section [58-37-4.3](#) is repealed January 1, 2020.  
2261 [~~(5)~~] (6) Subsection [58-37-6\(7\)\(f\)\(iii\)](#) is repealed July 1, 2022, and the Office of  
2262 Legislative Research and General Counsel is authorized to renumber the remaining subsections  
2263 accordingly.  
2264 [~~(6)~~] (7) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1,  
2265 2023.  
2266 [~~(7)~~] (8) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing  
2267 Act, is repealed July 1, 2029.  
2268 [~~(8)~~] (9) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1,  
2269 2025.  
2270 [~~(9)~~] (10) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is  
2271 repealed July 1, 2023.  
2272 [~~(10)~~] (11) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1,  
2273 2024.  
2274 (12) Subsection [58-55-201\(2\)](#), which creates the Alarm System and Security Licensing  
2275 Advisory Board, is repealed July 1, 2027.  
2276 [~~(11)~~] (13) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed  
2277 July 1, 2026.  
2278 [~~(12)~~] (14) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2027.  
2279 [~~(13)~~] (15) Title 58, Chapter 86, State Certification of Commercial Interior Designers  
2280 Act, is repealed July 1, 2021.  
2281 [~~(14)~~] (16) The following sections are repealed on July 1, 2022:  
2282 (a) Section [58-5a-502](#);  
2283 (b) Section [58-31b-502.5](#);  
2284 (c) Section [58-67-502.5](#);  
2285 (d) Section [58-68-502.5](#); and  
2286 (e) Section [58-69-502.5](#).  
2287 Section 67. Section **63I-1-261** is amended to read:

2288 **63I-1-261. Repeal dates, Title 61.**

2289 Section 61-2c-104, which creates the Residential Mortgage Regulatory Commission, is  
2290 repealed July 1, 2021.

2291 Section 68. Section **63I-1-262** is amended to read:

2292 **63I-1-262. Repeal dates, Title 62A.**

2293 (1) Subsections 62A-1-120(8)(g), (h), and (i) are repealed July 1, 2023.

2294 (2) Section 62A-3-209 is repealed July 1, 2023.

2295 (3) Section 62A-4a-202.9 is repealed December 31, 2021.

2296 (4) Section 62A-4a-213 is repealed July 1, 2024.

2297 (5) Sections 62A-5a-101, 62A-5a-102, 62A-5a-103, and 62A-5a-104, which create the  
2298 Coordinating Council for Persons with Disabilities, are repealed July 1, 2022.

2299 [~~5~~] (6) Section 62A-15-114 is repealed December 31, 2021.

2300 [~~6~~] (7) Subsections 62A-15-116(1) and (4), the language that states "In consultation  
2301 with the SafeUT and School Safety Commission, established in Section 53B-17-1203," is  
2302 repealed January 1, 2023.

2303 (8) Section 62A-15-605, which creates the Forensic Mental Health Coordinating  
2304 Council, is repealed July 1, 2023.

2305 [~~7~~] (9) Subsections 62A-15-1100(1) and 62A-15-1101(8), in relation to the Utah  
2306 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.

2307 [~~8~~] (10) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:

2308 (a) Subsections 62A-15-1301(1) and 62A-15-1401(1) are repealed;

2309 (b) Subsection 62A-15-1302(1)(b), the language that states "in consultation with the  
2310 commission" is repealed;

2311 (c) Section 62A-15-1303, the language that states "In consultation with the  
2312 commission," is repealed; and

2313 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations  
2314 from the commission," is repealed.

2315 Section 69. Section **63I-1-263** is amended to read:

2316 **63I-1-263. Repeal dates, Titles 63A to 63N.**

2317 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

2318 (a) Subsection 63A-1-201(1) is repealed;

2319 (b) Subsection [63A-1-202](#)(2)(c), the language [~~that states~~] "using criteria established by  
2320 the board" is repealed;

2321 (c) Section [63A-1-203](#) is repealed;

2322 (d) Subsections [63A-1-204](#)(1) and (2), the language [~~that states~~] "After consultation  
2323 with the board, and" is repealed; and

2324 (e) Subsection [63A-1-204](#)(1)(b), the language [~~that states~~] "using the standards  
2325 provided in Subsection [63A-1-203](#)(3)(c)" is repealed.

2326 (2) Subsection [63A-5-228](#)(2)(h), relating to prioritizing and allocating capital  
2327 improvement funding, is repealed on July 1, 2024.

2328 (3) Section [63A-5-603](#), State Facility Energy Efficiency Fund, is repealed July 1, 2023.

2329 (4) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review  
2330 Committee, are repealed July 1, 2023.

2331 [~~(4)~~] (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed  
2332 July 1, 2028.

2333 [~~(5)~~] (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,  
2334 2025.

2335 [~~(6)~~] Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,  
2336 2020.]

2337 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,  
2338 2024.

2339 [~~(7)~~] (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act,  
2340 is repealed July 1, 2021.

2341 [~~(8)~~] (9) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed  
2342 July 1, 2023.

2343 (10) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,  
2344 2025.

2345 (11) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities  
2346 Advisory Board, is repealed July 1, 2026.

2347 [~~(9)~~] (12) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed  
2348 July 1, 2025.

2349 [~~(10)~~] (13) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed

2350 July 1, 2020.

2351 [~~(11) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:]~~

2352 [~~(a) Subsection [63H-6-104](#)(2)(c), related to a Senate appointment, is repealed;~~]

2353 [~~(b) Subsection [63H-6-104](#)(2)(d), related to a House appointment, is repealed;~~]

2354 [~~(c) in Subsection [63H-6-104](#)(2)(c), the language that states ", of whom only one may  
2355 be a legislator, in accordance with Subsection (3)(c)," is repealed;~~]

2356 [~~(d) Subsection [63H-6-104](#)(3)(a)(i) is amended to read:]~~

2357 [~~"(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under  
2358 Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the  
2359 year that the board member was appointed."~~];]

2360 [~~(e) in Subsections [63H-6-104](#)(3)(a)(ii), (c)(ii), and (d), the language that states "the  
2361 president of the Senate, the speaker of the House, the governor," is repealed and replaced with  
2362 "the governor"; and]~~

2363 [~~(f) Subsection [63H-6-104](#)(3)(e), related to limits on the number of legislators, is  
2364 repealed.]~~

2365 [~~(12)~~] (14) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,  
2366 2026.

2367 [~~(13) Section [63M-7-212](#) is repealed on December 31, 2019.]~~

2368 [~~(14) On July 1, 2025:]~~

2369 [~~(a) in Subsection [17-27a-404](#)(3)(c)(ii), the language that states "the Resource  
2370 Development Coordinating Committee," is repealed;~~]

2371 [~~(b) Subsection [23-14-21](#)(2)(c) is amended to read "(c) provide notification of proposed  
2372 sites for the transplant of species to local government officials having jurisdiction over areas  
2373 that may be affected by a transplant."~~];]

2374 [~~(c) in Subsection [23-14-21](#)(3), the language that states "and the Resource  
2375 Development Coordinating Committee" is repealed;~~]

2376 [~~(d) in Subsection [23-21-2.3](#)(1), the language that states "the Resource Development  
2377 Coordinating Committee created in Section [63J-4-501](#) and" is repealed;~~]

2378 [~~(e) in Subsection [23-21-2.3](#)(2), the language that states "the Resource Development  
2379 Coordinating Committee and" is repealed;~~]

2380 [~~(f) Subsection [63J-4-102](#)(1) is repealed and the remaining subsections are renumbered~~

2381 accordingly;]

2382 [~~(g) Subsections 63J-4-401(5)(a) and (c) are repealed;~~]

2383 [~~(h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the~~

2384 word "and" is inserted immediately after the semicolon;]

2385 [~~(i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);]~~

2386 [~~(j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;~~

2387 and]

2388 [~~(k) Subsection 63J-4-603(1)(c)(iv) is repealed and the remaining subsections are~~

2389 renumbered accordingly.]

2390 (15) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is repealed

2391 July 1, 2026.

2392 (16) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah Marriage

2393 Commission, is repealed July 1, 2023.

2394 (17) Subsection 63J-1-602.2(5), referring to the Trip Reduction Program, is repealed

2395 July 1, 2022.

2396 (18) (a) Subsection 63J-1-602.1(53), relating to the Utah Statewide Radio System

2397 Restricted Account, is repealed July 1, 2022.

2398 (b) When repealing Subsection 63J-1-602.1(53), the Office of Legislative Research and

2399 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make

2400 necessary changes to subsection numbering and cross references.

2401 (19) Subsection 63J-1-602.2[~~(23)~~](24), related to the Utah Seismic Safety

2402 Commission, is repealed January 1, 2025.

2403 (20) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is

2404 repealed July 1, 2027.

2405 (21) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory

2406 Committee, is repealed on July 1, 2021.

2407 [~~(20)~~] (22) Subsection 63J-4-708(1), in relation to the Talent Ready Utah Board, on

2408 January 1, 2023, is amended to read:

2409 "(1) On or before October 1, the board shall provide an annual written report to the

2410 Social Services Appropriations Subcommittee and the Economic Development and Workforce

2411 Services Interim Committee."

2412 ~~[(21)]~~ (23) In relation to the Utah Substance Use and Mental Health Advisory Council,  
2413 on January 1, 2023:

2414 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are  
2415 repealed;

2416 (b) Section 63M-7-305, the language that states "council" is replaced with  
2417 "commission";

2418 (c) Subsection 63M-7-305(1) is repealed and replaced with:

2419 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2420 (d) Subsection 63M-7-305(2) is repealed and replaced with:

2421 "(2) The commission shall:

2422 (a) provide ongoing oversight of the implementation, functions, and evaluation of the  
2423 Drug-Related Offenses Reform Act; and

2424 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in  
2425 Subsections 77-18-1(5)(b)(iii) and (iv).".

2426 ~~[(22)]~~ (24) The Crime Victim Reparations and Assistance Board, created in Section  
2427 63M-7-504, is repealed July 1, 2027.

2428 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July  
2429 1, 2022.

2430 ~~[(23)]~~ (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,  
2431 2021.

2432 ~~[(24)]~~ (27) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is  
2433 repealed on January 1, 2023.

2434 (28) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating  
2435 Council, is repealed July 1, 2024.

2436 ~~[(25)]~~ (29) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2437 ~~[(26)]~~ (30) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,  
2438 is repealed January 1, 2021.

2439 (b) Subject to Subsection ~~[(26)]~~ (30)(c), Sections 59-7-610 and 59-10-1007 regarding  
2440 tax credits for certain persons in recycling market development zones, are repealed for taxable  
2441 years beginning on or after January 1, 2021.

2442 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

2443 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or  
2444 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

2445 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if  
2446 the expenditure is made on or after January 1, 2021.

2447 (d) Notwithstanding Subsections ~~[(26)]~~ (30)(b) and (c), a person may carry forward a  
2448 tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

2449 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

2450 (ii) (A) for the purchase price of machinery or equipment described in Section  
2451 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,  
2452 2020; or

2453 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the  
2454 expenditure is made on or before December 31, 2020.

2455 ~~[(27)]~~ (31) Section 63N-2-512 is repealed on July 1, 2021.

2456 ~~[(28)]~~ (32) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed  
2457 January 1, 2021.

2458 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for  
2459 calendar years beginning on or after January 1, 2021.

2460 (c) Notwithstanding Subsection ~~[(28)]~~ (32)(b), an entity may carry forward a tax credit  
2461 in accordance with Section 59-9-107 if:

2462 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December  
2463 31, 2020; and

2464 (ii) the qualified equity investment that is the basis of the tax credit is certified under  
2465 Section 63N-2-603 on or before December 31, 2023.

2466 ~~[(29)]~~ (33) Subsections 63N-3-109(2)(e) and 63N-3-109(2)(f)(i) are repealed July 1,  
2467 2023.

2468 ~~[(30)]~~ (34) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is  
2469 repealed July 1, 2023.

2470 (35) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,  
2471 2025.

2472 ~~[(31)]~~ (36) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant  
2473 Program, is repealed January 1, 2023.



2474 [~~(32)~~ In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:]  
 2475 [~~(a)~~ Subsection ~~63N-10-201~~(2)(a) is amended to read:]  
 2476 ["(2) (a) The governor shall appoint five commission members with the advice and  
 2477 consent of the Senate.";]  
 2478 [~~(b)~~ Subsection ~~63N-10-201~~(2)(b), related to legislative appointments, is repealed;]  
 2479 [~~(c)~~ in Subsection ~~63N-10-201~~(3)(a), the language that states ", president, or speaker,  
 2480 respectively," is repealed; and]  
 2481 [~~(d)~~ Subsection ~~63N-10-201~~(3)(d) is amended to read:]  
 2482 ["(d) The governor may remove a commission member for any reason and replace the  
 2483 commission member in accordance with this section.";]  
 2484 [(33) In relation to the Talent Ready Utah Board, on January 1, 2023:]  
 2485 [~~(a)~~ Subsection ~~9-22-102~~(16) is repealed;]  
 2486 [~~(b)~~ in Subsection ~~9-22-114~~(2), the language that states "Talent Ready Utah," is  
 2487 repealed; and]  
 2488 [~~(c)~~ in Subsection ~~9-22-114~~(5), the language that states "representatives of Talent  
 2489 Ready Utah," is repealed;]  
 2490 [(34)] (37) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed  
 2491 January 1, 2023.  
 2492 Section 70. Section **63I-1-265** is enacted to read:  
 2493 **63I-1-265. Repeal dates, Title 65A.**  
 2494 Section 65A-8-306, which creates the Heritage Trees Advisory Committee, is repealed  
 2495 July 1, 2026.  
 2496 Section 71. Section **63I-1-267** is amended to read:  
 2497 **63I-1-267. Repeal dates, Title 67.**  
 2498 (1) Section 67-1-8.1, which creates the Executive Residence Commission, is repealed  
 2499 July 1, 2022.  
 2500 [(1)] (2) Section 67-1-15 is repealed December 31, 2027.  
 2501 [(2)] (3) Section 67-3-11 is repealed July 1, 2024.  
 2502 (4) Title 67, Chapter 5a, Utah Prosecution Council, is repealed July 1, 2027.  
 2503 (5) Section 67-5b-105, which creates local advisory boards for the Children's Justice  
 2504 Center Program, is repealed July 1, 2021.

2505 Section 72. Section **63I-1-272** is amended to read:

2506 **63I-1-272. Repeal dates, Title 72.**

2507 (1) Subsection 72-2-121(9), which creates transportation advisory committees, is  
2508 repealed July 1, 2022.

2509 (2) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January  
2510 2, 2025.

2511 Section 73. Section **63I-1-273** is amended to read:

2512 **63I-1-273. Repeal dates, Title 73.**

2513 (1) In relation to the Legislative Water Development Commission, on January 1, 2021:

2514 [~~(1)~~] (a) in Subsection 73-10g-105(3), the language that states "and in consultation  
2515 with the State Water Development Commission created in Section 73-27-102" is repealed;

2516 [~~(2)~~] (b) Subsection 73-10g-203(4)(a) is repealed; and

2517 [~~(3)~~] (c) Title 73, Chapter 27, State Water Development Commission, is repealed.

2518 (2) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed July 1,  
2519 2025.

2520 (3) Section 73-18-3.5, which creates the Boating Advisory Council, is repealed July 1,  
2521 2024.

2522 (4) Title 73, Chapter 30, Great Salt Lake Advisory Council Act, is repealed July 1,  
2523 2027.

2524 Section 74. Section **63I-1-278** is amended to read:

2525 **63I-1-278. Repeal dates, Title 78A and Title 78B.**

2526 (1) Section 78B-3-421, regarding medical malpractice arbitration agreements, is  
2527 repealed July 1, 2029.

2528 (2) Title 78B, Chapter 6, Part 2, Alternative Dispute Resolution Act, is repealed July 1,  
2529 2026.

2530 (3) Title 78B, Chapter 12, Part 4, Advisory Committee, which creates the Child  
2531 Support Guidelines Advisory Committee, is repealed July 1, 2026.

2532 Section 75. Section **63I-1-279** is enacted to read:

2533 **63I-1-279. Repeal dates, Title 79.**

2534 (1) Subsection 79-2-201(2)(n), related to the Heritage Trees Advisory Committee, is  
2535 repealed July 1, 2026.

2536 (2) Subsection 79-2-201(2)(o), related to the Recreational Trails Advisory Council, is  
 2537 repealed July 1, 2027.

2538 (3) Subsection 79-2-201(2)(p), related to the Boating Advisory Council, is repealed  
 2539 July 1, 2024.

2540 (4) Subsection 79-2-201(2)(q), related to the Wildlife Board Nominating Committee, is  
 2541 repealed July 1, 2023.

2542 (5) Subsection 79-2-201(2)(r), related to regional advisory councils for the Wildlife  
 2543 Board, is repealed July 1, 2023.

2544 (6) Title 79, Chapter 5, Part 2, Advisory Council, which creates the Recreational Trails  
 2545 Advisory Council, is repealed July 1, 2027.

2546 Section 76. Section **63I-2-226** is amended to read:

2547 **63I-2-226. Repeal dates, Title 26.**

2548 (1) Subsection 26-1-7(1)(c), in relation to the Air Ambulance Committee, is repealed  
 2549 July 1, 2024.

2550 ~~[(+)]~~ (2) Subsection 26-7-8(3) is repealed January 1, 2027.

2551 ~~[(2)]~~ (3) Section 26-8a-107 is repealed July 1, 2024.

2552 ~~[(3)]~~ (4) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

2553 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
 2554 26-8a-602(1)(a) is amended to read:

2555 "(a) provide the patient or the patient's representative with the following information  
 2556 before contacting an air medical transport provider:

2557 (i) which health insurers in the state the air medical transport provider contracts with;

2558 (ii) if sufficient data is available, the average charge for air medical transport services  
 2559 for a patient who is uninsured or out of network; and

2560 (iii) whether the air medical transport provider balance bills a patient for any charge  
 2561 not paid by the patient's health insurer; and".

2562 ~~[(4)]~~ (6) Subsection 26-18-2.3(5) is repealed January 1, 2020.

2563 ~~[(5)]~~ (7) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

2564 ~~[(6)]~~ (8) Subsection 26-18-411(8), related to reporting on the health coverage  
 2565 improvement program, is repealed January 1, 2023.

2566 ~~[(7)]~~ (9) Subsection 26-18-604(2) is repealed January 1, 2020.

- 2567            ~~[(8)]~~ (10) Subsection ~~26-21-28(2)(b)~~ is repealed January 1, 2021.
- 2568            (11) In relation to the Air Ambulance Committee, July 1, 2024, Subsection
- 2569 26-21-32(1)(a) is amended to read:
- 2570            "(a) provide the patient or the patient's representative with the following information
- 2571 before contacting an air medical transport provider:
- 2572            (i) which health insurers in the state the air medical transport provider contracts with;
- 2573            (ii) if sufficient data is available, the average charge for air medical transport services
- 2574 for a patient who is uninsured or out of network; and
- 2575            (iii) whether the air medical transport provider balance bills a patient for any charge
- 2576 not paid by the patient's health insurer; and".
- 2577            ~~[(9)]~~ (12) Subsection ~~26-33a-106.1(2)(a)~~ is repealed January 1, 2023.
- 2578            ~~[(10)]~~ (13) Subsection ~~26-33a-106.5(6)(c)(iii)~~ is repealed January 1, 2020.
- 2579            ~~[(11)]~~ (14) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
- 2580 Program, is repealed July 1, 2027.
- 2581            ~~[(12) Subsection 26-50-202(7)(b) is repealed January 1, 2020.]~~
- 2582            ~~[(13)]~~ (15) Subsections ~~26-54-103(6)(d)(ii)~~ and (iii) are repealed January 1, 2020.
- 2583            ~~[(14)]~~ (16) Subsection ~~26-55-107(8)~~ is repealed January 1, 2021.
- 2584            ~~[(15)]~~ (17) Subsection ~~26-56-103(9)(d)~~ is repealed January 1, 2020.
- 2585            ~~[(16)]~~ (18) Title 26, Chapter 59, Telehealth Pilot Program, is repealed January 1, 2020.
- 2586            ~~[(17)]~~ (19) Subsection ~~26-61-202(4)(b)~~ is repealed January 1, 2022.
- 2587            ~~[(18)]~~ (20) Subsection ~~26-61-202(5)~~ is repealed January 1, 2022.
- 2588            Section 77. Section **63M-7-402** is amended to read:
- 2589            **63M-7-402. Terms of members -- Vacancies -- Reappointment.**
- 2590            (1) (a) Except as required by Subsection (1)(b), as terms of current commission
- 2591 members expire, the appointing authority shall appoint each new member or reappointed
- 2592 member to a four-year term.
- 2593            (b) Notwithstanding the requirements of Subsection (1)(a), the appointing authority
- 2594 shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the
- 2595 terms of commission members are staggered so that approximately half of the commission is
- 2596 appointed every two years.
- 2597            (2) When a vacancy occurs in the membership for any reason, the replacement shall be

2598 appointed for the unexpired term.

2599 ~~[(3) All members of the commission, including those appointed before July 1, 1995,~~  
2600 ~~shall be eligible for reappointment one time.]~~

2601 Section 78. Section **63N-7-103** is amended to read:

2602 **63N-7-103. Board duties.**

2603 (1) The ~~[board]~~ Board of Tourism Development:

2604 (a) has authority to approve a tourism program of out-of-state advertising, marketing,  
2605 and branding, taking into account the long-term strategic plan, economic trends, and  
2606 opportunities for tourism development on a statewide basis, as a condition of the distribution of  
2607 funds to the office from the:

2608 (i) Tourism Marketing Performance Account created in Section [63N-7-301](#); and

2609 (ii) Stay Another Day and Bounce Back Account, created in Section [63N-2-511](#);

2610 (b) shall review office programs to coordinate and integrate advertising and branding  
2611 themes, which may include recreational, scenic, historic, and tourist attractions of the state, to  
2612 be used in office programs;

2613 (c) shall encourage and assist in coordinating activities of persons, firms, associations,  
2614 corporations, civic groups, and governmental agencies that are engaged in publicizing,  
2615 developing, and promoting the scenic attractions and tourist advantages of the state; and

2616 (d) shall advise the office in establishing a cooperative program using funds from the  
2617 Tourism Marketing Performance Account created in Section [63N-7-301](#).

2618 (2) The board may:

2619 (a) solicit and accept contributions of money, services, and facilities from any other  
2620 sources, public or private and shall use these funds for promoting the general interest of the  
2621 state in tourism; and

2622 (b) establish subcommittees for the purpose of assisting the board in an advisory role.

2623 (3) The ~~[board]~~ Board of Tourism Development may not, except as otherwise provided  
2624 in Subsection (1)(a), make policy related to the management or operation of the office.

2625 ~~[(4)(a) For each fiscal year, the office shall allocate 20% of the funds appropriated to~~  
2626 ~~the Tourism Marketing and Performance Account created in Section [63N-7-301](#) to the~~  
2627 ~~cooperative program described in Subsection (1)(d) and this Subsection (4).]~~

2628 ~~[(b) Money allocated to the cooperative program may be awarded to cities, counties,~~

2629 ~~nonprofit destination marketing organizations, and similar public entities for the purpose of~~  
2630 ~~supplementing money committed by these entities for advertising and promoting sites and~~  
2631 ~~events in the state.]~~

2632 ~~[(c) The office, with approval from the board, shall establish:]~~

2633 ~~[(i) an application and approval process for an entity to receive a cooperative program~~  
2634 ~~award, including an application deadline;]~~

2635 ~~[(ii) the criteria for awarding a cooperative program award, which shall emphasize~~  
2636 ~~attracting out-of-state visitors, and may include attracting in-state visitors, to sites and events in~~  
2637 ~~the state; and]~~

2638 ~~[(iii) eligibility, advertising, timing, and reporting requirements of an entity that~~  
2639 ~~receives a cooperative program award.]~~

2640 ~~[(d) Money allocated to the cooperative program that is not used in each fiscal year~~  
2641 ~~shall be returned to the Tourism Marketing Performance Account.]~~

2642 Section 79. Section **63N-7-301** is amended to read:

2643 **63N-7-301. Tourism Marketing Performance Account.**

2644 (1) There is created within the General Fund a restricted account known as the Tourism  
2645 Marketing Performance Account.

2646 (2) The account shall be administered by GOED for the purposes listed in Subsection  
2647 (5).

2648 (3) (a) The account shall earn interest.

2649 (b) All interest earned on account money shall be deposited into the account.

2650 (4) The account shall be funded by appropriations made to the account by the  
2651 Legislature in accordance with this section.

2652 (5) The executive director of GOED's Office of Tourism shall use account money  
2653 appropriated to GOED to pay for the statewide advertising, marketing, and branding campaign  
2654 for promotion of the state as conducted by GOED.

2655 (6) (a) For each fiscal year beginning on or after July 1, 2007, GOED shall annually  
2656 allocate 10% of the account money appropriated to GOED to a sports organization for  
2657 advertising, marketing, branding, and promoting Utah in attracting sporting events into the  
2658 state.

2659 (b) The sports organization shall:

2660 (i) provide an annual written report to GOED that gives an accounting of the use of  
2661 funds the sports organization receives under this Subsection (6); and

2662 (ii) promote the state and encourage economic growth in the state.

2663 (c) For purposes of this Subsection (6), "sports organization" means an organization  
2664 that:

2665 (i) is exempt from federal income taxation in accordance with Section 501(c)(3),  
2666 Internal Revenue Code;

2667 (ii) maintains its principal location in the state;

2668 (iii) has a minimum of 15 years experience in the state hosting, fostering, and attracting  
2669 major summer and winter sporting events statewide; and

2670 (iv) was created to foster state, regional, national, and international sports competitions  
2671 in the state, to drive the state's Olympic and sports legacy, including competitions related to  
2672 Olympic sports, and to promote and encourage sports tourism throughout the state, including  
2673 advertising, marketing, branding, and promoting the state for the purpose of attracting sporting  
2674 events in the state.

2675 (7) Money deposited into the account shall include a legislative appropriation from the  
2676 cumulative sales and use tax revenue increases described in Subsection (8), plus any additional  
2677 appropriation made by the Legislature.

2678 (8) (a) In fiscal years 2006 through 2019, a portion of the state sales and use tax  
2679 revenues determined under this Subsection (8) shall be certified by the State Tax Commission  
2680 as a set-aside for the account, and the State Tax Commission shall report the amount of the  
2681 set-aside to the office, the Office of Legislative Fiscal Analyst, and the Division of Finance,  
2682 which shall set aside the certified amount for appropriation to the account.

2683 (b) For fiscal years 2016 through 2019, the State Tax Commission shall calculate the  
2684 set-aside under this Subsection (8) in each fiscal year by applying one of the following  
2685 formulas: if the annual percentage change in the Consumer Price Index for All Urban  
2686 Consumers, as published by the Bureau of Labor Statistics of the United States Department of  
2687 Labor, for the fiscal year two years before the fiscal year in which the set-aside is to be made is:

2688 (i) greater than 3%, and if the annual percentage change in the state sales and use tax  
2689 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal  
2690 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two

2691 years before the fiscal year in which the set-aside is to be made is greater than the annual  
2692 percentage change in the Consumer Price Index for the fiscal year two years before the fiscal  
2693 year in which the set-aside is to be made, then the difference between the annual percentage  
2694 change in the state sales and use tax revenues attributable to the retail sales of tourist-oriented  
2695 goods and services and the annual percentage change in the Consumer Price Index shall be  
2696 multiplied by an amount equal to the state sales and use tax revenues attributable to the retail  
2697 sales of tourist-oriented goods and services from the fiscal year three years before the fiscal  
2698 year in which the set-aside is to be made; or

2699 (ii) 3% or less, and if the annual percentage change in the state sales and use tax  
2700 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal  
2701 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two  
2702 years before the fiscal year in which the set-aside is to be made is greater than 3%, then the  
2703 difference between the annual percentage change in the state sales and use tax revenues  
2704 attributable to the retail sales of tourist-oriented goods and services and 3% shall be multiplied  
2705 by an amount equal to the state sales and use tax revenues attributable to the retail sales of  
2706 tourist-oriented goods and services from the fiscal year three years before the fiscal year in  
2707 which the set-aside is to be made.

2708 (c) The total money appropriated to the account in a fiscal year under Subsections  
2709 (8)(a) and (b) may not exceed the amount appropriated to the account in the preceding fiscal  
2710 year by more than \$3,000,000.

2711 (d) As used in this Subsection (8), "state sales and use tax revenues" are revenues  
2712 collected under Subsections [59-12-103\(2\)\(a\)\(i\)\(A\)](#) and [59-12-103\(2\)\(c\)\(i\)](#).

2713 (e) As used in this Subsection (8), "retail sales of tourist-oriented goods and services"  
2714 are calculated by adding the following percentages of sales from each business registered with  
2715 the State Tax Commission under one of the following codes of the 2012 North American  
2716 Industry Classification System of the federal Executive Office of the President, Office of  
2717 Management and Budget:

2718 (i) 80% of the sales from each business under NAICS Codes:

2719 (A) 532111 Passenger Car Rental;

2720 (B) 53212 Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing;

2721 (C) 5615 Travel Arrangement and Reservation Services;



- 2722 (D) 7211 Traveler Accommodation; and
- 2723 (E) 7212 RV (Recreational Vehicle) Parks and Recreational Camps;
- 2724 (ii) 25% of the sales from each business under NAICS Codes:
- 2725 (A) 51213 Motion Picture and Video Exhibition;
- 2726 (B) 532292 Recreational Goods Rental;
- 2727 (C) 711 Performing Arts, Spectator Sports, and Related Industries;
- 2728 (D) 712 Museums, Historical Sites, and Similar Institutions; and
- 2729 (E) 713 Amusement, Gambling, and Recreation Industries;
- 2730 (iii) 20% of the sales from each business under NAICS Code 722 Food Services and
- 2731 Drinking Places;
- 2732 (iv) 18% of the sales from each business under NAICS Codes:
- 2733 (A) 447 Gasoline Stations; and
- 2734 (B) 81293 Parking Lots and Garages;
- 2735 (v) 14% of the sales from each business under NAICS Code 8111 Automotive Repair
- 2736 and Maintenance; and
- 2737 (vi) 5% of the sales from each business under NAICS Codes:
- 2738 (A) 445 Food and Beverage Stores;
- 2739 (B) 446 Health and Personal Care Stores;
- 2740 (C) 448 Clothing and Clothing Accessories Stores;
- 2741 (D) 451 Sporting Goods, Hobby, Musical Instrument, and Book Stores;
- 2742 (E) 452 General Merchandise Stores; and
- 2743 (F) 453 Miscellaneous Store Retailers.
- 2744 (9) (a) For each fiscal year, the office shall allocate 20% of the funds appropriated to
- 2745 the Tourism Marketing and Performance Account to the cooperative program described in this
- 2746 Subsection (9).
- 2747 (b) Money allocated to the cooperative program may be awarded to cities, counties,
- 2748 nonprofit destination marketing organizations, and similar public entities for the purpose of
- 2749 supplementing money committed by these entities for advertising and promoting sites and
- 2750 events in the state.
- 2751 (c) The office shall establish:
- 2752 (i) an application and approval process for an entity to receive a cooperative program

2753 award, including an application deadline;

2754 (ii) the criteria for awarding a cooperative program award, which shall emphasize  
2755 attracting out-of-state visitors, and may include attracting in-state visitors, to sites and events in  
2756 the state; and

2757 (iii) eligibility, advertising, timing, and reporting requirements of an entity that  
2758 receives a cooperative program award.

2759 (d) Money allocated to the cooperative program that is not used in each fiscal year shall  
2760 be returned to the Tourism Marketing Performance Account.

2761 Section 80. Section **67-1-2.5** is amended to read:

2762 **67-1-2.5. Executive boards -- Database -- Governor's review of new boards.**

2763 (1) As used in this section:

2764 (a) "Administrator" means the boards and commissions administrator designated under  
2765 Subsection [~~(2)~~] (3).

2766 (b) "Executive board" means [~~any~~] an executive branch board, commission, council,  
2767 committee, working group, task force, study group, advisory group, or other body;

2768 (i) with a defined limited membership;

2769 (ii) that is created [~~to operate for more than six months~~] by the constitution, by statute,  
2770 by executive order, by the governor, lieutenant governor, attorney general, state auditor, or state  
2771 treasurer or by the head of a department, division, or other administrative subunit of the  
2772 executive branch of state government[-]; and

2773 (iii) that is created to operate for more than six months.

2774 (2) (a) [~~Before September~~] Except as provided in Subsection (2)(c), before August 1 of  
2775 the calendar year following the year in which [~~the Legislature creates~~] a new executive board is  
2776 created in statute, the governor shall:

2777 (i) review the executive board to evaluate:

2778 (A) whether the executive board accomplishes a substantial governmental interest; and

2779 (B) whether it is necessary for the executive board to remain in statute;

2780 (ii) in the governor's review [~~under~~] described in Subsection (2)(a)(i), consider:

2781 (A) the funding required for the executive board;

2782 (B) the staffing resources required for the executive board;

2783 (C) the time members of the executive board are required to commit to serve on the

2784 executive board; and

2785 (D) whether the responsibilities of the executive board could reasonably be  
2786 accomplished through an existing entity or without statutory direction; and

2787 (iii) submit a report to the Government Operations Interim Committee recommending  
2788 that the Legislature:

2789 (A) repeal the executive board;

2790 (B) add a sunset provision or future repeal date to the executive board;

2791 (C) make other changes to make the executive board more efficient; or

2792 (D) make no changes to the executive board.

2793 (b) In conducting the evaluation [~~and making the report~~] described in Subsection  
2794 (2)(a), the governor shall give deference to:

2795 (i) reducing the size of government; and

2796 (ii) making governmental programs more efficient and effective.

2797 [~~(c) Upon receipt of a report from the governor under Subsection (2)(a)(iii), the  
2798 Government Operations Interim Committee shall vote on whether to address the  
2799 recommendations made by the governor in the report and prepare legislation accordingly.]~~

2800 (c) The governor is not required to conduct the review or submit the report described in  
2801 Subsection (2)(a) for an executive board that is scheduled for repeal under Title 63I, Chapter 1,  
2802 Legislative Oversight and Sunset Act, or Title 63I, Chapter 2, Repeal Dates by Title Act.

2803 (3) (a) The governor shall designate a board and commissions administrator from the  
2804 governor's staff to maintain a computerized database containing information about all  
2805 executive boards.

2806 (b) The administrator shall ensure that the database contains:

2807 (i) the name of each executive board;

2808 (ii) the current statutory or constitutional authority for the creation of the executive  
2809 board;

2810 (iii) the sunset date on which each executive board's statutory authority expires;

2811 (iv) the state officer or department and division of state government under whose  
2812 jurisdiction the executive board operates or with which the executive board is affiliated, if any;

2813 (v) the name, address, gender, telephone number, and county of each individual  
2814 currently serving on the executive board, along with a notation of all vacant or unfilled

2815 positions;

2816 (vi) the title of the position held by the person who appointed each member of the  
2817 executive board;

2818 (vii) the length of the term to which each member of the executive board was  
2819 appointed and the month and year that each executive board member's term expires;

2820 (viii) whether or not members appointed to the executive board require consent of the  
2821 Senate;

2822 (ix) the organization, interest group, profession, local government entity, or geographic  
2823 area that an individual appointed to an executive board represents, if any;

2824 (x) the party affiliation of an individual appointed to an executive board, if the statute  
2825 or executive order creating the position requires representation from political parties;

2826 (xi) whether each executive board is a policy board or an advisory board;

2827 (xii) whether the executive board has or exercises rulemaking authority; and

2828 (xiii) any compensation and expense reimbursement that members of the executive  
2829 board are authorized to receive.

2830 (4) The administrator shall ~~[place the following on the]~~ ensure the governor's website  
2831 includes:

2832 (a) the information contained in the database[;], except for an individual's:

2833 (i) physical address;

2834 (ii) email address; and

2835 (iii) telephone number;

2836 (b) a portal, accessible on each executive board's web page within the governor's  
2837 website, through which a member of the public may provide input on:

2838 (i) an individual appointed to serve on the executive board; or

2839 (ii) a sitting member of the executive board;

2840 ~~[(b)]~~ (c) each report the administrator receives under Subsection (5); and

2841 ~~[(c)]~~ (d) the summary report described in Subsection (6).

2842 (5) (a) Before August 1 ~~[of each year]~~, once every five years, beginning in calendar  
2843 year 2024, each executive board shall prepare and submit to the administrator ~~[an annual]~~ a  
2844 report that includes:

2845 (i) the name of the executive board;

2846 (ii) a description of the executive board's official function and purpose;

2847 (iii) a description of the ~~[actual work performed]~~ actions taken by the executive board

2848 since the last report the executive board submitted to the administrator under this Subsection

2849 (5);

2850 ~~[(iv) a description of actions taken by the executive board since the last report the~~

2851 ~~executive board submitted to the administrator under this Subsection (5);]~~

2852 ~~[(v)]~~ (iv) recommendations on whether any statutory, rule, or other changes are needed

2853 to make the executive board more effective; and

2854 ~~[(vi)]~~ (v) an indication of whether the executive board should continue to exist.

2855 (b) The administrator shall compile and post the reports described in Subsection (5)(a)

2856 to the governor's website before September 1 of ~~[each year.]~~ a calendar year in which the

2857 administrator receives a report described in Subsection (5)(a).

2858 ~~[(c) An executive board is not required to submit a report under this Subsection (5) if~~

2859 ~~the executive board:]~~

2860 ~~[(i) is also a legislative board under Section 36-12-22; and]~~

2861 ~~[(ii) submits a report under Section 36-12-22.]~~

2862 ~~[(6) (a) The administrator shall prepare, publish, and distribute an annual report by~~

2863 ~~September 1 of each year that includes:]~~

2864 ~~[(i) as of August 1 of that year:]~~

2865 (6) (a) Before September 1 of a calendar year in which the administrator receives a

2866 report described in Subsection (5)(a), the administrator shall prepare a report that includes:

2867 ~~[(A)]~~ (i) as of July 1 of that year, the total number of executive boards that exist;

2868 ~~[(B) the name of each of those executive boards and the state officer or department and~~

2869 ~~division of state government under whose jurisdiction the executive board operates or with~~

2870 ~~which the executive board is affiliated, if any;]~~

2871 ~~[(C) for each state officer and each department and division, the total number of~~

2872 ~~executive boards under the jurisdiction of or affiliated with that officer, department, and~~

2873 ~~division;]~~

2874 ~~[(D) the total number of members for each of those executive boards;]~~

2875 ~~[(E) whether or not some or all of the members of each of those executive boards are~~

2876 ~~approved by the Senate;]~~

2877 ~~[(F) whether each board is a policymaking board or an advisory board and the total~~  
2878 ~~number of policy boards and the total number of advisory boards; and]~~

2879 ~~[(G) the compensation, if any, paid to the members of each of those executive boards;~~  
2880 ~~and]~~

2881 (ii) a summary of the reports submitted to the administrator under Subsection (5),  
2882 including:

2883 (A) a list of each executive board that submitted a report under Subsection (5);

2884 (B) a list of each executive board that did not submit a report under Subsection (5);

2885 (C) an indication of any recommendations made under Subsection (5)(a)~~[(v)]~~[(iv)]; and

2886 (D) a list of any executive boards that indicated under Subsection (5)(a)~~[(vi)]~~[(v)] that  
2887 the executive board should no longer exist[-]; and

2888 (iii) a list of each executive board, identified and reported by the Division of Archives  
2889 and Record Services under Section 63F-1-701, that did not post a notice of a public meeting on  
2890 the public notice website during the previous fiscal year.

2891 ~~[(b) The administrator shall distribute copies of the report described in Subsection~~  
2892 ~~(6)(a) to:]~~

2893 ~~[(i) the governor;]~~

2894 (b) On or before September 1 of a calendar year in which the administrator prepares a  
2895 report described in Subsection (6)(a), in accordance with Section 68-3-14, the administrator  
2896 shall submit the report to:

2897 ~~[(ii)]~~ (i) the president of the Senate;

2898 ~~[(iii)]~~ (ii) the speaker of the House of Representatives; and

2899 ~~[(iv) the Office of Legislative Research and General Counsel;]~~

2900 ~~[(v)]~~ (iii) the Government Operations Interim Committee[-; and].

2901 ~~[(vi) any other persons who request a copy of the annual report.]~~

2902 ~~[(c) Each year, the Government Operations Interim Committee shall prepare legislation~~  
2903 ~~making any changes the committee determines are suitable with respect to the report the~~  
2904 ~~committee receives under Subsection (6)(b), including:]~~

2905 ~~[(i) repealing an executive board that is no longer functional or necessary; and]~~

2906 ~~[(ii) making appropriate changes to make an executive board more effective.]~~

2907 Section 81. Section 71-7-3 is amended to read:

2908           **71-7-3. Development, operation, and maintenance of Utah Veterans Cemetery**  
 2909 **and Memorial Park -- Responsibilities of Department of Veterans and Military Affairs --**  
 2910 **Costs -- Definition.**

2911           (1) The Department of Veterans and Military Affairs~~[, in consultation with the~~  
 2912 ~~Veterans Memorial Park Board,]~~ shall develop, operate, and maintain a veterans cemetery and  
 2913 memorial park.

2914           (2) To help pay the costs of developing, constructing, operating, and maintaining a  
 2915 veterans cemetery and memorial park, the Department of Veterans and Military Affairs may:

2916           (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal  
 2917 Funds Procedures Act, receive federal funds, and may receive state funds, contributions from  
 2918 veterans organizations, and other private donations; and

2919           (b) charge fees for at least the cost of the burial of a veteran's spouse and any other  
 2920 persons, whom the department ~~[and the Veterans Memorial Park Board]~~ determines are eligible  
 2921 to be buried in a veterans cemetery established by the state.

2922           (3) "Veteran" has the same meaning as defined in Section [68-3-12.5](#).

2923           Section 82. **Repealer.**

2924           This bill repeals:

2925           Section [4-30-103](#), **Livestock Market Committee created -- Composition -- Terms --**  
 2926 **Removal -- Compensation -- Duties.**

2927           Section [9-6-801](#), **Title.**

2928           Section [9-6-802](#), **Definitions.**

2929           Section [9-6-803](#), **Arts and Culture Business Alliance -- Creation -- Members --**  
 2930 **Vacancies.**

2931           Section [9-6-804](#), **Alliance duties.**

2932           Section [9-6-805](#), **Staff support -- Rulemaking.**

2933           Section [9-7-301](#), **Board of control.**

2934           Section [23-14-2.8](#), **Private Aquaculture Advisory Council.**

2935           Section [26-39-202](#), **Members serve without pay -- Reimbursement for expenses.**

2936           Section [38-11-104](#), **Board.**

2937           Section [53-3-908](#), **Advisory committee.**

2938           Section [58-46a-201](#), **Board.**

2939 Section [58-64-201](#), **Board.**  
2940 Section [63M-3-101](#), **Title.**  
2941 Section [63M-3-102](#), **Legislative findings -- Purpose of act.**  
2942 Section [63M-3-103](#), **Definitions.**  
2943 Section [63M-3-201](#), **Contract for pilot plant -- Contents -- Financing --**  
2944 **Termination of contract.**  
2945 Section [63M-3-202](#), **Intellectual properties discovered or developed -- Ownership --**  
2946 **Patenting -- Licensing.**  
2947 Section [63M-10-202](#), **Establishment of local oversight committees -- Interagency**  
2948 **information sharing.**  
2949 Section [71-7-4](#), **Veterans Memorial Park Board -- Members -- Appointment --**  
2950 **Meetings -- Per diem and travel expenses.**  
2951 Section 83. **Coordinating H.B. 10 with H.B. 46 -- Substantive language.**  
2952 If this H.B. 10 and H.B. 46, Arts and Museums Revisions, both pass and become law, it  
2953 is the intent of the Legislature that the Office of Legislative Research and General Counsel  
2954 prepare the Utah Code database for publication by amending Subsections [63I-1-209](#)(1) and (2)  
2955 to read:  
2956 "(1) Section [9-6-303](#), which creates the Arts Collection Committee, is repealed July 1,  
2957 2027.  
2958 (2) Section [9-6-305](#), which creates the Utah Museums Advisory Board, is repealed July  
2959 1, 2027."  
2960 Section 84. **Coordinating H.B. 10 with S.B. 60 -- Superseding technical and**  
2961 **substantive amendments.**  
2962 If this H.B. 10 and S.B. 60, Advice and Consent Amendments, both pass and become  
2963 law, it is the intent of the Legislature that the amendments to Section [26-21-3](#) in this bill  
2964 supersede the amendments to Section [26-21-3](#) in S.B. 60 when the Office of Legislative  
2965 Research and General Counsel prepares the Utah Code database for publication.