



2012 GENERAL LEGISLATIVE SESSION SUMMARY

January 28, 2012

Prepared by LeGrand W. Bitter

The following is a listing of legislation that UASD is following. It is recommended that you acquaint yourself with those bills that directly impact your district. If you have questions or comments on any bill, please contact LeGrand Bitter at 801-725-1312 or by email at uasdmail@yahoo.com. We stand ready to serve you and your district.

<u>House Bills</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
HB 19 – State Issued Identification Numbers http://le.utah.gov/~2012/bills/hbillint/hb0019.pdf This bill: 1) enacts the "State Issued Identification Number Act"; 2) defines terms; exempts the State Tax Commission; and 3) prohibits the state and its political subdivisions from: A) using a Social Security number to identify an individual unless required to use a Social Security number by federal or state law; and B) creating and assigning to an individual a nine digit identification number except when required to use a Social Security number.	House Rules Committee	Wayne Harper	Tracking
HB 20 – Election Law Amendments http://le.utah.gov/~2012/bills/hbillint/hb0020.pdf This bill: 1) amends definitions; 2) changes certain deadlines related to a municipal election; 3) requires	Senate 2nd Reading Calendar	Curt Webb	Tracking

a municipality to give notice of the declaration of candidacy filing period; 4) changes the time in which a person's right to vote may be challenged; and 5) makes technical changes.

HB 22 – Centralized New Hire Registry Act Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0022.pdf>

This bill: 1) defines terms; 2) requires employers in the state to report the date of hire or rehire of each new employee to the Department of Workforce Services in compliance with recent additional reporting requirements of the Social Security Act; and 3) makes technical changes.

Senate Workforce Services Committee

Jeremy Peterson

Tracking

HB 34 – Sales and Use Tax Act Revisions

<http://le.utah.gov/~2012/bills/hbillint/hb0034.pdf>

This bill: 1) addresses the effective date of a sales and use tax enactment or increase for purposes of a transaction for a billing period if the transaction is reported on a billing statement; 2) addresses the application of a tax rate repeal or decrease for purposes of a transaction for a billing period if the transaction is reported on a billing statement; and 3) makes technical and conforming changes.

Senate Consent Calendar

Wayne Harper

Tracking

HB 36 – Sales and Use Tax-Computer Software and Other Tangible Personal Property Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0036.pdf>

This bill: 1) defines terms; 2) addresses the detachment of certain tangible personal property, including prewritten computer software, from other tangible personal property; 3) addresses the sales and use taxation of certain optional computer software maintenance contracts; and 4) makes technical and conforming changes.

Senate Consent Calendar

Wayne Harper

Tracking

HB 45 – State Fire Code Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0045.pdf>

This bill: 1) enacts a definition of "premixed" with respect to an antifreeze and water solution; 2) deletes and replaces a provision relating to hazardous environmental conditions; and 3) modifies provisions relating to antifreeze used in automatic sprinkler systems.

Senate Business and Labor Committee

James Dunnigan

Tracking

HB 46, 1st Substitute – Electronic Personal Medical Records

<http://le.utah.gov/~2012/bills/hbillint/hb0046s01.pdf>

This bill: 1) amends the duties of the state Medicaid plan to enroll Medicaid beneficiaries in the electronic exchange of clinical health records unless the individual opts out; 2) amends the duties of the Children's Health Insurance Program to enroll the members of the Children's Health Insurance Program in the electronic exchange of clinical health records unless the individual opts out; and 3) amends the duties of the Public Employees Health Program to enroll members in the electronic exchange of clinical health records unless the individual opts out.

House 3rd Reading Calendar

**Ronda Rudd
Menlove**

Tracking

HB 51, amended – Medical Speciality Practice Act Amendments

<http://le.utah.gov/~2012/bills/hbillamd/hb0051.pdf>

This bill: 1) amends the duties and functions of boards that govern certain medical professions; 2) requires a person who wants to amend certain medical practice acts to submit the proposed amendment to the board; and 3) permits the board to make a recommendation to the Legislature concerning the proposed amendment.

House 3rd Reading Calendar

Evan Vickers

Tracking

HB 55 – Health Care Associated Infections

<http://le.utah.gov/~2012/bills/hbillint/hb0055.pdf>

This bill: 1) defines terms; 2) requires an ambulatory surgical facility, a general acute hospital, and a specialty hospital to share with the Department of Health data on health care associated infections that the facility submits to the National Healthcare Safety Network in the Centers for Disease Control and Prevention pursuant to requirements of the Center for Medicare and Medicaid Services; 3) requires the Department of Health to prepare and publicly disclose a report on health care associated infection rates; 4) establishes a protocol for the creation of the report; 5) permits the report of health care associated infections to include data that compares and identifies facilities; 6) states that the report shall not be used as evidence in a criminal, civil, or administrative proceeding; and 7) makes technical changes.

House 3rd Reading Calendar

J. Draxler

Tracking

HB 64 – Amendments to Public Employee Health Care

<http://le.utah.gov/~2012/bills/hbillint/hb0064.pdf>

This bill: 1) creates a definition for a dependent eligible for coverage under the Public Employees' Benefit and Insurance Program Act; and 2) defines "directly dependent upon" or "interdependent with" for purposes of an unmarried employee's adult designee.

**House Rules
Committee–fiscal note**

**Brian
Doughty**

Tracking

HB 67 – Stormwater Capture Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0067.pdf>

This bill provides for the collection and use of precipitation without obtaining a water right for certain commercial, mixed use, or multifamily projects.

**House Public Utilities
and Technology
Committee - Held**

Fred Cox

Tracking

HB 70 – Air Quality Task Force

<http://le.utah.gov/~2012/bills/hbillint/hb0070.pdf>

This bill: 1) creates the Air Quality Task Force; 2) designates task force duties; and 3) designates task force membership.

**House 3rd Reading
Calendar**

Patrice Arent

Tracking

HB 71 – Vehicle Window Tint Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0071.pdf>

This bill decreases the minimum light transmittance for a front side window from 43% to 28%.

**House Transportation
Committee**

**David
Butterfield**

Tracking

HB 74 – Eminent Domain Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0074.pdf>

This bill permits a person to bring an eminent domain action for roads necessary to provide access for exploration, development, or production of oil or gas, if the person first complies with the negotiation and notice requirements described in this bill, and makes technical changes.

**House Judiciary
Committee**

Mike Noel

Tracking

HB 75 – Property Taxation of Low- Income Housing

<http://le.utah.gov/~2012/bills/hbillint/hb0075.pdf>

This bill: 1) requires the owner of property subject to a low-income housing covenant to annually provide certain information to a county assessor; 2) provides for assessment when the required information is not

**House Revenue and
Taxation Committee
Held**

Jack Draxler

Tracking

provided; 3) provides for a penalty for failure to provide certain information to an assessor; and 4) makes technical and conforming changes.

HB 77 – Construction Procurement Using Construction Manager/General Contractor
<http://le.utah.gov/~2012/bills/hbillint/hb0077.pdf>

This bill: 1) defines the term "construction manager/general contractor"; 2) provides that, when the Division of Facilities Construction and Management, or a local school board (when the total estimated accumulative cost exceeds \$80,000), contracts with a construction manager/general contractor, the procurement shall be made using a request for proposals process, in accordance with the sealed fee method or fixed fee method described in this bill; and 3) makes technical changes.

**House Rules
Committee – Fiscal
Note**

**Stephen
Sandstrom**

Tracking

HB 83 – Reimbursement of Legal Fees and Costs to Officers and Employees Act Amendments
<http://le.utah.gov/~2012/bills/hbillint/hb0083.pdf>

This bill: 1) provides that an officer or employee is not entitled to recover attorney fees and court costs on an indictment or information if, in a court or in an administrative hearing to terminate the officer or employee, the public entity of the officer or employee proves that the officer or employee engaged in the misconduct that formed the basis of the indictment or information; 2) allows a public entity to dispute an officer's or employee's entitlement to attorney fees if the officer or employee engaged in the misconduct that formed the basis of the indictment or information; 3) provides, under certain circumstances, that the public entity has the burden of establishing the facts of a dispute related to an officer's or employee's entitlement to attorney fees by a preponderance of the evidence; and 4) makes technical changes.

**House Political
Subdivisions**

Jim Nielsen

Tracking

HB 85 – Forensic Phlebotomy

<http://le.utah.gov/~2012/bills/hbillint/hb0085.pdf>

This bill: 1) amends the duties of the Department of Health; 2) amends who is authorized to draw blood to determine its alcohol or drug content; 3) amends related immunity from liability provisions; 4) amends who is authorized to draw a blood DNA specimen; and 5) amends related exemption from licensure provisions.

**House Health and
Human Services
Committee**

Val Peterson

TBD

HB 89 – Open Political Caucus MeetingsHouse Rules
Committee

Kraig Powell TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0089.pdf>

This bill requires a political caucus to be open to the public if: 1) a quorum of a public body is present; and 2) legislation is discussed; and < makes technical changes.

HB 90 – Public Meetings During Party CaucusesHouse Rules
Committee

Kraig Powell TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0090.pdf>

This bill: 1) defines terms; 2) requires the party liaison to notify the lieutenant governor of the date and time of a party caucus; 3) requires the lieutenant governor to post notice of a party caucus on: A) the Statewide Electronic Voter Information Website; and B) the Utah Public Notice Website; and 4) prohibits a public body from holding a meeting during a caucus of certain registered political parties.

HB 94 – Government Competition With Private EnterpriseHouse Rules
CommitteeJohnny
Anderson

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0094.pdf>

This bill: 1) defines terms; 2) requires a government entity to conduct a study and contact private enterprise before engaging in certain commercial activity; 3) requires the Privatization Policy Board to hold a public meeting and issue an advisory opinion about a government entity's proposed commercial activity; 4) grants a private enterprise a private right of action to compel compliance with requirements of the part; and 5) addresses attorney fees and court costs.

HB 210 – Severance Tax AmendmentsHouse 3rd Reading
Calendar

Jim Nielsen

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0210.pdf>

This bill provides that certain severance tax revenue be deposited into the permanent state trust fund, and makes technical and conforming changes.

HB 215 – Labor Related AmendmentsHouse 3rd Reading
CalendarMichael
Morley

Support

<http://le.utah.gov/~2012/bills/hbillint/hb0215.pdf>

This bill: 1) changes the burden of proof for rebutting the presumption of employee status to preponderance of the evidence for purposes of wages, workers' compensation, anti discrimination, and occupational safety; 2) removes incorrect language regarding insurers issuing workers' compensation coverage waivers; and 3) makes

technical and conforming amendments.

HB 243 – Municipal Election Revisions

Senate Government Operations Committee John Dougall Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0243.pdf>

This bill: 1) repeals provisions authorizing certain third, fourth, and fifth class municipalities and certain towns to adopt an ordinance that allows a candidate for municipal office to file a nominating petition in lieu of using the convention system; 2) repeals provisions related to signature requirements for a nominating petition in certain municipalities and towns; 3) repeals provisions related to the nominating petition requirements in certain municipalities and towns; and 4) makes technical corrections.

HB 246 – County Correctional Facilities Funding Amendments

House 3rd Reading Calendar Michael Noel Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0246.pdf>

This bill directs the state to calculate reimbursement for counties that house state inmates and parolees in county facilities based on the average number of days over the previous five years, instead of the actual number of incarceration days for the prior year.

HB 252, 1st Substitute – Peace Officer Standards and Training Amendments

House 3rd Reading Calendar Richard Greenwood TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0252s01.pdf>

This bill: 1) modifies the membership of the Peace Officer Standards and Training Council by replacing one position to be filled by an officer from the Federal Bureau of Investigation with an additional at large position, appointed by the Governor; and 2) requires that an applicant for peace officer certification who requests a waiver of the peace officer training course must provide proof of either of the following during the past four years: A) the applicant completed the basic peace officer training program for which the applicant is seeking credit; or B) the applicant was actively engaged in performing the duties of a peace officer.

HB 253 – Voter Registration Amendments

House 3rd Reading Calendar - Circled Kraig Powell Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0253.pdf>

This bill: 1) requires the removal of a voter from the official register: A) upon notification that a voter has subsequently registered to vote in another state; B) upon notification of a criminal conviction that prohibits a person from voting; C) after two

consecutive regular general elections following a notice to which the voter voter fails to respond; 2) requires the county clerk to send a notice to a voter who fails to vote in two consecutive regular general elections; and 3) makes technical changes.

HB 256 - Retirement Modifications

**House Retirement
Committee**

Don Ipson

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0256.pdf>

This bill: 1) amends definitions; 2) provides that "initially entering" employment includes employees that move from a position not covered under a Utah Retirement System to a position that is covered; 3) clarifies post retirement employment provisions for a retiree who returns to work within one year or who elects to earn additional service credit; 4) provides that a domestic relations court order must be received within 12 months of the death of the member; 5) repeals language related to presentment by a policyholder; 6) amends the definition of regular full-time employee to provide that the minimum earnings required for an elective or appointive officer to be eligible for a retirement benefit under the Tier I Public Employees' Systems is based on a monthly rate, not just the first month in office; 7) clarifies that an employer must be a participating employer whether or not the employer has applied for admission to the system; 8) clarifies that only Tier II governors and legislators and their spouses, not all Tier II public employees, may be eligible for the governors' and legislative paid-up group health coverage; 9) clarifies that Tier II firefighters, including volunteer firefighters, are covered under the URS long-term disability program; 10) provides that long-term disability claims must be made within six months, rather than one year, from the employee's date of disability; 11) requires an employee receiving monthly disability benefits to provide certain information and documentation requested by the office; 12) provides that monthly disability benefits are reduced for payments made for sick leave, annual leave, or similar payments; 13) clarifies participation requirements for employers in the Tier II systems; 14) allows certain at-will employees to be exempt from the vesting requirement for the defined contribution plan in the Tier II Public Employees' Retirement System; and 14) clarifies who a participating employer must cover under the Tier II Public Safety and Firefighters Systems.

HB 263 – Unemployment Benefits For Military Spouse

<http://le.utah.gov/~2012/bills/hbillint/hb0263.pdf>

This bill: 1) provides that the Unemployment Division will not charge benefit costs to an employer for an employee who receives unemployment benefits after voluntarily leaving employment to follow a spouse because of a spouse's military assignment; 2) authorizes unemployment benefits for a claimant who voluntarily leaves employment to follow a spouse to a new location if: A) the claimant's spouse is a member of the United States armed forces and the claimant's spouse has been relocated by a military assignment on active duty; B) it is impractical for the claimant to commute to the previous work from the new locality; and C) the claimant otherwise meets and follows the eligibility and reporting requirements of the Unemployment Division; and 3) makes technical changes.

House 3rd Reading Calendar

Lynn Hemingway

Support

HB 265 – Public Employee's Long-term Disability Act Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0265.pdf>

This bill clarifies the definition of long-term disability.

House Retirement Committee

Brian King

Tracking

HB 288 – Impact Fee Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0288.pdf>

This bill: 1) defines terms; 2) amends provisions relating to an impact fee facilities plan; 3) requires a political subdivision or private entity to identify in an impact fee analysis the cost of an impact fee facilities plan, analysis, independent review, or enactment; 4) amends provisions related to a private entity's: A) accounting of impact fees; B) expenditure of impact fees; C) challenge of an impact fee; and D) arbitration of an impact fee; 5) amends provisions related to an advisory opinion regarding a private entity and issued by the Office of the Property Rights Ombudsman; and 6) makes technical corrections.

House Business and Labor Committee

Michael Morley

Tracking

HB 291 – Funding for Burying Utility Lines

<http://le.utah.gov/~2012/bills/hbillint/hb0291.pdf>

This bill: 1) allows a county, city, or town legislative body to impose a sales and use tax; 2) establishes a maximum tax rate for the tax; 3) requires collections from the sales and use tax be used only to bury certain

House Rules Committee

Joel Briscoe

Tracking

utility lines; and 4) provides for the administration, collection, and enforcement of the tax.

HB 297 – Highway Barricade Amendments

**House Rules
Committee**

Lee Perry

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0297.pdf>

This bill clarifies that a person who willfully fails to observe any temporary or permanent highway barricade, warning light, sign, cone, or other object, or to obey a flagman, is guilty of a class B misdemeanor.

HB 299 – Tax Revisions

**House Rules
Committee**

John Dougall

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0299.pdf>

This bill: 1) reduces the individual income tax rate; 2) reduces the state sales and use tax rate.

HB 300 – Illegal Alien Related Amendments

**House Rules
Committee**

Chris Herrod

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0300.pdf>

This bill: 1) changes the title of the relevant chapter; 2) modifies definitions; 3) addresses the Immigration Act Restricted Account; 4) requires changes to federal law before the program can be implemented; 5) requires the department, under the direction of the governor, to write a letter to Utah's congressional delegation regarding other changes in federal law; 6) provides types of permits that can be obtained within a set time frame; 7) addresses benefits and uses of permits; 8) provides that permits are not a form of identification; 9) modifies eligibility criteria to obtain and maintain a permit; 10) provides when an illegal alien family is disqualified from obtaining a permit; 11) modifies provisions related to background checks of applicants; 12) imposes requirements related to sponsorships; 13) addresses the application and renewal process, including the payment of fines; 14) addresses conditions during a permit term; 15) repeals provisions related to verification of a permit for employment purposes; 16) modifies prohibited conduct and related penalties; 17) addresses state participation in enforcement of federal immigration law; 18) imposes requirements related to participation in the federal IMAGE program; 19) creates a private right of action related to employers who do not participate in the establishment of various federal visas; 20) modifies provisions related to the Identity Theft Victims Restricted Account; 21) repeals provisions related to e-verify; 22) and makes technical and conforming

amendments.

HB 302 – Land Use Penalties

**House Business and
Labor Committee**

**Michael
Morley**

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0302.pdf>

This bill: 1) requires that a municipality or county provide: A) notice of an ordinance violation to the owner of record; B) the owner of record a reasonable opportunity to cure an ordinance violation; and C) a schedule of the civil penalties for an ordinance violation; and 2) makes technical corrections.

HB 304 – Access to Voter Date Of Birth Records

**House Rules
Committee**

**Rebecca
Edwards**

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0304.pdf>

This bill: 1) amends the requirement of the lieutenant governor and county clerks to make certain records available for public inspection; 2) classifies the month and day of a birth date on a voter registration record as a private record; 3) classifies the year of a birth date on a voter registration record as a public record; and 4) makes technical changes.

HB 305 – Construction Code Revisions

**House Rules
Committee**

Gage Froerer

TBD

<http://le.utah.gov/~2012/bills/hbillint/hb0305.pdf>

This bill: 1) modifies a provision requiring an engineer evaluation of certain buildings built before 1975; 2) eliminates a requirement that the evaluation occur when the building is undergoing reroofing or an alteration of or repair to certain features; and 3) replaces that requirement with a requirement that the evaluation occur when the building is undergoing structural alterations or repairs, and specifies what is not included in structural alterations or repairs.

HJR 6 – Joint Resolution on Severance Tax

**House 3rd Reading
Calendar**

Jim Nielson

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hjr006.pdf>

This resolution proposes to amend the Utah Constitution to require severance tax revenue, except revenue that by statute is used for purposes related to the Ute Indian Tribe and the Navajo Nation, to be deposited into the permanent state trust fund.

HJR 12 – Joint Resolution on Property Tax Exemption For Certain Military Personnel
<http://le.utah.gov/~2012/bills/hbillint/hjr012.pdf>

This resolution proposes to amend the Utah Constitution to: 1) provide a property tax exemption for: A) the primary residence of a person who, while serving in the National Guard or a military reserve unit, is ordered to federal active duty outside the state; and B) the primary residence of the spouse of that person; and 3) provide the property tax exemption for each year during any portion of which the person is serving under the order to federal active duty.

House 3rd Reading Calendar

Stephen Sandstrom

TBD

Senate Bills

SB 11 – Department of Environmental Quality Boards Adjudicative Proceedings
<http://le.utah.gov/~2012/bills/sbillint/sb0011.pdf>

This bill: 1) defines terms; 2) distinguishes between adjudicative proceedings not related to permit orders and permit review adjudicative proceedings; 3) modifies requirements and procedures for adjudicative proceedings where a party challenges an agency order, other than a termination order, relating to a permit, plan, license, approval order, or other administrative authorization made by an executive secretary under Title 19, Environmental Quality Code; 4) provides that only properly preserved issues may be reviewed during a permit review adjudicative proceeding; 5) describes the requirements for intervention in a permit review adjudicative proceeding; 6) establishes that permit review adjudicative proceedings will be based on the administrative record and any permitted supplementation; 7) provides that stays may not be issued during a permit review adjudicative proceeding, unless certain conditions are met; 8) provides for judicial review of a permit review adjudicative proceeding; and 9) makes technical changes.

Status

Sponsor

Position

House Judiciary Committee

Margaret Dayton

Support

SB 12 – Energy Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0012.pdf>

This bill: 1) enacts provisions relating to renewable energy facilities; 2) authorizes an electric corporation to enter into a contract to supply electric service from a renewable energy facility, under certain circumstances; and 3) requires Public

Senate Rules Committee

Mark Madsen

Support

Service Commission approval of contracts for electric service from renewable energy facilities.

SB 16 – Ballot Proposition Amendments

House Government Operations Committee **Scott Jenkins** **Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0016.pdf>

This bill: 1) defines terms; 2) repeals a provision restricting an initiative or referendum related to a land use ordinance; 3) provides an exception for the residency requirement for a person who verifies a signature on a petition in certain circumstances; 4) requires a verification on the final page of a local petition packet; 5) amends the signature requirements for a referendum on a local obligation law; and 6) makes technical changes.

SB 17 – Candidate Vacancy Amendments

House Government Operations Committee **Peter Knudson** **Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0017.pdf>

This bill: 1) authorizes a political party to replace a candidate who resigns because of a disability that prevents the candidate from continuing the candidacy; and 2) amends a requirement that the political party have a bylaw that establishes a procedure for replacing a candidate.

SB 18 – Government Records Access and Management Act – Voter Registration Records

House Government Operations Committee **Margaret Dayton** **Support**

<http://le.utah.gov/~2012/bills/sbillint/sb0018.pdf>

This bill: 1) amends the requirement of the lieutenant governor and county clerks to make certain records available for public inspection; 2) classifies a voter's email address on a voter registration record as a private record; and 3) makes technical changes.

SB 19 – Voter Information Pamphlets

House Government Operations Committee **Peter Knudson** **Support**

<http://le.utah.gov/~2012/bills/sbillint/sb0019.pdf>

This bill: 1) amends the dates by which information shall be submitted for the voter information pamphlet; 2) makes the mailing of a voter information pamphlet optional in certain circumstances; 3) authorizes a notice of: A) the website on which a voter information pamphlet is published; and B) the phone number to call to request a voter information pamphlet by mail; and 4) makes technical changes.

SB 20 – Petitions by Candidates or Political Parties

<http://le.utah.gov/~2012/bills/sbillint/sb0020.pdf>

This bill: 1) establishes the criminal penalty of a class A misdemeanor for certain actions related to signing or verifying the signing of a certificate of nomination petition by an unaffiliated candidate and a political party registration petition; 2) establishes requirements for the form and content of a certificate of nomination petition by an unaffiliated candidate and a political party registration petition; 3) requires a person who is a resident of at least 18 years of age to verify the signing of a certificate of nomination petition by an unaffiliated candidate and a political party registration petition; and 4) makes technical and conforming amendments.

House Government Operations Committee

Peter Knudson

Tracking

SB 27 – Amendments to Revenue and Taxation Title

<http://le.utah.gov/~2012/bills/sbillint/sb0027.pdf>

This bill: 1) amends definitions; 2) amends the circumstances under which a person who pays a tax, fee, or charge liability may receive a credit or refund; 3) addresses the construction of a statute involving a tax, fee, or charge by the State Tax Commission or a court; 4) addresses the taxability of a transaction consisting of taxable and nontaxable property, products, or services; 5) addresses sales and use tax refund procedures; and 6) makes technical and conforming changes.

Senate Revenue and Taxation Committee

Howard Stephenson

Tracking

SB 38 – Wildland Fire Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0038.pdf>

This bill: 1) defines terms; 2) makes a person liable for the cost of suppressing a wildland fire that is negligently, recklessly, or intentionally caused or spread by that person; 3) allows a person who incurs costs to suppress a wildland fire to bring an action to recover those costs; and 4) makes technical changes.

Senate Consent Calendar

Margaret Dayton

Tracking

SB 45 – Open and Public Meetings – Political Caucuses

<http://le.utah.gov/~2012/bills/sbillint/sb0045.pdf>

This bill: 1) defines terms; 2) requires legislative political party caucuses to be open in certain circumstances; and 3) permits legislative political party caucuses to be closed in certain circumstances.

Senate Rules Committee

Ross Romero

TBD

SB 94 – Electric Power Facilities Amendments

**Senate Revenue and
Taxation Committee**

**Curtis
Bramble**

Tracking

<http://le.utah.gov/~2012/bills/sbillint/sb0094.pdf>

This bill: 1) defines terms; 2) amends provisions in the Interlocal Cooperation Act that govern a project entity; 3) excludes certain facilities that provide replacement project capacity from the certificate of public convenience and necessity requirement; 4) describes the scope of the Electric Power Facilities Act; 5) describes a person's ownership or use of works or facilities; and 6) makes technical corrections.

SB 95 – Use of Payment in Lieu of Taxes Funds

**Senate Revenue and
Taxation Committee**

**Casey
Anderson**

Tracking

<http://le.utah.gov/~2012/bills/sbillint/sb0095.pdf>

This bill: 1) requires a county to fund municipal-type services with funds received in payment in lieu of taxes; and 2) makes technical corrections.

SB 107 – Possession of Graffiti Paraphernalia

**Senate 2nd Reading
Calendar**

Karen Mayne

TBD

<http://le.utah.gov/~2012/bills/sbillamd/sb0107.pdf>

This bill: 1) modifies the damage amounts for the levels of graffiti offenses; 2) prohibits a person from possessing any instrument, tool, or device that is commonly used to make graffiti with the intent to deface the property of another; and 3) provides that the punishment for this offense is a class B misdemeanor.

SB 109 – Assault Amendments

**Senate 2nd Reading
Calendar**

**Aaron
Osmond**

Support

<http://le.utah.gov/~2012/bills/sbillint/sb0109.pdf>

This bill: 1) creates the third degree offense of assaulting a peace officer or military service member in uniform if the offender causes substantial bodily injury; and 2) creates the second degree offense of assaulting a peace officer or a military service member in uniform while the offender is using a dangerous weapon or force likely to cause serious injury or death.

SB 114 – Contesting Public Procurements

**Senate Government
Operations Committee
- Held**

**Wayne
Niederhauser**

**Tracking
w/
concern-
amending**

<http://le.utah.gov/~2012/bills/sbillint/sb0114.pdf>

This bill: 1) increases the number of members on the

Procurement Policy Board; 2) describes procedures and requirements for a protest before the chief procurement officer or the head of a purchasing agency and an appeal of a protest decision; 3) makes the procedures and requirements described in the preceding paragraph applicable to state agencies, state purchasing agencies, and local public procurement units; 4) grants rulemaking authority to the Procurement Policy Board; 5) requires a person who files an appeal of a protest decision to, subject to certain exceptions, pay a security deposit or post a bond; 6) describes the requirements and procedures relating to paying a security deposit or posting a bond; 7) provides for the forfeiture of a bond if an appeal or protest is frivolous or if its primary purpose is to harass or cause a delay; 8) requires a person who desires to protest a procurement to exhaust administrative remedies before appealing to district court; 9) establishes procedures and requirements relating to protests and appeals of state procurements, contracts, debarments, and suspensions; 10) dissolves the procurement appeals board; 11) provides for appeals to be made to the Procurement Policy Board and provides for appointment of procurement appeals panels from among the membership of the Procurement Policy Board; 12) provides for dismissal of appeals that are not filed in accordance with the requirements of this bill; 13) amends provisions relating to the statute of limitations and the jurisdiction of the district court in procurement matters; 14) prohibits the award of consequential damages in relation to an action brought under this bill; 15) provides an uncodified transitions clause; and 16) makes technical changes.

SB 115, 1st Substitute – Historical District Creation Requirements

<http://le.utah.gov/~2012/bills/sbillint/sb0115s01.pdf>

This bill: 1) prohibits a city of the first class in a county of the first class from establishing, in certain circumstances, a local historic district or area before May 14, 2013; 2) prohibits a municipality from reviewing a land use application in certain circumstances; and 3) makes technical corrections.

Senate 2nd Reading Calendar

Wayne Niederhauser

Tracking - substituted

SB 116 – Armed Forces Property Tax Exemption

<http://le.utah.gov/~2012/bills/sbillint/sb0116.pdf>

This bill: 1) defines terms and modifies definitions;

Senate Revenue and Taxation Committee - Held

Luz Robles

Tracking

2) expands a property tax exemption related to military members to include certain members of the armed forces who performed military service in a combat zone in the prior year; and 3) makes technical and conforming changes.

SB 118 – Transferable Development Rights Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0118.pdf>

This bill: 1) defines terms; 2) authorizes a municipality or county to adopt an ordinance permitting the transfer of a transferable development right; 3) prohibits a municipality or county from allowing the use of a transferable development right unless the municipality or county has adopted the ordinance; and 4) makes technical corrections.

House Rules Committee

Wayne Niederhauser

Tracking

SB 120 – Off-Duty Peace Officers’ Employment

<http://le.utah.gov/~2012/bills/sbillint/sb0120.pdf>

This bill requires the posting on the Internet of a law enforcement agency's policy regarding off-duty security work by agency peace officers.

Senate Government Operations - Held

Margaret Dayton

Tracking

SB 122 – Urban Farmers Assessment Act

<http://le.utah.gov/~2012/bills/sbillint/sb0122.pdf>

This bill: 1) provides that land in a county of the first class that is used for urban farming may be assessed based on its value for agricultural purposes; 2) provides for a 10-year rollback of taxes if the land ceases to be eligible for assessment under the urban farming provisions; and 3) enacts provisions relating to the assessment of land used for urban farming.

Senate Revenue and Taxation Committee

Wayne Niederhauser

Tracking

SB 128 – Wireless Telephone Use Restriction for Minors in Vehicles

<http://le.utah.gov/~2012/bills/sbillint/sb0128.pdf>

This bill: 1) prohibits a person younger than 18 years of age from using a wireless telephone while operating a motor vehicle; 2) provides affirmative defenses to the wireless telephone prohibition; 3) specifies a penalty for violating the wireless telephone prohibition; 4) provides that a violation of the wireless telephone prohibition is not a reportable violation; and 4) prohibits the Driver License Division from assessing points against a person's driving record for being convicted of violating the wireless telephone prohibition.

Senate 2nd Reading Calendar

Ross Romero

Tracking

<p>SB 129 – Unemployment Insurance Modifications</p> <p>http://le.utah.gov/~2012/bills/sbillint/sb0129.pdf</p> <p>This bill: 1) reduces the maximum unemployment insurance contribution rate for an employer from 9% plus the social contribution rate to 7% plus the social contribution rate beginning in calendar year 2012; 2) caps the social unemployment insurance contribution rate for all employers at .4% for calendar year 2012 only; 3) provides that if the reserve fund is insolvent, the reserve factor is 2.0 until the reserve fund becomes solvent; 4) allows the Unemployment Insurance Division to accept an offer of compromise from an employer or claimant to reduce past due debt under certain circumstances; 5) requires the Unemployment Insurance Division to make rules allowing for an offer of compromise.</p>	<p>Senate 2nd Reading Calendar</p>	<p>Curtis Bramble</p>	<p>Tracking</p>
<p>SB 130 – Workers’ Compensation Coordination of Benefits Amendments</p> <p>http://le.utah.gov/~2012/bills/sbillint/sb0130.pdf</p> <p>This bill: 1) defines terms; 2) requires a group health insurance plan to pay for medical benefits otherwise covered by the group health plan in certain circumstances while a workers' compensation claim is pending; 3) preserves an employer's authority to require an employee to use employer sponsored managed care or office place wellness centers.</p>	<p>Senate Workforce Services Committee</p>	<p>Karen Mayne</p>	<p>Support</p>
<p>SB 134, State Water Commission Amendments</p> <p>http://le.utah.gov/~2012/htmldoc/sbillhtm/sb0134.htm</p> <p>This bill: 1) increases the number of legislators serving on the State Water Development Commission; 2) designates non-legislative members of the commission as non-voting members; 3) eliminates the requirement that legislative members on the commission represent certain river districts; and 4) makes technical changes.</p>	<p>Senate Natural Resources Committee</p>	<p>Margaret Dayton</p>	<p>Support</p>
<p>SB 137, Financial Transparency Website</p> <p>http://le.utah.gov/~2012/bills/sbillint/sb0137.pdf</p> <p>This bill: 1) defines terms; 2) requires that an interlocal entity provide public financial information through the Utah Public Finance Website; and 3) makes technical corrections.</p>	<p>Senate Government Operations Committee</p>	<p>Wayne Niederhauser</p>	<p>Tracking</p>

SJR 6, Joint Resolution Amending State Taxing Authority

<http://le.utah.gov/~2012/bills/sbillint/sjr006.pdf>

This resolution proposes to amend the Utah Constitution to require a two-thirds vote of the Legislature when enacting any tax increase or any fee increase that exceeds the cost of providing a service.

Senate Revenue and Taxation Committee - Not Considered

Casey Anderson

Tracking

SJR 8 - Joint Resolution on Property Tax Exemption for Military Personnel

<http://le.utah.gov/~2012/bills/sbillint/sjr008.pdf>

This resolution proposes to amend the Utah Constitution to provide that property owned by a person in the military deployed to a combat zone, and property owned by the person's spouse, may be exempt from property tax, as provided by statute.

Senate Revenue and Taxation Committee - Held

Luz Robles

Tracking

