



2012 GENERAL LEGISLATIVE SESSION SUMMARY

February 11, 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>
<p>HB 19, 1st Substitute – State Issued Identification Numbers</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0019s01.pdf This bill: 1) enacts the "State Issued Identification Number Act"; 2) defines terms; 3) exempts the State Tax Commission; and 4) requires a government entity to phase out the use of a nine digit number as an identifying number for an individual if: A) the government entity can phase out the use of the number under existing appropriations; or B) the government entity is re-designing its information technology system and can phase out the nine digit number.</p>	<p>Senate Health and Human Services Committee</p>	<p>Wayne Harper</p>	<p>Tracking</p>
<p>HB 20 – Election Law Amendments</p> <p>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 a municipality to give notice of the declaration of</p>	<p>Sent for Enrolling</p>	<p>Curt Webb</p>	<p>Tracking</p>

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.

Enrolled bill prepared

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.

Enrolled bill prepared

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.

Enrolled bill prepared

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.

Sent for Enrolling

James Dunnigan

Support

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.

Senate 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 Concurrence 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.

Senate 2nd Reading Calendar

J. Draxler

Tracking

HB 67, 1st Substitute – Stormwater Capture Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0067s01.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.

Senate Rules Committee

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 - Held

David Butterfield

Tracking

HB 74, 1st Substitute – Eminent Domain Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0074s01.pdf>

This bill: 1) amends eminent domain provisions of the Judicial Code to allow the taking of property for certain uses relating to oil and gas; 2) establishes negotiation and notice requirements that must be fulfilled before an eminent domain action is filed; and 3) makes technical changes.

House 3rd Reading Calendar

Mike Noel

Tracking

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

House Political Subdivisions – Not Considered

Jim Nielsen

Support

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.

HB 85 – Forensic Phlebotomy

**Senate 2nd Reading
Calendar**

Val Peterson

Tracking

<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.

HB 90 – Public Meetings During Party Caucuses

**House 3rd Reading
Calendar**

Kraig Powell

Tracking

<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 Enterprise

**House Rules
Committee**

**Johnny
Anderson**

Oppose

<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 105 – Official Voter Registration Amendments http://le.utah.gov/~2012/bills/hbillint/hb0105.pdf This bill requires county clerks to remove a voter's name from the official register within three business days of receipt of confirmation from the Utah Department of Health's Bureau of Vital Records that the voter is deceased.	House Time Certain Calendar	Merlynn Newbold	Tracking
HB 106 – Limitation on Collective Bargaining http://le.utah.gov/~2012/bills/hbillint/hb0106.pdf This bill prohibits state and local government entities from engaging in collective bargaining on subjects other than wages and health benefits.	House Rules Committee	Kieth Grover	Tracking
HB 111 – Amendments to Open and Public Meetings Act http://le.utah.gov/~2012/bills/hbillint/hb0111.pdf This bill 1) amends the definition of public body to include a subset of the public body; and 2) makes technical changes.	House Government Operations Committee - Held	Craig Frank	Tracking
HB 118 – Storage of Electronic Records http://le.utah.gov/~2012/bills/hbillint/hb0118.pdf This bill: 1) eliminates the provision that allows access to electronic records on a server longer than 180 days; and 2) requires a search warrant in all cases for the contents of electronic records.	House 3rd Reading Calendar	Brad Daw	Tracking
HB 121, 1st Substitute – Disabled Law Enforcement Officer Amendments http://le.utah.gov/~2012/bills/hbillint/hb0121s01.pdf This bill: 1) defines terms; 2) provides that a law enforcement officer or state correctional officer shall be given a leave of absence with 100% of the officer's salary and benefits until the officer retires or reaches the retirement age of 62 years if the officer sustains an injury: A) that results in a total disability; B) while in the lawful discharge of the officer's duty; and C) that is the result of an aircraft, vehicle, or vessel accident and the officer was not negligent in causing the accident; 3) clarifies that an eligible officer's 100% salary benefit for a line-of-duty disability is	House Political Subdivisions Committee	Lee Perry	Tracking

offset by certain other benefits or payments defined by Department of Human Resource Management rules; and 4) makes technical changes.

HB 127 – Navajo Water Rights Negotiation Account

<http://le.utah.gov/~2012/bills/hbillint/hb0127.pdf>

This bill: 1) creates the Navajo Water Rights Negotiation Account; 2) provides for the use of account funds; and 3) establishes restrictions on how account funds may be used.

House 3rd Reading Calendar

Christine Watkins

Support

HB 131 – Liens for Preconstruction Service and Construction Work

<http://le.utah.gov/~2012/bills/hbillint/hb0131.pdf>

This bill: 1) reorganizes and modifies provisions relating to liens for preconstruction service and construction work; 2) modifies provisions relating to contesting the validity of certain notices; 3) modifies some terminology relating to liens for preconstruction service and construction work; 4) modifies the time when a preconstruction lien takes effect; 5) repeals redundant and obsolete provisions; and 6) makes technical changes.

House 3rd Reading Calendar

Michael Morley

Tracking

HB 143 – Alien Workers Related Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0143.pdf>

This bill: 1) modifies definitions; 2) addresses the exercise of prosecutorial discretion; 3) addresses the program start date; 4) requires that a specified fee imposed under the guest worker program be equivalent to income and employment taxes; 5) clarifies that, if under the guest worker program the federal government collects or provides for the withholding of federal taxes, the State Tax Commission is not required to impose and collect the fee; 6) provides for a temporary permit, including conditions during permit term; 7) addresses what the State Tax Commission is to do regarding amounts it collects that are equivalent to federal income and employment taxes under the Utah Pilot Sponsored Resident Immigrant Program Act; 8) provides that under the Utah Pilot Sponsored Resident Immigrant Program Act the amount to be collected is to, as closely as possible, equal the amount of state income taxes that would be imposed if the resident immigrant were an employee with a Social Security number; and 9) makes technical and conforming amendments.

House Rules Committee

Bill Wright

Tracking

HB 145 – Counting Provisional Ballots of Unregistered Voters	Boxcar	Rebecca Chavez-Houck	
HB 148 – Transfer and Taxation of Public Lands Act	Boxcar	Ken Ivory	
HB 153 – Diversion of Water	House Natural Resources Committee – Passed	Joel Briscoe	TBD
<p>http://le.utah.gov/~2012/bills/hbillint/hb0153.pdf This bill: 1) allows the state engineer to reinstate a lapsed exchange application for a small amount of water under certain conditions; 2) establishes the date of priority for a reinstated exchange application; and 3) makes technical changes.</p>			
HB 170 – Water Rights Amendments	Boxcar	Kay McIff	
HB 172 – Voter by Mail Amendments	Boxcar	Steve Eliason	
HB 173 – Transportation Funding Modifications	Boxcar	Brad Dee	
HB 174 – Sales and Use Tax Allocations for Water Resources Construction Fund	House Rules Committee	Pat Painter	Support
<p>http://le.utah.gov/~2012/bills/hbillint/hb0174.pdf This bill: 1) allocates certain sales and use tax revenues to the Water Resources Construction Fund; 2) modifies the funding sources for the Water Resources Construction Fund to include the sales and use tax allocations; and 3) makes technical and conforming changes.</p>			
HB 178 – Government Law Modifications	Boxcar	Brad Galvez	
HB 179 – Local District Amendments	Boxcar	Steve Handy	
HB 181 – General Government Amendments	Boxcar	Brian Doughty	
HB 192 – Private Property Rights	House 3rd Reading Calendar	Brad Wilson	TBD
<p>http://le.utah.gov/~2012/bills/hbillint/hb0192.pdf This bill: 1) defines "trespasser"; and 2) clarifies that a property owner has no duty of care to keep the premises safe for entry or use by a trespasser.</p>			

<p>HB 196 – Abusive Workplace Policies Act</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0196.pdf This bill: 1) enacts the Abusive Workplace Policies Act, including: A) defining terms; B) requiring a policy against certain conduct; C) imposing requirements for a policy; D) allowing for affirmative defenses; and E) providing for enforcement.</p>	<p>House Rules Committee</p>	<p>Stephen Sandstrom</p>	<p>Tracking</p>
<p>HB 210, 1st Substitute – Severance Tax Amendments</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0210s01.pdf This bill provides that certain severance tax revenue be deposited into the permanent state trust fund, and makes technical and conforming changes.</p>	<p>House 3rd Reading Calendar, FAILED</p>	<p>Jim Nielsen</p>	<p>Tracking</p>
<p>HB 215 – Labor Related Amendments</p> <p>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.</p>	<p>Senate Rules Committee</p>	<p>Michael Morley</p>	<p>Support</p>
<p>HB 223 – Retention of Evidence Amendments</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0223.pdf This bill requires a peace officer's employing agency to retain recordings of minor children interviewed during an investigation into sexual abuse cases for a specified period of time.</p>	<p>House 3rd Reading Calendar</p>	<p>Brad Wilson</p>	<p>Tracking</p>
<p>HB 224 – Political Subdivisions – Report of Receipts of Federal Money</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0224.pdf This bill: 1) defines terms; 2) requires a political subdivision to prepare and submit a report to the Division of Finance on federal receipts received by the political subdivision; 3) requires the report to contain a plan to operate the state agency in the event federal receipts are reduced by 5% and 25% or more; 4) requires the Division of Finance to report to the Executive Appropriations Committee on the reports the political subdivisions are required to</p>	<p>House Political Subdivisions Committee - Held</p>	<p>Ken Ivory</p>	<p>Oppose</p>

make to the Division of Finance; provides procedures for requiring the Executive Appropriations Committee to review the Division of Finance report; and 5) provides that the Executive Appropriations Committee may make certain recommendations, including a reduction or elimination of appropriations to certain political subdivisions.

HB 226 – Closed Meeting Amendments

House Rules Committee

Kraig Powell

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0226.pdf>

This bill: 1) authorizes a public body to close a meeting to discuss legislative action by the public body if conducting the discussion in a closed meeting is preferable to conducting the discussion in an open meeting; and 2) makes technical changes.

HB 228 – Criminal Gang Amendments

House Law Enforcement Committee – Not Considered

Curt Oda

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0228.pdf>

This bill amends the definition of a "criminal street gang."

HB 243 – Municipal Election Revisions

Enrolled bill prepared

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.

HB 246 – County Correctional Facilities Funding Amendments

Senate 2nd 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 253, 1st Substitute – Voter Registration Amendments

<http://le.utah.gov/~2012/bills/hbillint/hb0253s01.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.

**Senate Government
Operations Committee**

Kraig Powell

Tracking

HB 256 – Retirement Modifications

<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

**House 3rd Reading
Calendar**

Don Ipson

Tracking

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

Senate Workforce Services Committee - Passed

Lynn Hemingway

Support

<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.

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

House 3rd Reading Calendar

Brian King

Tracking

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

This bill clarifies the definition of long-term disability.

HB 288 – Impact Fee Amendments

House 3rd Reading Calendar

Michael Morley

Tracking

<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.

HB 291 – Funding for Burying Utility Lines

**House Rules
Committee**

Joel Briscoe

Tracking

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

HB 297 – Highway Barricade Amendments

**Senate Transportation
Committee**

Lee Perry

Support

<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 Revenue and
Taxation Committee**

John Dougall

Tracking

<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

Tracking

<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 304 – Access to Voter Date Of Birth Records

**House Government
Operations Committee
- Held**

**Rebecca
Edwards**

Support

<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.

**HB 310 – State and Political Subdivision
Employment Amendments**

**House Government
Operations Committee
- Held**

Daniel McCay

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0310.pdf>

This bill: 1) prohibits the following from considering or establishing a policy requiring consideration of seniority as a primary factor when determining whether to terminate an employee while conducting a reduction in force: A) a civil service commission; B) a municipality; C) a County Fire Civil Service System; D) a sheriff or merit system commission; E) a county personnel director or county legislative body; F) a local district or special service district; G) a president or board of trustees of an institution of higher education; H) a campus board of directors or the Utah College of Applied Technology Board of Trustees; or I) an office, agency, or department of the executive branch, judicial branch, or legislative branch; 2) amends state personnel management provisions; 3) amends employment provisions of the Office of the Attorney General; and 4) makes technical corrections.

HB 314 – Wage Reporting Amendments

**House Rules
Committee**

Val Peterson

Oppose

<http://le.utah.gov/~2012/bills/hbillint/hb0314.pdf>

This bill: 1) requires an employer to include additional wage-related information on quarterly unemployment contribution reports filed with the Unemployment Insurance Division including

occupation title and hours worked for each paid employee during the calendar quarter; and 2) makes technical changes.

HB 320 – Utility Facility Siting

House Public Utilities Committee – Not Considered

Doug Sagers

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0320.pdf>

This bill: 1) removes a reference concerning the place men to f the Utility Facility Review Board within the Department of Commerce; 2) modifies the time period for hearings and decisions of the Utility Facility Review Board; 3) establishes a deadline for the board to hold a hearing on the merits; 4) modifies a provision regarding the board's written decision; 5) establishes a presumption that the utility has taken certain action under specified circumstances; and 6) makes technical changes.

HB 323 – Sales and Use Tax Collection Amendments

House Consent Calendar

David Butterfield

Tracking

<http://le.utah.gov/~2012/bills/hbillint/hb0323.pdf>

This bill: 1) changes the timing of sales and use tax collection and remittance for certain sales involving delivery or installation; 2) addresses a deduction for bad debt; and 3) makes technical and conforming changes.

HB 332 – Transportation Amendments

Boxcar

Wayne Harper

HB 333 – Tax Amendments

Boxcar

Wayne Harper

HB 334 – Local Election Amendments

Boxcar

John Dougall

HB 337 – Open Government Amendments

Boxcar

John Dougall

HB 338 – Election Amendments

Boxcar

Steve Eliason

HB 341 – Financial Disclosures by Local Candidates

Boxcar

Ken Sumsion

HB 342 – Campaign Finance Reporting in Local Elections

Boxcar

Ken Sumsion

HB 345 – Emergency Response Provisions

Boxcar

Richard Greenwood

HB 350 – Government Payroll Amendments

Boxcar

Brad Daw

HB 355 – Public Transit District Conflict of Interest Amendments

Boxcar

Janice Fisher

HB 365 – Revisions to Tax	Boxcar	John Dougall	
HB 368 – Abandonment or Forfeiture of Water Rights	Boxcar	Brad Galvez	
HB 369 – Adjudication of Water Rights	Boxcar	Joel Briscoe	
HB 384 – Sales and Use Tax Retailer Nexus Amendments	Boxcar	Wayne Harper	
HB 385 – Sales and Use Tax – Seller Notice Requirements http://le.utah.gov/~2012/bills/hbillint/hb0385.pdf This bill: 1) requires specified sellers that sell to customers in the state to provide certain notice related to sales and use taxes; and 2) prohibits the specified sellers from making certain representations about taxes.	House Revenue and Taxation Committee	Wayne Harper	Tracking
HB 387 – Property Tax Modifications	Boxcar	Wayne Harper	
HB 396 – Health Care Amendments	Boxcar	Jim Bird	
HB 412 – Voting Shares Amendments	Boxcar	Pat Painter	
HB 421 – Local District Dissolution	Boxcar	Daniel McCay	
HB 422 – Dissolution of Active Local Districts	Boxcar	Daniel McCay	
HB 429 – Property Rights Modifications	Boxcar	Gage Froerer	
HB 437 – Public Employee Health Care Benefits	Boxcar	Brad Daw	
HB 442 – County Correctional Funding Amendments	Boxcar	Mike Noel	
HB 443 – Correctional Issues Task Force	Boxcar	Eric Hutchings	
HB 450 – General Government Revisions	Boxcar	Brad Dee	
HB 453 – Citation Amendments http://le.utah.gov/~2012/bills/hbillint/hb0453.pdf This bill: 1) allows a peace officer, in addition to taking a person into custody, to require the person to appear at the court of the magistrate who has territorial jurisdiction; and 2) makes organizational	House Rules Committee	Don Ipson	TBD

and technical corrections.

HB 457 – Eminent Domain Revisions	Boxcar	Brad Last	
HB 458 – Wastewater System Amendments http://le.utah.gov/~2012/bills/hbillint/hb0458.pdf This bill: 1) repeals provisions related to a loan and the negotiation of a loan for a municipal sewage treatment facility; and 2) makes technical corrections.	House Rules Committee	Pat Painter	TBD
HB 460 – Post-Employment Retirement Benefits	Boxcar	Steve Eliason	
HB 464 – County Land Use Amendments	Boxcar	Bill Wright	
HB 476 – Amendments to Local Government	Boxcar	Don Ipson	
HB 477 – Employment Act and Verification Requirements	Boxcar	Steve Sandstrom	
HB 480 – Electric Utility Modifications	Boxcar	Kraig Powell	
HB 485 – Change Application Amendments http://le.utah.gov/~2012/bills/hbillint/hb0485.pdf This bill: 1) repeals provisions related to a loan and the negotiation of a loan for a municipal sewage treatment facility; and 2) makes technical corrections.	LRGC	Ryan Wilcox	TBD
HB 486 – Water and Irrigation Amendments	Boxcar	Neil Hendrickson	
HB 488 – Change Application Amendments http://le.utah.gov/~2012/bills/hbillint/hb0488.pdf This bill: 1) amends the voting instructions on a ballot for an office to which more than one person will be elected; and 2) makes technical changes.	House Rules Committee	Evan Vickers	TBD
HB 489 – Safe Drinking Water Disclosure Act	Boxcar	Roger Barrus	
HB 491 – Mid-term Vacancy Amendments	Boxcar	John Dougall	
HB 493 – Campaign Finance Disclosure Amendments	Boxcar	Kraig Powell	

<p>HB 494 – Campaign Finance Amendments</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0494.pdf This bill: 1) requires a political action committee or political issues committee to file a report before the municipal general election; 2) establishes criminal penalties; and 3) makes technical amendments.</p>	<p>House Public Utilities Committee</p>	<p>Stewart Barlow</p>	<p>TBD</p>
<p>HB 499 – Ballot Form Amendments</p>	<p>Boxcar</p>	<p>Brian Doughty</p>	
<p>HB 505 – Agricultural Code Amendments</p>	<p>Boxcar</p>	<p>Brad Galvez</p>	
<p>HB 511 – Eminent Domain of Federal Land</p> <p>http://le.utah.gov/~2012/bills/hbillint/hb0511.pdf This bill authorizes a political subdivision to exercise eminent domain authority on property possessed by the federal government unless the property was acquired by the federal government with the consent of the Legislature and in accordance with the United States Constitution Article I, Section 8, Clause 17.</p>	<p>House Rules Committee</p>	<p>Ken Sumsion</p>	<p>TBD</p>
<p>HCR 10 – Provo Canal Title Transfer Concurrent Resolution</p>	<p>Boxcar</p>	<p>John Dougall</p>	
<p>HJR 6 – Joint Resolution on Severance Tax</p> <p>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.</p>	<p>House 3rd Reading Calendar</p>	<p>Jim Nielson</p>	<p>Tracking</p>
<p>HJR 12 – Joint Resolution on Property Tax Exemption For Certain Military Personnel</p> <p>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.</p>	<p>House 3rd Reading Calendar</p>	<p>Stephen Sandstrom</p>	<p>Support</p>

<u>Senate Bills</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p>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.</p>	Enrolled bill prepared	Margaret Dayton	Support
<p>SB 12, 1st Substitute – Energy Amendments http://le.utah.gov/~2012/bills/sbillamd/sb0012s01.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 one or more renewable energy facilities, under certain circumstances; and 3) requires Public Service Commission approval of contracts for electric service from renewable energy facilities.</p>	Senate 2nd Reading Calendar	Mark Madsen	Support
<p>SB 16 – Ballot Proposition Amendments 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.</p>	Sent for Enrolling	Scott Jenkins	Tracking

SB 17 – Candidate Vacancy Amendments

Enrolled bill prepared

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 3rd Reading Calendar - Circled

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, 2nd Substitute – Voter Information Pamphlets

Senate Concurrence Calendar

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

Sent for Enrolling

Peter Knudson

Tracking

<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.

SB 21 , 1st Substitute – Department of Environmental Quality Boards Revisions
<http://le.utah.gov/~2012/bills/sbillamd/sb0021s01.pdf>

This bill: 1) gives rulemaking authority to the Department of Environmental Quality to create attendance standards and conflicts of interest procedures for board members and to make procedural rules for adjudicative proceedings; 2) changes the composition of each board created under Title 19, Environmental Quality Code; 3) provides a transition to the new composition of each board created under Title 19, Environmental Quality Code; 4) establishes qualifications for board members; 5) requires board members to comply with attendance standards and conflict of interest procedures; 6) provides for the executive director of the Department of Environmental Quality to take final dispositive action on an adjudicative proceeding under Title 19, Environmental Quality Code; 7) transfers powers and duties from a board to a division director; 8) provides for certain division boards to approve enforcement settlements negotiated by a division director that exceed \$25,000; and 9) makes technical changes.

Senate 3rd Reading Calendar

Margaret Dayton

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 2nd Reading Calendar

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.

Sent for Enrolling

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 Tracking

SB 46 – Agriculture Sustainability Act

<http://le.utah.gov/~2012/bills/sbillint/sb0046.pdf>

This bill: 1) defines terms; 2) requires first, second, and third class counties, and permits fourth, fifth, and sixth class counties, to each establish an Agriculture Sustainability Investment Fund (fund); 3) requires a county to deposit a rollback tax collected by the county into the fund; 4) authorizes the county to appropriate money in the fund as directed by an appropriation plan; 5) creates the Agricultural Preservation Selection and Funding Committee (committee); 7) authorizes the committee to: A) appoint nonvoting members; B) adopt an appropriation plan; C) adopt land evaluation and site assessment criteria; D) approve or reject an application for an agriculture conservation easement or contract; E) approve an instrument to be recorded to secure an agriculture conservation easement or contract; and F) adopt a map identifying land within the county with an agriculture conservation easement or contract, prime farmland, or critical farmland; 8) authorizes a county to hold an agriculture conservation easement or contract approved by the committee; 9) authorizes the county or department to annually review a property subject to an agriculture conservation easement or contract; 10) prohibits an owner of property subject to an agriculture conservation easement or contract from using the property for non-agriculture production; 11) establishes certain protections for certain agricultural land, including prohibiting a political subdivision or state entity from condemning property subject to an agriculture conservation easement or contract, or identified as prime farmland or critical farmland, without complying with certain requirements; 12) authorizes a one-time increase in the calculation of a taxing entity's certified tax rate; 13) amends related tax provisions.

**Senate 2nd Reading
Calendar - Circled**

Scott Jenkins Tracking

SB 58 – Property Tax Valuation Amendments

Senate Consent Calendar

Wayne Niederhauser

Tracking

<http://le.utah.gov/~2012/bills/sbillint/sb0058.pdf>

This bill: 1) defines terms; 2) requires certain reporting of property tax property valuation reductions on appeal; 3) requires an assessor to consider a valuation reduction in certain prior years in determining the fair market value of property; 4) requires an assessor to consider certain other factors in assessing the fair market value of property; and 5) makes technical and conforming changes.

SB 61, Invasive Species Amendments

Senate 2nd Reading Calendar

Ralph Okerlund

Support

<http://le.utah.gov/~2012/bills/sbillint/sb0061.pdf>

This bill: 1) amends definitions; 2) authorizes the Department of Agriculture to spend money in the Invasive Species Mitigation Account on a project implemented by a political subdivision; 3) permits the Department of Agriculture to consider a project designed to prevent encroachment of an invasive species when awarding grant money.

SB 69, Assessments Area Amendments

LRGC

Wayne Niederhauser

TBD

<http://le.utah.gov/~2012/bills/sbillint/sb0069.pdf>

This bill: 1) amends definitions; 2) amends the requirements of a notice of a proposed assessment area designation; 3) enacts language related to a waiver of a right to protest; 4) authorizes a municipality or county to levy an assessment against property by levying and collecting a property tax; and 5) makes technical corrections.

SB 74 – Tax Modifications

Boxcar

Casey Anderson

SB 78 – Water Conservancy District Amendments

Boxcar

John Valentine

SB 86 – Agriculture Protection Amendments

Senate Natural Resources Committee

Curtis Bramble

TBD

<http://le.utah.gov/~2012/bills/sbillint/sb0086.pdf>

This bill: 1) amends language related to the duties of an advisory board; 2) amends language related to the creation of an agriculture protection area; 3) amends language related to removing land from an agriculture protection area; 4) amends language related to condemning land located in an agriculture protection area; 5) enacts language related to an appeal of a condemnation decision.

SB 93, 1st Substitute, Retention Proceeds Revisions

<http://le.utah.gov/~2012/bills/sbillamd/sb0093s01.pdf>

This bill: 1) clarifies the meaning of public agency; 2) modifies how retention money is held and accounted for; and 3) limits the amount a local school board may retain until a school construction project is completed and accepted by the board to 5% of the contract price.

House Rules Committee

Scott Jenkins

Tracking

SB 94 – Electric Power Facilities Amendments

<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.

Senate Revenue and Taxation Committee

Curtis Bramble

Tracking

SB 95 – Use of Payment in Lieu of Taxes Funds

<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.

Senate Rules Committee

Casey Anderson

Tracking

SB 98 – Amendments to Prohibition on Using a Handheld Wireless Communication Device While Operating a Vehicle

<http://le.utah.gov/~2012/bills/sbillint/sb0098.pdf>

This bill: 1) amends definitions; 2) provides that a person may not use a handheld wireless communication device while operating a moving motor vehicle on a highway in this state to: A) text message; B) communicate through an electronic mail system; C) manually enter data into a handheld wireless communication device; D) send data, read text, or view images on a handheld wireless communication device; or E) manipulate an application from a handheld wireless communication device; 3) provides that a person is not prohibited from using a handheld wireless communication device while operating a moving motor vehicle: A) when making or receiving a telephone call; or B) when using a handheld wireless communication device for global positioning or navigation services; 4) provides that a person is guilty of automobile homicide involving a handheld wireless

Senate Rules Committee

Lyle Hillyard

TBD

communication device if the person uses a handheld wireless communication device for certain purposes while operating a moving motor vehicle in a negligent or criminally negligent manner and causes the death of another person; and 5) makes technical changes.

SB 107 – Possession of Graffiti Paraphernalia

FAILED on Senate 3rd Reading **Karen Mayne** **Tracking**

<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

House Rules Committee – Fiscal **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 116 – Armed Forces Property Tax Exemption

Senate 2nd Reading Calendar

Luz Robles

Support

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

This bill: 1) defines terms and modifies definitions; 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

Sent for Enrolling

Wayne Niederhauser

Tracking

<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.

SB 120 – Off-Duty Peace Officers’ Employment

Senate 2nd Reading Calendar

Margaret Dayton

Tracking

<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.

SB 122 – Urban Farmers Assessment Act

**Senate 2nd Reading
Calendar**

**Wayne
Niederhauser**

Tracking

<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.

SB 128 – Wireless Telephone Use Restriction for Minors in Vehicles

**House Rules
Committee**

Ross Romero

Tracking

<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.

SB 129 – Unemployment Insurance Modifications

Enrolled Bill Prepared

**Curtis
Bramble**

Tracking

<http://le.utah.gov/~2012/bills/sbillint/sb0129.pdf>

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.

SB 130 – Workers' Compensation Coordination of Benefits Amendments

**Senate Workforce
Services Committee -
Held**

Karen Mayne

Support

<http://le.utah.gov/~2012/bills/sbillint/sb0130.pdf>

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.

SB 134, State Water Commission Amendments

<http://le.utah.gov/~2012/htmldoc/sbillhtm/sb0134.htm>

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.

Senate 3rd Reading Calendar

Margaret Dayton

Support

SB 137, Financial Transparency Website

<http://le.utah.gov/~2012/bills/sbillint/sb0137.pdf>

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.

House Political Subdivisions Committee

Wayne Niederhauser

Tracking

SB 147, Emergency Vehicle Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0147.pdf>

This bill: 1) provides that an operator of a vehicle may not follow closer than 500 feet any authorized emergency vehicle traveling in response to an emergency; and 2) makes technical changes.

House Law Enforcement Committee - Passed

Daniel Thatcher

Support

SB 150 - Local and Special Service District Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0150.pdf>

This bill: 1) defines terms; 2) amends language related to the appointment of a local district board member; 3) authorizes a local district to provide early voting for an election of a board member; 4) amends language related to a local district tax levy; 5) amends notice requirements for a budget hearing held by the board of trustees; 6) amends provisions related to an improvement district board of trustees; 7) amends language related to a use charge imposed by an irrigation district; 8) amends

Senate 2nd Reading Calendar

Jerry Stevenson

Support

This bill is the UASD cleanup bill.

provisions related to a mosquito abatement district board of trustees; 9) amends language related to an administrative control board membership; 10) amends language related to the qualifications of an administrative control board member; and 11) makes technical corrections.

SB 153 – Procurement Amendments

Senate Government Operations Committee - Held **Wayne Niederhauser** **Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0153.pdf>

This bill: 1) defines terms; 2) describes requirements and procedures relating to procurements and procurement processes by public entities; 3) describes the applicability of the Utah Procurement Code; 4) grants rulemaking authority; 5) describes the duties and powers of the Division of Purchasing and General Services; 6) provides for exemptions from certain provisions of the Utah Procurement Code; 7) describes the duties and powers of the Utah State Procurement Policy Board and the procurement advisory councils; 8) describes the duties and powers of the chief procurement officer; 9) provides for exceptions to procurement process requirements; 10) addresses cancellations, rejections, and debarment; 11) addresses reciprocal preferences and purchase from community rehabilitation programs; 12) describes the duties and powers of the Purchasing from Persons with Disabilities Advisory Board; 13) describes bid security and bond requirements; 14) describes requirements relating to contracts and change orders; 15) describes requirements relating to construction procurement and contracts; 16) describes requirements relating to architect-engineer services; 17) describes procedures, requirements, and limitations relating to controversies, protests, appeals, and judicial action; 18) addresses the retention of records; 19) addresses interaction between public procurement units; 20) establishes ethical practice provisions relating to procurements; 21) amends existing, and enacts new, criminal provisions and penalties relating to procurements; and 22) makes technical changes.

SB 157 – Utah Immigration Accountability And Enforcement

Senate Workforce Services Committee **Stephen Urquhart** **Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0157.pdf>

This bill: 1) repeals the Utah Immigration Accountability and Enforcement Act, except for

provisions that existed before the enactment of that act, and removes related cross references; 2) renames the chapter to "Identification and Verification"; 3) modifies the provision concerning the receipt of state, local, or federal public benefits; 4) renumbers and amends the provision regarding public employers and contractors; 5) removes the repeal date of the Private Employer Verification Act; 6) removes from the list of non-lapsing funds and accounts the Immigration Act Restricted Account; 7) removes the Identity Theft Victims Restricted Account; and 8) makes technical and conforming amendments.

SB 163 – Local Government Real Property Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0163.pdf>

This bill: 1) amends provisions authorizing a municipality to hold real property or hold an interest in real property; 2) requires a municipality to conduct an annual inventory of real property held by the municipality; 3) requires a municipality to dispose of real property that does not have an identified public use; 4) amends provisions related to a municipality's disposal of real property; 5) amends provisions authorizing a county to hold real property or hold an interest in real property; 6) requires a county to conduct an annual inventory of real property held by the municipality; 7) requires a county to dispose of real property that does not have an identified public use; 8) amends provisions related to a county's disposal of real property; and 9) makes technical corrections.

Senate Rules Committee

Mark Madsen

Tracking

SB 165 – Redevelopment Agency Amendments

<http://le.utah.gov/~2012/bills/sbillint/sb0165.pdf>

This bill: 1) defines terms; 2) amends language related to a notice of an impending boundary action required when an agency is created; 3) amends language related to a public entity's authority; 4) amends tax increment and sales tax provisions; 5) amends language related to the duties of a taxing entity committee; 6) amends the definition of "local public procurement unit"; and 7) makes technical corrections.

Senate 2nd Reading Calendar

Todd Weiler

Tracking

SB 174 – Land Use Authority Amendments

Boxcar

Wayne Niederhauser

SB 177 – Government Records Access and Management Act Amendments

Boxcar

Curtis Bramble

<p>SB 180 – Political Subdivision Ethics Amendments http://le.utah.gov/~2012/bills/sbillint/sb0180.pdf This bill: 1) authorizes a municipality to establish a municipal ethics commission; 2) enacts general provisions; 3) defines terms; 4) enacts provisions related to the Political Subdivisions Ethics Commission (Commission); 5) enacts provisions related to general powers and procedures; 6) enacts provisions related to a hearing on an ethics complaint; 7) enacts provisions related to an ethics complaint; 8) enacts provisions related to a review of an ethics complaint for compliance; 9) enacts provisions related to the Commission's review of an ethics violation; 10) authorizes a county to establish a county ethics commission; 11) amends provisions related to a private record; 12) enacts language related to filing a complaint for a violation of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act; and 13) makes technical corrections.</p>	<p>Senate Rules Committee</p>	<p>Curtis Bramble</p>	<p>TBD</p>
<p>SB 181 – Local Government Ethics Amendments</p>	<p>Boxcar</p>	<p>John Valentine</p>	
<p>SB 183 – Electric Utility Revisions</p>	<p>Boxcar</p>	<p>Kevin Van Tassell</p>	
<p>SB 187 – Forfeiture of Water Rights</p>	<p>Boxcar</p>	<p>Ralph Okerlund</p>	
<p>SB 192 – Bond Validation Act Amendments http://le.utah.gov/~2012/bills/sbillint/sb0192.pdf This bill: 1) clarifies that, to the extent possible and practicable under the circumstances, the court shall render final judgment in a bond validation action within 10 days after the day on which the hearing is concluded; 2) provides that motions filed by a public body for an order, including an injunction order, in a bond validation action must be made to the court in which the validation proceeding is pending; 3) provides that the Utah Supreme Court shall expedite and give priority to the docketing, briefing, hearing, and decision on an appeal under the Utah Bond Validation Act; and 4) makes technical changes.</p>	<p>Senate 2nd Reading Calendar</p>	<p>Ben McAdams</p>	<p>Support</p>

SB 193 – Local Government Bonding Act Amendments

Senate Revenue and Taxation Committee – Passed

Curtis Bramble

TBD

<http://le.utah.gov/~2012/bills/sbillint/sb0193.pdf>
This bill: 1) provides that the 10-year period during which voter authorized bonds may be issued is tolled when the bonds are challenged due to pending litigation or other challenges; 2) provides that if, when the tolling period described in the preceding paragraph ends, the period of time remaining to issue the bonds is less than one year, the period of time remaining to issue the bonds shall be extended to one year; 3) provides that the tolling provisions described in this bill apply to bonds that were approved by voters on or after May 8, 2002; and 4) makes technical changes.

SB 195 – Transportation Safety Revisions

Boxcar

Karen Mayne

SB 203 – Legislative Audits

Boxcar

Stuart Reid

SB 206 – Warrant Process Amendments

Boxcar

Scott Jenkins

SB 207 – Metal Theft Amendments

Boxcar

Scott Jenkins

SB 221 – Revenue and Tax Amendments

Boxcar

Curtis Bramble

SB 225 – Transportation Revisions

Boxcar

Stuart Adams

SB 239 – Severance Tax Revisions

Boxcar

Curtis Bramble

SB 246 – Share Certificates in Land Companies

Boxcar

Ralph Okerlund

SB 247 – Conservation District Amendments

Boxcar

David Hinkins

SB 254 – Severance Tax Code Revisions

Boxcar

Ross Romero

SB 261 – Modifications to General Government

Boxcar

Stuart Adams

SB 263 – Revisions to General Government

Boxcar

Gene Davis

SB 264 – General Government Modifications

Boxcar

Gene Davis

SB 265 – Allowance Eligibility for Retirement

Boxcar

Todd Weiler

SB 266 – Health Care Modifications

Boxcar

Stephen Urquhart

SB 270 – Amendments to Sales and Use Tax	Boxcar	John Valentine	
SB 271 – Amendments to Income Taxes	Boxcar	John Valentine	
SB 272 – Government Amendments	Boxcar	Ben McAdams	
SB 273 – Surplus Property Amendments	Boxcar	Ben McAdams	
SB 275 – Government Revisions	Boxcar	Ben McAdams	
SB 277 – Government Modifications	Boxcar	Stuart McAdams	
SCR 7 – Concurrent Resolution Approving the Inter-local Agreement Creating the Jordan River Commission	Boxcar	Aaron Osmond	
SJR 3 – Joint Resolution – Master Study	Boxcar	Scott Jenkins	
SJR 6, Joint Resolution Amending State Taxing Authority	Senate Revenue and Taxation Committee – Not Considered	Casey Anderson	Tracking
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.			
SJR 8, 2nd Substitute – 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 the primary residence of a person who is ordered to federal active duty, and property owned by the person's spouse, may be exempt from property tax, as provided by statute.	Senate 2nd Reading Calendar	Luz Robles	Support