



**2012 GENERAL LEGISLATIVE SESSION SUMMARY**

**March 8, 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.**

<b><u>House Bills</u></b>	<b><u>Status</u></b>	<b><u>Sponsor</u></b>	<b><u>Position</u></b>
<b>HB 19, 1<sup>st</sup> Substitute – State Issued Identification Numbers</b> <a href="http://le.utah.gov/~2012/bills/hbillint/hb0019s01.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0019s01.pdf</a> 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.	<b>Enrolled Bill Prepared</b>	<b>Wayne Harper</b>	<b>Tracking</b>
<b>HB 20 – Election Law Amendments</b> <a href="http://le.utah.gov/~2012/bills/hbillint/hb0020.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0020.pdf</a> 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 candidacy filing period; 4) changes the	<b>Enrolled Bill Prepared</b>	<b>Curt Webb</b>	<b>Tracking</b>

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.

**Enrolled Bill Prepared**     **James Dunnigan**

**Support**

**HB 46, 1<sup>st</sup> 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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**J. Draxler**

**Tracking**

**HB 67, 3<sup>rd</sup> Substitute – Stormwater Capture Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0067s03.pdf>

This bill: 1) prohibits the state engineer from commencing an enforcement action under certain circumstances; 2) provides for the collection and use of precipitation without obtaining a water right in certain circumstances; and 3) makes technical changes.

**Strike Enacting Clause  
– House Filed**

**Fred Cox**

**Support**

**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.

**Strike Enacting Clause  
– House Filed**

**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%.

**Strike Enacting Clause  
– House Filed**

**David  
Butterfield**

**Tracking**

**HB 74, 1<sup>st</sup> 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.

**Enrolled Bill Prepared**

**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.

**Strike Enacting Clause  
– House Filed**

**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.

**Strike Enacting Clause  
– House Filed**

**Jim Nielsen**

**Support**

**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.

**Enrolled Bill Prepared**

**Val Peterson**

**Tracking**

**HB 90 – Public Meetings During Party Caucuses**

<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.

**Strike Enacting Clause  
– House Filed**

**Kraig Powell**

**Tracking**

**HB 94 – Government Competition With Private Enterprise**

<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

**Strike Enacting Clause  
– House Filed**

**Johnny  
Anderson**

**Oppose**

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**      **Enrolled Bill Prepared**      **Merlynn Newbolt**      **Tracking**

<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.

**HB 106 – Limitation on Collective Bargaining**      **Strike Enacting Clause – House Filed**      **Keith Grover**      **Tracking**

<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.

**HB 111 – Amendments to Open and Public Meetings Act**      **Strike Enacting Clause – House Filed**      **Craig Frank**      **Tracking**

<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.

**HB 118 – Storage of Electronic Records**      **Enrolled Bill Prepared**      **Brad Daw**      **Tracking**

<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.

**HB 121, 1<sup>st</sup> Substitute – Disabled Law Enforcement Officer Amendments**      **Enrolled Bill Prepared**      **Lee Perry**      **Tracking**

<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 offset by certain other benefits or payments defined by Department of Human Resource Management rules.

**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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**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.

**Strike Enacting Clause – House Filed**

**Bill Wright**

**Tracking**

**HB 152, 1<sup>st</sup> Substitute – Emissions Amendments****Strike Enacting Clause    Derek Brown    Tracking  
– House Filed**

<http://le.utah.gov/~2012/bills/hbillint/hb0152.pdf>

This bill: 1) provides definitions; 2) provides that electric vehicles and natural gas vehicles are exempt from the requirement to obtain an emissions inspection; 3) provides that, to the extent allowed under the state implementation plan, a motor vehicle that is less than six years old is exempt from the requirement to obtain an emissions inspection; 4) provides that a vehicle with a model year identified by the manufacturer as a 1996 year model or newer is only required to obtain an emissions inspection every four years for each vehicle; 5) provides that, to the extent allowed under the state implementation plan, the emissions standards adopted for certain emissions inspections shall: A) only require that a certified emissions inspector verify if the motor vehicle's on-board diagnostics are indicating that the vehicle's engine needs to be checked; B) provide that an emissions inspection may be conducted by any certified emissions inspector in the state; and C) allow a vehicle to submit to a tailpipe test if the vehicle's readiness status indicates a "not ready" code for any component of the on-board diagnostic system; 6) prohibits a public entity from offering emissions testing services if providing those services is in competition with one or more private enterprises; and 7) makes technical changes.

**HB 153 – Diversion of Water****Enrolled Bill Prepared    Joel Briscoe    Support**

<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.

**HB 172 – Voter by Mail Amendments****Enrolled Bill Prepared    Steve Eliason    Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0172.pdf>

This bill: 1) requires the lieutenant governor, with the participation of county clerks and other election officers, to study how to administer an election by mail with the option of voting in person at early voting or an election day voting center; 2) repeals a section specific to voting by mail in certain districts; 3) authorizes an election officer to administer an election entirely by mail.

<p><b>HB 174 – Sales and Use Tax Allocations for Water Resources Construction Fund</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0174.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0174.pdf</a>  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.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Pat Painter</b></p>	<p><b>Support</b></p>
<p><b>HB 181 – Political Subdivision Government Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0181.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0181.pdf</a>  This bill: 1) prohibits, in certain circumstances, the Legislature from adopting legislation that would amend or repeal a municipal or county ordinance; and 2) requires a municipality or county to notify the clerk of the House of Representatives or secretary of the Senate, respectively, if legislation is introduced that would amend or repeal a municipal or county ordinance.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Brian Doughty</b></p>	<p><b>Tracking</b></p>
<p><b>HB 192 – Private Property Rights</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0192.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0192.pdf</a>  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><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Brad Wilson</b></p>	<p><b>Support</b></p>
<p><b>HB 196, 1<sup>st</sup> Substitute – Abusive Workplace Policies Act</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0196s01.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0196s01.pdf</a>  This bill: 1) enacts the Abusive Workplace Policies Act, including: A) defining terms; B) requiring a policy against certain conduct; and C) addressing training.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Stephen Sandstrom</b></p>	<p><b>Tracking</b></p>
<p><b>HB 210, 1<sup>st</sup> Substitute – Severance Tax Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0210s01.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0210s01.pdf</a>  This bill provides that certain severance tax revenue be deposited into the permanent state trust fund.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Jim Nielsen</b></p>	<p><b>Tracking</b></p>
<p><b>HB 215 – Labor Related Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0215.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0215.pdf</a>  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.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Michael Morley</b></p>	<p><b>Support</b></p>

<p><b>HB 223 – Retention of Evidence Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0223.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0223.pdf</a>  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><b>Enrolled Bill Prepared</b></p>	<p><b>Brad Wilson</b></p>	<p><b>Tracking</b></p>
<p><b>HB 224, 1<sup>st</sup> Substitute – Political Subdivisions – Report of Receipts of Federal Money</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0224s01.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0224s01.pdf</a>  This bill: defines terms and requires certain political subdivisions to develop a contingency plan if there is a reduction of federal funds or receipts to the political subdivision.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Ken Ivory</b></p>	<p><b>Tracking</b></p>
<p><b>HB 226 – Closed Meeting Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0226.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0226.pdf</a>  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.</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Kraig Powell</b></p>	<p><b>Tracking</b></p>
<p><b>HB 228 – Criminal Gang Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0228.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0228.pdf</a>  This bill amends the definition of a "criminal street gang."</p>	<p><b>Strike Enacting Clause – House Filed</b></p>	<p><b>Curt Oda</b></p>	<p><b>Tracking</b></p>
<p><b>HB 243 – Municipal Election Revisions</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0243.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0243.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>John Dougall</b></p>	<p><b>Tracking</b></p>
<p><b>HB 246 – County Correctional Facilities Funding Amendments</b>  <a href="http://le.utah.gov/~2012/bills/hbillint/hb0246.pdf">http://le.utah.gov/~2012/bills/hbillint/hb0246.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Michael Noel</b></p>	<p><b>Tracking</b></p>

**HB 253, 1<sup>st</sup> 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.

**Enrolled Bill Prepared Kraig Powell Tracking**

**HB 256, 3<sup>rd</sup> Substitute – Retirement Modifications**

<http://le.utah.gov/~2012/bills/hbillint/hb0256s03.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) allows the executive director of the Department of Corrections to be excluded from the Public Safety Contributory Retirement System, the Public Safety Noncontributory Retirement System, and the Tier I Public Safety Noncontributory Retirement System; 9) 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; 10) clarifies that Tier II firefighters, including volunteer firefighters, are covered under the URS long-term disability program; 11) provides that long-term disability claims must be made within six months, rather than one year, from the employee's date of disability; 12) requires an employee receiving monthly disability benefits to provide certain information and documentation requested by the office; 13) provides that monthly disability benefits are reduced for payments made for sick leave, annual leave, or similar payments; 14) clarifies participation requirements for employers in the Tier II systems; 15) 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; 16)

**Enrolled Bill Prepared Don Ipson Tracking**

allows certain public safety service employees to be exempt from the vesting requirement for the defined contribution plan in the New Public Safety and Firefighter Tier II Contributory Retirement System; and 17) 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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**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.

**Strike Enacting Clause – House Filed**

**Michael Morley**

**Oppose**

**HB 291, 1<sup>st</sup> Substitute – Funding for Burying Utility Lines**

<http://le.utah.gov/~2012/bills/hbillint/hb0291s01.pdf>

This bill: 1) defines terms; 2) allows a city legislative body of a city of the first class to impose a sales and use tax; 3) establishes a maximum tax rate for the tax; 4) requires collections from the sales and use tax be used only to bury certain utility lines; and 5) provides for the administration, collection, and enforcement of the tax.

**Strike Enacting Clause – House Filed**

**Joel Briscoe**

**Tracking**

**HB 297 – Highway Barricade Amendments**

<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.

**Enrolled Bill Prepared**

**Lee Perry**

**Support**

**HB 299, 1<sup>st</sup> Substitute – Tax Revisions**

<http://le.utah.gov/~2012/bills/hbillamd/hb0299s01.pdf>

This bill: 1) allows a claimant to claim a nonrefundable tax credit for tuition and mandatory fees for the claimant's enrollment in an institution within the state system of higher education; 2) limits the nonrefundable tax credit to 5% of the claimant's tax liability before tax credits; and 3) allows the claimant to carry forward the nonrefundable tax credit if the amount of the tax credit exceeds 5% of the claimant's tax liability before tax credits.

**Strike Enacting Clause – House Filed**

**John Dougall**

**Tracking**

**HB 300 – Illegal Alien Related Amendments**

<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

**Strike Enacting Clause – House Filed**

**Chris Herrod**

**Tracking**

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.

**HB 304, 1<sup>st</sup> Substitute – Access to Voter Date Of Birth Records**

<http://le.utah.gov/~2012/bills/hbillint/hb0304s01.pdf>

This bill: 1) amends the requirement of the lieutenant governor and county clerks to make certain records available for public inspection; 2) authorizes the classification of a birth date as a private record; 3) amends a voter registration form, provisional ballot envelope, a voter registration notice, and the electronic system for voter registration to allow a voter to request that the voter's birth date be classified as private record; 4) authorizes a registered voter to request that the voter's birth date be classified as private record by filing a signed form with the county clerk; 5) requires a county clerk to update a voter registration record to show that the birth date is classified as private.

**Strike Enacting Clause  
– House Filed**

**Rebecca  
Edwards**

**Support**

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

<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.

**Strike Enacting Clause  
– House Filed**

**Daniel McCay**

**Tracking**

**HB 314 – Wage Reporting Amendments**

<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.

**Strike Enacting Clause – House Filed**      **Val Peterson**      **Oppose**

**HB 320, 1<sup>st</sup> Substitute – Utility Facility Siting**

<http://le.utah.gov/~2012/bills/hbillamd/hb0320s01.pdf>  
This bill: 1) modifies the time period for hearings and decisions of the Utility Facility Review Board; 2) establishes a deadline for the board to hold a hearing on the merits; 3) establishes a presumption that the utility has taken certain action under specified circumstances; and 4) makes technical changes.

**Strike Enacting Clause – House Filed**      **Doug Sagers**      **Tracking**

**HB 323, 1<sup>st</sup> Substitute – Sales and Use Tax Collection Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0323s01.pdf>  
This bill: 1) changes the timing of sales and use tax collection and remittance for certain sales involving delivery, installation, or the conversion of tangible personal property into real property; 2) addresses a deduction for bad debt; and 3) makes technical and conforming changes.

**Enrolled Bill Prepared**      **David Butterfield**      **Tracking**

**HB 337 – Open Government Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0337.pdf>  
This bill: 1) defines terms; 2) creates the Utah Public Records Website (website), to be established and maintained by the Division of Archives and Records Services (division), with the assistance of the Department of Technology Services; 3) describes the purpose and character of the website and the records that are required to be posted on the website; 4) grants rulemaking authority, in relation to the website, to the division; 5) creates the Utah Public Records Website Advisory Board (board); 6) describes the membership, duties, and powers of the board; and 7) makes technical changes.

**Strike Enacting Clause – House Filed**      **John Dougall**      **Oppose**

**HB 338 – Election Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0338.pdf>  
This bill: 1) clarifies how to cast a valid absentee ballot; and 2) makes technical changes.

**Strike Enacting Clause – House Filed**      **Steve Eliason**      **Tracking**

**HB 339 – Election Ballot Amendments**

**Enrolled Bill Prepared Steve Eliason Oppose**

<http://le.utah.gov/~2012/bills/hbillint/hb0339.pdf>  
This bill: 1) provides a definition; 2) requires an election officer to include a business reply mail envelope with an absentee ballot in certain circumstances; 3) changes the date on which an election officer mails an absentee ballot; 4) requires the election officer to notify a voter if the voter's absentee ballot is rejected and the reason the absentee ballot was rejected; 5) requires the election officer to report all absentee ballots that were rejected; 6) requires an elections officer to ensure that an absentee or provisional ballot is not accessible until the ballot is counted; and 7) makes technical changes.

**HB 341 – Financial Disclosures by Local Candidates**

**Strike Enacting Clause – House Filed Ken Sumsion Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0341.pdf>  
This bill requires local candidates to file a financial disclosure, and makes technical changes.

**HB 350, 3<sup>rd</sup> Substitute – Payroll Deduction Amendments**

**Strike Enacting Clause – House Filed Brad Daw Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0350s03.pdf>  
This bill: 1) modifies a provision requiring an employer to deduct an employee's wages for union dues if directed to do so by an employee; 2) requires an employer to deduct also for membership dues in any professional or trade organization if an employee directs the employer to make the deduction; and 3) makes technical changes.

Consider a change in position

**HB 368 – Abandonment or Forfeiture of Water Rights**

**Strike Enacting Clause – House Filed Brad Galvez Support**

<http://le.utah.gov/~2012/bills/hbillint/hb0368.pdf>  
This bill: 1) prohibits the state engineer from asserting forfeiture of a water right in a proposed determination of rights if the period of nonuse did not occur or end during a certain period; 2) bars an assertion of forfeiture regarding a water right subject to a proposed determination if the assertion is not made by the state engineer in the proposed determination or by a person in an objection to the proposed determination; 3) subjects a water right found to be valid in a decree adjudicating a general determination of water rights to a claim of forfeiture based on a period of nonuse that begins after the state engineer files the related proposed determination of rights with the court.

**HB 369 – Adjudication of Water Rights**

<http://le.utah.gov/~2012/bills/hbillint/hb0369.pdf>

This bill: 1) describes requirements, in a general determination of rights under Title 73, Water and Irrigation, for the state engineer to: A) prepare and maintain a list of claimants; B) give notice of further proceedings; C) give notice to a claimant of the opportunity to make a claim; D) compile submitted statements of claim and file them with the court; E) serve a summons to a claimant; and F) provide a copy of the state engineer's report and proposed determination to a claimant; 2) requires a claimant to file an objection to the state engineer's report and proposed determination in a certain manner.

**Strike Enacting Clause  
– House Filed**

**Joel Briscoe**

**Support**

**HB 384, 1st Substitute – Sales and Use Tax  
Retailer Nexus Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0384s01.pdf>

This bill: 1) provides definitions; 2) expands the types of sellers who are required to pay or collect and remit sales and use taxes; and 3) makes technical and conforming changes.

**Enrolled Bill Prepared**

**Wayne  
Harper**

**Tracking**

**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.

**Strike Enacting Clause  
– House Filed**

**Wayne  
Harper**

**Tracking**

**HB 387, 1st Substitute – Property Tax  
Modifications**

<http://le.utah.gov/~2012/bills/hbillamd/hb0387s01.pdf>

This bill: 1) defines terms; 2) modifies the property taxation of certain personal property; and 3) makes technical and conforming changes.

**Enrolled Bill Prepared**

**Wayne  
Harper**

**Tracking**

**HB 421 – Local District Dissolution**

<http://le.utah.gov/~2012/bills/hbillamd/hb0421.pdf>

This bill: 1) prohibits the creation of certain local districts; 2) amends definitions; 3) amends provisions related to a petition to dissolve a local district; 4) amends provisions related to the certification of a petition to dissolve a local district; 5) prohibits the board of trustees of an inactive local district from taking certain actions; and 6) makes technical corrections.

**Strike Enacting Clause  
– House Filed**

**Daniel McCay**

**Tracking**

**Bill amended  
by UASD**

**HB 429, 1<sup>st</sup> Substitute – Property Rights Modifications**

<http://le.utah.gov/~2012/bills/hbillamd/hb0429s01.pdf>

This bill: 1) creates an exception to the prohibition on eminent domain for trails, paths, and other recreational uses; 2) provides specific guidelines for the exception; and 3) sets parameters for the municipality to make decisions and work with the property owner.

**Strike Enacting Clause – House Filed**

**Gage Froerer**

**Tracking**

**HB 437, 1<sup>st</sup> Substitute – Public Employee Health Care Benefits**

<http://le.utah.gov/~2012/bills/hbillamd/hb0437s01.pdf>

This bill: 1) clarifies that health insurance benefits provided to employees do not constitute a continuing obligation ~~[and may be changed by the Legislature at any time]~~; 2) requires the Public Employee Health Plan to provide training on changing coverages to the high deductible plan with a health savings account, including coordination of benefits with other insurances; 3) requires PEHP to coordinate annual open enrollment with the Department of Human Resource Management; 4) establishes minimum annual employer contribution amounts and payout provisions for the employer paid health savings account contributions; 5) requires the state to offer continuing high deductible health plan coverage under certain circumstances after the employee has the exhausted Federal COBRA insurance; and 6) makes technical changes.

**Enrolled Bill Prepared**

**Brad Daw**

**Tracking**

**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 and technical corrections.

**Enrolled Bill Prepared**

**Don Ipson**

**Tracking**

**HB 457 – Eminent Domain Revisions**

<http://le.utah.gov/~2012/bills/hbillint/hb0457.pdf>

This bill: 1) requires the complaint to state the specific public purpose for the eminent domain action; 2) changes the date on attorney fees to 2009; 3) removes the provision allowing condemnor to abandon the proceedings any time prior to final payment; 4) allows a property owner to have another appraisal performed by an independent appraiser approved by the mediator or arbitrator.

**Strike Enacting Clause – House Filed**

**Brad Last**

**Tracking**

With amendment #1

**HB 458 – Wastewater System Amendments**

**Strike Enacting Clause  
– House Filed**

**Pat Painter**

**Support**

<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.

**HB 462 – Constitutional Defense Council  
Amendments**

**Enrolled Bill Prepared**

**Joel Briscoe**

**Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0462.pdf>

This bill: 1) amends the duties of the Constitutional Defense Council; 2) amends the purposes for which money from the Constitutional Defense Restricted Account may be used.

**HB 476 – Amendments to Local Government**

**Enrolled Bill Prepared**

**Don Ipson**

**Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0476.pdf>

This bill: 1) requires the State Tax Commission to redistribute certain telecommunications charges under certain circumstances; and 2) makes technical and conforming changes.

**HB 477 – Employment Act and Verification  
Requirements**

**Strike Enacting Clause  
– House Filed**

**Steve  
Sandstrom**

**Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0477.pdf>

This bill: 1) enacts the Utah Illegal Employment Act, including: A) defining terms; B) addressing applicability for independent contractors; C) prohibiting knowingly or intentionally employing an unauthorized alien and creating a related complaint process with penalties; D) providing that an employer is not required to take any action that the employer believes in good faith would violate federal or state law; E) requiring employers to participate in e-verify, with exceptions; F) requiring the attorney general to maintain certain information and to post certain information on a website; and G) requiring the attorney general to established the voluntary employer enhanced compliance program; 2) repeals the Private Employer Verification Act and removes cross references related to that act; 3) repeals provisions addressing employment and verification under general government provisions; and 4) makes technical and conforming amendments.

**HB 482 – Severance Tax Funding for Certain Programs**

<http://le.utah.gov/~2012/bills/hbillint/hb0482.pdf>

This bill: 1) provides funding for the Constitutional Defense Restricted Account from certain oil and gas severance tax revenues; 2) provides that the Division of Finance shall make deposits into the Constitutional Defense Restricted Account after making the deposits required to be made into the Uintah Basin Revitalization Fund and the Navajo Revitalization Fund; 3) repeals obsolete language; and 4) makes technical and conforming changes.

**Strike Enacting Clause  
– House Filed**

**Ken Ivory**

**Tracking**

**HB 485, 1<sup>st</sup> Substitute – Change Application Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0485s01.pdf>

This bill: 1) requires certain signatures on a change application for a federal reclamation project water right; and 2) makes technical changes.

**Enrolled Bill Prepared**

**Ryan Wilcox**

**Support**

**HB 486 – Water and Irrigation Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0486.pdf>

This bill: 1) changes some of the state engineer's mandatory rulemaking authority to permissive rulemaking authority; 2) requires a wholesale electrical cooperative to provide certain information upon applying for an extension of time to prove beneficial use; 3) removes the requirement that an engineer or land surveyor verify by oath certain information in a claim to surface or underground water not otherwise appropriated; and 4) makes technical changes.

**Strike Enacting Clause  
– House Filed**

**Neil  
Hendrickson**

**Support**

**HB 488 – Working on Election Ballots**

<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.

**Enrolled Bill Prepared**

**Evan Vickers**

**Tracking**

**HB 491 – Mid-term Vacancy Amendments**

<http://le.utah.gov/~2012/bills/hbillint/hb0491.pdf>

This bill: 1) requires a municipality and local school board to interview potential appointees in a public meeting; 2) prohibits the discussion of filling a midterm vacancy in a closed meeting; and 3) makes technical changes.

**Enrolled Bill Prepared**

**John Dougall**

**Oppose**

**HB 493, 3<sup>rd</sup> Substitute – Campaign Finance Disclosure Amendments**

**Enrolled Bill Prepared    Kraig Powell    Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0493s03.pdf>  
This bill amends the scope of an electioneering communication reporting requirement.

**HB 494 – Campaign Finance Amendments**

**Enrolled Bill Prepared    Stewart Barlow    Tracking**

<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.

**HB 502, 2<sup>nd</sup> Substitute – Incorporation Amendments**

**Enrolled Bill Prepared    Mel Brown    Tracking**

<http://le.utah.gov/~2012/bills/hbillamd/hb0502s02.pdf>  
This bill: 1) amends definitions; 2) amends language related to a request for a feasibility study; 3) amends language related to the certification of a request for a feasibility study; 4) amends provisions that require a city incorporation feasibility study; 5) amends language related to a city incorporation petition; 6) amends language related to an incorporation of a city election; 7) amends provisions related to a town incorporation feasibility study; 8) amends language related to a town incorporation petition; 9) requires a county legislative body to hold a public hearing on a feasibility study; 10) enacts provisions related to an incorporation of a town election; 11) enacts provisions related to a town form of government and election of town officers; 12) enacts provisions requiring notice of a town incorporation to the lieutenant governor; 13) enacts provisions related to the effective date of a town incorporation; 14) amends language related to the duties of a planning commission of a township; 15) amends the definition of "ballot proposition".

Position  
Tracking after  
bill substitution

**HB 503, 2<sup>nd</sup> Substitute – Construction Amendments**

**Enrolled Bill Prepared    Mike Morley    Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0503s02.pdf>  
This bill: 1) defines terms; 2) provides that, unless otherwise specified by contract, the interest rate applicable to a lien or bond claim is the statutory rate of 10% per annum; 3) provides that the following are not exempt from providing preliminary notice of a payment bond claim or a lien: A) a temporary labor service company; B) a professional employer company or organization; C) a union trust fund; or D)

any other entity that provides or collects for labor;  
and 4) makes technical changes.

**HB 505 – Agricultural Code Amendments**

**Enrolled Bill Prepared Brad Galvez Tracking**

<http://le.utah.gov/~2012/bills/hbillint/hb0505.pdf>

This bill: 1) permits the Conservation Commission to approve grants and make loans for the control or eradication of noxious weeds and invasive plant species; 2) permits the Department of Agriculture to use funds from the Rangeland Improvement Account for the administrative costs of rangeland improvement projects; 3) makes it a class B misdemeanor for a person in control of a swine to allow the swine to run at large and makes the person liable for damage caused by the swine; 4) recodifies and renames Title 4, Chapter 26, Dead Animals -- Enclosures and Fences, and removes provisions regarding dead animals; 5) repeals the provisions of Title 4, Chapter 29, Diseases of Poultry; 6) recodifies and modifies Title 4, Chapter 31, Livestock Inspection and Quarantine, to: A) grant rulemaking authority to the Department of Agriculture to control and eradicate brucellosis, trichomoniasis, and tuberculosis in livestock; trace animal disease; and control and prevent disease in poultry, waterfowl, and game-birds; B) provide for disposal of dead animals; and C) describe procedures for the control of animal disease; and 7) makes technical changes.

**HB 511 – Eminent Domain of Federal Land**

**Strike Enacting Clause Ken Sumsion Oppose  
– House Filed**

<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.

**HB 512 – Rural County Health Care Special Service District Retirement Grant Program**

**Enrolled Bill Prepared Don Ipson Support**

<http://le.utah.gov/~2012/bills/hbillint/hb0512.pdf>

This bill: 1) defines terms; 2) establishes a grant application process; and 3) directs the Department of Health to award grants to qualified applicants.

**HCR 10 – Provo Canal Title Transfer Concurrent Resolution**

<http://le.utah.gov/~2012/bills/hbillint/hcr010.pdf>

This resolution: 1) recognizes the benefits of completing the Provo Reservoir Canal Enclosure Project; 2) expresses support for completion of the Provo Reservoir Canal Enclosure Project; and 3) urges the United States Bureau of Reclamation to work with the parties to expeditiously complete the transfer of title.

**Strike Enacting Clause  
– House Filed**

**John Dougall**

**Support**

**HJR 12, 1<sup>st</sup> Substitute – Joint Resolution on Property Tax Exemption For Certain Military Personnel**

<http://le.utah.gov/~2012/bills/hbillint/hjr012s01.pdf>

This resolution proposes to amend the Utah Constitution to: 1) provide a property tax exemption for: A) property owned by a person and used as the person's primary residence if the person, while serving in the National Guard or a military reserve unit, is ordered to federal active duty outside the state; or B) if that exemption may not be taken, property owned by the spouse of that person and used as the primary residence of that person or spouse; and 2) provide the property tax exemption for each year during any portion of which the person is serving under the order to federal active duty.

**Strike Enacting Clause  
– House Filed**

**Stephen Sandstrom**

**Support**

**HR 4, House Rules Resolution Limiting Number of Bill Files**

<http://le.utah.gov/~2012/bills/hbillint/hr0004.pdf>

This resolution: 1) places a limit on the number of requests for legislation that each member of the House of Representatives may file during a general legislative session; 2) provides exceptions for abandoning and reassigning bills; and 3) provides necessary procedures relating to the limitation.

**Strike Enacting Clause  
– House Filed**

**Craig Frank**

**Tracking**

## 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

**Enrolled Bill Prepared**

## Sponsor

**Margaret  
Dayton**

## Position

**Support**

### **SB 12, 1<sup>st</sup> 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.

**Enrolled Bill Prepared**

**Mark Madsen**

**Tracking**

### **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.

**Enrolled Bill Prepared**

**Scott Jenkins**

**Tracking**

**SB 17 – Candidate Vacancy Amendments**

<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.

**Enrolled Bill Prepared** Peter Knudson

**Tracking**

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

<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.

**Enrolled Bill Prepared** Margaret Dayton

**Support**

**SB 19 - 2<sup>nd</sup> Substitute – Voter Information Pamphlets**

<http://le.utah.gov/~2012/bills/sbillint/sb0019s02.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) methods to request a voter information pamphlet by mail; 4) requires the lieutenant governor to conduct a study; 5) requires the lieutenant governor to distribute the voter information pamphlet in certain locations; and 6) makes technical changes.

**Enrolled Bill Prepared** Peter Knudson

**Support**

**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.

**Enrolled Bill Prepared** Peter Knudson

**Tracking**

**SB 21 - 1<sup>st</sup> 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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**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.

**Enrolled Bill Prepared**

**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.

**Strike Enacting Clause    Ross Romero    Tracking  
– Senate Filed**

**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.

**Strike Enacting Clause    Scott Jenkins    Tracking  
– Senate Filed**

**SB 58 – Property Tax Valuation Amendments**

<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.

**Enrolled Bill Prepared**

**Wayne  
Niederhauser**

**Tracking**

**SB 61 - Invasive Species Amendments**

<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.

**Enrolled Bill Prepared**

**Ralph  
Okerlund**

**Support**

**SB 65, 3<sup>rd</sup> Substitute – Alternative Energy Development Tax Incentives**

<http://le.utah.gov/~2012/bills/sbillamd/sb0065s03.pdf>

This bill: 1) repeals the Alternative Energy Development Act; 2) enacts the Alternative Energy Development Tax Credit Act related to alternative energy development tax credits; 3) enacts the Alternative Energy Manufacturing Tax Credit Act related to alternative energy manufacturing tax credits; 4) repeals provisions related to alternative energy development tax credits in economic development tax credit provisions; 5) defines terms; 6) modifies and expands alternative energy sales and use tax exemptions; 7) extends the time period for claiming certain sales and use tax exemptions related to alternative energy; 8) requires the Office of Energy Development to administer the alternative energy development tax credits; 9) requires the Governor's Office of Economic Development to administer the alternative energy manufacturing tax credits.

**Enrolled Bill Prepared**

**Stuart Adams**

**Tracking**

**SB 69 - Assessments Area Amendments**

<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.

**Strike Enacting Clause  
– Senate Filed**

**Wayne  
Niederhauser**

**Tracking**

<p><b>SB 78, 1<sup>st</sup> Substitute – Water Conservancy District Amendments</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0078s01.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0078s01.pdf</a>  This bill directs the Revenue and Taxation Interim Committee in 2012 to study the proper allocation of water costs to the rate structure charged for water customers.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>John Valentine</b></p>	<p><b>Tracking</b></p>
<p><b>SB 86, 2<sup>nd</sup> Substitute – Agriculture Protection Amendments</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0086s02.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0086s02.pdf</a>  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; and 6) makes technical corrections.</p>	<p><b>Strike Enacting Clause – Senate Filed</b></p>	<p><b>Curtis Bramble</b></p>	<p><b>Support</b></p>
<p><b>SB 93, 1<sup>st</sup> Substitute - Retention Proceeds Revisions</b>  <a href="http://le.utah.gov/~2012/bills/sbillamd/sb0093s01.pdf">http://le.utah.gov/~2012/bills/sbillamd/sb0093s01.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Scott Jenkins</b></p>	<p><b>Tracking</b></p>
<p><b>SB 94 – Electric Power Facilities Amendments</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0094.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0094.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Curtis Bramble</b></p>	<p><b>Tracking</b></p>
<p><b>SB 95 – Use of Payment in Lieu of Taxes Funds</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0095.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0095.pdf</a>  This bill: 1) requires a county to fund municipal-type services with funds received in payment in lieu of taxes.</p>	<p><b>Strike Enacting Clause – Senate Filed</b></p>	<p><b>Casey Anderson</b></p>	<p><b>Tracking</b></p>

**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 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.

**Enrolled Bill Prepared Lyle Hillyard Tracking**

**SB 107 – Possession of Graffiti Paraphernalia**

<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.

**Strike Enacting Clause Karen Mayne Tracking  
– Senate Filed**

**SB 109 – Assault Amendments**

<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.

**Strike Enacting Clause Aaron Osmond Support  
– Senate Filed**

**SB 114, 1<sup>st</sup> Substitute – Contesting Public Procurements**

<http://le.utah.gov/~2012/bills/sbillint/sb0114s01.pdf>

This bill: 1) increases the number of members on the Procurement Policy Board; 2) describes procedures and requirements for a protest before a protest officer 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 to most 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; 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 or approved designees; 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.

**Enrolled Bill Prepared**

**Wayne  
Niederhauser**

**Tracking -  
amended**

**SB 116, 1<sup>st</sup> Substitute – Armed Forces Property Tax Exemption**

<http://le.utah.gov/~2012/bills/sbillint/sb0116s01.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 qualifying active duty military service.

**Enrolled Bill Prepared**

**Luz Robles**

**Support**

<p><b>SB 118 – Transferable Development Rights Amendments</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0118.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0118.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Wayne Niederhauser</b></p>	<p><b>Tracking</b></p>
<p><b>SB 120 – Off-Duty Peace Officers’ Employment</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0120.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0120.pdf</a>  This bill requires the posting on the Internet of a law enforcement agency's policy regarding off-duty security work by agency peace officers.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Margaret Dayton</b></p>	<p><b>Tracking</b></p>
<p><b>SB 122 – Urban Farmers Assessment Act</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0122.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0122.pdf</a>  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.</p>	<p><b>Enrolled Bill Prepared</b></p>	<p><b>Wayne Niederhauser</b></p>	<p><b>Tracking</b></p>
<p><b>SB 128 – Wireless Telephone Use Restriction for Minors in Vehicles</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0128.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0128.pdf</a>  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.</p>	<p><b>Strike Enacting Clause – Senate Filed</b></p>	<p><b>Ross Romero</b></p>	<p><b>Tracking</b></p>
<p><b>SB 129 – Unemployment Insurance Modifications</b>  <a href="http://le.utah.gov/~2012/bills/sbillint/sb0129.pdf">http://le.utah.gov/~2012/bills/sbillint/sb0129.pdf</a>  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</p>	<p><b>Governor Signed</b></p>	<p><b>Curtis Bramble</b></p>	<p><b>Tracking</b></p>

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**      **Strike Enacting Clause – Senate Filed**      **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**      **Enrolled Bill Prepared**      **Margaret Dayton**      **Support**

<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.

**SB 137, Financial Transparency Website**      **Enrolled Bill Prepared**      **Wayne Niederhauser**      **Tracking**

<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.

**SB 147, Emergency Vehicle Amendments**      **Enrolled Bill Prepared**      **Daniel Thatcher**      **Support**

<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.

**SB 150, 1<sup>st</sup> Substitute – Local and Special Service District Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0150s01.pdf>

This bill: 1) defines terms; 2) clarifies language related to a board of trustees member's term; 3) amends language related to the appointment of a local district board member; 4) authorizes a local district to provide early voting for an election of a board member; 5) amends language related to a local district tax levy; 6) amends notice requirements for a budget hearing held by the board of trustees; 7) amends provisions related to an improvement district board of trustees; 8) prohibits a service area located in a fourth class county from charging certain fees; 9) amends language related to a use charge imposed by an irrigation district; 10) amends provisions related to a mosquito abatement district board of trustees; 11) amends language related to an administrative control board membership; 12) amends language related to the qualifications of an administrative control board member.

**Enrolled Bill Prepared**

**Jerry Stevenson**

**Support**

This bill is the UASD cleanup bill addressing a variety of important items.

**SB 153, 2<sup>nd</sup> Substitute – Procurement Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0153s02.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

**Enrolled Bill Prepared**

**Wayne Niederhauser**

**Tracking**

The UASD initiated important amendments to this bill with the bill sponsor and with state purchasing.

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**

<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.

**Strike Enacting Clause  
– Senate Filed**

**Stephen  
Urquhart**

**Tracking**

**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.

**Strike Enacting Clause  
– Senate Filed**

**Mark Madsen**

**Tracking**

**SB 165, 1<sup>st</sup> Substitute – Redevelopment Agency Amendments**

<http://le.utah.gov/~2012/bills/sbillamd/sb0165s01.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.

**Enrolled Bill Prepared    Todd Weiler    Tracking**

**SB 177, 1<sup>st</sup> Substitute – Government Records Access and Management Act Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0177s01.pdf>

This bill: 1) defines terms; 2) requires the Division of Archives and Records Service (division) to provide an online training course that is required to be successfully completed by records officers on an annual basis; 3) grants rulemaking authority to the division; 4) creates the position, and describes the duties of, the government records ombudsman; 5) provides that a record shall be disclosed when the public interest in disclosure is equal to or greater than the interests in nondisclosure; 6) amends protected records provisions relating to the attorney client privilege, attorney work product, and records prepared for or in anticipation of litigation or other proceedings; 7) requires a person who files an appeal with the records committee to serve a copy of the appeal on the government entity to which the appeal relates; 8) extends, to seven days, the deadline for the records committee to issue an order on a petition; 9) establishes evidentiary standards for release of certain enforcement and litigation records; 10) creates a good faith defense to criminal provisions relating to the release or use of government records; and 11) makes technical changes.

**Enrolled Bill Prepared    Curtis Bramble    Support**

**SB 180, 3<sup>rd</sup> Substitute – Political Subdivision Ethics Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0180s03.pdf>

This bill: 1) authorizes a municipality to establish a municipal ethics commission; 2) enacts general provisions; 3) defines terms; 4) authorizes a political subdivision to establish an ethics commission within the political subdivision or by interlocal agreement; 5) enacts provisions related to the Political Subdivisions Ethics Review Commission (Commission); 6) enacts provisions related to

**Enrolled Bill Prepared    Curtis Bramble    Tracking**

general powers and procedures; 7) enacts provisions related to a hearing on an ethics complaint; 8) enacts provisions related to an ethics complaint; 9) enacts provisions related to a review of an ethics complaint for compliance; 10) enacts provisions related to the commission's preliminary review and review of an ethics violation; 11) authorizes a county to establish a county ethics commission; 12) amends provisions related to a closed public meeting; 13) amends provisions related to a private record; 14) removes a county from the authority of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act; 15) enacts language related to filing a complaint for a violation of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act.

**SB 187 – Change Application Procedures**

**Strike Enacting Clause  
– Senate Filed**

**Ralph  
Okerlund**

**Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0187.pdf>

This bill: 1) defines terms; 2) requires that a person who applies for a permanent or temporary change to a water right meet certain qualifications; 3) allows the state engineer, upon receiving a change application, to determine the quantity of water that is currently being beneficially used and limit approval of the change application based on that determination; and 4) makes technical changes.

**SB 192 – Bond Validation Act Amendments**

**Enrolled Bill Prepared**

**Ben  
McAdams**

**Support**

<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.

**SB 193, 1<sup>st</sup> Substitute – Local Government Bonding Act Amendments**

**Enrolled Bill Prepared**

**Curtis  
Bramble**

**Support**

<http://le.utah.gov/~2012/bills/sbillint/sb0193s01.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.

**SB 195, 1<sup>st</sup> Substitute – Transportation Safety Revisions**

<http://le.utah.gov/~2012/bills/sbillint/sb0195s01.pdf>  
This bill: 1) provides definitions; 2) restricts when a vehicle may turn around related to railroad tracks or railroad grade crossings; 3) limits pedestrians related to railroad crossings or bridges; 4) restricts vehicles driving through, around, or under a crossing gate or barrier; 5) clarifies transportation systems for purposes of the criminal mischief provision.

**Enrolled Bill Prepared Karen Mayne Support**

**SB 203 – Legislative Audits**

<http://le.utah.gov/~2012/bills/sbillint/sb0203.pdf>  
This bill: 1) requires the Legislative Management Committee to refer audit reports to an appropriate legislative committee when an entity has not implemented previous audit recommendations; 2) requires the legislative auditor general, after completing a subsequent audit of a state agency, to report to the Legislative Management Committee when the agency has not implemented previous audit recommendations; 3) requires the legislative auditor general to report to a meeting of a legislative committee when a state agency has not implemented audit recommendations; 4) requires the state auditor to notify the Legislative Management Committee when an entity has not implemented previous audit recommendations.

**Enrolled Bill Prepared Stuart Reid Tracking**

**SB 206 – Warrant Process Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0206.pdf>  
This bill: 1) requires specified additional information to be included in the statewide warrant system; 2) requires the Bureau of Criminal Identification to: A) utilize the expanded statewide warrant system to locate the best known address and contact information for individuals who have, within a specified period of time, not paid or resolved outstanding warrants; B) provide written notification informing individuals that under certain circumstances, a person's driver's license will be suspended and a person will not be permitted to purchase a hunting or fishing license; C) to report to the Driver License Division all individuals who do not pay or resolve warrants within a specified period of time; 3) requires the Driver's License Division to

**Strike Enacting Clause Scott Jenkins Tracking  
– Senate Filed**

suspend the driver's licenses of individuals who do not pay or resolve warrants with the appropriate judicial authority within specified period of time; and 4) prevents a person with an outstanding warrant from purchasing a hunting tag, permit, or license, or a fishing license.

**SB 220 – Hospital Health Care Provider Lien Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0220.pdf>  
 This bill: 1) defines terms; 2) changes the name of the Hospital Lien Law to the Hospital and Health Care Provider Lien Law; 3) adds health care provider under the same lien provisions as a hospital.

**Strike Enacting Clause – Senate Filed**

**Allen Christensen**

**Tracking**

**SB 246 – Share Certificates in Land Companies**

<http://le.utah.gov/~2012/bills/sbillint/sb0246.pdf>  
 This bill: 1) defines terms; 2) addresses the application of the investment securities provisions of the Uniform Commercial Code to land companies; 3) establishes procedures for land company share certificates that are lost, destroyed, or wrongfully taken; and 4) makes technical changes.

**Enrolled Bill Prepared**

**Ralph Okerlund**

**Support**

**SB 247 – Conservation District Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0247.pdf>  
 This bill: 1) clarifies other statutory provisions that govern a conservation district; 2) enacts language related to the fiscal year of a conservation district; 3) authorizes the state auditor to modify requirements for a conservation district filing a budget or fiscal report; 3) enacts language related to training provided for a member of a board of supervisors.

**Enrolled Bill Prepared**

**David Hinkins**

**Support**

**SB 259 – Police Service K-9 Rights**

<http://le.utah.gov/~2012/bills/sbillint/sb0259.pdf>  
 This bill provides that a police service canine that is in training may accompany its trainer to any of the places that a service animal for disabled persons is authorized to access, consistent with Section 62A-5b-103.

**Enrolled Bill Prepared**

**Stuart Adams**

**Support**

**SB 272, 1<sup>st</sup> Substitute – Property Tax Rate Amendments**

<http://le.utah.gov/~2012/bills/sbillint/sb0272s01.pdf>  
 This bill: 1) changes the calculation of a property tax certified tax rate when delinquent property taxes are paid.

**Enrolled Bill Prepared**

**Ben McAdams**

**Support**

**SB 273 – Surplus Property Amendments**

**Enrolled Bill Prepared**

**Ben  
McAdams**

**Tracking**

<http://le.utah.gov/~2012/bills/sbillamd/sb0273.pdf>  
This bill adds purposes for which surplus property may be used by an eligible entity that acquires it.

**SB 283 – Municipal Election Modifications**

**Strike Enacting Clause  
– Senate Filed**

**Curtis  
Bramble**

**Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0283.pdf>  
This bill: 1) requires an election officer to ensure that an absentee ballot envelope is constructed so that certain information is not visible during mailing from the voter to the election officer; and 2) requires a county, upon the request of a municipality, to provide a service that enables a voter in the municipality to verify information regarding the disposition of a voter's provisional or absentee ballot cast in a municipal election.

**SB 291 – Peace Officer Limits Amendments**

**Strike Enacting Clause  
– Senate Filed**

**Curtis  
Bramble**

**Tracking**

<http://le.utah.gov/~2012/bills/sbillint/sb0291.pdf>  
This bill: 1) provides that a law enforcement agency may confer law enforcement authority on a peace officer who has been certified by the Peace Officer Standards and Training Division; 2) provides that this conferred authority may be terminated if the council finds that 50% or more of the agency's peace officers have been disciplined by the Peace Officer Standards and Training Council over any consecutive four year period; 3) provides that this conferred authority may be terminated if the council finds that: C the council has revoked the peace officer certification of the chief, sheriff, or administrative officer of the law enforcement agency; and C a qualified interim successor has not been appointed within 30 days of receiving notice of the suspension or revocation of the peace officer certification of the chief, sheriff, or administrative officer; 4) provides that the county sheriff may assume law enforcement authority and responsibility when the council terminates the authority of a city law enforcement agency and provides for the reimbursement of any costs incurred by the county sheriff while performing these duties; and 5) provides that the Department of Public Safety may assume law enforcement authority and responsibility when the council terminates the authority of a county or state law enforcement agency and provides for the reimbursement of any costs incurred by the department while performing these duties.

**SCR 7 – Concurrent Resolution Approving the Inter-local Agreement Creating the Jordan River Commission**

<http://le.utah.gov/~2012/bills/sbillint/scr007.pdf>

This resolution approves the state's participation in the Interlocal Cooperation Agreement Establishing the Jordan River Commission.

**Enrolled Bill Prepared**

**Aaron Osmond**

**Support**

**SJR 3 – Joint Resolution – Master Study**

<http://le.utah.gov/~2012/bills/sbillamd/sjr003.pdf>

This resolution: 1) gives the Legislative Management Committee items of study it may assign to the appropriate interim committee during the 2012 legislative interim; 2) directs interim committees assigned these studies to study and make recommendations for legislative action to the 59th Legislature before the 2013 Annual General Session; and 3) suggests that the Legislative Management Committee, in approving studies, give consideration to the available time of legislators and the budget and capacity of staff to respond to the assigned studies.

**Enrolled Bill Prepared**

**Scott Jenkins**

**Tracking**

**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.

**Strike Enacting Clause – Senate Filed**

**Casey Anderson**

**Tracking**

**SJR 8, 4<sup>th</sup> Substitute – Joint Resolution on Property Tax Exemption for Military Personnel**

<http://le.utah.gov/~2012/bills/sbillint/sjr008s04.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 may be exempt from property tax, as provided by statute.

**Enrolled Bill Prepared**

**Luz Robles**

**Support**

**SJR 22, 1<sup>st</sup> Substitute – Joint Resolution on State Spending Limitations**

<http://le.utah.gov/~2012/bills/sbillint/sjr022s01.pdf>

This resolution proposes to amend the Utah Constitution to: 1) limit legislative appropriations or expenditures from tax revenues to the amount the state spent in one of the five preceding fiscal years, adjusted by inflation or deflation and any change in population, unless three-fifths of both houses approve; 2) require surplus state revenue to be used for debt service, for budget reserves, and for reserves for emergency preparedness and disaster relief, and require any remaining surplus revenue to be refunded to taxpayers; 3) reduce the spending limit by the amount required to sustain funding levels for a program or service transferred from state to political subdivision responsibility, and increase the spending limit by the amount required to sustain funding levels for a program or service transferred from political subdivision to State responsibility; and 4) makes technical changes.

**Strike Enacting Clause  
– Senate Filed**

**Stuart Reid**

**Oppose**

UASD