

**UTAH ASSOCIATION OF SPECIAL DISTRICTS
2025**

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By the end of the 2025 session of the Utah State Legislature, the Association was following and addressing 223 Bills. During the session, many additional Bills were reviewed and investigated to make sure they had no impact on local districts or special service districts that, once the lack of impact was confirmed, were dropped from the weekly legislative summary.

“H.B.” stands for “House Bill” and “S.B.” stands for “Senate Bill.” Most of the Bills were “tracked,” but a number of them were actively supported or opposed by the Association. During the course of the forty-five-day legislative session, weekly meetings were held at State Capitol, at which all interested local district and special service district representatives were welcome to join in person or online via Zoom. Bills were reviewed during those meetings and the position of the Association on each Bill was determined. By the end of the legislative session, the Association supported 60 Bills, 43 (72%) of which passed. All 3 of the Association’s priority Bills passed. The Association opposed a number of Bills, many which were eventually amended or substituted, resulting in the Association changing its position on those Bills to Support or Track. Of the remaining 3 Bills that the Association opposed, 3 (100%) failed to pass.

This Review does not include every passed Bill that may impact your district and no one district will be impacted by all of the Bills that are reviewed. It does also include a few notable Bills that failed to pass. The reviews, in most instances, merely touch upon some of the salient features of the Bill. Most of the reviewed Bills are not limited to local districts and special service districts. They may, for example, also apply to counties, municipalities, etc. However, this review is limited to the impact on local and special service districts. If, from the brief summary presented below, it appears that a Bill may be applicable to your district, you are urged to review the entire Bill, which may be viewed online at www.le.utah.gov (go to “Bills,” then click on “Passed Bills,” then scroll down and click on the desired Bill number) and, if appropriate, to consult your attorney. You may also contact LeGrand Bitter, Heather Anderson, Mark Anderson, or Rachel Anderson with further questions.

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ELECTIONS, INITIATIVES, & REFERENDA

H.B. 263 – Election Records Requirements

Sponsor: Representative Norman Thurston

UASD Position: Track

H.B. 263 modifies provisions related to election records. The bill makes recorded video of ballot processing a public record under GRAMA and establishes requirements related to the counting, batching, recording, and retention of certain election materials.

H.B. 300 – Amendments to Election Law

Sponsor: Representative Jefferson Burton

UASD Position: Track

H.B. 300 went through numerous iterations. Among other things, the bill originally outlawed vote-by-mail and required two election workers to be stationed at every ballot drop box in the state. These election workers would have been required to see ID and receive the ballot of every individual utilizing a ballot drop. If there were not two election workers present, the ballot drop box would be locked.

The version of H.B. 300 that passed and became law maintains the ability for citizens to vote-by-mail. Beginning in 2030, the last four digits of the voter's social security number, driver license number, or state ID is required to be written on the ballot envelope for verification purposes. Any voter who wishes to receive a vote by mail ballot must provide proof of identification every 8 years. The bill requires the Lieutenant Governor's Office to identify and clean up voter rolls and expands the duties to maintain the voter registration database.

H.B. 504 – Financial and Conflict of Interest Disclosures by Candidates Amendments

Sponsor: Representative Lisa Shepard

UASD Position: Track

This bill requires a candidate for elected office to file a conflict-of-interest disclosure statement when filing a declaration of candidacy. This applies to candidates for a county, municipality, or special district position. It requires a candidate seeking to fill a midterm vacancy to file a financial report of contributions and expenditures. This report is already required for regular election candidates. H.B. 504 requires midterm vacancy candidates for a statewide position, state school boards, or state legislature to file a conflict-of-interest disclosure statement. Election officers must make a candidate's conflict of interest disclosures available for public inspection on the state or political subdivision's website. The bill establishes notification requirements and deadlines. It eliminates spousal information from the conflict-of-interest disclosure requirements unless the conflict is directly related to the position the candidate is seeking. It allows the candidate to request the redaction of certain personally identifiable information of the candidate, or their spouse, if they are an at-risk government employee.

H.B. 551 – Elected Official Publicity Amendments

Sponsor: Representative Jason Kyle

UASD Position: Track

H.B. 551 prohibits an elected official from expending public funds on mass communication or billboards that includes the elected official's image within 60 days of an election. Any mass communication using public funds may not have the elected official's name in larger print than the rest of the document within 60 days of any caucus, political convention, or election. There are some exceptions.

S.B. 54 – Appearance of Candidate Name on Ballot

Sponsor: Senator Stephanie Pitcher

UASD Position: Track

This bill establishes criteria for using a candidate's middle name, initial, or nickname on a ballot. It establishes the procedure for a candidate to make that request and establishes an appeals process if the request is rejected. Having Lucifer "Justin Case" Everylove on the 2024 ballot for President was one of the most notable reasons for this legislation.

S.B. 164 – Modifications to Election Law

Sponsor: Senator Wayne Harper

UASD Position: Track

S.B. 164 states that county clerks must coordinate with local post offices to ensure optimal handling of ballots. A poll watcher may observe the signature-verification process. A poll watcher may not include any identifiable information in the notes they take. A poll watcher may not share any identifiable information about individuals who sign a candidate signature packet or the number of signatures collected. Referendum packet deadlines are extended to the close of the next business day of a county clerk's office if the office is not open on the deadline date. The bill makes clear that the municipal candidate filing date begins at 8 a.m. on June 1, or the next business day if June 1st is not a business day, and the candidate filing period ends at 5 p.m. on the 4th day after the filing period begins. Election officers must conduct an audit of the signature comparisons for candidates seeking the nomination of a political party and certify the results. The audit results are a public record under the Government Records Access and Management Act ("GRAMA"). The bill allows a candidate, or their campaign representative, to view the unredacted candidate signature packet. It also clarifies requirements for maintaining, storing, and submitting signature packets.

EMPLOYMENT & RETIREMENT

H.B. 25 – Retirement Amendments

Sponsor: Representative Cheryl Acton

UASD Position: Track

Participating employers within the Utah Retirement System (“URS”) must now keep records for 4 years after the date of retirement or death of the employee. Prior to July 1, 2025, the retention requirement was 3 years. The bill also requires a withdrawing entity from the URS to include actuarially determined short-fall liability contribution and a contingency payment to provide financial protection to the remaining participating employers. H.B. 25 has a July 1, 2025 effective date.

H.B. 160 – Professional License Degree Amendments

Sponsor: Representative Stephanie Gricius

UASD Position: Track with Concern

H.B. 160 modifies licensing requirements for certain professions. The bill requires multiple pathways for architect licensure and modifies licensing requirements for architects, environmental health scientists, land surveyors, substance use disorder counselors, and geologists.

H.B. 250 – Public Employee Gender-Specific Language Requirements

Sponsor: Representative Nicholeen Peck

UASD Position: Track

H.B. 250 failed to pass. The bill would have prohibited public employers from taking disciplinary action against employees for using gender-specific language in certain circumstances. It also would have required public employers with policies requiring employees to use gender-specific language to provide certain exemptions from discipline.

H.B. 267 – Public Sector Labor Union Amendments

Sponsor: Representative Jordan Teuscher

UASD Position: Track

H.B. 267 states that if a public employer collects public sector labor union dues, the public sector labor organization is required to provide an annual accounting to the union members and the state’s Labor Commission. A public sector labor organization is not recognized as a bargaining agent and may not enter into a collective bargaining contract. No public funds may be used in relation to the public sector labor organization. Public property may not be used in relation to the public sector labor organization unless the public property may be utilized by any other group in the same manner; or if the public employer deems it is in the best interest of the public employer to allow the union members to utilize the property and

has a valid reason why the general public should not have the same benefit. The latter exception is a UASD amendment. An employee may discuss labor union issues on their breaks. No new labor organization employee may be part of the Utah Retirement System (“URS”). Public employees who are members of a public sector labor union will still qualify for benefits under the URS. The bill allows the State Risk Manager to acquire and administer professional liability insurance for k-12 employees.

S.B. 20 – Utah Retirement System Amendments

Sponsor: Senator Wayne Harper

UASD Position: Support

S.B. 20 failed to pass. This bill would have allowed a governmental entity to “pick-up” the employees contribution benefit within the Utah Retirement System (“URS”) above the 10% cap.

This was permissive, not mandatory. Although the bill received a unanimous favorable recommendation from the Senate Retirement Committee, it was not released to the Senate Floor by the Senate Rules Committee. Some key lawmakers believe that public employers should prioritize offering higher salaries over enhancing benefits. Unless there is a unified and coordinated effort made by key stakeholders—such as the Utah League of Cities and Towns, the Utah Association of Counties, UASD, the Department of Higher Education, and the Utah Education Association—the bill is unlikely to be reintroduced in the near future.

S.B. 25 – Postretirement Reemployment for Emergency Service Workers

Sponsor: Senator Wayne Harper

UASD Position: Support

S.B. 25 allows individuals who retire under the Utah Retirement System (“URS”) to make up to \$15,000 as an affiliated emergency services worker within the one-year post-employment requirement without adversely affecting their retirement benefits.

S.B. 59 – Commercial Driver License Revision

Sponsor: Senator Don Ipson

UASD Position: Track

This bill aligns state procedures for commercial driver licenses with federal regulations and ensures compliance with national statutes regarding the clearinghouse for driving under the influence (“DUI”) convictions.

S.B. 327 – Public Sector Labor Organization Amendments

Sponsor: Senator Lincoln Fillmore

UASD Position: Track

S.B. 327 is a companion piece to H.B. 267. It refines the definition of a public employer and labor organization. The bill clarifies that union activity does not include internal functions specified in a contract and that union activities do not include advocating for an employee in a specific employment dispute or performing a specific employer's internal function, such as HR or legal services. Due to confusion as to whether or not H.B. 267 applied to private sector union collective bargaining agreements, S.B. 327 makes clear that private employees may enter into collective bargaining agreements.

GENERAL GOVERNMENT

H.B. 64 – Public Official Bonding Amendments

Sponsor: Representative James Dunnigan

UASD Position: Track

In the past, public officials and certain employees were required to have a surety bond. A few years ago, the Legislature passed legislation to allow those individuals to have a surety bond or crime insurance. H.B. 64 removes the surety bond option. All public officials and certain employees must have crime insurance.

S.J.R. 6 – Joint Resolution Amending Court Rules on Attorney Confidentiality

Sponsor: Senator Brady Brammer

UASD Position: Support

S.J.R. 6 is a companion bill to S.B. 154. It amends court rules to maintain attorney client privilege when divulging information to the Legislative Auditor General or any subsequent arbitration. Any protected information provided to the Legislative Auditor General is not discoverable and privilege is not waived.

S.B. 50 – Limited Purpose Local Government Entity Board of Trustees Compensation Amendments

Sponsor: Senator Calvin Musselman

UASD Position: Support

S.B. 50 is UASD legislation. The original cap for board member compensation was \$3,500 per year. In 2007, the cap was increased to \$5,000. During the interim, there were numerous discussions with lawmakers about raising the compensation cap to \$7,500 or \$10,000 to account for inflation and to more fairly compensate "working" board members. During these discussions, because no other form of local government has a cap and to prevent the Legislature from having to revisit this subject on a regular basis, it was decided that the

Legislature would remove the cap entirely. Safeguards have been put in place to ensure that any increase to board member compensation is transparent. Before increasing board member compensation, the district must hold a public hearing and must adopt the increased compensation during an open and public meeting of the board of trustees. Annual compensation must be posted on the Utah Transparency Website (which is already required by law).

S.B. 154 – Legislative Audit Amendments

Sponsor: Senator Brady Brammer

UASD Position: Support

This legislation allows a governmental entity to provide private or protected records to the Legislative Auditor General without losing its privileged status. A private or protected record given to the Legislative Auditor General is not subject to the Government Records Access and Management Act (“GRAMA”). It is not discoverable. An entity may assert privilege - in writing describing the nature and manner of the item. S.B. 154 allows the Legislative Auditor General to contest a privilege claim. Arbitration may occur. The audited entity may discuss the protected draft report, or any other information related to the audit, prior to its release.

S.B. 314 – Special District Modifications

Sponsor: Senator Kurt Cullimore

UASD Position: Support

S.B. 314 is UASD’s annual “clean-up” Bill. It does five things. 1) S.B. 314 establishes a uniform candidate filing period for special district elections. 2) When a candidate filing deadline falls on a Saturday, Sunday, holiday, or a day that is not a regular business day for the special district, the board member candidate filing deadline will be extended to the close of normal business hours on the next business day. 3) The bill allows an area, outside of Salt Lake County, that is annexed into a municipality that is served entirely by a fire district to be annexed into the fire district and served on par with the rest of the municipality. The legislation excludes Salt Lake County to allow prior agreements that were entered into in Salt Lake County to remain in place. 4) The bill provides for a properly appointed alternate to be appointed by the legislative body of each appointing authority to serve as an alternate municipal services district board member in the absence of the regular board member. Both the regular board member and alternate board member must be an elected official of the appointed municipality or county. 5) Prior to the enactment of S.B. 314, the law allowed an elected special district board 90-calendar days to fill a midterm vacancy. If it failed to do so, the appointing authority became the legislative body of the county or municipality that created the special district. There was no timeline for the county or municipality to fill the board vacancy. S.B. 314 provides a 90-calendar day deadline for the county or legislative body to fill a midterm vacancy on an elected special district board, provided there is a quorum.

INFRASTRUCTURE & TRANSIT

H.B. 229 – Transportation Funds Amendments

Sponsor: Representative Kay Christofferson

UASD Position: Support

H.B. 229 modifies provisions related to corridor preservation. The bill expands corridor preservation provisions to include fixed guideway public transit facilities.

S.B. 220 – Construction Modifications

Sponsor: Senator Calvin Musselman

UASD Position: Support

S.B. 220 establishes standards for how the Division of Water Quality or municipal system authority regulates controls for storm water runoff. It imposes a fine for violating the standards and penalties for noncompliance and establishes standards for inspecting construction sites impacting storm water runoff. The Utah Department of Transportation is exempt from these standards.

MEETINGS, RECORDS, & PUBLIC NOTICE

H.B. 69 – Government Records and Information Amendments

Sponsor: Representative Stephanie Gricius

UASD Position: Track

H.B. 69 addresses county clerks' ability to access political information and creates a code of conduct for county clerks. It clarifies what voter information is considered public or private and what is considered necessary for specific duties. It prohibits a government officer from accessing or using government records or information in a manner that is not related to a duty of the government officer.

S.B. 277 – Government Records Management Amendments

Sponsor: Senator Michael McKell

UASD Position: Track

The intent of S.B. 277 is to create a faster Government Records Access and Management Act ("GRAMA") appeals process and to have more consistent decisions. This bill creates the Government Records Office within the Division of Archives and Records Service. The Office replaces the State Records Committee with the Director of the Office. The Director has authority to decide GRAMA request appeals. The Director must be a practicing attorney with knowledge and experience related to government records law. The Director is appointed by the Governor in consultation with the Department's Executive Director and with the advice and consent of the Senate.

PROCUREMENT

H.B. 12 – Division of Purchasing and General Services Amendments

Sponsor: Representative Val Peterson

UASD Position: Support

H.B. 12 is a bill that UASD originally opposed. The Association worked with the sponsor to amend the bill and ended up supporting the legislation. H.B. 12 automatically provides protection for state agencies, public schools, special districts, special service districts, and interlocal agreements that enter into contracts after May 7, 2025. The protections given in this bill do not automatically apply to counties or municipalities. They may implement Utah Code Section 63G-6a-1201.5 in their procurement policy, but it is not automatically applicable to them.

The bill codifies the principle that awarding a contract to a vendor does not actually create a contract with the vendor. The contract must be signed to be valid. If there is a contract in place before May 7th or renewed after May 7th, the following does not apply. For any new contract entered into by a special district or special service district, the following items are automatically void:

If a contract provision restricts the procurement unit's protection under the Governmental Immunity Act of Utah, the contract provision is void. If a contract provision restricts a governmental entity's ability to seek relief in state court, that provision is void. A contract provision that subjects a governmental entity to binding arbitration or other form of dispute resolution outside of the courts is void and unenforceable. A provision that says that contract disputes must be resolved through binding arbitration is void. If a contract provision requires a governmental entity to indemnify, defend, or hold harmless another person, it is void. A contract provision that purports to prevent the procurement unit from hiring an attorney of its choice is void. A contract provision that subjects the contract, or a party to the contract, to the laws of any jurisdiction other than Utah is void. If a contract requires the parties to resolve the dispute in any other jurisdiction other than Utah, it is void. If a provision restricts a governmental entity from making disclosures of information as required by law or for any legitimate governmental purpose, it is void. For example, if a vendor puts in a provision stating that you cannot divulge the contract or that you must keep the terms of the contract protected and private, but the Government Records Access and Management Act ("GRAMA") says it must be revealed and/or the governmental unit determines it should be revealed, the governmental unit may reveal it. If the contract includes a provision that allows the vendor to unilaterally modify any part of the procurement contract, it is void. Subject to certain very limited exceptions, if the contract requires a governmental entity to maintain insurance coverage beyond the types and limits required by the State Risk Manager, it is void. If there is a provision that allows the vendor to automatically renew the contract, it is void. A provision that creates a contractual term in violation of Section 63G-6a-1204 is void.

As a general rule, a contract may not exceed five years. A contract may exceed five years if the procurement unit makes a written determination that it is in the best interest of the procurement for the contract to have a longer term. If you cannot justify it in writing, do not do it! Last, but not least, a provision that limits the liability of a vendor or any third party for bodily injury, death, or damage to tangible property caused by the negligence or willful misconduct of a vendor, a third party, or the vendor's or third party's employees or agents is void.

The original version of the bill made the entire contract void if any of the preceding provisions were included in the contract. UASD amended the bill to make it so only the provisions that are void under Utah Code 63G-6a-1203 would be void in a contract with a governmental unit, not the entire contract.

Districts needed a way to waive the statutory provisions if it was in the best interest of the procurement unit. Originally, only the Attorney General could make that determination. UASD amended the bill to state that the Attorney General has the authority to waive the voided statutory provisions for state agencies and an attorney for the local procurement unit may authorize an exemption to the previously discussed voided provisions of a contract made based upon the relative disproportionate bargaining positions of the contracting parties or market conditions or other unique circumstances identified and described in the authorization. It must be justified in writing in the authorization.

PROPERTY & LAND USE

H.B. 58 – Building Inspection Amendments

Sponsor: Representative Thomas Peterson

UASD Position: Track

This bill directs the Uniform Building Code Commission to collect data pertaining to building inspectors, publish gathered data on an annual basis, and report the data to the Legislature. It expands the scope of the Division of Professional Licensing to spend money from surcharges for education and data collection. H.B. 58 adds unlawful and unprofessional conduct provisions for licensed building inspectors acting as qualified building officials and requires a local regulator to hire or contract with a qualified building official. A qualified building official is defined as an individual who has at least 6 years of experience as an architect, engineer, inspector, plan examiner, contractor, superintendent of construction or any combination of these; is actively licensed as a combination building inspector (Utah Code 58-56-9); has completed 40 hours of management training as established by rule (Title 63G, Chapter 3); or is a certified building official.

H.B. 175 – Housing Construction Amendments

Sponsor: Representative Ray Ward

UASD Position: Track

The intent of H.B. 175 is to reduce housing costs. The bill moves fourplexes from the commercial building code requirements and places them under the residential building code.

H.B. 256 – Municipal and County Zoning Amendments

Sponsor: Representative Neil Walter

UASD Position: Support

H.B. 256 modifies municipal and county authority related to short-term rentals. The bill allows a municipality or county to use a short-term rental website listing as evidence of a possible ordinance violation if there is additional supporting information. It also allows a municipality or county to require a business license or permit for short-term rentals and to request removal of a listing that violates business licensing or zoning requirements.

H.B. 269 – Privacy Protections in Sex-designated Areas

Sponsor: Representative Stephanie Gricius

UASD Position: Track

The focus of H.B. 269 is state higher education student housing. It requires all student housing for public universities in Utah be based on gender assigned at birth, regardless of gender identity. The bill states that public universities in Utah requiring sex-designated dwelling units does not violate the discriminatory housing practices. There is a small section of the bill that has an impact on district facilities with public restrooms or locker rooms. It makes clear that all new construction or remodels of restrooms and changing rooms in publicly owned or controlled spaces where the governmental entity has authority over the construction or remodel of the facility must have at least one single occupancy facility and ensure sufficient sex-designated privacy spaces.

H.B. 360 – Housing Attainability

Sponsor: Representative Stephen Whyte

UASD Position: Support

H.B. 360 allows a political subdivision to go into a closed meeting to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the political subdivision. Surplus property acquired by an eligible entity may be used for the sale, use, or lease for moderate income housing. If the property is sold by the Utah Department of Transportation (“UDOT”), payment may be deferred until after the development of the owner-occupied housing is completed. The bill allows certain school surplus land to be used for affordable housing.

Cities of the 1st and 2nd class may qualify for funds from the Utah Homes Investment Program to rehabilitate attainable homes. That Program's sunset date is extended by one year. The bill allows up to two members of the 6 member Utah Housing Corporation to be from the same county.

The definition of moderate-income housing is changed in the bill. For owner-occupied, the purchaser must have a gross income of no more than 120% of the area median income for the county and the home will be deed restricted for at least five years. For a rental property, the units must be affordable to a household with no more than 80% of the area median income.

H.B. 368 – Local Land Use Amendments

Sponsor: Representative Stephen Whyte

UASD Position: Track

This 225-page Bill adds provisions of how a municipality or county conducts the review of a building permit application and clarifies timeframes. It clarifies and modifies statutes related to municipal annexation and boundary adjustments. It updates the processes for municipalities and counties to conduct plan reviews, inspect and approve warranty work, regulate landscaping, and allow transferable development rights. The bill modifies notice requirements for public hearings on proposed land use regulations. It prohibits municipalities and counties from requiring private individuals or entities, such as homeowners' associations, to permanently maintain public access amenities or water utilities unless specific conditions apply. It streamlines land use procedures by creating an expedited review process for identical floor plan submissions. It prohibits municipalities and counties from requiring public hearings for variance requests or other land use appeals. H.B. 368 restricts local governments from enforcing ordinances by withholding building permits or certificates of occupancy. The plan review process, procedures, and timeframes are included in the language. It establishes a process by which a person may convey real property by deed to a public entity. If a land use authority allows a special district to participate in the development review or approval process, the special district must comply with Title 10, Chapter 9 or Title 17, Chapter 27a. The service applicant must provide the special service district with an improvement assurance warranty before the district can provide service to the applicant.

H.B. 550 – Building Permit Fee Prohibition Amendments

Sponsor: Representative Thomas Peterson

UASD Position: Track

H.B. 550 prevents a municipality or county from imposing an inspection fee on a qualified water conservancy district that hires a qualified inspector to conduct inspections on new infrastructure. This provision will be repealed on July 1, 2026.

PUBLIC SAFETY

H.B. 14 – Emergency Services Personnel Amendments

Sponsor: Representative Norm Thurston

UASD Position: Support

H.B. 14 allows licensed emergency medical service personnel (i.e. EMTs and paramedics) to provide non-911 medical services for which they are trained and licensed to perform, such as administer IVs or medications, in hospitals and medical clinics. The individual must comply with all training and licensing requirements and must have direct supervision in order to provide the medical services.

H.B. 38 – Criminal Offenses Modifications

Sponsor: Representative Ryan Wilcox

UASD Position: Support

Among other things, the bill enhances gang offenses for adults using minors to commit crimes and enhances gang offenses for adults who prevent minors from leaving a gang.

H.B. 48 – Wildland Urban Interface Modifications

Sponsor: Representative Casey Snider

UASD Position: Support

H.B. 48 is designed to enable property owners within the wildland urban interface (“WUI”) to obtain more affordable fire insurance. Insurers rely on a national database to determine which properties are located within a WUI. The state Legislature believes the national database to be too broad in its classifications. Therefore, the bill requires the Division of Forestry, Fire, and State Lands (“Division”) to create a state database of WUI land by 2028.

The Division will utilize WUI coordinators to work with county fire wardens and other local fire professionals to conduct ground assessments of each structure within the WUI. In order to pay for this, property owners within the WUI will be assessed an annual fee established by rule by the Division. The Division anticipates this fee, which will be based on the size of each structure within the WUI, to be between \$20 and \$50.

Recommendations to decrease fire risks will be provided to the property owners. If a property owner takes remedial actions based on the recommendations, the property may be declared a safe structure certified by the state. This should decrease the cost of fire insurance. The recommendations given, and certification provided, by the Division do not create a cause of action. The government entities retain governmental immunity.

If a county fire warden works with the Division to conduct WUI property assessments, it will count towards the county’s mitigation match requirements. Beginning January 1, 2026,

each county officer must assess an annual fee on property owners of “high risk” property within the WUI. The county may retain a portion of that fee to cover the costs incurred to assess and collect the fee. The county may include this cost in the county’s annual accounting of wildfire, prevention, preparedness, and mitigation match requirements. A county may issue a political subdivision lien on properties when the owner fails to pay this fee.

Every county and relevant municipality must adopt and enforce WUI building standards. If the state Legislature adopts different WUI standards, the county and relevant municipality will have 2 years to adopt the new standard.

H.B. 65 – Firefighter Cancer Modifications

Sponsor: Representative Casey Snider

UASD Position: Support

H.B. 65 expands the list of cancers that presumptively arise from service as a firefighter. It encourages every firefighter to receive a cancer screening. The bill requires the fire department to cover out-of-pocket costs of the screening and establishes requirements for the rebuttable presumption if cancer is detected, such as smoking.

H.B. 66 – Ritual Abuse Modifications

Sponsor: Representative Ken Ivory

UASD Position: Support

H.B. 66 requires law enforcement training on sexual assault and sexual abuse to include training on sexual assault committed during a ritual and the impact of that conduct on a victim. The bill also creates an aggravating factor for certain offenses committed against a minor if the offense was committed as part of a ritual.

H.B. 150 – Emergency Communications Modifications

Sponsor: Representative David Shallenburger

UASD Position: Support

This bill prohibits nonvoting board members on the Utah Communications Authority Board from attending closed portions of board meetings. The comprehensive strategic plan review cycle was required annually. Now, the review is required every 3 years. Prior to the passage of H.B. 150, every public safety answering point (“PSAP”) had to qualify in order to receive any remaining funds from the 911 account. This bill allows any PSAP that qualifies to receive funds, removing the requirement that all PSAPs in a county must qualify in order to receive the funds.

H.B. 197 – Criminal Conduct Amendments

Sponsor: Representative Ariel Defay

UASD Position: Support

H.B. 197 modifies the crime of enticing a minor and makes related changes to the Sex, Kidnap, and Child Abuse Offender Registry. The bill also adds factors for courts to consider when making certain registry-related determinations.

H.B. 199 – Substance Use Treatment and Enforcement Amendments

Sponsor: Representative Tyler Clancy

UASD Position: Track

H.B. 199 requires a local substance abuse authority and a local mental health authority to create a list of available treatment providers that may be used by first responders when responding to a drug overdose. The bill encourages first responders to offer a referral to a treatment facility when responding to a drug overdose. It is not required. That said, if a first responder offers a referral, the employer must report annually to Division the total number of individuals who accepted a referral for drug treatment from their agency. Syringe exchange programs may refer individuals to treatment facilities. These programs may not operate at a homeless shelter. An opioid treatment program may operate a mobile unit. This bill makes it unlawful to lease or rent a building knowing the tenant manufactures, distributes or uses any controlled substance. With the passage of H.B. 199, nuisance laws now apply.

H.B. 239 – Disaster Funds Revisions

Sponsor: Representative Carl Albrecht

UASD Position: Support

This bill modifies provisions related to the State Disaster Recovery Restricted Account. It renames the Response, Recovery, and Post-disaster Mitigation Restricted Account to the Disaster Response, Recovery, and Mitigation Restricted Account (“Account”). H.B. 239 modifies provisions related to the Water Development Coordinating Council. It increases the funds available from the Account for disaster response and recovery under certain circumstances. The bill expands the allowable uses of these funds to include pre-disaster mitigation in specific cases such as action taken before a disaster occurs to reduce or eliminate long-term risk to people or property. This includes mitigation for flooding, earthquake, dam failure, wildfire, severe weather, drought, or problem soil. H.B. 239 updates standards for disaster response and recovery grants, and grants rulemaking authority to the Division of Emergency Management (“Division”) regarding the use of funds for pre-disaster mitigation. In order to be considered by the Division to receive funds, a community must meet the qualifications and submit an application.

H.B. 273 – Law Enforcement Investigation Amendments

Sponsor: Representative Ryan Wilcox

UASD Position: Track

H.B. 273 establishes procedures and restrictions for law enforcement access to reverse-keyword information. The bill defines relevant terms and addresses how law enforcement may obtain or use that type of information in an investigation.

H.B. 301 – Ambulance Provider Payment Amendments

Sponsor: Representative Cory Maloy

UASD Position: Support

H.B. 301 modifies provisions related to ambulance billing and charges. The bill codifies a base rate for ground ambulance transports, prohibits ground ambulance providers from charging rates that exceed the established rates, and prohibits balance billing.

H.B. 307 – Wildfire Funding Amendments

Sponsor: Representative Casey Snider

UASD Position: Support, UASD Amended

H.B. 307 merges multiple funds into the Utah Wildfire Fund, streamlining financial resources for wildfire management. The bill addresses how the Fund may be used and subsequent reporting requirements. It clarifies the delegation of fire management authority, detailing responsibilities. H.B. 307 mandates regular reporting on the Fund's activities and authorizes rulemaking to facilitate its implementation. The bill relocates provisions related to community wildfire preparedness plans, with a focus on the wildland-urban interface ("WUI").

H.B. 366 – Access to Communication Device Location

Sponsor: Representative Cory Maloy

UASD Position: Support

This bill expands the definition of location data to include "missing persons at risk of harm". This change gives priority access to location information. It establishes procedures for law enforcement warrant requests and protects mobile service providers from civil liability when acting in good faith to provide first responders with location information of a missing person at risk of harm.

S.B. 24 – Child Abuse Torture Amendments

Sponsor: Senator Don Ipson

UASD Position: Support

S.B. 24 creates a new criminal offense for child torture and provides penalties. The bill also adds child torture to statutes involving mandatory imprisonment, violent felonies, child

abuse-related offenses, background checks, custody and parent-time matters, and the Sex, Kidnap, and Child Abuse Offender Registry.

S.B. 57 – Newborn Relinquish Amendments

Sponsor: Senator David Hinkins

UASD Position: Support, UASD Amended

This bill originally required hospitals, police departments, and fire stations staffed 24 hours a day, 7 days a week, to take possession of a newborn. UASD worked with the sponsor to amend the bill. Given the challenges such a change would pose, the version of the bill that passed simply increases the age a newborn may be safely relinquished to a hospital with an ER and open 24 hours a day, 7 days a week, from 30 days old to 90 days old.

A number of ambulance provider Bills were presented this year due to the conclusions of an audit.

S.B. 133 – Metal Purchase and Theft Amendments

Sponsor: Senator Todd Weiler

UASD Position: Track

S.B. 133 went through many variations before it reached a consensus among the various stakeholders. The version that was signed into law keeps the requirements of the Pawnshop, Secondhand Merchandise, and Catalytic Converter Transaction Information Act. It changes penalties for catalytic converter theft based on the value or poundage and adds the new metal or catalytic converter theft offense to the offenses concerning pattern of unlawful activity.

S.B. 209 – Emergency Medical Services

Sponsor: Senator Derrin Owens

UASD Position: Track

S.B. 209 designates ambulance services as an essential service. It establishes the Emergency Medical Services (“EMS”) Critical Needs Account and increases grant funding for rural county EMS providers for the purchase of vehicles to \$200,000.

S.B. 215 – Emergency Medical Services Modifications

Sponsor: Senator Derrin Owens

UASD Position: Track

S.B. 215 addresses ground ambulance interfacility transport services. The bill gives municipalities and counties authority and responsibility to ensure that minimum levels of 911 ambulance services and ground ambulance interfacility transport services are provided within their jurisdictions. It also requires municipalities and counties to provide for backup interfacility transport services, gives the current 911 ambulance service provider the first right to provide

interfacility transports when a license term expires, and requires periodic review and evaluation of emergency medical service providers. The bill removes the Bureau of Emergency Medical Services from most provider-selection decisions, while preserving the Bureau's authority to verify minimum qualifications, discipline providers, conduct investigations, issue subpoenas, and issue cease and desist orders.

S.B. 255 – Line-of-Duty Death Benefits

Sponsor: Senator Derrin Owens

UASD Position: Support

S.B. 255 adds dental and vision benefits for the spouse and children of a public safety employee or fire service employee who dies in the line of duty. The bill removes the 12-month waiting period for accessing funds from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to pay for these benefits.

S.B. 340 – Protected Persons Amendments

Sponsor: Senator Don Ipson

UASD Position: Track

S.B. 340 creates a process for an individual who is certified to be at risk of harm to obtain approval for a security improvement on the individual's property. The bill requires land use approval for a qualifying security improvement if the application complies with state construction and fire codes, exempts the improvement from certain county and municipal land use regulations, and protects related records as confidential.

REVENUE, TAXATION, AND FINANCE

H.B. 139 – Government Accounting Amendments

Sponsor: Representative Anthony Loubet

UASD Position: Track; UASD Amended

Originally, H.B. 139 required a political subdivision's chief financial officer ("CFO") and chief administrative officer ("CAO") to sign a very prescribed form. After working closely with the sponsor to amend the bill, H.B. 139 requires the State Auditor to develop a form in consultation with stakeholders that represent the interests of local government and in accordance with accounting industry best practices. The CFO and CAO must include this completed form with their annual financial report. Key stakeholders include the Utah Association of Special Districts, the Utah League of Cities and Towns, and the Utah Association of Counties.

H.B. 475 – Public Funds Reporting Amendments

Sponsor: Representative Neil Walter

UASD Position: Track

In 2024, the Legislature passed H.B. 10 which required a report of the balance in the Public Treasurer’s Investment Fund. In 2016, the Fund had approximately \$14 billion. In 2024, the Fund had approximately \$35 billion. H.B. 475 is designed to help the Legislature understand why the Fund balance grew. The bill directs the State Auditor to prepare a report of the cash, cash equivalents, and investments for each state agency and each political subdivision of the state.

S.B. 95 – Truth in Taxation Amendments

Sponsor: Senator Heidi Balderree

UASD Position: Track

S.B. 95 requires a quorum of the governing body of the taxing entity be present for every public hearing on increasing the property tax rate. This bill has a retrospective operation to January 1, 2025.

S.B. 202 – Property Tax Revisions

Sponsor: Senator Chris Wilson

UASD Position: Track

S.B. 202 requires counties to annually provide the State Tax Commission with a preliminary assessment book before delivery to the county auditor. It requires the property tax valuation notice to include instructions for appealing the valuation. It allows the Tax Commission to require education and training for county officers involved in property valuation. Counties must provide electronic means to appeal property tax valuations. A county is required to repeat appeals information to the Commission annually via a statewide web portal which is to be developed. Tax notices must provide payment options. The bill establishes a timeline for counties to review applications for farmland and urban farming property tax assessments after land changes ownership. It also requires taxing entities to hold a public hearing for certain property tax increases. The public hearing must allow for in-person and virtual participation. The Association has been working with the sponsor to address the IT difficulties smaller governmental entities may have implementing virtual participation for certain public hearings.

S.B. 295 – Property Tax Modifications

Sponsor: Senator Daniel McCay

UASD Position: Track

S.B. 295 allows a taxing entity to reduce its budget below the previous year’s budget revenue increase, for up to five years, then increase the budget to the previous base budget

without going through Truth in Taxation. This change enables taxing entities to reduce property taxes without lowering the certified tax levy. The intent is to encourage taxing entities to temporarily lower tax rates when appropriate. The bill also repeals the requirement that a portion of revenue from the statewide multi county assessing and collecting levy be allocated to county distributions through the Property Tax Valuation Fund. Those funds will be redirected to the Multi County Appraisal Trust.

TECHNOLOGY

H.B. 444 – Data Privacy Amendments

Sponsor: Representative Jefferson Moss

UASD Position: Track; UASD Amended

H.B. 444 provides tools and guidance to help entities develop their own data privacy programs. Certain requirements are moved to the privacy annotations and privacy notices under the Government Data Privacy Act. The bill shifts the focus of requirements toward the initiation of privacy programs rather than imposing immediate mandates. Every governmental entity must designate a chief privacy officer. The Utah Office of Data Privacy will maintain a data privacy framework designed to assist government entities to identify and implement effective and efficient data privacy practices, tools, and systems. Every governmental entity must initiate a data privacy program before December 31, 2025 and the chief administrative officer must prepare a privacy program report by December 31 of each year. The bill outlines the data privacy training requirements for all employees of a governmental entity who have access to personal data as part of the employee's work duties or supervise an employee who has access to personal data.

WATER

H.B. 41 – State Water Policy Amendments

Sponsor: Representative Carl Albrecht

UASD Position: Support

H.B. 41 addresses the water quality of groundwater, making it on par with water quality for rivers and lakes. It encourages monitoring watersheds in consultation with watershed councils and promotes state water planning - including regionally appropriate water reuse plans.

H.B. 46 – Water Rights Application Amendments

Sponsor: Representative Doug Owens

UASD Position: Support

H.B. 46 addresses applications before the State Engineer. The bill modifies the timeframes related to reinstating a lapsed water rights application and makes technical changes.

H.B. 81 – Fluoride Amendments

Sponsor: Representative Stephanie Gricius

UASD Position: Support

This bill prohibits a public water system from adding fluoride to water. Pharmacists are allowed to prescribe fluoride. The Department of Health and Human Services is designated to provide prescription guidelines for fluoride.

H.B. 89 – Water Transfer Amendments

Sponsor: Representative Gay Lynn Bennion

UASD Position: Support

H.B. 89 modifies the probate process for transferring personal property by affidavit. The bill prohibits water shares from being transferred through the small estate affidavit process.

H.B. 243 – Agriculture Water Optimization

Sponsor: Representative David Shallenberger

UASD Position: Support

H.B. 243 addresses agricultural water optimization. The bill allows certain money in the Agricultural Water Optimization Account to be used for research and modifies eligibility requirements for agricultural water optimization grants.

H.B. 274 – Water Amendments

Sponsor: Representative Casey Snider

UASD Position: Track

H.B. 274 allows a municipality to set different water rates for a block unit of water based in part on water conservation. A special district may include the reasonable estimated cost of water conservation and water conservation efforts as part of the rate charged for a block of water. A retail water supplier must consider water conservation in setting water rates with the goal of encouraging efficient water use. By July 1, 2027, a retail water supplier must include one or more water conservation efforts as an element in determining the rate for the highest usage block of water for residential customers using AWWA standards or methods. A retail water supplier should consider urban farming in setting rates. A system with fewer than 500

connections is not required to adopt this rate structure, but it may choose to do so. This legislation does not prohibit a system that does not primarily serve residential customers from adopting this structure, but it is not required. A public system is not required to show the portion of the rate designed to encourage conservation. A for-profit water system may not use the revenue from the highest usage block to pay dividends to investors or owners. The revenue must be used to promote water conservation. That portion of revenue may be shared with, or administered by, another public water system or water wholesaler.

The following applies to secondary water suppliers for any contract entered into on or after July 1, 2025. By July 1, 2030, regardless of whether the secondary water supplier is fully metered, it must bill end users on a tiered conservation rate - unless it is exempt from metering. The lowest rate must be charged if the end user is using a portion to grow food, including a garden, fruit tree, or pasture for grazing. An education component must be included in a monthly statement or end-user-specific Internet portal that provides information to the user more frequently. A public water system must enter into a contract with a secondary water provider if requested and if the secondary water supplier provides water use and other data necessary for accurate billing in a format compatible with the public water system.

H.B. 285 – Water Infrastructure Modifications

Sponsor: Representative Casey Snider

UASD Position: Support

H.B. 285 states that loan repayments must be deposited in the Water Resource Conservation and Development Fund, which replaces the Water Resources Cities Water Loan Fund. The Board of Water Resources will make loans available through the Fund. The Board may transfer money out of the Water Resource and Development Fund to the Water Infrastructure Fund. At the close of the fiscal year 2027, the Board may transfer money out of the Water Quality Security - Drinking Water Loan Program to the Water Resource Conservation and Development Fund. As a condition of receiving state or federal financing, or for grants used for capital asset improvements, the governing body of a water conservancy district must commit to adopt a capital asset management plan. By July 1, 2028, the governing body of a public water system that receives state or federal funding or grants must adopt a capital asset management plan and a capital asset reserve funding plan. The Drinking Water Board will establish rules for the plan. The bill clarifies the water infrastructure prioritization process.

H.B. 311 – Watershed Amendments

Sponsor: Representative Casey Snider

UASD Position: Track

H.B. 311 clarifies the authorities granted to the Utah Water Agent. It authorizes the Agent to include facilities and land in negotiations for water augmentation projects and grants the Board of Water Resources the authority to enter into contracts for water augmentation projects negotiated by the Agent. If a water commissioner meets requirements for a regular-full

time employee, they are eligible for health and retirement benefits. H.B. 311 also modifies the membership of the Legislative Water Development Commission by decreasing membership to two members from the House and two members from the Senate.

H.B. 520 – Water Entity Amendments

Sponsor: Representative Casey Snider

UASD Position: Track

H.B. 520 removes the independent entity status from the Colorado River Authority and the Office of the Great Salt Lake Commissioner. It modifies provisions governing the water trust for the Great Salt Lake and expands the duties of the Great Salt Lake Commissioner. It moves the Commissioner and the Office to be within the Department of Natural Resources. The bill requires certain expenditures made by the Commissioner to be reviewed by the Great Salt Lake Trust Council. The water agent must coordinate with the relevant divisions within the Department of Natural Resources at least monthly.

S.B. 33 – Water Rights Recording Amendments

Sponsor: Senator Evan Vickers

UASD Position: Support

This bill allows the grantor to sign electronically or facsimile on a water rights addendum.

S.B. 36 – Water Quality Board Amendments

Sponsor: Senator Todd Weiler

UASD Position: Support

This bill came about because a sewer district in the sponsor's area had been fined by the Division of Water Quality for a violation of the Utah Water Quality Act. He believed that the penalty was excessively high and was uncomfortable with the limited options to negotiate. S.B. 36 states that if the proposed penalty for an alleged violation of the Utah Water Quality Act exceeds \$25,000, four board members of the Utah Water Quality Board can mediate between the penalized party and the Director of the Division of Water Quality to reach a settlement. Penalized parties may still take the issue to the courts.

S.B. 80 – Water Fee Amendments

Sponsor: Senator Scott Sandall

UASD Position: Track; UASD Amended

Senator Sandall, and the Legislature, have worked on this concept for a number of years. The Department of Environmental Quality will establish a fee schedule for culinary water based on consumption. S.B. 80 requires retail public water suppliers to collect the fee. This fee will be used to employ qualified personnel within the Division of Water Quality to oversee

public drinking water regulations and to fund ranked and prioritized water infrastructure projects under the unified water infrastructure plan. Municipalities are not required to hold a public hearing for a fee increase. Special districts and special service districts are required to hold a public hearing to adopt or increase a fee. Since the culinary water supplier has no control over this fee, UASD was able to have the bill amended to exempt special districts and special service districts from the public hearing and appeals requirements for issuing or increasing this fee. Wholesale water suppliers are exempt from this fee. Agriculture/secondary water is exempt from the fee for now. There was an effort by Representative Snider during the final days of the Session to add a fee to secondary water systems. The Senate removed secondary water systems from the legislation before it passed and became law. Representative Snider will very likely sponsor legislation in 2026 to establish a fee on secondary water.