

**BOARDS AND COMMISSIONS AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marc K. Roberts**

Senate Sponsor: Daniel W. Thatcher

Cosponsor: Travis M. Seegmiller

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

- the Arts and Culture Business Alliance;
- the Deception Detection Examiners Board;
- the Global Positioning Systems Advisory Committee;
- the Hearing Instrument Specialist Licensing Board;
- the Livestock Market Committee;
- the Motorcycle Rider Education Advisory Committee;
- the Pesticide Committee;
- the Private Aquaculture Advisory Council;
- the Residence Lien Recovery Fund Advisory Board;
- the Serious Habitual Offender Comprehensive Action Program Oversight Committees;
- the State Advisory Council on Science and Technology;

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

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

- 82 • the Primary Care Grant Committee;
- 83 • the Purchasing from Persons with Disabilities Advisory Board;
- 84 • the Recreational Trails Advisory Council;
- 85 • regional advisory councils for the Wildlife Board;
- 86 • the Residential Child Care Licensing Advisory Committee;
- 87 • the Residential Mortgage Regulatory Commission;
- 88 • the Search and Rescue Advisory Board;
- 89 • the Snake Valley Aquifer Advisory Council;
- 90 • the State Grazing Advisory Board;
- 91 • the State Instructional Materials Commission;
- 92 • the State Rehabilitation Advisory Council;
- 93 • the State of Utah Alice Merrill Horne Art Collection Board;
- 94 • the State Weed Committee;
- 95 • the Technology Initiative Advisory Board;
- 96 • transportation advisory committees;
- 97 • the Traumatic Brain Injury Advisory Committee;
- 98 • the Utah Children's Health Insurance Program Advisory Council;
- 99 • the Utah Commission on Service and Volunteerism;
- 100 • the Utah Council on Victims of Crime;
- 101 • the Utah Electronic Recording Commission;
- 102 • the Utah Health Advisory Council;
- 103 • the Utah Professional Practices Advisory Commission;
- 104 • the Utah Prosecution Council;
- 105 • the Wildlife Board Nominating Committee; and
- 106 • the Workers' Compensation Advisory Council;
- 107 ▶ reinstates the Judicial Rules Review Committee, which was previously repealed,
- 108 and enacts provisions related to the Judicial Rules Review Committee;

- 109           ▶ provides for the Governor's Office of Economic Development to develop an
- 110 incentives review process;
- 111           ▶ repeals sunset provisions related to the Utah State Fair Corporation Board of
- 112 Directors;
- 113           ▶ repeals sunset provisions related to the Pete Suazo Utah Athletic Commission;
- 114           ▶ modifies appointments related to:
  - 115           • the Committee of Consumer Services;
  - 116           • the Health Facility Committee;
  - 117           • the Sentencing Commission; and
  - 118           • the Utah Seismic Safety Commission;
- 119           ▶ amends provisions related to contributions to the Martha Hughes Cannon Capitol
- 120 Statue Oversight Committee;
- 121           ▶ adds provisions to an existing repealer for the Air Ambulance Committee;
- 122           ▶ modifies reporting requirements related to boards and commissions;
- 123           ▶ requires the Utah Public Notice Website and the governor's boards and
- 124 commissions database to share certain information;
- 125           ▶ requires the Division of Archives and Records Service to identify and report certain
- 126 information;
- 127           ▶ allows an individual to receive notifications regarding vacancies on certain boards
- 128 and commissions;
- 129           ▶ provides a portal through which a member of the public may provide feedback on
- 130 an appointee or sitting member of certain boards and commissions; and
- 131           ▶ makes technical changes.

132 **Money Appropriated in this Bill:**

133           None

134 **Other Special Clauses:**

135           This bill provides coordination clauses.

136 **Utah Code Sections Affected:**

137 AMENDS:

138 **4-14-106**, as renumbered and amended by Laws of Utah 2017, Chapter 345

139 **4-30-105**, as renumbered and amended by Laws of Utah 2017, Chapter 345

140 **4-30-106**, as renumbered and amended by Laws of Utah 2017, Chapter 345

141 **4-30-107**, as renumbered and amended by Laws of Utah 2017, Chapter 345

142 **4-37-109**, as last amended by Laws of Utah 2017, Chapter 412

143 **9-6-201**, as last amended by Laws of Utah 2017, Chapter 48

144 **9-6-202**, as last amended by Laws of Utah 2015, Chapter 350

145 **9-6-305**, as last amended by Laws of Utah 2018, Chapter 65

146 **9-6-306**, as last amended by Laws of Utah 2018, Chapter 65

147 **9-6-806**, as enacted by Laws of Utah 2015, Chapter 350

148 **9-7-302**, as last amended by Laws of Utah 2008, Chapter 382

149 **9-8-305**, as last amended by Laws of Utah 2008, Chapter 382

150 **23-14-3**, as last amended by Laws of Utah 2017, Chapter 412

151 **26-21-3**, as last amended by Laws of Utah 2011, Chapter 366

152 **26-39-200**, as last amended by Laws of Utah 2019, Chapter 111

153 **26-39-201**, as last amended by Laws of Utah 2014, Chapter 322

154 **36-12-22**, as enacted by Laws of Utah 2019, Chapter 246

155 **36-31-104**, as enacted by Laws of Utah 2018, Chapter 342

156 **38-11-102**, as last amended by Laws of Utah 2018, Chapter 229

157 **38-11-201**, as last amended by Laws of Utah 2018, Chapter 229

158 **53F-9-203**, as last amended by Laws of Utah 2019, Chapter 186

159 **54-10a-202**, as last amended by Laws of Utah 2010, Chapter 286

160 **58-46a-102**, as last amended by Laws of Utah 2017, Chapter 43

161 **58-46a-302**, as last amended by Laws of Utah 2013, Chapter 87

162 **58-46a-302.5**, as last amended by Laws of Utah 2013, Chapter 87

- 163 **58-46a-303**, as last amended by Laws of Utah 2001, Chapter 268
- 164 **58-46a-501**, as last amended by Laws of Utah 2002, Chapter 50
- 165 **58-46a-502**, as last amended by Laws of Utah 2019, Chapter 349
- 166 **58-55-201**, as last amended by Laws of Utah 2019, Chapter 215
- 167 **58-64-102**, as last amended by Laws of Utah 2016, Chapter 201
- 168 **58-64-302**, as last amended by Laws of Utah 2016, Chapter 201
- 169 **58-64-502**, as enacted by Laws of Utah 1995, Chapter 215
- 170 **58-64-601**, as last amended by Laws of Utah 2016, Chapter 201
- 171 **63C-6-101**, as last amended by Laws of Utah 2011, Chapter 55
- 172 **63F-1-509**, as last amended by Laws of Utah 2008, Chapter 382
- 173 **63F-1-701**, as last amended by Laws of Utah 2016, Chapter 233
- 174 **63I-1-204**, as enacted by Laws of Utah 2019, Chapter 246
- 175 **63I-1-209**, as last amended by Laws of Utah 2019, Chapter 246
- 176 **63I-1-213**, as last amended by Laws of Utah 2018, Chapter 111
- 177 **63I-1-217**, as last amended by Laws of Utah 2018, Chapters 236 and 347
- 178 **63I-1-223**, as last amended by Laws of Utah 2019, Chapter 246
- 179 **63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and
- 180 last amended by Coordination Clause, Laws of Utah 2019, Chapter 246
- 181 **63I-1-234**, as last amended by Laws of Utah 2019, Chapter 136
- 182 **63I-1-235**, as last amended by Laws of Utah 2019, Chapters 89 and 246
- 183 **63I-1-241**, as last amended by Laws of Utah 2019, Chapters 49, 55, and 246
- 184 **63I-1-253**, as last amended by Laws of Utah 2019, Chapters 90, 136, 166, 173, 246,
- 185 325, 344 and last amended by Coordination Clause, Laws of Utah 2019, Chapter
- 186 246
- 187 **63I-1-254**, as last amended by Laws of Utah 2019, Chapter 88
- 188 **63I-1-258**, as last amended by Laws of Utah 2019, Chapters 67 and 68
- 189 **63I-1-261**, as last amended by Laws of Utah 2011, Chapter 199

190           **63I-1-262**, as last amended by Laws of Utah 2019, Chapters 246, 257, 440 and last  
191 amended by Coordination Clause, Laws of Utah 2019, Chapter 246

192           **63I-1-263**, as last amended by Laws of Utah 2019, Chapters 89, 246, 311, 414, 468,  
193 469, 482 and last amended by Coordination Clause, Laws of Utah 2019, Chapter  
194 246

195           **63I-1-267**, as last amended by Laws of Utah 2019, Chapters 246 and 370

196           **63I-1-272**, as last amended by Laws of Utah 2019, Chapter 246

197           **63I-1-273**, as last amended by Laws of Utah 2019, Chapters 96 and 246

198           **63I-1-278**, as last amended by Laws of Utah 2019, Chapters 66 and 136

199           **63I-2-226**, as last amended by Laws of Utah 2019, Chapters 262, 393, 405 and last  
200 amended by Coordination Clause, Laws of Utah 2019, Chapter 246

201           **63M-7-402**, as renumbered and amended by Laws of Utah 2008, Chapter 382

202           **63N-7-103**, as last amended by Laws of Utah 2015, Chapter 301 and renumbered and  
203 amended by Laws of Utah 2015, Chapter 283

204           **63N-7-301**, as last amended by Laws of Utah 2019, Chapters 136 and 237

205           **67-1-2.5**, as last amended by Laws of Utah 2019, Chapter 246

206           **71-7-3**, as last amended by Laws of Utah 2018, Chapter 39

207 ENACTS:

208           **36-32-101**, Utah Code Annotated 1953

209           **36-32-102**, Utah Code Annotated 1953

210           **36-32-201**, Utah Code Annotated 1953

211           **36-32-202**, Utah Code Annotated 1953

212           **36-32-203**, Utah Code Annotated 1953

213           **36-32-204**, Utah Code Annotated 1953

214           **36-32-205**, Utah Code Annotated 1953

215           **36-32-206**, Utah Code Annotated 1953

216           **36-32-207**, Utah Code Annotated 1953

- 217 **63I-1-207**, Utah Code Annotated 1953
- 218 **63I-1-240**, Utah Code Annotated 1953
- 219 **63I-1-265**, Utah Code Annotated 1953
- 220 **63I-1-279**, Utah Code Annotated 1953
- 221 **63N-1-205**, Utah Code Annotated 1953

222 **REPEALS:**

- 223 **4-30-103**, as last amended by Laws of Utah 2019, Chapter 156
- 224 **9-6-801**, as enacted by Laws of Utah 2015, Chapter 350
- 225 **9-6-802**, as enacted by Laws of Utah 2015, Chapter 350
- 226 **9-6-803**, as enacted by Laws of Utah 2015, Chapter 350
- 227 **9-6-804**, as enacted by Laws of Utah 2015, Chapter 350
- 228 **9-6-805**, as enacted by Laws of Utah 2015, Chapter 350
- 229 **9-7-301**, as last amended by Laws of Utah 1997, Chapter 10
- 230 **23-14-2.8**, as enacted by Laws of Utah 2017, Chapter 412
- 231 **26-39-202**, as last amended by Laws of Utah 2014, Chapter 322
- 232 **38-11-104**, as last amended by Laws of Utah 2018, Chapter 229
- 233 **53-3-908**, as last amended by Laws of Utah 2010, Chapters 286 and 324
- 234 **58-46a-201**, as enacted by Laws of Utah 1994, Chapter 28
- 235 **58-64-201**, as enacted by Laws of Utah 1995, Chapter 215
- 236 **63M-3-101**, as enacted by Laws of Utah 2008, Chapter 382
- 237 **63M-3-102**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 238 **63M-3-103**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 239 **63M-3-201**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 240 **63M-3-202**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 241 **63M-10-202**, as renumbered and amended by Laws of Utah 2008, Chapter 382
- 242 **71-7-4**, as last amended by Laws of Utah 2018, Chapter 39

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

244 **26-21-3**, as last amended by Laws of Utah 2011, Chapter 366

245 **63I-1-209**, as last amended by Laws of Utah 2019, Chapter 246

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

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

249 **4-14-106. Department authorized to make and enforce rules.**

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

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

254 (a) a human being; or

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

256 (2) establish, in accordance with the regulations issued by the EPA under 7 U.S.C. Sec.  
257 136w(c)(2), whether pesticides registered for special local needs under the authority of 7  
258 U.S.C. Sec. 136v(c) are highly toxic to man;

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

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

265 (5) establish qualifications for a pesticide applicator business; and

266 (6) adopt any rule, not inconsistent with federal regulations issued under FIFRA,  
267 considered necessary to administer and enforce this chapter, including rules relating to the  
268 sale, distribution, use, and disposition of pesticides if necessary to prevent damage and to  
269 protect the public health.

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

271           **4-30-105. License required -- Application -- Fee -- Expiration -- Renewal.**  
272           (1) (a) No person may operate a livestock market in this state without a license issued  
273 by the department.  
274           (b) Application for a license shall be made to the department upon forms prescribed  
275 and furnished by the department, and the application shall specify:  
276           (i) if the applicant is an individual, the name, address, and date of birth of the  
277 applicant; or  
278           (ii) if the applicant is a partnership, corporation, or association, the name, address, and  
279 date of birth of each person who has a financial interest in the applicant and the amount of each  
280 person's interest;  
281           (iii) a certified statement of the financial assets and liabilities of the applicant detailing:  
282           (A) current assets;  
283           (B) current liabilities;  
284           (C) long-term assets; and  
285           (D) long-term liabilities;  
286           (iv) a legal description of the property where the market is proposed to be located, the  
287 property's street address, and a description of the facilities proposed to be used in connection  
288 with the property;  
289           (v) a schedule of the charges or fees the applicant proposes to charge for each service  
290 rendered; and  
291           (vi) a detailed statement of the trade area proposed to be served by the applicant, the  
292 potential benefits which will be derived by the livestock industry, and the specific services the  
293 applicant intends to render at the livestock market.  
294           (2) (a) Upon receipt of a proper application, payment of a license fee in an amount  
295 determined by the department pursuant to Subsection 4-2-103(2), ~~[and a favorable~~  
296 ~~recommendation by the Livestock Market Committee,]~~ the commissioner, if satisfied that the  
297 convenience and necessity of the industry and the public will be served, shall issue a license

298 allowing the applicant to operate the livestock market proposed in the application valid through  
299 December 31 of the year in which the license is issued, subject to suspension or revocation for  
300 cause.

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

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

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

309 **4-30-106. Hearing on license application -- Notice of hearing.**

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

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

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

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

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

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

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

324 **4-30-107. Guidelines delineated for decision on application.**

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

327 (a) the applicant's proven or potential ability to comply with the Packers and  
328 Stockyards Act, 7 U.S.C. Sec. 221 through 229b;

329 (b) the financial stability, business integrity, and fiduciary responsibility of the  
330 applicant;

331 (c) the livestock marketing benefits which potentially will be derived from the  
332 establishment and operation of the public livestock market proposed;

333 (d) the need for livestock market services in the trade area proposed;

334 (e) the adequacy of the livestock market location and facilities proposed in the  
335 application, including facilities for health inspection and testing;

336 (f) whether the operation of the proposed livestock market is likely to be permanent;  
337 and

338 (g) the economic feasibility of the proposed livestock market based on competent  
339 evidence.

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

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

343 **4-37-109. Department to make rules.**

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

346 (a) specifying procedures for the application and renewal of certificates of registration  
347 for operating an aquaculture or fee fishing facility; and

348 (b) governing the disposal or removal of aquatic animals from an aquaculture or fee  
349 fishing facility for which the certificate of registration has lapsed or been revoked.

350 (2) (a) The department may make other rules consistent with its responsibilities set  
351 forth in Section [4-37-104](#).

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

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

357 ~~[(b) If the Private Aquaculture Advisory Council recommends a position or action to~~  
358 ~~the department pursuant to Section 23-14-2.8 and the department rejects the recommendation,~~  
359 ~~the department shall provide a written explanation to the council.]~~

360 Section 6. Section 9-6-201 is amended to read:

361 **9-6-201. Division of Arts and Museums -- Creation -- Powers and duties.**

362 (1) There is created within the department the Division of Arts and Museums under the  
363 administration and general supervision of the executive director or the designee of the  
364 executive director.

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

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

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

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

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

373 (d) utilize broadcasting facilities and the power of the press in disseminating  
374 information; and

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

378 (4) The board shall set policy to guide the division in accomplishing the purposes set

379 forth in Subsection (3).

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

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

384 **9-6-202. Division director.**

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

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

389 (3) In addition to the division, the director is the chief administrative officer for:

390 (a) the Board of Directors of the Utah Arts Council created in Section 9-6-204;

391 (b) the Utah Arts Council created in Section 9-6-301;

392 (c) the Office of Museum Services created in Section 9-6-602; and

393 (d) the Museum Services Advisory Board created in Section 9-6-604[~~;~~and].

394 [~~(e) the Arts and Culture Business Alliance created in Section 9-6-803.~~]

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

396 **9-6-305. Art collection committee.**

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

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

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

403 (b) Notwithstanding the requirements of Subsection (2)(a), the board shall, at the time  
404 of appointment or reappointment, adjust the length of terms to ensure that the terms of  
405 committee members are staggered so that approximately half of the board is appointed every

406 two years.

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

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

411 (a) Section 63A-3-106;

412 (b) Section 63A-3-107; and

413 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
414 63A-3-107.

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

416 **9-6-306. Collection.**

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

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

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

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

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

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

429 **9-6-806. Arts and Culture Business Alliance Account -- Funding -- Rulemaking.**

430 (1) As used in this section:

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

- 433 (b) (i) "Arts" means the various branches of creative human activity.
- 434 (ii) "Arts" includes visual arts, film, performing arts, sculpture, literature, music,
- 435 theater, dance, digital arts, video-game arts, and cultural vitality.
- 436 (c) "Development of the arts" means:
- 437 (i) constructing, expanding, or repairing facilities that house arts presentations;
- 438 (ii) providing for public information, preservation, or access to the arts; or
- 439 (iii) supporting the professional development of artists within the state.
- 440 ~~[(1)]~~ (2) There is created within the General Fund a restricted account known as the
- 441 Arts and Culture Business Alliance Account.
- 442 ~~[(2)]~~ (3) The account shall be administered by the division for the purposes listed in
- 443 Subsection ~~[(5)]~~ (6).
- 444 ~~[(3)]~~ (4) (a) The account shall earn interest.
- 445 (b) All interest earned on account money shall be deposited into the account.
- 446 ~~[(4)]~~ (5) The account shall be funded by:
- 447 (a) appropriations made to the account by the Legislature; and
- 448 (b) private donations and grants.
- 449 ~~[(5)]~~ (6) Subject to appropriation, the director shall use account funds to pay for:
- 450 (a) the statewide advancement and development of the arts ~~[in accordance with the~~
- 451 ~~recommendation of the alliance]~~; and
- 452 (b) actual administrative costs associated with administering this ~~[part]~~ section.
- 453 ~~[(6)]~~ (7) The division shall submit an annual written report to the department that gives
- 454 a complete accounting of the use of money from the account for inclusion in the annual report
- 455 described in Section [9-1-208](#).
- 456 (8) The division shall, in accordance with Title 63G, Chapter 3, Utah Administrative
- 457 Rulemaking Act, make rules establishing processes to:
- 458 (a) accept and consider applications for projects for the development of the arts; and
- 459 (b) distribute account money under this section.

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

461 **9-7-302. Public access.**

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

463 [~~2~~] ~~The board of control may make rules in accordance with Title 63G, Chapter 3,~~  
464 ~~Utah Administrative Rulemaking Act, and not inconsistent with the provisions of this part.]~~

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

466 **9-8-305. Permit required to survey or excavate on state lands -- Public Lands**  
467 **Policy Coordinating Office to issue permits and make rules -- Ownership of collections**  
468 **and resources -- Revocation or suspension of permits -- Criminal penalties.**

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

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

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

481 (d) A permit obtained before July 1, 2006 shall continue until the permit terminates on  
482 its own terms.

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

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

486 (ii) except as provided in Subsection (2)(b), possess a graduate degree in anthropology,

487 archaeology, or history;

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

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

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

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

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

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

501 (A) states the questions to be addressed;

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

503 (C) defines the methods to be used;

504 (D) describes the analysis to be performed;

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

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

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

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

513 (b) An excavation permit is valid for the amount of time specified in the permit, unless

514 the permit is revoked according to Subsection (9).

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

517 (i) requests the delegation; and

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

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

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

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

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

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

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

533 (a) establish survey methodology;

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

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

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

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

541 (f) establish requirements for a principal investigator's employer, if applicable; and  
542 (g) establish criteria that, if met, would allow the Public Lands Policy Coordinating  
543 Office to reinstate a suspended permit.

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

- 547 (a) site forms;
- 548 (b) data;
- 549 (c) maps;
- 550 (d) drawings;
- 551 (e) photographs; and
- 552 (f) descriptions of specimens.

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

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

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

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

567 (b) Collections recovered from lands owned or controlled by the state or its

568 subdivisions, other than school and institutional trust lands, are owned by the state.

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

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

574 (9) (a) Upon complaint by an agency, the Public Lands Policy Coordinating Office  
575 shall investigate a principal investigator and the work conducted under a permit.

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

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

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

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

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

588 **23-14-3. Powers of division to determine facts -- Policymaking powers of Wildlife**  
589 **Board.**

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

592 (2) (a) Upon a determination of these facts, the Wildlife Board shall establish the  
593 policies best designed to accomplish the purposes and fulfill the intent of all laws pertaining to  
594 wildlife and the preservation, protection, conservation, perpetuation, introduction, and

595 management of wildlife.

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

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

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

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

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

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

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

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

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

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

617 **26-21-3. Health Facility Committee -- Members -- Terms -- Organization --**  
618 **Meetings.**

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

622           **(b)** The appointed members shall be knowledgeable about health care facilities and  
623 issues.

624           **(2)** The membership of the committee is:

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

628           (b) one hospital administrator;

629           (c) one hospital trustee;

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

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

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

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

636           ~~[(h) one professional in the field of intellectual disabilities not affiliated with a nursing  
637 care facility;]~~

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

639           ~~[(‡)]~~ (i) ~~[two representatives]~~ one representative of assisted living facilities licensed  
640 under this chapter;

641           ~~[(k)]~~ (j) two consumers, one of whom has an interest in or expertise in geriatric care;  
642 and

643           ~~[(†)]~~ (k) one representative from either a home health care provider or a hospice  
644 provider.

645           ~~[(2)]~~ (3) (a) Except as required by Subsection ~~[(2)]~~ (3)(b), members shall be appointed  
646 for a term of four years.

647           (b) Notwithstanding the requirements of Subsection ~~[(2)]~~ (3)(a), the governor shall, at  
648 the time of appointment or reappointment, adjust the length of terms to ensure that the terms of

649 committee members are staggered so that approximately half of the committee is appointed  
650 every two years.

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

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

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

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

660 (g) ~~Eight~~ Six members constitute a quorum. A vote of the majority of the members  
661 present constitutes action of the committee.

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

663 **26-39-200. Child Care Center Licensing Committee.**

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

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

668 (i) have at least five years of experience as an owner in or director of a for profit or  
669 not-for-profit center based child care; and

670 (ii) hold an active license as a child care center from the department to provide center  
671 based child care.

672 (c) (i) The governor shall appoint one member to represent each of the following:

673 (A) a parent with a child in center based child care;

674 (B) a child development expert from the state system of higher education;

675 (C) except as provided in Subsection (1)(e), a pediatrician licensed in the state; and

676 (D) an architect licensed in the state.

677 (ii) Except as provided in Subsection (1)(c)(i)(B), a member appointed under  
678 Subsection (1)(c)(i) may not be an employee of the state or a political subdivision of the state.

679 (d) At least one member described in Subsection (1)(b) shall at the time of appointment  
680 reside in a county that is not a county of the first class.

681 (e) For the appointment described in Subsection (1)(c)(i)(C), the governor may appoint  
682 a health care professional who specializes in pediatric health if:

683 (i) the health care professional is licensed under:

684 (A) Title 58, Chapter 31b, Nurse Practice Act, as an advanced practice nurse  
685 practitioner; or

686 (B) Title 58, Chapter 70a, Utah Physician Assistant Act; and

687 (ii) before appointing a health care professional under this Subsection (1)(e), the  
688 governor:

689 (A) sends a notice to a professional physician organization in the state regarding the  
690 opening for the appointment described in Subsection (1)(c)(i)(C); and

691 (B) receives no applications from a pediatrician who is licensed in the state for the  
692 appointment described in Subsection (1)(c)(i)(C) within 90 days after the day on which the  
693 governor sends the notice described in Subsection (1)(e)(ii)(A).

694 (2) (a) Except as required by Subsection (2)(b), as terms of current members expire, the  
695 governor shall appoint each new member or reappointed member to a four-year term ending  
696 June 30.

697 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the  
698 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
699 members are staggered so that approximately half of the licensing committee is appointed  
700 every two years.

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

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

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

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

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

709 (b) The director may call additional meetings:

710 (i) at the director's discretion;

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

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

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

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

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

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

719 (c) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and  
720 [63A-3-107](#).

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

722 **26-39-201. Residential Child Care Licensing Advisory Committee.**

723 (1) (a) The Residential Child Care Licensing Advisory Committee created in Section  
724 [26-1-7](#) shall advise the department on rules made by the department under this chapter for  
725 residential child care.

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

728 (i) two child care consumers;

729 (ii) three licensed residential child care providers;

730 (iii) one certified residential child care provider;  
731 (iv) one individual with expertise in early childhood development; and  
732 (v) two health care providers.

733 (2) (a) Members of the advisory committee shall be appointed for four-year terms,  
734 except for those members who have been appointed to complete an unexpired term.

735 (b) Appointments and reappointments may be staggered so that 1/4 of the advisory  
736 committee changes each year.

737 (c) The advisory committee shall annually elect a [~~chairman~~] chair from its  
738 membership.

739 (3) The advisory committee shall meet at least quarterly, or more frequently as  
740 determined by the executive director, the [~~chairman~~] chair, or three or more members of the  
741 committee.

742 (4) Five members constitute a quorum and a vote of the majority of the members  
743 present constitutes an action of the advisory committee.

744 (5) A member of the advisory committee may not receive compensation or benefits for  
745 the member's service, but may receive per diem and travel expenses as allowed in:

746 (a) Section 63A-3-106;  
747 (b) Section 63A-3-107; and  
748 (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and  
749 63A-3-107.

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

751 **36-12-22. Reports from legislative boards -- Annual reports -- Preparation of**  
752 **legislation.**

753 (1) As used in this section:

754 (a) "Legislative board [~~or commission~~]" means a board, commission, council,  
755 committee, working group, task force, study group, advisory group, or other body created in  
756 statute or by legislative rule:

757 (i) with a defined, limited membership;  
 758 [~~(ii) that has a member who is required to be:~~  
 759 [~~(A) a member of the Legislature; or~~  
 760 [~~(B) appointed by a member of the Legislature; and~~  
 761 [~~(iii)~~] (ii) that has operated or is intended to operate for more than six months[-]; and  
 762 (iii) (A) that has exclusive or majority legislative membership; or  
 763 (B) that receives staff support from a legislative staff office.  
 764 (b) "Legislative board [~~or commission~~]" does not include:  
 765 (i) a standing, ethics, interim, appropriations, confirmation, or rules committee of the  
 766 Legislature;  
 767 (ii) the Legislative Management Committee or a subcommittee of the Legislative  
 768 Management Committee; or  
 769 (iii) an organization that is prohibited from having a member that is a member of the  
 770 Legislature.  
 771 (2) (a) [~~Before September 1 of each year~~] Before August 1, once every five years,  
 772 beginning in calendar year 2024, each legislative board [~~or commission~~] shall prepare and  
 773 submit to the Office of Legislative Research and General Counsel [~~an annual~~] a report that  
 774 includes:  
 775 (i) the name of the legislative board [~~or commission~~];  
 776 (ii) a description of the legislative board's [~~or commission's~~] official function and  
 777 purpose;  
 778 [~~(iii) the total number of members of the legislative board or commission;~~  
 779 [~~(iv) the number of the legislative board's or commission's members who are~~  
 780 ~~legislators;~~]  
 781 [~~(v) the compensation, if any, paid to the members of the legislative board or~~  
 782 ~~commission;~~]  
 783 [~~(vi)~~] (iii) a description of [~~the actual work performed~~] actions taken by the legislative

784 board [~~or commission since the last report the legislative board or commission submitted to the~~  
785 ~~Office of Legislative Research and General Counsel under this section;~~] in the five previous  
786 fiscal years;

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

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

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

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

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

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

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

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

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

810 (B) a list of each legislative board [~~or commission~~] that did not submit a report under

811 Subsection (2);

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

813 and

814 (D) a list of any legislative boards ~~[or commissions]~~ that indicated under Subsection

815 (2)(a)~~[(ix)]~~(v) that the legislative board ~~[or commission]~~ should no longer exist.

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

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

818 (i) in accordance with Section 68-3-14, submit the report described in Subsection (3)(a)

819 to:

820 (A) the president of the Senate;

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

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

823 ~~[(D)]~~ (C) the Government Operations Interim Committee; and

824 (ii) post the report described in Subsection (3)(a) to the Legislature's website.

825 ~~[(e) Each year, the] (4) (a) The Government Operations Interim Committee [shall]~~

826 may prepare legislation [making any changes the committee determines are suitable with

827 respect to the report the committee receives under Subsection (3)(b), including:] to address a

828 recommendation regarding:

829 ~~[(i) repealing a legislative board or commission that is no longer functional or~~

830 ~~necessary; and]~~

831 ~~[(ii) making appropriate changes to make a legislative board or commission more~~

832 ~~effective.]~~

833 (i) an executive board, as defined in Section 67-1-2.5, included in the report described

834 in Section 67-1-2.5; or

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

836 (b) If an executive board or a legislative board is assigned to an interim committee for

837 review under Title 63I, Chapter 1, Legislative Oversight and Sunset Act, the Government

838 Operations Interim Committee may coordinate with the interim committee to prepare  
839 legislation described in Subsection (4)(a).

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

841 **36-31-104. Committee duties.**

842 (1) The committee shall:

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

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

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

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

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

851 (iii) any other federal entity;

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

853 (e) ensure that the statue of Martha Hughes Cannon is created in marble or bronze, as  
854 required under 2 U.S.C. Sec. 2131;

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

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

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

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

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

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

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

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

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

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

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

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

877 **Part 1. General Provisions**

878 **36-32-101. Title.**

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

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

881 **36-32-102. Definitions.**

882 As used in this chapter:

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

885 (a) civil procedure;

886 (b) criminal procedure;

887 (c) juvenile procedure;

888 (d) appellate procedure;

889 (e) evidence; and

890 (f) professional conduct.

891 (2) "Committee" means the Judicial Rules Review Committee created in Section

892 [36-31-201](#).

893 (3) “Court rule” means any of the following:

894 (a) rules of procedure, evidence, or practice for use of the courts of this state;

895 (b) rules governing and managing the appellate process adopted by the Supreme Court;

896 or

897 (c) rules adopted by the Judicial Council for the administration of the courts of the

898 state.

899 (4) “Judicial Council” means the administrative body of the courts, established in Utah  
900 Constitution, Article VIII, Sec. 12, and Section [78A-2-104](#).

901 (5) “Proposal for court rule” means the proposed language in a court rule that is  
902 submitted to:

903 (a) the Judicial Council;

904 (b) the advisory committee; or

905 (c) the Supreme Court.

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

907 **Part 2. Judicial Rules Review Committee**

908 **36-32-201. Establishment of committee -- Membership -- Duties.**

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

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

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

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

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

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

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

919           (B) resigns from the committee.  
920           (ii) The appointing authority shall fill a vacancy.  
921           (iii) A member appointed to fill a vacancy shall serve out the unexpired term.  
922           (d) The committee may meet as needed:  
923           (i) to review:  
924           (A) court rules;  
925           (B) proposals for court rules; or  
926           (C) conflicts between court rules or proposals for court rules and statute or the Utah  
927 Constitution; or  
928           (ii) to recommend legislative action related to a review described in Subsection  
929 (2)(d)(i).  
930           Section 22. Section **36-32-202** is enacted to read:  
931           **36-32-202. Submission of court rules or proposals for court rules.**  
932           (1) The Supreme Court or the Judicial Council shall submit to the committee and the  
933 governor each court rule, proposal for court rule, and any additional information related to a  
934 court rule or proposal for court rule that the Supreme Court or Judicial Council considers  
935 relevant:  
936           (a) when the court rule or proposal for court rule is submitted:  
937           (i) to the Judicial Council for consideration or approval for public comment; or  
938           (ii) to the Supreme Court by the advisory committee after the advisory committee's  
939 consideration or approval; and  
940           (b) when the approved court rule or approved proposal for court rule is made available  
941 to members of the bar and the public for public comment.  
942           (2) At the time of submission under Subsection (1), the Supreme Court or Judicial  
943 Council shall provide the committee with the name and contact information of a Supreme  
944 Court advisory committee or Judicial Council employee whom the committee may contact  
945 about the submission.

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

947 **36-32-203. Review of rules -- Criteria.**

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

950 (2) The committee:

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

952 (i) a court rule; or

953 (ii) a proposal for court rule; and

954 (b) may review an existing court rule.

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

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

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

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

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

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

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

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

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

968 (i) the state budget;

969 (ii) local governments; and

970 (iii) individuals; and

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

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

973 **36-32-204. Committee review -- Fiscal analyst -- Powers of committee.**974 (1) To carry out the committee's duties, the committee may examine issues that the  
975 committee considers necessary in addition to the issues described in this chapter.976 (2) The committee may request that the Office of the Legislative Fiscal Analyst prepare  
977 a fiscal note on any court rule or proposal for court rule.978 (3) The committee has the powers granted to a legislative interim committee described  
979 in Section [36-12-11](#).980 Section 25. Section **36-32-205** is enacted to read:981 **36-32-205. Findings -- Report -- Distribution of report.**982 (1) The committee may:983 (a) make an informal recommendation about a court rule or proposal for court rule; or984 (b) provide written findings of the committee's review of a court rule or proposal for  
985 court rule; and986 (c) if the committee identifies significant issues, provide written recommendations for:987 (i) legislative action;988 (ii) Supreme Court rulemaking action; or989 (iii) Judicial Council rulemaking action.990 (2) The committee shall provide to the Supreme Court or the Judicial Council:991 (a) a copy of the committee's findings or recommendations described in Subsection (1);992 and993 (b) a request that the Supreme Court or Judicial Council notify the committee of the  
994 Supreme Court or Judicial Council's response.995 (3) The committee may prepare a report that includes:996 (a) the findings and recommendations made by the committee based on the criteria  
997 described in Section [36-32-203](#);998 (b) any action taken by the Supreme Court or Judicial Council in response to  
999 recommendations from the committee; and

- 1000 (c) any recommendations described in Subsection (1).
- 1001 (4) The committee shall provide a report described in Subsection (3) to:
- 1002 (a) the speaker of the House of Representatives;
- 1003 (b) the president of the Senate;
- 1004 (c) the chair of the House Judiciary Standing Committee;
- 1005 (d) the chair of the Senate Judiciary, Law Enforcement, and Criminal Justice Standing
- 1006 Committee;
- 1007 (e) the Judiciary Interim Committee;
- 1008 (f) the governor;
- 1009 (g) the Executive Offices and Criminal Justice Appropriations Subcommittee;
- 1010 (h) the Judicial Council; and
- 1011 (i) the Supreme Court.

1012 Section 26. Section **36-32-206** is enacted to read:

1013 **36-32-206. Court rules or proposals for court rules -- Publication in bulletin.**

1014 When the Supreme Court or Judicial Council submits a court rule or proposal for court  
1015 rule for public comment, the Supreme Court or Judicial Council shall submit the court rule or  
1016 proposal for court rule to publication houses that publish court rules, proposals to court rules,  
1017 case law, or other relevant information for individuals engaged in the legal profession.

1018 Section 27. Section **36-32-207** is enacted to read:

1019 **36-32-207. Duties of staff.**

1020 The Office of Legislative Research and General Counsel shall, when practicable, attend  
1021 meetings of the advisory committees of the Supreme Court.

1022 Section 28. Section **38-11-102** is amended to read:

1023 **38-11-102. Definitions.**

1024 [~~(1) "Board" means the Residence Lien Recovery Fund Advisory Board established~~  
1025 ~~under Section ~~38-11-104.~~]~~

1026 [~~(2)~~] (1) "Certificate of compliance" means an order issued by the director to the owner

1027 finding that the owner is in compliance with the requirements of Subsections 38-11-204(4)(a)  
1028 and (4)(b) and is entitled to protection under Section 38-11-107.

1029 ~~[(3)]~~ (2) "Construction on an owner-occupied residence" means designing, engineering,  
1030 constructing, altering, remodeling, improving, repairing, or maintaining a new or existing  
1031 residence.

1032 ~~[(4)]~~ (3) "Department" means the Department of Commerce.

1033 ~~[(5)]~~ (4) "Director" means the director of the Division of Occupational and  
1034 Professional Licensing.

1035 ~~[(6)]~~ (5) "Division" means the Division of Occupational and Professional Licensing.

1036 ~~[(7)]~~ (6) "Duplex" means a single building having two separate living units.

1037 ~~[(8)]~~ (7) "Encumbered fund balance" means the aggregate amount of outstanding  
1038 claims against the fund. The remainder of the money in the fund is unencumbered funds.

1039 ~~[(9)]~~ (8) "Executive director" means the executive director of the Department of  
1040 Commerce.

1041 ~~[(10)]~~ (9) "Factory built housing" is as defined in Section 15A-1-302.

1042 ~~[(11)]~~ (10) "Factory built housing retailer" means a person that sells factory built  
1043 housing to consumers.

1044 ~~[(12)]~~ (11) "Fund" means the Residence Lien Recovery Fund established under Section  
1045 38-11-201.

1046 ~~[(13)]~~ (12) "Laborer" means a person who provides services at the site of the  
1047 construction on an owner-occupied residence as an employee of an original contractor or other  
1048 qualified beneficiary performing qualified services on the residence.

1049 ~~[(14)]~~ (13) "Licensee" means any holder of a license issued under Title 58, Chapter 3a,  
1050 Architects Licensing Act; Chapter 22, Professional Engineers and Professional Land Surveyors  
1051 Licensing Act; Chapter 53, Landscape Architects Licensing Act; and Chapter 55, Utah  
1052 Construction Trades Licensing Act.

1053 ~~[(15)]~~ (14) "Nonpaying party" means the original contractor, subcontractor, or real

1054 estate developer who has failed to pay the qualified beneficiary making a claim against the  
1055 fund.

1056 ~~[(16)]~~ (15) "Original contractor" means a person who contracts with the owner of real  
1057 property or the owner's agent to provide services, labor, or material for the construction of an  
1058 owner-occupied residence.

1059 ~~[(17)]~~ (16) "Owner" means a person who:

1060 (a) contracts with a person who is licensed as a contractor or is exempt from licensure  
1061 under Title 58, Chapter 55, Utah Construction Trades Licensing Act, for the construction on an  
1062 owner-occupied residence upon real property that the person:

1063 (i) owns; or

1064 (ii) purchases after the person enters into a contract described in this Subsection ~~[(17)]~~  
1065 (16)(a) and before completion of the owner-occupied residence;

1066 (b) contracts with a real estate developer to buy a residence upon completion of the  
1067 construction on the owner-occupied residence; or

1068 (c) purchases a residence from a real estate developer after completion of the  
1069 construction on the owner-occupied residence.

1070 ~~[(18)]~~ (17) "Owner-occupied residence" means a residence that is, or after completion  
1071 of the construction on the residence will be, occupied by the owner or the owner's tenant or  
1072 lessee as a primary or secondary residence within 180 days after the day on which the  
1073 construction on the residence is complete.

1074 ~~[(19)]~~ (18) "Qualified beneficiary" means a person who:

1075 (a) provides qualified services;

1076 (b) pays necessary fees required under this chapter; and

1077 (c) registers with the division:

1078 (i) as a licensed contractor under Subsection [38-11-301](#)(1) or (2), if that person seeks  
1079 recovery from the fund as a licensed contractor; or

1080 (ii) as a person providing qualified services other than as a licensed contractor under

1081 Subsection ~~38-11-301~~(3) if the person seeks recovery from the fund in a capacity other than as  
1082 a licensed contractor.

1083 ~~[(20)]~~ (19) (a) "Qualified services" means the following performed in construction on  
1084 an owner-occupied residence:

1085 (i) contractor services provided by a contractor licensed or exempt from licensure  
1086 under Title 58, Chapter 55, Utah Construction Trades Licensing Act;

1087 (ii) architectural services provided by an architect licensed under Title 58, Chapter 3a,  
1088 Architects Licensing Act;

1089 (iii) engineering and land surveying services provided by a professional engineer or  
1090 land surveyor licensed or exempt from licensure under Title 58, Chapter 22, Professional  
1091 Engineers and Professional Land Surveyors Licensing Act;

1092 (iv) landscape architectural services by a landscape architect licensed or exempt from  
1093 licensure under Title 58, Chapter 53, Landscape Architects Licensing Act;

1094 (v) design and specification services of mechanical or other systems;

1095 (vi) other services related to the design, drawing, surveying, specification, cost  
1096 estimation, or other like professional services;

1097 (vii) providing materials, supplies, components, or similar products;

1098 (viii) renting equipment or materials;

1099 (ix) labor at the site of the construction on the owner-occupied residence; and

1100 (x) site preparation, set up, and installation of factory built housing.

1101 (b) "Qualified services" does not include the construction of factory built housing in  
1102 the factory.

1103 ~~[(21)]~~ (20) "Real estate developer" means a person having an ownership interest in real  
1104 property who:

1105 (a) contracts with a person who is licensed as a contractor or is exempt from licensure  
1106 under Title 58, Chapter 55, Utah Construction Trades Licensing Act, for the construction of a  
1107 residence that is offered for sale to the public; or

1108 (b) is a licensed contractor under Title 58, Chapter 55, Utah Construction Trades  
1109 Licensing Act, who engages in the construction of a residence that is offered for sale to the  
1110 public.

1111 [~~(22)~~] (21) (a) "Residence" means an improvement to real property used or occupied,  
1112 to be used or occupied as, or in conjunction with:

1113 (i) a primary or secondary detached single-family dwelling; or

1114 (ii) a multifamily dwelling up to and including duplexes.

1115 (b) "Residence" includes factory built housing.

1116 [~~(23)~~] (22) "Subsequent owner" means a person who purchases a residence from an  
1117 owner within 180 days after the day on which the construction on the residence is completed.

1118 Section 29. Section **38-11-201** is amended to read:

1119 **38-11-201. Residence Lien Recovery Fund.**

1120 (1) There is created an expendable special revenue fund called the "Residence Lien  
1121 Recovery Fund."

1122 (2) The fund shall earn interest.

1123 (3) The division shall employ personnel and resources necessary to administer the fund  
1124 and shall use fund money in accordance with Sections 38-11-203 and 38-11-204 and to pay the  
1125 costs charged to the fund by the attorney general.

1126 (4) Costs incurred by the division, on or after May 8, 2018, for administering the fund  
1127 may be paid out of fund money in an amount that may be no more than a total of \$300,000 for  
1128 the remaining existence of the fund.

1129 (5) (a) The Division of Finance shall report annually to the Legislature[;] and the  
1130 division[; ~~and the board~~].

1131 (b) The report shall state:

1132 (i) amounts received by the fund;

1133 (ii) disbursements from the fund;

1134 (iii) interest earned and credited to the fund; and

- 1135 (iv) the fund balance.
- 1136 Section 30. Section **53F-9-203** is amended to read:
- 1137 **53F-9-203. Charter School Revolving Account.**
- 1138 (1) (a) The terms defined in Section **53G-5-102** apply to this section.
- 1139 (b) As used in this section, "account" means the Charter School Revolving Account.
- 1140 (2) (a) There is created within the Uniform School Fund a restricted account known as
- 1141 the "Charter School Revolving Account" to provide assistance to charter schools to:
- 1142 (i) meet school building construction and renovation needs; and
- 1143 (ii) pay for expenses related to the start up of a new charter school or the expansion of
- 1144 an existing charter school.
- 1145 (b) The state board, in consultation with the State Charter School Board, shall
- 1146 administer the Charter School Revolving Account in accordance with rules adopted by the state
- 1147 board.
- 1148 (3) The Charter School Revolving Account shall consist of:
- 1149 (a) money appropriated to the account by the Legislature;
- 1150 (b) money received from the repayment of loans made from the account; and
- 1151 (c) interest earned on money in the account.
- 1152 (4) The state superintendent shall make loans to charter schools from the account to
- 1153 pay for the costs of:
- 1154 (a) planning expenses;
- 1155 (b) constructing or renovating charter school buildings;
- 1156 (c) equipment and supplies; or
- 1157 (d) other start-up or expansion expenses.
- 1158 (5) Loans to new charter schools or charter schools with urgent facility needs may be
- 1159 given priority.
- 1160 (6) ~~[(a)]~~ The state board shall ~~[establish a committee to]:~~
- 1161 ~~[(i)]~~ (a) except as provided in Subsection (7)(a), review requests by charter schools for

1162 loans under this section; and

1163 ~~[(ii) make recommendations regarding approval or disapproval of the loan applications~~  
1164 ~~to the State Charter School Board and the state board.]~~

1165 (b) in consultation with the State Charter School Board, approve or reject each request.

1166 (7) (a) The state board may establish a committee to:

1167 (i) review requests under Subsection (6)(a); and

1168 (ii) make recommendations to the state board and the State Charter School Board  
1169 regarding the approval or rejection of a request.

1170 (b) (i) A committee established under Subsection ~~[(6)]~~ (7)(a) shall include individuals  
1171 who have expertise or experience in finance, real estate, or charter school administration.

1172 (ii) Of the members appointed to a committee established under Subsection ~~[(6)]~~  
1173 (7)(a):

1174 (A) one member shall be nominated by the governor; and

1175 (B) the remaining members shall be selected from a list of nominees submitted by the  
1176 State Charter School Board.

1177 (c) If the committee recommends approval of a loan application under Subsection ~~[(6)]~~  
1178 (7)(a)(ii), the committee's recommendation shall include:

1179 (i) the recommended amount of the loan;

1180 (ii) the payback schedule; and

1181 (iii) the interest rate to be charged.

1182 (d) A committee member may not:

1183 (i) be a relative, as defined in Section [53G-5-409](#), of a loan applicant; or

1184 (ii) have a pecuniary interest, directly or indirectly, with a loan applicant or any person  
1185 or entity that contracts with a loan applicant.

1186 ~~[(7)]~~ (8) A loan under this section may not be made unless the state board, in  
1187 consultation with the State Charter School Board, approves the loan.

1188 ~~[(8)]~~ (9) The term of a loan to a charter school under this section may not exceed five

1189 years.

1190           ~~[(9)]~~ (10) The state board may not approve loans to charter schools under this section  
1191 that exceed a total of \$2,000,000 in any fiscal year.

1192           ~~[(10)]~~ (11) (a) On March 16, 2011, the assets of the Charter School Building  
1193 Subaccount administered by the state board shall be deposited into the Charter School  
1194 Revolving Account.

1195           (b) Beginning on March 16, 2011, loan payments for loans made from the Charter  
1196 School Building Subaccount shall be deposited into the Charter School Revolving Account.

1197           Section 31. Section **54-10a-202** is amended to read:

1198           **54-10a-202. Committee of Consumer Services.**

1199           (1) (a) There is created within the office a committee known as the "Committee of  
1200 Consumer Services."

1201           (b) A member of the committee shall maintain the member's principal residence within  
1202 Utah.

1203           (2) (a) The governor shall appoint ~~[nine]~~ five members to the committee subject to  
1204 Subsection (3).

1205           (b) Except as required by Subsection (2)(c), as terms of current committee members  
1206 expire, the governor shall appoint a new member or reappointed member to a four-year term.

1207           (c) Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the  
1208 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
1209 committee members are staggered so that approximately half of the committee is appointed  
1210 every two years.

1211           (d) When a vacancy occurs in the membership for any reason, the governor shall  
1212 appoint a replacement for the unexpired term.

1213           (3) Members of the committee shall represent the following ~~[geographic and]~~  
1214 consumer interests:

1215           ~~[(a) one member shall be from Salt Lake City, Provo, or Ogden;]~~

1216 ~~[(b) one member shall be from a city other than Salt Lake City, Provo, or Ogden;]~~  
1217 ~~[(c) one member shall be from an unincorporated area of the state;]~~  
1218 ~~[(d)]~~ (a) one member shall be ~~[a low-income resident]~~ an individual with experience  
1219 and understanding of issues affecting low-income residents;  
1220 ~~[(e)]~~ (b) one member shall be a retired person;  
1221 ~~[(f)]~~ (c) one member shall be ~~[a small commercial consumer]~~ an individual with  
1222 experience and understanding of issues affecting small commercial consumers;  
1223 ~~[(g)]~~ (d) one member shall be a farmer or rancher who uses electric power to pump  
1224 water in the member's farming or ranching operation; and  
1225 ~~[(h)]~~ (e) one member shall be a residential consumer~~[-and].~~  
1226 ~~[(i) one member shall be appointed to provide geographic diversity on the committee to~~  
1227 ~~ensure to the extent possible that all areas of the state are represented.]~~  
1228 (4) (a) No more than ~~[five]~~ three members of the committee ~~[shall]~~ may be from the  
1229 same political party.  
1230 (b) Subject to Subsection (3), for a member of the committee appointed on or after  
1231 May 12, 2009, the governor shall appoint, to the extent possible, an individual with expertise or  
1232 experience in:  
1233 (i) public utility matters related to consumers;  
1234 (ii) economics;  
1235 (iii) accounting;  
1236 (iv) financing;  
1237 (v) engineering; or  
1238 (vi) public utilities law.  
1239 (5) The governor shall designate one member as chair of the committee.  
1240 (6) A member may not receive compensation or benefits for the member's service, but  
1241 may receive per diem and travel expenses in accordance with:  
1242 (a) Section [63A-3-106](#);

1243 (b) Section 63A-3-107; and  
1244 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
1245 63A-3-107.

1246 (7) (a) The committee may hold monthly meetings.

1247 (b) The committee may hold other meetings, at the times and places the chair and a  
1248 majority of the committee determine.

1249 (8) (a) ~~Five~~ Three members of the committee constitute a quorum of the committee.

1250 (b) A majority of members voting when a quorum is present constitutes an action of  
1251 the committee.

1252 Section 32. Section 58-46a-102 is amended to read:

1253 **58-46a-102. Definitions.**

1254 In addition to the definitions in Section 58-1-102, as used in this chapter:

1255 ~~[(1) "Board" means the Hearing Instrument Specialist Licensing Board created in~~  
1256 ~~Section 58-46a-201.]~~

1257 ~~[(2)]~~ (1) "Direct supervision" means that the supervising hearing instrument specialist  
1258 is present in the same facility as is the person being supervised and is available for immediate  
1259 in person consultation.

1260 ~~[(3)]~~ (2) "Hearing instrument" or "hearing aid" means any device designed or offered to  
1261 be worn on or by an individual to enhance human hearing, including the device's specialized  
1262 parts, attachments, or accessories.

1263 ~~[(4)]~~ (3) "Hearing instrument intern" means a person licensed under this chapter who is  
1264 obtaining education and experience in the practice of a hearing instrument specialist under the  
1265 supervision of a supervising hearing instrument specialist.

1266 ~~[(5)]~~ (4) "Indirect supervision" means that the supervising hearing instrument specialist  
1267 is not required to be present in the same facility as is the person being supervised, but is  
1268 available for voice to voice contact by telephone, radio, or other means at the initiation of the  
1269 person being supervised.

1270 [(6)] (5) "Practice of a hearing instrument specialist" means:

1271 (a) establishing a place of business to practice as a hearing instrument specialist;

1272 (b) testing the hearing of a human patient over the age of 17 for the sole purpose of

1273 determining whether a hearing loss will be sufficiently improved by the use of a hearing

1274 instrument to justify prescribing and selling the hearing instrument and whether that hearing

1275 instrument will be in the best interest of the patient;

1276 (c) providing the patient a written statement of prognosis regarding the need for or

1277 usefulness of a hearing instrument for the patient's condition;

1278 (d) prescribing an appropriate hearing instrument;

1279 (e) making impressions or earmolds for the fitting of a hearing instrument;

1280 (f) sale and professional placement of the hearing instrument on a patient;

1281 (g) evaluating the hearing loss overcome by the installation of the hearing instrument

1282 and evaluating the hearing recovery against the representations made to the patient by the

1283 hearing instrument specialist;

1284 (h) necessary intervention to produce satisfactory hearing recovery results from a

1285 hearing instrument; or

1286 (i) instructing the patient on the use and care of the hearing instrument.

1287 [(7)] (6) "Supervising hearing instrument specialist" means a hearing instrument

1288 specialist who:

1289 (a) is licensed by and in good standing with the division;

1290 (b) has practiced full-time as a hearing instrument specialist for not less than two years;

1291 and

1292 (c) is approved as a supervisor by the division [~~in collaboration with the board~~].

1293 [(8)] (7) "Unlawful conduct" means the same as that term is defined in Section

1294 58-1-501.

1295 [(9)] (8) "Unprofessional conduct" means the same as that term is defined in Sections

1296 58-1-501 and 58-46a-501.

1297 Section 33. Section **58-46a-302** is amended to read:

1298 **58-46a-302. Qualifications for licensure.**

1299 (1) Each applicant for licensure as a hearing instrument specialist shall:

1300 (a) submit to the division an application in a form prescribed by the division;

1301 (b) pay a fee as determined by the division pursuant to Section [63J-1-504](#);

1302 (c) be of good moral character;

1303 (d) have qualified for and currently hold board certification by the National Board for

1304 Certification - Hearing Instrument Sciences, or an equivalent certification approved by the

1305 division [~~in collaboration with the board~~];

1306 (e) have passed the Utah Law and Rules Examination for Hearing Instrument

1307 Specialists; and

1308 (f) if the applicant holds a hearing instrument intern license, surrender the hearing

1309 instrument intern license at the time of licensure as a hearing instrument specialist.

1310 (2) Each applicant for licensure as a hearing instrument intern shall:

1311 (a) submit to the division an application in a form prescribed by the division;

1312 (b) pay a fee as determined by the division pursuant to Section [63J-1-504](#);

1313 (c) be of good moral character;

1314 (d) have passed the Utah Law and Rules Examination for Hearing Instrument

1315 Specialists; and

1316 (e) present evidence acceptable to the division [~~and the board~~] that the applicant, when

1317 licensed, will practice as a hearing instrument intern only under the supervision of a

1318 supervising hearing instrument specialist in accordance with:

1319 (i) Section [58-46a-302.5](#); and

1320 (ii) the supervision requirements for obtaining board certification by the National

1321 Board for Certification - Hearing Instrument Sciences, or an equivalent certification approved

1322 by the division [~~in collaboration with the board~~].

1323 Section 34. Section **58-46a-302.5** is amended to read:

1324 **58-46a-302.5. Supervision requirements -- Hearing instrument interns.**

1325 (1) A hearing instrument intern shall practice as a hearing instrument intern only under  
1326 the direct supervision of a licensed hearing instrument specialist, until the intern:

1327 (a) receives a passing score on a practical examination demonstrating acceptable skills  
1328 in the area of hearing testing as approved by the division [~~in collaboration with the board~~]; and

1329 (b) completes the National Institute for Hearing instrument studies education and  
1330 examination program, or an equivalent college level program as approved by the division [~~in~~  
1331 ~~collaboration with the board~~].

1332 (2) Upon satisfaction of the direct supervision requirement of Subsection (1) the intern  
1333 shall:

1334 (a) practice as a hearing instrument intern only under the indirect supervision of a  
1335 licensed hearing instrument specialist; and

1336 (b) receive a passing score on the International Licensing Examination of the hearing  
1337 instrument dispenser or other tests approved by the division prior to applying for licensure as a  
1338 hearing instrument specialist.

1339 Section 35. Section **58-46a-303** is amended to read:

1340 **58-46a-303. Term of license -- Expiration -- Renewal of specialist license --**  
1341 **Limitation on renewal of intern license.**

1342 (1) The division shall issue each license for a hearing instrument specialist in  
1343 accordance with a two-year renewal cycle established by rule. The division may by rule extend  
1344 or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.

1345 (2) Each license as a hearing instrument intern shall be issued for a term of three years  
1346 and may not be renewed.

1347 (3) At the time of renewal, the licensed hearing instrument specialist shall demonstrate  
1348 satisfactory evidence of each of the following:

1349 (a) current certification by the National Board for Certification Hearing Instrument  
1350 Sciences, or other acceptable certification approved by the division [~~in collaboration with the~~

1351 board];

1352 (b) calibration of all appropriate technical instruments used in practice; and

1353 (c) completion of continuing professional education required in Section 58-46a-304.

1354 (4) Each license automatically expires on the expiration date shown on the license

1355 unless renewed by the licensee in accordance with the provisions of Section 58-1-308, or

1356 unless surrendered in accordance with the provisions of Section 58-1-306.

1357 Section 36. Section 58-46a-501 is amended to read:

1358 **58-46a-501. Unprofessional conduct.**

1359 "Unprofessional conduct" includes:

1360 (1) testing the hearing of a patient for any purpose other than to determine whether a  
1361 hearing loss will be improved by the use of a hearing instrument;

1362 (2) failing to make an appropriate referral to a qualified health care provider with  
1363 respect to a condition detected in a patient examined by a licensee under this chapter if the  
1364 condition is generally recognized in the profession as one that should be referred;

1365 (3) designating a hearing instrument for a patient whose hearing will not be sufficiently  
1366 improved to justify prescribing and selling of the hearing instrument;

1367 (4) making false, misleading, deceptive, fraudulent, or exaggerated claims with respect  
1368 to practice under this chapter and specifically with respect to the benefits of a hearing  
1369 instrument or the degree to which a hearing instrument will benefit a patient;

1370 (5) failing to exercise caution in providing a patient a prognosis to assure the patient is  
1371 not led to expect results that cannot be accurately predicted;

1372 (6) failing to provide appropriate follow-up care and consultation with respect to a  
1373 patient to whom a hearing instrument has been prescribed and sold upon being informed by the  
1374 patient that the hearing instrument does not produce the results represented by the licensee;

1375 (7) failing to disclose in writing to the patient the charge for all services and hearing  
1376 instruments prescribed and sold to a patient prior to providing the services or hearing  
1377 instrument;

1378 (8) failing to refund fees paid by a patient for a hearing instrument and all accessories,  
1379 upon a determination by the division [~~in collaboration with the board~~] that the patient has not  
1380 obtained the recovery of hearing represented by the licensee in writing prior to designation and  
1381 sale of the hearing instrument;

1382 (9) paying any professional person any consideration of any kind for referral of a  
1383 patient;

1384 (10) failing, when acting as a supervising hearing instrument specialist, to provide  
1385 supervision and training in hearing instrument sciences in accordance with Section  
1386 58-46a-302.5;

1387 (11) engaging in the practice as a hearing instrument intern when not under the  
1388 supervision of a supervising hearing instrument specialist in accordance with Section  
1389 58-46a-302.5;

1390 (12) failing to describe the circuitry in any advertisement, presentation, purchase, or  
1391 trial agreement as being either "digital" or "analog"; or other acceptable terms as determined by  
1392 the division [~~in collaboration with the board~~];

1393 (13) failing to follow the guidelines or policies of the United States Federal Trade  
1394 Commission in any advertisement;

1395 (14) failing to adhere to the rules and regulations prescribed by the United States Food  
1396 and Drug Administration as they pertain to the hearing instrument specialist;

1397 (15) failing to maintain all equipment used in the practice of a hearing instrument  
1398 specialist properly calibrated and in good working condition; and

1399 (16) failing to comply with any of the requirements set forth in Section 58-46a-502 or  
1400 58-46a-503.

1401 Section 37. Section **58-46a-502** is amended to read:

1402 **58-46a-502. Additional requirements for practicing as a hearing instrument**  
1403 **specialist.**

1404 A person engaging in the practice of a hearing instrument specialist shall:

1405 (1) have a regular place or places of business from which the person conducts business  
1406 as a hearing instrument specialist and the place or places of business shall be represented to a  
1407 patient and others with whom business is conducted by the street address at which the place of  
1408 business is located;

1409 (2) include in all advertising or other representation the street address at which the  
1410 business is located and the telephone number of the business at that street address;

1411 (3) provide as part of each transaction between a licensee and a patient related to  
1412 testing for hearing loss and selling of a hearing instrument written documentation provided to  
1413 the patient that includes:

1414 (a) identification of all services and products provided to the patient by the hearing  
1415 instrument specialist and the charges for each service or product;

1416 (b) a statement whether any hearing instrument provided to a patient is "new," "used,"  
1417 or "reconditioned" and the terms and conditions of any warranty or guarantee that applies to  
1418 each instrument; and

1419 (c) the identity and license number of each hearing instrument specialist or hearing  
1420 instrument intern who provided services or products to the patient;

1421 (4) before providing services or products to a patient:

1422 (a) advise the patient regarding services and products offered to the patient, including  
1423 the expected results of the services and products;

1424 (b) inform each patient who is being offered a hearing instrument about hearing  
1425 instruments that work with assistive listening systems that are compliant with the ADA  
1426 Standards for Accessible Design adopted by the United States Department of Justice in  
1427 accordance with the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq.; and

1428 (c) obtain written informed consent from the patient regarding offered services,  
1429 products, and the expected results of the services and products in a form approved by the  
1430 division [~~in collaboration with the board~~];

1431 (5) refer all individuals under the age of 18 who seek testing of hearing to a physician

1432 or surgeon, osteopathic physician, physician assistant, or audiologist, licensed under the  
1433 provisions of this title, and shall dispense a hearing aid to that individual only on prescription  
1434 of a physician or surgeon, osteopathic physician, physician assistant, or audiologist;

1435 (6) obtain the patient's informed consent and agreement to purchase the hearing  
1436 instrument based on that informed consent either by the hearing instrument specialist or the  
1437 hearing instrument intern, before designating an appropriate hearing instrument; and

1438 (7) if a hearing instrument does not substantially enhance the patient's hearing  
1439 consistent with the representations of the hearing instrument specialist at the time informed  
1440 consent was given prior to the sale and fitting of the hearing instrument, provide:

1441 (a) necessary intervention to produce satisfactory hearing recovery results consistent  
1442 with representations made; or

1443 (b) for the refund of fees paid by the patient for the hearing instrument to the hearing  
1444 instrument specialist within a reasonable time after finding that the hearing instrument does not  
1445 substantially enhance the patient's hearing.

1446 Section 38. Section **58-55-201** is amended to read:

1447 **58-55-201. Boards created -- Duties.**

1448 (1) There is created [a] the Plumbers Licensing Board~~[, an Alarm System Security and~~  
1449 ~~Licensing Board, and an Electricians Licensing Board. Members of the boards shall be~~  
1450 ~~selected to provide representation as follows: (a) The Plumbers Licensing Board consists]~~  
1451 consisting of five members as follows:

1452 [(i)] (a) two members shall be licensed from among the license classifications of  
1453 master or journeyman plumber;

1454 [(ii)] (b) two members shall be licensed plumbing contractors; and

1455 [(iii)] (c) one member shall be from the public at large with no history of involvement  
1456 in the construction trades.

1457 [(b)-(i)] (2) (a) ~~[The]~~ There is created the Alarm System Security and Licensing Board  
1458 ~~[consists]~~ consisting of five members as follows:

1459           ~~[(A)]~~ (i) three individuals who are officers or owners of a licensed alarm business;  
1460           ~~[(B)]~~ (ii) one individual from among nominees of the Utah Peace Officers Association;  
1461 and

1462           ~~[(C)]~~ (iii) one individual representing the general public.

1463           ~~[(i)]~~ (b) The Alarm System Security and Licensing Board shall designate one of its  
1464 members on a permanent or rotating basis to:

1465           ~~[(A)]~~ (i) assist the division in reviewing complaints concerning the unlawful or  
1466 unprofessional conduct of a licensee; and

1467           ~~[(B)]~~ (ii) advise the division in its investigation of these complaints.

1468           ~~[(iii)]~~ (c) A board member who has, under this Subsection ~~[(1)(b)(iii)]~~ (2)(c), reviewed  
1469 a complaint or advised in its investigation is disqualified from participating with the board  
1470 when the board serves as a presiding officer in an adjudicative proceeding concerning the  
1471 complaint.

1472           ~~[(c)]~~ (3) ~~[The]~~ There is created the Electricians Licensing Board ~~[consists]~~ consisting  
1473 of five members as follows:

1474           ~~[(i)]~~ (a) two members shall be licensed from among the license classifications of  
1475 master or journeyman electrician, of whom one shall represent a union organization and one  
1476 shall be selected having no union affiliation;

1477           ~~[(ii)]~~ (b) two shall be licensed electrical contractors of whom one shall represent a  
1478 union organization and one shall be selected having no union affiliation; and

1479           ~~[(iii)]~~ (c) one member shall be from the public at large with no history of involvement  
1480 in the construction trades or union affiliation.

1481           ~~[(2)]~~ (4) The duties, functions, and responsibilities of each board described in  
1482 Subsections (1) through (3) include the following:

1483           (a) recommending to the commission appropriate rules;

1484           (b) recommending to the commission policy and budgetary matters;

1485           (c) approving and establishing a passing score for applicant examinations;

1486 (d) overseeing the screening of applicants for licensing, renewal, reinstatement, and  
1487 relicensure;

1488 (e) assisting the commission in establishing standards of supervision for students or  
1489 persons in training to become qualified to obtain a license in the occupation or profession [it]  
1490 the board represents; and

1491 (f) acting as presiding officer in conducting hearings associated with the adjudicative  
1492 proceedings and in issuing recommended orders when so authorized by the commission.

1493 ~~[(3)]~~ (5) The division, in collaboration with the Plumbers Licensing Board and the  
1494 Electricians Licensing Board, shall provide a preliminary report on or before October 1, 2019,  
1495 and a final written report on or before June 1, 2020, to the Business and Labor Interim  
1496 Committee and the Occupational and Professional Licensure Review Committee that provides  
1497 recommendations for consistent educational and training standards for plumber and electrician  
1498 apprentice programs in the state, including recommendations for education and training  
1499 provided by all providers, including institutions of higher education and technical colleges.

1500 Section 39. Section **58-64-102** is amended to read:

1501 **58-64-102. Definitions.**

1502 In addition to the definitions in Section **58-1-102**, as used in this chapter:

1503 ~~[(1) "Board" means the Deception Detection Examiners Board created in Section~~  
1504 ~~58-64-201.]~~

1505 ~~[(2)]~~ (1) "Deception detection examination" means the use of an instrument, or  
1506 software application designed for detecting deception, on an individual for the purpose of  
1507 detecting whether that individual is engaged in deception.

1508 ~~[(3)]~~ (2) "Deception detection examination administrator" means an individual who  
1509 engages in or represents that the individual is engaged in:

1510 (a) conducting or administering a deception detection examination using a software  
1511 application designed for detecting deception without intervention from the examination  
1512 administrator; or

1513 (b) the interpretation of deception detection examination results derived from a  
1514 software application designed for detecting deception.

1515 [(4)] (3) "Deception detection examiner" means an individual who engages in or  
1516 represents that the individual is engaged in conducting or performing deception detection  
1517 examinations or in the interpretation of deception detection examinations.

1518 [(5)] (4) "Deception detection intern" means an individual who engages in deception  
1519 detection examinations under the supervision and control of a deception detection examiner for  
1520 the purpose of training and qualification as a deception detection examiner.

1521 [(6)] (5) "Instrument" means a polygraph, voice stress analyzer, ocular-motor test, or  
1522 any other device or software application that records the examinee's cardiovascular patterns,  
1523 respiratory patterns, galvanic skin response, cognitive response, eye behavior, memory recall,  
1524 or other physiologic characteristics of the examinee for the purpose of monitoring factors  
1525 relating to whether the examinee is truthful or engaged in deception.

1526 [(7)] (6) "Unlawful conduct" means the same as that term is defined in Sections  
1527 58-1-501 and 58-64-501.

1528 [(8)] (7) "Unprofessional conduct" means the same as that term is defined in Sections  
1529 58-1-501 and 58-64-502 and as may be further defined by rule.

1530 Section 40. Section 58-64-302 is amended to read:

1531 **58-64-302. Qualifications for licensure.**

1532 (1) Each applicant for licensure as a deception detection examiner:

1533 (a) shall submit an application in a form prescribed by the division;

1534 (b) shall pay a fee determined by the department under Section 63J-1-504;

1535 (c) shall be of good moral character in that the applicant has not been convicted of a  
1536 felony, a misdemeanor involving moral turpitude, or any other crime which when considered  
1537 with the duties and responsibilities of a deception detection examiner is considered by the  
1538 division [~~and the board~~] to indicate that the best interests of the public will not be served by  
1539 granting the applicant a license;

1540 (d) may not have been declared by any court of competent jurisdiction incompetent by  
1541 reason of mental defect or disease and not been restored;

1542 (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
1543 dependence;

1544 (f) shall have completed one of the following:

1545 (i) have earned a bachelor's degree from a four year university or college meeting  
1546 standards established by the division by rule [~~in collaboration with the board~~];

1547 (ii) have completed not less than 8,000 hours of investigation experience approved by  
1548 the division [~~in collaboration with the board~~]; or

1549 (iii) have completed a combination of university or college education and investigation  
1550 experience, as defined by rule by the division [~~in collaboration with the board~~] as being  
1551 equivalent to the requirements under Subsection (1)(f)(i) or (1)(f)(ii);

1552 (g) shall have successfully completed a training program in deception deception  
1553 meeting criteria established by rule by the division [~~in collaboration with the board~~]; and

1554 (h) shall have performed satisfactorily as a licensed deception detection intern for a  
1555 period of not less than one year and shall have satisfactorily conducted not less than 100  
1556 deception detection examinations under the supervision of a licensed deception detection  
1557 examiner.

1558 (2) Each applicant for licensure as a deception detection intern:

1559 (a) shall submit an application in a form prescribed by the division;

1560 (b) shall pay a fee determined by the department under Section [63J-1-504](#);

1561 (c) shall be of good moral character in that the applicant has not been convicted of a  
1562 felony, a misdemeanor involving moral turpitude, or any other crime which when considered  
1563 with the duties and responsibilities of a deception detection intern is considered by the division  
1564 [~~and the board~~] to indicate that the best interests of the public will not be served by granting the  
1565 applicant a license;

1566 (d) may not have been declared by any court of competent jurisdiction incompetent by

1567 reason of mental defect or disease and not been restored;

1568 (e) may not be currently suffering from habitual drunkenness or from drug addiction or

1569 dependence;

1570 (f) shall have completed one of the following:

1571 (i) have earned a bachelor's degree from a four year university or college meeting

1572 standards established by the division by rule [~~in collaboration with the board~~];

1573 (ii) have completed not less than 8,000 hours of investigation experience approved by

1574 the division [~~in collaboration with the board~~]; or

1575 (iii) have completed a combination of university or college education and investigation

1576 experience, as defined by rule by the division [~~in collaboration with the board~~] as being

1577 equivalent to the requirements under Subsection (2)(f)(i) or (2)(f)(ii);

1578 (g) shall have successfully completed a training program in deception detection

1579 meeting criteria established by rule by the division [~~in collaboration with the board~~]; and

1580 (h) shall provide the division with an intern supervision agreement in a form prescribed

1581 by the division under which:

1582 (i) a licensed deception detection examiner agrees to supervise the intern; and

1583 (ii) the applicant agrees to be supervised by that licensed deception detection examiner.

1584 (3) Each applicant for licensure as a deception detection examination administrator:

1585 (a) shall submit an application in a form prescribed by the division;

1586 (b) shall pay a fee determined by the department under Section [63J-1-504](#);

1587 (c) shall be of good moral character in that the applicant has not been convicted of a

1588 felony, a misdemeanor involving moral turpitude, or any other crime that when considered with

1589 the duties and responsibilities of a deception detection examination administrator is considered

1590 by the division [~~and the board~~] to indicate that the best interests of the public will not be served

1591 by granting the applicant a license;

1592 (d) may not have been declared by a court of competent jurisdiction incompetent by

1593 reason of mental defect or disease and not been restored;

1594 (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
1595 dependence;

1596 (f) shall have earned an associate degree from a state-accredited university or college or  
1597 have an equivalent number of years' work experience; and

1598 (g) shall have successfully completed a training program and have obtained  
1599 certification in deception detection examination administration provided by the manufacturer  
1600 of a scientific or technology-based software application solution that is approved by the  
1601 director.

1602 (4) To determine if an applicant meets the qualifications of Subsection (1)(c), (2)(c), or  
1603 (3)(c) the division shall provide an appropriate number of copies of fingerprint cards to the  
1604 Department of Public Safety with the division's request to:

1605 (a) conduct a search of records of the Department of Public Safety for criminal history  
1606 information relating to each applicant for licensure under this chapter; and

1607 (b) forward to the Federal Bureau of Investigation a fingerprint card of each applicant  
1608 requiring a check of records of the F.B.I. for criminal history information under this section.

1609 (5) The Department of Public Safety shall send to the division:

1610 (a) a written record of criminal history, or certification of no criminal history record, as  
1611 contained in the records of the Department of Public Safety in a timely manner after receipt of  
1612 a fingerprint card from the division and a request for review of Department of Public Safety  
1613 records; and

1614 (b) the results of the F.B.I. review concerning an applicant in a timely manner after  
1615 receipt of information from the F.B.I.

1616 (6) (a) The division shall charge each applicant a fee, in accordance with Section  
1617 [63J-1-504](#), equal to the cost of performing the records reviews under this section.

1618 (b) The division shall pay the Department of Public Safety the costs of all records  
1619 reviews, and the Department of Public Safety shall pay the F.B.I. the costs of records reviews  
1620 under this chapter.

1621 (7) Information obtained by the division from the reviews of criminal history records of  
1622 the Department of Public Safety and the F.B.I. shall be used or disseminated by the division  
1623 only for the purpose of determining if an applicant for licensure under this chapter is qualified  
1624 for licensure.

1625 Section 41. Section **58-64-502** is amended to read:

1626 **58-64-502. Unprofessional conduct.**

1627 "Unprofessional conduct" includes:

1628 (1) using any deception detection instrument that does not meet criteria and standards  
1629 established by rule by the division [~~in collaboration with the board~~]; and

1630 (2) using any deception detection instrument that does not make a permanent recording  
1631 as required under Section **58-64-601**.

1632 Section 42. Section **58-64-601** is amended to read:

1633 **58-64-601. Deception detection instruments.**

1634 (1) Instruments or software applications used in performing deception detection  
1635 examinations shall be those that are generally recognized in the profession or, if approved by  
1636 the director, those with results published in peer-reviewed, scientific journals generally  
1637 recognized by the scientific community.

1638 (2) An instrument or software application used for deception detection shall have a  
1639 permanent recording or written report produced by the instrument or software application for  
1640 objective analysis by the examiner[;] or the division[; ~~or the board~~].

1641 (3) A written interpretation by an examiner while conducting a deception detection  
1642 examination does not satisfy the requirements of a permanent recording.

1643 Section 43. Section **63C-6-101** is amended to read:

1644 **63C-6-101. Creation of commission -- Membership -- Appointment -- Vacancies.**

1645 (1) There is created the Utah Seismic Safety Commission consisting of 15 members,  
1646 designated as follows:

1647 (a) the director of the Division of Emergency Management or the director's designee;

- 1648 (b) the director of the Utah Geological Survey or the director's designee;
- 1649 (c) the director of the University of Utah Seismograph Stations or the director's  
1650 designee;
- 1651 (d) the executive director of the Utah League of Cities and Towns or the executive  
1652 director's designee;
- 1653 (e) a representative from the Structural Engineers Association of Utah biannually  
1654 selected by its membership;
- 1655 (f) the director of the Division of Facilities Construction and Management or the  
1656 director's designee;
- 1657 (g) the executive director of the Department of Transportation or the director's  
1658 designee;
- 1659 (h) the State Planning Coordinator or the coordinator's designee;
- 1660 (i) a representative from the American Institute of Architects, Utah Section;
- 1661 (j) a representative from the American Society of Civil Engineers, Utah Section;
- 1662 [~~(k) a member of the House of Representatives appointed biannually by the speaker of~~  
1663 ~~the House;~~]
- 1664 [~~(l) a member of the Senate appointed biannually by the president of the Senate;~~]
- 1665 (k) two individuals, appointed by the director of the Division of Emergency  
1666 Management, from earthquake-related organizations that have an interest in reducing  
1667 earthquake-related loss in the state;
- 1668 [~~(m)~~] (l) the commissioner of the Department of Insurance or the commissioner's  
1669 designee;
- 1670 [~~(n)~~] (m) a representative from the Association of Contingency Planners, Utah Chapter,  
1671 biannually selected by its membership; and
- 1672 [~~(o)~~] (n) a representative from the American Public Works Association, Utah Chapter,  
1673 biannually selected by its membership.
- 1674 (2) The commission shall annually select one of its members to serve as chair of the

1675 commission.

1676 (3) When a vacancy occurs in the membership for any reason, the replacement shall be  
1677 appointed for the unexpired term.

1678 Section 44. Section **63F-1-509** is amended to read:

1679 **63F-1-509. Statewide Global Positioning Reference Network created --**  
1680 **Rulemaking authority.**

1681 (1) (a) There is created the Statewide Global Positioning Reference Network to  
1682 improve the quality of geographic information system data and the productivity, efficiency, and  
1683 cost-effectiveness of government services.

1684 (b) The network shall provide a system of permanently mounted, fully networked,  
1685 global positioning system base stations that will provide real time radio navigation and  
1686 establish a standard statewide coordinate reference system.

1687 (c) The center shall administer the network.

1688 ~~[(2) (a) There is created the Global Positioning Systems Advisory Committee to advise  
1689 the center on implementing and maintaining the network.]~~

1690 ~~[(b) The committee membership shall consist of:]~~

1691 ~~[(i) the center manager or the manager's designee;]~~

1692 ~~[(ii) a representative from the Department of Transportation created by Section  
1693 72-1-201 designated by the executive director appointed under Section 72-1-202;]~~

1694 ~~[(iii) the chief information officer or the chief information officer's designee;]~~

1695 ~~[(iv) a representative from the Utah Association of County Surveyors; and]~~

1696 ~~[(v) a representative from the Utah Council of Land Surveyors.]~~

1697 ~~[(e) The representative from the center shall be the chair of the committee.]~~

1698 ~~[(d) The committee shall meet upon the call of the chair or a majority of the committee  
1699 members.]~~

1700 ~~[(e) The committee chair shall give reasonable notice to each member prior to any  
1701 meeting.]~~

1702           ~~[(f) Three members shall constitute a quorum for the transaction of business.]~~

1703           ~~[(g) The center shall provide staff support to the committee.]~~

1704           ~~[(h) Committee members who are state government employees shall receive no~~  
1705 ~~additional compensation for their work on the committee.]~~

1706           ~~[(i) Committee members who are not state government employees shall receive no~~  
1707 ~~compensation or expenses for their work on the committee.]~~

1708           ~~[(j) The committee shall recommend rules to the chief information officer for adoption~~  
1709 ~~under Subsection (3).]~~

1710           ~~[(3)]~~ (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
1711 Act, the chief information officer shall make~~[, in consultation with the committee,]~~ rules  
1712 providing for operating policies and procedures for the network.

1713           (b) ~~[The rules]~~ When making rules under this section, the chief information officer  
1714 shall consider:

1715           (i) network development that serves a public purpose;

1716           (ii) increased productivity and efficiency for state agencies; and

1717           (iii) costs and longevity of the network.

1718           Section 45. Section **63F-1-701** is amended to read:

1719           **63F-1-701. Utah Public Notice Website -- Establishment and administration.**

1720           (1) As used in this part:

1721           (a) "Division" means the Division of Archives and Records Service of the Department  
1722 of Administrative Services.

1723           (b) "Executive board" means the same as that term is defined in Section [67-1-2.5](#).

1724           ~~[(b)]~~ (c) "Public body" ~~[has the same meaning as provided under]~~ means the same as  
1725 that term is defined in Section [52-4-103](#).

1726           ~~[(c)]~~ (d) "Public information" means a public body's public notices, minutes, audio  
1727 recordings, and other materials that are required to be posted to the website under Title 52,  
1728 Chapter 4, Open and Public Meetings Act, or other statute or state agency rule.

1729           ~~[(d)]~~ (e) "Website" means the Utah Public Notice Website created under this section.  
1730           (2) There is created the Utah Public Notice Website to be administered by the Division  
1731 of Archives and Records Service.  
1732           (3) The website shall consist of an Internet website provided to assist the public to find  
1733 posted public information.  
1734           (4) The division, with the technical assistance of the Department of Technology  
1735 Services, shall create the website ~~[which]~~ that shall:  
1736           (a) allow a public body, or other certified entity, to easily post any public information,  
1737 including the contact information required under Subsections [17B-1-303\(9\)](#) and  
1738 [17D-1-106\(1\)\(b\)\(ii\)](#);  
1739           (b) allow the public to easily search the public information by:  
1740           (i) public body name;  
1741           (ii) date of posting of the notice;  
1742           (iii) date of any meeting or deadline included as part of the public information; and  
1743           (iv) any other criteria approved by the division;  
1744           (c) allow the public to easily search and view past, archived public information;  
1745           (d) allow ~~[a person]~~ an individual to subscribe to receive updates and notices  
1746 associated with a public body or a particular type of public information;  
1747           (e) be easily accessible by the public from the State of Utah home page;  
1748           (f) have a unique and simplified website address;  
1749           (g) be directly accessible via a link from the main page of the official state website; and  
1750           (h) include other links, features, or functionality that will assist the public in obtaining  
1751 and reviewing public information posted on the website, as may be approved by the division.  
1752           (5) (a) Subject to Subsection (5)(b), the division and the governor's office shall  
1753 coordinate to ensure that the website, the database described in Section [67-1-2.5](#), and the  
1754 website described in Section [67-1-2.5](#) automatically share appropriate information in order to  
1755 ensure that:

1756 (i) an individual who subscribes to receive information under Subsection (4)(d) for an  
1757 executive board automatically receives notifications of vacancies on the executive board that  
1758 will be publicly filled, including a link to information regarding how an individual may apply  
1759 to fill the vacancy; and

1760 (ii) an individual who accesses an executive board's information on the website has  
1761 access to the following through the website:

1762 (A) the executive board's information in the database, except an individual's physical  
1763 address, e-mail address, or phone number; and

1764 (B) the portal described in Section 67-1-2.5 through which an individual may provide  
1765 input on an appointee to, or member of, the executive board.

1766 (b) The division and the governor's office shall comply with Subsection (5)(a) as soon  
1767 as reasonably possible within existing funds appropriated to the division and the governor's  
1768 office.

1769 (6) Before August 1 of each year, the division shall:

1770 (a) identify each executive board that is a public body that did not submit to the  
1771 website a notice of a public meeting during the previous fiscal year; and

1772 (b) report the name of each identified executive board to the governor's boards and  
1773 commissions administrator.

1774 ~~[(5)]~~ (7) The division [shall be] is responsible for:

1775 (a) establishing and maintaining the website, including the provision of equipment,  
1776 resources, and personnel as is necessary;

1777 (b) providing a mechanism for public bodies or other certified entities to have access to  
1778 the website for the purpose of posting and modifying public information; and

1779 (c) maintaining an archive of all public information posted to the website.

1780 ~~[(6) The timing for posting and the content of the public information posted to the~~  
1781 ~~website shall be the responsibility of the public body or other entity posting the public~~  
1782 ~~information.]~~

1783           (8) A public body is responsible for the content the public body is required to post to  
1784 the website and the timing of posting of that information.

1785           Section 46. Section **63I-1-204** is amended to read:

1786           **63I-1-204. Repeal dates, Title 4.**

1787           (1) Section 4-2-108, which creates the Agricultural Advisory Board, is repealed July 1,  
1788 2023.

1789           (2) Section 4-17-104, which creates the State Weed Committee, is repealed July 1,  
1790 2021.

1791           (3) Section 4-20-103, which creates the State Grazing Advisory Board, is repealed July  
1792 1, 2022.

1793           (4) Sections 4-23-104 and 4-23-105, which create the Agricultural and Wildlife  
1794 Damage Prevention Board, are repealed July 1, 2024.

1795           (5) Section 4-24-104, which creates the Livestock Brand Board, is repealed July 1,  
1796 2025.

1797           (6) Section 4-35-103, which creates the Decision and Action Committee, is repealed  
1798 July 1, 2026.

1799           (7) Section 4-39-104, which creates the Domesticated Elk Act Advisory Council, is  
1800 repealed July 1, 2027.

1801           (8) Subsection 4-41a-105(2)(e)(i), related to the Native American Legislative Liaison  
1802 Committee, is repealed July 1, 2022.

1803           Section 47. Section **63I-1-207** is enacted to read:

1804           **63I-1-207. Repeal dates, Title 7.**

1805           (1) Section 7-1-203, which creates the Board of Financial Institutions, is repealed July  
1806 1, 2021.

1807           (2) Section 7-3-40, which creates the Board of Bank Advisors, is repealed July 1, 2022.

1808           (3) Section 7-9-43, which creates the Board of Credit Union Advisors, is repealed July  
1809 1, 2023.

1810 Section 48. Section **63I-1-209** is amended to read:

1811 **63I-1-209. Repeal dates, Title 9.**

1812 (1) Section 9-6-305, which creates the State of Utah Alice Merrill Horne Art  
1813 Collection Committee, is repealed July 1, 2027.

1814 (2) Sections 9-6-604 and 9-6-605, which create the Museum Services Advisory Board,  
1815 are repealed July 1, 2027.

1816 [(+)] (3) In relation to the Native American Legislative Liaison Committee, on July 1,  
1817 2022:

1818 (a) Subsection 9-9-104.6(2)(a) is repealed;

1819 (b) Subsection 9-9-104.6(4)(a), the language that states "who is not a legislator" is  
1820 repealed; and

1821 (c) Subsection 9-9-104.6(4)(b), related to compensation of legislative members, is  
1822 repealed.

1823 [~~(2) In relation to the American Indian and Alaska Native Education State Plan Pilot~~  
1824 ~~Program, on July 1, 2022:]~~

1825 [~~(a) Subsection 26-7-2.5(4), related to the American Indian-Alaskan Native Public~~  
1826 ~~Education Liaison, is repealed; and]~~

1827 [~~(b) Subsection 9-9-104.6(2)(d) is repealed.]~~

1828 (4) Section 9-9-405, which creates the Native American Remains Review Committee,  
1829 is repealed July 1, 2025.

1830 (5) Title 9, Chapter 20, Utah Commission on Service and Volunteerism Act, is  
1831 repealed July 1, 2026.

1832 Section 49. Section **63I-1-213** is amended to read:

1833 **63I-1-213. Repeal dates, Title 13.**

1834 (1) Section 13-32a-112, which creates the Pawnshop and Secondhand Merchandise  
1835 Advisory Board, is repealed July 1, 2027.

1836 (2) Section 13-35-103, which creates the Powersport Motor Vehicle Franchise

- 1837 Advisory Board, is repealed July 1, 2022.
- 1838 (3) Section 13-43-202, which creates the Land Use and Eminent Domain Advisory
- 1839 Board, is repealed July 1, 2021.
- 1840 Section 50. Section **63I-1-217** is amended to read:
- 1841 **63I-1-217. Repeal dates, Title 17.**
- 1842 (1) Subsection 17-16-21(2)(d) is repealed July 1, 2023.
- 1843 (2) Title 17, Chapter 21a, Part 3, Administration and Standards, which creates the Utah
- 1844 Electronic Recording Commission, is repealed July 1, 2022.
- 1845 Section 51. Section **63I-1-223** is amended to read:
- 1846 **63I-1-223. Repeal dates, Title 23.**
- 1847 (1) Subsection 23-13-12.5(2)(f)(i), related to the Native American Legislative Liaison
- 1848 Committee, is repealed July 1, 2022.
- 1849 (2) Section 23-14-2.5, which creates the Wildlife Board Nominating Committee, is
- 1850 repealed July 1, 2023.
- 1851 (3) Section 23-14-2.6, which creates regional advisory councils for the Wildlife Board,
- 1852 is repealed July 1, 2023.
- 1853 Section 52. Section **63I-1-226** is amended to read:
- 1854 **63I-1-226. Repeal dates, Title 26.**
- 1855 (1) Subsection 26-1-7(1)(f), related to the Residential Child Care Licensing Advisory
- 1856 Committee, is repealed July 1, 2024.
- 1857 (2) Subsection 26-1-7(1)(h), related to the Primary Care Grant Committee, is repealed
- 1858 July 1, 2025.
- 1859 (3) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July
- 1860 1, 2025.
- 1861 [(+)] (4) Section **26-1-40** is repealed July 1, 2022.
- 1862 [(2)] (5) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed
- 1863 July 1, 2025.

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- 1864            (6) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,  
1865 is repealed July 1, 2026.
- 1866            [~~3~~] (7) Section 26-10-11 is repealed July 1, 2020.
- 1867            (8) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed  
1868 July 1, 2025.
- 1869            (9) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,  
1870 2027.
- 1871            [~~4~~] (10) Subsection 26-18-417(3) is repealed July 1, 2020.
- 1872            [~~5~~] (11) Subsection 26-18-418(2), the language that states "and the Mental Health  
1873 Crisis Line Commission created in Section 63C-18-202" is repealed July 1, 2023.
- 1874            [~~6~~] (12) Section 26-18-419.1 is repealed December 31, 2019.
- 1875            (13) Title 26, Chapter 18a, Kurt Oscarson Children's Organ Transplant Coordinating  
1876 Committee, is repealed July 1, 2021.
- 1877            [~~7~~] (14) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,  
1878 2024.
- 1879            [~~8~~] (15) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,  
1880 2024.
- 1881            [~~9~~] (16) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is  
1882 repealed July 1, 2024.
- 1883            [~~10~~] (17) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July  
1884 1, 2024.
- 1885            (18) Section 26-39-201, which creates the Residential Child Care Licensing Advisory  
1886 Committee, is repealed July 1, 2024.
- 1887            (19) Section 26-40-104, which creates the Utah Children's Health Insurance Program  
1888 Advisory Council, is repealed July 1, 2025.
- 1889            (20) Section 26-50-202, which creates the Traumatic Brain Injury Advisory  
1890 Committee, is repealed July 1, 2025.

1891            [~~(11)~~] (21) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and  
1892 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, [~~2023~~]2025.

1893            [~~(12)~~] (22) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative  
1894 Liaison Committee, is repealed July 1, 2022.

1895            [~~(13)~~] (23) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is  
1896 repealed July 1, 2026.

1897            (24) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,  
1898 2026.

1899            Section 53. Section **63I-1-234** is amended to read:

1900            **63I-1-234. Repeal dates, Titles 34 and 34A.**

1901            (1) Subsection 34A-1-202(2)(c)(i), related to the Workers' Compensation Advisory  
1902 Council, is repealed July 1, 2027.

1903            (2) Subsection 34A-1-202(2)(c)(iii), related to the Coal Miner Certification Panel, is  
1904 repealed July 1, 2024.

1905            (3) Section 34A-2-107, which creates the Workers' Compensation Advisory Council, is  
1906 repealed July 1, 2027.

1907            (4) Section 34A-2-202.5 is repealed December 31, 2020.

1908            Section 54. Section **63I-1-235** is amended to read:

1909            **63I-1-235. Repeal dates, Title 35A.**

1910            (1) Subsection 35A-1-109(4)(c), related to the Talent Ready Utah Board, is repealed  
1911 January 1, 2023.

1912            (2) Subsection 35A-1-202(2)(d), related to the Child Care Advisory Committee, is  
1913 repealed July 1, 2021.

1914            (3) Section 35A-3-205, which creates the Child Care Advisory Committee, is repealed  
1915 July 1, 2021.

1916            [~~(2)~~] (4) Subsection 35A-4-312(5)(p), describing information that may be disclosed to  
1917 the federal Wage and Hour Division, is repealed July 1, 2022.

1918           (5) Subsection 35A-4-502(5), which creates the Employment Advisory Council, is  
1919 repealed July 1, 2022.

1920           ~~[(3)]~~ (6) Title 35A, Chapter 8, Part 22, Commission on Housing Affordability, is  
1921 repealed July 1, 2023.

1922           ~~[(4)]~~ (7) Section 35A-9-501 is repealed January 1, 2021.

1923           ~~[(5)]~~ (8) Title 35A, Chapter 11, Women in the Economy Commission Act, is repealed  
1924 January 1, 2025.

1925           (9) Sections 35A-13-301 and 35A-13-302, which create the Governor's Committee on  
1926 Employment of People with Disabilities, are repealed July 1, 2023.

1927           (10) Section 35A-13-303, which creates the State Rehabilitation Advisory Council, is  
1928 repealed July 1, 2024.

1929           (11) Section 35A-13-404, which creates the advisory council for the Division of  
1930 Services for the Blind and Visually Impaired, is repealed July 1, 2025.

1931           (12) Sections 35A-13-603 and 35A-13-604, which create the Interpreter Certification  
1932 Board, are repealed July 1, 2026.

1933           Section 55. Section **63I-1-240** is enacted to read:

1934           **63I-1-240. Repeal dates, Title 40.**

1935           Section 40-2-204, which creates the Coal Miner Certification Panel, is repealed July 1,  
1936 2024.

1937           Section 56. Section **63I-1-241** is amended to read:

1938           **63I-1-241. Repeal dates, Title 41.**

1939           (1) Subsection 41-1a-1201(9), related to the Spinal Cord and Brain Injury  
1940 Rehabilitation Fund, is repealed January 1, ~~[2023]~~2025.

1941           (2) Section 41-3-106, which creates an advisory board related to motor vehicle  
1942 business regulation, is repealed July 1, 2024.

1943           ~~[(2)]~~ (3) The following subsections addressing lane filtering are repealed on July 1,  
1944 2022:

- 1945 (a) Subsection [41-6a-102](#)(29);
- 1946 (b) Subsection [41-6a-704](#)(5); and
- 1947 (c) Subsection [41-6a-710](#)(1)(c).
- 1948 ~~[(3)]~~ (4) Subsection [41-6a-1406](#)(6)(b)(iii), related to the Spinal Cord and Brain Injury
- 1949 Rehabilitation Fund, is repealed January 1, ~~[2023]~~2025.
- 1950 (5) Subsections [41-22-2](#)(1) and [41-22-10](#)(1)(a), which create the Off-highway Vehicle
- 1951 Advisory Council, are repealed July 1, 2027.
- 1952 ~~[(4)]~~ (6) Subsection [41-22-8](#)(3), related to the Spinal Cord and Brain Injury
- 1953 Rehabilitation Fund, is repealed January 1, ~~[2023]~~2025.
- 1954 Section 57. Section **63I-1-253** is amended to read:
- 1955 **63I-1-253. Repeal dates, Titles 53 through 53G.**
- 1956 ~~[The following provisions are repealed on the following dates:]~~
- 1957 (1) Section [53-2a-105](#), which creates the Emergency Management Administration
- 1958 Council, is repealed July 1, 2021.
- 1959 (2) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue Advisory
- 1960 Board, are repealed July 1, 2022.
- 1961 (3) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is repealed
- 1962 July 1, 2023.
- 1963 ~~[(1)]~~ (4) Subsection [53-6-203](#)(1)(b)(ii), regarding being 19 years old at certification, is
- 1964 repealed July 1, 2022.
- 1965 ~~[(2)]~~ (5) Subsection [53-13-104](#)(6), regarding being 19 years old at certification, is
- 1966 repealed July 1, 2022.
- 1967 (6) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board, is
- 1968 repealed July 1, 2024.
- 1969 ~~[(3)]~~ (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 1970 (8) Section [53B-17-1203](#), which creates the SafeUT and School Safety Commission, is
- 1971 repealed January 1, 2025.

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- 1972            ~~[(4)]~~ (9) Section [53B-18-1501](#) is repealed July 1, 2021.
- 1973            ~~[(5)]~~ (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,
- 1974 2028.
- 1975            ~~[(6)]~~ (11) Section [53B-24-402](#), Rural residency training program, is repealed July 1,
- 1976 2020.
- 1977            ~~[(7)]~~ (12) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of
- 1978 money from the Land Exchange Distribution Account to the Geological Survey for test wells,
- 1979 other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1,
- 1980 2020.
- 1981            ~~[(8)]~~ (13) Section [53E-3-515](#) is repealed January 1, 2023.
- 1982            ~~[(9)]~~ (14) In relation to a standards review committee, on January 1, 2023:
- 1983            (a) in Subsection [53E-4-202](#)(8), the language ~~[that states]~~ "by a standards review
- 1984 committee and the recommendations of a standards review committee established under
- 1985 Section [53E-4-203](#)" is repealed; and
- 1986            (b) Section [53E-4-203](#) is repealed.
- 1987            ~~[(10) In relation to the SafeUT and School Safety Commission, on January 1, 2023:]~~
- 1988            ~~[(a) Subsection [53B-17-1201](#)(1) is repealed;]~~
- 1989            ~~[(b) Section [53B-17-1203](#) is repealed;]~~
- 1990            ~~[(c) Subsection [53B-17-1204](#)(2) is repealed;]~~
- 1991            ~~[(d) Subsection [53B-17-1204](#)(4)(a), the language that states "in accordance with the~~
- 1992 ~~method described in Subsection (4)(c)" is repealed; and]~~
- 1993            ~~[(e) Subsection [53B-17-1204](#)(4)(c) is repealed.]~~
- 1994            (15) Subsections [53E-3-503](#)(5) and (6), which create coordinating councils for youth in
- 1995 custody, are repealed July 1, 2027.
- 1996            (16) Section [53E-4-402](#), which creates the State Instructional Materials Commission, is
- 1997 repealed July 1, 2022.
- 1998            (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is

- 1999 repealed July 1, 2023.
- 2000 (18) Subsection [53E-8-204\(4\)](#), which creates the advisory council for the Utah Schools
- 2001 for the Deaf and the Blind, is repealed July 1, 2021.
- 2002 [~~11~~] (19) Section [53F-2-514](#) is repealed July 1, 2020.
- 2003 [~~12~~] (20) Section [53F-5-203](#) is repealed July 1, 2024.
- 2004 [~~13~~] (21) Section [53F-5-212](#) is repealed July 1, 2024.
- 2005 [~~14~~] (22) Section [53F-5-213](#) is repealed July 1, 2023.
- 2006 [~~15~~] (23) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
- 2007 Education State Plan Pilot Program, is repealed July 1, 2022.
- 2008 [~~16~~] (24) Section [53F-6-201](#) is repealed July 1, 2019.
- 2009 (25) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving Account
- 2010 Committee, is repealed July 1, 2024.
- 2011 [~~17~~] (26) Section [53F-9-501](#) is repealed January 1, 2023.
- 2012 [~~18~~] (27) Subsections [53G-4-608\(2\)\(b\)](#) and (4)(b), related to the Utah Seismic Safety
- 2013 Commission, are repealed January 1, 2025.
- 2014 [~~19~~] (28) Subsection [53G-8-211\(4\)](#), regarding referrals of a minor to court for a class
- 2015 C misdemeanor, is repealed July 1, 2020.
- 2016 Section 58. Section **63I-1-254** is amended to read:
- 2017 **63I-1-254. Repeal dates, Title 54.**
- 2018 (1) Section [54-10a-202](#), which creates the Committee of Consumer Services, is
- 2019 repealed July 1, 2025.
- 2020 (2) Title 54, Chapter 15, Net Metering of Electricity, is repealed January 1, 2036.
- 2021 Section 59. Section **63I-1-258** is amended to read:
- 2022 **63I-1-258. Repeal dates, Title 58.**
- 2023 (1) Section [58-3a-201](#), which creates the Architects Licensing Board, is repealed July
- 2024 1, 2026.
- 2025 [~~1~~] (2) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is

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- 2026 repealed July 1, 2026.
- 2027           ~~[(2)]~~ (3) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1,
- 2028 2025.
- 2029           ~~[(3)]~~ (4) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1,
- 2030 2028.
- 2031           ~~[(4)]~~ (5) Section [58-37-4.3](#) is repealed January 1, 2020.
- 2032           ~~[(5)]~~ (6) Subsection [58-37-6\(7\)\(f\)\(iii\)](#) is repealed July 1, 2022, and the Office of
- 2033 Legislative Research and General Counsel is authorized to renumber the remaining subsections
- 2034 accordingly.
- 2035           ~~[(6)]~~ (7) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1,
- 2036 2023.
- 2037           ~~[(7)]~~ (8) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing
- 2038 Act, is repealed July 1, 2029.
- 2039           ~~[(8)]~~ (9) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1,
- 2040 2025.
- 2041           ~~[(9)]~~ (10) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is
- 2042 repealed July 1, 2023.
- 2043           ~~[(10)]~~ (11) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1,
- 2044 2024.
- 2045           (12) Subsection [58-55-201\(2\)](#), which creates the Alarm System and Security Licensing
- 2046 Advisory Board, is repealed July 1, 2027.
- 2047           ~~[(11)]~~ (13) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed
- 2048 July 1, 2026.
- 2049           ~~[(12)]~~ (14) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2027.
- 2050           ~~[(13)]~~ (15) Title 58, Chapter 86, State Certification of Commercial Interior Designers
- 2051 Act, is repealed July 1, 2021.
- 2052           ~~[(14)]~~ (16) The following sections are repealed on July 1, 2022:

- 2053 (a) Section [58-5a-502](#);
- 2054 (b) Section [58-31b-502.5](#);
- 2055 (c) Section [58-67-502.5](#);
- 2056 (d) Section [58-68-502.5](#); and
- 2057 (e) Section [58-69-502.5](#).
- 2058 Section 60. Section **63I-1-261** is amended to read:
- 2059 **63I-1-261. Repeal dates, Title 61.**
- 2060 Section [61-2c-104](#), which creates the Residential Mortgage Regulatory Commission, is
- 2061 repealed July 1, 2021.
- 2062 Section 61. Section **63I-1-262** is amended to read:
- 2063 **63I-1-262. Repeal dates, Title 62A.**
- 2064 (1) Subsections [62A-1-120](#)(8)(g), (h), and (i) are repealed July 1, 2023.
- 2065 (2) Section [62A-3-209](#) is repealed July 1, 2023.
- 2066 (3) Section [62A-4a-202.9](#) is repealed December 31, 2021.
- 2067 (4) Section [62A-4a-213](#) is repealed July 1, 2024.
- 2068 (5) Sections [62A-5a-101](#), [62A-5a-102](#), [62A-5a-103](#), and [62A-5a-104](#), which create the
- 2069 Coordinating Council for Persons with Disabilities, are repealed July 1, 2022.
- 2070 [~~5~~] (6) Section [62A-15-114](#) is repealed December 31, 2021.
- 2071 [~~6~~] (7) Subsections [62A-15-116](#)(1) and (4), the language that states "In consultation
- 2072 with the SafeUT and School Safety Commission, established in Section [53B-17-1203](#)," is
- 2073 repealed January 1, 2023.
- 2074 (8) Section [62A-15-605](#), which creates the Forensic Mental Health Coordinating
- 2075 Council, is repealed July 1, 2023.
- 2076 [~~7~~] (9) Subsections [62A-15-1100](#)(1) and [62A-15-1101](#)(8), in relation to the Utah
- 2077 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.
- 2078 [~~8~~] (10) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:
- 2079 (a) Subsections [62A-15-1301](#)(1) and [62A-15-1401](#)(1) are repealed;

2080 (b) Subsection [62A-15-1302](#)(1)(b), the language that states "in consultation with the  
2081 commission" is repealed;

2082 (c) Section [62A-15-1303](#), the language that states "In consultation with the  
2083 commission," is repealed; and

2084 (d) Subsection [62A-15-1402](#)(2)(a), the language that states "With recommendations  
2085 from the commission," is repealed.

2086 Section 62. Section **63I-1-263** is amended to read:

2087 **63I-1-263. Repeal dates, Titles 63A to 63N.**

2088 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

2089 (a) Subsection [63A-1-201](#)(1) is repealed;

2090 (b) Subsection [63A-1-202](#)(2)(c), the language [~~that states~~] "using criteria established by  
2091 the board" is repealed;

2092 (c) Section [63A-1-203](#) is repealed;

2093 (d) Subsections [63A-1-204](#)(1) and (2), the language [~~that states~~] "After consultation  
2094 with the board, and" is repealed; and

2095 (e) Subsection [63A-1-204](#)(1)(b), the language [~~that states~~] "using the standards  
2096 provided in Subsection [63A-1-203](#)(3)(c)" is repealed.

2097 (2) Subsection [63A-5-228](#)(2)(h), relating to prioritizing and allocating capital  
2098 improvement funding, is repealed on July 1, 2024.

2099 (3) Section [63A-5-603](#), State Facility Energy Efficiency Fund, is repealed July 1, 2023.

2100 (4) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review  
2101 Committee, are repealed July 1, 2023.

2102 [~~(4)~~] (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed  
2103 July 1, 2028.

2104 [~~(5)~~] (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,  
2105 2025.

2106 [~~(6)~~] Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,

2107 ~~2020.~~]

2108 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,

2109 2024.

2110 ~~[(7)]~~ (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act,

2111 is repealed July 1, 2021.

2112 ~~[(8)]~~ (9) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed

2113 July 1, 2023.

2114 (10) Title 63F, Chapter 2, Data Security Management Council, is repealed July 1,

2115 2025.

2116 (11) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities

2117 Advisory Board, is repealed July 1, 2026.

2118 ~~[(9)]~~ (12) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed

2119 July 1, 2025.

2120 ~~[(10)]~~ (13) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed

2121 July 1, 2020.

2122 ~~[(11) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:]~~

2123 ~~[(a) Subsection [63H-6-104](#)(2)(c), related to a Senate appointment, is repealed;]~~

2124 ~~[(b) Subsection [63H-6-104](#)(2)(d), related to a House appointment, is repealed;]~~

2125 ~~[(c) in Subsection [63H-6-104](#)(2)(e), the language that states ", of whom only one may~~

2126 ~~be a legislator, in accordance with Subsection (3)(e)," is repealed;]~~

2127 ~~[(d) Subsection [63H-6-104](#)(3)(a)(i) is amended to read:]~~

2128 ~~["(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under~~

2129 ~~Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the~~

2130 ~~year that the board member was appointed.";~~]

2131 ~~[(e) in Subsections [63H-6-104](#)(3)(a)(ii), (c)(ii), and (d), the language that states "the~~

2132 ~~president of the Senate, the speaker of the House, the governor," is repealed and replaced with~~

2133 ~~"the governor"; and]~~

2134            [~~(f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is~~  
2135 ~~repealed.~~]

2136            [~~(12)~~ (14) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,  
2137 2026.

2138            [~~(13) Section 63M-7-212 is repealed on December 31, 2019.~~]

2139            [~~(14) On July 1, 2025:~~]

2140            [(a) in Subsection ~~17-27a-404(3)(c)(ii)~~, the language that states "the Resource  
2141 Development Coordinating Committee," is repealed;]

2142            [(b) Subsection ~~23-14-21(2)(c)~~ is amended to read "(c) provide notification of proposed  
2143 sites for the transplant of species to local government officials having jurisdiction over areas  
2144 that may be affected by a transplant.;"

2145            [(c) in Subsection ~~23-14-21(3)~~, the language that states "and the Resource  
2146 Development Coordinating Committee" is repealed;]

2147            [(d) in Subsection ~~23-21-2.3(1)~~, the language that states "the Resource Development  
2148 Coordinating Committee created in Section ~~63J-4-501~~ and" is repealed;]

2149            [(e) in Subsection ~~23-21-2.3(2)~~, the language that states "the Resource Development  
2150 Coordinating Committee and" is repealed;]

2151            [(f) Subsection ~~63J-4-102(1)~~ is repealed and the remaining subsections are renumbered  
2152 accordingly;]

2153            [(g) Subsections ~~63J-4-401(5)(a)~~ and (c) are repealed;]

2154            [(h) Subsection ~~63J-4-401(5)(b)~~ is renumbered to Subsection ~~63J-4-401(5)(a)~~ and the  
2155 word "and" is inserted immediately after the semicolon;]

2156            [(i) Subsection ~~63J-4-401(5)(d)~~ is renumbered to Subsection ~~63J-4-401(5)(b)~~;

2157            [(j) Sections ~~63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505~~ are repealed;  
2158 and]

2159            [(k) Subsection ~~63J-4-603(1)(c)(iv)~~ is repealed and the remaining subsections are  
2160 renumbered accordingly.]

2161 (15) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is repealed  
2162 July 1, 2026.

2163 (16) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah Marriage  
2164 Commission, is repealed July 1, 2023.

2165 (17) Subsection 63J-1-602.2(5), referring to the Trip Reduction Program, is repealed  
2166 July 1, 2022.

2167 (18) (a) Subsection 63J-1-602.1(53), relating to the Utah Statewide Radio System  
2168 Restricted Account, is repealed July 1, 2022.

2169 (b) When repealing Subsection 63J-1-602.1(53), the Office of Legislative Research and  
2170 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make  
2171 necessary changes to subsection numbering and cross references.

2172 (19) Subsection 63J-1-602.2[~~(23)~~](24), related to the Utah Seismic Safety  
2173 Commission, is repealed January 1, 2025.

2174 (20) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is  
2175 repealed July 1, 2027.

2176 (21) Subsection 63J-4-608(3), which creates the Federal Land Application Advisory  
2177 Committee, is repealed on July 1, 2021.

2178 [~~(20)~~] (22) Subsection 63J-4-708(1), in relation to the Talent Ready Utah Board, on  
2179 January 1, 2023, is amended to read:

2180 "(1) On or before October 1, the board shall provide an annual written report to the  
2181 Social Services Appropriations Subcommittee and the Economic Development and Workforce  
2182 Services Interim Committee."

2183 [~~(21)~~] (23) In relation to the Utah Substance Use and Mental Health Advisory Council,  
2184 on January 1, 2023:

2185 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are  
2186 repealed;

2187 (b) Section 63M-7-305, the language that states "council" is replaced with

2188 "commission";

2189 (c) Subsection 63M-7-305(1) is repealed and replaced with:

2190 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2191 (d) Subsection 63M-7-305(2) is repealed and replaced with:

2192 "(2) The commission shall:

2193 (a) provide ongoing oversight of the implementation, functions, and evaluation of the

2194 Drug-Related Offenses Reform Act; and

2195 (b) coordinate the implementation of Section 77-18-1.1 and related provisions in

2196 Subsections 77-18-1(5)(b)(iii) and (iv).".

2197 [~~(22)~~] (24) The Crime Victim Reparations and Assistance Board, created in Section

2198 63M-7-504, is repealed July 1, 2027.

2199 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July

2200 1, 2022.

2201 [~~(23)~~] (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,

2202 2021.

2203 [~~(24)~~] (27) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is

2204 repealed on January 1, 2023.

2205 (28) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating

2206 Council, is repealed July 1, 2024.

2207 [~~(25)~~] (29) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2208 [~~(26)~~] (30) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,

2209 is repealed January 1, 2021.

2210 (b) Subject to Subsection [~~(26)~~] (30)(c), Sections 59-7-610 and 59-10-1007 regarding

2211 tax credits for certain persons in recycling market development zones, are repealed for taxable

2212 years beginning on or after January 1, 2021.

2213 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

2214 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or

2215 [59-10-1007](#), if the machinery or equipment is purchased on or after January 1, 2021; or  
2216 (ii) for an expenditure described in Subsection [59-7-610\(1\)\(b\)](#) or [59-10-1007\(1\)\(b\)](#), if  
2217 the expenditure is made on or after January 1, 2021.

2218 (d) Notwithstanding Subsections [~~(26)~~] [\(30\)](#)(b) and (c), a person may carry forward a  
2219 tax credit in accordance with Section [59-7-610](#) or [59-10-1007](#) if:

2220 (i) the person is entitled to a tax credit under Section [59-7-610](#) or [59-10-1007](#); and  
2221 (ii) (A) for the purchase price of machinery or equipment described in Section  
2222 [59-7-610](#) or [59-10-1007](#), the machinery or equipment is purchased on or before December 31,  
2223 2020; or

2224 (B) for an expenditure described in Subsection [59-7-610\(1\)\(b\)](#) or [59-10-1007\(1\)\(b\)](#), the  
2225 expenditure is made on or before December 31, 2020.

2226 [~~(27)~~] [\(31\)](#) Section [63N-2-512](#) is repealed on July 1, 2021.

2227 [~~(28)~~] [\(32\)](#) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed  
2228 January 1, 2021.

2229 (b) Section [59-9-107](#) regarding tax credits against premium taxes is repealed for  
2230 calendar years beginning on or after January 1, 2021.

2231 (c) Notwithstanding Subsection [~~(28)~~] [\(32\)](#)(b), an entity may carry forward a tax credit  
2232 in accordance with Section [59-9-107](#) if:

2233 (i) the person is entitled to a tax credit under Section [59-9-107](#) on or before December  
2234 31, 2020; and

2235 (ii) the qualified equity investment that is the basis of the tax credit is certified under  
2236 Section [63N-2-603](#) on or before December 31, 2023.

2237 [~~(29)~~] [\(33\)](#) Subsections [63N-3-109\(2\)\(e\)](#) and [63N-3-109\(2\)\(f\)\(i\)](#) are repealed July 1,  
2238 2023.

2239 [~~(30)~~] [\(34\)](#) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is  
2240 repealed July 1, 2023.

2241 [\(35\)](#) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,

2242 2025.

2243 [~~(31)~~] (36) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant  
2244 Program, is repealed January 1, 2023.

2245 [~~(32) In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:~~]

2246 [~~(a) Subsection 63N-10-201(2)(a) is amended to read:~~]

2247 [~~"(2) (a) The governor shall appoint five commission members with the advice and  
2248 consent of the Senate."~~];

2249 [~~(b) Subsection 63N-10-201(2)(b), related to legislative appointments, is repealed;~~]

2250 [~~(c) in Subsection 63N-10-201(3)(a), the language that states ", president, or speaker,  
2251 respectively," is repealed; and]~~

2252 [~~(d) Subsection 63N-10-201(3)(d) is amended to read:~~]

2253 [~~"(d) The governor may remove a commission member for any reason and replace the  
2254 commission member in accordance with this section."~~];

2255 [~~(33) In relation to the Talent Ready Utah Board, on January 1, 2023:~~]

2256 [~~(a) Subsection 9-22-102(16) is repealed;~~]

2257 [~~(b) in Subsection 9-22-114(2), the language that states "Talent Ready Utah," is  
2258 repealed; and]~~

2259 [~~(c) in Subsection 9-22-114(5), the language that states "representatives of Talent  
2260 Ready Utah," is repealed.]~~

2261 [~~(34)~~] (37) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed  
2262 January 1, 2023.

2263 Section 63. Section **63I-1-265** is enacted to read:

2264 **63I-1-265. Repeal dates, Title 65A.**

2265 Section 65A-8-306, which creates the Heritage Trees Advisory Committee, is repealed  
2266 July 1, 2026.

2267 Section 64. Section **63I-1-267** is amended to read:

2268 **63I-1-267. Repeal dates, Title 67.**

2269            (1) Section 67-1-8.1, which creates the Executive Residence Commission, is repealed  
 2270 July 1, 2022.

2271            [~~1~~] (2) Section 67-1-15 is repealed December 31, 2027.

2272            [~~2~~] (3) Section 67-3-11 is repealed July 1, 2024.

2273            (4) Title 67, Chapter 5a, Utah Prosecution Council, is repealed July 1, 2027.

2274            (5) Section 67-5b-105, which creates local advisory boards for the Children's Justice  
 2275 Center Program, is repealed July 1, 2021.

2276            Section 65. Section 63I-1-272 is amended to read:

2277            **63I-1-272. Repeal dates, Title 72.**

2278            (1) Subsection 72-2-121(9), which creates transportation advisory committees, is  
 2279 repealed July 1, 2022.

2280            (2) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January  
 2281 2, 2025.

2282            Section 66. Section 63I-1-273 is amended to read:

2283            **63I-1-273. Repeal dates, Title 73.**

2284            (1) In relation to the Legislative Water Development Commission, on January 1, 2021:

2285            [~~1~~] (a) in Subsection 73-10g-105(3), the language that states "and in consultation  
 2286 with the State Water Development Commission created in Section 73-27-102" is repealed;

2287            [~~2~~] (b) Subsection 73-10g-203(4)(a) is repealed; and

2288            [~~3~~] (c) Title 73, Chapter 27, State Water Development Commission, is repealed.

2289            (2) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed July 1,  
 2290 2025.

2291            (3) Section 73-18-3.5, which creates the Boating Advisory Council, is repealed July 1,  
 2292 2024.

2293            (4) Title 73, Chapter 30, Great Salt Lake Advisory Council Act, is repealed July 1,  
 2294 2027.

2295            Section 67. Section 63I-1-278 is amended to read:

2296 **63I-1-278. Repeal dates, Title 78A and Title 78B.**

2297 (1) Section [78B-3-421](#), regarding medical malpractice arbitration agreements, is  
2298 repealed July 1, 2029.

2299 (2) Title 78B, Chapter 6, Part 2, Alternative Dispute Resolution Act, is repealed July 1,  
2300 2026.

2301 (3) Title 78B, Chapter 12, Part 4, Advisory Committee, which creates the Child  
2302 Support Guidelines Advisory Committee, is repealed July 1, 2026.

2303 Section 68. Section **63I-1-279** is enacted to read:

2304 **63I-1-279. Repeal dates, Title 79.**

2305 (1) Subsection [79-2-201\(2\)\(n\)](#), related to the Heritage Trees Advisory Committee, is  
2306 repealed July 1, 2026.

2307 (2) Subsection [79-2-201\(2\)\(o\)](#), related to the Recreational Trails Advisory Council, is  
2308 repealed July 1, 2027.

2309 (3) Subsection [79-2-201\(2\)\(p\)](#), related to the Boating Advisory Council, is repealed  
2310 July 1, 2024.

2311 (4) Subsection [79-2-201\(2\)\(q\)](#), related to the Wildlife Board Nominating Committee, is  
2312 repealed July 1, 2023.

2313 (5) Subsection [79-2-201\(2\)\(r\)](#), related to regional advisory councils for the Wildlife  
2314 Board, is repealed July 1, 2023.

2315 (6) Title 79, Chapter 5, Part 2, Advisory Council, which creates the Recreational Trails  
2316 Advisory Council, is repealed July 1, 2027.

2317 Section 69. Section **63I-2-226** is amended to read:

2318 **63I-2-226. Repeal dates, Title 26.**

2319 (1) Subsection [26-1-7\(1\)\(c\)](#), in relation to the Air Ambulance Committee, is repealed  
2320 July 1, 2024.

2321 ~~(1)~~ (2) Subsection [26-7-8\(3\)](#) is repealed January 1, 2027.

2322 ~~(2)~~ (3) Section [26-8a-107](#) is repealed July 1, 2024.

- 2323            [~~3~~] (4) Subsection [26-8a-203](#)(3)(a)(i) is repealed January 1, 2023.
- 2324            (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
- 2325 [26-8a-602](#)(1)(a) is amended to read:
- 2326            "(a) provide the patient or the patient's representative with the following information
- 2327 before contacting an air medical transport provider:
- 2328            (i) which health insurers in the state the air medical transport provider contracts with;
- 2329            (ii) if sufficient data is available, the average charge for air medical transport services
- 2330 for a patient who is uninsured or out of network; and
- 2331            (iii) whether the air medical transport provider balance bills a patient for any charge
- 2332 not paid by the patient's health insurer; and".
- 2333            [~~4~~] (6) Subsection [26-18-2.3](#)(5) is repealed January 1, 2020.
- 2334            [~~5~~] (7) Subsection [26-18-2.4](#)(3)(e) is repealed January 1, 2023.
- 2335            [~~6~~] (8) Subsection [26-18-411](#)(8), related to reporting on the health coverage
- 2336 improvement program, is repealed January 1, 2023.
- 2337            [~~7~~] (9) Subsection [26-18-604](#)(2) is repealed January 1, 2020.
- 2338            [~~8~~] (10) Subsection [26-21-28](#)(2)(b) is repealed January 1, 2021.
- 2339            (11) In relation to the Air Ambulance Committee, July 1, 2024, Subsection
- 2340 [26-21-32](#)(1)(a) is amended to read:
- 2341            "(a) provide the patient or the patient's representative with the following information
- 2342 before contacting an air medical transport provider:
- 2343            (i) which health insurers in the state the air medical transport provider contracts with;
- 2344            (ii) if sufficient data is available, the average charge for air medical transport services
- 2345 for a patient who is uninsured or out of network; and
- 2346            (iii) whether the air medical transport provider balance bills a patient for any charge
- 2347 not paid by the patient's health insurer; and".
- 2348            [~~9~~] (12) Subsection [26-33a-106.1](#)(2)(a) is repealed January 1, 2023.
- 2349            [~~10~~] (13) Subsection [26-33a-106.5](#)(6)(c)(iii) is repealed January 1, 2020.

2350           ~~[(11)]~~ (14) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance  
2351 Program, is repealed July 1, 2027.

2352           ~~[(12) Subsection 26-50-202(7)(b) is repealed January 1, 2020.]~~

2353           ~~[(13)]~~ (15) Subsections 26-54-103(6)(d)(ii) and (iii) are repealed January 1, 2020.

2354           ~~[(14)]~~ (16) Subsection 26-55-107(8) is repealed January 1, 2021.

2355           ~~[(15)]~~ (17) Subsection 26-56-103(9)(d) is repealed January 1, 2020.

2356           ~~[(16)]~~ (18) Title 26, Chapter 59, Telehealth Pilot Program, is repealed January 1, 2020.

2357           ~~[(17)]~~ (19) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

2358           ~~[(18)]~~ (20) Subsection 26-61-202(5) is repealed January 1, 2022.

2359           Section 70. Section **63M-7-402** is amended to read:

2360           **63M-7-402. Terms of members -- Vacancies -- Reappointment.**

2361           (1) (a) Except as required by Subsection (1)(b), as terms of current commission  
2362 members expire, the appointing authority shall appoint each new member or reappointed  
2363 member to a four-year term.

2364           (b) Notwithstanding the requirements of Subsection (1)(a), the appointing authority  
2365 shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the  
2366 terms of commission members are staggered so that approximately half of the commission is  
2367 appointed every two years.

2368           (2) When a vacancy occurs in the membership for any reason, the replacement shall be  
2369 appointed for the unexpired term.

2370           ~~[(3) All members of the commission, including those appointed before July 1, 1995,  
2371 shall be eligible for reappointment one time.]~~

2372           Section 71. Section **63N-1-205** is enacted to read:

2373           **63N-1-205. Incentive review process.**

2374           The Legislature intends that the Governor's Office of Economic Development will  
2375 develop an incentives review process under the direction of the speaker of the House and the  
2376 president of the Senate.

2377 Section 72. Section **63N-7-103** is amended to read:

2378 **63N-7-103. Board duties.**

2379 (1) The [board] Board of Tourism Development:

2380 (a) has authority to approve a tourism program of out-of-state advertising, marketing,  
2381 and branding, taking into account the long-term strategic plan, economic trends, and  
2382 opportunities for tourism development on a statewide basis, as a condition of the distribution of  
2383 funds to the office from the:

2384 (i) Tourism Marketing Performance Account created in Section **63N-7-301**; and

2385 (ii) Stay Another Day and Bounce Back Account, created in Section **63N-2-511**;

2386 (b) shall review office programs to coordinate and integrate advertising and branding  
2387 themes, which may include recreational, scenic, historic, and tourist attractions of the state, to  
2388 be used in office programs;

2389 (c) shall encourage and assist in coordinating activities of persons, firms, associations,  
2390 corporations, civic groups, and governmental agencies that are engaged in publicizing,  
2391 developing, and promoting the scenic attractions and tourist advantages of the state; and

2392 (d) shall advise the office in establishing a cooperative program using funds from the  
2393 Tourism Marketing Performance Account created in Section **63N-7-301**.

2394 (2) The board may:

2395 (a) solicit and accept contributions of money, services, and facilities from any other  
2396 sources, public or private and shall use these funds for promoting the general interest of the  
2397 state in tourism; and

2398 (b) establish subcommittees for the purpose of assisting the board in an advisory role.

2399 (3) The [board] Board of Tourism Development may not, except as otherwise provided  
2400 in Subsection (1)(a), make policy related to the management or operation of the office.

2401 [~~(4) (a) For each fiscal year, the office shall allocate 20% of the funds appropriated to~~  
2402 ~~the Tourism Marketing and Performance Account created in Section **63N-7-301** to the~~  
2403 ~~cooperative program described in Subsection (1)(d) and this Subsection (4).]~~

2404 ~~[(b) Money allocated to the cooperative program may be awarded to cities, counties,~~  
2405 ~~nonprofit destination marketing organizations, and similar public entities for the purpose of~~  
2406 ~~supplementing money committed by these entities for advertising and promoting sites and~~  
2407 ~~events in the state.]~~

2408 ~~[(c) The office, with approval from the board, shall establish:]~~

2409 ~~[(i) an application and approval process for an entity to receive a cooperative program~~  
2410 ~~award, including an application deadline;]~~

2411 ~~[(ii) the criteria for awarding a cooperative program award, which shall emphasize~~  
2412 ~~attracting out-of-state visitors, and may include attracting in-state visitors, to sites and events in~~  
2413 ~~the state; and]~~

2414 ~~[(iii) eligibility, advertising, timing, and reporting requirements of an entity that~~  
2415 ~~receives a cooperative program award.]~~

2416 ~~[(d) Money allocated to the cooperative program that is not used in each fiscal year~~  
2417 ~~shall be returned to the Tourism Marketing Performance Account.]~~

2418 Section 73. Section **63N-7-301** is amended to read:

2419 **63N-7-301. Tourism Marketing Performance Account.**

2420 (1) There is created within the General Fund a restricted account known as the Tourism  
2421 Marketing Performance Account.

2422 (2) The account shall be administered by GOED for the purposes listed in Subsection  
2423 (5).

2424 (3) (a) The account shall earn interest.

2425 (b) All interest earned on account money shall be deposited into the account.

2426 (4) The account shall be funded by appropriations made to the account by the  
2427 Legislature in accordance with this section.

2428 (5) The executive director of GOED's Office of Tourism shall use account money  
2429 appropriated to GOED to pay for the statewide advertising, marketing, and branding campaign  
2430 for promotion of the state as conducted by GOED.

2431           (6) (a) For each fiscal year beginning on or after July 1, 2007, GOED shall annually  
2432 allocate 10% of the account money appropriated to GOED to a sports organization for  
2433 advertising, marketing, branding, and promoting Utah in attracting sporting events into the  
2434 state.

2435           (b) The sports organization shall:

2436           (i) provide an annual written report to GOED that gives an accounting of the use of  
2437 funds the sports organization receives under this Subsection (6); and

2438           (ii) promote the state and encourage economic growth in the state.

2439           (c) For purposes of this Subsection (6), "sports organization" means an organization  
2440 that:

2441           (i) is exempt from federal income taxation in accordance with Section 501(c)(3),  
2442 Internal Revenue Code;

2443           (ii) maintains its principal location in the state;

2444           (iii) has a minimum of 15 years experience in the state hosting, fostering, and attracting  
2445 major summer and winter sporting events statewide; and

2446           (iv) was created to foster state, regional, national, and international sports competitions  
2447 in the state, to drive the state's Olympic and sports legacy, including competitions related to  
2448 Olympic sports, and to promote and encourage sports tourism throughout the state, including  
2449 advertising, marketing, branding, and promoting the state for the purpose of attracting sporting  
2450 events in the state.

2451           (7) Money deposited into the account shall include a legislative appropriation from the  
2452 cumulative sales and use tax revenue increases described in Subsection (8), plus any additional  
2453 appropriation made by the Legislature.

2454           (8) (a) In fiscal years 2006 through 2019, a portion of the state sales and use tax  
2455 revenues determined under this Subsection (8) shall be certified by the State Tax Commission  
2456 as a set-aside for the account, and the State Tax Commission shall report the amount of the  
2457 set-aside to the office, the Office of Legislative Fiscal Analyst, and the Division of Finance,

2458 which shall set aside the certified amount for appropriation to the account.

2459 (b) For fiscal years 2016 through 2019, the State Tax Commission shall calculate the  
2460 set-aside under this Subsection (8) in each fiscal year by applying one of the following  
2461 formulas: if the annual percentage change in the Consumer Price Index for All Urban  
2462 Consumers, as published by the Bureau of Labor Statistics of the United States Department of  
2463 Labor, for the fiscal year two years before the fiscal year in which the set-aside is to be made is:

2464 (i) greater than 3%, and if the annual percentage change in the state sales and use tax  
2465 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal  
2466 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two  
2467 years before the fiscal year in which the set-aside is to be made is greater than the annual  
2468 percentage change in the Consumer Price Index for the fiscal year two years before the fiscal  
2469 year in which the set-aside is to be made, then the difference between the annual percentage  
2470 change in the state sales and use tax revenues attributable to the retail sales of tourist-oriented  
2471 goods and services and the annual percentage change in the Consumer Price Index shall be  
2472 multiplied by an amount equal to the state sales and use tax revenues attributable to the retail  
2473 sales of tourist-oriented goods and services from the fiscal year three years before the fiscal  
2474 year in which the set-aside is to be made; or

2475 (ii) 3% or less, and if the annual percentage change in the state sales and use tax  
2476 revenues attributable to the retail sales of tourist-oriented goods and services from the fiscal  
2477 year three years before the fiscal year in which the set-aside is to be made to the fiscal year two  
2478 years before the fiscal year in which the set-aside is to be made is greater than 3%, then the  
2479 difference between the annual percentage change in the state sales and use tax revenues  
2480 attributable to the retail sales of tourist-oriented goods and services and 3% shall be multiplied  
2481 by an amount equal to the state sales and use tax revenues attributable to the retail sales of  
2482 tourist-oriented goods and services from the fiscal year three years before the fiscal year in  
2483 which the set-aside is to be made.

2484 (c) The total money appropriated to the account in a fiscal year under Subsections

2485 (8)(a) and (b) may not exceed the amount appropriated to the account in the preceding fiscal  
2486 year by more than \$3,000,000.

2487 (d) As used in this Subsection (8), "state sales and use tax revenues" are revenues  
2488 collected under Subsections 59-12-103(2)(a)(i)(A) and 59-12-103(2)(c)(i).

2489 (e) As used in this Subsection (8), "retail sales of tourist-oriented goods and services"  
2490 are calculated by adding the following percentages of sales from each business registered with  
2491 the State Tax Commission under one of the following codes of the 2012 North American  
2492 Industry Classification System of the federal Executive Office of the President, Office of  
2493 Management and Budget:

2494 (i) 80% of the sales from each business under NAICS Codes:

2495 (A) 532111 Passenger Car Rental;

2496 (B) 53212 Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing;

2497 (C) 5615 Travel Arrangement and Reservation Services;

2498 (D) 7211 Traveler Accommodation; and

2499 (E) 7212 RV (Recreational Vehicle) Parks and Recreational Camps;

2500 (ii) 25% of the sales from each business under NAICS Codes:

2501 (A) 51213 Motion Picture and Video Exhibition;

2502 (B) 532292 Recreational Goods Rental;

2503 (C) 711 Performing Arts, Spectator Sports, and Related Industries;

2504 (D) 712 Museums, Historical Sites, and Similar Institutions; and

2505 (E) 713 Amusement, Gambling, and Recreation Industries;

2506 (iii) 20% of the sales from each business under NAICS Code 722 Food Services and  
2507 Drinking Places;

2508 (iv) 18% of the sales from each business under NAICS Codes:

2509 (A) 447 Gasoline Stations; and

2510 (B) 81293 Parking Lots and Garages;

2511 (v) 14% of the sales from each business under NAICS Code 8111 Automotive Repair

2512 and Maintenance; and

2513 (vi) 5% of the sales from each business under NAICS Codes:

2514 (A) 445 Food and Beverage Stores;

2515 (B) 446 Health and Personal Care Stores;

2516 (C) 448 Clothing and Clothing Accessories Stores;

2517 (D) 451 Sporting Goods, Hobby, Musical Instrument, and Book Stores;

2518 (E) 452 General Merchandise Stores; and

2519 (F) 453 Miscellaneous Store Retailers.

2520 (9) (a) For each fiscal year, the office shall allocate 20% of the funds appropriated to  
2521 the Tourism Marketing and Performance Account to the cooperative program described in this  
2522 Subsection (9).

2523 (b) Money allocated to the cooperative program may be awarded to cities, counties,  
2524 nonprofit destination marketing organizations, and similar public entities for the purpose of  
2525 supplementing money committed by these entities for advertising and promoting sites and  
2526 events in the state.

2527 (c) The office shall establish:

2528 (i) an application and approval process for an entity to receive a cooperative program  
2529 award, including an application deadline;

2530 (ii) the criteria for awarding a cooperative program award, which shall emphasize  
2531 attracting out-of-state visitors, and may include attracting in-state visitors, to sites and events in  
2532 the state; and

2533 (iii) eligibility, advertising, timing, and reporting requirements of an entity that  
2534 receives a cooperative program award.

2535 (d) Money allocated to the cooperative program that is not used in each fiscal year shall  
2536 be returned to the Tourism Marketing Performance Account.

2537 Section 74. Section **67-1-2.5** is amended to read:

2538 **67-1-2.5. Executive boards -- Database -- Governor's review of new boards.**

2539 (1) As used in this section:  
2540 (a) "Administrator" means the boards and commissions administrator designated under  
2541 Subsection [~~(2)~~] (3).  
2542 (b) "Executive board" means [~~any~~] an executive branch board, commission, council,  
2543 committee, working group, task force, study group, advisory group, or other body;  
2544 (i) with a defined limited membership;  
2545 (ii) that is created [~~to operate for more than six months~~] by the constitution, by statute,  
2546 by executive order, by the governor, lieutenant governor, attorney general, state auditor, or state  
2547 treasurer or by the head of a department, division, or other administrative subunit of the  
2548 executive branch of state government[-]; and  
2549 (iii) that is created to operate for more than six months.  
2550 (2) (a) [~~Before September~~] Except as provided in Subsection (2)(c), before August 1 of  
2551 the calendar year following the year in which [~~the Legislature creates~~] a new executive board is  
2552 created in statute, the governor shall:  
2553 (i) review the executive board to evaluate:  
2554 (A) whether the executive board accomplishes a substantial governmental interest; and  
2555 (B) whether it is necessary for the executive board to remain in statute;  
2556 (ii) in the governor's review [~~under~~] described in Subsection (2)(a)(i), consider:  
2557 (A) the funding required for the executive board;  
2558 (B) the staffing resources required for the executive board;  
2559 (C) the time members of the executive board are required to commit to serve on the  
2560 executive board; and  
2561 (D) whether the responsibilities of the executive board could reasonably be  
2562 accomplished through an existing entity or without statutory direction; and  
2563 (iii) submit a report to the Government Operations Interim Committee recommending  
2564 that the Legislature:  
2565 (A) repeal the executive board;

- 2566 (B) add a sunset provision or future repeal date to the executive board;
- 2567 (C) make other changes to make the executive board more efficient; or
- 2568 (D) make no changes to the executive board.
- 2569 (b) In conducting the evaluation [~~and making the report~~] described in Subsection
- 2570 (2)(a), the governor shall give deference to:
- 2571 (i) reducing the size of government; and
- 2572 (ii) making governmental programs more efficient and effective.
- 2573 [~~(c) Upon receipt of a report from the governor under Subsection (2)(a)(iii), the~~
- 2574 ~~Government Operations Interim Committee shall vote on whether to address the~~
- 2575 ~~recommendations made by the governor in the report and prepare legislation accordingly.]~~
- 2576 (c) The governor is not required to conduct the review or submit the report described in
- 2577 Subsection (2)(a) for an executive board that is scheduled for repeal under Title 63I, Chapter 1,
- 2578 Legislative Oversight and Sunset Act, or Title 63I, Chapter 2, Repeal Dates by Title Act.
- 2579 (3) (a) The governor shall designate a board and commissions administrator from the
- 2580 governor's staff to maintain a computerized database containing information about all
- 2581 executive boards.
- 2582 (b) The administrator shall ensure that the database contains:
- 2583 (i) the name of each executive board;
- 2584 (ii) the current statutory or constitutional authority for the creation of the executive
- 2585 board;
- 2586 (iii) the sunset date on which each executive board's statutory authority expires;
- 2587 (iv) the state officer or department and division of state government under whose
- 2588 jurisdiction the executive board operates or with which the executive board is affiliated, if any;
- 2589 (v) the name, address, gender, telephone number, and county of each individual
- 2590 currently serving on the executive board, along with a notation of all vacant or unfilled
- 2591 positions;
- 2592 (vi) the title of the position held by the person who appointed each member of the

2593 executive board;

2594 (vii) the length of the term to which each member of the executive board was  
 2595 appointed and the month and year that each executive board member's term expires;

2596 (viii) whether or not members appointed to the executive board require consent of the  
 2597 Senate;

2598 (ix) the organization, interest group, profession, local government entity, or geographic  
 2599 area that an individual appointed to an executive board represents, if any;

2600 (x) the party affiliation of an individual appointed to an executive board, if the statute  
 2601 or executive order creating the position requires representation from political parties;

2602 (xi) whether each executive board is a policy board or an advisory board;

2603 (xii) whether the executive board has or exercises rulemaking authority; and

2604 (xiii) any compensation and expense reimbursement that members of the executive  
 2605 board are authorized to receive.

2606 (4) The administrator shall ~~[place the following on the]~~ ensure the governor's website  
 2607 includes:

2608 (a) the information contained in the database~~[-];~~ except for an individual's:

2609 (i) physical address;

2610 (ii) email address; and

2611 (iii) telephone number;

2612 (b) a portal, accessible on each executive board's web page within the governor's  
 2613 website, through which a member of the public may provide input on:

2614 (i) an individual appointed to serve on the executive board; or

2615 (ii) a sitting member of the executive board;

2616 ~~[(b)]~~ (c) each report the administrator receives under Subsection (5); and

2617 ~~[(c)]~~ (d) the summary report described in Subsection (6).

2618 (5) (a) Before August 1 ~~[of each year],~~ once every five years, beginning in calendar  
 2619 year 2024, each executive board shall prepare and submit to the administrator ~~[an annual]~~ a

2620 report that includes:

2621 (i) the name of the executive board;

2622 (ii) a description of the executive board's official function and purpose;

2623 (iii) a description of the ~~[actual work performed]~~ actions taken by the executive board

2624 since the last report the executive board submitted to the administrator under this Subsection

2625 (5);

2626 ~~[(iv) a description of actions taken by the executive board since the last report the~~

2627 ~~executive board submitted to the administrator under this Subsection (5);]~~

2628 ~~[(v)]~~ (iv) recommendations on whether any statutory, rule, or other changes are needed

2629 to make the executive board more effective; and

2630 ~~[(vi)]~~ (v) an indication of whether the executive board should continue to exist.

2631 (b) The administrator shall compile and post the reports described in Subsection (5)(a)

2632 to the governor's website before September 1 of ~~[each year.]~~ a calendar year in which the

2633 administrator receives a report described in Subsection (5)(a).

2634 ~~[(c) An executive board is not required to submit a report under this Subsection (5) if~~

2635 ~~the executive board:]~~

2636 ~~[(i) is also a legislative board under Section 36-12-22; and]~~

2637 ~~[(ii) submits a report under Section 36-12-22:]~~

2638 ~~[(6) (a) The administrator shall prepare, publish, and distribute an annual report by~~

2639 ~~September 1 of each year that includes:]~~

2640 ~~[(i) as of August 1 of that year:]~~

2641 (6) (a) Before September 1 of a calendar year in which the administrator receives a

2642 report described in Subsection (5)(a), the administrator shall prepare a report that includes:

2643 ~~[(A)]~~ (i) as of July 1 of that year, the total number of executive boards that exist;

2644 ~~[(B) the name of each of those executive boards and the state officer or department and~~

2645 ~~division of state government under whose jurisdiction the executive board operates or with~~

2646 ~~which the executive board is affiliated, if any;]~~

2647 ~~[(C) for each state officer and each department and division, the total number of~~  
2648 ~~executive boards under the jurisdiction of or affiliated with that officer, department, and~~  
2649 ~~division;]~~

2650 ~~[(D) the total number of members for each of those executive boards;]~~

2651 ~~[(E) whether or not some or all of the members of each of those executive boards are~~  
2652 ~~approved by the Senate;]~~

2653 ~~[(F) whether each board is a policymaking board or an advisory board and the total~~  
2654 ~~number of policy boards and the total number of advisory boards; and]~~

2655 ~~[(G) the compensation, if any, paid to the members of each of those executive boards;~~  
2656 ~~and]~~

2657 (ii) a summary of the reports submitted to the administrator under Subsection (5),  
2658 including:

2659 (A) a list of each executive board that submitted a report under Subsection (5);

2660 (B) a list of each executive board that did not submit a report under Subsection (5);

2661 (C) an indication of any recommendations made under Subsection (5)(a)~~[(v)]~~(iv); and

2662 (D) a list of any executive boards that indicated under Subsection (5)(a)~~[(vi)]~~(v) that  
2663 the executive board should no longer exist[-]; and

2664 (iii) a list of each executive board, identified and reported by the Division of Archives  
2665 and Record Services under Section 63F-1-701, that did not post a notice of a public meeting on  
2666 the public notice website during the previous fiscal year.

2667 ~~[(b) The administrator shall distribute copies of the report described in Subsection~~  
2668 ~~(6)(a) to:]~~

2669 ~~[(i) the governor;]~~

2670 (b) On or before September 1 of a calendar year in which the administrator prepares a  
2671 report described in Subsection (6)(a), in accordance with Section 68-3-14, the administrator  
2672 shall submit the report to:

2673 ~~[(ii)]~~ (i) the president of the Senate;

2674 [~~(iii)~~] (ii) the speaker of the House of Representatives; and  
2675 [~~(iv)~~] the Office of Legislative Research and General Counsel;]  
2676 [~~(v)~~] (iii) the Government Operations Interim Committee~~;~~ and].  
2677 [~~(vi)~~] any other persons who request a copy of the annual report.]  
2678 [~~(c)~~] Each year, the Government Operations Interim Committee shall prepare legislation  
2679 making any changes the committee determines are suitable with respect to the report the  
2680 committee receives under Subsection (6)(b), including:]

2681 [(i) repealing an executive board that is no longer functional or necessary; and]  
2682 [(ii) making appropriate changes to make an executive board more effective.]

2683 Section 75. Section 71-7-3 is amended to read:

2684 **71-7-3. Development, operation, and maintenance of Utah Veterans Cemetery**  
2685 **and Memorial Park -- Responsibilities of Department of Veterans and Military Affairs --**  
2686 **Costs -- Definition.**

2687 (1) The Department of Veterans and Military Affairs~~], in consultation with the~~  
2688 ~~Veterans Memorial Park Board,~~] shall develop, operate, and maintain a veterans cemetery and  
2689 memorial park.

2690 (2) To help pay the costs of developing, constructing, operating, and maintaining a  
2691 veterans cemetery and memorial park, the Department of Veterans and Military Affairs may:

2692 (a) by following the procedures and requirements of Title 63J, Chapter 5, Federal  
2693 Funds Procedures Act, receive federal funds, and may receive state funds, contributions from  
2694 veterans organizations, and other private donations; and

2695 (b) charge fees for at least the cost of the burial of a veteran's spouse and any other  
2696 persons, whom the department [~~and the Veterans Memorial Park Board~~] determines are eligible  
2697 to be buried in a veterans cemetery established by the state.

2698 (3) "Veteran" has the same meaning as defined in Section [68-3-12.5](#).

2699 Section 76. **Repealer.**

2700 This bill repeals:

- 2701           Section **4-30-103**, **Livestock Market Committee created -- Composition -- Terms --**
- 2702 **Removal -- Compensation -- Duties.**
- 2703           Section **9-6-801**, **Title.**
- 2704           Section **9-6-802**, **Definitions.**
- 2705           Section **9-6-803**, **Arts and Culture Business Alliance -- Creation -- Members --**
- 2706 **Vacancies.**
- 2707           Section **9-6-804**, **Alliance duties.**
- 2708           Section **9-6-805**, **Staff support -- Rulemaking.**
- 2709           Section **9-7-301**, **Board of control.**
- 2710           Section **23-14-2.8**, **Private Aquaculture Advisory Council.**
- 2711           Section **26-39-202**, **Members serve without pay -- Reimbursement for expenses.**
- 2712           Section **38-11-104**, **Board.**
- 2713           Section **53-3-908**, **Advisory committee.**
- 2714           Section **58-46a-201**, **Board.**
- 2715           Section **58-64-201**, **Board.**
- 2716           Section **63M-3-101**, **Title.**
- 2717           Section **63M-3-102**, **Legislative findings -- Purpose of act.**
- 2718           Section **63M-3-103**, **Definitions.**
- 2719           Section **63M-3-201**, **Contract for pilot plant -- Contents -- Financing --**
- 2720 **Termination of contract.**
- 2721           Section **63M-3-202**, **Intellectual properties discovered or developed -- Ownership --**
- 2722 **Patenting -- Licensing.**
- 2723           Section **63M-10-202**, **Establishment of local oversight committees -- Interagency**
- 2724 **information sharing.**
- 2725           Section **71-7-4**, **Veterans Memorial Park Board -- Members -- Appointment --**
- 2726 **Meetings -- Per diem and travel expenses.**
- 2727           Section 77. **Coordinating H.B. 10 with H.B. 46 -- Substantive language.**

## H.B. 10

Enrolled Copy

2728 If this H.B. 10 and H.B. 46, Arts and Museums Revisions, both pass and become law, it  
2729 is the intent of the Legislature that the Office of Legislative Research and General Counsel  
2730 prepare the Utah Code database for publication by amending Subsections [63I-1-209](#)(1) and (2)  
2731 to read:

2732 "(1) Section [9-6-303](#), which creates the Arts Collection Committee, is repealed July 1,  
2733 2027.

2734 (2) Section [9-6-305](#), which creates the Utah Museums Advisory Board, is repealed July  
2735 1, 2027."

2736 Section 78. **Coordinating H.B. 10 with S.B. 60 -- Superseding technical and**  
2737 **substantive amendments.**

2738 If this H.B. 10 and S.B. 60, Advice and Consent Amendments, both pass and become  
2739 law, it is the intent of the Legislature that the amendments to Section [26-21-3](#) in this bill  
2740 supersede the amendments to Section [26-21-3](#) in S.B. 60 when the Office of Legislative  
2741 Research and General Counsel prepares the Utah Code database for publication.