STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: March 4, 2020
Type of Item: Weekly Legislative Update
Process: Work Session

During the 2020 general session of the Utah State Legislature, staff, along with Councilmember Kim Carson, will provide the County Council weekly updates on the issues and activities the County is monitoring at the State Capitol.

Requested Council Action
None.

Background
On Monday, January 27, 2020, the general session of Utah’s 64th legislature began and will run until Thursday, March 12, 2020. During these 45 days, Summit County’s internal legislative working group will track activity at the State Capitol and provide updates to the County Council.

The County’s legislative working group is comprised of the County Assessor, Auditor, Clerk, (2) Councilmembers, Recorder, Treasurer, Health Department Director, Chief Financial Officer, Community Development Director, Economic Development Director, Transportation Planning Director, County Manager, Deputy County Manager, and representatives from the County Attorney’s Office and Sheriff’s Office.

This group meets weekly to monitor bills, share information, decide county positions on legislation, participate in Utah Association of County’s (UAC) weekly policy coordinating meetings, work closely with the county’s House and Senate members and the county’s lobbyist on issues, attend committee meetings, and potentially testify before committees, if appropriate.

Each week at the County Council meeting, Councilmember Kim Carson, Deputy County Attorney, Jami Brackin, and Deputy County Manager, Janna Young will report to the Council on these activities, and request input on issues and support for proposed county positions on bills.
2020 Legislative Session

Expectations
While it is difficult to predict the tone and tenor of the legislative session at this point in time, we can expect tax reform and the budget to be defining characteristics.

Tax Reform
In 2019, the Legislature met in special session to pass tax reform legislation (SB 2001) in an attempt to address a structural challenge in state revenues that has seen tremendous growth in income tax (near a billion dollar surplus) but decreases in sales and gas taxes, negatively impacting the state’s general fund, which pays for myriad of things, such as roads, law enforcement, fire departments, corrections/prisons, social services, and many other critical services. (Note: the state constitution earmarks 100% of income taxes for k-12 education and higher education spending).

The new law quickly met with public indignation, primarily around restoration of the full sales tax on food and other measures that seemed targeted at low income Utahns. A petition campaign ensued to collect signatures to put on the November ballot the question of whether to retain or overturn the new law. On January 28, 2020, the Lt Governor’s Office confirmed enough signatures had been certified for the ballot.

Due to the uncertainty of whether or not voters would overturn the legislation and the complexity of putting together the state budget in only 45 days, the Governor and legislative leadership decided to repeal the tax reform law (HB 185), which they officially did with only 6 dissenting votes on January 28, 2020. The Governor signed the repeal bill on January 29th.

The Governor has indicated he is not interested in pursuing tax reform this legislative session. He feels we are about 2 years away from when the general fund shortfall will be a serious problem.

While tax reform as an omnibus package is not expected this session, we do anticipate seeing individual bills to pass portions of SB 2001, such as Rep. Tim Quinn’s bill to restore the child/dependent exemption that was eliminated by federal tax reform, causing many families in the State of Utah to see an over 200% tax increase.

Budget
As a consequence of repealing the tax reform bill, the state budget will be $45 million underwater, making appropriations requests much more difficult to fulfill this year. The Legislature has about $100 million of discretionary spending in the
general fund to allocate to projects and programs in the next fiscal year. One request involving Medicaid that we know of is around $45 million, illustrating how competitive it will be for counties to get anything funded this year.

Summit County supports UAC’s appropriations requests to continue to fund grants for indigent defense, and for additional staffing at the State Tax Commission for audits, collections and compliance. We know there are deficiencies at the Tax Commission due to a lack of resources, and it is very likely, municipalities, counties and the state are not receiving all the taxes that should be remitted to them.

Summit County’s Proactive Initiatives
Due to a successful 2019 session, Summit County is not expecting to run any bills this session at this time.

Notable Dates
• January 27 - Legislative Session Begins
• January 30 - County Officials Day on the Hill
• February 19 – GOED’s Rural Day on the Hill
• March 10 – Final action must be taken on each appropriations bill
• March 12 - Last Day of the Session
• May 12 – Effective date for bills
• Every Thursday During Session – UAC Legislative Committee Meetings (10am, Olmstead Room in Senate Building)

Engagement, Access and Transparency
Interested citizens can watch Utah’s 2020 legislative session in real time or access archived materials through the Legislature’s online tool. To access this tool, go to https://le.utah.gov/ and click on the “calendar” button. Click on the desired meeting and the committee webpage will have links to materials and the audio/video recording.

Additionally, the Legislature’s website allows citizens to sign up to follow individual bills and receive email alerts whenever action is taken on the measure. To sign up for alerts, go to https://le.utah.gov/; click on the “Bills” tab at the top of the page. Then either perform a bill request or keyword search. Once locating the desired bill, click on either the “Track this” or “Email notification” button underneath the photograph of the bill sponsor.

The website for each individual bill also provides the bill text, status information, audio/video of any committee hearings or floor debate, and details on the bill sponsor.
**Issues the County is Monitoring**

**Budget:**
The March 10th date is looming for final action on all appropriations bills. This means the budget will soon be set for the next fiscal year and we will likely see bills with impactful fiscal notes either start to move or die. Summit County continues to monitor funding for county programs, such as indigent defense, behavioral health, the affordable housing bill, the Justice Reinvestment Initiative (JRI) and Drug Court.

**Economic Development:**
Similar to past legislative sessions, we expect to see a number of bills to modify the redevelopment agency act.

Secondly, we anticipate a second attempt, after failing last session, by the Governor’s Office of Economic Development (GOED) to consolidate all the rural economic development programs into one grant fund with the justification that it better streamlines the programs and makes more counties and cities eligible for them.

**EMS Funding:**
A large priority for counties, particularly those rural counties of the 4-6 classes, including some 3rd class counties, such as Summit County, is emergency medical services (EMS) funding. EMS is currently a county function and many rural EMS systems are volunteer based and as such, these counties have difficulty maintaining a consistent workforce, putting strain on the provision of EMS services within the county creating health, safety and welfare consequences.

There are four bills that aim to address this problem. One bill (HB 174), allows 4th class counties to access revenues from the rural county health care facilities tax for EMS. Fifth and 6th class counties already have this ability. Summit County would like to see third class counties added as we are currently restricted to using this fund on rural health care facilities.

HB 280, Rep. Albrecht’s bill to amend the Transient Room Tax (TRT), allows 4-6th class counties to use TRT revenues on EMS and other things, such as law enforcement, solid waste and infrastructure impacted by tourism, by reducing the floor required to spend on tourism promotion and opening the remaining percentage of the revenues to be spent on these impacts of tourism.

Other bills address contracts counties must make in order to provide emergency medical services within county boundaries (HB 190) and make EMS an “essential” service, which allows counties to charge municipalities for EMS. UAC and Summit County are following these bills closely and working with the bill sponsors to get them amended to benefit counties.
**Housing:**
We anticipate seeing several bills to amend the comprehensive housing bill from the prior legislative session, particularly related to restoring funding to the program. Commitments made in the past to fund the program at $10 million are waning in light of the tax reform repeal and consequently, reduction in anticipated revenues to the general fund this year.

**Land Use:**
Summit County staff, through the Land Use Task Force, worked all during interim session with the Homebuilders Association, lawmakers, and other stakeholders on major revisions to the subdivision rules, attempting to simplify the subdivision and amendment processes, which we expect Rep. Logan Wilde to sponsor this session.

**Public Health:**
We are expecting to see multiple bills addressing vaping and e-cigarettes this session, including a bill from Senator Alan Christensen who represents Summit County. The County’s Health Department supports efforts to restrict access to vaping and e-cigarettes by youth.

**Transportation:**
This week, Senator Harper unveiled a large, overhauling transportation and transit bill, SB 150, Transportation Governance and Funding Amendments. It appears the purpose of this bill is to limit UTA’s land use decision making and power around Transit-Oriented Development (TOD) and give the state more decision-making power over use of transit taxes and transportation reinvestment zones. Much of the bill applies only to “large transit districts,” or those smaller counties that have annexed into a large transit district, which does not apply to Summit County.

Additionally, as with previous legislation, if a transit district wants to participate in a TOD project, a moderate income housing plan must be included in the County’s general plan. Inclusion and approval of a moderate income housing plan is referenced throughout the bill. Also, the bill increases fairly substantially annual registration fees for electric vehicles.

Finally, the bill also changes the calculations for Class B and Class C road funds only in Salt Lake County who worked with the bill sponsor to get these changes.

**Bills the County is Monitoring**
Attached is Summit County’s bill tracker, listing the bills we are currently following/monitoring. The bills highlighted in yellow are ones about which Summit County is most concerned and monitoring closely. Some of these bills are also highlighted because we expect to see immediate action taken on them and we, along with our partners in UAC, are working to either amend, pass or kill them.
<table>
<thead>
<tr>
<th>Bill #</th>
<th>Short Title</th>
<th>Status</th>
<th>Sponsors</th>
<th>Bill Description/County Comments</th>
<th>Office(s) Impacted/Monitoring</th>
<th>County Position</th>
<th>Outcome &amp; Follow-up</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 10</td>
<td>Boards and Commissions Amendments</td>
<td>Scheduled for committee consideration on 2/25/20</td>
<td>Roberts/Thatcher</td>
<td>This bill would eliminate or place sunset provisions on several boards and commissions. Most concerning to Summit County is the Utah Prosecutors Council, Land Use Task Force, and CIC Board.</td>
<td>Attorney’s Office</td>
<td>Oppose (as long as these boards are included)</td>
<td>Flagged for Des and UAC Staff</td>
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<tr>
<td>HB 22</td>
<td>Utah Retirement Systems Amendments</td>
<td>Passed out of the House by a vote of 74-0. Currently assigned to the Senate Retirement and Independent Entities Committee.</td>
<td>Hall</td>
<td>Allows public employees to earn service credit if they choose to come out of retirement. Amends the type of plans an employer may contribute to for an employer related contribution for certain reemployed retirees; authorizes premium payments for eligible retired firefighters and public safety officers made from a defined contribution plan; clarifies that a retiree may be eligible for added service credit in a re-employed position.</td>
<td>HR; Attorney’s Office; Budget/Finance</td>
<td>Monitor</td>
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<tr>
<td>HB 23</td>
<td>Tobacco Retailer Amendments</td>
<td>Substituted and referred to Tobacco and Electronic Cigarettes Amendments. Held in Committee on 2/20/20.</td>
<td>Hawkins</td>
<td>This is one of several bills to address tobacco and e-cigarettes, especially among the youth, which the County and UAC supports.</td>
<td>Health Dept</td>
<td>Support</td>
<td></td>
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<tr>
<td>HB 32</td>
<td>Crisis Services Amendments</td>
<td>All the Second Substitute. Passed the House by a vote of 70-0 on 2/20/20. Assigned to Senate Health and Human Services Committee.</td>
<td>Bleson</td>
<td>This bill increases funding for 5 new NCOs with one possible for the Wasatch Back servicing Morgan, Summit and Wasatch Counties. It also establishes funding for Crisis Receiving Facilities and funding for a statewide warm line for crisis services.</td>
<td>Health Dept; Attorney’s Office; SO</td>
<td>Support</td>
<td>UAC and UAC/MH also tracking and supports</td>
</tr>
<tr>
<td>HB 38</td>
<td>Substance Use and Health Care Amendments</td>
<td>All the Second Substitute. Passed the House by a vote of 70-0 on 2/20/20. Assigned to Senate Health and Human Services Committee.</td>
<td>Davis/Christensen</td>
<td>This bill is really important to Summit County; it assures targeted adult Medicaid enrollment while an individual is in jail. UAC took an official &quot;support&quot; position on this bill as well.</td>
<td>Health Dept; Attorney’s Office; SO</td>
<td>Support</td>
<td>UAC and UAC/MH also following and support</td>
</tr>
<tr>
<td>HB 47</td>
<td>Certified Tax Rate Calculation Amendments</td>
<td>Passed the House 70-0 and passed the Senate 22-0.</td>
<td>Bleson</td>
<td>Modified the definition of incremental value to include project areas created under Title 11, Chapter 59, Utah Bond Authority Act; Title 11, Chapter 1, Military Reservation Development Authority Act; and Title 63H, Chapter 2, Part 5, New Convention Facility Development Incentives.</td>
<td>Auditor; Budget/Finance</td>
<td>Monitor</td>
<td></td>
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<tr>
<td>HB 92</td>
<td>Fire Amendments</td>
<td>Substitute passed out of Committee and currently sits on the House 3rd Reading Calendar.</td>
<td>Snider</td>
<td>Requires certain fees be exempted from certain regulations; prohibits a governmental agency from prohibiting prescribed fires when the United States National Weather Service smoke index for the area where the fire is to occur is above a certain level. Concerned about air quality issues and prohibitions on local government from prohibiting burns at certain times and for my reasons.</td>
<td>Manager’s Office; Council; Attorney’s Office; Wildland Fire</td>
<td>Monitor/Oppose</td>
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<td>HB 98</td>
<td>Offenses Against the Administration of Government Amendments</td>
<td>Substitute passed out of Committee. Bill has been heard in Senate Government Operations &amp; Political Subdivisions Committee on 2/28/20.</td>
<td>Hall</td>
<td>This is a correction bill to a law adopted last year that made it a felony to misuse public property for a personal use. The county attorneys are working with the bill sponsor to clarify many of the terms that were overly broad and draconian in the original bill to better protect county employees while also upholding the public trust.</td>
<td>Everyone</td>
<td>Support</td>
<td></td>
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<td>HB 100</td>
<td>Veterans Treatment Court</td>
<td>Passed both the House and Senate. Is on its way to the Governor for signature.</td>
<td>Snow/Hilyard</td>
<td>This bill establishes a Veteran’s Court which will operate as a designated Drug Court and Mental Health Court specific to veterans in order to better deal with the unique situations and histories of our returning warriors.</td>
<td>Health; Attorney’s Office; SO</td>
<td>Support</td>
<td>UAC tracking and supporting</td>
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<tr>
<td>HB 105</td>
<td>Water Facilities Amendments</td>
<td>Was amended several times. Passed the House on 2/18/20. Scheduled for Senate 2nd reading consent calendar.</td>
<td>Wilde</td>
<td>Outlines prohibited acts related to water facilities; addresses civil actions; creates an exception from liability; addresses obstruction or changes related to water facilities and rights of way. Held in committee.</td>
<td>Monitor</td>
<td></td>
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<td>HB 106</td>
<td>Agricultural Amendments</td>
<td>Halted from this session. Will go to return for study.</td>
<td>Sandell</td>
<td>The “pig bill.” UAC will work with the sponsor on this bill during interim to get it so hopefully we can live with.</td>
<td>Oppose</td>
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<td>HB 110</td>
<td>Inmate Expenses Amendments</td>
<td>Passed the House and the Senate. Now on its way to the Governor for signature.</td>
<td>Andersen</td>
<td>Requires correctional facilities to disclose potential policies or practices regarding inmate's commissary accounts. Some confusion about what this bill actually does. Seeking clarification from Attorney’s Office and Sheriff’s Office.</td>
<td>Sheriff’s Office; Attorney’s Office</td>
<td>Monitor</td>
<td>Flaged for UAC Staff</td>
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<td>HB 122</td>
<td>Council-Manager Form of Government Amendments</td>
<td>Not considered in Senate Committee 2/14.</td>
<td>Sagers</td>
<td>Clarifies that an individual member of a county council may not participate in certain administrative activities; repeals language prohibiting county employees from contributing to a candidate for county office.</td>
<td>Council; Manager's Office; Attorney's Office; HR</td>
<td>Monitor</td>
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<td>HB 133</td>
<td>Trail Improvement Amendments</td>
<td>Assigned to House Natural Resources, Agriculture, and Environmental Committee</td>
<td>Winder</td>
<td>Would allow the use of eminent domain to construct trails if such trails are &quot;regionally significant&quot; and cross county or municipal boundaries. Would empower County to use eminent domain in a new way (for recreational purposes).</td>
<td>Baen Rec; Community Development; Attorney’s Office; Manager’s Office</td>
<td>Monitor (UAC split vote)</td>
<td></td>
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<td>HB 135</td>
<td>Tobacco Settlement Funds Amendment</td>
<td>Returned to Rules Committee.</td>
<td>Laid</td>
<td>This bill redirects 40% of settlement funds from the State’s General Fund to local Drug Court Programs. If passed, based on standard DSMAR allocation formulas, Summit County will receive $180,000 annually in new funds for the Drug Court Program.</td>
<td>Health; Attorney’s Office; SO</td>
<td>Support</td>
<td>UAC tracking and supports</td>
</tr>
</tbody>
</table>
HB 138 Transportation Corridor Preservation Amendments
Passed the House and the Senate. Now on its way to the Governor for signature.
Andersen

The bill would require us to notify the state, UDOT and surrounding Greenbelt prior to purchasing Greenbelt property for open space. Our County has done several land acquisitions recently and has more planned. This notification requirement would make it virtually impossible for us to negotiate with landowners, ensuring we get a fair deal for taxpayers. UAC is requesting clarification on the legislation by the bill sponsor and will bring it back to the group for a position at the 2/13/20 meeting.
Council; Manager's Office; Attorney's Office
Oppose

HB 164 Property Tax Notifications Amendments
Circled on the Senate's 3rd reading calendar (2/27/20)
Hoss

Requires a property tax notice to include additional information, including the taxable value of the property, the deadlines to appeal the valuation or equalization of the property, information related to residential exemption, and information related to a rate increase resulting from a change in state law.
Auditor; Assessor
Monitor

HB 166 Watered Councils
Appended to House Natural Resources, Agriculture, and Environmental Committee
Hawkes

Provides for the creation of a State Watershed Council and Local Watershed Councils, which would have representation on the State Watershed Council. Does not provide for any county representation. The bill would like to include county representation on the Councils as Summit is working to join the Weber River Watershed Council and due to our stewardship of the 3 big river systems that start in our County, our participation in these groups is important.
Council; Manager's Office
Monitor/Work to add Counties

HB 174 Rural County Health Care Facilities Tax
Passed the House 73-0. Scheduled for 2/27/20. Scheduled to be heard in House Committee Hall
Lyman

Adds 4th class counties to utilize the rural health care facilities fund to pay for emergency medical services (EMS), along with 5th & 6th class counties who already have that authority. Summit would like to see 3rd class counties added as well as we are restricted for using the tax revenues on rural health care facilities.
Pine Districts; Council; Manager; SO
Monitor/Support

HB 180 Emissions Inspection Revisions
Passed the House and Senate. Now on its way to the Governor for signature.
Maloy

Exempts electric motor vehicles from local emissions compliance fees and makes technical changes
Council; Sustainability; Manager's Office
Monitor/Support

HB 182 Noise Pollution Amendments
Passed to pass out of Committee.
Wheatley

Requires vehicles subject to an emissions inspection also be inspected for compliance with noise suppression equipment requirements; requires proof of the inspection as a condition of registration; imposes fines on an individual for a violation of muffler and noise suppression equipment requirements. Might address complaints the County receives about semi-truck loud breaks.
Council; SO
Monitor

HB 188 Emergency Management Act Amendments
Passed the House. Scheduled for Senate Committee.
Harriman/Henderson

This bill requires coordination with municipalities and counties to ensure access to the Integrated Public Alert and Warning System; requires training every 3 years to all emergency service agencies, managers, and others; requires each political subdivision to have an alert plan and to provide a copy of the plan to the Division of Emergency Management; adds to the membership of the Emergency Management Administration Council; and requires an annual report of each political subdivision's Alerting Authority.
SO; Manager's Office; Attorney's Office
Monitor

HB 190 Local Government Cooperation Contracts
Submitted out of Committee (2/26/20). Scheduled for House 2nd reading calendar.
Johnson

This bill requires cities and counties to provide or contract for emergency medical services within their jurisdictions. It would also make EMS an essential service, allowing counties to enter into government contracts in addition to private. This is one of 4 bills pertaining to counties and EMS services.
Budget; Health; Attorney's Office; Fire Districts; Manager's Office; Engineer's Office; Sheriff's Office; Attorney's Office
Support

HB 206 Salt and Pretrial Release Amendments
Passed out of Committee on 2/26/20. Scheduled for House 2nd reading calendar.
Pitcher

This bill provides procedure changes related to law enforcement issued citations; creates a presumption of release for individuals arrested for certain criminal offenses while the individual awaits trial; provides that a person who is eligible for pretrial release shall be released under the least restrictive reasonably available conditions to ensure the appearance of the accused and the safety to the public; provides standards and guidance for imposition of pretrial release conditions and pretrial detention; creates a presumption of pretrial detention for certain criminal offenses; specifies the conditions under which a defendant may be denied pretrial release; specifies pretrial release conditions that may be ordered by the court; reduces the time allowance for bond forfeiture; creates a special revenue fund to fund pretrial services programs with money obtained from bond forfeiture proceedings.
SO; Attorney's Office; Sheriff's Office
Support

HB 226 Storm Water Permitting Amendments
Scheduled to be heard in House Committee on Natural Resources on 2/28/20.
Snider

This bill eliminates storm water requirements for residential construction, essentially violating the Clean Water Act, which would greatly impact the County's MS4 compliance. It would also subject the State of Utah to EPA regulating storm water in the state.
Engineering Office; Attorney's Office; Council
Oppose

HB 231 Genetic Information Amendments
Assigned to the House Judiciary Committee
Hall

The bill expands sources of genetic information and prohibits law enforcement from obtaining, using or sharing personally identifiable genetic information except as specifically allowed. It substantially restricts current investigative methods from procuring on any forensic evidence.
Sheriff's Office; Attorney's Office
Oppose

HB 247 Agricultural Revisions
Passed out of Committee. Currently assigned to Senate Committee on Natural Resources
Wilde

Addresses violation of rules; modifies definition provisions; provides for preventive control for human food regulations; provides the standards for the growing, harvesting, packaging, and holding of produce for human consumption; addresses regulation of fertilizer and soil amendments; modifies requirements for aerial hunting activity; provides for the commissioner of agriculture and food to appoint members of the conservation board of supervisors and makes changes related to conservation districts; repeals provisions related to the cat and dog community spay and neuter program; provides a vehicle for commute and official use for the commissioner of agriculture and food; and makes technical and conforming changes.
Council; Manager's Office; Attorney's Office
Monitor
HB 261  Eminent Domain Revisions  Passed out of House Committee.
Lyman  Provides that state agencies and political subdivisions may not take private property unless the taking is necessary for the public use; modifies certain provisions applicable to the Department of Transportation's acquisition of private property; excludes certain uses for which the eminent domain right may be exercised; allows a property owner to assert as a defense to an eminent domain action that a taking is not a public use; modifies provisions related to the sale of certain property acquired by eminent domain.
Council; Attorney; CCD  Oppose

HB 265  Water Conservancy District Amendments  House consent calendar
Hardy  This bill amends provisions of the Election Code to provide for filling a vacancy on the board of a water conservancy district located in more than one county, including providing notice, nominating candidates, and appointing an individual to fill the vacancy. UAC is monitoring this bill.
Clerks; Council  Monitor

HB 268  Property Tax Notice Amendments  Passed the House. In Senate Rules Committee.
Blaen  This bill allows a person entitled to receive information or notice related to a property tax or privilege tax to designate an additional person to receive the information or notice; provides procedures to designate a person and to revoke a designation; and makes technical and conforming changes. UAC affiliates are concerned because current noticing software does not allow more than one address to be designated. It would be a cost to change the system to comply with this new requirement.
Auditors  Fixed problems as now support

Albrecht  UAC is working on this bill to allow for greater flexibility in the use of TRT tax revenues for counties in the 4th class by reducing the floor that must be spent on promotion and allowing the rest to be used for things like EMS services, law enforcement, and infrastructure impacted by tourism. Summit would like to add 3rd class counties to the list but is told the Tourism Industry and hoteliers would kill the bill in that case. The bill also provides for new employees at the State Tax Commission to audit and collect TRT tax, as well as allows all 29 counties to audit TRT collections within their jurisdiction to pinpoint who is paying and who is not.
Budget, Auditor, Council, Manager  Support

HB 283  Outdoor Adventure Commission Amendments  Substitute passed House 52-10. Assigned to Senate Rules.
Stenquist  UAC voted to include better coordination and inclusion of extraction groups. This bill defines terms; creates the Outdoor Adventure Commission; directs the commission to develop a strategic plan and designates what the plan shall address; requires regional meetings; provides for the selection of consultants to assist in developing the strategic plan; addresses public-private partnerships; provides a sunset date; and makes technical changes.
UAC motion to work with stakeholders

HB 297  Yurt Amendments  First substitute passed the House 52-12 on 2/27/20. Sent to the Senate.
Brammer  This bill would exclude remote yurts from having to comply with any building codes, fire codes or health, safety and welfare ordinances. Council; CCD; Fire Districts  Oppose

HB 351  Internal Investigation Amendments  House Rules Committee
Hall  This bill prohibits law enforcement, schools, and prosecutorial agencies from investigating themselves or an entity that oversees them; and requires that those agencies request that another agency investigate when a member or employee is accused of a crime. Civilian spoke with the bill sponsor about possible needed amendments and he seemed willing. SLCo will draft the language.
Attorney; HR  Monitor

HB 359  Municipal Annexation Revisions  House Rules Committee
Musserman  The bill amends the restrictions on annexation and allows annexation even if the land to be annexed doesn’t meet the criteria (contiguous, within declaration area, no islands or peninsulas), if everyone agrees.
Clerks; Council Monitor  Support (UAC too)

HB 362  Property Tax Records Amendments  House Rules Committee
Perry  This bill classifies the following information as private for purposes of the Government Records Access and Management Act: an individual's email address, phone number, and payment method information that is maintained by a county for purposes of administering property taxes, and any record concerning an individual's eligibility for property tax relief.
Treasurers; Recorders; Clerks  UAC supports

HB 388  Land Use Development and Management Revisions  House Rules Committee
Wilde  This is the subdivisions bill the Land Use Task Force has been working on with the builders and property rights coalition. Our attorneys are concerned the bill as written allows developers to create essentially illegal subdivisions. They can divide their property into whatever parcels they want and have them considered legal plats. Civilian is working with the bill sponsor on corrections.
Council; Planning Commissions; CCD; Attorney's Office  Oppose unless fixed

HB 389  Emergency Medical System Amendments  Assigned to House Committee
Owens  This bill transfers responsibility for the Utah Emergency Medical Services System Act to the Department of Public Safety; provides for a transition to the department and grants rulemaking authority; and makes technical and conforming changes.
Support (UAC too)
HB 390: Amendments to Asset Forfeiture
House Rules Committee

Perry

This bill clarifies provisions related to the seizure and forfeiture of property and contraband; provides, with certain exceptions, that seized property may not be transferred or shared with a federal agency or an agency of another state; requires that a declarant of seized property by an individual be knowing and voluntary; provides that law enforcement agencies have 30 days to process seized cash or negotiable instruments; requires that cash or negotiable instrument be deposited into an interest-bearing account; clarifies provisions related to the retention of property for court proceedings; reduces the length of time for an agency to present a written request for forfeiture to a prosecutor; requires the attorney general's office to review written requests for forfeiture from certain counties; provides the attorney general's office with discretion to review any seizure of $10,000 or more; prohibits the forfeiture of property seized upon the sole offense of possession of a controlled substance; permits grants to any agency involved in forfeiture activities regardless of whether the agency contributed to the State Asset Forfeiture Fund; requires certification of asset forfeiture specialists by Peace Officers Standards and Training or Utah Prosecution Council.

HB 393: Municipal Annexation Amendments
Assigned to House Political Subcommittees

Waltrip

This bill prohibits a municipality from proposing the annexation of certain areas; and requires county consent to any municipal annexation that does not require an annexation petition.

SB 39: Affordable Housing Amendments
Substitute passed the Senate 15-11 on 2/18/20. Assigned to House Rules Committee

Anterog

SB 68: Mental Health Counselor Licensing Amendments
Second substitute passed the Senate. Not considered in House Committee

Weiler

Allows an individual to receive their Mental Health Counselor license (MHCs) without having to go through the required education, training, practicum, and clinical hours currently required. Rather, the bill provides that as long as they pass the national licensing exam, they will be awarded the license by DOH. As such, someone who never attended college or received any guidance/training during clinical observations would be allowed to practice treatment within the state of Utah, so long as they passed the test. This is a concern as the 5,000 hours of clinical observation and training are critical in developing the skills and knowledge on how to hand a verify of clients and situations with the guidance of a “mentor”.

SB 76: Governmental Immunity Revisions
Passed Senate Government Operations and Political Subcommittees by vote of 9-0

Weiler

Changes definitions in the Governmental Immunity Act, such as what a governmental entity is, critical subdivision, and Political Subdivisions Committee.

SB 83: Voter Registration Information Amendments
Passed Senate Second reading. Currently circulated on the Senate 3rd Reading Calendar 2/26/20.

Ansterg

The bill modifies the information certain persons may obtain from a voter registration record; modifies privacy request provisions related to voter registration records; permits a political party or a political party or a political party or a political party to obtain certain information from a voter registration record that is classified as private; establishes a process for a person, under certain circumstances, to prohibit a party or a political party from obtaining information from the person’s voter registration record; modifies voter registration forms; makes it a crime to violate certain provisions of this bill with respect to answering or using voter registration records and provides civil penalties; grants rulemaking authority to the director of elections in the Office of the Lieutenant Governor; classifies certain voter registration records, and related records, as private; and provides for enforcement of the privacy classification of a voter registration record classified as private before the effective date of this bill.

SB 95: Economic Development Amendments
Second substitute bill passed the Senate on 2/25/20. Assigned to House Rules

Sandall

This bill defines terms, including “rural county”; creates the Rural County Grant Program (grant program); describes the requirements for a rural county to apply for a grant under the grant program; requires each rural county that seeks to participate in the grant program to create a County Economic Development Advisory Board (CEB board) and describes the membership and duties of a CEB board; describes the requirements of the Governor’s Rural Partnership Board and the Office of Rural Development in administering the grant program; moves the provisions of the Recycling Market Development Zone Act from the Governor’s Office Economic Development to the Department of Environmental Quality; repeals provisions of the Utah Science Technology and Research Governing Authority Act; modifies provisions related to certain GOED administered economic development programs; repeals provisions related to certain GOED administered economic development programs, which has the effect of ending those programs; and makes technical changes.

SB 134: Property Tax Exemption for Wildlife Prevention
Substitute passed out of Senate Revenue & Taxation Committee 2/24/20. Bill refiled to “Property Tax Abatement for Wildlife Prevention”

Hemmert

This bill clarifies provisions related to the seizure and forfeiture of property and contraband; provides, with certain exceptions, that seized property may not be transferred or shared with a federal agency or an agency of another state; requires that a declarant of seized property by an individual be knowing and voluntary; provides that law enforcement agencies have 30 days to process seized cash or negotiable instruments; requires the cash or negotiable instrument be deposited into an interest-bearing account; clarifies provisions related to the retention of property for court proceedings; reduces the length of time for an agency to present a written request for forfeiture to a prosecutor; requires the attorney general’s office to review written requests for forfeiture from certain counties; provides the attorney general’s office with discretion to review any seizure of $10,000 or more; prohibits the forfeiture of property seized upon the sole offense of possession of a controlled substance; permits grants to any agency involved in forfeiture activities regardless of whether the agency contributed to the State Asset Forfeiture Fund; requires certification of asset forfeiture specialists by Peace Officers Standards and Training or Utah Prosecution Council.

SO: Attorney’s Office

Support in concept

HB 393: Municipal Annexation Amendments
Assigned to House Political Subcommittees

SB 39: Affordable Housing Amendments
Substitute passed the Senate 15-11 on 2/18/20. Assigned to House Rules Committee

SB 68: Mental Health Counselor Licensing Amendments
Second substitute passed the Senate. Not considered in House Committee

SB 76: Governmental Immunity Revisions
Passed Senate Government Operations and Political Subcommittees by vote of 9-0

SB 83: Voter Registration Information Amendments
Passed Senate Second reading. Currently circulated on the Senate 3rd Reading Calendar 2/26/20.

SB 95: Economic Development Amendments
Second substitute bill passed the Senate on 2/25/20. Assigned to House Rules

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SO: Attorney’s Office

Support in concept

Support

Economic Development; Manager's Office

Support

Health

Oppose

Oppose unless a county opt-in provision is added

Attorney’s Office

Monitor

Economic Development; Council

UAC Supports

At its meeting on 2/27/20, UAC was split on this bill. The rural/smaller counties with high property rates were concerned about shifting the tax burden from luxury homes who might do this prevention work to property owners living below the poverty line, SLCo, however, wanted the option to socialize the program.
SB 139 Amendments to Indigent Defense Passed Senate on 2/25/20; Assigned to House Judiciary Committee. Okerlund Requires counties to pay for indigent defense in private civil cases of parental rights terminations with option for reimbursement by a State fund. Also creates Statewide Public Defender office that will contract for public defender services (regular AND appeals) for 3rd through 5th class counties. Attorney’s Office; Manager’s Office; Courts; Finance Monitor/Okay with concept but worried about cost

SB 141 Multicounty Assessing and Collecting Levy Amendments Passed Senate Revenue & Taxation Committee. Assigned to 2nd reading calendar. Awaiting fiscal note. Hemmert Modifies the tax rate of the multicounty assessing and collecting levy; provides an additional tax rate for counties of the first or second class; amends the allocation of revenue collected from the multicounty assessing and collecting levy. Assessors; Support

SB 150 Transportation Governance & Funding Amendments Senate Rules Committee Harper Primary applies to counties located or annexed into a large transit district. Gives more authority to the state over UTAs land use decision-making and transit taxes. Substantial increase to registration fees for alternative fueled vehicles. Changes B & C road funding calculations for Salt Lake County. Transportation & Transit; Sustainability Monitor (UAC supports)

SB 152 Search & Rescue Funding Amendments Assigned to Senate Committee Raabe Amends provisions of the Search and Rescue Financial Assistance Program to provide for reimbursement for payroll expenses relating to search and rescue, provides for an annual deposit of sales and use tax revenues into the General Fund as a dedicated credit to provide for reimbursement for payroll expenses relating to search and rescue. Sheriff’s Office/SAR Monitor

SB 153 Community Reinvestment Agency Amendments Assigned to Senate Committee Harper Auditors oppose. Heard the bill is going to interim so should monitor it. Oppose the idea. Auditor; Economic Development Oppose

SB 156 Indigent Defense Amendments First substitute passed Senate Committee. Scheduled for Senate second reading calendar. Weiler This bill creates and modifies definitions; amends the right to counsel for parties in certain actions; amends the powers, duties, and membership of the Utah Indigent Defense Commission; creates the Office of Indigent Defense Services; amends provisions related to indigent defense funds; creates a reporting requirement for indigent defense systems; protects certain records related to the Office of Indigent Defense Services; and makes technical and conforming changes. Manager’s Office; Attorney’s Office; Courts Support

SB 157 Personal Privacy Protection Act First substitute passed Senate Economic Development & Workforce Services Committee on 2/26/20; Assigned to Senate second reading calendar. McCay This bill prohibits a public entity from, subject to certain exceptions, disclosing information that identifies a person as a member, supporter, volunteer, or donor of financial or nonfinancial support, to an entity exempt from federal income tax under Section 501(c) of the Internal Revenue Code; and classifies a record protected from disclosure under this bill as a protected record under the Government Records Access and Management Act. Clerks; Recorders; Attorney’s Office Oppose

SB 159 Public Infrastructure District Amendments House Rules Committee McCay This bill allows the Military Installation Development Authority to create a public infrastructure district; allows a public infrastructure district to annex or withdraw property without the consent of the creating entity if authorized in the district’s governing document; exempts a public infrastructure district from certain notice and hearing requirements upon; levying a property tax if certain conditions are met; or amending a property tax mill limitation in the district’s governing document. Council; CCD Oppose (UAC too)