



UTAH ASSOCIATION OF COUNTIES

A Unifying Voice for County Government

Grateful
to Almighty
God for life
and liberty, we, the
people of Utah, in order
to secure and perpetuate
the principles of free gov-
ernment, do ordain and establish
this CONSTITUTION. All men
have the inherent and inalienable
right to enjoy and defend their lives
and liberties; to acquire, possess and
protect property; to worship according

to the dictates of their consciences; to assemble peaceably, protest against wrongs, and petition for redress of grievances; to communicate freely their thoughts and opinions, being responsible for the abuse of that right. All political power is inherent in the people; and all free governments **Utah Association of Counties** are founded on their authority for **2013 GENERAL LEGISLATIVE SESSION RECAP** their equal protection and benefit, and they have the right to alter or reform their government as the public welfare may require. The State of Utah is an inseparable part of the Federal Union and the Constitution of the United States is the supreme law of the land.

TABLE OF CONTENTS

TABLE OF CONTENTS

LEGISLATIVE HIGHLIGHTS	1
UAC TRACKING SHEET	5
ENROLLED BILLS	11
HB 011 - Local Transportation Corridor Preservation Fund Amendments	13
HB 014 – Requirements to Change Form of County Government	13
HB 039 – Candidate Amendments	13
HB 054 – Property Tax and Appraiser Amendments	14
HB 066 – Political Subdivision Amendments	14
HB 067 – Personal Property Taxation Revisions	14
HB 069 – Expungement of Records	14
HB 071 – Mobile and Manufactured Home Amendments	15
HB 074 – Property Tax Modifications	15
HB 086 – Property Tax Rate Certification Date	15
HB 088 – Land Use Amendments	16
HB 094 – Free Market Protection and Privatization Board Act Amendments	16
HB 111 – Eminent Domain Amendments	16
HB 112 – Assessment of Property If Threatened or Endangered Species Is Present	17
HB 113 – County Governing Body Authority	17
HB 115 – Towing Amendments	17
HB 121 – Firearms Safe Harbor	17
HB 130 – Boundary Adjustment Amendments	18
HB 142 – Public Lands Policy Coordinating Office Amendments	18
HB 155 – Federal Law Enforcement Amendments	18
HB 164 – State and Political Subdivision Jurisdictional Amendments	19
HB 192 – County Clerk Misconduct Penalty	19
HB 205 – Contingency Plans for Political Subdivisions	19
HB 212 – Disease Testing for Public Safety Officers Amendments	19
HB 217 – State Fire Code Act Amendments	20
HB 220 – Repeal of State Auditor Related Provisions	20
HB 236 – Land Development Revisions	20
HB 279 – Administrative Hearings by Counties	20
HB 280 – County Government Reform	21
HB 289 – Fireworks Amendments	21
HB 302 – Emergency Response Amendments	21
HB 310 – Construction Code Amendments	21
HB 330 – Financial Reporting Amendments	22
HB 334 – Special Service District Reorganization	22
HB 352 – County Government Amendments	22
HB 378 – Election Revisions	22
HB 382 – Escalante Region Grazing Zone	23
HB 408 – Criminal Suspect Photographs	23
HCR 05 – Concurrent Resolution on Regional Correctional Facilities and County Jail Contracting	23
HJR 15 – Joint Resolution on State and Political Subdivisions Jurisdiction	23
SB 024 – Absentee Ballot Amendments	24
SB 034 – Special Election Date for Ballot Propositions	24
SB 035 – Property Taxation of Business Personal Property	24
SB 056 – Utah 211 Referral Information Network	24
SB 072 – Prison Relocation and Development Amendments	25
SB 077 – Availability of Government Information	25
SB 080 – Removal from Database Restricting Firearm Purchase	25
SB 095 – Whistleblower Amendments	26

SB 102 – Contractor Licensing Amendments	26
SB 107 – Public Shooting Ranges	26
SB 126 – Coordination of Services for Veterans	27
SB 135 – Involuntary Commitment Amendments	27
SB 145 – County Attorney Chapter Recodification	27
SB 153 – Local Government Development Amendments	27
SB 156 – Jail Release Amendments	28
SB 172 – Use of Bond Proceeds by Political Subdivisions	28
SB 190 – Procurement Revisions	28
SB 211 – Redevelopment Agency Amendments	29
SB 221 – Assessment Area Act Amendments	29
SB 229 – Appellate Bond for State Entities	29
SB 238 – Property Tax Amendments	29
SB 277 – Green River Energy Zone	30
SJR 14 – Joint Resolution Amending Civil Procedure Rule 62	30

FAILED BILLS 31

HB 017 – Personal Use of Campaign Funds	33
HB 020 – Wrongful Documents	33
HB 059 – School Board Elections Provisions	33
HB 091 – Voter Registration - Election Day Voter Registration	34
HB 122 – Fees for Government Records Requests	34
HB 133 – Property Tax Sales Revisions	34
HB 150 – Animal Shelter Amendments	34
HB 159 – Property Tax Appeal Amendments	35
HB 167 – Government Enterprise Gross Receipts Tax to Fund Education	35
HB 199 – Fiscal Period for Political Subdivisions	35
HB 203 – Revenue Streams as Bond Collateral	36
HB 207 – Open and Public Meeting Act Notice Amendments	36
HB 242 – Property Tax Residential Exemption Amendments	36
HB 264 – Property Tax Notice Amendments	37
HB 265 – Workforce Services Job Listings Amendments	37
HB 268 – Disorderly Conduct Amendments	37
HB 277 – Building Code Amendments	37
HB 296 – Return of Weapons after Use in Court	38
HB 322 – Local Government Clean-up Fees	38
HB 339 – Indigent Defense in Justice Courts	38
HB 349 – Local Land Use Revisions	38
HB 356 – Filling Candidate Vacancies	39
HB 383 – Taxpayer Funded Lobbyist Prohibition Act	39
HB 397 – Property Tax Increase Amendments	39
HJR 03 – Joint Resolution - Property Tax Exemption for Public Schools	39
SB 066 – Referendum Revisions	40
SB 075 – Publication of Property Tax Appeals for Nonresidential Property	40
SB 087 – Impoundment of Vehicles Amendments	40
SB 109 – Change Application Procedure	41
SB 149 – Governmental Immunity Amendments	41
SB 181 – Political Subdivisions Property Amendments	41
SB 192 – Economic Development Incentives Act Amendments	42
SB 237 – Taxation of Short-term Lodging	42
SB 265 – Referendum Amendments	42
SJR 10 – Joint Resolution on the Protection of the Greater Canyonlands Region	43

INTERIM STUDY ISSUES 45

LEGISLATIVE HIGHLIGHTS

The State of Utah and its counties enjoy a long, productive partnership. This partnership was once again highlighted during the 2013 General Legislative Session where dedicated Legislators and county officials worked together on a number of important issues. While it's true that neither the counties nor the state might have gotten everything they want, there's always next year. Below is a short overview of the highlights (and lowlights) of the 2013 Legislative Session from the Utah Association of Counties' perspective.

Legislation

The relocation of the state prison in Draper was a major issue throughout the session. SB 72 which authorized a prison relocation and development authority to request proposals for prison relocation sites and make recommendations to the Governor and Legislature received a great deal of debate throughout the session. The bill passed and UAC will be involved in ensuring county interests are represented. To that end, the passage of HCR 5 should help. The concurrent resolution recognizes that regional correctional facilities and county jail contracting can assist the state of Utah in addressing increasing incarceration costs and a growing prison population.

UAC helped shepherd a number of bills that will benefit county citizens. These include HB 74 which protects greenbelt property owners from increased property taxes due to circumstances beyond their control and a number of bills that strengthen counties' standing with the federal government (HB 113, HB 164, and HB 155).

A number of bills will affect the day to day governance of county government. These include HB 67 which moves certain business furnishing to a residential exemption classification and raises the exemption for business personal property, HB 378 which will require county election officers to treat ballots cast in the wrong precinct in a different manner, and SB 72 which changes the requirements for posting minutes to county meetings.

Working with other interested parties, UAC was able assist in amending a number of pieces of legislation that would have been problematic to county government had they passed as originally drafted. Legislation in this category includes HB 88 which originally would have allowed any property owner unsatisfied with local planning and zoning to opt out. In the end, the bill was amended to offer a conduit for dissatisfied property owners to make their opinions known to both the planning commission and the local government's legislative body.

Every year there are a number of bills that are too problematic for a compromise during the frantic six and a half weeks of the session. Thanks, in part, to UAC's lobbying efforts, most of these bills didn't pass. Among these, include a bill that would have moved county government to a fiscal year without addressing how to fund the six month period outside the budget process to get there; a bill that would have required, in most cases, a vote of the people in addition to a truth in taxation hearing when raising taxes; and a bill that would have required notice to all property owners within a mile radius of a property that received an adjustment to its value from the county board of equalization.

County government didn't get everything it wanted legislatively. SB 181, an important piece of legislation to county government, failed to pass. The bill which would have required counties to charge fair market value for large, countywide GRAMA data requests got held up in the House Rules Committee after passing out the Senate. The bill was amended multiple times to address concerns of industries that regularly conduct business with the county, but there was still a philosophical aversion to the bill by a number of legislators.

A write up of these and every other piece of legislation found on the UAC tracking sheet is available in this packet.

Appropriations

Despite ever-growing fiscal problems from Washington, the Legislature was able to appropriate money for a number of important county programs. UAC greatly appreciates the hard work and understanding of our Legislators. Below is a list of some of the appropriations to county government that came out of the session:

- **Jail Contracting** - \$2.8 million (one-time) to maintain the current (\$46.85/daily) rate and add an approximate 932 beds
- **Contract County Facility Treatment for State Inmates** - \$362,800 (one-time)
- **Drug Courts** - \$870,000
- **Youth Services and Receiving Centers** - \$750,000 (one-time)
- **Weber Valley Detention Center** - \$1.2 million (one-time)
- **Jail Reimbursement** - \$1.0 million
- **Drug Offender Reform Act** - \$175,000 (ongoing) and \$100,000 (one-time)
- **Early Mental Health Intervention Services for Children and Youth** - \$2.0 million (ongoing) and \$1.5 million (one-time)
- **Local Mental Health Authorities Service for Medicaid Eligible** - \$2.0 million (one-time)
- **Alliance House Mental Health Housing Assistance** - \$70,000 (one-time)
- **Meals on Wheels** - \$250,000
- **Fire Suppression** - \$13.5 million (supplemental)
- **Public Lands Policy Coordination Office** - \$500,000 (one-time and ongoing)
- **Sage Grouse Projects** - \$500,000 (one-time)

A great deal of good was accomplished during the 2013 Legislative Session when counties and the Legislature worked together. UAC staff sincerely appreciates the dedicated service of Legislators, legislative staff, and county officials who do so much for Utah's citizens.

UAC TRACKING SHEET

Number	Title	Sponsor	Position	Status
HB 011 s1	Local Transportation Corridor Preservation Fund Amendments	Brad Last		Enrolled
HB 014	Requirements to Change Form of County Government	Keith Grover		Enrolled
HB 017	Personal Use of Campaign Funds	Keith Grover		Failed
HB 020	Wrongful Documents	Curt Webb	Support	Failed
HB 039 s1	Candidate Amendments	Kraig Powell		Enrolled
HB 054 s2	Property Tax and Appraiser Amendments	Gage Froerer	Support	Enrolled
HB 059	School Board Elections Provisions	Jim Nielson	Oppose	Failed
HB 066 s5	Political Subdivision Amendments	Curt Webb	Neutral	Enrolled
HB 067 s1	Personal Property Taxation Revisions	Gage Froerer	Support	Enrolled
HB 069 s2	Expungement of Records	Richard Greenwood	Support	Enrolled
HB 071	Mobile and Manufactured Home Amendments	Marc Roberts		Enrolled
HB 074 s1	Property Tax Modifications	John Mathis	Support	Enrolled
HB 086	Property Tax Rate Certification Date	Merrill Nelson		Enrolled
HB 088 s2	Land Use Amendments	Mel Brown	Oppose	Enrolled
HB 091 s2	Voter Registration - Election Day Voter Registration	Rebecca Chavez-Houck		Failed
HB 094 s4	Free Market Protection and Privatization Board Act Amendments	Keven Stratton		Enrolled
HB 111 s2	Eminent Domain Amendments	Lee Perry	Neutral	Enrolled
HB 112	Assessment of Property If Threatened or Endangered Species Is Present	Mike Noel	Support	Enrolled
HB 113	County Governing Body Authority	Stephen Handy	Support	Enrolled
HB 115 s2	Towing Amendments	Keven Stratton	Support	Enrolled
HB 121	Firearms Safe Harbor	Dixon Pitcher	Oppose	Enrolled
HB 122	Fees for Government Records Requests	Brian King	Oppose	Failed
HB 130 s1	Boundary Adjustment Amendments	Mel Brown	Oppose	Enrolled
HB 133	Property Tax Sales Revisions	Earl Tanner	Oppose	Failed
HB 142	Public Lands Policy Coordinating Office Amendments	Roger Barrus	Support	Enrolled
HB 150	Animal Shelter Amendments	Angela Romero	Oppose	Failed
HB 155	Federal Law Enforcement Amendments	Mike Noel	Support	Enrolled
HB 159	Property Tax Appeal Amendments	Daniel McCay	Oppose	Failed
HB 164 s2	State and Political Subdivision Jurisdictional Amendments	Marc Roberts	Support	Enrolled
HB 167	Government Enterprise Gross Receipts Tax to Fund Education	Johnny Anderson		Failed
HB 192	County Clerk Misconduct Penalty	Dana Layton	Support	Enrolled
HB 199	Fiscal Period for Political Subdivisions	Daniel McCay	Oppose	Failed
HB 203	Revenue Streams as Bond Collateral	Keith Grover	Oppose	Failed
HB 205	Contingency Plans for Political Subdivisions	Ken Ivory	Oppose	Enrolled
HB 207 s1	Open and Public Meeting Act Notice Amendments	Kraig Powell	Oppose	Failed
HB 212	Disease Testing for Public Safety Officers Amendments	Derek Brown	Support	Enrolled

Number	Title	Sponsor	Position	Status
HB 217 s2	State Fire Code Act Amendments	Jim Dunnigan		Enrolled
HB 220 s1	Repeal of State Auditor Related Provisions	John Knotwell		Enrolled
HB 236 s1	Land Development Revisions	Mel Brown	Oppose	Enrolled
HB 242	Property Tax Residential Exemption Amendments	Lowry Snow		Failed
HB 264	Property Tax Notice Amendments	Kraig Powell		Failed
HB 265	Workforce Services Job Listings Amendments	Paul Ray	Oppose	Failed
HB 268 s1	Disorderly Conduct Amendments	Paul Ray	Neutral	Failed
HB 277	Building Code Amendments	Larry Wiley		Failed
HB 279	Administrative Hearings by Counties	Spencer Cox	Support	Enrolled
HB 280 s1	County Government Reform	Mel Brown	Neutral	Enrolled
HB 289	Fireworks Amendments	Jim Dunnigan	Neutral	Enrolled
HB 296	Return of Weapons after Use in Court	Richard Greenwood	Support	Failed
HB 302	Emergency Response Amendments	Richard Greenwood	Support	Enrolled
HB 310	Construction Code Amendments	Brad Wilson		Enrolled
HB 322 s3	Local Government Clean-up Fees	Eric Hutchings		Failed
HB 330	Financial Reporting Amendments	Steve Eliason		Enrolled
HB 334	Special Service District Reorganization	Daniel McCay	Support	Enrolled
HB 339	Indigent Defense in Justice Courts	Brian Greene	Neutral	Failed
HB 349 s1	Local Land Use Revisions	Gage Froerer		Failed
HB 352	County Government Amendments	Derek Brown	Support	Enrolled
HB 356	Filling Candidate Vacancies	Derek Brown		Failed
HB 378	Election Revisions	Craig Hall	Oppose	Enrolled
HB 382	Escalante Region Grazing Zone	Mike Noel	Support	Enrolled
HB 383	Taxpayer Funded Lobbyist Prohibition Act	Paul Ray	Oppose	Failed
HB 397	Property Tax Increase Amendments	Jim Nielson	Oppose	Failed
HB 408	Criminal Suspect Photographs	Paul Ray	Support	Enrolled
HCR 05 s1	Concurrent Resolution on Regional Correctional Facilities and County Jail Contracting	Mike Noel	Support	Enrolled
HJR 03	Joint Resolution - Property Tax Exemption for Public Schools	Derek Brown		Failed
HJR 15	Joint Resolution on State and Political Subdivisions Jurisdiction	Marc Roberts	Support	Enrolled

Number	Title	Sponsor	Position	Status
SB 024 s2	Absentee Ballot Amendments	Pete Knudson	Support	Enrolled
SB 034	Special Election Date for Ballot Propositions	Howard Stephenson		Enrolled
SB 035 s1	Property Taxation of Business Personal Property	Wayne Harper	Neutral	Enrolled
SB 056 s1	Utah 211 Referral Information Network	Todd Weiler		Enrolled
SB 066 s1	Referendum Revisions	Stuart Reid	Support	Failed
SB 072 s8	Prison Relocation and Development Amendments	Scott Jenkins	Support	Enrolled
SB 075	Publication of Property Tax Appeals for Nonresidential Property	Kevin Van Tassell	Support	Failed
SB 077 s2	Availability of Government Information	Deidre Henderson	Oppose	Enrolled
SB 080	Removal from Database Restricting Firearm Purchase	Daniel Thatcher	Oppose	Enrolled
SB 087	Impoundment of Vehicles Amendments	Mark Madsen		Failed
SB 095 s2	Whistleblower Amendments	Stuart Reid	Neutral	Enrolled
SB 102 s2	Contractor Licensing Amendments	Wayne Harper	Oppose	Enrolled
SB 107 s2	Public Shooting Ranges	Allen Christensen	Oppose	Enrolled
SB 109 s4	Change Application Procedure	Ralph Okerlund	Support	Failed
SB 126 s1	Coordination of Services for Veterans	Pete Knudson		Enrolled
SB 135	Involuntary Commitment Amendments	Todd Weiler	Support	Enrolled
SB 145	County Attorney Chapter Recodification	Todd Weiler	Support	Enrolled
SB 149	Governmental Immunity Amendments	Stuart Adams	Support	Failed
SB 153	Local Government Development Amendments	Stuart Adams	Support	Enrolled
SB 156	Jail Release Amendments	Stuart Adams	Support	Enrolled
SB 172	Use of Bond Proceeds by Political Subdivisions	John Valentine	Oppose	Enrolled
SB 181 s1	Political Subdivisions Property Amendments	Wayne Harper	Support	Failed
SB 190 s3	Procurement Revisions	Scott Jenkins	Support	Enrolled
SB 192	Economic Development Incentives Act Amendments	Ralph Okerlund	Support	Failed
SB 211 s1	Redevelopment Agency Amendments	Jerry Stevenson		Enrolled
SB 221	Assessment Area Act Amendments	Kevin Van Tassell	Support	Enrolled
SB 229 s1	Appellate Bond for State Entities	Curt Bramble	Neutral	Enrolled
SB 237	Taxation of Short-term Lodging	Stuart Adams	Support	Failed
SB 238	Property Tax Amendments	Curt Bramble		Enrolled
SB 265 s1	Referendum Amendments	John Valentine	Support	Failed
SB 277 s1	Green River Energy Zone	David Hinkins	Support	Enrolled
SJR 10	Joint Resolution on the Protection of the Greater Canyonlands Region	Jim Dabakis		Failed
SJR 14 s1	Joint Resolution Amending Civil Procedure Rule 62	Curt Bramble	Neutral	Enrolled

ENROLLED BILLS

HB 11 Local Transportation Corridor Preservation Fund Amendments

Sponsor: Brad Last
UAC Position: Neutral
Enrolled

HB 11 allows a county highway authority to use funds from the Local Transportation Corridor Preservation fund for countywide transportation planning if the county's planning focuses outside the boundaries of a metropolitan planning organization. Additionally, HB 11 allows a county to use the funds generated from a local option highway construction and transportation corridor preservation fee as a revolving loan fund. HB 11 was directed primarily towards issues located in Washington County.

HB 14 Requirements to Change Form of County Government

Sponsor: Keith Grover
UAC Position: Neutral
Enrolled

HB 14 changes the requirements for a petition to change the form of county government from signatures equaling 10 percent of registered voters in the county who cast votes for governor to signatures equaling 10 percent of registered voters in the county who cast votes for president of the United States. This change places the requirements for change in form of county government petitions in line with other petition requirements which measure the number of signatures to presidential ballots cast.

HB 39 Candidate Amendments

Sponsor: Kraig Powell
UAC Position: Neutral
Enrolled

HB 39 amends the code regarding candidates to elected offices by spelling out the process for placing a replacement candidate on a ballot. HB 39 also increases the filing fee for a candidate running for school board by \$25 and the filing fee for a candidate for any federal, state, or county office by \$50.

The fiscal note for HB 39 estimates increased revenues to county government based on the filing fee increases between \$28,000 and \$43,000 per election.

HB 54 Property Tax and Appraiser Amendments

**Sponsor: Gage Froerer
UAC Position: Support
Enrolled**

HB 54 clarifies who is qualified to serve as a county board of equalization hearing officer and requires the county board of equalization to develop a hearing officer training course by January 1, 2014 that includes training in property valuation and administrative law. Additionally, HB 54 permits a third party to assist a property owner in the owner's property tax appeal before the county board of equalization while clarifying the difference in expertise between a licensed appraiser and anyone else assisting in a property tax appeal.

HB 66 Political Subdivision Amendments

**Sponsor: Curt Webb
UAC Position: Neutral
Enrolled**

HB 66 amends notice requirements for an assessment area. The bill also specifies a deadline for filing a protest to an assessment area and requires a government body to consider a timely filed protest at a public meeting. Finally, HB 66 authorizes a local entity that is a municipality or county to collect an assessment fee in the same manner as a property tax.

HB 67 Personal Property Taxation Revisions

**Sponsor: Gage Froerer
UAC Position: Support
Enrolled**

HB 67 applies the primary residential exemption to household furnishings in a rental that is used as a primary residential property. HB 67 further increases the business personal property exemption from \$3,500 to \$10,000 while requiring a first-time taxpayer who qualifies for the exemption to provide the county assessor a signed statement declaring the exemption.

HB 69 Expungement of Records

**Sponsor: Richard Greenwood
UAC Position: Support
Enrolled**

HB 69 allows a number of organizations to view expunged criminal records upon request. Those organizations include: the board of pardons, peace officer standards and training, the Division of Occupational and Professional Licensing, the State Office of Education, and federal authorities.

HB 71
Mobile and Manufactured Home Amendments

Sponsor: Marc Roberts
UAC Position: Neutral
Enrolled

HB 71 provides a process to convert a mobile home or manufactured home to an improvement to real property if the certificate of title has been lost or destroyed and a duplicate title cannot be obtained.

HB 74
Property Tax Modifications

Sponsor: John Mathis
UAC Position: Support
Enrolled

HB 74 removes the Farmland Assessment Act rollback tax in the case where land moves from agricultural use based on the exercise of underground mineral rights conducted by the owner of a split estate.

HB 86
Property Tax Rate Certification Date

Sponsor: Merrill Nelson
UAC Position: Neutral
Enrolled

HB 86 extends the deadline for setting a property tax rate in the event that the certified tax rate is not ready by June 22 deadline. HB 86 allows the taxing entity 14 days after receiving the certified tax rate to set a proposed or final tax rate.

HB 88 Land Use Amendments

Sponsor: Mel Brown
UAC Position: Oppose
Enrolled

HB 88 requires notice to property owners within a municipality or county in the event of a proposed zoning change. Permits property owners to file a written objection to zoning changes within ten days of a public hearing to the planning commission which must consider those objections and forward them to the legislative body of the local government where the zoning changes are to take place.

As originally drafted, HB 88 would have effectively done away with local planning and zoning by allowing any property owner to opt out of planning and zoning constraints. HB 88 passed out of the House in its original form but was substituted into the much more reasonable version in the Senate. UAC's opposition to the bill was directed towards the more drastic original version of the bill than the compromised final version of the bill.

HB 94 Free Market Protection and Privatization Board Act Amendments

Sponsor: Keven Stratton
UAC Position: Neutral
Enrolled

HB 94 adds a member to the Free Market Protection and Privatization Board from names recommended by the Association of Special Districts while reducing the number of private citizens on the board by one and moves the staffing responsibilities for the board from the procurement office to the Governor's Office of Planning and Budget.

HB 111 Eminent Domain Amendments

Sponsor: Lee Perry
UAC Position: Neutral
Enrolled

HB 111 requires the Office of the Property Rights Ombudsman to provide current information on its website to assist property owners facing a loss of property due to eminent domain regarding compensation. HB 111 further requires any governmental entity acquiring property by eminent domain provide property owners with the information prepared by the Property Rights Ombudsman.

HB 112
Assessment of Property If Threatened or Endangered Species Is Present

Sponsor: Mike Noel
UAC Position: Support
Enrolled

HB 112 requires a county assessor to consider in the county assessor's determination of the fair market value of property whether a threatened or endangered species is present.

HB 113
County Governing Body Authority

Sponsor: Stephen Handy
UAC Position: Support
Enrolled

HB 113 authorizes a county governing body to represent the county as a cooperating agency for certain federal land development and management actions. Also designates the county governing body as a body that has special expertise for certain federal land development and management actions.

HB 115
Towing Amendments

Sponsor: Keven Stratton
UAC Position: Support
Enrolled

HB 115 requires the Utah Department of Transportation to make rules establishing a Utah Consumer Bill of Rights Regarding Towing. Requires any tow company to provide a vehicle owner whose vehicle was towed with that bill of rights and requires the tow company accept payment by cash and debit or credit card. HB 115 also provides that a county or municipality can enact and enforce an ordinance pertaining to towing.

HB 121
Firearms Safe Harbor

Sponsor: Dixon Pitcher
UAC Position: Oppose
Enrolled

HB 121 authorizing a cohabitant who owns a firearm (owner cohabitant) to voluntarily commit the firearm to law enforcement for 60 days if the cohabitant believes another cohabitant is an immediate threat to himself or herself, the cohabitant, or any other person. HB 121 also spells out what the law enforcement agency is to do with the firearm in the event that it is determined to be an illegal firearm or if no one returns after 60 days to reclaim the firearm.

HB 130 Boundary Adjustment Amendments

Sponsor: Mel Brown
UAC Position: Oppose
Enrolled

HB 130 allows for a parcel boundary adjustment through quitclaim deed provided that there is agreement between the property owners and there is no new parcel created in the adjustment. The quitclaim deed must be recorded by the county records office. HB 130 states that a parcel boundary adjustment is not subject to a review of the land use authority.

HB 142 Public Lands Policy Coordinating Office Amendments

Sponsor: Roger Barrus
UAC Position: Support
Enrolled

HB 142 requires the Public Lands Policy Coordinating Office (PLPCO) to conduct a study and economic analysis of the transfer of certain federal lands to state ownership. PLPCO is instructed to consult with county government on an ongoing basis regarding how to consider and incorporate county land use plans and planning processes into the analysis.

HB 142 addresses 2012's HB 148 which requires the United States to extinguish title to public lands and transfer the title of those public lands to the State of Utah by the end of 2014. In the event that the federal government complies with HB 148, HB 142 will ensure that the State of Utah is ready for the transfer of those lands. The bill has a fiscal note of \$450,000 to complete the analysis.

HB 155 Federal Law Enforcement Amendments

Sponsor: Mike Noel
UAC Position: Support
Enrolled

HB 155 provides that employees of the Utah States Forest Service or the United States Bureau of Land Management may not take action regarding any state or local Utah law or federal provision that is an assimilation of Utah law unless there is an emergency and a state or local law enforcement officer is not available to take action.

HB 164 State and Political Subdivision Jurisdictional Amendments

Sponsor: Marc Roberts
UAC Position: Support
Enrolled

HB 164 permits the chief executive officer of a municipality or county or a county sheriff to respond to action or inaction by the United States Bureau of Land Management (BLM) or the United States Forest Service that may danger the health, safety, or welfare of the people within the municipality or county by first sending written notice to the BLM or Forest Service and then, if nothing is done, taking action to mitigate the risk.

HB 192 County Clerk Misconduct Penalty

Sponsor: Dana Layton
UAC Position: Support
Enrolled

HB 192 clarifies that any county clerk or deputy clerk who knowingly issues a license for any prohibited marriage is guilty of a class A misdemeanor. Previously, they were subject to up to a \$1,000 fine and a two-year term in prison.

HB 205 Contingency Plans for Political Subdivisions

Sponsor: Ken Ivory
UAC Position: Oppose
Enrolled

HB 205 requires a political subdivision that receives federal funds comprising 10 percent or more of the political subdivision's annual budget to develop and publish a contingency plan describing how the political subdivision will operate in the event that the federal funds it receives are reduced.

HB 212 Disease Testing for Public Safety Officers Amendments

Sponsor: Derek Brown
UAC Position: Support
Enrolled

HB 212 provides that an individual who provides for the care, control, support, or transport of a prisoner can be considered an emergency service provider when it comes to requiring disease testing procedures for a prisoner who comes in contact with an emergency services provider or volunteer. HB 212 also allows for the use of reasonable force to draw blood from a prisoner if ordered by the court.

HB 217
State Fire Code Act Amendments

Sponsor: Jim Dunnigan
UAC Position: Neutral
Enrolled

HB 217 updates the editions of nationally recognized fire codes that are incorporated by reference. An amendment, supported by UAC, to exempt 4th through 6th class counties from complying with the international fire codes included in the bill failed to make it into the enrolled version of the bill.

HB 220
Repeal of State Auditor Related Provisions

Sponsor: John Knotwell
UAC Position: Neutral
Enrolled

HB 220 repeals a number of committees related to the state auditor's office none of which have functioned for several years including the Citizens and County Officials Advisory Committee which was instructed to assist, advise, and make recommendations to the state auditor.

HB 236
Land Development Revisions

Sponsor: Mel Brown
UAC Position: Oppose
Enrolled

HB 236 prohibits a county from adopting a land use ordinance requiring a property owner to revegetate or landscape a single family dwelling disturbance area unless the property is located in a flood zone or geologic hazard. HB 236 also renders a site plan within a county void as it clarifies that a site plan does not bind future development.

HB 279
Administrative Hearings by Counties

Sponsor: Spencer Cox
UAC Position: Support
Enrolled

HB 279 permits a county to adopt an ordinance establishing an administrative hearing process to review and decide matters relating to the violation, enforcement, or administration of a county civil ordinance. The ordinances included in HB 279 relate to the following: building code, planning and zoning, animal control, licensing, health and safety, county employment, and sanitation.

HB 280 County Government Reform

Sponsor: Mel Brown
UAC Position: Neutral
Enrolled

HB 280 enacts legislation allowing for the citizens of a county to petition and vote on a return to a former version of county government. For such a petition to make it on the ballot, petitioners must gather signatures of 15 percent of the ballots cast for president of the United States in no less than 85 percent of the precincts in the county no sooner than four years after the government change or the last failed change in county government petition made it onto a ballot.

HB 289 Fireworks Amendments

Sponsor: Jim Dunnigan
UAC Position: Neutral
Enrolled

HB 289 provides that the legislative body of a municipality may prohibit the discharge of fireworks in specified areas if the local fire code official determines that hazardous environmental conditions exist. HB 289 also provides that the state forester may prohibit discharge of fireworks in specified areas of the unincorporated county, after consulting with the county fire code official having jurisdiction over that area.

HB 302 Emergency Response Amendments

Sponsor: Richard Greenwood
UAC Position: Support
Enrolled

HB 302 provides for a state recovery officer to represent the governor and work with a federal recovery officer during a federally declared disaster and modifies the minimum meeting requirement for the Emergency Management Administration Council from quarterly to semiannually.

HB 310 Construction Code Amendments

Sponsor: Brad Wilson
UAC Position: Neutral
Enrolled

HB 310 adopts the 2012 edition of certain nationally recognized building codes into state law. An amendment, supported by UAC, to exempt 4th through 6th class counties from complying with the international building codes included in the bill failed to make it into the enrolled version of the bill.

HB 330 Financial Reporting Amendments

Sponsor: Steve Eliason
UAC Position: Neutral
Enrolled

HB 330 requires the chief financial officer and chief administrative officer of a political subdivision to sign a certification that under penalty of perjury that they affirm the financial conditions represented in a political subdivision's annual financial are accurate.

HB 334 Special Service District Reorganization

Sponsor: Daniel McCay
UAC Position: Support
Enrolled

HB 334 authorizes and clarifies the process by which the legislative body of a county or municipality that created a special service district may adopt a resolution to reorganize the special service district as a local district.

HB 352 County Government Amendments

Sponsor: Derek Brown
UAC Position: Support
Enrolled

HB 352 authorizes a county or county official to encourage support from a public or private individual or institution, whether in financial contributions or by other means, on behalf of an organization or activity that benefits the community. Prior to HB 352, county officials doing so were in violation of the law.

HB 378 Election Revisions

Sponsor: Craig Hall
UAC Position: Oppose
Enrolled

HB 378 requires that an election official count any qualified vote by a registered voter within the county who, for whatever reason, voted provisional outside of his or her precinct. Based on the ballot, this could include all of the races, most of the races, or few to none of the races.

UAC's original opposition to HB 378 centered primarily on the fear that the bill would preclude counties from using electronic voting machines to cast provisional ballots. However, county election officials devised a way to comply with the bill's provisions in an efficient manner.

HB 382

Escalante Region Grazing Zone

Sponsor: Mike Noel
UAC Position: Support
Enrolled

HB 382 creates the Escalante Region Grazing Zone and adopts a livestock grazing and rangeland management policy for the Escalante Region Grazing Zone while promoting local, state, and federal collaboration to develop grazing resources in the zone.

HB 408

Criminal Suspect Photographs

Sponsor: Paul Ray
UAC Position: Support
Enrolled

HB 408 prohibits county sheriffs from providing a copy of a booking photograph to a person if the photograph will be placed in a publication or posted on a website that requires a payment in order to remove the photograph. Additionally, HB 408 requires a person requesting a copy of a booking photograph to sign a statement that the photograph will not be placed in a publication or on a website that requires payment in order to remove the photograph and provides a criminal penalty for a false statement.

HCR 5

Concurrent Resolution on Regional Correctional Facilities and County Jail Contracting

Sponsor: Mike Noel
UAC Position: Support
Enrolled

HCR 5 offers the Legislature's official recognition that regional correctional facilities and county jail contracting can assist the state of Utah in addressing increasing incarceration costs and a growing prison population. HCR 5 may prove to be an important resolution as the state considers moving the state prison over the coming years.

HJR 15

Joint Resolution on State and Political Subdivisions Jurisdiction

Sponsor: Marc Roberts
UAC Position: Support
Enrolled

HJR 15 is the companion resolution to HB 164. It declares and asserts the jurisdictional right of the state of Utah and its political subdivisions to respond to and take action when conditions on federally managed land in the state adversely affect, or may adversely affect, the health, safety, or welfare of the people.

SB 24
Absentee Ballot Amendments

Sponsor: Pete Knudson
UAC Position: Support
Enrolled

SB 24 sets rules for organizers of registration drives to ensure that those registrations are returned in a timely manner and the voter registering has reviewed the contents of the registration to ensure that the material is correct.

SB 34
Special Election Date for Ballot Propositions

Sponsor: Howard Stephenson
UAC Position: Neutral
Enrolled

SB 34 requires an election for a bond, debt, leeway, levy, or tax to take place on a General Election held on the first Tuesday after the first Monday in November. Prior to SB 34, bond elections were allowed on two dates a year: the date of the General Election and the date of the primary election.

SB 35
Property Taxation of Business Personal Property

Sponsor: Wayne Harper
UAC Position: Neutral
Enrolled

SB 35 increases the business personal property exemption from \$3,500 to \$10,000 while requiring a first-time taxpayer who qualifies for the exemption to provide the county assessor a signed statement declaring the exemption. The language in SB 35 was also included in the enrolled HB 67.

SB 56
Utah 211 Referral Information Network

Sponsor: Todd Weiler
UAC Position: Neutral
Enrolled

SB 56 requires the Department of Human Services to designate an approved 211 service provider, outlines the duties of the approved 211 service provider, and requires state and local governments to provide the approved 211 service provider with information about health and human services available throughout the state.

SB 72

Prison Relocation and Development Amendments

Sponsor: Scott Jenkins
UAC Position: Support
Enrolled

SB 72 establishes the makeup of the Prison Relocation and Development Authority and permits that authority to issue a request for proposals for a new prison development project, to review those proposals, and make recommendations on those proposals to the Legislature and Governor. An amendment supported by UAC that would have prohibited the authority from considering private prisons or prison administration failed to make it into the enrolled version of the bill.

SB 77

Availability of Government Information

Sponsor: Deidre Henderson
UAC Position: Oppose
Enrolled

SB 77 requires state and local government to post pending minutes (i.e., those which have not yet been approved) no later than 30 days after the meeting, to post approved minutes no later than 3 business days after they have been approved, and to post an audio recording of a meeting no later than 3 business days after the meeting.

SB 80

Removal from Database Restricting Firearm Purchase

Sponsor: Daniel Thatcher
UAC Position: Oppose
Enrolled

SB 80 provides the steps to be taken for an individual who is disqualified from owning a firearm due to mental health disability to remove those restrictions. Those steps include: a requirement to petition a court to be relieved from disability, requirements that must be met before petitioning the court, and a requirement that the court hold a hearing and take evidence. If all of these steps are taken, the court can rule in favor of the applicant and the Bureau of Criminal Identification will remove the individual from any database disqualifying the individual from owning a firearm.

SB 95 Whistleblower Amendments

Sponsor: Stuart Reid
UAC Position: Neutral
Enrolled

SB 95 empowers the Career Service Review Office to review a grievance by a public entity employee who alleges that adverse action was taken against the public entity employee in retaliation for reporting wasteful or wrongful actions. Additionally, SB 95 shifts the burden of proof to the employer to prove that a communication was not made in good faith.

SB 102 Contractor Licensing Amendments

Sponsor: Wayne Harper
UAC Position: Oppose
Enrolled

SB 102 establishes that the experience requirement for a contractor license includes two years of full-time paid employment. SB 102 also requires that before a course may be included in the program of approved continuing education for contractors, the Construction Services Commission shall invite and consider written input regarding the proposed course from a number of trade associations.

UAC's opposition to SB 102 was directed towards an early version of the bill that removed any requirements for continuing education. Had UAC considered the bill in the enrolled version, it likely would have dropped its opposition.

SB 107 Public Shooting Ranges

Sponsor: Allen Christensen
UAC Position: Oppose
Enrolled

SB 107 opens to the public any shooting range owned by a state or local public safety agency built after the effective date of the legislation. SB 107 clarifies that reasonable fees from the public shall be collected for use of the shooting ranges and that while time has to be dedicated to the public, it shall not interfere with the use of the range for agency for which the range was constructed. The original version of SB 107 would have opened all public safety shooting ranges to the public.

SB 126
Coordination of Services for Veterans

Sponsor: Pete Knudson
UAC Position: Neutral
Enrolled

SB 126 creates a veterans' coordinator position within state government and requires a number of state agencies to designate a veterans' services specialist to work with the veterans' coordinator to ensure better service to veterans throughout state government.

SB 135
Involuntary Commitment Amendments

Sponsor: Todd Weiler
UAC Position: Support
Enrolled

SB 135 requires an applicant for an involuntary commitment order to consult with the appropriate local mental health authority before the court may issue a judicial order if the local mental health authority appears at the commitment hearing. SB 135 also states that notice of involuntary commitment proceedings shall be sent to the local mental health authority or its designee.

SB 145
County Attorney Chapter Recodification

Sponsor: Todd Weiler
UAC Position: Support
Enrolled

SB 145 cleans up the language in the Utah State Code dealing with the county attorney and district attorney and the duties of that position.

SB 153
Local Government Development Amendments

Sponsor: Stuart Adams
UAC Position: Support
Enrolled

SB 153 addresses a number of issues recommended by a local government land use committee. SB 153 amends a land use authority's authority to impose an exaction for another governmental entity, enacts language limiting a municipality's or county's regulation of a residential facility for persons with a disability, enacts provisions relating to a land use authority's acceptance of landscaping and infrastructure improvements, and requires a local district to comply with municipal or county land use and development requirements in certain circumstances.

SB 156
Jail Release Amendments

Sponsor: Stuart Adams
UAC Position: Support
Enrolled

SB 156 clarifies that a person arrested for violation of a jail release agreement or jail release order may not be released before the accused's first judicial appearance and may be denied bail based on the violation.

SB 172
Use of Bond Proceeds by Political Subdivisions

Sponsor: John Valentine
UAC Position: Oppose
Enrolled

SB 172 prohibits the proceeds from bonds issued on or after May 14, 2013 to be used for operation and maintenance expenses more for than one year after the date any of the proceeds are first used for those expenses or for capitalization of interest more than five years after the bonds are issued.

SB 190
Procurement Revisions

Sponsor: Scott Jenkins
UAC Position: Support
Enrolled

SB 190 makes a number of modifications to the current Utah Procurement Code. Some of those modifications include: 1) protecting certain records that would impair governmental procurement proceedings or give an unfair advantage to a potential contractor and records submitted in response to a request for information, 2) clarifying the prequalification process for potential bidders, offerors, or contractors, 3) providing that a public transit district may contract with a county or municipality to fund a transportation project without going through a standard procurement process or an exception to a standard procurement process, and 4) addressing cooperative purchasing, purchasing under a contract held by another procurement unit, and purchasing directly from another government entity.

**SB 211
Redevelopment Agency Amendments**

**Sponsor: Jerry Stevenson
UAC Position: Neutral
Enrolled**

SB 211 enacts language prohibiting certain entities from recovering increased taxes paid to an agency retroactively. SB 211 also requires that certain urban renewal or economic development projects budget specify the maximum cumulative dollar amount of tax increment that the agency may receive.

**SB 221
Assessment Area Act Amendments**

**Sponsor: Kevin Van Tassell
UAC Position: Support
Enrolled**

SB 221 requires that an assessment area for an energy efficiency upgrade or a renewable energy system be a voluntary assessment area and authorizes an interlocal entity to issue a bond for an energy efficiency upgrade or a renewable energy system. SB 221 also authorizes a county, local district, or special district to provide or finance an energy efficiency upgrade or a renewable energy system.

**SB 229
Appellate Bond for State Entities**

**Sponsor: Curt Bramble
UAC Position: Neutral
Enrolled**

SB 229 and its companion resolution SJR 14 require that municipalities post a bond on appeal of a judgment over \$5,000,000. The original version of the bill included counties in its restrictions.

**SB 238
Property Tax Amendments**

**Sponsor: Curt Bramble
UAC Position: Neutral
Enrolled**

SB 238 authorizes a county legislative body to reduce the value of property or issue a refund of property taxes paid in the event that a board of equalization makes a judgment on disputed property value that would retroactively adjust the value of the property for additional years.

SB 277
Green River Energy Zone

Sponsor: David Hinkins
UAC Position: Support
Enrolled

SB 277 adopts an energy exploration, access, and development policy for the Green River Energy Zone and promotes local, state, and federal collaboration to develop energy and mineral resources in the Green River Energy Zone.

SJR 14
Joint Resolution Amending Civil Procedure Rule 62

Sponsor: Curt Bramble
UAC Position: Neutral
Enrolled

SJR 14 and its companion bill SB 229 require that municipalities post a bond on appeal of a judgment over \$5,000,000. The original version of the resolution included counties in its restrictions.

FAILED BILLS

HB 17

Personal Use of Campaign Funds

Sponsor: Keith Grover
UAC Position: Neutral
Failed

HB 17 would have required a municipality or a county to adopt an ordinance prohibiting the use of campaign funds for personal expenditures. The ordinance would be required to include penalties, enforcement, and due process. HB 17 was adopted as a committee bill during the interim but failed to get the needed votes to pass out of the House floor early in the session.

HB 20

Wrongful Documents

Sponsor: Curt Webb
UAC Position: Support
Failed

HB 20 would have modified provisions relating to documents submitted for recording which are claimed to establish invalid liens, would have applied those provisions to documents submitted for recording that improperly purport to release or extinguish a lawful lien or interest or reflect or establish a claim or obligation against a person, and would have provided for joint and several liability for those who prepare, sign, or submit a wrongful document. HB 20 was circled on the house floor and never considered for a floor vote.

HB 59

School Board Elections Provisions

Sponsor: Jim Nielson
UAC Position: Oppose
Failed

HB 59 would have moved State Board of Education and local school board elections from even to odd numbered years. HB 59 also would have designates a county clerk as the election officer for the election of the State Board of Education and local school boards resulting in additional costs to run countywide election during the municipal election cycle. The fiscal note to HB 59 placed the impact to local government at \$2.3 million every four years. HB 59 never received a committee hearing.

HB 91

Voter Registration - Election Day Voter Registration

Sponsor: Rebecca Chavez-Houck
UAC Position: Neutral
Failed

HB 91 would have permitted same day voter registration by allowing unregistered voters to register at a polling place and then vote provisional. After the election officials verified the voter's registration, the provisional ballot would then be counted. Currently, unregistered voters are allowed to register at the polls, but their provisional ballots are not counted. HB 91 passed out of the House but failed on the Senate 3rd reading calendar.

HB 122

Fees for Government Records Requests

Sponsor: Brian King
UAC Position: Oppose
Failed

HB122 would have modified a provision requiring a governmental entity to fulfill a GRAMA request if the request would primarily benefit the public rather than a person. UAC worried that without further clarification, HB 122 could conceivably be applied to nearly every GRAMA request. HB 122 was heard in committee and the committee unanimously recommended returning the bill to rules committee.

HB 133

Property Tax Sales Revisions

Sponsor: Earl Tanner
UAC Position: Oppose
Failed

HB133 would have extended the tax sale process on property where the taxes paid are five years delinquent by allowing the property owner six months after the tax sale to make payment and maintain the property. This likely would have reduced enthusiasm for tax sales and decrease tax sales receipts. HB 133 was held in committee.

HB 150

Animal Shelter Amendments

Sponsor: Angela Romero
UAC Position: Oppose
Failed

HB150 would have prohibited an animal shelter from using carbon monoxide gas to euthanize an animal. It also would have required an animal shelter to adopt a euthanization policy and training program. HB 150 passed the House but was circled on the Senate 2nd reading calendar.

HB 159

Property Tax Appeal Amendments

Sponsor: Daniel McCay
UAC Position: Oppose
Failed

HB159 would have required the county to notify all property owners within a mile radius of a property where the Board of Equalization approved a property value adjustment. Additionally, the bill would have extended the Board of Equalization period an additional 45 days after notice has been sent thus potentially perpetuating the Board of Equalization period in perpetuity. HB 159 failed to receive as much as a committee hearing.

HB 167

Government Enterprise Gross Receipts Tax to Fund Education

Sponsor: Johnny Anderson
UAC Position: Neutral
Failed

HB167 would have created a gross receipts tax on certain governmental enterprises such as golf courses, recreation centers, and the rental space of governmental facilities to be deposited into the Education Fund. Perhaps as an oversight, HB 167 does not include government-owned shooting ranges in the list of governmental enterprises required to collect a gross receipts tax. HB 167 failed to receive a committee hearing.

HB 199

Fiscal Period for Political Subdivisions

Sponsor: Daniel McCay
UAC Position: Oppose
Failed

HB 199 would have required county government (along with most special districts in the state) to move to a July 1 to June 30 annual fiscal year without addressing how to fund the six month period outside of the budget process to get there. The property taxes alone to cover that six month period would have been in the hundreds of millions. HB 199 was held in committee over these concerns.

HB 203
Revenue Streams as Bond Collateral

Sponsor: Keith Grover
UAC Position: Oppose
Failed

HB 203 would have prohibited the governing body of a local political subdivision from repaying a bond with a revenue source not specified in the bond when it was issued. HB 203 failed to receive a committee hearing.

HB 207
Open and Public Meeting Act Notice Amendments

Sponsor: Kraig Powell
UAC Position: Oppose
Failed

HB 207 would have required public notice of a meeting at least 72 hours in advance if the need for that meeting is known at least 72 hours in advance and provides that an agenda on which all items then planned to be discussed at the meeting are listed. It would have exempted the Legislature from complying with the requirements of the bill and would have prohibited a court from voiding a final action taken by a public body for failure to comply with the 72 hour public notice requirements. HB 207 passed out of committee but was circled on the House 3rd reading calendar.

HB 242
Property Tax Residential Exemption Amendments

Sponsor: Lowry Snow
UAC Position: Neutral
Failed

HB 242 would have provided a procedure for a county board of equalization to offer residential exemption to a property that qualified for the residential exemption after January 1 but before March 1 and to provide a refund for a property that qualified for the residential exemption after March 1. HB 242 spelled out the requirements a property owner would have to meet in order to qualify for the exemption or refund. The sponsor of the bill worked with county assessors to try to make the bill manageable for the counties, but no amendments were officially introduced and the bill failed to receive a committee hearing.

HB 264 Property Tax Notice Amendments

**Sponsor: Kraig Powell
UAC Position: Neutral
Failed**

HB 264 would have required a property tax notice to include the amount of property taxes imposed on the taxpayer that represents revenues distributed to charter schools. That figure would have been calculated by the county treasurer based on a formula the Tax Commission would be charged to create. HB 264 was heard before a committee but the motion to recommend the bill before the body of the House failed.

HB 265 Workforce Services Job Listings Amendments

**Sponsor: Paul Ray
UAC Position: Oppose
Failed**

HB 265 would have required all government entities and private companies that contract with any government entity to advertise job openings on the state's website. The provisions of HB 265 included seasonal, part-time work which was particularly problematic for county government. HB 265 was held in committee.

HB 268 Disorderly Conduct Amendments

**Sponsor: Paul Ray
UAC Position: Neutral
Failed**

HB 268 would have clarified that the mere carrying or possession of a holstered or encased firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the holstered or encased firearm was carried or possessed unlawfully or with criminal intent, does not constitute disorderly conduct. HB 268 passed out of the House but was circled in the Senate.

HB 277 Building Code Amendments

**Sponsor: Larry Wiley
UAC Position: Neutral
Failed**

HB 277 would have updated various sections of the construction code to include the latest versions of the International Residential Code and the International Energy Conservation Code. HB 277 never received a committee hearing.

HB 296
Return of Weapons after Use in Court

Sponsor: Richard Greenwood
UAC Position: Support
Failed

HB 296 would have required a law enforcement agency to return a firearm to a legal owner within 30 days after court proceedings unless the law enforcement agency is unable to determine the legal owner or the legal owner may not legally possess a firearm. HB 296 failed to receive a committee hearing.

HB 322
Local Government Clean-up Fees

Sponsor: Eric Hutchings
UAC Position: Neutral
Failed

HB 322 would have limited a fee a municipality may charge for a residential clean-up service and would have required a municipality to provide a property owner with a statement showing the municipality's calculation method of a clean-up fee. The original version of the bill included counties within the provisions of the bill even though counties do not share the cities' authority to charge for residential clean-up service. HB 322 passed out of the House but was never voted upon in the Senate.

HB 339
Indigent Defense in Justice Courts

Sponsor: Brian Greene
UAC Position: Neutral
Failed

HB 339 would have required indigent defense in the event that a person is charged with an offense for which there is a substantial probability that the penalty to be imposed is confinement in either jail or prison upon conviction. HB 339 failed to pass the House floor.

HB 349
Local Land Use Revisions

Sponsor: Gage Froerer
UAC Position: Neutral
Failed

HB 349 would have amended provisions related to the land development authority of a municipal or county land use authority and legislative body. HB 349 was held in committee on recommendations of the bill's sponsor to work on it over the interim.

HB 356
Filling Candidate Vacancies

Sponsor: Derek Brown
UAC Position: Neutral
Failed

HB 356 would have increased the fines for a candidate who fails to file a financial statement from \$100 to \$500 while removing the failure to file a financial statement grounds for a state or county central committee of a political party to replace a candidate for office. HB 356 was not considered by a committee.

HB 383
Taxpayer Funded Lobbyist Prohibition Act

Sponsor: Paul Ray
UAC Position: Oppose
Failed

HB 383 would have prohibited a governmental entity from using public funds to hire, contract, or otherwise engage a lobbyist for the purposes of influencing the action of a public official including a member of the state legislature. HB 383 was returned to rules after receiving a hearing in committee.

HB 397
Property Tax Increase Amendments

Sponsor: Jim Nielson
UAC Position: Oppose
Failed

HB 397 would have required that a taxing entity that engages in truth in taxation for a tax increase that exceeds the consumer price index also be required to place the proposed tax increase on the ballot with a requirement that a majority of voters approve the tax before it can be imposed. HB 397 was held in committee.

HJR 3
Joint Resolution - Property Tax Exemption for Public Schools

Sponsor: Derek Brown
UAC Position: Neutral
Failed

HJR 3 would have placed on the ballot for a public vote a constitutional amendment that would have authorized a statutory property tax exemption for property, not otherwise exempt, that is used as a public school. This would have applied to property rented or leased by a school but not otherwise owned by a school. HJR 3 was circled on the House floor.

SB 66

Referendum Revisions

Sponsor: Stuart Reid
UAC Position: Support
Failed

SB 66 would have required the budget officer for a local government where a referendum petition gathered enough signatures to place a fiscal decision on the ballot determine whether, and to what extent, repealing the law has fiscal or legal implications, and shall prepare an unbiased, good faith written estimate of the fiscal and legal impact that will occur if the law is repealed. This information would have been shared with the public with a process for the petition sponsors to challenge the findings.

The original version of SB 66 would have moved the number of signatures for a local government referendum petition from 10 percent of the votes for president of the United States to 20 percent. The bill was substituted to remove that language. SB 66 passed out of the Senate but was circled on the House floor.

SB 75

Publication of Property Tax Appeals for Nonresidential Property

Sponsor: Kevin Van Tassell
UAC Position: Support
Failed

SB 75 would have required the Tax Commission to publish on its website each final, unappealable decision the commission makes on a property tax appeal made on a centrally assessed property that has an assessed value of \$500,000 or more. Included in the published material would have been the name of the property owner filing the appeal, the initial assessed value, the owner's proposed value, and the Tax Commission's final determination of value. SB 75 was never heard in committee.

SB 87

Impoundment of Vehicles Amendments

Sponsor: Mark Madsen
UAC Position: Neutral
Failed

SB 87 would have provided that if an inventory search of the removed or impounded vehicle, vessel, or outboard motor is conducted by a peace officer, or by an order of a person acting on behalf of a law enforcement agency or highway authority, after a person has refused an inventory search, any physical evidence of a crime found within a vehicle, vessel, or outboard motor pursuant to the inventory search is inadmissible in a court of law. SB 87 wasn't heard in committee and dead before UAC had an opportunity to take a position on it.

SB 109

Change Application Procedure

Sponsor: Ralph Okerlund
UAC Position: Support
Failed

SB 109 would have addressed issues raised by a recent Utah Supreme Court case that concluded that the State Engineer lacks statutory authority to consider nonuse of a water right when ruling on a change application. SB 109 would have granted the Engineer that authority. One version of SB 109 passed the Senate while another version of it passed the House. The two bodies failed to reach a compromise as to which version of the bill should be enrolled and the bill remained within the care of a conference committee of both bodies charged to find a solution when the session ended.

SB 149

Governmental Immunity Amendments

Sponsor: Stuart Adams
UAC Position: Support
Failed

SB 149 would have created an exemption from waiver of governmental immunity for certain injuries arising from the operation of a law enforcement vehicle in pursuit. Those include injuries to the a suspect fleeing a motor vehicle after a law enforcement officer has activated the emergency lights on the officer's vehicle to effect a stop and injuries caused by the suspect while the law enforcement officer is pursuing in a reasonable manner. SB 149 failed to receive a committee hearing.

SB 181

Political Subdivisions Property Amendments

Sponsor: Wayne Harper
UAC Position: Support
Failed

SB 181 would have required counties to charge fair market value for large, countywide GRAMA data requests. The bill was amended multiple times to address concerns of industries that regularly conduct business with the county. SB 181 passed out of the Senate unanimously but was never presented before the House.

SB 192

Economic Development Incentives Act Amendments

Sponsor: Ralph Okerlund
UAC Position: Support
Failed

SB 192 would have expanded the purposes of the Economic Development Incentives Act to include providing economic incentives for creating, improving, developing, or expanding utility infrastructure. It also would have expanded the definition of a “new commercial project” that can qualify for economic incentives to include an economic development opportunity involving natural resource recovery or processing services and agricultural services. And it would have authorized the Governor's Office of Economic Development to authorize or commit up to 50% of new state revenues from a new commercial project to pay for capital costs associated with the development of a qualified utility expansion. Perhaps due, in part, to the bill’s fiscal note (which estimated a loss of up to \$5,000,000 annual to the Education Fund), SB 192 was never heard in committee.

SB 237

Taxation of Short-term Lodging

Sponsor: Stuart Adams
UAC Position: Support
Failed

SB 237 would have required online travel companies to remit the sales and transient room taxes on the full price paid by their customers instead of the discounted price those online travel companies agreed upon with the hotels. SB 237 was circled on the Senate 2nd reading calendar.

SB 265

Referendum Amendments

Sponsor: John Valentine
UAC Position: Support
Failed

SB 265 would have shortened the referendum process on referendums dealing with municipal fiscal actions to ensure that a qualifying referendum would make it on the municipal election. This would have included a greatly condensed period for county election officials to verify referendum signatures. SB 265 included language to compensate the county for additional costs this might cause. SB 265 was circled on the Senate 3rd reading calendar.

SJR 10

Joint Resolution on the Protection of the Greater Canyonlands Region

Sponsor: Jim Dabakis

UAC Position: Neutral

Failed

SJR 10 would have called on the United States Congress and the President of the United States to take action to protect the publicly owned, world-class resources of the Greater Canyonlands region as a natural, undeveloped area for the recreational use and enjoyment for Utahns and Americans for generations to come. SJR 10 was held in committee.

INTERIM STUDY ISSUES

The Legislative process doesn't stop at the end of the Legislative Session. The Legislature continues to meet once a month throughout the interim between Legislative Sessions to consider in greater detail a number of issues. Out of these interim committee meetings come legislation prepared and ready to introduce during the first days of the next year's Legislative Session.

Each year at the end of the Legislative Session, the Legislature introduces a master study list. Out of the master study list will come the majority of issues the Legislature will consider during its interim committee meetings although not every item on the master study list will be covered in the interim. Below are a number of items off of the master study list (HJR 20) that may impact county government.

- | | |
|---|---|
| 13. Digital Billboard Advertising | 106. Preferred Drug List for Mental Illness |
| 34. Financial Impact of RDAs and CDAs on Education Funding in Utah | 113. Court Fees for Political Subdivisions |
| 65. Automated Geographic Reference Center Issues | 117. Eminent Domain Amendments |
| 67. County Office Election Cycles | 119. Government Immunity |
| 70. Election Code Amendments | 133. Competition with Private Security Companies |
| 71. Election Day Registration | 141. Statewide Access to Law Enforcement Records |
| 72. Election Notices | 153. Wildfire Suppression |
| 74. Fees for Government Records Requests | 156. Local Land Use Revisions |
| 76. GRAMA Requests to Local Government | 160. Wrongful Documents |
| 77. Initiative, Referendum, and Petition Forms | 164. Constitutional Property Tax Exemptions |
| 78. Preliminary Election Results | 166. Exemption for Real Property Improvements |
| 80. Public Meeting Notice | 167. Impact of Taxing Entity Action on Values |
| 81. Recall Elections | 169. Local Tax Referenda |
| 84. Special Election Dates | 172. Property Tax Assessment and Levy |
| 91. Community Mental Health Funding | 174. Replacing Property Tax System |
| 92. Consequences of Current Community Mental Health Funding Structure | 175. Sales Tax Distribution |
| 99. Medicaid Cost Control | 180. Tax Rate Reduction |
| 100. Medicaid Expansion | 182. Tax to Fund Education |
| 101. Medicaid Substitute | 201. Prohibiting Local Governments from Enacting Traffic Laws |