



UTAH ASSOCIATION OF COUNTIES

2023 NOVEMBER INTERIM

Nov. 15, 2023

UAC is the advocate for all 29 Utah counties. If you have questions about legislative action, please reach out to the legislative team or visit uacnet.org. November is the last interim meeting of the year.

<p><u>Executive Appropriations</u></p>	<p>Executive Appropriations Committee received a fiscal update from Legislative Fiscal Analysts. This year, the state’s income tax fund did not have the same revenue surplus as in recent years-this year, the income tax fund had a \$119 million deficit. The deficit in revenue overall for this year is almost \$50 million. There is about \$3 billion in rainy-day reserves for both funds.</p>
<p><u>Retirement and Independent Entities</u></p>	<p>Retirement and Independent Ethics committee members discussed many back-to-work options throughout interim. Rep. Acton discussed a bill with objectives to give employees more flexibility in how they take their pension, help public sector employers hire and retain experienced employees, and make changes cost-neutral.</p> <p><u>The bill:</u></p> <ul style="list-style-type: none"> • Shortens the post-retirement waiting period for reemployment from 1-year to 90 days • Requires employers who hire working retirees to pay the full contribution rate just like any other employee • Reduces working retirees’ pension by 15% for public safety and 20% for other employees during reemployment • Suspends COA on working retirees’ pension allowance <p>The drafting attorney from the legislature explained that these changes would be cost-neutral. The committee did not vote on the bill.</p>



**Legislative
Audit
Subcommittee**

Legislative auditors shared an Utah’s housing policy. Auditors that determined without a statewide goal, Utah will miss opportunities to address housing needs. In other states like Oregon and California, policy control at the state level is intensive. Both have penalties for cities. Montana is less centralized, but allowing more upzoning, and providing significant incentives.

Auditors found that better statewide data and a statewide strategic plan could benefit the state, even if regulatory decisions are decentralized. The primary problem is a shortage of units for a growing population, with more than a million new homes needed before 2060. Auditors found that in some cases, cities use authority over land use to circumvent changes from the legislature.

They suggested that the legislature could:

- Include population forecasts as part of moderate-income housing requirements
- Upzone to permit missing middle housing density
- Create incentives and penalties to hold local leaders accountable
- Incentivize builders to create affordable housing.

The committee voted to accept the audit and also voted to start audits of mental health systems, oversight of the attorney general, and others.



Government Operations

Last year, an audit of Utah’s election systems found that while elections are secure, improvements were possible. The Lt. Governor’s office was tasked to obtain a report on the audit and recommendations to further improve election integrity.

The [completed report](#) found that election administration practices are strongly developed and implemented and that security policies and practices are similar or stronger than comparable states. The report recommended improving management and implementation of signature verification policies, and determined that the biggest challenge facing election integrity is that voters know very little about election security practices.

Highlights of bills considered include:

- This year’s [elections clean up bill](#) is meant to clarify requirements, and adjusts special district term lengths. The bill was recommended unanimously.
- The committee voted to pass out favorably [Criminal Threat Interference Amendments](#), which makes it a crime to perpetrate violence against a current or former public servant, party official, or voter, or stop them from doing their jobs. Sen. Thatcher suggested that although the penalties under the bill are already crimes, this effort improves consistency between crimes committed against election officials, jurors, public officials, and more.
- [Initiatives and Referenda Amendments](#), which makes adjustments such as requiring gatherers to offer information on how to remove a signature, requiring a person to have read the document, and ADA compliance, was passed out favorably.

Health and Human Services

The Behavioral Health Crisis Response Commission passed out favorably a [bill that lays the groundwork](#) for an appropriation for four additional MCOT units, and two additional receiving centers in rural counties, and a [bill that would add an eleven member commission](#) within the Department of Health and Human Services to be the central authority for coordinating behavioral health efforts between state and local governments, health systems, and others. The chair of the Utah Behavioral Healthcare Committee would appoint one member to this commission. This bill is aligned with UAC’s Crisis Care Priority Policy.



<p><u>Political Subdivisions</u></p>	<p>Political Subdivisions passed out favorably a bill that clarifies conflict of interest disclosures, including what entities are responsible for enforcement, penalties for failure to disclose, and who has to file a conflict of interest disclosure. One legislator suggested that groups created by interlocal agreement such as an AOG should be included. The bill’s sponsor said that they were not currently included, but that he would continue working on the bill.</p> <p>Rep. Peterson revisited Political Subdivisions to review her transportation utility bill. The bill’s language was not made public during the meeting. Her working group, including ULCT, WFRC, and locally elected officials, worked to determine a standard of reasonableness. The group found consensus on banning cities from charging fees for broadband or public safety, requirements for implementation, including keeping the process public and subject to OPMA, and requirements to regularly study the issue. The committee expressed support for the idea.</p> <p>Open and Public Meetings Act Amendments is a committee bill to clarify the meaning of convening, meeting, public body, and quorum, and cleans provisions relating to electronic meetings. The bill was recommended unanimously.</p> <p>Rashelle Hobbs, Salt Lake County Recorder, and Chad Montgomery, Box Elder County Recorder, serve as chair and vice chair of the County Recorders Standards Board. They discussed changes recommended by their committee to increase consistency, and reported that they think that the board is functioning well.</p>
<p><u>Public Utilities, Energy, and Technology</u></p>	<p>Sen. Sandall reports that the legislative audit of Intermountain Power Plant suggested that a change of governance was needed to solve challenges. Rather than make it a private entity, Sen. Sandall requested that the legislature recognize the importance of the plant to Utah’s energy future, and establish oversight. The governing board would include four members of the legislature, two members of municipalities utilizing the electricity, and one member with expertise in operation and management of electrical generation facilities. The committee did not vote on this proposal.</p>



Revenue and Taxation

Revenue and Taxation heard a variety of bills, some of which are related to UAC Priority Policies or have been heard by Policy Steering Committees.

[Property Tax Appeal Modifications](#), which requires expenses related to a centrally assessed property appeal to be distributed equally among all taxing entities located within the county, and [Property Transaction Amendments](#), which requires limited, private disclosures of real property transfers, address UAC's Centrally Assessed Property and Commercial Property Disclosure Priority Policies.

Sen. Chris Wilson and Rusty Cannon, President of the Utah Taxpayers' Association, presented [Truth in Taxation Modifications](#), an idea from Dianna Schaeffer, a constituent and employee in the Cache County Clerk's office. The bill was recommended unanimously by the committee. In October, Ms. Schaeffer presented this idea to the UAC Revenue and Taxation Policy Steering Committee, which expressed that specifics needed to be outlined before action could be taken.

The bill is now drafted. Provisions include:

- Requires detailed notice of tax increases, including information on public websites,
- Modifies public hearing requirements for judgment levies and property tax increases,
- Allows county auditors to audit municipal compliance with notice and public hearing requirements,
- Excludes certain revenue sources from the calculation of a taxing entity's budgeted property tax revenue for the prior year,
- Mandates public auditors to resolve conflicts in public hearing dates.
- Prohibits the State Tax Commission from certifying a tax rate increase if notice and hearing requirements are not met, and
- Modifies the content of the property tax valuation notice provided by county auditors.

The committee also recommended [Multicounty Appraisal Trust Amendments](#), to allow the MCAT to hire professional appraisers to provide services in rural counties.



Transportation

Rep. Lesser presented [Active Transportation and Canal Trail Amendments](#), which clarifies UDOT's canal corridor preservation and application in active transportation planning.

The bill would:

- Require canal owners to notify certain entities about the intent to transfer title of a canal,
- Provides certain entities the right of first refusal for a canal,
- Requires UDOT to develop a trail toolkit, inventory major canals in the state, consider canal trails for active transportation plan, and identify certain canal corridors for preservation, and
- Enables UDOT to consider water savings when prioritizing projects.

Counties are one of the entities included in these notification and right of first refusal provisions. The bill was recommended unanimously.

